

HB

220

ALASKA STATE LEGISLATURE

While in Session
State Capitol
Juneau, Alaska 99801-1182
(907) 465-4968
Fax: (907) 465-2040



While in Anchorage
716 West 4th Avenue
Anchorage, Alaska 99501
(907) 269-0117
Fax: (907) 269-0119

REPRESENTATIVE BOB BUCH

Representative_Bob_Buch@legis.state.ak.us

Sponsor Statement

HB 220

An Act prohibiting computer-assisted remote hunting

This bill would outlaw computer assisted remote hunting in Alaska. This practice began in Texas in 2005 when an entrepreneur offered "hunters" the ability to shoot big game on his land via remote control technology.

Computerized hunting—or internet hunting, as it is sometimes called—enables a person anywhere in the world to hunt big game from the comfort of their homes. Through the use of the internet, a computer can be hooked up to a webcam and rifle mounted on a remote control rig. The "hunter" is able to control the aiming and firing of the rifle from their keypad and to make a kill with the click of a mouse.

Currently, twenty five states have passed legislation to ban internet hunting. Nine other states have legislation pending to outlaw it as well.

HB 220 has three important provisions. First, it would prohibit individuals from engaging in internet hunting in Alaska. It would also prohibit anyone from providing services or operating facilities in the state to enable computerized hunting activities. Finally, it would make sure that future technology designed to assist the legitimate needs of handicapped or disabled hunters would not be subject to the ban created in the bill.

I urge your support of HB 220.

ALASKA STATE LEGISLATURE
HOUSE JUDICIARY COMMITTEE

Representative Jay Ramras
Chairman
(907) 465-3004
Fax: (907) 465-2070
Representative_Jay_Ramras@legis.state.ak.us



1292 Sadler Way, Suite 324
Fairbanks, AK 99701

Committee Members:
Representative Nancy Dahlstrom,
Vice-Chairman
Representative John Coghill
Representative Bob Lynn
Representative Ralph Samuels
Representative Max Gruenberg
Representative Lindsey Holmes

State Capitol, Room 120
Juneau, Alaska 99801-1182

Fax

To: Brian Kane

Fax #: 2029

Number of pages including cover: 1

From: Jane Pierson

Date: April 13, 2007

Re: Final for CSHB220 25-LS0795\E

Jerry,

Please go final on the above-referenced CS.

Thank you.

25-LS0795E
Kane
4/11/07

CS FOR HOUSE BILL NO. 220()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES BUCH, Gatto, Fairclough, Thomas, Neuman, Crawford, Wilson, Seaton, Foster, Samuels, Stoltze, Holmes

A BILL
FOR AN ACT ENTITLED

1 **"An Act prohibiting computer-assisted remote hunting."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 16.05 is amended by adding a new section to read:

4 **Sec. 16.05.797. Computer-assisted remote hunting prohibited.** (a) A person
5 may not engage in computer-assisted remote hunting or provide or operate a facility
6 for computer assisted remote hunting in the state. This subsection applies to any
7 person engaged in computer-assisted remote hunting if the game or any device,
8 equipment, or software used for computer-assisted remote hunting is located in the
9 state.

10 (b) This section does not apply to a person with physical disabilities using
11 equipment or devices designed to assist with the disability while present in the field
12 and meaningfully participating in the act of hunting under regulations adopted by the
13 Board of Game.

14 (c) In this section,

15 (1) "computer-assisted remote hunting" means the use of a computer or

1 any other device, equipment, or software to remotely control the aiming and discharge
2 of a firearm, bow and arrow, or any other weapon used to hunt any game bird, game
3 animal, or fur-bearing animal while not in the physical presence of the animal;

4 (2) "facility" means real property and improvements on the real
5 property associated with computer-assisted remote hunting.

6 (d) A person who violates (a) of this section is, upon conviction, guilty of a
7 class A misdemeanor. If a violation is continuing in nature, each day the violation
8 continues constitutes a separate offense.

