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47

MAR 13 REC'D

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

MAR 13 REC'D

Bill No: HB 47 Date on Bill: 1/17/83
Title: establishing a residents' priority for the taking of big game animals
Sponsor: Hurlbert, Grussendorf & Fritz
Requestor: _____

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital								
Operating								
Total			0	0	0	0		

b. Revenues:

Revenue			0	0	0	0		
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2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

No Fiscal Impact

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Colonel Robert J. Stickles Phone: 269-5532
Division: Fish & Wildlife Protection Date: 3/4/83

Approved by Commissioner: [Signature] Date: 3/8/83
Department: Public Safety

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF FISH & WILDLIFE PROTECTION

BILL SHEFFIELD, GOVERNOR

Robert J. Sundberg
Commissioner

*P. O. BOX 6188, ANNEX
ANCHORAGE, ALASKA 99502*

January 27, 1983

Representative John Ringstad
Chairman, House Resources Committee
State Capitol
Pouch V
Juneau, Alaska 99811

Dear Representative Ringstad:

I would like to present the following positions which the Division of Fish & Wildlife Protection, Department of Public Safety hold with regard to the subsequent House Bills under proposal:

H.B. 5 - Neutral

This bill may prove to be detrimental to some of the smaller fishermen.

H.B. 47 - Neutral (with amendment)

Proposed Amendment:

Require all nonresidents to be guided or in the company of 2nd degree kindred.

As written the bill will invite an increase in residency falsification on hunting licenses. These are not usually identified until after the season is over and consequently the people are already out of state.

Assigning nonresidents to guides will increase control of the nonresidents. We would propose that permits be issued to the guides in the areas where the Board determines a population of animals warrants allowing nonresidents to hunt.

Nonresident aliens are already required to use a guide and since that requirement became effective enforcement problems with nonresident aliens has declined sharply.

Representative John Ringstad
Chairman, House Resources Committee

January 27, 1983

H.B. 63 - Neutral

No Comment.

H.B. 67 - (support with amendments)

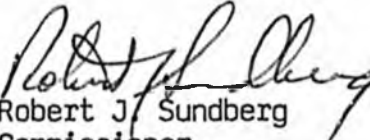
Proposed Amendment:

Require a subsistence license. The applicant for the license must sign an affidavit attesting to the fact that he meets the income requirements to obtain a subsistence license and falsification of the affidavit is perjury. A very strict penalty for perjury should be established for this offense and sentencing made mandatory.

"UNENFORCEABLE AS WRITTEN"

We cannot get records from IRS to verify income and we have no way of knowing or proving the number of family members in a household.

Sincerely,


Robert J. Sundberg
Commissioner

Interior Wildlife Association of Alaska

Conservation: Wise USE of Resources

BOARD OF DIRECTORS:

Dr. P. B. Haggland, Chairman
H. C. "Bud" Wiese, Treas.
William G. Stroecker
Richard A. Burley
William I. Waugaman
Charles L. Gray

PHONE (907) 452-3788 • BOX 60255 • FAIRBANKS, ALASKA 99701

February 7, 1983

Rep. Jim Ringstar
House of Representatives
Pouch V
Juneau, AK 99811

Dear Jim,

We called in our comments regarding H.B. 47 (to restrict non-resident hunters) to John Manley last Wednesday morning--before the Resources Committee was to receive testimony on it that afternoon.

But we thought maybe we should let some of the Fairbanks area delegation in on the thinking here in Fairbanks on this matter because it is not black and white.

In the spring of 1982, an ad hoc group of sportsmen in the Fairbanks area formed a group called Citizens for Equal Hunting and Fishing Rights to support Proposition 7. That group has pretty much stayed together and still has meetings every few weeks because the subsistence and related matters are not apt to go away. We had such a meeting Tuesday noon, February 1, and followed up with the call to John Manley the next morning.

Groups represented in this committee are primarily the Tanana Valley Sportsmen and Interior Wildlife Association, along with some independents. Bill Waugaman chairs the group.

