

HB

25

Alaska State Legislature

Co-Chair, House Resources
Community & Regional Affairs
Legislative Council
Special Committee on Fisheries
Special Committee on Oil and Gas



State Capitol
Room 128
Juneau, Alaska 99801
(907) 465-3878
1-800-862-3878
Fax (907) 465-3265

Representative Scott Ogan
House District 27

HB-25 SPONSOR STATEMENT

I have introduced HB-25 to make the residency law applying to the taking of fish and game resources a more workable, consistent, enforceable provision.

Like many other valuable state programs there is always the temptation by nonresidents to bend the rules, or circumvent the letter of the law. By changing the language in existing statute we can close some of the loop holes that have plagued law enforcement officials.

Last session this measure was supported by both the administration and overwhelmingly by the legislature.

I hope I can count on your support this session.

Thank you.

A handwritten signature in cursive script that reads "Scott Ogan".

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO: 1
Bill Version: HB 25
(H) Publish Date: 2/5/97

Revision Date: _____ Dept. Affected: Public Safety
Title: An Act relating to residency for Fish and BRU: Fish and Wildlife Protection
Game purposes Component: Detachments
Sponsor: Representative Ogan
Requestor: H.F. 21 COMPONENT SERIAL NO. 0490

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
OPERATING						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES () Revenue Code	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 97) impact: \$ 00

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.)

This Bill will improve the Division's ability to meet program objectives and will have no significant affect on the Division's budget

Prepared By: Lt. Joel L. Hard Phone: 269-5409
Division: Fish and Wildlife Protection Date: January 22, 1997
Approved by Commissioner: *Joel Smith* Date: 1/31/97
Agency: Ronald L. Ote, Department of Public Safety

Alaska State Legislature

Chairman,
Judiciary Committee

Member,
Resources Committee
Rules Committee
Committee on Committees



Senator Robin L. Taylor

State Capitol
Juneau, Alaska 99801-1182
(907) 465-3873
Fax (907) 465-3922

352 From Street
Ketchikan, Alaska 99901
(907) 225-8088
Fax (907) 225-0713

MEMORANDUM

TO: Senator Rick Halford, Chair
Senate Resources Committee

FROM: Senator Robin Taylor *RLT*

DATE: March 13, 1997

RE: Proposed Amendment to HB 25

Rick, I'm enclosing a copy of the letter Wayne Ross sent requesting an amendment to the current F & G laws. Wayne suggests an amendment that would enable active military personnel, who maintain their Alaska residency while stationed outside of Alaska, to "hunt or fish as Alaskan residents".

A review of current proposed legislation leads me to believe that HB 25 may be the vehicle to accommodate one of Wayne's suggested amendments. It is my understanding that HB 25 has been referred to your committee for hearing.

I believe that Wayne makes a convincing argument in favor of amending current F & G law. I hope you will give serious consideration to offering a suitable amendment when HB 25 is heard by your committee.

Thank you for your consideration.

RLT/lc
cc: Wayne Anthony Ross

District A

Hyder • Ketchikan • Kupreanof • Myers Chuck • Petersburg • Seward • Sitka • Wrangell

COPY

**Wayne
Anthony
Ross**

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Wayne Anthony Ross
Edward L. Miner

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(907) 276-6672 - FAX

February 25, 1997

Senator Robin Taylor
State Capitol, Room 30
Juneau, Alaska 99801-1182

Dear Robin:

Attached please find an Attorney General's opinion rendered for the Alaska Department of Public Safety.

I have a son, Brian, who is presently a First Lieutenant in the United States Marine Corps, stationed at Camp Pendleton, California. Brian was born in Alaska, lived here all of his life, and graduated from the United States Naval Academy, Class of 1994 as the top Marine Corps Officer (12th in his class).

Despite being assigned by the Corps to a billet "Outside", Brian is an Alaskan through and through. He proudly displays Alaskan personalized plates on his car (BAR¹), votes in Alaskan elections via absentee ballot, has retained his Alaskan Driver's license, and comes home to visit the old folks at least once a year. Yet, according to this AG opinion, Brian cannot get a resident hunting license to hunt or fish with his dad, mom, brothers, and sister, even if he is lucky enough to get time off during hunting season.