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REPRESENTATIVE BOB BUCH

Representative_Bob_Buch@legis.state.ak.us

Date: April 11, 2007

To: Representative Jay Ramras
Chair, House Judiciary Committee

From: Representative Bob Buch
Alaska State Legislature

Re: HB 220

Dear Rep. Ramras:

The Dept. of Fish and Game has requested a clarification in the language of HB 220, in particular to Section 1 which pertains to persons with physical disabilities (AS 16.05.797(b)). Consequently, I am submitting the enclosed CS to the Judiciary Committee for consideration at your hearing on Friday April 13th.

Brian Kane in Legislative Legal Services worked with the Kevin Saxy, a Fish and Game attorney in the Dept of Law, to draft the enclosed language. This change was made to address problems in the field that the Division of Wildlife Conservation has experienced with disabled hunters trying to get around the law by "hunting" from their hospital beds. The new language makes it abundantly clear that hunters must go into the field to hunt, and that they must do so in accordance with the regulations adopted by the Board of Game.

A representative from the Dept. will be available at Friday's meeting to answer any questions that the committee might have about this.

Thank you.

A handwritten signature in cursive script that reads "R. L. Buch".

Representative Bob Buch
Alaska State Legislature
House District 27

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB220CS(RES)-DPS-AWT-4-12-07
 Bill Version: CSHB 220 (RES)
 () Publish Date: _____

Revision Date/Time : CORRECTED 4/12/2007 9:02

Dept. Affected: Public Safety

Title "An Act prohibiting computer-assisted remote hunting."

RDU Alaska State Troopers

Component Alaska Wildlife Troopers

Sponsor Representative Buch

Requester House Judiciary

Component No. 2746

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

CSHB 220 (RES) is an act prohibiting computer assisted remote hunting in Alaska. It would also prohibit anyone from providing services or operating facilities in the state to enable computerized hunting activities.

This committee substitute changed the penalties for violation of this act and reorganized the sections in the bill.

Passage of this legislation will have no fiscal impact on the Department of Public Safety.

Prepared by: Lt. Rodney Dial
 Division: Division of Alaska State Troopers
 Approved by: Commissioner Walt Monegan
 Agency: Department of Public Safety

Phone 907-247-4480
 Date/Time 4/12/07 9:02 AM
 Date 4/12/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB220-DFG-DWC-03-30-07
 Bill Version: HB 220
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
 Title Ban Computer-Assisted Remote Hunting RDU Wildlife Conservation
 Component Wildlife Conservation
 Sponsor Representatives Buch, Gatto, Fairclough
 Requester House Resources Committee Component No. 473

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Passage of this bill would not have any fiscal impact on the Department of Fish and Game.

Prepared by: Matt Robus
 Division: Wildlife Conservation
 Approved by: Denby Lloyd
 Agency: Department of Fish and Game

Phone 465-4191
 Date/Time 03/30/07 2:00 p.m.
 Date 3/30/2007

LEGAL SERVICES

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LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 27, 2007

SUBJECT: Sectional summary of HB 220 (Work Order No. 25-LS0795\A)

TO: Representative Bob Buch
Attn: Deborah Brevoort

FROM: Brian J. Kane *BJK*
Legislative Counsel

You have requested a sectional summary of HB 220, a bill prohibiting computer-assisted remote hunting.

Please note that a sectional summary of a bill is not an authoritative interpretation of a bill. The bill itself is the best statement of its contents.

Section 1 of the bill adds a new section to AS 16.43 prohibiting computer-assisted remote hunting.

Subsection (a) prohibits the hunting activity and states to whom this section applies.

Subsection (b) states that a person in violation of this section is guilty of a class A misdemeanor and punishable, upon conviction, for a fine of up to \$500 for each offense.

Subsection (c) states that this section does not apply to persons with physical disabilities using equipment or devices designed to assist with the disability while engaged in the act of hunting.

Subsection (d) provides definitions for "computer-assisted remote hunting" and "facility."