After considerable discussion around the above-mentioned bill (and Sen. Fisher's similar bill in the Senate), we posed the question to the group: Do you want legislation passed this year that could close down guiding in Alaska? (We realize H.B. 47 does not do this immediately in one swell swoop.)

The votes were 6 no; 2 yes and one abstention.

The sole reason for two "yes" votes was because those people thought (and so did some of the others) that this would be one way of attacking the state subsistence law. If outside hunters are prevented from coming to Alaska to hunt, surely one of them or one of their associations will sue to remove such discrimination. Also, it would make it easier to raise outside money for the on-going equal-rights hunting effort.

"Concerned Sportsmen"

Rep. Jim Ringstad
February 7, 1983
Page Two

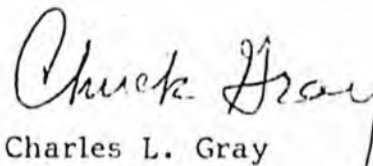
Those who voted "no" did not believe that such legislation at this time (especially the weasel wording in 47) would accomplish enough good to offset the harm to the guiding business (7th largest industry in the state) and the reduced revenue to the Game Department for wildlife management.

All those present believe it was good to have such a bill filed, but well buried, especially when submitted by the "opposition" for the good that it can do in raising funds outside the state.

Someone suggested that the "shall" be amended to "shall not" and passed. Almost everyone could agree to this.

We hope that this will clear up any misunderstanding you may have had when you heard that the Fairbanks sportsmen may favor legislation that would close down the guiding industry.

Sincerely,
Interior Wildlife Association



Charles L. Gray
Executive Secretary

P.S. You may also be interested to know that the sportsmen we represent are not overly enthusiastic about Sen. Stevens' hunting amendments to allow sport hunting in park preserves. These areas would remain under state and federal subsistence umbrellas and the discretion of the Park Service, who's appeal process goes no further than the State Director's Office. We view this as campaign fodder and a hoax on the gullible.

CC: Sen. Bettye Fahrenkamp
Rep. Boo Bettisworth
John Manley, Resources Committee

Risk for you. info on HB 47 Jones

HB 47

1. This bill provides another set of mandated regulations against a private business that is already plagued with over-regulations. I refer to the guiding business.

2. Mandating the Board of Game to a certain action will not solve the problem. The Board of Game is supposed to be made up of members who can think for themselves and will act in the best interest of all of the taxpayers to protect the sustained yield principle. If they can't do this without being mandated by another regulation plan we should replace them.

3. The non-resident and non-resident alien provides a better economy in most areas of Alaska. They provide employment through the use of Guides, Assistant Guides, packers, air taxis, etc. They provide an economic base to certain businesses in the area they are hunting - airport services, gasoline businesses, grocery businesses, clothing businesses, cafes, lodges. This type of hunter will effect almost every business in our economy besides providing a tool (hunting license, tags, fees, etc.) that will assist the Board of Game in a sustained yield principle with regard to our game animals.

4. Non-resident hunters are required to have a guide. A guide is like a farmer. He actually farms his allotted hunting area so that he has a good crop of trophy animals to hunt year after year. Conservation is truly practiced here and the financial support that the non-resident hunter gives the guide, enables him to continue his practice of supporting the sustained yield principle and thus assists the Board of Game in their objectives. It is not necessary to mandate a conservation policy since both the Board of Game and the guide who works for non-resident hunters have the same objectives - better management of our big game animals.

