

**SB**

**306/**

**HB**

**348**

**SENATE COMMITTEE REPORT**  
**First Committee of Referral**

DATE: 3/21/08

FURTHER: Rules

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 4/11/08

Resources Committee considered SENATE BILL NO. 306

**SB 306 BOARD OF GAME REGULATIONS**

\*An Act relating to the adoption of conservation, development, and utilization regulations by the Board of Game to address concerns relating to public assets.\*

and recommends:

- be replaced with  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
<b>HOUSE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
LAW	4/10			✓	
F+G	3/22			✓	

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC.	AMEND
<i>Linda Green</i>	Green	✓			
<i>Bill Stepan</i>	Stepan			✓	
<i>[Signature]</i>	Green			✓	
<b>CHAIR:</b> <i>[Signature]</i>	Auger	✓			

speaking pts for Chairman

**Bullets SB 306**

**This measure establishes that Alaskan's are well aware that wildlife is an asset.**

**We spend millions of dollars annually hiring professional wildlife managers**

**These trained professionals consult with the Board members and the public, endeavoring to assure an abundance of our magnificent wildlife.**

~~It is the responsibility of the Alaska Supreme Court to determine the scope of the Board's authority.~~  
~~It is the responsibility of the Board to determine the scope of its authority.~~

**What we are doing today is establishing and clarifying definitions for the Board of Game.**

**And acknowledging that we understand the Board's management of the asset is in some cases an allocation.**

**The Alaska Supreme Court has already determined that fish is an asset and would likely rule the same way on game were it to be addressed by the court. [see packet legal memos]**

**This bill does not try to second guess the Court it in fact agrees with it.**

**It clarifies the power of the Board of Game, in that methods, means, seasons and bag limits are allocative in nature.**

**It codifies in statute constitutional principals, as they bare on the utilization of game.**

**Passage of this bill will once again telegraph that Alaska is capable of managing the asset of game and will determine how that asset is allocated.**

- legislature writes laws - we cannot unilaterally change the constitution or voters writes - only the people can change that
- this just adds item (k) to list of considerations a-j when making findings
- a statement from a branch of government about the expectations we have of game managers
- makes it clear that wildlife is important to state of Al and we take it seriously including the connection to common use

# ALASKA STATE LEGISLATURE

Sen. Charlie Huggins, Chair  
Sen. Bert Stedman, Vice Chair  
Sen. Lyda Green  
Sen. Gary Stevens  
Sen. Lesil McGuire  
Sen. Bill Wielechowski  
Sen. Thomas Wagoner



State Capitol, Room 119  
Juneau AK 99801-1182  
907-465-3878  
Fax: 907-465-3265  
800-862-3878

## Senate Resources Committee Butrovich Room 205

Friday, April 11, 2008  
8:30-9:30 p.m.

## AGENDA

### ➤ SB 306 Board of Game Regulations

Teleconference

Testimony: Time Limit May Be Set

*Name as HB 348*

# **SB 306 Board of Game Regulations**

**SB 306 vs /A**

**Sec. 16.05.255 Regulations of the Board of Game;  
management requirements**

**1. Fiscal Notes X 2**

**2. Sponsor Statement**

**3. Legal x 2**

**Brian Kane Legislative Counsel  
Rabinowitz Pullen v. Ulmer**

**4. Sample Board of Game Finding**

**5. ADF&G Div. of Wildlife Conservation**

**Overview of Relationships Between Bears, Wolves, and  
Moose in Alaska**

**6. Support**

**7. Opposition**

# **SB 306 Board of Game Regulations**

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**Overview of Relationships Between Bears, Wolves, and  
Moose in Alaska**

**6. Support**

**7. Opposition**

**SENATE BILL NO. 306**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY THE SENATE RESOURCES COMMITTEE**

**Introduced: 3/21/08  
Referred: Resources**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the adoption of conservation, development, and utilization**  
2 **regulations by the Board of Game to address concerns relating to public assets."**

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

4 **\* Section 1. AS 16.05.255 is amended by adding a new subsection to read:**

5 **(k) This section authorizes the board to regulate regarding the conservation,**  
6 **development, or utilization of game in a manner that addresses whether, how, when,**  
7 **and where the public asset of game is allocated or appropriated.**

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: SB306-LAW-CV-04-10-08  
 Bill Version: SB306  
 ( ) Publish Date: \_\_\_\_\_

Identifier (file name): \_\_\_\_\_ Dept. Affected: LAW  
 Title An Act relating to the adoption of regulations by the Board RDU CIVIL  
of Game. Component NATURAL RESOURCES  
 Sponsor RESOURCES  
 Requester SENATE RESOURCES Component Number 2212

**Expenditures/Revenues** (Thousands of Dollars)

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

	Appropriation Requirec.	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CAPITAL EXPENDITURES</b>								
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>FUND SOURCE</b>	(Thousands of Dollars)							
1002 Federal Receipts								
1003 GF Match								
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	

Estimate of any current year (FY2008) cost: 0.0

**POSITIONS**

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Full-time						
Part-time						
Temporary						

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

This bill constitutes a legislative statement that when the Board of Game acts within its authority to develop regulations for the conservation, development and utilization of game, it is allocating or appropriating a public resource.

Prepared by: Betty Martin, Administrative Services Director Phone 907-465-5427  
 Division Administrative Services Division Date/Time 4/10/08 4:30 PM  
 Approved by: Tails Colberg, Attorney General Date 4/10/2008  
Department of Law

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB 308  
 () Publish Date: \_\_\_\_\_

Identifier (file name): SB308-DFG-BSS-03-22-08 Dept. Affected: Fish and Game  
 Title: Board of Game Regulations RDU: Administration and Support  
 Sponsor: Senate Resources Committee Component: F&G Boards & Advisory Committees  
 Requester: Senate Resources Committee Component Number: 2825

**Expenditures/Revenues** (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2008) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

**ANALYSIS:** (Attach a separate page if necessary)  
 Passage of this bill will have no fiscal impact on the Department of Fish and Game.

Prepared by: Kristy Tibbles, Executive Director, Board of Game Phone 465-6098  
 Division: Boards Support Section Date/Time 3/22/08 2:00 PM  
 Approved by: Tom Lawson, Director Date 3/22/2008  
Division of Administrative Services, Department of Fish and Game

# ALASKA STATE LEGISLATURE

Sen. Charlie Huggins, Chair  
Sen. Bert Stedman, Vice Chair  
Sen. Lyda Green  
Sen. Gary Stevens  
Sen. Lesil McGuire  
Sen. Bill Wielechowski  
Sen. Thomas Wagoner



State Capitol, Room 119  
Juneau AK 99801-1182  
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## Senate Resources Committee

### SB 306

**"An Act relating to the adoption of conservation, development, and utilization regulations by the Board of Game to address concerns relating to public assets."**

For those us who live in Alaska, one of the wonders we enjoy is our wildlife. Our state biologists are charged with the challenging job of managing this resource and today the constitutional mandate for abundance management has been and continues to be a high profile priority.

The efforts of the Board of Game and the wildlife biologists are not always popular when protecting our most valuable renewable resources. Wild Game represents many things to many people. Be it commercial guiding, hunting, or simply viewing wildlife, Alaska is unique and every Alaskan and visitor enjoys the gift of the resource.

Wildlife is an asset for the state. We know visitors come to the state to see our diverse ecosystem and without moose, caribou, wolves, and bears not as many people would visit. That translates into a loss of revenue. Without an abundance of wildlife guides would not earn a living and hunters would not put food on the table.

The problem we face is that we have not allowed our Board of Game to manage the resource and ~~allocate~~ it for what it actually is: an **asset**. SB 306 will accomplish that by inserting those important words into statute. The language makes it clear to others that it is our asset and we will manage for abundance as promised in the Alaska Constitution.

We urge your support for the language in SB 306. It makes it clear we understand that our wildlife is a valuable resource to be managed by professionals. It protects Alaska's wildlife for all, not just a select few.

**Sec. 16.05.255. Regulations of the Board of Game; management requirements.**

(a) The Board of Game may adopt regulations it considers advisable in accordance with AS 44.62 (Administrative Procedure Act) for

(1) setting apart game reserve areas, refuges, and sanctuaries in the water or on the land of the state over which it has jurisdiction, subject to the approval of the legislature;

(2) establishing open and closed seasons and areas for the taking of game;

(3) establishing the means and methods employed in the pursuit, capture, taking, and transport of game, including regulations, consistent with resource conservation and development goals, establishing means and methods that may be employed by persons with physical disabilities;

(4) setting quotas, bag limits, harvest levels, and sex, age, and size limitations on the taking of game;

(5) classifying game as game birds, song birds, big game animals, fur bearing animals, predators, or other categories;

(6) methods, means, and harvest levels necessary to control predation and competition among game in the state;

(7) watershed and habitat improvement, and management, conservation, protection, use, disposal, propagation, and stocking of game;

(8) prohibiting the live capture, possession, transport, or release of native or exotic game or their eggs;

(9) establishing the times and dates during which the issuance of game licenses, permits, and registrations and the transfer of permits and registrations between registration areas and game management units or subunits is allowed;

(10) regulating sport hunting and subsistence hunting as needed for the conservation, development, and utilization of game;

(11) taking game to ensure public safety;

(12) regulating the activities of persons licensed to control nuisance wild birds and nuisance wild small mammals;

(13) promoting hunting and trapping and preserving the heritage of hunting and trapping in the state.

(b) *[Repealed, 12 ch 52 SLA 1986.]*

(c) If the Board of Game denies a petition or proposal to amend, adopt, or repeal a regulation, the board, upon receiving a written request from the sponsor of the petition or proposal, shall in addition to the requirements of AS 44.62.230 provide a written explanation for the denial to the sponsor not later than 30 days after the board has officially met and denied the sponsor's petition or proposal, or 30 days after receiving the request for an explanation, whichever is later.

(d) Regulations adopted under (a) of this section must provide that, consistent with the provisions of AS 16.05.258, the taking of moose, deer, elk, and caribou by residents for personal or family consumption has preference over taking by nonresidents.

(e) The Board of Game shall adopt regulations to provide for intensive management programs to restore the abundance or productivity of identified big game prey populations as necessary to achieve human consumptive use goals of the board in an area where the board has determined that

(1) consumptive use of the big game prey population is a preferred use;

(2) depletion of the big game prey population or reduction of the productivity of the big game prey population has occurred and may result in a significant reduction in the allowable human harvest of the population; and

(3) enhancement of abundance or productivity of the big game prey population is feasibly achievable utilizing recognized and prudent active management techniques.

(f) The Board of Game may not significantly reduce the taking of an identified big game prey population by adopting regulations relating to restrictions on harvest or access to the population, or to management of the population by customary adjustments in seasons, bag limits, open and closed areas, methods and means, or by other customary means authorized under (a) of this section, unless the board has adopted regulations or has scheduled for adoption at the next regularly scheduled meeting of the board regulations, that provide for intensive management to increase the take of the population for human harvest consistent with (e) of this section. This subsection does not apply if the board

(1) determines that intensive management would be

(A) ineffective, based on scientific information;

(B) inappropriate due to land ownership patterns; or

(C) against the best interest of subsistence uses; or

(2) declares that a biological emergency exists and takes immediate action to protect or maintain the big game prey population in conjunction with the scheduling for adoption of those regulations that are necessary to implement (e) of this section.

(g) The Board of Game shall establish population and harvest goals and seasons for intensive management of identified big game prey populations to achieve a high level of human harvest.

(h) *[Repealed, 2000 Ballot Measure No. 6.]*

(i) For the purpose of encouraging adults to take children hunting, the board shall establish annual hunting seasons in appropriate areas of the state for big game, other than bison and musk ox, that are open before schools start in the fall and before regular hunting seasons begin. Only a resident child accompanied by a resident adult or a child accompanied by the child's resident parent, resident stepparent, or resident legal guardian may take big game in an area where a season established under this subsection is in effect. The adult, parent, stepparent, or legal guardian who accompanies the child may only assist the child in taking big game. A big game animal taken under this subsection must be counted against the bag limits of both the child and the adult, parent, stepparent, or legal guardian who accompanies the child. In this subsection,

(1) "adult" means an individual who is 21 years of age or older;

(2) "child" means an individual who is not more than 17 years of age and not younger than eight years of age.

(j) In this section,

(1) "harvestable surplus" means the number of animals that is estimated to equal the number of offspring born in a game population during a year less the number of animals required for recruitment for population maintenance and enhancement, when necessary, and the number of animals in the population that die from all causes, other than predation or human harvest, during that year;

(2) "high level of human harvest" means the allocation of a sufficient portion of the harvestable surplus of a game population to achieve a high probability of success for human harvest of the game population based on biological capabilities of the population and considering hunter demand;

(3) "identified big game prey population" means a population of ungulates that is identified by the Board of Game and that is important for providing high levels of harvest for human consumptive use;

(4) "intensive management" means management of an identified big game prey population consistent with sustained yield through active management measures to enhance, extend, and develop the population to maintain high levels or provide for higher levels of human harvest, including control of predation and prescribed or planned use of fire and other habitat improvement techniques.

(5) "sustained yield" means the achievement and maintenance in perpetuity of the ability to support a high level of human harvest of game, subject to preferences among beneficial uses, on an annual or periodic basis.

(( s ch 206 SLA 1975; am 5 ch 151 SLA 1978; am 10, 11 ch 132 SLA 1984; am 4, 5, 12 ch 52 SLA 1986; am 1 ch 6 SLA 1989; am 2 ch 13 SLA 1994; am 2 ch 54 SLA 1996; am 4 - 6 ch 76 SLA 1998; am 1 ch 20 SLA 2000; r 1 2000 Ballot Measure No. 6; am 1 ch 68 SLA 2001; am 1 ch 132 SLA 2003; am 4 ch 87 SL 2005))

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
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 25, 2008

**SUBJECT:** Game as an asset and CSSSHB 348(FIN)  
(Work Order No. 25-LS1328X)

**TO:** Represe *BJK* x Gruenberg

**FROM:** Brian J. Kane *BJK*  
Legislative Counsel

You have asked the following: Can the legislature determine whether game is or is not an asset for purposes of art. XI, sec. 7 or art. VIII, sec. 2, sec. 3, or sec. 4? Or can the legislature determine whether game is or is not an asset in view of *Pullen v. Ulmer*, 932 P.2d 54 (Alaska 1996)?

I will answer these questions as accurately as I can in the short length of time I have to respond. The short answer is that the legislature cannot "determine" whether game is an asset for purposes of the state constitution.

The legislature can make reference to game as an asset, as is proposed in CSSSHB 348(FIN). However, the court would not be obligated to follow this statutory language when it is interpreting the meaning of a constitutional provision. Hence, I do not believe that the legislature would actually be "determining" anything in relation to the state constitution. The state constitution stands on its own, and issues that arise from constitutional provisions will only require the court to look to the constitutional provision involved. The court may look to a statute for guidance, or for the view of the legislature on the issue, but the actual constitutional provision will likely rule the day.

The court in *Pullen* focused on a legal interpretation of art. XI, sec. 7 of the Alaska state constitution. The court has said that it (i.e. the judiciary) has the obligation to expound on the meaning of a provision of the state constitution and, by extension, under the recognized separation of powers principle, that is not the function of the legislature. *Alaska Pub. Interest Research Group v. State*, 167 P.3d 27, 35 - 36 (Alaska 2007). In other words, independently of anything the legislature might consider doing by law to describe game management as involving an asset of the state, the court will make its own examination and reach its own conclusion. It may give no credence to the subsection added by this bill -- the language may, in fact, not be used by the court as it applies the prohibitions of art. XI, sec. 7.

*distributed by Gruenberg*

Representative Max Gruenberg

March 25, 2008

Page 2

It would seem that this bill attempts to expand and codify part of the ruling found in *Pullen*. In that case, the court stated: "We hold that the state's interest in salmon migrating in state and inland waters is sufficiently strong to warrant characterizing such salmon as assets of the state which may not be appropriated by initiative." *Pullen* at 61. This bill attempts to expand that qualification of salmon as an asset of the state to the area of game, in relation to the Board of Game's regulatory authority.

If I may be of further assistance, please advise.

BJK:med

08-218.med

Pullen v. Ulmer 923 P.2d 54; 1996 August 26, 1996, Decided

Chief Justice, Rabinowitz,

On November 7, 1995, appellants Harvey Pullen and United Fishermen of Alaska (Pullen) filed suit for declaratory and injunctive relief challenging, on several grounds, the Lieutenant Governor's certification of the initiative. More particularly, Pullen asserted that (1) the proposed bill is not a proper subject of an initiative because it would make an appropriation of the State of Alaska's salmon resources, (2) **the allocation of salmon resources of the state among common users is exclusively the responsibility of the legislature,**

Pullen's appeal from the superior court's decision on summary judgment raises two issues. First, Pullen argues{1996 Alas. LEXIS 13} that management of Alaska's salmon resources falls exclusively within the power of the state legislature as trustee of Alaska's wildlife, and therefore is not a proper subject of an initiative. Second, Pullen contends that the proposed initiative makes an appropriation of state property, in violation of article XI, section 7 of the Alaska Constitution. We address this latter contention first.

if the state's salmon population{1996 Alas. LEXIS 17} precipitously declines, the fishing industry would be devastated, causing even more harm to Alaska's economy and revenue base. The state benefits from the harvest of salmon through the collection of taxes imposed on business enterprises engaged in the fishery and license fees imposed on sport, personal use, and commercial fisheries.

Pullen's contention that the public trust responsibilities imposed on the state by the provisions of article VIII of our constitution compel the conclusion that fish occurring{1996 Alas. LEXIS 21} in their natural state are property of the state for purposes of carrying out its trust responsibilities. {923 P.2d 61} In short, we are in agreement with Pullen's position that it is the authority to control naturally occurring fish which **gives the state property-like interests in these resources.** For that reason, **naturally occurring salmon are, like other state natural resources, state assets** belonging to the state which controls them for the benefit of all of its people.

We hold that the state's interest in salmon migrating in state and inland waters is sufficiently strong to warrant characterizing such salmon as assets of the state which may not be appropriated by initiative. Thus we conclude that the superior court correctly reasoned that salmon are public assets of the state which may not be appropriated by initiative.

**Findings for the Alaska Board of Game  
2006-165-BOG**

**Unit 12 and 20E Intensive Management Supplemental Findings  
May 14, 2006**

The Board of Game finds as follows, based on information provided by department staff and residents and users of moose in Units 12 and 20E. These findings are supplemental to the findings set forth in 5AAC 92.108, in the Units 12 and 20E predation control implementation plan in 5 AAC 92.125 and in Board of Game Findings 2006-164-BOG.

1. The Fortymile Caribou Herd population size, currently estimated to be 40,000-42,000 caribou, is less than the population objective of 50,000-100,000 caribou. The population objective has not been achieved for at least the last 30 years.
2. The Fortymile Caribou Herd harvestable surplus, as described in 5 AAC 92.106(3)(A), currently estimated at 840-880 bulls, is less than the harvest objective of 1,000-15,000 caribou. The harvest objective has not been achieved for at least the last 30 years.
3. The moose population size in Unit 12 north of the Alaska Highway and Unit 20E, currently estimated to be 4,300-5,200 moose, is less than the population objective of 8,744-11,116 moose (derived from the combined Units 12 and 20E objectives based on proportionate area). The population objective has not been achieved for at least the last 20 years.
4. The harvestable surplus of moose in Unit 12 north of the Alaska Highway and Unit 20E, as described in 5 AAC 92.106(3)(A), currently estimated at 135-201 bulls, is less than the harvest objective of 547-1,084 moose (derived from the combined Units 12 and 20E objectives based on proportionate area). The harvest objective has not been achieved for at least the last 20 years.
5. The Fortymile Caribou Herd and the moose population in Unit 12 north of the Alaska Highway and Unit 20E are, thus, depleted and reduced in productivity, which has already resulted in a significant reduction in the allowable human harvest of the population.
6. Enhancement of abundance or productivity of both moose and caribou in this area is feasibly achievable utilizing the recognized and prudent active management technique of predator control.
7. The Board has repeatedly, since 1976, been required to significantly reduce the taking of Fortymile caribou by restricting harvest, seasons and bag limits as compared to the level and timing of hunting opportunity that was previously allowed when the population was not depleted and reduced in productivity.


8. The Board has, since 2000, been required to limit the taking of moose in Unit 12 north of the Alaska Highway and Unit 20E by restricting harvest, seasons and bag limits as compared to the level and timing of hunting opportunity that was allowed when the population was not depleted and reduced in productivity.

9. The population and harvest objectives for both moose and caribou in this area have not been achieved, at least in part, because wolf and brown bear predation have been important causes of mortality in the populations, to the extent that the populations are unlikely to recover, and objectives are unlikely to be achieved, in the foreseeable future unless predator control is conducted.

10. Reducing predation can reasonably be expected to aid in achievement of the caribou and moose population and harvest objectives.

11. A person who has been airborne may on the same day take a brown bear with the use of bait or scent lure as authorized under a permit provided by the Department, providing the permittee is at least 300 feet from the airplane at the time of taking.

Vote: 6-0-1  
May 14, 2006  
Anchorage, Alaska

  
Mike Fleagle, Chairman  
Alaska Board of Game

ADF&G - Division of  
**Wildlife Conservation**



## **Overview of Relationships Between Bears, Wolves, and Moose in Alaska**

Relationships between large predators and their prey in Alaska are complex, and no one model fits all situations. It is possible to generalize about some situations, particularly in Interior Alaska. This information on the biology of moose, bears, and wolves, represents highlights from 25 years of research and management programs conducted by universities and state, provincial and federal governments in Alaska and Canada. In 1997, the National Academy of Sciences published a summary and review of predator/prey interactions in Alaska (National Research Council, 1997). More research has been conducted since that review. The published references listed below can be found in most university or large municipal libraries.