BJK:ljw
07-165.ljw

MEMORANDUM

TO: Alaska House Resources Committee
FROM: Matt Robus,
Director, Division of Wildlife Conservation,
Alaska Department of Fish and Game
RE: House Bill 220, "Ban Computer-Assisted Remote Hunting"
DATE: April 2, 2007

The Division of Wildlife Conservation in the Alaska Department of Fish and Game (ADF&G) is charged, among other things, with the management of hunting and trapping in Alaska. The regulations governing hunting are written by the Alaska Board of Game, a body appointed by the Governor. The Board has instituted numerous regulations meant to encourage hunter ethics and the concept of fair-chase hunting in this state. House Bill 220 proposes to outlaw an activity that has not yet been introduced in Alaska, but that our agency believes should not be brought to our state.

ADF&G agrees with the motivation behind this bill. Computer-assisted remote hunting is not fair-chase hunting; it is not sport. It runs counter to the long history and tradition of hunting wild animals in the state of Alaska.

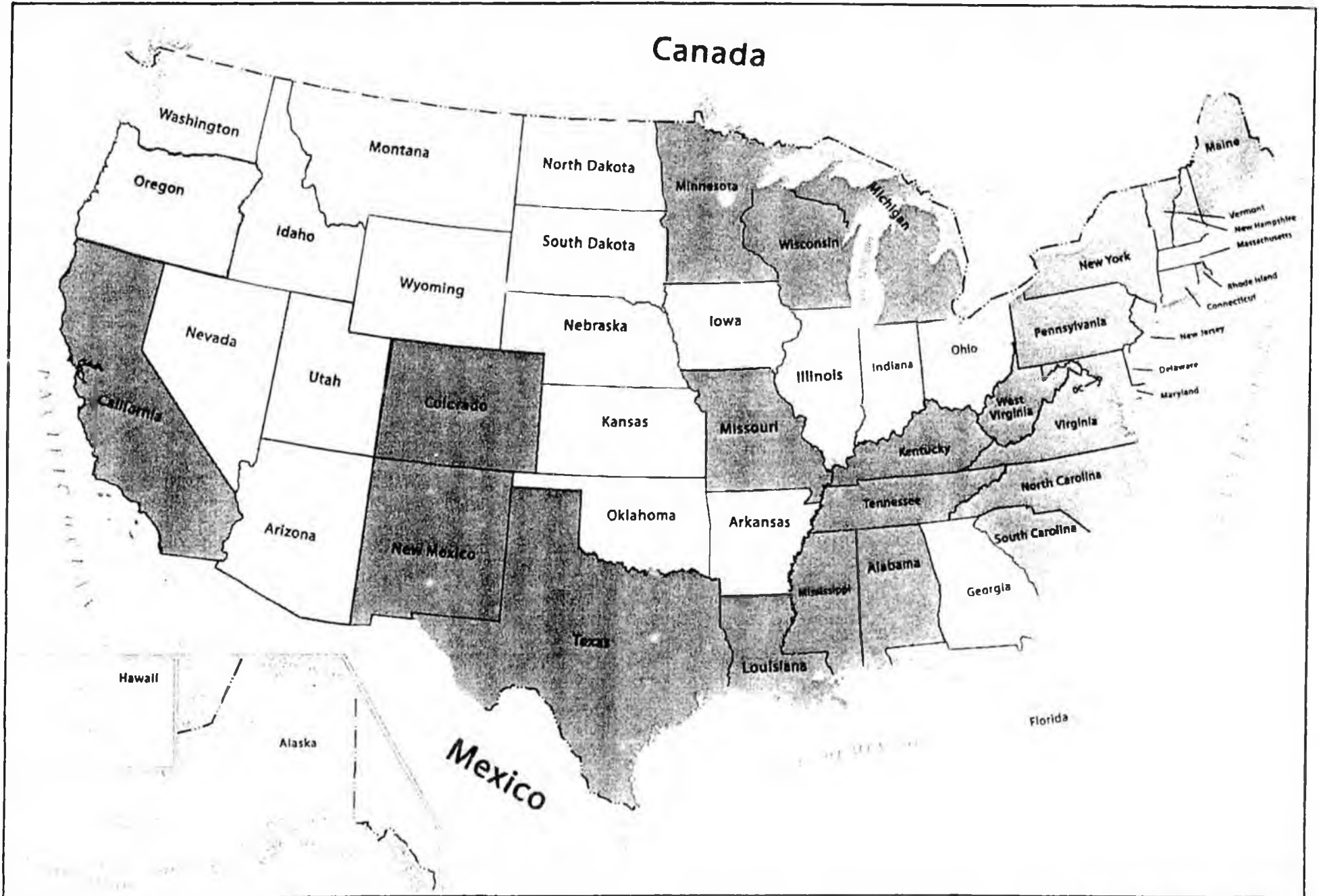
Section (c) of House Bill 220 addresses the availability of hunting opportunities to people with physical disabilities. The Division of Wildlife Conservation has an active outreach effort to make hunting accessible to all people, to specially accommodate those with physical disabilities. We have a number of programs in place to help hunters get out in the field and enjoy real hunting experiences regardless of their physical abilities. We do not believe that computer-assisted remote hunting is a true hunting experience, nor do we believe that it provides such an experience to people with disabilities.