HOUSE RESOURCES COMMITTEE CONTACT LIST

DATE: Feb 2 Wed

BILL #: HB 47 - HB 94 - HB 118

SPONSOR: Hurlbert

CONTACTS

NAME	DATE	REQUESTED
Bob Himmans	1/28/83	TEST. FISCAL (4190)
Wayne Olson	1/28/83	TEST.
Hurlbert	1/28/83	TEST Back 40
Banks & Feig	1/28/83	TEST. (4110)
Paul Conger - Public Safety	1/27/83	TEST. FISCAL

Table 1
Licenses Sold to Nonresident
and Military Hunters: FY 82

Type of License	Number Sold
<u>Nonresidents</u>	
Hunting	4,636
Fishing and Hunting	1,104
Hunting and Trapping	68
<u>Military</u>	
Hunting (Small Game)	1,109
<u>Nonresident Military</u>	
Fishing and Hunting	1,231
Total	<u>8,148</u>

Source: Department of Fish and Game, Division of Game, 2/1/83.

Mr. Henman noted that information regarding the rates of success for all nonresident hunters is not available on short notice. He was able to give us some data on nonresident and resident hunters of big game. Table 2, on the following page, supplies information on hunters of four species of big game in 1980, including rates of success and the percentage of the total take by residents and nonresidents.

While some of the numbers in Table 2 are incomplete (the underlined numbers do not include hunters who participated through drawings), Mr. Henman stated that the rates of success for the hunters who are not included would be approximately the same.

Table 2
Success of Residents and Nonresidents
in Hunting Sheep, Grizzly Bear,
Caribou and Moose: 1980

Species	Resident Harvest					Nonresident Harvest				
	Percentage of Harvest of Species	Successful Hunter		Unsuccessful Hunter		Percentage of Harvest of Species	Successful Hunter		Unsuccessful Hunter	
		#	%	#	%		#	%	#	%
Sheep	67%	<u>561</u>	35%	<u>1,032</u>	65%	33%	<u>278</u>	79%	<u>76</u>	22%
Grizzly Bear	46%	371	9%	4,007	91%	54%	436	44%	551	56%
Caribou*	91% 57.4%	<u>1,886</u>	77%	575	23%	9% 42.6%	<u>1,398</u>	96%	65	4%
Moose	88%	<u>4,669</u>	24%	<u>14,492</u>	76%	12%	<u>680</u>	61%	<u>434</u>	39%

Source: Alaska Department of Fish and Game, Division of Game, 1/31/83.

Note: underlined numbers do not include hunters awarded permits through lotteries.

*In addition, the Division estimates an unreported kill of caribou totaling 10,919 in 1980.

<u>Res.</u>	7,487	Success	<u>Non-Res.</u>	2,792	Success
27,593	72.8%	30.0%	3,918	27.2%	70.0%

Guides

We contacted the State Division of Fish and Wildlife Protection in the Department of Public Safety. This is the office to which all licensed guides must report their activities during the year, including the number of clients they have served.² During 1981, Alaska's guides reported taking some 1,589 clients on hunting trips. Of these, 1,120 (70.5 percent) were nonresidents and 119 were residents; of the non-residents, 350 were aliens.

Table 3
Licensed Guides in Alaska, 1981

Guide Class	Number of Guides
Master Guide	41
Registered Guide	346
Class A Assistant Guide*	122
Assistant Guide*	666
Totals	<u>1,175</u>

Source: State Department of Public Safety, Division of Fish and Wildlife Protection, 2/1/83.

*Guides of these two classes may not take parties out on their own; all clients are accompanied by a registered or master guide.

Meat Taken

None of the sources we spoke with was able to provide an estimate of the amount of meat removed from the state by nonresident hunters. Mr. Henman of the Division of Game did say that the State urges guides to encourage their clients to leave game meat with villagers rather than take it home, and that it is his impression that this is done fairly often.

* * *

If you have any questions regarding this memorandum, or if we can be of any further assistance, please do not hesitate to call on us.

²Kathy Oliverson, Division of Fish and Wildlife Protection, Department of Public Safety, Anchorage; telephone: 269-5535.