In the boreal forest of northern Canada and Interior Alaska, where bears (either black bears, grizzly bears, or both) and wolves are lightly harvested and are major predators on moose, moose densities typically remain well below levels that their habitat can support. Under these circumstances, moose density fluctuates between about 0.1 and 1.0 moose/mi<sup>2</sup> over large areas; most commonly densities are 0.4 to 0.6 moose/mi<sup>2</sup>. Biologists refer to this situation as the Low Density Dynamic Equilibrium or LDDE because moose density fluctuates yet remains low. This occurs primarily because, together, bears and wolves are efficient predators on moose calves, and kill most of the calves born each year. The highest densities reached in these systems (about 1 moose/mi<sup>2</sup>) tend to occur in very large burns where habitat is excellent and moose apparently are more successful at avoiding predators.

Although the LDDE prevails in much of remote interior Alaska, differences occur between areas. In most areas, bears are the major predator on moose calves. An exception occurs in Game Management Unit 20A where wolf control has been shown to be effective at maintaining high numbers of moose and high long-term harvests of moose. In Unit 20A, initial reductions in wolves increased moose population density, wolves also quickly increased after wolf control because, ultimately, the number of wolves in an area depends mostly on the number of prey animals in the area. Number of moose harvested also remained high after wolves increased. An abundance of trappers in Unit 20A has kept wolves from increasing to the point where they could cause declines in the moose population. A similar situation likely occurs in portions of Units 20B and 20D South.

Grizzly bears have been shown to be particularly effective predators of moose calves from birth to about 2 months of age and often kill adult moose in the spring. In this regard, one grizzly bear is

equivalent to many black bears. Not all bears are equal, however, and some bears seem to become specialists at killing both adult and calf moose.

Black bears have been found to be the most important predator of moose calves in some areas of Alaska where grizzly bears are uncommon. In these areas, black bears killed about 40% of all moose calves that were born. Most predation was by adult males.

Biologists expect that significant reductions in bear numbers (either black or grizzly or both) will also lead to higher numbers of moose for harvest. For example, in areas of Canada and the northern states where moose coexist only with wolves, moose are often found at high densities that fluctuate with weather and habitat (e.g. Isle Royale).

Numbers of grizzly bears have probably increased in Interior Alaska since the 1950s. We base this on incidental observations by older hunters, local residents, cabin owners, and Native elders, who all indicate that grizzly bear numbers have increased. This is corroborated to some degree by modern studies. For example, grizzly bears were recently found to be significant predators of moose calves on the Yukon Flats and are commonly seen by local residents, whereas 20-30 years ago, observations of grizzly bears were rare.

In the Anchorage and Fairbanks areas, where wolves and bears are not common, moose are abundant.

Grizzly bear populations appear to be much more resilient to harvest than previously believed. During the last 10 years, the Alaska Board of Game has made a deliberate effort to reduce numbers of grizzly bears in a few important hunting areas (e.g. Game Management Unit 13-the Nelchina Basin) by increasing the bag limit and extending hunting seasons. So far, these new regulations have had no noticeable affect on grizzly bear populations even though hunters have taken an increased number of bears.

Wolves have been found to be very adaptable and they recover from low numbers within a few years. Despite relatively heavy hunting and trapping over the last century in Alaska, wolves occur on nearly all of their traditional habitat throughout mainland Alaska. Historically, wolf numbers were greatly depressed. Specifically, wolves were rare in Interior Alaska between about 1910 and 1925, and during the 1950s. During 1910-1925 wolves may have succumbed to diseases brought in by sled dogs or to widespread poisoning. During the 1950s, federal predator control agents reduced wolves by poisoning and aerial shooting. Wolves have been abundant and have occurred in all of their historic ranges in Alaska since state management began in about 1960 (except for the Anchorage and Fairbanks areas, and the western Seward Peninsula).

Wolves are social animals that live in large family groups. Usually, only a single female per pack successfully raises pups, but depending upon the relationship of adult males and females in a wolf pack, multiple litters may occur in a single pack in a single year. Most pups born into a pack stay in the pack for at least one year, but virtually all have dispersed away from their natal pack by the age of 3. Large packs of 20 or more wolves may occur in areas where food is abundant and pup survival is high. Wolf populations in North America commonly sustain annual harvests or natural mortality rates of 20-40% without experiencing a year-to-year decline in numbers. High reproductive rates, high mortality rates and long distance dispersal behavior results in extensive gene flow within wolf populations and between wolf packs.

In Alaska and other areas, if wolves are not hunted or trapped, most mortality is from intraspecific aggression (fighting with other wolves). In trapped wolf populations, natural mortality rates are often lower than in untrapped populations.

In coastal areas of Alaska, where fox rabies is endemic, wolves are periodically reduced to low levels by rabies.

#### **Practical Aspects of managing moose in areas where the LDDE exists**

Usually, without predator control, hunters can take about 5% of a low-density moose population each year – almost all of the harvest must be bulls or the population will decline.

LDDE does not present a biological problem – moose are not likely to become threatened, endangered or extinct due to predation.

The fact that the LDDE prevails in large areas does not usually present a management problem either. Interior Alaska is sparsely populated and access to moose populations is often poor. This means that hunting pressure is relatively light in many areas anyway.

The LDDE can cause a management problem around villages, or in areas that have become important hunting areas for Alaskans near the road system. In these areas, people need or want to harvest more moose than the system can support. In Alaska, moose are valuable to people as a source of food and income (i.e. guiding and transporting hunters), particularly in rural areas. This is why people often express the desire for predator control.

In some areas, where there is a demand to increase moose harvests, it might be possible to harvest more moose by reducing bear predation. Although this idea is reasonable, it is a relatively new idea, has not been adequately tested in Alaska, and programs of this nature need to be viewed as experiments.

#### **References:**

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- Gasaway, W.C., R.D. Boertje, D.V. Grangaard, D.G. Kellyhouse, R.O. Stephenson, and D.G. Larsen. 1992. The role of predation in limiting moose at low densities in Alaska and Yukon and implications for conservation. *Wildlife Monographs* 120:1-59.
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- National Research Council. 1997. *Wolves, bears, and their prey in Alaska*. National Academy Press, Washington.
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# Performance

State of Alaska > Governor > OMB > Performance > Agency List > Wildlife Conservation

Department of Fish and Game

## Wildlife Conservation

Results Summary | Details | Questions/Comments

### Mission

- The mission of the Division of Wildlife Conservation is to conserve and enhance Alaska's wildlife and habitats and provide for a wide range of public uses and benefits

### Desired Results

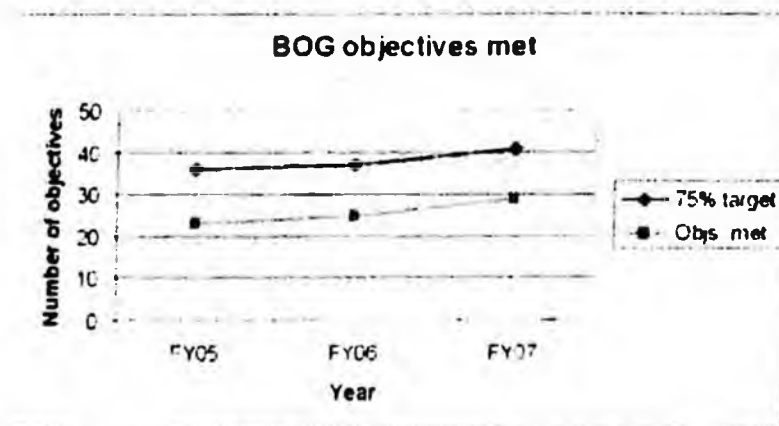
- A. Healthy and sustainable wildlife populations in Alaska that provide a diversity of opportunities for public use and enjoyment.

### Performance Measure Detail

**A: Result - Healthy and sustainable wildlife populations in Alaska that provide a diversity of opportunities for public use and enjoyment.**

**Target #1:** Achieve population targets for at least 75% of big game populations for which the Board of Game (BOG) has set targets (i.e., objectives)

**Measure #1:** Percentage of BOG population targets attained.

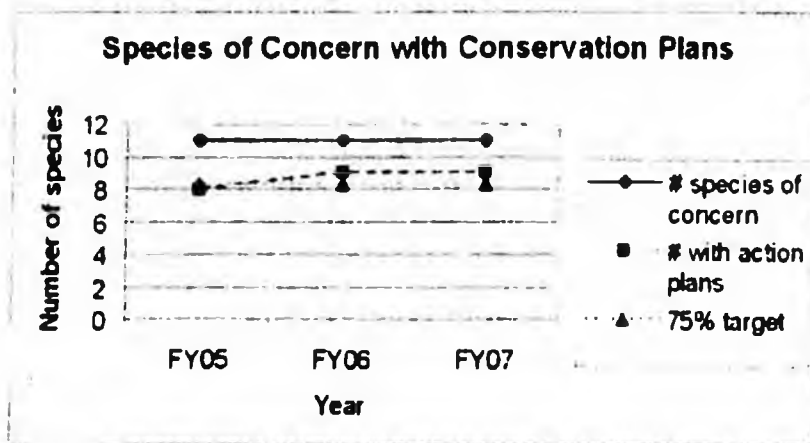


**Analysis of results and challenges:** The Board of Game (BOG) has set population objectives for selected ungulate populations that it has determined are important for providing high levels of harvest for human consumptive use. To meet BOG management objectives, sufficient animals must exist in a game management unit in order to meet the highest levels of hunter demand. For FY07, 29 of the population objectives set for deer, caribou and moose were met; out of a total of 54 objectives set by the BOG. Four more game management units (GMU) met management objectives in FY07 than in FY06. The division's target is 75% of the number of GMU objectives. Some big game surveys were not conducted due to poor weather conditions or a lack of funding. Some of the population objectives may not be possible to meet given the habitat capacity that can be achieved in some areas. Population objectives for those areas should be reviewed by the BOG and possibly revised.

**Target #2:** Develop and implement recovery strategies for 75% of those "species of concern" under primary division management

**Measure #2:** Percentage of species for which recovery strategies are being implemented.

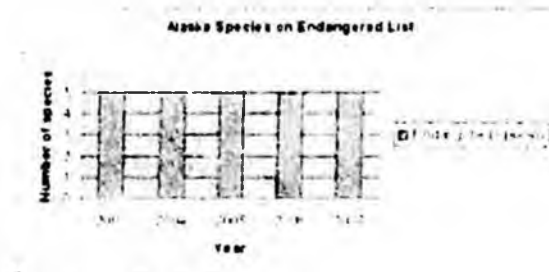
**Wildlife Conservation - Results Summary**



**Analysis of results and challenges:** There are 11 wildlife species of special concern under primary or shared division management. Conservation action plans are in place for 10 (91%) of these species, including blackpoll warbler, Townsend's warbler, olive-sided flycatcher, Steller's eider, spectacled eider, northern goshawk, Arctic peregrine falcon, American peregrine falcon, Aleutian Canada goose and Kenai brown bear. In 1999 the Pacific Flyway Council adopted a management plan for Aleutian Canada goose (updated in 2006) to resume "normal" management after delisting. A plan has not been prepared for the Gray-cheeked thrush. In the state Comprehensive Wildlife Conservation Strategy (CWCS), completed during FY06, both species are on the nominee list for species of special concern. The State of Alaska Species of Special Concern list was last revised in 1998; therefore, when the list is formally revised Aleutian Canada goose can be removed. Revision of that list is expected to occur within the next year.

**Target #3:** No increase in the number of species under state management designated as threatened or endangered in Alaska from the 2003 level.

**Measure #3:** Number of new threatened or endangered species designations



**Analysis of results and challenges:** The state endangered species list includes the Eskimo curlew, short-tailed albatross, humpback whale, right whale, and blue whale. There has been no change in the state endangered species list since 1993 and no new species were added to federal lists in FY07.

TO: Office of Senator Charlie Huggins

907-465-3878 Main  
907-465-3265 Fax  
State Capitol, Room 119  
Juneau AK 99801

Sent: Monday, March 24, 2003 8:16 AM

To: Sharon Long

Subject: Support for SB306

Importance: High

Bobby Fithian, Alaska Professional Hunters Association, called to offer any and all support they can from the association for SB306, the companion bill to HB348. Please give him a call if you want to talk about what they can do for you.

From: Sen. Charlie Huggins  
Sent: Thursday, March 27, 2008 8:15 AM  
To: Sharon Long  
Subject: FW: HB 348/ SB 306

Eagle River resident

-----Original Message-----

From: hopealaska@gci.net [mailto:hopealaska@gci.net]  
Sent: Wednesday, March 26, 2008 9:21 PM  
To: Sen. Charlie Huggins  
Subject: HB 348/ SB 306

Senator,

I am requesting your support of HB 348/SB 306. The Alaska wildlife is an asset of the state. Thank you in advance.

v/r  
Michael Morelli

**Karen Sawyer**

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**From:** kymberlyf@msn.com  
**Sent:** Saturday, March 22, 2008 8:33 AM  
**To:** Sen. Charlie Huggins  
**Subject:** The voters have spoken - TWICE - stop aerial gunning



Senator Charlie Huggins  
Alaska State Legislature  
State Capitol, MS 3100, Room 119  
Juneau, AK 99801

Dear Senator Huggins,

Alaskans have twice voted to stop the aerial gunning of wildlife - and 56,000 Alaskans signed a petition to vote on this issue again in August. I urge you to oppose efforts to expand aerial gunning and to eliminate the voters' rights to vote on this issue.

H.B. 256/S.B. 176 <sup>SEIN</sup> would again expand the aerial gunning of wolves - and could even eliminate the voters' rights to vote on this issue in August.

Even worse, another bill, <sup>SB 306</sup> H.B. 348, could eliminate the public's right to bring future wildlife issues to a vote.

As your constituent, I am outraged that the legislature is considering eliminating my right to vote on wildlife issues on the ballot. State law guarantees me the right to vote, and I urge you to protect that.

Thank you.

Sincerely,  
Kymberly Fernandez  
27339 Golden Eagle Ct  
Chugiak, AK 99567

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From: Wayne Heimer [mailto:weheimer@alaska.net]  
Sent: Thursday, March 27, 2008 3:51 AM  
To: Rep. Harry Crawford  
Cc: Senator\_Lyda\_Green@legis.state.al.us; Sen. Charlie Huggins; Sen. Lesil McGuire; Sen. Bert Stedman; Sen. Gary Stevens; Sen. Gene Therriault; Sen. Joe Thomas; Sen. Tom Wagoner; Sen. Bill Wielechowski; Sen. Gary Wilken; Rep. John Coghill; Rep. Les Gara; Rep. David Guttenberg; Rep. Mike Kelly; Rep. Mary Nelson; Rep. Jay Ramras; Rep. Bill Stoltze  
Subject: Re: testimony on HB 348

Rep. Crawford,

The constraints of time in public testimony certainly interfered with the clarity I hoped for in my testimony on March 14. I did not mean to be understood as saying Alaskans sponsoring initiatives make "big money." The big money is made by consultants, media, and outside anti-hunting groups which exploit the "saving of Alaska" to raise funds for their causes. These groups also spend big money supporting initiatives which suit their purposes. My comment about "big money" was in reference to the costs of promoting and fighting initiatives. I've been on both sides of the initiative fence as well as litigant relating to the process. I know, firsthand (as do you) that the folks who sponsor the initiatives (or litigate them) do, indeed, have a net fiscal and effort expenditure. My opinion is supported not only by our mutual experience, but by Pulitzer Prize winning author, David Broder's, book, "Democracy Derailed." This book chronicles the history and rise of the initiative industry. I recommend it because it is replete with examples of how initiatives came about as a societal response to corrupt legislatures, and how that noble enterprise has become the tool of special interests and spawned a fairly seamy industry.

Nobody sponsors a wildlife management initiative unless they are passionate and frustrated, but the outside anti-hunting groups are thrilled when Alaskans do it. In contrast, the outside pro-hunting groups are dismayed when it happens because they know it is going to cost them big money trying to preserve their opportunity to hunt in Alaska and defend their meta-values about wildlife management.

The idealistic notion that initiatives are a "grass roots" response to corrupt or monopolistic special interests is a romantic fantasy. At least that's not the way it happens with wildlife initiatives in modern times. The common way to get signatures today is to pay others to gather them. The proponents of the current methods and means initiative relating to aerial wolf and bear hunting stated at the outset they were going to use paid signature gatherers. I've no doubt Mr. Jans gathered signatures himself because he says he did. However, I suspect the significance of his gathering signatures was that he was able to do it effectively in the bush where he had contacts (as the initiative statutes were recently amended to increase the difficulty of "urban Alaska" dominating "rural Alaska"). The idea that any one person can collect 22,000 signatures or that volunteers are the only ones doing it because of their passion is untenable today. Alaska law limits the amount payable for signature gatherers to one dollar per signature and sets conditions for signature gatherers. These laws are routinely ignored. Paid signature gatherers, even high school students (who have accosted me) looking to make a buck are well enough trained that they will

argue with you about what the law says--even if they have no idea what "their" initiative intends. I reason that if 36,000 signatures are gathered, that represents a cost-equivalent effort of \$36,000. For me, this represents a "big money." However, this cost is trivial compared to selling of an initiative to the electorate.

The campaigning operation once a wildlife initiative is on the ballot is approximately the same regardless of which side of an initiative one chooses (and I've been on both sides). In my experience, the first requisite for success is realization that the issue will be decided by which side gets the most popular votes. In short, to prevail with a wildlife initiative (or to defeat one,) "your" side needs one more vote than the other side in a system which typically precludes rational debate. Making sure 'you" get that vote is very expensive in terms of effort, dollars, and morality. Lies and spin are common techniques I've seen utilized by both sides and their surrogates. To "win" it takes a viable message (regardless of truth) and the money to pound it at the susceptible section of the electorate for which it was designed until they embrace it for an instant in the election booth.

The way this is done in the wildlife initiative business is to hire a consultant to poll voters and determine which segment is most likely persuadable by 'trial messages' the polling people test market at your direction (sometimes this requires two polls, not one). Based on these results, a suitable message which will resonate with the targeted voters is selected. The message need not be factual, just effective; and is specifically market-targeted. (For example, we've not seen the striking television spots in Fairbanks that have run in Anchorage about the wolf methods and means initiative...the "target market" (most likely persuadable younger females) simply isn't in Fairbanks. The money is being spent by experienced advisors, pollsters, and campaigners in Anchorage (and maybe Juneau) where the target audience lives. This is "just business."

Next a media campaign is designed to hammer predictably persuadable voters with the "resonating message" (often a matter of generating disgust or fear, but always focused emotional manipulation--whether disgust at "Murkowski family nepotism" or how ugly killing wolves from Supercubs is). This is where "big money" begins to change hands. The cost of defeating the last bear bait ban initiative was about \$650K (paid by opponents to an outside consultant). Estimates for defeating the present aerial methods and means referendum (it's not really an initiative) to stop predator management are estimated at about \$850K. I believe Mr. Jans has quoted this figure in some of his publicity. It is likely a significant percentage of these "opposition dollars" will be raised from nonresident hunters who would like to come hunt in Alaska, as Mr. Jans has eloquently emphasized in indicting Safari Club etc. However, I suggest these "outside hunters" have an interest in abundant game to hunt in Alaska (where they will drop a huge amount of money in license, guide, travel, lodging, etc.) if the opportunity is here. Hunting (and associated industries) in Alaskas are "big money," and there's a lot at stake economically. Conversely, anti-hunting is a big emotional industry where the values of non-Alaskan anti-hunters may be offended if Alaska manages its wildlife constitutionally. This, too, generates "big money."

Additionally, the television campaign supporting the present wolf hunting referendum in Anchorage (and damning HB 348 as stealth legislation to take away the right to vote by dishonestly associating HB 348 with the VECO scandal) had to cost "big money." According to denials by the referendum's Alaskan sponsors, that money came from outside interests as well. Sure, it's 'not supported' by the local sponsors, but whether they pay for it or support it, or eventually

refute it with a news release matters little. The message is powerful, emotionally manipulative, and it's certainly been seen by the targeted audience.

The Alaskan media campaign (initially focused on emotionally depicting wolves as "intelligent," "like us," demonstrating that shooting from Supercubs can be ugly, that wolves are "chased to exhaustion" before being killed in land-and-shoot hunting--the YouTube movie starring Messrs. Bennett, Jans, McGuire, Van Ballenberghe, and the fellow from Kenai--had to be costly-- even though Joel Bennett is a film maker of considerable talent. In this aspect of the campaign, Joel's expenses may be lower than if he didn't have film making equipment, talent, and experience. Posting the footage on the internet doesn't cost much, and the marketing has been brilliant thus far. Also the "target press" has been willing. Joel did a great job of choosing photogenic spokespersons; getting Mr. Jans to be "the face" of the initiative was brilliant. Question: Are there "links" with that internet movie which allow viewers to "help?" If so, "outside" money could be involved. If not, somebody missed the boat on a significant funding source...or was constrained by morals which are not evident in the content of other aspects of the campaign material.

These sorts of things form the basis of my statement that there's "big money" in initiatives. I don't think any honest person will grow wealthy pushing initiatives, but consultants, media salespersons, and "outside interest" groups will (depending on their "administrative overhead," which is often sky high).

Still, the basic question in this discussion has to be: DO ALASKANS HAVE A "RIGHT" TO BE HEARD THROUGH THE INITIATIVE PROCESS?

Either the initiative vote is a universal, inherent right on par with those "endowed by the Creator" OR it is a limited means of political redress defined by government (of the people) through the Constitution and laws of the State.

I argue that, because the "right to be heard through the initiative process" is not in the US Constitution, is not available to citizens of many states in the USA, and perhaps most importantly, the initiative/referendum process is defined and limited in our Alaska Constitution, it is simply a means of redress defined by process, and not an inherent right.

In the Alaska Constitution Article XI Sec. 7 it is clear that (among other things proscribed by initiative/referendum) Alaska's resources cannot be allocated (or reallocated) by popular vote. Regulations about who may get how much of Alaska's resources (assets), how they may obtain it, and when they can do so are clearly allocative.