Internet Hunting Bans

 25 states where bills have been signed into law or regulations adopted

9 states where bills are pending in 2007

As of 03/01/2007



**THE HUMANE SOCIETY
OF THE UNITED STATES**

2100 L Street, NW | Washington, DC 20002 | (202) 52-1100

March 11, 2007

Should Killing Be Merely a Mouse Click Away?

By THE ASSOCIATED PRESS

Slouched at a computer, the hunter perks up as a 12-point buck eases into view on his screen. Maneuvering his mouse, he swivels the rifle and focuses the cross hairs. With a click of the mouse, the rifle fires a bullet, mortally wounding the deer.

Call it hunting by remote control. And though it is still more concept than trend, lawmakers in several states have set their sights on stopping the practice in its tracks.

Illinois State Representative Dan Reitz has proposed banning such hunting in his state, saying that such ready, aim, click kills, or the prospect of them, push the ethical envelope and violate the spirit of fair-chase hunts.

"I just think it's wrong," Reitz said, adding that the use of such technology — which features a Web camera and a .22-caliber rifle atop a remote-controlled rig — would "give all sportsmen a black eye."

Technology that enables people to stalk online and kill real prey has alarmed hunters and lawmakers intent on pre-emptively blocking the practice. About two dozen states already have outlawed the method, which the Humane Society of the United States calls pay-per-view slaughter.

"The animal has no chance," Arkansas State Senator Ruth Whitaker said earlier this year while introducing a measure that calls for banning potential cyberhunting in her state.

"There's no challenge for you — except knowing how to use a computer and push a button," she said. "You never left your tufted sofa. What's sportsmanlike about that?"

The issue emerged in early 2005, when an entrepreneur from Texas, John Lockwood, set up a Web site that allowed subscribing hunters with a high-speed computer connection to shoot antelope, wild pigs and other game on his 220-acre San Antonio spread via remote control — from anywhere. Lockwood offered to send the animals' heads to subscribers.

During a demonstration, a friend of Lockwood's used a computer 45 miles away to shoot a wild hog as it fed at Lockwood's ranch. But, according to news reports, he only wounded the animal. Lockwood, who was on site, finished the kill.

Lockwood's venture barely got started before Texas lawmakers shot it down. Since then, other states have hustled to get something on their books barring the practice.

Even die-hard hunters are opposed, saying that shooting an animal via computer is not sporting and does not require the element of fair chase in conventional hunting through forest, field or marsh. Some states

have posed similar objections to hunting big game in captivity as trophies.

"We believe sick ideas have a bad way of spreading, so we want to make sure we nip this in the bud and ban it in all 50 states," Michael Markarian, executive vice president of the Humane Society, said of cyberhunting. The group is also pressing for a federal ban.

Pro-hunting groups, including Safari Club International and the National Rifle Association, also oppose remote-control hunting.

Gary Harpole, an Illinois hunter who figures he has killed 100 deer, most with a bow, said the practice "takes away from what hunting really is all about: getting outdoors, experiencing nature."

"To me, 90 percent of hunting is the experience, 10 percent is the harvest," said Harpole, who runs a hunter's lodge at his rural home. Bagging a buck by computer, he said, "is a lazy way of hunting."

