

HB

527

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

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JUNEAU, ALASKA 99811  
907-465-3800

May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary

4/9/86

1:30 pm

HOUSE  
COMMITTEE REPORT

(7)

Date referred: 2/10/86

FURTHER REFERRALS:

DATE: 4/9/86

The JUDICIARY Committee has considered HB 527

"An Act relating to definition of residency for purposes of the fish and game code."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with Committee substitute ] same title
- new title

and recommends do pass

further referral to the \_\_\_\_\_ Committee

- and attaches:
- letter of intent
  - first fiscal note
  - new fiscal note
  - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

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Chairman

Offered: 2/10/86  
Referred: Judiciary

Original sponsor: Shultz

1 IN THE HOUSE BY THE RESOURCES COMMITTEE  
2 CS FOR HOUSE BILL NO. 527 (Resources  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to the definition of residency for  
7 purposes of the fish and game code."  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
9 \* Section 1. AS 16.05.940(19) is amended to read:  
10 (19) "resident" means a person who for the preceding 12  
11 consecutive months has maintained a permanent place of abode in the  
12 state and who has continually maintained a voting residence in the  
13 state; [AND IN THE CASE OF A PARTNERSHIP, ASSOCIATION, JOINT STOCK  
14 COMPANY, TRUST, OR CORPORATION, "RESIDENT" MEANS ONE THAT HAS ITS MAIN  
15 OFFICE OR HEADQUARTERS IN THE STATE;] however, a member of the mili-  
16 tary service who has been stationed in the state for the preceding 12  
17 consecutive months is a resident for the purposes of this paragraph,  
18 and the dependent of a resident member of the military service, who  
19 has been living in the state for the preceding 12 consecutive months  
20 [YEAR] is a resident for the purposes of this paragraph, and a person  
21 who is an alien but who for the preceding 12 consecutive months [ONE  
22 YEAR] has maintained a permanent place of abode in the state is a  
23 resident for the purposes of this paragraph;

**STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE**

Revision Date : \_\_\_\_\_

**REQUEST**

Bill/Resolution No. : HB 527  
 Title : An Act relating to the definition of residency for purposes of the fish and game code.  
 Sponsor : Shultz  
 Requestor : Resources and Judiciary  
 Date of Request : 2/4/86

**FISCAL DETAIL**

Agency Affected : Dept. of Public Safety  
 BRU : Fish & Wildlife Protection Div.  
 Components : Enforcement

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

<b>CAPITAL</b>	0	0	0	0	0	0
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<b>REVENUE</b>	0	0	0	0	0	0
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS :**

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS :** Attach a separate page if necessary

Prepared by : J. R. Nutgrass Phone : (907) 269-5509  
 Division : Fish & Wildlife Protection Date : 2/10/86

Approved by Commissioner : [Signature] Date : 2/11/86  
 Agency : \_\_\_\_\_

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - HB 527

SUPPORT

HB 527 - "An Act relating to the definition of residency for the purposes of the fish and game code."

The Department of Public Safety is in support of House Bill No. 527.

We support the clarification in defining "resident" as this will facilitate the enforcement responsibility in carrying out the statutory requirement of residency.

The deletions on Page 1, lines 13-15, has no effect on the requirements or enforcement of residency.

  
Robert J. Sundberg  
Commissioner

**STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE**

Revision Date : \_\_\_\_\_

**REQUEST**

Bill/Resolution No. : C5HB 527 (Res.)  
 Title : Act ref the definition of  
residency for purposes of the fish  
and game code.  
 Sponsor : Shultz - original  
 Requestor : H. Judiciary  
 Date of Request : \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected : Public Safety & Dept. of Law  
 BRU : Fish & Wildlife Protection  
 \_\_\_\_\_  
 Components : \_\_\_\_\_  
 \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

<b>CAPITAL</b>	0	0	0	0	0	0
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<b>REVENUE</b>	0	0	0	0	0	0
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS :**