There should never have been a wildlife initiative defining methods and means of harvest because regulations about who, what, when, where, and how harvest may occur are allocative. Hence, I argue that HB 348 is not a "stealth" attempt to "deny the people the right to the initiative process." It can't be, because Alaskans have never had that right, and the process has been incorrectly applied. We've been in a period of misunderstanding about this, and now seems a good time to correct this ongoing mistake. Some initiatives I have backed were clearly unconstitutional, but I didn't know it at the time. Now I do.

As an example of "stealth" in the initiative process, the anti-mining "initiatives" are the exemplary. In this case, the referendum process is being abused to usurping the legislature's responsibility to regulate. We all understand the reason detailed laws relating to mining emissions are on the

ballot is not to assure water quality for its own sake, but to shut down the Pebble Mine. On its face, this might not look much like allocation (just like you might think that "how or when a wolf dies" isn't allocation) but in the end it is. If humans vote a referendum on use of aircraft for controlling predators, the food (game) over which we presently compete will be reallocated, de facto, to the competition. Similarly, if we pass such stringent water quality regulations that no mine can comply, we stealthily allocate the mineral resources to "non-use." I would prefer to see legislation that takes these sorts of ultimate allocation decisions out of the emotional caludron of initiative marketing and puts them in the reasoned frame of the legislature where the Constitution defines them as proper.

Respectfully,

Wayne E. Heimer  
Fairbanks

----- Original Message -----

From: Rep. Harry Crawford  
To: Wayne Heimer  
Sent: Tuesday, March 25, 2008 3:24 PM  
Subject: RE: testimony on HB 348

Mr. Heimer,

After listening to your testimony of March 14th, I was unable to let it go by without comment. Your blanket statements about the motives and tactics of initiative sponsors really irritated me.

There have been a number of initiatives that I did not like and did not vote for, and there will be initiatives in the future that I will not vote for. I will not vote for the anti-pebble mine initiatives because I believe they will have long range detrimental effects on the the whole mining industry of the state. I won't vote for the gambling initiative to expand gambling in Alaska, but I will fight for their right to put it on the ballot and I will trust what the people decide.

In Alaska, the people have the right to be heard through the initiative process and I don't take lightly the responsibility I bear in protecting that right. I will continue to wade in whenever I see that right being threatened.

Also, in each of the initiatives that I have done, I have gathered thousands of signatures personally, and paid out of my own pocket a substantial portion of the cost, as has Eric Croft and David Guttenberg. I don't know where you get it from, that there is big money in initiatives. It has always cost me both money and time.

Sincerely,  
Harry T Crawford Jr.

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Representative Harry Crawford  
East Anchorage District 21  
[www.akdemocrats.org/crawford](http://www.akdemocrats.org/crawford)  
1-888-478-3438 (toll free)  
907-465-4565 (fax)

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From: Wayne Heimer [mailto:weheimer@alaska.net]  
Sent: Monday, March 17, 2008 1:12 PM  
To: Rep. Harry Crawford  
Cc: Rep\_John\_Coghill@legis.state.ak.us; Rep. David Guttenberg; Rep. Scott Kawasaki; Rep. Wes Keller; Rep. Mike Kelly; Rep.\_Jay\_Ramras@legis.state.ak.us; Rep. Mike Chenault; Rep. Kevin Meyer; Rep. Bill Stoltze; Rep.\_Righard\_Foster@legis.state.ak.us; Rep. Mike Hawker; Rep.\_Bill\_Thomas@legis.state.ak.us; Rep. Les Gara; Rep. Reggie Joule; Rep. Mary Nelson; Sen. Gene Therriault; Sen. Joe Thomas; Sen. Gary Wilken; Sen. Lyda Green  
Subject: testimony on HB 348

Dear Representative Crawford:

I testified (telephonically, from Fairbanks) before the House Finance Committee on HB 348 last Friday afternoon. Several observers have subsequently reported to me that my testimony was troubling for you, and have asked me what I said. I can't recall saying anything that I am unwilling to "stand behind" or defend. I read my testimony from the attached file (subsequent clarifications in brackets,). Perhaps, it will be helpful to you.

In reviewing my testimony, I do note that I failed to specify "wildlife management" initiatives, and may have been understood as speaking of "all initiatives." I did use the term "all initiatives," intending to be understood as "all wildlife initiatives," the narrow focus of HB 348. My use of, "all initiatives" was an overgeneralization inartfully driven by my effort to condense testimony in the interest of time.

I am aware of your involvement with other initiatives, and your predisposition favoring the initiative process. I respect and acknowledge the process. However, not every "Alaskan grievance" is amenable to solution by the initiative process. Art. 11, Sec. 7 makes it clear that "who gets what and how much of Alaska's resources" is one such "Alaskan grievance." I gathered the consensus is that "game" is a state asset. If this is so, I reason that day-to-day wildlife allocations issues are not not now (and should never have been considered) fruitful or practical applications of the initiative process.

I argue we trivialize the initiative process in toto by such minor exercises. The issue of whether or not Alaska might choose to manage (or not) may rise to worthiness for consideration as an initiative (except for the fact the Constitution says we shall manage). I view attempts to prohibit management by banning methods of means of predator control as attempts to stop constitutionally mandated management based on the individual morality of the sponsors. The wildlife initiative record is fairly rich in this regard. How a few wolves might die (and wolves never die prettily) doesn't meet my test of importance in the larger picture.

I found Mr. Jans' testimony much more interesting than mine. Notably, he said he and his friends favor (even pre-emptive, aerially supported) wolf control to prevent "biological emergencies," but his fight "here" is to preserve the constitutional initiative process (which I don't see as under attack). Defense of the initiative process was not his apparent motive when he sponsored the initiative many months before HB 348 was even conceived, and it doesn't match his stance in the "myspace or "you-tube" (sorry if I've spelled it incoorrectly) movie produced by his friends.

Respectfully,

Wayne E. Heimer  
1098 Chena Pump Road  
Fairbanks, Alaska 99709

**Sharon Long**

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**From:** Sen. Charlie Huggins  
**Sent:** Wednesday, March 12, 2008 11:19 AM  
**To:** Sharon Long  
**Subject:** FW: HB 348

*Karen Sawyer, Staff*

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**From:** Bruce [mailto:chaakhit@acsalaska.net]  
**Sent:** Wednesday, March 12, 2008 10:28 AM  
**To:** Sen. Charlie Huggins  
**Subject:** HB 348

Please support SS for House Bill 348 Board Of Game Regulations

Thank you

Bruce Royce

**Sharon Long**

**From:** Sen. Charlie Huggins  
**Sent:** Monday, March 17, 2008 7:33 AM  
**To:** Sharon Long  
**Subject:** FW: Report on Public Testimony Friday 14-HB348

*fyi:*

*Karen Sawyer, Staff*

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**From:** rodarno@gmail.com [mailto:rodarno@gmail.com] **On Behalf Of** Rod Arno  
**Sent:** Sunday, March 16, 2008 9:34 PM  
**To:** Tom Scarborough  
**CC:** Wayne Heimer; Tinker; Virgil Umphenour; Ron Bless; Steve Vincent; Debby Waugaman-Curnow; Larry Dalrymple; Jason Hite; Al Barrette; Emma Lee Grennan; Bill Larry; Dan Gilson; Rob Hams; Scott Bidwell; Hal Hume; Karen Gordon; Ralph Seekins; Peter Buist; Lynn Levensgood; Jennifer Yuhas; Bud & Sally Burris; gutpile@alaska.com  
**Subject:** Re: Report on Public Testimony Friday 14-HB348

Hi Tom,

I testified in support of HB348 on AOCs behalf the day it was introduced before the H(RES) committee. Although I told the AOC Board the timing of the bill was ill conceived and poorly drafted the AOC board chose to support HB348. Board members could easily see the advantages to AOC members of having the same status that Alaska state courts have given fish apply to game when it came to voter initiatives that could affect renewable resource management.

So far all I've seen HB348 accomplish is that it has given the Anti's and their media disciples another pulpit to spew their lies from. Hopefully the Anti's will end up "cooking their own goose" and the public will reject their lies and vote to defeat the ballot initiative this summer during the primary election. Whether or not the votes are there in the legislature to pass HB348 into law, with legislators up for re-election this fall, remains to be seen. We'll just have to see how that all turns out.

In the future I do think it would be advantageous to all Alaskan hunters if the newly created Alaska chapter of SFW and AOC could work together on game management issues. Feel free to contact AOC whenever you feel their is legislation being introduced that you would like AOC support on. You can rest assured that AOC staff and Board members will be working to pass, defeat, or amend any proposed legislation that would effect game management and allocation in Alaska. So don't be offended when Wayne Heimer or Nick Jans give credit to AOC for influencing the fate of introduced game management legislation. It is a fact, AOC does affect the out come of wildlife legislation in Alaska.

Contact me anytime,  
 Rod Arno

On Sun, Mar 16, 2008 at 6:18 PM, Tom Scarborough <scarbrgh@ptialaska.net> wrote:

Wayne missed explaining that Scott Ogan, President of SFW (Sportsman for Fish and Wildlife), testified in favor of HB 348. SFW is really the force behind this bill and AOC has very little to do with it. No one representing AOC testified at this hearing. Scott did a very good job of explaining why we need to help the Courts with a State Stature clearly stating that wildlife is an ASSET.

3/17/2008

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**From:** :om  
**Sent:** Wednesday, February 13, 2008 10:34 AM  
**To:** Rep. Wes Keller  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* HB 348

Representative Wes Keller, Myself and my family are behind you in your efforts. We are all outdoorsmen and Women and have started seeing the results of the Predator control program in unit 13. We have seen more Caribou and Moose calfs and although we have not been succesfull in our big game hunts the last two years in unit 13 we are seeing more animals, and know it is just a matter of time untill we see more Leagle animals. Now if we could use our aircraft for caribou hunting in unit 13 we would have a fair chance to harvest an animal just as the atv's and boaters do. I am not shure how it came to pass that how I chose to spend my hard earned money on an aircraft instead of a boat or fleet of atv's, that it would elimanate us from participating in this hunt. My family has hunted this area with aircraft since 1965.

Thank you for your time.

Good luck!  
Randy Apling  
Sharon Apling  
Tyler Apling  
Trisha Apling  
Floyd Apling  
Ardith Apling

Anchorage, AK 99501  
91

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More new features than ever. Check out the new AOL Mail!

2/13/2008

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**From:** patti barber [mailto:patti.barber@alaska.net]  
**Sent:** Wednesday, February 13, 2008 9:53 AM  
**To:** Rep. Wes Keller  
**Subject:** HJR 31 and HB348

I support these bills as written. This will enhance the value of the wild food source.

Kenny Barber

Palmer, AK 99645

2/13/2008

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**From:** O'Connor

**Sent:** Wednesday, February 13, 2008 9:56 AM

**To:** Rep. Wes Keller

Dear Representative Keller,  
I support HB 348.

Patrick O'Connor

14 1-1  
Palmer, AK 99645

2/13/2008

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**From:** Dane Crowley  
**Sent:** Wednesday, February 13, 2008 9:42 AM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 and HJR 31

Dear Representative Wes Keller,

Thank you first for your service to the State of Alaska and for bringing the HB 348 and HJR 31 to the attention of our government body. Both of these speak to issues plaguing Alaska and must be addressed.

I whole-heartedly support HB 348 and would like to offer the following comments;

- 1) It puts Alaska Dept. of Fish and Game back into the correct role of managing Alaska's fish and game resources for ABUNDANCE and not managing people through archaic seasons, bag limits and poorly designed experiments like the proposed "any ram" hunt in 14A and 13D.
- 2) It gives Alaskans preferential use of game resources. I would like to again bring up the proposal #158 to take 13D and 14 A and eliminate an open sheep hunt for Alaskans, turn it into a draw and reduce opportunity for Alaskans by 2/3 AND allocate 10% permits for non-residents. If there are not enough sheep to have an open hunt there can be no opportunity for non-residents. I say ADF&G must manage for more sheep not limit opportunity, this bill sets it straight.
- 3) Puts into code (Pullen v Ulmer) that game is an asset much like it defined fish.
- 4) This is backed by independent tourist industry business people, backed by hunter groups, subsistence hunters, guides and native organizations because it manages for abundance and reduces in-fighting amongst Alaskans.
- 5) Allows Alaska to manage game without meddling from outside special interest with single-minded objectives not compatible with the Alaskan way of life or constitution.
- 6) Last but not least this does not change any law, law on initiatives, it simply clears the air and helps everyone see the job at hand and give them a base to work off of to do that job.

HJR 31 put another tool in our wildlife manager's tool box and we must be willing to try. If we can take nothing else from the aerial wolf control of Alaska's pre-statehood days, it's that 30 years of intense wolf eradication efforts failed to kill all of or even place Alaska's wolves into a threatened or endangered category. We simply need to put things back into balance. Like it or not People are part of the ecosystem and we are obligated to manage, let manage for healthy moose, caribou, sheep AND bear and wolves.

Thank you for your efforts and I would be more than willing to speak or lend my voice anytime. Keep up the good fight.

Dane Crowley  
Life Member FNAWS and current board member  
Life member SFW/SFH and current board member SFH.  
Palmer Alaska

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**From:** jason kottsick [mailto:jason.kottsick@alaska.gov]  
**Sent:** Wednesday, February 13, 2008 8:51 AM  
**To:** Rep. Wes Keller  
**Subject:** I support you!!!!

Mr. Keller,

I just received an email from Scott [redacted] of the SFW. As a member of SFW, and new Alaska resident, I support what you are standing for. We NEED to have more scientific data to prove that killing predators will in-turn produce more big game and possibly more predators in the future. We must keep aerial predator hunting as a tool to control predators. This is the most humane and effective method that we have. Most importantly though, we need to educate all the people opposed to managing OUR wildlife. They need to understand that what they hear or see on some stupid commercial or from some radical is not always true. People need to learn to rely on sound data that has been produced by our biologists, not rely on what some novel gives them.

I understand that what we are fighting for is very difficult when the folks we are dealing with have a lot of support and money to fight against us. Most of those that oppose this aren't even from Alaska and don't understand subsistence and wildlife management. I respect what you are doing.

Thank you,  
Jason Kottsick

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Climb to the top of the charts! Play the word scramble challenge with star power. [Play now!](#)

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**From:** Steve Colligan  
**Sent:** Tuesday, February 12, 2008 10:29 PM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 Board of Game Regulations and HJR 31 Oppose Federal Law Re; Aerial Hunting

Dear Representative Keller:

I just wanted to take this opportunity to express my support for HB348 and HJR 31. I fully believe that Alaskans should manage their own resources and follow the process and procedures that are on the books already, that support abundance management. HB348 clarifies the existing relationship between the Department, Board of Game and the Legislature. This will save untold amount of department resources from frivolous challenges from outside interest. I believe that the people nearest the resources have the clearest insight and historical knowledge of game resources in their own back yard. There is an existing process that allows open access between all parties involved, unfortunately outsiders have manipulated this process at the expense of the same people they are claiming to help.

Thank you for this bill to clarify what to many already exists.

HJR 31:

I am in full support of a statement of opposition to Miller of California who is touring his hand brushed show wolf. He is purposely misleading the general public with his Hollywood pet .vs the what really exist in the wild. I am offended that we as Alaskans are his fundraising poster child.

Thank you for bringing these forward for sportsman and subsistence alike.

-Steve Colligan, Wasilla, AK

2/13/2008

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**From:** Rep. Wes Keller  
**Sent:** Wednesday, February 13, 2008 8:37 AM  
**To:** Jim Pound  
**Subject:** FW: HB 348-HJR 31

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**From:** Dickey, Martin L [mailto:Martin.Dickey@alaska.gov]  
**Sent:** Wednesday, February 13, 2008 8:33 AM  
**To:** Rep. Wes Keller  
**Subject:** HB 348-HJR 31

Good morning Wes Martin Dickey here I am a life long Alaskan of 51+ yrs and have enjoyed many years as an active fisherman and hunter the Bill HB 348 is a good start as to getting this state my home back on track and managing our own resources all resources.

Which brings us to the next topic Bill HJR 31. This bill is also very important in the management of our resources as wolves/predators are very necessary in nature aerial wolf hunting or fly and shoot same day for predator control based on all the available data is a very valuable tool at our disposal and should not be given away this State my State where I choose to live year round and have raised four children who all live and work here also 4 grandchildren who love the outdoors camping, hunting and fishing so lets choose to manage our resources to the best of our ability so there is always enough for all to enjoy.

Sincerely:  
Martin Dickey  
Wasilla AK. 99654

2/13/2008

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**From:** Corey Rossi  
**Sent:** Tuesday, February 12, 2008 10:13 PM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 and HJR 31

Dear Representative Keller

I am firmly in favor of HB 348 Board of Game Regulations and HJR 31 Oppose Federal Law Re;  
Aerial Hunting.

Please keep these important bills moving forward for the good of our beloved game  
resources.

Thank you!

Corey Rossi

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**From:** Andrew Zajac .  
**Sent:** Tuesday, February 12, 2008 9:50 PM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 & HJR 31

Dear Representative Keller,

It has just come to my attention that there will be hearings on HB 348 Board of Game . . . . and HJR 31 Oppose Federal Law . . . . . tomorrow. Please be assured that you have my support. I urge you to protect our fish and game from the encroachment of outside interests who wish to dictate how we Alaskans regulate our wildlife. I have hunted in Alaska since 1970 and have seen the decline in our game populations. Bears and wolves are nice to have around, but as predators, they need to be drastically reduced. The needs of humans come first!!

Thank you for you efforts.

Sincerely,  
Andy Zajac

2/13/2008

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**From:** Linda Frey  
**Sent:** Tuesday, February 12, 2008 7:28 PM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 and HJR 31

Dear Rep. Keller,

I am writing to encourage you in your efforts to pass HB 348 and HJR 31. We are 24 year Alaskans who now have 2 younger generations of hunters in the family. We would like to be able to take our 1 year old twins grandsons hunting and fishing as they get older. We are proud to be Alaskans and recognize that Alaskans do know what is best for our state, not outside anti-hunter groups who wouldn't know what to do with a fresh side of moose if it was handed to them.

Thanks for your work on these bills.

Linda and Dana Frey

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**From:** Dane Crowley |  
**Sent:** Tuesday, March 11, 2008 11:21 AM  
**To:** Rep. Wes Keller  
**Subject:** HB 348

To Esteemed Alaska Legislator and Public Servant:

Please continue to support Alaska and Alaskans, our right to manage, our right to vote and our constitutional right to the fish and game assets of Alaska.

Please continue to support Alaskans by supporting HB348. This bill strengthens our rights and our right to vote not some outside interest as some would lead you to believe. The bill makes no mention of any change to the initiative process and has no effect on how the initiative process is conducted. This bill also serves as the stop to the unethical and morally incomprehensible divide created by outsiders to pit Alaskans against Alaskans, rural vs. urban, sport vs. subsistence and worse yet, non-native vs. native.

Clarification will end this manufactured debate and allow Alaskans to manage our game. I urge you to take a stand as an elected official to support the Constitution of Alaska and do right by Alaskans. Thanks again for taking the lead on this issue; you are an asset to Alaska.

Sincerely,

Dane Crowley  
Palmer Alaska  
PO Box 99645

3/11/2008

**Jim Pound**

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**From:** Wayne Heimer  
**Sent:** Monday, February 18, 2008 11:50 AM  
**To:** Rep. Wes Keller; Representative\_Jay\_Ramrus@legis.state.ak.us;  
Representative\_Dave\_Guttenberg@legis.state.ak.us; Rep. Scott Kawasaki  
**Cc:** sheephorn@gci.net; kgordon@mosquitonet.com; cmmgen@mtaonline.net; grizzlybear@mosquitonet.com;  
dcrowley@npialaska.com; rlee@fnaws.org  
**Subject:** HB 348

Dear Representative Keller, et al.,

I and ( the 200 members of) the Alaska Chapter of the Foundation for North American Wild Sheep strongly support HB 348. It is an approach to protecting Alaskans from exploitation via the ballot initiative process which has been needed for a long time. We are thrilled to see it moving legislatively.

Personally, I first saw the need for this legislation when I served as plaintiff in Heimer v. Leman, an attempt to keep the "bear baiting" initiative off the ballot. We were unsuccessful in that attempt, but Alaskans raised enough money to defeat the measure at the ballot box...about \$650K. Now, we're trying to raise **three quarters of a million dollars** to defeat the latest wolf protection initiative driven by established, traditional anti-management interests. These continuing election campaigns are wasteful and divisive on issues that should never have been allowed as subjects of the initiative process. The legislature will serve Alaska well to clarify the status of wild resources as assets of the state and "methods and means" as allocative in nature. This is just constitutional common sense.

As a member of the National Board of Directors for the Foundation for North American Wild Sheep, I can assure you that this organization (representing 6,000 sheep-interested conservationists) also strongly supports this bill, even though support has been by positional consensus and not through formal action.

I understand that commercial fishing interests are opposed to this bill. Please understand that this special interest group fails to understand that it needs this protection because of its traditional political influence and the narrow ruling in Pullen v. Ulmer. These folks think they are immune from assault via ballot initiative: they aren't. About all it will take is a citizen's initiative mandating larger net mesh size to allow more fish to escape upstream (as a matter of "methods and means)", and there will be a horrible fisheries mess. I know of dissatisfied subsistence and personal use fishers who are currently agitating for such an initiative. It's time to act in the best interests of Alaskan fish and wildlife conservation, even if the "fishermen's union" doesn't think it is necessary.

Similarly, the present anti-mining initiatives represent attempts to codify *highly technical regulatory functions* (analogous to fish and wildlife "methods and means" regarding levels of discharge from mining operations) *as law* via the initiative process. This masquerades as "citizen democracy," but is really the tool of a moneyed special interest group bent on frightening the public into codifying its special interest position. We consider this very serious, and reason that HB 348 is the best approach to protecting Alaskans from special interests bent on stifeling use of Alaska's resources by cleverly allocating them to themselves for their special "non-uses." Now may not be the time to deal with the mining issue, but it is certainly the time to address the problem with fish and wildlife.