Our home, I hope, will always be "home" to Brian in Alaska, as long as we are alive. Alaska, itself, will always be "home" to Brian, too, and he intends to return here after his discharge, whenever that occurs. (Brian will probably make the Marine Corps his first career. After that he is talking about teaching history in Alaska.) But since the Marine Corps furnishes lodging to Brian, his place of abode is wherever the Marine Corps tells him to rest his head. He cannot be stationed here as a career, active duty officer, because the Marines don't have an active duty unit in Alaska.

It appears to me to be grossly unfair for Brian, the Roscovius boy (who I know personally), and other similarly situated young people from Alaska, who have chosen to serve their country, to lose their residency for hunting or fishing purposes, because that service must be outside the State.

¹Brian's wife has MRSBAR on her Alaska plates and is looking forward to the day they will settle in Alaska.

February 25, 1997

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May I suggest that you consider amending the current law in one of the following ways:

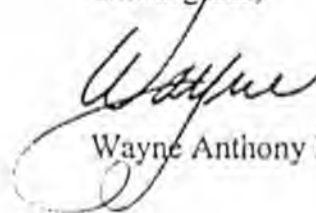
1. Provide that Alaskan residents' sons and daughters and brothers and sisters, who are in the military service, and who have maintained their Alaska residency status while in service, may hunt or fish as Alaskan residents provided they hunt with members of their family who are Alaskan Residents (Acceptable), or
2. Provide that Alaskan residents' sons and daughters and brothers and sisters, who are in the military service, and who have maintained their Alaska residency status while in service, may hunt or fish as Alaskan residents (Better), or
3. Provide that Alaskan residents, who have lived in Alaska for more than one year immediately prior to their military service, or during their military service, and who have maintained their Alaska residency, may hunt or fish as Alaskan residents (Better Still), or
4. Take out the provision that requires the maintenance of a permanent place of abode in Alaska for persons who are in the military service (Good).

As Alaskan parents, we often see our children leave the State for college or military service. We all hope, however, that our children will eventually choose to return to Alaska to live. Our children's ability to retain their hunting and fishing rights as Alaskan residents, despite their military service, is just another encouragement to them to come home when they can, on a temporary basis, and to return home permanently, when their service is over.

I would appreciate your assistance in making the necessary changes to this law immediately. Brian is due to come home in August for a visit, and I'm getting too old to pack a moose or caribou by myself.

Call me if you have any questions.

Best regards,



Wayne Anthony Ross, a/k/a "Dad"

STATE OF ALASKA
Department of Law
Attorney General's Office
1031 W. 4th Avenue, Suite 200
Anchorage, Alaska 99501-1994

Phone No. (907) 269-5100
FAX No. (907) 279-2834

FAX TRANSMITTAL SHEET

Please deliver the following pages:

DATE: May 17, 1996 TIME: _____ TOTAL NO. OF PAGES 1
(including cover sheet)

TO: Brian Stevenson Fax Nos. (907) 822-5594

RE: Military Residency Question

FR: Lance B. Nelson
Assistant Attorney General

IF YOU DO NOT RECEIVE ALL THE PAGES OR HAVE ANY PROBLEMS, PLEASE
CALL Gloria AT (907) 269-5240. THANK YOU.

REMARKS:

Under AS 16.50.940(26), if a member of the military service has not been stationed in Alaska the preceding 12 months, then he/she would have to qualify as any other resident by having maintained a permanent place of abode and a voting residence in Alaska the preceding 12 months. If John Roscovius has not maintained his own permanent place of abode in Alaska during the preceding 12 months, he they would not be a resident for fish and game purposes, even though he may well be a resident for other purposes.

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Rec 5/17/96 at ALFE

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March 17, 1997

Representative Scott Ogan
VIA FAX

Re: HB 25

Dear Scott:

I understand that some suggested changes to HB 25 could cause problems and open the door to a flood of people seeking resident hunting licenses. I believe that HB 25 should take care of our son's situation and we can live with that bill.

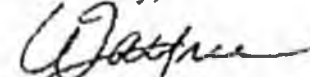
We don't want to create a can of worms.

We just want Brian to be able to go fishing with the resident license he deserves.

Thanks for all your help and that of the other members of the Legislature.

I'll see you on Thursday at the NRA reception.

Sincerely,


Wayne Anthony Ross
Attorney at Law

cc 1LT Brian A. Ross, USMC