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS :** Attach a separate page if necessary

Prepared by : Captain James R. Nutgrass Phone : 269-5509  
 Division : Fish & Wildlife Protection Date : 2/25/86

Approved by Commissioner : Michael J. Clemens Date : 2-27-86  
 Agency : Public Safety

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

DEPARTMENT OF PUBLIC SAFETY  
POSITION PAPER - CSHB 527 (Res)

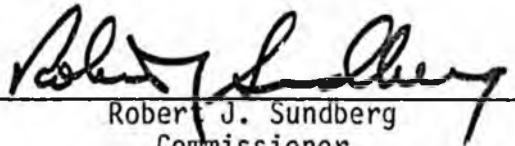
SUPPORT

CSHB 527 (Res)- "An Act relating to the definition of residency for the purposes of the fish and game code."

The Department of Public Safety is in support of CS House Bill No. 527 (Res).

We support the clarification in defining "resident" as this will facilitate the enforcement responsibility in carrying out the statutory requirement of residency.

The deletions on Page 1, lines 13-15, has no effect on the requirements or enforcement of residency of an individual.

  
Robert J. Sundberg  
Commissioner

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date : \_\_\_\_\_

REQUEST

Bill/Resolution No. : HB 527  
 Title : "An Act relating to the definition of residency for purposes of the Fish & Game Code"  
 Sponsor : Schultz  
 Requestor : Resources & Judiciary  
 Date of Request : 1/31/86

FISCAL DETAIL

Agency Affected : Dept. of Fish & Game  
 BRU : Sport Fish & Game  
 Components : Sport Fish & Game

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

CAPITAL						
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REVENUE						
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

**POSITIONS :**

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : *Denny Ream*  
 Division : Administration

Phone : 465-4120  
 Date : 2-7-86

Approved by Commissioner : *[Signature]*  
 Agency : Department of Fish and Game

Date : 2/7/86

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

February 7, 1986

MEMORANDUM

TO: House Resource Committee

FROM: Dan Beck 

RE: HB 527

During this past interim I worked for the House Resources Committee as an aide working out of the Delta Junction Legislative Information Office .

The Delta Fish and Game Advisory Committee requested that Representative Shultz introduce legislation that would clarify the definition of resident in AS 16.05.940 (19) for the purpose of obtaining fishing and hunting license.

Their motive in requesting this measure was to alleviate problems in enforcement and to remove portions of the statute that were irrelevant.

In researching the need for this measure I found no one who had any idea what purpose the deleted section provided and all parties contacted at Fish and Wildlife Protection agreed that the addition of the words referring to the preceding twelve months would help with enforcement.

P.O. BOX 63  
MARKEN, ALASKA 99833  
(907) 248-4495

While in Juneau  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-4942, 465-4943



RESOURCES COMMITTEE

MEMBER  
TRANSPORTATION  
COMMITTEE

# House of Representatives

## DISTRICT 26

ADAK  
AKUTAN  
ALEKNAGIK  
ATKA  
BELKOPSKI  
CLARK'S POINT  
COLD BAY  
DILLINGHAM  
DUTCH HARBOR  
EGEGIK  
KUK  
EKWOK  
FALSE PASS  
IGIUGIG  
ILIAMNA  
KING COVE  
KING SALMON  
KOKHANOK  
KOLIGANEK  
LEVELOCK  
MANOKOTAK  
NAKNEK  
NELSON LAGOON  
NEWMALLEN  
NEW STUYAHOK  
NIKOLSKI  
NONDALTON  
PEDRO BAY  
PILOT POINT  
PORT ALSWORTH  
PORT HEIDEN  
PORT MOLLER  
PORTAGE CREEK  
SAND POINT  
SOUTH NAKNEK  
SQUAW HARBOR  
ST GEORGE  
ST PAUL  
TOGIAK  
TWIN HILLS  
UGASHIK  
UNALASKA

October 14, 1985

Mark Ruesch  
1939 Long Lake Road  
New Brighton, MN 55112

Dear Mr. Ruesch,

Thank you for sharing your concerns with me about sport hunting in Alaska. I am glad to know that you have decided to exercise free choice and hunt in the Lower 48.