Thank you for carrying this issue forward.

Sincerely,

Wayne E. Heimer  
President, Alaska FNAWS

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HB 348 defines Alaska's game resources as an asset of the State and expressly empowers the Board of Game to allocate these assets. This change will bring Alaska's Board of Game statutes in compliance with recent Alaska Supreme Court case law which recently ruled that fish are an asset of the State.

2/22/2008

**Jim Pound**

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**From:** Rick and Paris Kinmon  
**Sent:** Thursday, February 14, 2008 10:59 AM  
**To:** Rep. Wes Keller  
**Subject:** Support of HB348 and HJR31

Dear Representative Keller:

I just wanted to take this opportunity to express my support for HB348 and HJR 31. I fully believe that Alaskans should manage their own resources and follow the process and procedures that are on the books already, that support abundance management. HB348 clarifies the existing relationship between the Department, Board of Game and the Legislature. This will save untold amount of department resources from frivolous challenges from outside interest. I believe that the people nearest the resources have the clearest insight and historical knowledge of game resources in their own back yard. There is an existing process that allows open access between all parties involved, unfortunately outsiders have manipulated this process at the expense of the same people they are claiming to help.

Thank you for this bill to clarify what to many already exists.

HJR 31:

I am in full support of a statement of opposition to Miller of California who is touring his hand brushed show wolf. He is purposely misleading the general public with his Hollywood pet vs the what really exist in the wild. I am offended that we as Alaskans are his fundraising poster child.

Thank you for bringing these forward for sportsman and subsistence alike.  
Respectfully,  
Rick Kinmon  
Wasilla, AK

2/22/2008

**Jim Pound**

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**From:** Matt & Jacelyn Mahoney ,  
**Sent:** Thursday, February 14, 2008 8:04 AM  
**To:** Rep. Wes Keller  
**Subject:** Complete support of HB 348; thank you for supporting us.  
**Attachments:** Matt's Moose 2008.JPG

Dear sir,

As part of a larger group of scientifically educated, politically active, sportsman I would like to thank you for sponsoring this bills. Currently there are some glaring problems with the way we ( Alaskans) are "allowed" to manage our fish and wildlife resources. Politics and emotion have replaced science as the primary management tool regarding our predator / prey relationship, and managers have become so hamstringed all they can do is provide a "opportunity" to harvest an animal. I don't want an "opportunity" that includes restricted bag limits and shorten seasons. I want more animals. Thank you for sponsoring this bill and know there is a growing group of us sportsman who stay polittically active and will throw our votes behind those who support us.

Matt Mahoney

2/22/2008

**Jim Pound**

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**From:** Kathryn Folsom [  
**Sent:** Thursday, February 14, 2008 6:48 AM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 & HJR31

LONG OVER DUE FOR THIS LEGISLATION - BILL FOLSOM PALMER

2/22/2008

**Jim Pound**

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**From:** Terry/Lucy Thisius ,  
**Sent:** Wednesday, February 13, 2008 2:18 PM  
**To:** Rep. Wes Keller  
**Subject:** HB348

Re: HB348

Wes:

I am a 27 year resident of the state and an avid outdoors man. I am writing to urge your support along with your colleagues to pass this bill. I have been getting more and more aggravated by the special interest groups and their deep pockets meddling in our board of game decisions. The game and fish in this state is defined by our constitution as ours (residents of the state), and if this bill is the answer to keep the decisions at the discretion of the boards of fish and game I couldn't be more supportive and urge our legislatures to vote the same.

Thank you,  
Terry Thisius  
Palmer, AK

## Jim Pound

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**From:** K.M. Gordon  
**Sent:** Monday, February 18, 2008 10:51 PM  
**To:** Rep. Wes Keller; Rep. Jay Ramras; Representative\_Dave\_Guttenberg@legis.state.ak.us;  
Rep. Scott Kawasaki  
**Cc:** Wayne Heimer; sheephorn@gci.net; cmmgen@mtaonline.net; grizzlybear@mosquitonet.com;  
dcrowley@npialaska.com; rlee@fnaws.org; Sue Stancliff  
**Subject:** Please support HB 348

Dear Representatives Keller, Ramras, Guttenberg, and Kawaski:

I live in Fairbanks and encourage you to strongly support HB 348. Alaska's initiative process has become the emotional battleground for extremist environmentalists who continue to attempt to change our game laws according to their philosophical whims. Rather than using the process set forth through the Advisory Committees and the Board of Game, these folks misuse the initiative process and use it to circumvent the legitimate process already in place to effect changes in fish and game laws. This chronic use of the ballot box to make resource allocations has to stop NOW.

The Constitution states that the initiative process cannot be used to allocate the State's resources, and yet these folks, heavily funded by environmental groups from outside of Alaska, use the initiative process as their convenient tool to circumvent the current regulation system.

HB 348 would keep the allocation of natural resources safely protected under the Constitutional mandate as originally intended by its framers rather than at the whim of anti-hunting groups backed by large sums of money who would control our Alaskan lifestyle using our ballot box to accomplish their agenda.

Please support HB 348 and do the right thing to put an end to this backdoor method of allocating our natural resources. Thank you very much.

Sincerely,

Karen Gordon  
PO Box 61414  
Fairbanks, AK  
457-7189

## Support of HB 348

The Governor, in her inauguration speech, told Alaskans that the Department of Fish and Game had a new directive - to manage wildlife for abundance. Many of my friends and I were elated at the prospect of a new day when science rather than politics would rule, and our game populations would return to their previous high numbers. This will not happen without active predator management in some areas. While I hope and pray the Governor's commitment to abundance management does not waver, we have enemies at the door who would undermine the Governor's own priorities.

Under the guise of saving wolves, radical environmentalists have become predators themselves, warring against the people of Alaska to, in essence, take the food right off our plates by not allowing the Department of Fish and Game to manage for abundance as the Governor has said it will. If HB 348 doesn't pass, extremists will continue to abuse the initiative process to steal away the rights of Alaskans to manage our own wildlife and thus feed our people.

The war of extremists is based on emotion, not science. They reject data from the professionals at Fish and Game as inconclusive and inadequate, and cry for more studies simply to delay the demise of predators. And while we are left to haggle over who gets the last moose, the extremists will long ago have had their victory party.

Let's put an end to the abuse of the initiative process that has become the tool of too many outside special interests. Enough pandering to their emotional marketing campaigns and threats of tourist boycotts. Their continuing to make the ballot box their weapon against Alaskans is especially irksome to me when they ignore the process that already exist to deal with such matters. Moreover, it is foolishness to keep going through this debacle every time these environmentalists want to save a wolf but ignore the fact that that wolf will kill hundreds of caribou or moose.

HB 348 would enforce the Constitutional mandate that State resources cannot be allocated through the ballot box. I'm sick of it. I hope you are too.

Karen Gordon  
PO Box 61414  
Fairbanks, AK 99706

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**From:** Andy Ziegler [ ]  
**Sent:** Wednesday, March 12, 2008 8:28 PM  
**To:** Rep. Mike Chenault; Rep. John Coghill; Rep. Carl Gatto; Sen. Lyda Green; Rep. John Harris; Rep. Mike Hawker; Sen. Charlie Huggins; Rep. Craig Johnson; Rep. Wes Keller; Rep. Kevin Meyer; Rep. Ralph Samuels; Rep. Bill Stoltze; Rep. Bill Thomas; Sen. Gene Theriault; Sen. Tom Wagoner  
**Subject:** HB 348

I live in Alaska for many reasons, one of which is my hunting rights. I fully support HB348 and I hope each of you do also. Game management by the emotional vote is not very scientific and has no part in our government.

Thanks,  
Andrew Ziegler

3/13/2008

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**From:** Richard and Joan Kerr |  
**Sent:** Thursday, March 20, 2008 12:54 AM  
**To:** Rep. Wes Keller  
**Subject:** Support HB348

Please support House Bill 348. It is essential for responsible management of Alaska's heritage of fish and game.

Thank you for supporting HB348.

Richard Kerr

3/20/2008

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**From:** Dan Caldwell  
**Sent:** Thursday, March 20, 2008 11:44 AM  
**To:** Rep. Wes Koller  
**Subject:** HB 348

I strongly support HB 348 for the following reasons.

- Violate the Alaska Constitution by appropriating (or expropriating) the state's wildlife assets, independent of the legislative process (Article 11, Section 7).
- Violate the rights of consumptive users who have already been appropriated a portion of the state's wildlife assets by the legislature.
- Disproportionately harm rural subsistence users who rely on wildlife for food, yet do not have the votes to stop outside interests from harming their ability to hunt.
- Allow outside special interests (with millions of advertising dollars) to control Alaska's wildlife assets, and limit all Alaskan hunters' rights.
- Undermine professional scientific wildlife management

Your support will be greatly appreciated.

Thanks,

Dan Caldwell

3/20/2008

Please get the EMOTIONAL thought out of Alaska's wildlife management once  
and for all.  
Our decimated wildlife populations deserve a LOGICAL attempt to rebalance the  
predator pray equation before it is too late.  
Please support Wess Kellers very LOGICAL HB 348  
And stop the EMOTIONAL "Balot box biology" forever.

Thankyou , Sincerly Doug Gross Wasilla

**Jim Pound**

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**From:** on behalf of D. Williams !  
**Sent:** Wednesday, March 12, 2008 9:19 PM  
**To:** Rep. Wes Keller  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* HB348

I urge you to support HB348 and protect my rights to hunt, fish and trap the wildlife in my state.

**Wildlife initiatives:**

- Violate the Alaska Constitution by appropriating (or expropriating) the state's wildlife assets, independent of the legislative process (Article 11, Section 7).
- Violate the rights of consumptive users who have already been appropriated a portion of the state's wildlife assets by the legislature.
- Disproportionately harm rural subsistence users who rely on wildlife for food, yet do not have the votes to stop outside interests from harming their ability to hunt.
- Allow outside special interests (with millions of advertising dollars) to control Alaska's wildlife assets, and limit all Alaskan hunters' rights.
- Undermine professional scientific wildlife management

David Williams

3/13/2008

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**From:** Tony Russ [  
**Sent:** Wednesday, March 12, 2008 7:11 PM  
**To:** Rep. Wes Keller; Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Carl Gatto; Sen. Charlie Huggins; Rep. Mark Neuman; Sen. Lyda Green  
**Subject:** H 348

Legislators,

I thank you all for continually working on our behalf in the realm of fish and game resources. HB 348 is another good step toward classifying our fish and game resources as assets that belong to all of us Alaskans equally, and should be used equally by all of us. Please support this bill, and the Senate Bills that coincide with it.

What also would be great is if we could stop ballot initiatives from being used to manage our fish and wildlife. They have no place in scientific management by professionals.

Tony Russ  
[www.ChinookShows.com](http://www.ChinookShows.com)  
"Guiding You to Success in the Alaska Outdoors"

Tony@ChinookShows.com

3/13/2008

From: Nina Faust [mailto:fausbail@horizonsatellite.com]  
Sent: Wednesday, March 26, 2008 7:32 PM  
To: Sen. Charlie Huggins  
Subject: SB 176

P.O. Box 2994  
Homer AK 99603

March 26, 2008

Dear Senate Judiciary Member:

We oppose HB 348 and SB 176 which make wildlife an "asset" or commodity much akin to oil and gas or other resources. It is disappointing that the House passed HB 348. Clearly the intent of these bills is to redefine wildlife as an "asset" so that the public will no longer be able to bring wildlife initiatives to the voters. At the same time this bill's language strengthens the Board of Game mandates for predator control under the intensive game management law. Basically, this bill would make it the Board of Game's job to turn management of our state's wildlife into a game ranch for moose and caribou. Before humans interfered there were more prey and predators which cycled naturally and achieved a dynamic equilibrium.

This was not the intent of our original constitution. Wildlife belongs to all Alaskans, not just hunters and trappers who constitute only 18% of Alaska's adult population. Wildlife also does not just mean moose and caribou. Wildlife should be managed by the Board of Game to protect all species so that healthy ecosystems are maintained throughout the state. Predators are usually the scapegoat for excessive numbers of game taken by hunters. Supporters of these bills don't believe it is for the government to decide management through legislative action or a vote of the people but both these bills specifically address management for hunting to benefit one small segment of Alaskan residents.

Some proponents also argue that it is bad public policy to use the ballot box to impose viewpoints on one group. Citizen initiatives and the right to vote on issues affecting our state, its citizens, and its resources is an important right. The initiatives passed by Alaskans have dealt with policy issues and have not interfered with the Board of Game's mandate to manage for abundance. Nor have the previous, or upcoming, citizen initiatives prioritized game for one group or another as HB 348 and SB 176 do. They've simply set policy standards by which to reach our goals of managing for abundance.

Some argue that hunting and trapping are an extremely important part of Alaska's economy, especially for rural subsistence users. While it is true that hunting and trapping are extremely important in rural subsistence communities, it is increasing less important in most of the urban areas. In fact, tourism based on wildlife viewing and photography are increasingly important aspects of the Alaskan economy. Tourism is the state's largest economic industry behind oil, providing more revenue to the state than any other industry other than oil. It also employs nearly 15% of Alaskans. It is a vital source of income for Alaska's family-owned and rural businesses. Even some rural subsistence communities are beginning to examine the possible role of eco-tourism and wildlife viewing in their own communities. The tourism industry has an

important role in developing wildlife management programs in Alaska and needs to be given a greater voice.

Extremely popular and economically valuable bear viewing should have a role in developing predator control programs that target bear populations. If these bills pass and curtail citizen involvement through the initiative process, a large part of the public and many tourism-related businesses will be disenfranchised.

HB 348 and SB 176 benefit a small group of Alaskans, namely hunters. Non-consumptive citizens of Alaska, visitors, and non-consumptive businesses that rely on our state's wildlife resources have no representation on the Board of Game even though the Board is mandated by law to provide representation to all Alaskans. Instead, every seat is filled by a hunter or trapper. This is not fair public policy to prioritize the state's wildlife resources with legislative actions and yet deny the majority of Alaska's citizens fair and equal representation on the Board of Game and at the same time propose to remove the only recourse available to those disenfranchised by this lack of representation on the Board of Game, which should be a Board of Wildlife.

Proponents argue that the Board of Game considers public input and that the Department of Fish and Game biologists do a good job with science-based wildlife management. Trouble is, there is a disconnect with the BOG. They do not always base their decisions on science. In 2004, ADF&G testified to the Board of Game that they did not have the scientific data to support aerial predator control programs that the Board of Game was interested in adopting. The ADF&G recommended to the Board of Game not to adopt them at that time due to the lack of scientific data to support these predator control proposals. The Board of Game, with strong lobbying by the Chair, chose to ignore ADF&G's recommendation. When the BOG ignores the science, the only checks and balances left is the initiative process. We feel strongly that this balance be maintained. Please oppose SB 176!

Sincerely,

Nina Faust and Edgar Bailey

From: Valerie Connor [mailto:redherring007@hotmail.com]  
Sent: Friday, March 21, 2008 4:13 PM  
To: Sen. Charlie Huggins  
Subject: FW: HB 348

March 21, 2008

Dear Senator Huggins,

I have been tracking HB 348 and understand it is scheduled for a hearing on Monday, March 24 in the Senate Resources Committee. The reason I have been tracking this bill is because it concerns me greatly. HB 348 adds language to the statutes governing the Board of Game's use of intensive management programs by changing our wildlife from a public resource to a "public asset" with the following wording:

"the public asset of game is allocated or appropriated"

What does this language do? As an asset, our wildlife resources would be lumped together with oil or minerals, which are out of the reach of public initiatives. HB 348 would remove citizen's initiatives from wildlife resource issues for good, and would nullify the upcoming state wide initiative in August, which 56,000 Alaskan's signed to put on the ballot. It also directly rebukes the vote of the citizens of this state in 2000 when 72% of Alaskan's voted against a constitutional amendment that attempted to remove the initiative process in managing our wildlife resources.

The express intent of this bill is to remove the public from having the means to participate in the management of our wildlife resources. If you have any doubt as to the purpose of this bill, just contact Representative Keller's staff who will tell you in no uncertain terms (as they did my colleague), that this bill will achieve just that-it will take those pesky voters out of the equation since they don't understand the complexities of wildlife management.

The Alaskan constitution mandates that Alaska's resources will be managed for the benefit of all Alaskans. Many of us are increasingly frustrated with how our precious wildlife resources are being managed and how little influence we have. For example, non-consumptive users currently have zero representation on the Board of Game. This despite the fact that 85% of Alaskans do not even hunt! The initiative process is one of the only tools we have left to us to have our voices heard. Please don't vote to take that away.

I ask that you consider this bill carefully, and uphold the will of the people and our constitution by voting NO on HB 348.

Thank you for your thoughtful consideration.

Respectfully,  
Valerie Connor

Anchorage, Alaska 99517

Raymond Watson, Chairperson  
Myron P. Naneng Sr., President  
Phone (907) 543-7300  
Fax (907) 543-3369

**AVCP**  
Association of Village Council Presidents  
Administration  
Pouch 219, Bethel, AK 99559



Aktavik  
Anaktuvuk  
Atkasook  
Andreasky  
Anvik  
Armanuak  
Bethel  
Bill Moore's St.  
Chitofook  
Chitva  
Chuvachuk  
Chukochuk  
Crooked Creek  
Eek  
Emmonak  
Georgetown  
Grudnew Bay  
Hamilton  
Harper Bay  
Lower Kalskag  
Upper Kalskag  
Kasiguk  
Kipmuk  
Kongiganak  
Kurtuk  
Kwethuk  
Kwiglingok  
Lime Village  
Mamihall  
Mekoryuk  
Mtn. Village  
Napaimut  
Napavik  
Napavik  
Newok  
Niginute  
Nunakayak  
Nunam Iqua  
Nunapitchuk  
Ohegamut  
Oscarville  
Paimut  
Pilot Station  
Pitka's Point  
Platinum  
Quinhagak  
Red Devil  
Russian Mission  
Scammon Bay  
Sleetmute  
St. Mary's  
Stony River  
Tuluksak  
Tuntutuliak  
Tununak  
Umkumiut

April 10, 2008

Honorable Mary Nelson  
House of Representatives  
Rm. 415, State Capitol  
Juneau, Alaska 99801-1182

Honorable Lyman Hoffman  
Alaska State Senate  
Rm. 518, State Capitol  
Juneau, Alaska 99801-1182

Re: HB348 Support

Dear Representative Nelson and Senator Hoffman,

After obtaining legal review from Sky Starkey and reported concurrence with his opinion from Carol Daniels of Alaska Federation of Natives, that the current language of HB348 (without amendment) does not present any apparent risks to subsistence uses, we withdraw our opposition and request your supporting vote for this legislation. We ask also that you would solicit the support of other bush caucus members to aid in achieving its passage.

Though it appears to simply restate existing authorities already vested in the Board of Game, and its value of impact in future court decisions remains undetermined, we have been informed that it contains significant changes that include increased ability of the state to fight off the ongoing legal challenges by political action groups and organizations avidly opposed to our predator management programs. And further, could also prove instrumental in eventually nullifying the current (and any similar in future) ballot initiative to stop these programs that is scheduled to occur during this summer's primary election in August.

Rural Alaska has been a major victim and suffered by far the greatest harmful consequences from both the 1996 & 2000 initiatives (as noted through annual resolutions on point, unanimously passed from regional non-profits and AFN for 9 consecutive years) through our loss of subsistence harvest opportunities in many areas. Most notably in the AVCP region with the Tier II hunt status imposed on the lower half of GMU 19A in 2006, and the total closure from hunting in our recognized customary and traditional hunting areas of the Stony, Holitna and Hoholitna river drainages.

Since associated risks appear minimal and the potential benefits greater, passage of this bill could well serve our interests better in the long term.

Thank you for your time and consideration in this matter.