But Lockwood has said the technology could help people with disabilities or perhaps servicemen overseas shoot game. And an attendant in the blind with the remote-controlled rifle can override any unsafe or unethical shots.

Lockwood could not be reached for this article, but he said last year that legislatures banning the practice had "no clue what they're passing laws against."

"Ever since we stopped running after our prey and killing with our hands, we've evolved by distancing ourselves further and further from the game and making it more and more efficient for whatever reason we want to take it," he said.

Reitz is not swayed by such arguments. "There's a lot of opportunities out there for people with disabilities," he said. "I just think this is a bad way to do it."

His bill, which was referred to an Illinois House rules committee on Feb. 22, would amend the state's wildlife code to bar a person from operating, providing, selling, using or offering "any computer software or service that allows a person not physically present at the hunt site to remotely control a weapon that could be used to take wildlife by remote operation."

Use of such equipment would be a misdemeanor punishable by up to six months in jail and \$1,500 in fines. Those who provided the software or services would face a misdemeanor carrying a possible 364 days in jail and \$2,500 in fines.

Missouri already has such a ban on the books, last year adopting an administrative rule specifying that "wildlife may be taken only in the immediate physical presence of the taker and may not be taken by use of computer-assisted remote hunting devices."

Bill Heatherly, the Missouri Department of Conservation's wildlife programs supervisor, said he never imagined the need for such a measure despite the sport's astounding technological leaps since man first chucked rocks to kill dinner.

"I've been telling people I'm starting to understand how my father must have felt in his later years," he said.

"Certainly, I didn't imagine this."

ALASKA

PROFESSIONAL HUNTERS ASSOCIATION, INC.

HC60 Box 299C • Copper Center, AK 99573

Phone: 907-822-3755 • FAX: 907-822-3752

Email: office@alaskaprohunter.org www.alaskaprohunter.org

March 27, 2007

Honorable Bob Buch
State of Alaska House of Representatives
State Capitol
Juneau, Alaska 99801-1182

Re: HB 220

Dear Representative Buch,

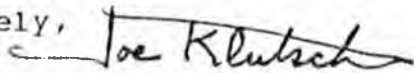
On behalf of Alaska Professional Hunters Association, I am writing to offer support of HB 220. As an organization representing Alaska's guiding profession, we are committed to fair chase hunting practices and ethical standards of conduct.

True hunting is a problem solving exercise which involves planning along with knowledge of the specie being pursued and its habitat. A hunter must be prepared to cope with all the elements of nature common to outdoor activities especially in the wild places of Alaska. Hunting is a real life drama which can involve doubt, frustration, anxiety, discovery, great physical and mental challenge, joy and disappointment. The outcome of this process is by no means assured.

Organizing the killing of an animal via cyberspace and robotics is not "hunting". Absent the above mentioned elements, this activity constitutes nothing more than the mechanical slaughter of an animal over the internet. We find this practice unacceptable and urge the Legislature to outlaw it in the State of Alaska.

Thank You for you initiative in this regard and please let me know if I can be of further assistance.

Sincerely,



Joe Klutsch - President - APHA



Jill A. Buckley, Esq.
Senior Director, Legislative Services
& Mediation Training
P.O. Box 48
Pismo Beach, CA 93448

jilb@aspc.org
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fax 805-474-9740
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March 28, 2007

Representative Robert Buch FAX: 907-465-2040
State Capitol
Juneau, AK 99801-1182

Letter in Support of HB 220, Banning Computer-Assisted Remote Hunting

Dear Representative Buch:

On behalf of the American Society for the Prevention of Cruelty to Animals (ASPCA) and our 1700 Alaska members and donors, I am writing to express strong support for HB 220 to ban computer-assisted remote hunting.

As you are no doubt aware, the necessity for this bill came about as a result of reports in 2005 that a Texas rancher had plans to operate a business via the internet whereby individuals would be able to point and shoot a rifle via remote control, from their own personal computers allowing for the killing of animals in what amounts to a video-monitored canned hunt. Since then, many states have outlawed this so-called "sport".