Sincerely,

*Adelheid Herrmann*

Adelheid Herrmann  
Representative  
District 26

Dear Representative Herman,

I'm writing this letter to express my concern about a rule that requires non resident hunters to use a registered guide when hunting dall sheep + grizzly bear. I really don't understand the logic behind this. How much money do you think we have? Not every hunter can afford a guide and, neither is it necessary when you have friends in the state who know the areas to be hunted.

We have to shell out \$450.00 just for a license which is justifiable, however, the guide is bullshit. It's clearly a political football and money making scheme for the Alaskan Professional Hunters Association.

I have also heard of late that the Caribou season is closed to non residents as of the remainder of the year.

Keep it up, I hope your tourist + hunter money dries up like a desert.

I know Alaska is app. my last for hunting. I'll exercise FREE CHOICE + hunt in the lower 48

Sincerely, Mark Russel

PROPOSED AMENDMENTS TO CSHB 527

CSHB 527 (copy attached) clarifies the definition of "resident" for Fish and Game Licensing purposes. The following amendments also clarify existing language and could be added to CSHB 527.

1. NOTE: Clarifies the intent that military personnel purchase *a* nonresident license at full price before hunting big game.

AS 16.05.340(d) is amended to read:

(d) Members of the military service on active duty who are permanently stationed in the state, and their dependents, who do not qualify as residents under AS 16.05.940(19) [16.05.940(20)], may obtain special nonresident military small game and sport fishing licenses at the rates for resident hunting and sport fishing licenses, but may not take a big game animal without previously purchasing a regular nonresident hunting license for the full fee prescribed for the nonresident license in (a)(9) of this section and a numbered, nontransferable appropriate tag[,] issued at one-half of the nonresident rate prescribed in [UNDER] (a)(15) of this section.

2. NOTE: Deletes "oath" language and replaces with "executed under penalty of perjury" clause as is now required for the issuance of crewmember licenses.

AS 16.05.360 is amended to read:

Sec. 16.05.360. COMMISSIONER OF REVENUE CHARGED WITH LICENSE ISSUANCE. The commissioner of revenue or an authorized agent [DEPUTY] shall issue a a [EACH] license and tag to each [A] qualified person who files a [UNDER] written application containing the [SUCH] reasonable information [AS] required by the commissioner together with the required fee. The commissioner shall designate the license and tag form or type. The form or type must [SHALL] be sufficient to identify and locate the applicant and establish the applicant's status as to residency and citizenship. The application must be simple in form and must be executed by the applicant under the penalty of perjury. [EACH APPLICATION SHALL BE SUBSCRIBED AND SWORN TO BY THE APPLICANT BEFORE AN OFFICER AUTHORIZED TO ADMINISTER OATHS IN THE STATE.]

HOUSE  
COMMITTEE REPORT

2/10

(9)  
Date referred: 1/31/86

FURTHER REFERRALS: JUDICIARY

DATE: Feb 10, 1986

The RESOURCES Committee has considered HB 527

"An Act relating to definition of residency for purposes of the fish and gam code."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 527 (Res)  same title
- new title

and recommends do pass

further referral to the \_\_\_\_\_ Committee

- and attaches:
- letter of intent
  - first fiscal note
  - new fiscal note
  - zero fiscal note

SIGNING DO PASS:

Shultz Dick Shultz

Herrmann Adelheid Herrmann

Cato Bette Cato

Jenkins Roger Jenkins

Pearce W. Pearce

Sund John Sund

Miller(NP) M.W. Miller

Wallis F. Kay Wallis

SIGNING OTHER RECOMMENDATIONS:

David M. Thompson - NO REC  
Thompson

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Dick Shultz  
Co-Chairman Shultz