Sincerely,  
Association of Village Council Presidents

Myron P. Naneng, Sr.,  
President

**Bill History/Action for 25th Legislature**

**BILL:** SB 306

**SHORT TITLE:** BOARD OF GAME REGULATIONS

**BILL VERSION:**

**CURRENT STATUS:** (H) RLS

**STATUS DATE:** 04/11/08

**SPONSOR(s):** RESOURCES

**HEARD:**

**TITLE:** "An Act relating to the adoption of conservation, development, and utilization regulations by the Board of Game to address concerns relating to public assets "

Bill Number:

[Display Bill](#) [Print Bill](#)

[Full Text](#) [Fiscal Notes](#)

[Display Committee Action with Bill History](#)

Jrn-Date	Jrn-Page	Action
03/21/08	2290	(S) READ THE FIRST TIME - REFERRALS
03/21/08	2290	(S) RES
04/11/08	2814	(S) RES RPT 2DP 2NR
04/11/08	2814	(S) DP HUGGINS, GREEN
04/11/08	2814	(S) NR STEDMAN, STEVENS
04/11/08	2814	(S) FN1 ZERO(LAW)
04/11/08	2814	(S) FN2 ZERO(DFG)
04/11/08	2859	(S) RULES TO 1ST SUP CALENDAR 4/11/2008
04/11/08	2859	(S) READ THE SECOND TIME
04/11/08	2859	(S) ADVANCED TO THIRD READING UNAN CONSENT
04/11/08	2859	(S) READ THE THIRD TIME SB 306
04/11/08	2859	(S) PASSED Y15 N5
04/11/08	2860	(S) STEVENS NOTICE OF RECONSIDERATION
04/11/08	2860	(S) RECON TAKEN UP SAME DAY Y15 N5
04/11/08	2860	(S) PASSED ON RECONSIDERATION Y15 N5
04/11/08	2874	(S) TRANSMITTED TO (H)
04/11/08	2874	(S) VERSION SB 306
04/11/08		(H) READ THE FIRST TIME - REFERRALS
04/11/08		(H) RLS
04/11/08		(H) REFERRED TO RULES
04/11/08		(H) RULES TO CALENDAR PENDING REPORT

Similar Subject Match or Exact Subject Match  
 FISH & GAME (GAME)  
 REGULATIONS  
 REGULATORY ACTIONS

Bill Number:

[Display Bill](#)

[Next Bill](#)

[Return to Basis Main Menu \(25th Legislature\)](#)

Alaska State House of Representatives  
Twenty-Fifth Legislature  
Second Session

RCS# 721  
Item 6

4-13-08  
11:36:02

SB 306  
Third Reading  
Final Passage

Yeas: 24 Chenault, Coghill, Dahlstrom, Edgmon,<sup>(D)</sup>  
Fairclough, Foster, Gatto, Harris, Hawker,  
Johansen, Joule, Keller, Kelly, Lynn, Meyer,  
(D) Nelson, Neuman, Olson, Ramras, Roses, Samuels,  
Stoltze, Thomas, Wilson

Nays: 16 Buch, Cissna, Crawford, Doll, Doogan, Gara,  
Gardner, Gruenberg, Guttenberg, Holmes,  
(A) Johnson, Kawasaki, Kerttula, LeDoux, Salmon,  
(A) Seaton

Excused: 0

Absent: 0

SB 306

# WORK ORDER REQUEST FORM

## W.O. 25-LS1589

**KEYWORDS:** FISH/GAME, GAME

**ASSIGNED:** Kane

**REQUEST FOR:** New Bill

**TAKEN BY:** Weed

**SUBJECT:** Fish & Game Appropriation of Resources

**REQUESTED FOR:** SC SRES

**BY:** Sharon

**PHONE:** 465-4907

**DELIVER TO:** Sen. Huggins; Attn: Sharon -- Cap. 119

**INSTRUCTIONS:**

Draft a Senate duplicate of CSHB 348(FIN), WO# 25-LS1328\X, relating to the Board of Game.

<p><b>OBTAIN</b></p>	<p><b>SPECIAL DRAFTING INSTRUCTIONS ATTACHED [ ]</b>  <b>AUTHORIZED TO CONFER WITH</b></p> <p>_____</p> <p>_____</p> <p><b>RETURN</b> _____</p> <p>_____ <b>TO REQUESTOR</b></p> <p><b>APPROVED</b> <u> X </u> <b>DIRECTOR, LEGAL SERVICES</b></p>
<p><b>REVIEWED</b> _____</p> <p><b>IN</b> <u>03/19/08</u> <b>DUE</b> <u>for Intro</u></p> <p><b>TYPED: DRAFT</b> _____ <b>DATE</b> _____</p> <p><b>FINAL</b> _____ <b>DATE</b> _____</p> <p><b>PROOFED</b> _____ <b>DELIVERED</b> _____</p>	<p><b>SPECIAL INSTRUCTIONS to TYPING/PROOFING</b></p> <p>Request for FINAL</p>

# ALASKA STATE LEGISLATURE

**Interim:**

**600 East Railroad Avenue  
Wasilla, Alaska 99654  
Phone (907) 373-1842  
Fax: (907) 373-4729\***



**Session:**

**State Capitol Building  
Juneau, Alaska 99801-1182  
Phone: (907) 465-2186  
Fax: (907) 465-3818**

## REPRESENTATIVE WES KELLER DISTRICT 14

### MEMO

To: Senator Charlie Huggins

Fm: Representative Wes Keller

A handwritten signature in black ink, appearing to read "Wes Keller".

Date: March 24, 2008

Re: Request for Hearing CS SS HB 348 (FIN)

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Please accept this memo and the attached packet as a request for the Senate Resources Committee to schedule pending referral, CS SS for House Bill 348 (FIN) "An Act relating to the adoption of conservation, development, and utilization regulations by the Board of Game to address primary concerns relating to public assets."

CS SS HB 348 will place into game statutory language the words asset and allocation. This language will clearly state that we fully understand that our game are assets and that management decisions are based on that knowledge.

I urge your assistance by placing CS SS HB 348 (FIN) on the Senate Resources schedule at your earliest convenience.

Attachments: Sponsor Statement, CSSSHB 348 (FIN), CSSSHB 348 (RES), SSHB 348, HB 348 Fiscal Note (Law)<sup>1</sup>, Fiscal Note (F&G), Fiscal Note (Law), AS 16.05.255, Points from Pullen v. Ulmer, F&G Relationship between wildlife, Wildlife Conservation performance, Sample Board of Game Report, Information on Moose and Caribou, Constituent Support

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<sup>1</sup> Revised to Zero with Fin CS

# ALASKA STATE LEGISLATURE

**Interim:**

**600 East Railroad Avenue  
Wasilla, Alaska 99654  
Phone (907) 373-1842  
Fax: (907) 373-4729**



**Session:**

**State Capitol Building  
Juneau, Alaska 99801-1182  
Phone: (907) 465-2186  
Fax: (907) 465-3818**

## **REPRESENTATIVE WES KELLER DISTRICT 14 Sponsor Statement**

### **CS FOR SS HB 348 (FIN)**

**"An Act relating to the adoption of conservation, development, and utilization regulations by the Board of Game to address primary concerns relating to public assets."**

For years Alaska has devoted time and money to the management of one of its most valuable renewable resources. Wild Game represents many things to many Alaskans. Be it commercial guiding, hunting, or simply viewing wildlife, Alaska is unique and every Alaskan enjoys the gift of the resource.

Every year, Alaskans and tourists carrying in state or out of state licenses look for the moose, caribou or bear. Every summer thousands of tourist marvel at herds of caribou or a lone moose or sow with her cubs.

Alaska's wildlife is an asset. Without them not as many people would visit the state, which translates into a loss of revenue. Without them, guides would not earn a living and hunters would not put food on the table.

The problem we face is that we have not allowed our Boards of game to manage the resource and **allocate** it for what it actually is an **asset**. CS for SS for House Bill 348 (FIN) will accomplish that by inserting those important words into statute. The language makes it clear to others that it is our asset and we will manage for abundance as promised in the Alaska Constitution.

We urge your support for the language in CS for SS for HB 348 (FIN) to make it clear we understand what our wildlife truly is and what they mean. It is language that is easy to understand whether you live in Alaska or somewhere else.

**E-Mail: [Representative\\_Wes\\_Keller@legis.state.ak.us](mailto:Representative_Wes_Keller@legis.state.ak.us)  
Call Juneau Toll free: (800) 468-2186  
Website: [www.akrepublicans.org/keller/](http://www.akrepublicans.org/keller/)**

**CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 348(FIN)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE FINANCE COMMITTEE**

**Offered: 3/18/08**

**Referred: Rules**

**Sponsor(s): REPRESENTATIVES KELLER, Kelly**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the adoption of conservation, development, and utilization**  
2 **regulations by the Board of Game to address concerns relating to public assets."**

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

4 **\* Section 1. AS 16.05.255 is amended by adding a new subsection to read:**

5 **(k) This section authorizes the board to regulate regarding the conservation,**  
6 **development, or utilization of game in a manner that addresses whether, how, when,**  
7 **and where the public asset of game is allocated or appropriated.**

**CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 348(RES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE RESOURCES COMMITTEE**

**Offered: 2/27/08**

**Referred: Finance**

**Sponsor(s): REPRESENTATIVES KELLER, Kelly**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the adoption of regulations by the Board of Game."**

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

3 **\* Section 1. AS 16.05.255(d) is amended to read:**

4 **(d) Regulations adopted**

5 **(1) under (a) of this section must provide that, consistent with the**  
6 **provisions of AS 16.05.258, the taking of moose, deer, elk, and caribou by residents**  
7 **for personal or family consumption has preference over taking by nonresidents;**

8 **(2) under (a)(3), (a)(7), or (a)(10) of this section that implement,**  
9 **interpret, or make specific conservation and development of resources and**  
10 **utilization of game must primarily concern whether, how, when, and where the**  
11 **public asset of game will be allocated or appropriated.**

**SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 348  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY REPRESENTATIVE KELLER**

**Introduced: 2/6/08  
Referred: Resources, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the adoption of regulations by the Board of Game."**

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

3 **\* Section 1. AS 16.05.255(a) is amended to read:**

4 (a) The Board of Game may adopt regulations it considers advisable in  
5 accordance with AS 44.62 (Administrative Procedure Act) for

6 (1) setting apart game reserve areas, refuges, and sanctuaries in the  
7 water or on the land of the state over which it has jurisdiction, subject to the approval  
8 of the legislature;

9 (2) establishing open and closed seasons and areas for the taking of  
10 game as a means to allocate the asset of game;

11 (3) establishing the means and methods employed in the pursuit,  
12 capture, taking, and transport of game as a means to allocate the asset of game.  
13 including regulations, consistent with resource conservation and development goals,  
14 establishing means and methods that may be employed by persons with physical  
15 disabilities;

- 1                   (4) setting quotas, bag limits, harvest levels, and sex, age, and size  
2 limitations on the taking of game as a means to allocate the asset of game;
- 3                   (5) classifying game as game birds, song birds, big game animals, fur  
4 bearing animals, predators, or other categories;
- 5                   (6) methods, means, and harvest levels necessary to control predation  
6 and competition among game assets in the state;
- 7                   (7) watershed and habitat improvement, and management,  
8 conservation, protection, use, disposal, propagation, and stocking of game;
- 9                   (8) prohibiting the live capture, possession, transport, or release of  
10 native or exotic game or their eggs;
- 11                   (9) establishing the times and dates during which the issuance of game  
12 licenses, permits, and registrations and the transfer of permits and registrations  
13 between registration areas and game management units or subunits is allowed;
- 14                   (10) regulating sport hunting and subsistence hunting as needed for the  
15 conservation, development, and preferential use [UTILIZATION] of game;
- 16                   (11) taking game to ensure public safety;
- 17                   (12) regulating the activities of persons licensed to control nuisance  
18 wild birds and nuisance wild small mammals;
- 19                   (13) promoting hunting and trapping and preserving the heritage of  
20 hunting and trapping in the state.

**HOUSE BILL NO. 348**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY REPRESENTATIVE KELLER**

**Introduced: 1/31/08**

**Referred: House Special Committee on Fisheries, Resources**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the adoption of regulations by the Board of Fisheries and the Board**  
2 **of Game."**

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

4 **\* Section 1. AS 16.05.251(a) is amended to read:**

5 (a) The Board of Fisheries may adopt regulations it considers advisable in  
6 accordance with AS 44.62 (Administrative Procedure Act) for

7 (1) setting apart fish reserve areas, refuges, and sanctuaries in the  
8 waters of the state over which it has jurisdiction, subject to the approval of the  
9 legislature;

10 (2) establishing open and closed seasons and areas for the taking of  
11 fish as a means to allocate the asset of fish; if consistent with resource conservation  
12 and development goals, the board may adopt regulations establishing restricted  
13 seasons and areas necessary for

14 (A) persons 60 years of age and older to participate in sport,

- 1                   personal use, or subsistence fishing; or
- 2                               (B) persons under 16 years of age to participate in sport
- 3                   fishing;
- 4                               (3) setting quotas, bag limits, harvest levels, and sex and size
- 5                   limitations on the taking of fish as a means to allocate the asset of fish;
- 6                               (4) establishing the means and methods employed in the pursuit,
- 7                   capture, and transport of fish as a means to allocate the asset of fish;
- 8                               (5) establishing marking and identification requirements for means
- 9                   used in pursuit, capture, and transport of fish;
- 10                              (6) classifying as commercial fish, sport fish, guided sport fish,
- 11                   personal use fish, subsistence fish, or predators or other preferential categories
- 12                   essential for regulatory purposes;
- 13                              (7) watershed and habitat improvement, and management,
- 14                   conservation, protection, use, disposal, propagation, and stocking of fish;
- 15                              (8) investigating and determining the extent and effect of disease,
- 16                   predation, and competition among fish in the state, exercising control measures
- 17                   considered necessary to the resources of the state;
- 18                              (9) prohibiting and regulating the live capture, possession, transport, or
- 19                   release of native or exotic fish or their eggs;
- 20                              (10) establishing seasons, areas, quotas, and methods of harvest for
- 21                   aquatic plants;
- 22                              (11) establishing the times and dates during which the issuance of
- 23                   fishing licenses, permits, and registrations and the transfer of permits and registrations
- 24                   between registration areas is allowed; however, this paragraph does not apply to
- 25                   permits issued or transferred under AS 16.43;
- 26                              (12) regulating commercial, sport, guided sport, subsistence, and
- 27                   personal use fishing as needed for the conservation, development, and utilization of
- 28                   fisheries;
- 29                              (13) requiring, in a fishery, observers on board fishing vessels, as
- 30                   defined in AS 16.05.475(d), that are registered under the laws of the state, as defined
- 31                   in AS 16.05.475(c), after making a written determination that an on-board observer

1 program

2 (A) is the only practical data-gathering or enforcement  
3 mechanism for that fishery;

4 (B) will not unduly disrupt the fishery;

5 (C) can be conducted at a reasonable cost; and

6 (D) can be coordinated with observer programs of other  
7 agencies, including the National Marine Fisheries Service, North Pacific  
8 Fishery Management Council, and the International Pacific Halibut  
9 Commission;

10 (14) establishing nonexclusive, exclusive, and superexclusive  
11 registration and use areas for regulating commercial fishing;

12 (15) regulating resident or nonresident sport fishermen as needed for  
13 the conservation, development, and utilization of fishery resources;

14 (16) requiring unlicensed fishing vessels present in or transiting the  
15 waters of the state to report to the department the quantity, species, and origin of fish  
16 on board; in this paragraph, "unlicensed fishing vessel" means a fishing vessel that is  
17 not licensed under AS 16.05.490 - 16.05.530;

18 (17) promoting fishing and preserving the heritage of fishing in the  
19 state.

20 \* Sec. 2. AS 16.05.255(a) is amended to read:

21 (a) The Board of Game may adopt regulations it considers advisable in  
22 accordance with AS 44.62 (Administrative Procedure Act) for

23 (1) setting apart game reserve areas, refuges, and sanctuaries in the  
24 water or on the land of the state over which it has jurisdiction, subject to the approval  
25 of the legislature;

26 (2) establishing open and closed seasons and areas for the taking of  
27 game as a means to allocate the asset of game;

28 (3) establishing the means and methods employed in the pursuit,  
29 capture, taking, and transport of game as a means to allocate the asset of game,  
30 including regulations, consistent with resource conservation and development goals,  
31 establishing means and methods that may be employed by persons with physical

- 1 disabilities;
- 2 (4) setting quotas, bag limits, harvest levels, and sex, age, and size
- 3 limitations on the taking of game as a means to allocate the asset of game;
- 4 (5) classifying game as game birds, song birds, big game animals, fur
- 5 bearing animals, predators, or other categories;
- 6 (6) methods, means, and harvest levels necessary to control predation
- 7 and competition among game assets in the state;
- 8 (7) watershed and habitat improvement, and management,
- 9 conservation, protection, use, disposal, propagation, and stocking of game;
- 10 (8) prohibiting the live capture, possession, transport, or release of
- 11 native or exotic game or their eggs;
- 12 (9) establishing the times and dates during which the issuance of game
- 13 licenses, permits, and registrations and the transfer of permits and registrations
- 14 between registration areas and game management units or subunits is allowed;
- 15 (10) regulating sport hunting and subsistence hunting as needed for the
- 16 conservation, development, and preferential use [UTILIZATION] of game;
- 17 (11) taking game to ensure public safety;
- 18 (12) regulating the activities of persons licensed to control nuisance
- 19 wild birds and nuisance wild small mammals;
- 20 (13) promoting hunting and trapping and preserving the heritage of
- 21 hunting and trapping in the state.

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: HB340C888/FIN-LAW-CN-03-18-08  
 Bill Version: CSSHB348(FIN)  
 () Publish Date: \_\_\_\_\_

Identifier (file name): \_\_\_\_\_ Dept. Affected: LAW  
 Title An Act relating to the adoption of regulations by the Board of Game. RDU CIVIL  
 Component NATURAL RESOURCES  
 Sponsor REPRESENTATIVE KELLER  
 Requester HOUSE FINANCE Component Number 2212

**Expenditures/Revenues** (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
-----------------------------	--	--	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2008) cost: 0.0

**POSITIONS**

Full-time							
Part-time							
Temporary							

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

This bill constitutes a legislative statement that when the Board of Game acts within its authority to develop regulations for the conservation, development and utilization of game, it is allocating or appropriating a public resource.

Prepared by: Betty Martin, Administrative Services Director  
 Division: Administrative Services Division  
 Approved by: Talis Colberg, Attorney General  
Department of Law

Phone 907-465-5427  
 Date/Time 3/18/08 10:00 AM  
 Date 3/18/2008

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version:       CS88HB 348(FIN)        
 ( ) Publish Date: \_\_\_\_\_

Identifier (file name):       HB348CS88(FIN)-DFG-BSS-03-14-08       Dept. Affected:       Fish and Game        
 Title:       Board of Game Regulations       RDU:       Administration and Support        
 Component:       F&G Boards & Advisory Committees        
 Sponsor:       Representative Keller        
 Requester:       House Finance Committee       Component Number:       2825      

**Expenditures/Revenues** (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2008) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

**ANALYSIS:** (Attach a separate page if necessary)  
 Passage of this bill will have no fiscal impact on the Department of Fish and Game.

Prepared by:       Kristy Tibbles, Executive Director, Board of Game        
 Division:       Boards Support Section        
 Approved by:       Tom Lawson, Director        
      Division of Administrative Services, Department of Fish and Game      

Phone       465-6098        
 Date/Time       3/14/08 4:00 PM        
 Date       3/14/2008

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: 1B34888-LAW-CV-02-12-01  
 Bill Version: 88HB348  
 () Publish Date: \_\_\_\_\_

Identifier (file name): \_\_\_\_\_ Dept. Affected: LAW  
 Title An Act relating to the adoption of regulations by the Board RDU CIVIL  
of Game. Component NATURAL RESOURCES  
 Sponsor REPRESENTATIVE KELLER  
 Requester HOUSE RESOURCES Component Number 2212

**Expenditures/Revenues** (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services	37.2	0.0	37.2	37.2	37.2	37.2	37.2	37.2
Travel	0.3		0.3	0.3	0.3	0.3	0.3	0.3
Contractual	4.3		4.3	4.3	4.3	4.3	4.3	4.3
Supplies	0.8		0.8	0.8	0.8	0.8	0.8	0.8
Equipment	0.5		0.5	0.5	0.5	0.5	0.5	0.5
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>43.0</b>	<b>0.0</b>	<b>43.0</b>	<b>43.0</b>	<b>43.0</b>	<b>43.0</b>	<b>43.0</b>	<b>43.0</b>

<b>CAPITAL EXPENDITURES</b>								
-----------------------------	--	--	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	43.0	0.0	43.0	43.0	43.0	43.0	43.0	43.0
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>43.0</b>	<b>0.0</b>	<b>43.0</b>	<b>43.0</b>	<b>43.0</b>	<b>43.0</b>	<b>43.0</b>	<b>43.0</b>

Estimate of any current year (FY2008) cost: 0.0

**POSITIONS**

Full-time	0.3		0.3	0.3	0.3	0.3	0.3
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)  
 See attached analysis.

Prepared by: Robert Meiners, Administrative Services Manager  
 Division: Administrative Services Division  
 Approved by: Talia Colberg, Attorney General  
Department of Law

Phone: 907-465-5427  
 Date/Time: 2/12/08 3:40 PM  
 Date: 2/12/2008

## FISCAL NOTE

STATE OF ALASKA  
2008 LEGISLATIVE SESSION

BILL NO. SSHB348

### ANALYSIS CONTINUATION

SSHB 348 was written for the purpose of emphasizing, in statute, the allocative nature of many game regulation decisions, so that such decisions would not be subjected to the whims of political change through the initiative process. Unfortunately, the way the bill is worded, it could easily be interpreted as serving to limit the Board of Game's ability to exercise many of its most important powers to only those situations in which the regulations are being done "as a means to allocate the asset of game." Because of this danger, the Board would be forced to build a record for every regulation which illustrates how the Board is allocating game through that regulation. This would likely add several days to each major board meeting, with resulting costs, and to more legal arguments and challenges regarding whether, and how, the Board is allocating, also with resulting costs. It is difficult to predict the increased costs for the Department of Law, but it might be reasonable to guess, for now, that up to two more lawsuits per year might be the result requiring additional resources equivalent to 1/4 FTE of attorney time.

**Sec. 16.05.255. Regulations of the Board of Game; management requirements.**

(a) The Board of Game may adopt regulations it considers advisable in accordance with AS 44.62 (Administrative Procedure Act) for

(1) setting apart game reserve areas, refuges, and sanctuaries in the water or on the land of the state over which it has jurisdiction, subject to the approval of the legislature;

(2) establishing open and closed seasons and areas for the taking of game;

(3) establishing the means and methods employed in the pursuit, capture, taking, and transport of game, including regulations, consistent with resource conservation and development goals, establishing means and methods that may be employed by persons with physical disabilities;

(4) setting quotas, bag limits, harvest levels, and sex, age, and size limitations on the taking of game;

(5) classifying game as game birds, song birds, big game animals, fur bearing animals, predators, or other categories;

(6) methods, means, and harvest levels necessary to control predation and competition among game in the state;

(7) watershed and habitat improvement, and management, conservation, protection, use, disposal, propagation, and stocking of game;

(8) prohibiting the live capture, possession, transport, or release of native or exotic game or their eggs;

(9) establishing the times and dates during which the issuance of game licenses, permits, and registrations and the transfer of permits and registrations between registration areas and game management units or subunits is allowed;

(10) regulating sport hunting and subsistence hunting as needed for the conservation, development, and utilization of game;

(11) taking game to ensure public safety;

(12) regulating the activities of persons licensed to control nuisance wild birds and nuisance wild small mammals;

(13) promoting hunting and trapping and preserving the heritage of hunting and trapping in the state.