At the time the story broke, ASPCA President Edwin J. Sayres stated that "Promoting the killing of animals via the Internet and marketing hunting as a video game is absolutely despicable." Legitimate hunters do not consider this to be "fair" sport.

Thank you very much for considering this important humane issue.

Sincerely,

Jill A. Buckley, Esq.

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Printed on 100% post-consumer recycled paper containing 50% fiber and 0% ink. See also FSC website, www.fsc.org/coc

Re: Testimony in Support of House Bill 220

Dear Members of the Alaska State Legislature:

On behalf of the The Humane Society of the United States (HSUS) and our over 17,000 members and constituents in Alaska, I submit this testimony in support of House Bill 220, which would prohibit engaging in Internet hunting or operating an Internet hunting facility in the state.

H.B. 220 was introduced in reaction to the development of a click and shoot mechanism that operates like an Internet computer game. This operation based in Texas – Live-Shot.com – allowed clients to point and shoot a rifle via remote control. Live-shot.com was linked to a platform with a rifle and camera that could be remotely aimed at animals in what amounts to a video-monitored canned hunt. While Texas passed legislation banning Internet hunting in 2005, effectively stopping this activity on Live-Shot.com, an internet hunting system could be started or accessed virtually anywhere across the country – including Alaska. Unfortunately, sick ideas have a tendency to spread. Furthermore, the operator of Live-Shot.com stated in a December 5, 2006 article in the Arizona Republic that "Internet hunting may go offshore," clearly indicating his desire to continue to pursue remote-control hunting.

Internet hunting is unethical and unsporting. It doesn't take a very strict definition of 'sportsmanship' to see that this practice, if allowed to proceed, would violate every ethical standard that hunters profess. It involves no hunting skill whatsoever, and distances the hunter entirely from the act of killing, denying animals any of the 'respect' that hunters avow they feel for their prey. This pay-per-view slaughter has garnered strong opposition from The National Rifle Association and the Safari Club International, as well as animal welfare proponents.

This activity also poses serious safety concerns. Allowing anyone who logs into a website to fire a weapon into a hunting preserve is a danger to anything that crosses the gun's path—including non-target wildlife as well as people.

Since the inception of Internet hunting, 26 states have passed preemptive legislation or regulations banning this egregious activity. Nine states, including Alaska, are considering legislation in the 2007 session. Most states have taken or are taking action to prevent the activity in their state. I encourage Alaska to do the same.

Thank you for the opportunity to comment on remote control and Internet hunting in Alaska. We urge your support of this important legislation. Thank you.

Sincerely,

Dave Pauli
Northern Rockies Regional Director
490 North 31st Street, Suite 215
Billings, MT 59101

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Vice President & Senior Counsel

Re: **Testimony in Support of House Bill 220**

Dear Members of the Alaska State Legislature:

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This activity also poses serious safety concerns. Allowing anyone who logs into a website to fire a weapon into a hunting preserve is a danger to anything that crosses the gun's path—including non-target wildlife as well as people.

Since the inception of Internet hunting, 26 states have passed preemptive legislation or regulations banning this egregious activity. Nine states, including Alaska, are considering legislation in the 2007 session. Most states have taken or are taking action to prevent the activity in their state. I encourage Alaska to do the same.

Thank you for the opportunity to comment on remote control and Internet hunting in Alaska. We urge your support of this important legislation. Thank you.

Sincerely,

Dave Pauli
Northern Rockies Regional Director
490 North 31st Street, Suite 215
Billings, MT 59101

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MEMORANDUM

Date: April 16, 2007

To: Representative Kevin Meyer
Co-Chairman House Finance Committee

From: Representative Jay Ramras
Chairman House Judiciary Committee

Re: Referral File HB220(JUD)

Attached are the following documents for the referral file for HB220(JUD):

- CSHB220(JUD) 25-LS0795\M
- Sponsor Statement
- Memo from Representative Buch re: changes in CS
- Fiscal Notes
 - DPS - 0
 - F&G - 0
- House Judiciary Committee Report
- CSHB220(RES) 25-LS0795\C
- Sectional
- HB220 25-LS0795\A
- Support