Fish + Game Fund		
9% hunters	899655.18	res
63% fund	\$1,510,533.30	non-res

Marc Jensen: Master guide
 Ron Summerville



Alaska State Legislature By Senator Vic Fischer 2/2/83

Senator Vic Fischer • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

EXPLANATION OF SENATE BILL NO. 5 AND HOUSE BILL NO. 47 (AN ACT ESTABLISHING A RESIDENTS' PRIORITY FOR THE TAKING OF BIG GAME ANIMALS

The majority of big game animals harvested by residents (both urban and rural) is taken to provide meat for Alaskan dinner tables or for other personal or familial consumptive uses. The majority of big game animals harvested by non-residents is taken to obtain a big game trophy. If a big game population is sufficient in size to sustain a harvest by both residents and non-residents without jeopardizing either the sustained yield of the population to obtain food or for other personal or familial consumptive uses, the the Alaska Board of Game should, and indeed does, adopt hunting regulations which authorize both resident and non-residents hunting. But if hunting must be restricted, then logic and sound public policy require that trophy hunting by nonresidents be curtailed by the Board before hunting opportunities by residents are restricted.

Last year the Alaska legislature adopted this policy when it established a resident hunting priority (codified AS 16.05.256) which authorizes, but does not require, the Alaska Board of Game to implement the resident hunting priority in situations in which the Board in its discretion determines that implementation of the priority is appropriate.

SB 5 amends AS 16.05.256 to establish the resident hunting priority as a mandatory, rather than discretionary, state policy. This change is consistent with section 2 of Article VIII of the Alaska Constitution which requires the Alaska legislature (rather than the Alaska Board of Game) to establish state policy for the utilization of big game animals "for the maximum benefit of the people". After the legislature has established state policy for utilization of big game animals, the Board is then responsible for implementing the policy on a case-by-case basis based upon the biological status of, and hunting pressures on, particular big game populations.

SB 5 also includes a series of findings detailing the reasons the legislature established the resident hunting priority. The findings explain to the resident and non-resident public why the resident hunting priority has been established. The findings are also important should the courts ever be requested to review the constitutionality of the legislature's authority to differentiate between resident and non-resident hunting.

Lastly, it should be emphasized that SB 5 does not unnecessarily or arbitrarily restrict or eliminate non-resident hunting. As long as resident and non-resident hunting of a big game population can be authorized without jeopardizing sustained yield, SB 5 does not require, and fundamental principles of Alaska constitutional and administrative law in fact prohibit, the Alaska Board of Game to restrict or eliminate non-resident hunting. Rather, SB 5 merely requires the Board to

Resident and Nonresident Hunters' Success:
Alaska Statewide
1981-1982 Season

Species	Resident Harvest				Nonresident Harvest				Residency Unknown; Unsuc- cessful	Total Hunters	Total Harvest		
	Percentage of Harvest of Species	Successful Hunter		Unsuccessful Hunter		Percentage of Harvest of Species	Successful Hunter					Unsuc- cessful Hunter	
		#	%	#	%		#	%					#
Sheep	67%	<u>561</u>	35%	<u>1,032</u>	65%	33%	<u>278</u>	79%	<u>76</u>	22%	<u>33</u>	2,348*	1,041*
Grizzly Bear	46%	371	9%	4,007	91%	54%	436	44%	551	56%	--	5,365	807
Caribou	91%	<u>1,886</u>	77%	575	23%	9%	<u>1,398</u>	96%	65	4%	<u>29</u>	<u>3,952</u>	14,813**
Moose	88%	<u>4,669</u>	24%	<u>14,492</u>	76%	12%	<u>680</u>	61%	<u>434</u>	39%	<u>434</u>	23,550*	6,000*

561
278

839

812

Source: Alaska Department of Fish and Game, Division of Game, 1/31/83.

Note: underlined numbers do not include hunters awarded permits through lotteries.

*Includes hunters who drew permits in lotteries. The Department of Fish and Game is not readily able to separate such hunters by residency status, but staff there have estimated that the proportion of nonresidents among hunters who draw their permits in lotteries is about the same as among other hunters for each species.

**This figure includes an estimated 10,919 unreported caribou kills, and some 500 caribou taken through drawings. In addition, the figure includes more caribou than hunters, because many hunters take more than one caribou with a single permit.