(b) *[Repealed, 12 ch 52 SLA 1986.]*

(c) If the Board of Game denies a petition or proposal to amend, adopt, or repeal a regulation, the board, upon receiving a written request from the sponsor of the petition or proposal, shall in addition to the requirements of AS 44.62.230 provide a written explanation for the denial to the sponsor not later than 30 days after the board has officially met and denied the sponsor's petition or proposal, or 30 days after receiving the request for an explanation, whichever is later.

(d) Regulations adopted under (a) of this section must provide that, consistent with the provisions of AS 16.05.258, the taking of moose, deer, elk, and caribou by residents for personal or family consumption has preference over taking by nonresidents.

(e) The Board of Game shall adopt regulations to provide for intensive management programs to restore the abundance or productivity of identified big game prey populations as necessary to achieve human consumptive use goals of the board in an area where the board has determined that

(1) consumptive use of the big game prey population is a preferred use;

(2) depletion of the big game prey population or reduction of the productivity of the big game prey population has occurred and may result in a significant reduction in the allowable human harvest of the population; and

(3) enhancement of abundance or productivity of the big game prey population is feasibly achievable utilizing recognized and prudent active management techniques.

(f) The Board of Game may not significantly reduce the taking of an identified big game prey population by adopting regulations relating to restrictions on harvest or access to the population, or to management of the population by customary adjustments in seasons, bag limits, open and closed areas, methods and means, or by other customary means authorized under (a) of this section, unless the board has adopted regulations, or has scheduled for adoption at the next regularly scheduled meeting of the board regulations, that provide for intensive management to increase the take of the population for human harvest consistent with (e) of this section. This subsection does not apply if the board

(1) determines that intensive management would be

(A) ineffective, based on scientific information;

(B) inappropriate due to land ownership patterns; or

(C) against the best interest of subsistence uses; or

(2) declares that a biological emergency exists and takes immediate action to protect or maintain the big game prey population in conjunction with the scheduling for adoption of those regulations that are necessary to implement (e) of this section.

(g) The Board of Game shall establish population and harvest goals and seasons for intensive management of identified big game prey populations to achieve a high level of human harvest.

(h) *[Repealed, 2000 Ballot Measure No. 6.]*

(i) For the purpose of encouraging adults to take children hunting, the board shall establish annual hunting seasons in appropriate areas of the state for big game, other than bison and musk ox, that are open before schools start in the fall and before regular hunting seasons begin. Only a resident child accompanied by a resident adult or a child accompanied by the child's resident parent, resident stepparent, or resident legal guardian may take big game in an area where a season established under this subsection is in effect. The adult, parent, stepparent, or legal guardian who accompanies the child may only assist the child in taking big game. A big game animal taken under this subsection must be counted against the bag limits of both the child and the adult, parent, stepparent, or legal guardian who accompanies the child. In this subsection,

(1) "adult" means an individual who is 21 years of age or older;

(2) "child" means an individual who is not more than 17 years of age and not younger than eight years of age.

(j) In this section,

(1) "harvestable surplus" means the number of animals that is estimated to equal the number of offspring born in a game population during a year less the number of animals required for recruitment for population maintenance and enhancement, when necessary, and the number of animals in the population that die from all causes, other than predation or human harvest, during that year;

(2) "high level of human harvest" means the allocation of a sufficient portion of the harvestable surplus of a game population to achieve a high probability of success for human harvest of the game population based on biological capabilities of the population and considering hunter demand;

(3) "identified big game prey population" means a population of ungulates that is identified by the Board of Game and that is important for providing high levels of harvest for human consumptive use;

(4) "intensive management" means management of an identified big game prey population consistent with sustained yield through active management measures to enhance, extend, and develop the population to maintain high levels or provide for higher levels of human harvest, including control of predation and prescribed or planned use of fire and other habitat improvement techniques.

(5) "sustained yield" means the achievement and maintenance in perpetuity of the ability to support a high level of human harvest of game, subject to preferences among beneficial uses, on an annual or periodic basis.

(( 3 ch 206 SLA 1975; am 5 ch 151 SLA 1978; am 10, 11 ch 132 SLA 1984; am 4, 5, 12 ch 52 SLA 1986; am 1 ch 6 SLA 1989; am 2 ch 13 SLA 1994; am 2 ch 54 SLA 1996; am 4 - 6 ch 76 SLA 1998; am 1 ch 20 SLA 2000; am 1 2000 Ballot Measure No. 6; am 1 ch 68 SLA 2001; am 1 ch 132 SLA 2003; am 4 ch 87 SLA 2005))

**Pullen v. Ulmer 923 P.2d 54; 1996 August 26, 1996, Decided**

**Chief Justice, Rabinowitz,**

On November 7, 1995, appellants Harvey Pullen and United Fishermen of Alaska (Pullen) filed suit for declaratory and injunctive relief challenging, on several grounds, the Lieutenant Governor's certification of the initiative. More particularly, Pullen asserted that (1) the proposed bill is not a proper subject of an initiative because it would make an appropriation of the State of Alaska's salmon resources, (2) the allocation of salmon resources of the state among common users is exclusively the responsibility of the legislature,

Pullen's appeal from the superior court's decision on summary judgment raises two issues. First, Pullen argues{1996 Alas. LEXIS 13} that management of Alaska's salmon resources falls exclusively within the power of the state legislature as trustee of Alaska's wildlife, and therefore is not a proper subject of an initiative. Second, Pullen contends that the proposed initiative makes an appropriation of state property, in violation of article XI, section 7 of the Alaska Constitution. We address this latter contention first.

if the state's salmon population{1996 Alas. LEXIS 17} precipitously declines, the fishing industry would be devastated, causing even more harm to Alaska's economy and revenue base. The state benefits from the harvest of salmon through the collection of taxes imposed on business enterprises engaged in the fishery and license fees imposed on sport, personal use, and commercial fisheries.

Pullen's contention that the public trust responsibilities imposed on the state by the provisions of article VIII of our constitution compel the conclusion that fish occurring{1996 Alas. LEXIS 21} in their natural state are property of the state for purposes of carrying out its trust responsibilities. {923 P.2d 61} In short, we are in agreement with Pullen's position that it is the authority to control naturally occurring fish which gives the state property-like interests in these resources. For that reason, naturally occurring salmon are, like other state natural resources, state assets belonging to the state which controls them for the benefit of all of its people.

We hold that the state's interest in salmon migrating in state and inland waters is sufficiently strong to warrant characterizing such salmon as assets of the state which may not be appropriated by initiative. Thus we conclude that the superior court correctly reasoned that salmon are public assets of the state which may not be appropriated by initiative.



## **Overview of Relationships Between Bears, Wolves, and Moose in Alaska**

Relationships between large predators and their prey in Alaska are complex, and no one model fits all situations. It is possible to generalize about some situations, particularly in Interior Alaska. This information on the biology of moose, bears, and wolves, represents highlights from 25 years of research and management programs conducted by universities and state, provincial and federal governments in Alaska and Canada. In 1997, the National Academy of Sciences published a summary and review of predator/prey interactions in Alaska (National Research Council, 1997). More research has been conducted since that review. The published references listed below can be found in most university or large municipal libraries.

In the boreal forest of northern Canada and Interior Alaska, where bears (either black bears, grizzly bears, or both) and wolves are lightly harvested and are major predators on moose, moose densities typically remain well below levels that their habitat can support. Under these circumstances, moose density fluctuates between about 0.1 and 1.0 moose/mi<sup>2</sup> over large areas; most commonly densities are 0.4 to 0.6 moose/mi<sup>2</sup>. Biologists refer to this situation as the Low Density Dynamic Equilibrium or LDDE because moose density fluctuates yet remains low. This occurs primarily because, together, bears and wolves are efficient predators on moose calves, and kill most of the calves born each year. The highest densities reached in these systems (about 1 moose/mi<sup>2</sup>) tend to occur in very large burns where habitat is excellent and moose apparently are more successful at avoiding predators.

Although the LDDE prevails in much of remote interior Alaska, differences occur between areas. In most areas, bears are the major predator on moose calves. An exception occurs in Game Management Unit 20A where wolf control has been shown to be effective at maintaining high numbers of moose and high long-term harvests of moose. In Unit 20A, initial reductions in wolves increased moose population density, wolves also quickly increased after wolf control because, ultimately, the number of wolves in an area depends mostly on the number of prey animals in the area. Number of moose harvested also remained high after wolves increased. An abundance of trappers in Unit 20A has kept wolves from increasing to the point where they could cause declines in the moose population. A similar situation likely occurs in portions of Units 20B and 20D South.

Grizzly bears have been shown to be particularly effective predators of moose calves from birth to about 2 months of age and often kill adult moose in the spring. In this regard, one grizzly bear is

equivalent to many black bears. Not all bears are equal, however, and some bears seem to become specialists at killing both adult and calf moose.

Black bears have been found to be the most important predator of moose calves in some areas of Alaska where grizzly bears are uncommon. In these areas, black bears killed about 40% of all moose calves that were born. Most predation was by adult males.

Biologists expect that significant reductions in bear numbers (either black or grizzly or both) will also lead to higher numbers of moose for harvest. For example, in areas of Canada and the northern states where moose coexist only with wolves, moose are often found at high densities that fluctuate with weather and habitat (e.g. Isle Royale).

Numbers of grizzly bears have probably increased in Interior Alaska since the 1950s. We base this on incidental observations by older hunters, local residents, cabin owners, and Native elders, who all indicate that grizzly bear numbers have increased. This is corroborated to some degree by modern studies. For example, grizzly bears were recently found to be significant predators of moose calves on the Yukon Flats and are commonly seen by local residents, whereas 20-30 years ago, observations of grizzly bears were rare.

In the Anchorage and Fairbanks areas, where wolves and bears are not common, moose are abundant.

Grizzly bear populations appear to be much more resilient to harvest than previously believed. During the last 10 years, the Alaska Board of Game has made a deliberate effort to reduce numbers of grizzly bears in a few important hunting areas (e.g. Game Management Unit 13-the Nelchina Basin) by increasing the bag limit and extending hunting seasons. So far, these new regulations have had no noticeable affect on grizzly bear populations even though hunters have taken an increased number of bears.

Wolves have been found to be very adaptable and they recover from low numbers within a few years. Despite relatively heavy hunting and trapping over the last century in Alaska, wolves occur on nearly all of their traditional habitat throughout mainland Alaska. Historically, wolf numbers were greatly depressed. Specifically, wolves were rare in Interior Alaska between about 1910 and 1925, and during the 1950s. During 1910-1925 wolves may have succumbed to diseases brought in by sled dogs or to widespread poisoning. During the 1950s, federal predator control agents reduced wolves by poisoning and aerial shooting. Wolves have been abundant and have occurred in all of their historic ranges in Alaska since state management began in about 1960 (except for the Anchorage and Fairbanks areas, and the western Seward Peninsula).

Wolves are social animals that live in large family groups. Usually, only a single female per pack successfully raises pups, but depending upon the relationship of adult males and females in a wolf pack, multiple litters may occur in a single pack in a single year. Most pups born into a pack stay in the pack for at least one year, but virtually all have dispersed away from their natal pack by the age of 3. Large packs of 20 or more wolves may occur in areas where food is abundant and pup survival is high. Wolf populations in North America commonly sustain annual harvests or natural mortality rates of 20-40% without experiencing a year-to year decline in numbers. High reproductive rates, high mortality rates and long distance dispersal behavior results in extensive gene flow within wolf populations and between wolf packs.

In Alaska and other areas, if wolves are not hunted or trapped, most mortality is from intraspecific aggression (fighting with other wolves). In trapped wolf populations, natural mortality rates are often lower than in untrapped populations.

In coastal areas of Alaska, where fox rabies is endemic, wolves are periodically reduced to low levels by rabies.

#### **Practical Aspects of managing moose in areas where the LDDE exists**

Usually, without predator control, hunters can take about 5% of a low-density moose population each year – almost all of the harvest must be bulls or the population will decline.

LDDE does not present a biological problem – moose are not likely to become threatened, endangered or extinct due to predation.

The fact that the LDDE prevails in large areas does not usually present a management problem either. Interior Alaska is sparsely populated and access to moose populations is often poor. This means that hunting pressure is relatively light in many areas anyway.

The LDDE can cause a management problem around villages, or in areas that have become important hunting areas for Alaskans near the road system. In these areas, people need or want to harvest more moose than the system can support. In Alaska, moose are valuable to people as a source of food and income (i.e. guiding and transporting hunters), particularly in rural areas. This is why people often express the desire for predator control.

In some areas, where there is a demand to increase moose harvests, it might be possible to harvest more moose by reducing bear predation. Although this idea is reasonable, it is a relatively new idea, has not been adequately tested in Alaska, and programs of this nature need to be viewed as experiments.

#### **References:**

- Ballard, W.B., J.S. Whitman, and D.J. Reed. 1991. Population dynamics of moose in southcentral Alaska. *Wildlife Monographs* 114:1-49.
- Boertje R.D., P. Valkenburg, and M.E. McNay. 1996. Increases in moose, caribou, and wolves following wolf control in Alaska. *Journal of Wildlife Management* 60(3):474-489.
- Gasaway, W.C., R.O. Stephenson, J.L. Davis, P.E.K. Shepherd, and O.E. Burris. 1983. Interrelationships of wolves, prey, and man in interior Alaska. *Wildlife Monographs* 84:1-50.
- Gasaway, W.C., R.D. Boertje, D.V. Grangaard, D.G. Kellyhouse, R.O. Stephenson, and D.G. Larsen. 1992. The role of predation in limiting moose at low densities in Alaska and Yukon and implications for conservation. *Wildlife Monographs* 120:1-59.
- Mech, L.D., L.G. Adams, T.J. Meier, J.W. Burch, and B.W. Dale. 1998. *The wolves of Denali*. University of Minnesota Press, Minneapolis and London.
- National Research Council. 1997. *Wolves, bears, and their prey in Alaska*. National Academy Press, Washington.
- Franzman, A.W., and C.C. Schwartz, Editors. 1997. *Ecology and management of the North American moose*. Smithsonian Institution Press, Washington and London.

# Performance

State of Alaska > Governor > OMB > Performance > Agency List > Wildlife Conservation

Department of Fish and Game

## Wildlife Conservation

Results Summary | Details, Questions/Comments

### Mission

- The mission of the Division of Wildlife Conservation is to conserve and enhance Alaska's wildlife and habitats and provide for a wide range of public uses and benefits.

### Desired Results

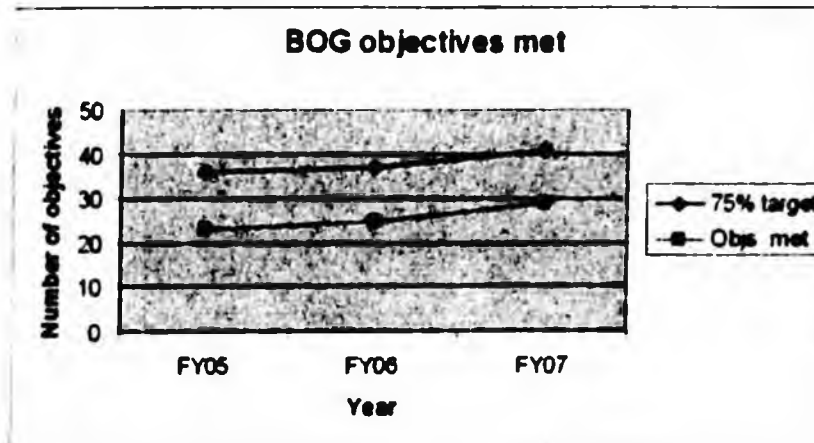
- A: Healthy and sustainable wildlife populations in Alaska that provide a diversity of opportunities for public use and enjoyment.

### Performance Measure Detail

**A: Result - Healthy and sustainable wildlife populations in Alaska that provide a diversity of opportunities for public use and enjoyment.**

**Target #1:** Achieve population targets for at least 75% of big game populations for which the Board of Game (BOG) has set targets (i.e., objectives).

**Measure #1:** Percentage of BOG population targets attained.

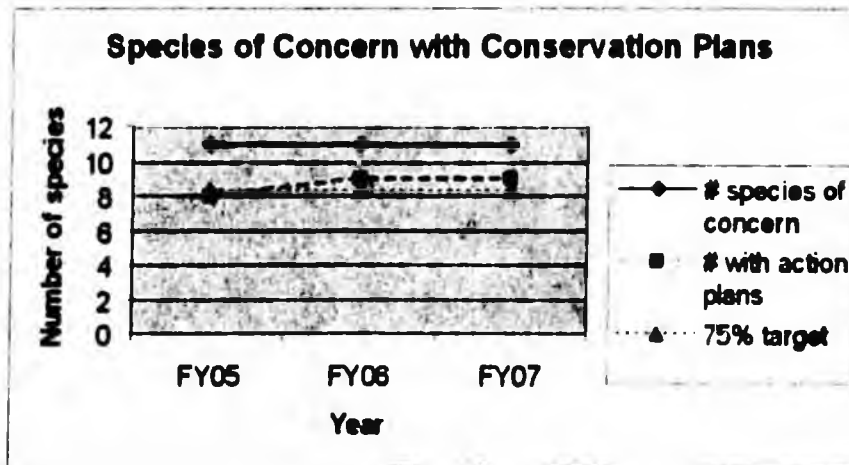


**Analysis of results and challenges:** The Board of Game (BOG) has set population objectives for selected ungulate populations that it has determined are important for providing high levels of harvest for human consumptive use. To meet BOG management objectives, sufficient animals must exist in a game management unit in order to meet the highest levels of hunter demand. For FY07, 29 of the population objectives set for deer, caribou and moose were met; out of a total of 54 objectives set by the BOG. Four more game management units (GMU) met management objectives in FY07 than in FY06. The division's target is 75% of the number of GMU objectives. Some big game surveys were not conducted due to poor weather conditions or a lack of funding. Some of the population objectives may not be possible to meet given the habitat capacity that can be achieved in some areas. Population objectives for those areas should be reviewed by the BOG and possibly revised.

**Target #2:** Develop and implement recovery strategies for 75% of those "species of concern" under primary division management.

**Measure #2:** Percentage of species for which recovery strategies are being implemented.

## Wildlife Conservation - Results Summary



**Analysis of results and challenges:** There are 11 wildlife species of special concern under primary or shared division management. Conservation action plans are in place for 10 (91%) of these species, including blackpoll warbler, Townsend's warbler, olive-sided flycatcher, Steller's eider, spectacled eider, northern goshawk, Arctic peregrine falcon, American peregrine falcon, Aleutian Canada goose and Kenai brown bear. In 1999 the Pacific Flyway Council adopted a management plan for Aleutian Canada goose (updated in 2006) to resume "normal" management after delisting. A plan has not been prepared for the Gray-cheeked thrush. In the state Comprehensive Wildlife Conservation Strategy (CWCS), completed during FY06, both species are on the nominee list for species of special concern. The State of Alaska Species of Special Concern list was last revised in 1998; therefore, when the list is formally revised Aleutian Canada goose can be removed. Revision of that list is expected to occur within the next year.

**Target #3:** No increase in the number of species under state management designated as threatened or endangered in Alaska from the 2003 level.

**Measure #3:** Number of new threatened or endangered species designations



**Analysis of results and challenges:** The state endangered species list includes the Eskimo curlew, short-tailed albatross, humpback whale, right whale, and blue whale. There has been no change in the state endangered species list since 1993 and no new species were added to federal lists in FY07.

**Findings for the Alaska Board of Game  
2006-165-BOG**

**Unit 12 and 20E Intensive Management Supplemental Findings  
May 14, 2006**

The Board of Game finds as follows, based on information provided by department staff and residents and users of moose in Units 12 and 20E. These findings are supplemental to the findings set forth in 5AAC 92.108, in the Units 12 and 20E predation control implementation plan in 5 AAC 92.125 and in Board of Game Findings 2006-164-BOG.

1. The Fortymile Caribou Herd population size, currently estimated to be 40,000-42,000 caribou, is less than the population objective of 50,000-100,000 caribou. The population objective has not been achieved for at least the last 30 years.
2. The Fortymile Caribou Herd harvestable surplus, as described in 5 AAC 92.106(3)(A), currently estimated at 840-880 bulls, is less than the harvest objective of 1,000-15,000 caribou. The harvest objective has not been achieved for at least the last 30 years.
3. The moose population size in Unit 12 north of the Alaska Highway and Unit 20E, currently estimated to be 4,300-5,200 moose, is less than the population objective of 8,744-11,116 moose (derived from the combined Units 12 and 20E objectives based on proportionate area). The population objective has not been achieved for at least the last 20 years.
4. The harvestable surplus of moose in Unit 12 north of the Alaska Highway and Unit 20E, as described in 5 AAC 92.106(3)(A), currently estimated at 135-201 bulls, is less than the harvest objective of 547-1,084 moose (derived from the combined Units 12 and 20E objectives based on proportionate area). The harvest objective has not been achieved for at least the last 20 years.
5. The Fortymile Caribou Herd and the moose population in Unit 12 north of the Alaska Highway and Unit 20E are, thus, depleted and reduced in productivity, which has already resulted in a significant reduction in the allowable human harvest of the population.
6. Enhancement of abundance or productivity of both moose and caribou in this area is feasibly achievable utilizing the recognized and prudent active management technique of predator control.
7. The Board has repeatedly, since 1976, been required to significantly reduce the taking of Fortymile caribou by restricting harvest, seasons and bag limits as compared to the level and timing of hunting opportunity that was previously allowed when the population was not depleted and reduced in productivity.

8. The Board has, since 2000, been required to limit the taking of moose in Unit 12 north of the Alaska Highway and Unit 20E by restricting harvest, seasons and bag limits as compared to the level and timing of hunting opportunity that was allowed when the population was not depleted and reduced in productivity.

