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BILL CONTACT/ACTION

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THE ALASKA WILDLIFE ALLIANCE

P.O. BOX 190953
ANCHORAGE, ALASKA 99519
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May 6, 1986

The Honorable Pat Rodey
Chairman, Senate Judiciary Committee
Pouch V
Juneau, Alaska 99811

Dear Senator Rodey,

Because we are an all-volunteer organization and cannot arrange to have a representative present to testify before the Senate Judiciary Committee, we would like the following comments to become part of the Committee record and to be considered in the Committee's deliberations on House Bill 31.

As we have indicated in the past, we are opposed to House Bill 31.

First, it will create a safety problem for anyone enjoying Alaska's outdoors. This bill, as was noted by Alaska Department of Fish and Game, Division of Game Deputy Director Robert Hinman in House Resources Committee hearings, provides for "citizen's arrest" of a person who is perceived by another person to be obstructing or hindering his or her hunting, trapping or fishing privileges. Certainly in the case of hunting and possibly in the case of trapping or fishing, the person performing the citizen's arrest will be armed and more than likely at least somewhat upset. On the other hand, the alleged "perpetrator", who, given the historic lack of such occurrences in Alaska, would more than likely be involved in an equally legitimate wildlife or outdoor-related activity, will see only the approach and apparent aggressive attitude of an armed person. One does not need a great deal of imagination to arrive at any number of tragic conclusions. The likelihood of such events is enhanced in that the definition of obstruction or hindrance in the bill, or even more so the "intent" to obstruct or hinder, is not just vague, it is absent.

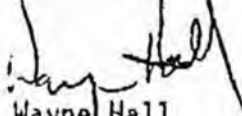
Second, no such harassment of hunters, trappers or fisherman has been documented in Alaska. The only remotely connected case we have heard presented by the proponents of the bill is the harassing of sheep by an aircraft, sheep which were at the time being hunted. Such aerial harassment of wildlife is already illegal and it is unfortunate if the perpetrators in that instance, if the aircraft was identifiable, were not prosecuted under existing law. If the aircraft was not identifiable, it is hard to imagine how HB31 would have made any difference. All kinds of threats of harassment activity might be presented by the bills proponents as a need for this legislation but the plain fact remains that it has not occurred, and is not a problem, here in Alaska. Even if it does occur, other existing statutes could be brought to bear on the perpetrator as already noted.

Third, we feel this kind of legislation is a direct affront to the state's non-consumptive users, both residents and visitors. This is not, as some might suggest, a hunting versus anti-hunting issue but one of equal rights. Hunting is a legitimate and recognized activity in Alaska. But, equally, so is wildlife observation, photography, hiking, boating and dozens of other non-consumptive uses. In a state wildlife management regime which, we feel, is already biased towards consumptive use, HB31 in effect says whenever non-consumptive and consumptive uses compete in the field, non-consumptive users must withdraw or face possible confrontation with consumptive users and threat of legal action. Rather than adding any real protection to the consumptive users, and none at all to the resource itself, HB31 would reduce the privileges and protection of all non-consumptive users. And it will at the same time only serve to increase the conflict between user groups as a result.

In summary, we oppose House Bill 31 because it would place all users of Alaska's great outdoors at added risk for an ill-defined "crime" which has never occurred in Alaska while at the same time increasing the opportunity and privileges of one user group at the expense of another.

We thank the Senate Judiciary Committee for this opportunity to express our views.

Sincerely,



Wayne Hall
Director

THE ALASKA WILDLIFE ALLIANCE

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907-277-0897

March 21, 1986

The Honorable Pat Rodey
Pouch V, Capitol Bldg. Room 504
Juneau, Alaska 99811

Dear Senator Rodey,

Because we will likely not be able to have a representative present when, or if, the Senate Judiciary Committee considers HB 31, "An Act relating to the obstruction or hindrance of lawful hunting, fishing or trapping", we would appreciate your consideration of the following comments.

We are opposed to this bill for, rather than protecting the activities of hunters, fishermen and trappers, HB 31 restricts or takes away from the rights of non-consumptive users to enjoy the outdoors and wildlife during hunting, fishing and trapping seasons, which for all practical purposes amount to the entire year. Under this bill, non-consumptive users would be subject to arrest, even "citizens arrest" by armed private citizens, as well as jail terms, heavy fines and costs for totally undefined interference or "intent to obstruct or hinder hunting, fishing or trapping". In addition, we believe that this legislation will promote the very kind of conflict (with perhaps the same foreseen tragic circumstances) it allegedly seeks to prevent. In what amounts to nothing less than an insult, the majority of non-consumptive users, already virtually "second class citizens" in the field of wildlife management, will be further deprived of anything approaching equal rights.

Even the proponents and supporters of this bill will admit no such harassment has occurred in Alaska to date. Even if it ever does occur, it can be addressed by existing statutes without further affecting the rights of all non-consumptive users.

This bill, in slightly different forms has been vetoed twice before by Governor Sheffield for much these same reasons. If HB 31 is considered by the Judiciary Committee, we hope that action will not again be necessary.

Thank you very much for your time and if you have any questions or comments, we would be pleased to hear from you.

Sincerely,


Wayne Hall
Director