9. The population and harvest objectives for both moose and caribou in this area have not been achieved, at least in part, because wolf and brown bear predation have been important causes of mortality in the populations, to the extent that the populations are unlikely to recover, and objectives are unlikely to be achieved, in the foreseeable future unless predator control is conducted.

10. Reducing predation can reasonably be expected to aid in achievement of the caribou and moose population and harvest objectives.

11. A person who has been airborne may on the same day take a brown bear with the use of bait or scent lure as authorized under a permit provided by the Department, providing the permittee is at least 300 feet from the airplane at the time of taking.

Vote: 6-0-1

May 14, 2006

Anchorage, Alaska



Mike Fleagle, Chairman  
Alaska Board of Game

## Moose

The moose (*Alces alces*) is the world's largest member of the deer family. The Alaska race (*Alces alces gigas*) is the largest of all the moose. Moose are generally associated with northern forests in North America, Europe, and Russia. In Europe they are called "elk." In Alaska, they occur in suitable habitat from the Stikine River in the Panhandle to the Colville River on the Arctic Slope. They are most abundant in recently burned areas that contain willow and birch shrubs, on timberline plateaus, and along the major rivers of Southcentral and Interior Alaska.

© Ashley Dean

**General description:** Moose are long-legged and heavy bodied with a drooping nose, a "bell" or dewlap under the chin, and a small tail. Their color ranges from golden brown to almost black, depending upon the season and the age of the animal. The hair of newborn calves is generally red-brown fading to a lighter rust color within a few weeks. Newborn calves weigh 28 to 35 pounds (13-16 kg) and within five months grow to over 300 pounds (136 kg). Males in prime

condition weigh from 1,200 to 1,600 pounds (542-725 kg). Adult females weigh 800 to 1,300 pounds (364-591 kg). Only the bulls have antlers. The largest moose antlers in North America come from Alaska, the Yukon Territory, and the Northwest Territories of Canada. Trophy class bulls are found throughout Alaska, but the largest come from the western portion of the state. Moose occasionally produce trophy-size antlers when they are 6 or 7 years old, with the largest antlers grown at approximately 10 to 12 years of age. In the wild, moose rarely live more than 16 years.

**Life history:** Cow moose generally breed at 28 months, though some may breed as young as 16 months. Calves are born any time from mid-May to early June after a gestation period of about 230 days. Cows give birth to twins 15 to 75 percent of the time, and triplets may occur once in every 1,000 births. The incidence of twinning is directly related to range conditions. A cow moose defends her newborn calf vigorously.

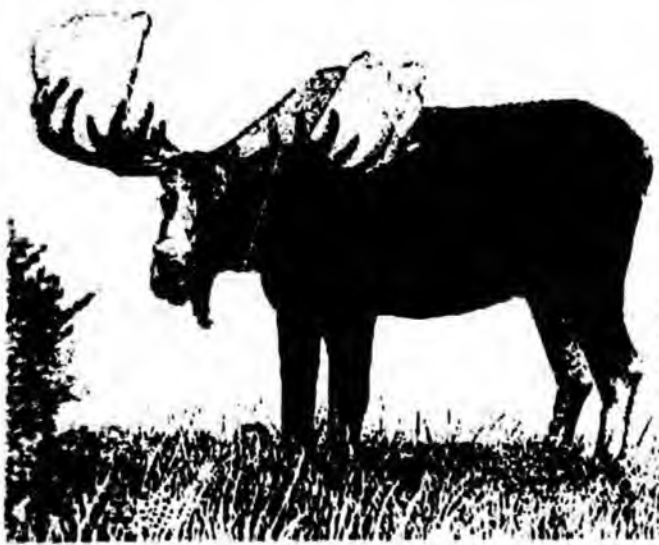
Calves begin taking solid food a few days after birth. They are weaned in the fall at the time the mother is breeding again. The maternal bond is generally maintained until calves are 12 months old at which time the mother aggressively chases her offspring from the immediate area just before she gives birth.

Moose breed in the fall with the peak of the "rut" activities coming in late September and early October. Adult males joust during the rut by bringing their antlers together and pushing. Serious battles are rare. Bulls may receive a few punctures or other damage and occasionally die from their wounds. The winner usually mates with the female.

By late October, adult males have exhausted their summer accumulation of fat and their desire for female company. Once again they begin feeding. Antlers are shed as early as November, but mostly in December and January.

**Food habits:** During fall and winter, moose consume large quantities of willow, birch, and aspen twigs. In some areas, moose actually establish a "hedge" or browse line 6 to 8 feet above the ground by clipping most of the terminal shoots of favored food species. Spring is the time of grazing as well as browsing. Moose eat a variety of foods, particularly sedges, equisetum (horsetail), pond weeds, and grasses. During summer, moose feed on vegetation in shallow ponds, forbs, and the leaves of birch, willow, and aspen.

**Movements:** Most moose make seasonal movements for calving, rutting, and wintering areas. They travel anywhere from only a few miles to as many as 60 miles during these transitions.



**Population dynamics:** Moose have a high reproductive potential and can quickly fill a range to capacity if not limited by predation, hunting, and severe weather. Deep crusted snow can lead to malnutrition and subsequent death of hundreds of moose and decrease the survival of the succeeding year's calves.

Moose are killed by wolves and black and brown bears. Black bears take moose calves in May and June. Brown bears kill calves and adults the entire time the bears are out of their winter dens. Wolves kill moose throughout the year. Predation limits the growth of many moose populations in Alaska.

**Hunting:** More people hunt moose than any other of Alaska's big game species.

**Economic and future status:** Because moose range over so much of Alaska, they have played an important role in the development of the state. At one time professional hunters supplied moose meat to mining camps. Historically, moose were an important source of food, clothing, and implements to Athapaskan Indians dwelling along the major rivers. Today, Alaskans and nonresidents annually harvest approximately 6,000 to 8,000 moose—some 3.5 million pounds of meat. Moose are an important part of the Alaskan landscape, and tourists photograph those animals that feed along the highway.

Man's developments in Alaska include many alterations upon the face of the land. These activities create conflicts between man and moose as moose eat crops, stand on airfields, eat young trees, wander the city streets, and collide with cars and trains.

Man's removal of mature timber through logging and careless use of fire has, in general, benefited moose as new stands of young timber have created vast areas of high-quality moose food. The future for moose is reasonably bright because man is learning how to manipulate habitat with wildfire and is becoming more skilled at managing factors that limit moose populations, such as predation and hunting.

**Text: Robert A Rausch & Bill Gasaway**

**Illustration: Ashley A. Dean**

**Revised by Charles C. Schwartz and reprinted 1994**

## Caribou



Caribou (*Rangifer tarandus*) live in the arctic tundra, mountain tundra, and northern forests of North America, Russia, and Scandinavia. The world population is about 5 million. Caribou in Alaska are distributed in 32 herds (or populations). A herd uses a calving area that is separate from the calving areas of other herds, but different herds may mix together on winter ranges.

In Europe, caribou are called reindeer, but in Alaska and Canada only the domestic forms are called reindeer. All caribou and reindeer throughout the world are considered to be the same species, but there are 7 subspecies: barren-ground (*Rangifer tarandus granti*), Svalbard (*R.t. platyrhynchus*), European (*R.t. tarandus*), Finnish forest reindeer (*R.t. fennicus*), Greenland (*R.t. groenlandicus*), woodland (*R.t. caribou*) and Peary (*R.t. pearyi*). Alaska has only the barren-ground subspecies, but in Canada the barren-ground, woodland, and Peary subspecies are found.

**General description:** Caribou have large, concave hoofs that spread widely to support the animal in snow and soft tundra. The feet also function as paddles when caribou swim. Caribou are the only member of the deer family (Cervidae) in which both sexes grow antlers. Antlers of adult bulls are large and massive; those of adult cows are much shorter and are usually more slender and irregular. In late fall, caribou are clove-brown with a white neck, rump, and feet and often have a white flank stripe. The hair of newborn calves is generally reddish-brown. Newborn calves weigh an average of 13 pounds (6 kg) and grow very quickly. They may double their weight in 10-15 days. Weights of adult bulls average 350-400 pounds (159-182 kg). However, weights of 700 pounds (316 kg) have been recorded. Mature females average 175-225 pounds (80-120 kg). Caribou in northern and southwestern Alaska are generally smaller than caribou in the interior and in southern parts of the state.

**Life history:** Calving occurs in mid-late May in interior Alaska and in early June in northern and southwestern Alaska. If females are in very good condition they can breed when they are 16 months old, but in most herds they do not breed until they are 28 months old. Most adult cows are pregnant every year and give birth to one calf — twins are very rare. Wolves, grizzly bears, and golden eagles kill large numbers of newborn calves. After calving, caribou collect in large "postcalving aggregations" to avoid predators and escape mosquitoes and warble flies. These large groups of caribou stay together in the high mountains and along seacoasts where wind and cool temperatures protect them from summer heat and insects. After insect numbers decline in August, caribou scatter out and feed heavily on willow leaves and mushrooms to regain body weight.

The shedding of velvet (the fur covering on antlers) in late August and early September by large bulls marks the approach of the rutting (breeding) season and the start of fall migration. Mature bulls frequently have more than three inches of fat on the back and rump, which is used to provide energy needed during the rut. The necks of adult bull caribou swell enormously in September due to the natural production of steroid hormones like testosterone. Fighting begins in early September and becomes more frequent as the rut approaches at the end of the month. Most fights between bulls are brief bouts, but violent fights occur, and many bulls are seriously injured or killed during the rut. Many injured or exhausted bulls are killed by wolves and bears after the rut. Unlike many other members of the deer family, bull caribou do not control a harem of cows. Instead, they control a space around themselves, and prevent other bulls from breeding females within their space. The largest bulls shed their antlers in late October, but small bulls and non-pregnant cows do not shed their antlers until April. Pregnant females usually retain their antlers until calves are born in late May or early June.

**Food habits:** Like most herd animals, the caribou must keep moving to find adequate food. Large herds often migrate long distances (up to 400 miles/640 km) between summer and winter ranges. Smaller herds may not migrate at all. In summer (May-September), caribou eat the leaves of willows, sedges, flowering tundra plants, and mushrooms. They switch to lichens (reindeer moss), dried sedges (grasslike plants), and small shrubs (like blueberry) in September.

**Movements:** In Alaska, caribou prefer treeless tundra and mountains during all seasons, but many herds winter in the boreal forest (taiga). Calving areas are usually located in mountains or on open, coastal tundra. Caribou tend to calve in the same general areas year after year, but migration routes used for many years may suddenly be abandoned in favor of movements to new areas with more food. Changing movements can create problems for the Native people in Alaska and Canada who depend upon caribou for food.

Caribou movements are probably triggered by changing weather conditions, such as the onset of cold weather or snowstorms. Once they decide to migrate, caribou can travel up to 50 miles a day. Caribou apparently have a built in compass, like migratory birds, and can travel through areas that are unfamiliar to them to reach their calving grounds.

**Hunting:** Alaskan hunters shoot about 22,000 caribou each year for food. A few thousand other hunters, primarily from the lower 48 states, Europe, and Mexico, travel to Alaska to experience caribou hunting each fall. These hunters contribute significantly to the economy of the state, particularly in rural areas. Meat from caribou taken by these nonresident hunters is also required to be used for food. Alaska's great caribou herds have also become increasingly treasured as a natural wonder of state, national, and international importance.

**Population dynamics:** There are approximately 950,000 wild caribou in Alaska (including some herds that are shared by Alaska and Canada's Yukon Territory). Caribou are somewhat cyclic in number, but the timing of declines and increases, and the size to which herds grow is not very predictable. Although overhunting caused some herds to remain low in the past, today, varying weather patterns (climate), overpopulation, predation by wolves and grizzly bears, and disease outbreaks determine whether most herds increase or decrease.

In the 1970s people were concerned about the effect of the trans-Alaska oil pipeline, expanding oil development, and increased disturbance from use of aircraft and snowmobiles on caribou. Although there was some displacement of caribou calving in the Prudhoe Bay oilfield, in general, caribou have not been adversely affected by human activities in Alaska. Pipelines and most other developments are built to allow for caribou movements, and caribou have shown us that they can adapt to the presence of people and machines. As human activities expand in Alaska, the great challenge for caribou management is for man to consider the needs of our caribou herds and ensure that they remain a visible, healthy part of our landscape.

**Text: Patrick Valkenburg**  
**Illustration: ADF&G Staff**  
**Revised and reprinted 1999**

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**From:** com  
**Sent:** Wednesday, February 13, 2008 10:34 AM  
**To:** Rep. Wes Keller  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* HB 348

Representative Wes Keller, Myself and my family are behind you in your efforts. We are all outdoorsmen and Women and have started seeing the results of the Predator control program in unit 13. We have seen more Caribou and Moose calfs and although we have not been succesfull in our big game hunts the last two years in unit 13 we are seeing more animals, and know it is just a matter of time untill we see more Leagle animals. Now if we could use our aircraft for caribou hunting in unit 13 we would have a fair chance to harvest an animal just as the atv's and boaters do. I am not shure how it came to pass that how I chose to spend my hard earned money on an aircraft instead of a boat or fleet of atv's, that it would elimanate us from participating in this hunt. My family has hunted this area with aircraft since 1965.

Thank you for your time.

Good luck!  
Randy Apling  
Sharon Apling  
Tyler Apling  
Trisha Apling  
Floyd Apling  
Ardith Apling

Anchorage, AK 99501  
96

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More new features than ever. Check out the new AOL Mail!

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**From:** patti barber [mailto:patti.barber@alaska.net]  
**Sent:** Wednesday, February 13, 2008 9:53 AM  
**To:** Rep. Wes Keller  
**Subject:** HJR 31 and HB348

I support these bills as written. This will enhance the value of the wild food source.

Kenny Barber

Palmer, AK 99645

---

**From:** O'Connor

**Sent:** Wednesday, February 13, 2008 9:58 AM

**To:** Rep. Wes Keller

**Dear Representative Keller,**  
I support HB 348.

**Patrick O'Connor**

74. 1-1  
**Palmer, AK 99645**

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**From:** Dane Crowley  
**Sent:** Wednesday, February 13, 2008 9:42 AM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 and HJR 31

Dear Representative Wes Keller,

Thank you first for your service to the State of Alaska and for bringing the HB 348 and HJR 31 to the attention of our government body. Both of these speak to issues plaguing Alaska and must be addressed.

I whole-heartedly support HB 348 and would like to offer the following comments;

- 1) It puts Alaska Dept. of Fish and Game back into the correct role of managing Alaska's fish and game resources for ABUNDANCE and not managing people through archaic seasons, bag limits and poorly designed experiments like the proposed "any ram" hunt in 14A and 13D.
- 2) It gives Alaskans preferential use of game resources. I would like to again bring up the proposal #158 to take 13D and 14 A and eliminate an open sheep hunt for Alaskans, turn it into a draw and reduce opportunity for Alaskans by 2/3 AND allocate 10% permits for non-residents. If there are not enough sheep to have an open hunt there can be no opportunity for non-residents. I say ADF&G must manage for more sheep not limit opportunity, this bill sets it straight.
- 3) Puts into code (Pullen v Ulmer) that game is an asset much like it defined fish.
- 4) This is backed by independent tourist industry business people, backed by hunter groups, subsistence hunters, guides and native organizations because it manages for abundance and reduces in-fighting amongst Alaskans.
- 5) Allows Alaska to manage game without meddling from outside special interest with single-minded objectives not compatible with the Alaskan way of life or constitution.
- 6) Last but not least this does not change any law, law on initiatives, it simply clears the air and helps everyone see the job at hand and give them a base to work off of to do that job.

HJR 31 put another tool in our wildlife manager's tool box and we must be willing to try. If we can take nothing else from the aerial wolf control of Alaska's pre-statehood days, it's that 30 years of intense wolf eradication efforts failed to kill all of or even place Alaska's wolves into a threatened or endangered category. We simply need to put things back into balance. Like it or not People are part of the ecosystem and we are obligated to manage, let manage for healthy moose, caribou, sheep AND bear and wolves.

Thank you for your efforts and I would be more than willing to speak or lend my voice anytime. Keep up the good fight.

Dane Crowley  
Life Member FNAWS and current board member  
Life member SFW/SFH and current board member SFH.  
Palmer Alaska

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**From:** jason kottsick [mailto:jason.kottsick@alaska.gov]  
**Sent:** Wednesday, February 13, 2008 8:51 AM  
**To:** Rep. Wes Keller  
**Subject:** I support you!!!!

Mr. Keller,

I just received an email from Scott [redacted] of the SFW. As a member of SFW, and new Alaska resident, I support what you are standing for. We NEED to have more scientific data to prove that killing predators will in-turn produce more big game and possibly more predators in the future. We must keep aerial predator hunting as a tool to control predators. This is the most humane and effective method that we have. Most importantly though, we need to educate all the people opposed to managing OUR wildlife. They need to understand that what they hear or see on some stupid commercial or from some radical is not always true. People need to learn to rely on sound data that has been produced by our biologists, not rely on what some novel gives them.

I understand that what we are fighting for is very difficult when the folks we are dealing with have a lot of support and money to fight against us. Most of those that oppose this aren't even from Alaska and don't understand subsistence and wildlife management. I respect what you are doing.

Thank you,  
Jason Kottsick

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Climb to the top of the charts! Play the word scramble challenge with star power. [Play now!](#)

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**From:** Steve Colligan  
**Sent:** Tuesday, February 12, 2008 10:29 PM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 Board of Game Regulations and HJR 31 Oppose Federal Law Re; Aerial Hunting

Dear Representative Keller:

I just wanted to take this opportunity to express my support for HB348 and HJR 31. I fully believe that Alaskans should manage their own resources and follow the process and procedures that are on the books already, that support abundance management. HB348 clarifies the existing relationship between the Department, Board of Game and the Legislature. This will save untold amount of department resources from frivolous challenges from outside interest. I believe that the people nearest the resources have the clearest insight and historical knowledge of game resources in their own back yard. There is an existing process that allows open access between all parties involved, unfortunately outsiders have manipulated this process at the expense of the same people they are claiming to help.

Thank you for this bill to clarify what to many already exists.

**HJR 31:**

I am in full support of a statement of opposition to Miller of California who is touring his hand brushed show wolf. He is purposely misleading the general public with his Hollywood pet .vs the what really exist in the wild. I am offended that we as Alaskans are his fundraising poster child.

Thank you for bringing these forward for sportsman and subsistence alike.

-Steve Colligan, Wasilla, AK

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**From:** Rep. Wes Keller  
**Sent:** Wednesday, February 13, 2008 8:37 AM  
**To:** Jim Pound  
**Subject:** FW: HB 348-HJR 31

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**From:** Dickey, Martin L [mailto:Martin.L.Dickey@alaska.gov]  
**Sent:** Wednesday, February 13, 2008 8:33 AM  
**To:** Rep. Wes Keller  
**Subject:** HB 348-HJR 31

Good morning Wes Martin Dickey here I am a life long Alaskan of 51+ yrs and have enjoyed many years as an active fisherman and hunter the Bill HB 348 is a good start as to getting this state my home back on track and managing our own resources **all resources**.

Which brings us to the next topic Bill HJR 31. This bill is also very important in the management of our resources as wolves/predators are very necessary in nature aerial wolf hunting or fly and shoot same day for predator control based on all the available data is a very valuable tool at our disposal and should not be given away this State my State where I choose to live year round and have raised four children who all live and work here also 4 grandchildren who love the outdoors camping, hunting and fishing so lets choose to manage our resources to the best of our ability so there is always enough for all to enjoy.

Sincerely:  
Martin Dickey  
Wasilla AK. 99654

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**From:** Corey Rossi  
**Sent:** Tuesday, February 12, 2008 10:13 PM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 and HJR 31

Dear Representative Keller

I am firmly in favor of HB 348 Board of Game Regulations and HJR 31 Oppose Federal Law Re;  
Aerial Hunting.

Please keep these important bills moving forward for the good of our beloved game  
resources.

Thank you!

Corey Rossi

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**From:** Andrew Zajac ,  
**Sent:** Tuesday, February 12, 2008 9:50 PM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 & HJR 31

Dear Representative Keller,

It has just come to my attention that there will be hearings on HB 348 Board of Game . . . . and HJR 31 Oppose Federal Law . . . . . tomorrow. Please be assured that you have my support. I urge you to protect our fish and game from the encroachment of outside interests who wish to dictate how we Alaskans regulate our wildlife. I have hunted in Alaska since 1970 and have seen the decline in our game populations. Bears and wolves are nice to have around, but as predators, they need to be drastically reduced. The needs of humans come first!!

Thank you for you efforts.

Sincerely,  
Andy Zajac

2/13/2008

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**From:** Linda Frey  
**Sent:** Tuesday, February 12, 2008 7:29 PM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 and HJR 31

Dear Rep. Keller,

I am writing to encourage you in your efforts to pass HB 348 and HJR 31. We are 24 year Alaskans who now have 2 younger generations of hunters in the family. We would like to be able to take our 1 year old twins grandsons hunting and fishing as they get older. We are proud to be Alaskans and recognize that Alaskans do know what is best for our state, not outside anti-hunter groups who wouldn't know what to do with a fresh side of moose if it was handed to them.

Thanks for your work on these bills.

Linda and Dana Frey

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**From:** Dane Crowley [  
**Sent:** Tuesday, March 11, 2008 11:21 AM  
**To:** Rep. Wes Keller  
**Subject:** HB 348

**To Esteemed Alaska Legislator and Public Servant:**

**Please continue to support Alaska and Alaskans, our right to manage, our right to vote and our constitutional right to the fish and game assets of Alaska.**

**Please continue to support Alaskans by supporting HB348. This bill strengthens our rights and our right to vote not some outside interest as some would lead you to believe. The bill makes no mention of any change to the initiative process and has no effect on how the initiative process is conducted. This bill also serves as the stop to the unethical and morally incomprehensible divide created by outsiders to pit Alaskans against Alaskans, rural vs. urban, sport vs. subsistence and worse yet, non-native vs. native.**

**Clarification will end this manufactured debate and allow Alaskans to manage our game. I urge you to take a stand as an elected official to support the Constitution of Alaska and do right by Alaskans. Thanks again for taking the lead on this issue; you are an asset to Alaska.**

**Sincerely,**

**Dane Crowley  
Palmer Alaska  
PO Box 99645**

**Jim Pound**

---

**From:** Wayne Heimer  
**Sent:** Monday, February 18, 2008 11:50 AM  
**To:** Rep. Wes Keller; Representative\_Jay\_Ramrus@legis.state.ak.us;  
 Representative\_Dave\_Guttenberg@legis.state.ak.us; Rep. Scott Kawasaki  
**Cc:** sheaphom@gci.net; kgordon@mosquitonet.com; cmmgen@mtaonline.net; grizzlybear@mosquitonet.com;  
 dcrowley@npiialaska.com; rlee@fnaws.org  
**Subject:** HB 348

Dear Representative Keller, et al.,

I and ( the 200 members of) the Alaska Chapter of the Foundation for North American Wild Sheep strongly support HB 348. It is an approach to protecting Alaskans from exploitation via the ballot initiative process which has been needed for a long time. We are thrilled to see it moving legislatively.

Personally, I first saw the need for this legislation when I served as plaintiff in Heimer v. Leman, an attempt to keep the "bear baiting" initiative off the ballot. We were unsuccessful in that attempt, but Alaskans raised enough money to defeat the measure at the ballot box...about \$650K. Now, we're trying to raise three quarters of a million dollars to defeat the latest wolf protection initiative driven by established, traditional anti-management interests. These continuing election campaigns are wasteful and divisive on issues that should never have been allowed as subjects of the initiative process. The legislature will serve Alaska well to clarify the status of wild resources as assets of the state and "methods and means" as allocative in nature. This is jjust constitutional common sense.

As a member of the National Board of Directors for the Foundation for North American Wild Sheep, I can assure you that this organization (representing 6,000 sheep-interested conservationists) also strongly supports this bill, even though support has been by positional consensus and not through formal action.

I understand that commercial fishing interests are opposed to this bill. Please understand that this special interest group fails to understand that it needs this protection because of its traditional political influence and the narrow ruling in Pullen v. Ulmer. These folks think they are immune from assault via ballot initiative: they aren't. About all it will take is a citizen's initiative mandating larger net mesh size to allow more fish to escape upstream (as a matter of "methods and means"), and there will be a horrible fisheries mess. I know of dissatisfied subsistence and personal use fishers who are currently agitating for such an initiative. It's time to act in the best interests of Alaskan fish and wildlife conservation, even if the "fishermen's union" doesn't think it is necessary.

Similarly, the present anti-mining initiatives represent attempts to codify *highly technical regulatory functions* (analogous to fish and wildlife "methods and means" regarding levels of discharge from mining operations) *as law* via the initiative process. This masquerades as "citizen democracy," but is really the tool of a moneyed special interest group bent on frightening the public into codifying its special interest position. We consider this very serious, and reason that HB 348 is the best approach to protecting Alaskans from special interests bent on stifeling use of Alaska's resources by cleverly allocating them to themselves for their special "non-uses." Now may not be the time to deal with the mining issue, but it is certainly the time to address the problem with fish and wildlife.

Thank you for carrying this issue forward.

Sincerely,

Wayne E. Heimer  
 President, Alaska FNAWS

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HB 348 defines Alaska's game resources as an asset of the State and expressly empowers the Board of Game to allocate these assets. This change will bring Alaska's Board of Game statutes in compliance with recent Alaska Supreme Court case law which recently ruled that fish are an asset of the State.

2/22/2008

**Jim Pound**

---

**From:** Rick and Paris Kinmon  
**Sent:** Thursday, February 14, 2008 10:59 AM  
**To:** Rep. Wes Keller  
**Subject:** Support of HB348 and HJR31

Dear Representative Keller:

I just wanted to take this opportunity to express my support for HB348 and HJR 31. I fully believe that Alaskans should manage their own resources and follow the process and procedures that are on the books already, that support abundance management. HB348 clarifies the existing relationship between the Department, Board of Game and the Legislature. This will save untold amount of department resources from frivolous challenges from outside interest. I believe that the people nearest the resources have the clearest insight and historical knowledge of game resources in their own back yard. There is an existing process that allows open access between all parties involved, unfortunately outsiders have manipulated this process at the expense of the same people they are claiming to help.

Thank you for this bill to clarify what to many already exists.

**HJR 31:**

I am in full support of a statement of opposition to Miller of California who is touring his hand brushed show wolf. He is purposely misleading the general public with his Hollywood pet .vs the what really exist in the wild. I am offended that we as Alaskans are his fundraising poster child.

Thank you for bringing these forward for sportsman and subsistence alike.

Respectfully,  
Rick Kinmon  
Wasilla, AK

**Jim Pound**

---

**From:** Matt & Jacelyn Mahoney ,  
**Sent:** Thursday, February 14, 2008 8:04 AM  
**To:** Rep. Wes Keller  
**Subject:** Complete support of HB 348; thank you for supporting us.  
**Attachments:** Matt's Moose 2006.JPG

Dear sir,

As part of a larger group of scientifically educated, politically active, sportsman I would like to thank you for sponsoring this bills. Currently there are some glaring problems with the way we ( Alaskans) are "allowed" to manage our fish and wildlife resources. Politics and emotion have replaced science as the primary management tool regarding our predator / prey relationship, and managers have become so hamstringed all they can do is provide a "opportunity" to harvest an animal. I don't want an "opportunity" that includes restricted bag limits and shorten seasons, I want more animals. Thank you for sponsoring this bill and know there is a growing group of us sportsman who stay politically active and will throw our votes behind those who support us.

Matt Mahoney

2/22/2008

**Jim Pound**

---

**From:** Kathryn Folsom [  
**Sent:** Thursday, February 14, 2008 6:48 AM  
**To:** Rep. Wes Keller  
**Subject:** HB 348 & HJR31

**LONG OVER DUE FOR THIS LEGISLATION - BILL FOLSOM PALMER**

2/22/2008

**Jim Pound**

---

**From:** Terry/Lucy Thisius ,  
**Sent:** Wednesday, February 13, 2008 2:18 PM  
**To:** Rep. Wes Keller  
**Subject:** HB348

Re: HB348

Wes:

I am a 27 year resident of the state and an avid outdoors man. I am writing to urge your support along with your colleagues to pass this bill. I have been getting more and more aggravated by the special interest groups and their deep pockets meddling in our board of game decisions. The game and fish in this state is defined by our constitution as ours (residents of the state), and if this bill is the answer to keep the decisions at the discretion of the boards of fish and game I couldn't be more supportive and urge our legislatures to vote the same.

Thank you,  
Terry Thisius  
Palmer, AK

## Jim Pound

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**From:** K.M. Gordon  
**Sent:** Monday, February 18, 2008 10:51 PM  
**To:** Rep. Wes Keller; Rep. Jay Ramras; Representative\_Dave\_Guttenberg@legis.state.ak.us;  
Rep. Scott Kawasaki  
**Cc:** Wayne Heimer; sheephorn@gci.net; cmmgen@mtaonline.net; grizzlybear@mosquitonet.com;  
dcrowley@npialaska.com; rlee@fnaws.org; Sue Stancliff  
**Subject:** Please support HB 348

Dear Representatives Keller, Ramras, Guttenberg, and Kawaski:

I live in Fairbanks and encourage you to strongly support HB 348. Alaska's initiative process has become the emotional battleground for extremist environmentalists who continue to attempt to change our game laws according to their philosophical whims. Rather than using the process set forth through the Advisory Committees and the Board of Game, these folks misuse the initiative process and use it to circumvent the legitimate process already in place to effect changes in fish and game laws. This chronic use of the ballot box to make resource allocations has to stop NOW.

The Constitution states that the initiative process cannot be used to allocate the State's resources, and yet these folks, heavily funded by environmental groups from outside of Alaska, use the initiative process as their convenient tool to circumvent the current regulation system.

HB 348 would keep the allocation of natural resources safely protected under the Constitutional mandate as originally intended by its framers rather than at the whim of anti-hunting groups backed by large sums of money who would control our Alaskan lifestyle using our ballot box to accomplish their agenda.

Please support HB 348 and do the right thing to put an end to this backdoor method of allocating our natural resources. Thank you very much.

Sincerely,

Karen Gordon  
PO Box 61414  
Fairbanks, AK  
457-7189

## Support of HB 348

The Governor, in her inauguration speech, told Alaskans that the Department of Fish and Game had a new directive – to manage wildlife for abundance. Many of my friends and I were elated at the prospect of a new day when science rather than politics would rule, and our game populations would return to their previous high numbers. This will not happen without active predator management in some areas. While I hope and pray the Governor's commitment to abundance management does not waver, we have enemies at the door who would undermine the Governor's own priorities.

Under the guise of saving wolves, radical environmentalists have become predators themselves, warring against the people of Alaska to, in essence, take the food right off our plates by not allowing the Department of Fish and Game to manage for abundance as the Governor has said it will. If HB 348 doesn't pass, extremists will continue to abuse the initiative process to steal away the rights of Alaskans to manage our own wildlife and thus feed our people.

The war of extremists is based on emotion, not science. They reject data from the professionals at Fish and Game as inconclusive and inadequate, and cry for more studies simply to delay the demise of predators. And while we are left to haggle over who gets the last moose, the extremists will long ago have had their victory party.

Let's put an end to the abuse of the initiative process that has become the tool of too many outside special interests. Enough pandering to their emotional marketing campaigns and threats of tourist boycotts. Their continuing to make the ballot box their weapon against Alaskans is especially irksome to me when they ignore the process that already exist to deal with such matters. Moreover, it is foolishness to keep going through this debacle every time these environmentalists want to save a wolf but ignore the fact that that wolf will kill hundreds of caribou or moose.

HB 348 would enforce the Constitutional mandate that State resources cannot be allocated through the ballot box. I'm sick of it. I hope you are too.

Karen Gordon  
PO Box 61414  
Fairbanks, AK 99706

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**From:** Andy Ziegler [ ]  
**Sent:** Wednesday, March 12, 2008 8:28 PM  
**To:** Rep. Mike Chenault; Rep. John Coghill; Rep. Carl Gatto; Sen. Lyda Green; Rep. John Harris; Rep. Mike Hawker; Sen. Charlie Huggins; Rep. Craig Johnson; Rep. Wes Keller; Rep. Kevin Meyer; Rep. Ralph Samuels; Rep. Bill Stoltze; Rep. Bill Thomas; Sen. Gene Therriault; Sen. Tom Wagoner  
**Subject:** HB 348

I live in Alaska for many reasons, one of which is my hunting rights. I fully support HB348 and I hope each of you do also. Game management by the emotional vote is not very scientific and has no part in our government.

Thanks,  
Andrew Ziegler

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**From:** Richard and Joan Kerr |  
**Sent:** Thursday, March 20, 2008 12:54 AM  
**To:** Rep. Wes Keller  
**Subject:** Support HB348

**Please support House Bill 348. It is essential for responsible management of Alaska's heritage of fish and game.**

**Thank you for supporting HB348.**

**Richard Kerr**

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**From:** Dan Caldwell  
**Sent:** Thursday, March 20, 2008 11:44 AM  
**To:** Rep. Wes Keller  
**Subject:** HB 348

I strongly support HB 348 for the following reasons.

- Violate the Alaska Constitution by appropriating (or expropriating) the state's wildlife assets, independent of the legislative process (Article 11, Section 7).
- Violate the rights of consumptive users who have already been appropriated a portion of the state's wildlife assets by the legislature.
- Disproportionately harm rural subsistence users who rely on wildlife for food, yet do not have the votes to stop outside interests from harming their ability to hunt.
- Allow outside special interests (with millions of advertising dollars) to control Alaska's wildlife assets, and limit all Alaskan hunters' rights.
- Undermine professional scientific wildlife management

Your support will be greatly appreciated.

Thanks,

Dan Caldwell

**Please get the EMOTIONAL thought out of Alaska's wildlife management once  
and for all.  
Our decimated wildlife populations deserve a LOGICAL attempt to rebalance the  
predator pray equation before it is too late.  
Please support Wess Kellers very LOGICAL HB 348  
And stop the EMOTIONAL "Balot box biology" forever.**

**Thankyou , Sincerly Doug Gross Wasilla**

**Jim Pound**

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**From:** on behalf of D. Williams !  
**Sent:** Wednesday, March 12, 2008 9:19 PM  
**To:** Rep. Wes Keller  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* HB348

I urge you to support HB348 and protect my rights to hunt, fish and trap the wildlife in my state.

**Wildlife initiatives:**

- Violate the Alaska Constitution by appropriating (or expropriating) the state's wildlife assets, independent of the legislative process (Article 11, Section 7).
- Violate the rights of consumptive users who have already been appropriated a portion of the state's wildlife assets by the legislature.
- Disproportionately harm rural subsistence users who rely on wildlife for food, yet do not have the votes to stop outside interests from harming their ability to hunt.
- Allow outside special interests (with millions of advertising dollars) to control Alaska's wildlife assets, and limit all Alaskan hunters' rights.
- Undermine professional scientific wildlife management

**David Williams**

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**From:** Tony Russ [-]  
**Sent:** Wednesday, March 12, 2008 7:11 PM  
**To:** Rep. Wes Keller; Rep. Bill Stoltze; Rep. Bill Thomas; Rep. Carl Gatto; Sen. Charlie Huggins; Rep. Mark Neuman; Sen. Lyda Green  
**Subject:** H 348

Legislators,

I thank you all for continually working on our behalf in the realm of fish and game resources. HB 348 is another good step toward classifying our fish and game resources as assets that belong to all of us Alaskans equally, and should be used equally by all of us. Please support this bill, and the Senate Bills that coincide with it.

What also would be great is if we could stop ballot initiatives from being used to manage our fish and wildlife. They have no place in scientific management by professionals.

Tony Russ  
[www.ChinookShows.com](http://www.ChinookShows.com)  
"Guiding You to Success in the Alaska Outdoors"  
Tony@ChinookShows.com

ATTN: JACK

from: Sharon Long 465-4907

1.S1328 Resources

**CS FOR SS FOR HOUSE BILL NO. 348 (RES)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE-SECOND SESSION**

**BY THE HOUSE RESOURCES COMMITTEE**

**Offered: 02/17/08**

**Referred: Resources, Finance**

**Sponsors: REPRESENTATIVE KELLER, Johnson**

**A BILL**

**FOR AN ACT ENTITLED**

- 1 "An Act relating to the adoption of regulations by the Board of Fisheries and the
- 2 Board of Game."

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

- 4 \*Section 1. AS 16.05.221 is amended by adding a new subsection to read.

- 5 (e) In this section, the terms "conservation" and "development" both require that the
- 6 appropriate Board must regulate in a manner that primarily concerns if, how, when and
- 7 where the public assets of fish or game will be allocated or appropriated.

New Text Underlined

1  
(DELETED TEXT BRACKETED)

**CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 348(RES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE RESOURCES COMMITTEE**

**Offered:  
Referred:**

**Sponsor(s): REPRESENTATIVE KELLER**

*Jack*  
*this passed*  
*out of committee*  
*evidently they are*  
*dissatisfied now.*  
*Sharon*

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the adoption of regulations by the Board of Game."**

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

3 **\* Section 1. AS 16.05.255(d) is amended to read:**

4 (d) Regulations adopted

5 (1) under (a) of this section must provide that, consistent with the  
6 provisions of AS 16.05.258, the taking of moose, deer, elk, and caribou by residents  
7 for personal or family consumption has preference over taking by nonresidents;

8 (2) under (a)(3), (a)(7), or (a)(10) of this section that implement,  
9 interpret, or make specific conservation and development of resources and  
10 utilization of game must primarily concern whether, how, when, and where the  
11 public asset of game will be allocated or appropriated.

AMENDMENT # \_\_\_\_\_

Committee Amendment for CSSH B 348

25-LS1328 Resources

Page 1, line 1 & 2

- 1 " An Act relating to the adoption of conservation and development regulations by the Board
- 2 of Fisheries and the Board of Game to address primary concerns relating to public assets."

# WORK ORDER REQUEST FORM

W.O. 25-LS1555

**KEYWORDS:** FISH/GAME, GAME REGULATIONS

**ASSIGNED:** Kane

**REQUEST FOR:** New Bill

**TAKEN BY:** Duffy

**SUBJECT:** Board of Game Regs. Re Public Assets

**REQUESTED FOR:** SC SRES

**BY:** Sharon Long

**PHONE:** 465-4907

**DELIVER TO:** Sen. Huggins; Attn: Sharon -- Cap. 119

**INSTRUCTIONS:**

Draft bill with this title: "An Act relating to the adoption of conservation and development regulations by the Board of Game to address primary concerns relating to public assets."

The bill language is: "AS 16.05.255(j) is amended by adding a new paragraph to read: (e) in this section, the terms "conservation," "development" and "utilization" all require that the Board must regulate in a manner that primarily concerns if, how, when and where the public asset of game will be allocated or appropriated."

-- SJL - call Saxby: 269-5250 out 17.1 March 11  
(also Nelson (counseling) 269-5241  
279-2834

**OBTAIN**

**SPECIAL DRAFTING INSTRUCTIONS ATTACHED**   
**AUTHORIZED TO CONFER WITH**

**RETURN**

**TO REQUESTOR**

**APPROVED**  **DIRECTOR, LEGAL SERVICES**

**REVIEWED** \_\_\_\_\_

**IN** 02/28/08 **DUE** \_\_\_\_\_

**TYPED: DRAFT** \_\_\_\_\_ **DATE** \_\_\_\_\_

**FINAL** \_\_\_\_\_ **DATE** \_\_\_\_\_

**PROOFED** \_\_\_\_\_ **DELIVERED** \_\_\_\_\_

**SPECIAL INSTRUCTIONS to TYPING/PROOFING**

Would like in a couple of days to get a hearing scheduled

Request for DRAFT

# ALASKA STATE LEGISLATURE

**Interim:**  
600 East Railroad Avenue  
Wasilla, Alaska 99654  
Phone (907) 373-1842  
Fax: (907) 373-4729



**Session:**  
State Capitol Building  
Juneau, Alaska 99801-1182  
Phone: (907) 465-2186  
Fax: (907) 465-3818

## REPRESENTATIVE WES KELLER DISTRICT 14 Sponsor Statement

### SS HB 348

**"An Act relating to the adoption of regulations by the Board of Game."**

For years Alaska has devoted time and money to the management of one of its most valuable renewable resources. Wild Game represent many things to many Alaskans. Be it commercial guiding, hunting, or simply viewing wildlife, Alaska is unique and every Alaskan enjoys the gift of the resource.

Every year, Alaskans and tourists carrying in state or out of state licenses look for the moose, caribou or bear. Every summer thousands of tourist marvel at herds of caribou or a lone moose or sow with her cubs.

Alaska's wildlife is an asset. Without them not as many people would visit the state, which translates into a loss of revenue. Without them guides would not earn a living and hunters would not put food on the table.

The problem we face is that we have not allowed our Boards of game to manage the resource and allocate it for what it actually is, an asset. SS for House Bill 348 will accomplish that by inserting those important words into statute. The language makes it clear to others that it is our asset and we will manage for abundance as promised in the Alaska Constitution.

We urge your support for the language in SS for HB 348 to make it clear we understand what our wildlife truly is and what they mean. It is language that is easy to understand whether you live in Alaska or somewhere else.

E-Mail: [Representative\\_Wes\\_Keller@legis.state.ak.us](mailto:Representative_Wes_Keller@legis.state.ak.us)  
Call Juneau Toll free: (800) 468-2186  
Website: [www.akrepublicans.org/keller/](http://www.akrepublicans.org/keller/)

**SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 348  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY REPRESENTATIVE KELLER**

**Introduced: 2/6/08**

**Referred:**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the adoption of regulations by the Board of Game."**

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

3 **\* Section 1. AS 16.05.255(a) is amended to read:**

4 (a) The Board of Game may adopt regulations it considers advisable in  
5 accordance with AS 44.62 (Administrative Procedure Act) for

6 (1) setting apart game reserve areas, refuges, and sanctuaries in the  
7 water or on the land of the state over which it has jurisdiction, subject to the approval  
8 of the legislature;

9 (2) establishing open and closed seasons and areas for the taking of  
10 game as a means to allocate the asset of game;

11 (3) establishing the means and methods employed in the pursuit,  
12 capture, taking, and transport of game as a means to allocate the asset of game,  
13 including regulations, consistent with resource conservation and development goals,  
14 establishing means and methods that may be employed by persons with physical  
15 disabilities;

- 1 (4) setting quotas, bag limits, harvest levels, and sex, age, and size  
2 limitations on the taking of game as a means to allocate the asset of game;
- 3 (5) classifying game as game birds, song birds, big game animals, fur  
4 bearing animals, predators, or other categories;
- 5 (6) methods, means, and harvest levels necessary to control predation  
6 and competition among game assets in the state;
- 7 (7) watershed and habitat improvement, and management,  
8 conservation, protection, use, disposal, propagation, and stocking of game;
- 9 (8) prohibiting the live capture, possession, transport, or release of  
10 native or exotic game or their eggs;
- 11 (9) establishing the times and dates during which the issuance of game  
12 licenses, permits, and registrations and the transfer of permits and registrations  
13 between registration areas and game management units or subunits is allowed;
- 14 (10) regulating sport hunting and subsistence hunting as needed for the  
15 conservation, development, and preferential use [UTILIZATION] of game;
- 16 (11) taking game to ensure public safety;
- 17 (12) regulating the activities of persons licensed to control nuisance  
18 wild birds and nuisance wild small mammals;
- 19 (13) promoting hunting and trapping and preserving the heritage of  
20 hunting and trapping in the state.