

HB

161

<TARGET><BILL>HB 161</BILL><SUBJECT>HB
161</SUBJECT><COMM>SRES28</COMM></TARGET>

ALASKA STATE LEGISLATURE

Sen. Cathy Giessel, Chair
Sen. Fred Dyson, Vice Chair
Sen. Lesil McGuire
Sen. Anna Fairclough
Sen. Click Bishop
Sen. Peter Micciche
Sen. Hollis French



State Capitol, Room 427
Juneau AK 99801-1182
907-465-4843
Fax: 907-465-3871
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Senate Resources Committee

Butrovich Room 205
Wednesday, April 2, 2014
3:30 p.m. - 5:00 p.m.

AGENDA

- **HB 161 Auctions for Big Game Harvest Permits**

- **HB 268 Big Bull Moose Derbies**

SENATE COMMITTEE REPORT

DATE: 3/5/14

FURTHER:

DATE TURNED
IN TO OFFICE: 4/3/14

Resources Committee considered CS FOR HOUSE BILL NO. 161(RES)

HB 161 AUCTIONS FOR BIG GAME HARVEST PERMITS

"An Act relating to auctions or raffles for big game harvest permits and to the selection of nonprofit organizations to conduct auctions and raffles for the Department of Fish and Game."

and recommends:

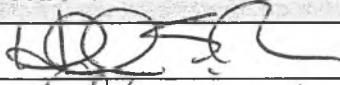
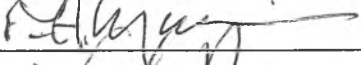


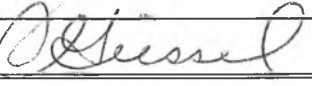
- be replaced with SCS CS HB 161 (RES) Same Title Technical Title Change
 New Title/SCR No. _____
- adopt previous SCS _____ (_____) Same Title Technical Title Change
 New Title/SCR No. _____
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
DFG			✓	

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	French			✓	
	Micerotte			✓	
	Dixon			✓	
	McClure	✓			
CHAIR: 	Giesse	✓			



Alaska State Legislature

Representative Lynn Gattis

Representative.Lynn.Gattis@akleg.gov

HB 161 - Sponsor Statement

The Alaska Department of Fish & Game operates several programs where big game permits for auction or raffle are donated to nonprofit sporting groups. These permits support state wildlife management and are called "Governor's licenses".

Auctioning these permits is an economic process that makes money for the state. Proceeds generated from the auctions go toward conservation and protection or education projects in conjunction with the department. House Bill 161 expands the scope of this program by allowing more permits to be issued for more species. It further incentivizes the program by giving the non-profit organization a greater share of the proceeds from the auction of the permit. Any 501(c)3 can enter a memorandum of agreement with the department and apply for a permit.

From 2009 to 2013, the sale of these permits brought in \$460,000 in revenue. This money is deposited in the "Fish and Game" fund and is used to directly benefit purchasers of general hunting, fishing and trapping licenses.

My office has worked closely with the department as well as a large number of sporting groups to create a bill that will benefit hunters and ensure that the department has continued funding to manage this valuable resource well into the future.

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Interim Contact

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Phone: 907-841-4347

Contact: Reid Harris, 465-4833

District 9 – Greater Wasilla

SENATE CS FOR CS FOR HOUSE BILL NO. 161(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES GATTIS, Neuman, Hughes, Johnson, Costello, Muñoz, Millett, Holmes, Peggy Wilson, Keller, LeDoux, Tuck, Feige, Reinbold

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to auctions or raffles for big game harvest permits and to the selection
2 of nonprofit organizations to conduct auctions and raffles for the Department of Fish
3 and Game."

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 * Section 1. AS 16.05.343(a) is amended to read:

6 (a) The department may donate [ONE BISON HARVEST PERMIT] each
7 year [FOR A BISON FROM THE DELTA BISON HERD] for a competitive auction
8 or raffle harvest permits for four elk from the Etolin Island herd and one bison.
9 The donation may be made only to a nonprofit corporation established to promote
10 education in outdoor traditions and conservation and wildlife protection
11 programs in partnership with the department [FISH AND GAME LAW
12 ENFORCEMENT], subject to the terms of a memorandum of agreement
13 [UNDERSTANDING] developed by the department.

14 * Sec. 2. AS 16.05.343(c) is amended to read:

1 (c) The department, subject to regulations adopted by the commissioner, may
 2 issue, through a competitive auction or raffle, up to **three harvest permits each year**
 3 **for Dall sheep, up to two harvest permits each year for bison, and up to four**
 4 [TWO] harvest permits each year for each of the following big game species: [DALL
 5 SHEEP, BISON,] musk ox, brown or grizzly bear, **black bear**, moose, caribou, **goat,**
 6 **elk,** and wolf. Notwithstanding AS 36.30, the department may authorize a qualified
 7 organization **selected under (e) of this section** to conduct the auction or raffle on
 8 behalf of the department. If the department does authorize a qualified organization to
 9 conduct an auction or raffle for a big game species, the department shall make
 10 available to a qualified organization [BASED IN THE STATE] at least one harvest
 11 permit for that species. If the auction or raffle is conducted by a qualified organization,
 12 the organization may retain an amount from the gross proceeds of the auction or raffle
 13 equal to the administrative cost of the auction or raffle plus an amount not to exceed
 14 **30** [10] percent of the net proceeds. The **percent of the** proceeds from the auction or
 15 raffle of a big game harvest permit **retained by the organization** may **be used only to**
 16 **support outdoor tradition education projects and conservation and wildlife**
 17 **protection programs approved by the department** [NOT BE USED TO MAKE A
 18 CONTRIBUTION TO ANY CANDIDATE FOR POLITICAL OFFICE OR TO ANY
 19 ORGANIZATION SUPPORTING OR OPPOSING BALLOT PROPOSITIONS OR
 20 TO PAY EXPENSES ASSOCIATED WITH LOBBYING THE LEGISLATURE OR
 21 ADMINISTRATION]. All proceeds from the auction or raffle of the big game harvest
 22 permit less the amount that is retained by a qualified organization under this
 23 subsection shall be deposited in the fish and game fund under AS 16.05.100. A person
 24 who is issued a big game harvest permit under this subsection shall receive upon the
 25 person's request a complimentary hunting license and a big game tag for the big game
 26 species for which the big game harvest permit is issued. A hunting license issued
 27 under this subsection must bear the inscription "Governor's license" or a similar
 28 designation. A person who receives a big game harvest permit, hunting license, or big
 29 game tag under this subsection may exercise the privileges conveyed by the permit,
 30 license, or tag only in accordance with applicable law. In this subsection, "qualified
 31 organization" means **an organization selected under (e) of this section** [A

1 NONPROFIT CORPORATION ESTABLISHED TO PROMOTE FISH AND GAME
2 LAW ENFORCEMENT OR AN ORGANIZATION THAT IS ESTABLISHED TO
3 PROMOTE MANAGEMENT OF HUNTED GAME SPECIES AND USE OF GAME
4 POPULATIONS FOR HUNTING AND THAT COMPLIES WITH APPLICABLE
5 LAWS GOVERNING ACTIVITIES UNDER THIS SUBSECTION].

6 * **Sec. 3.** AS 16.05.343 is amended by adding a new subsection to read:

7 (e) The department may select a nonprofit organization that promotes
8 education in outdoor traditions and that conducts conservation and wildlife protection
9 programs to conduct auctions or raffles for the department under (c) of this section. An
10 organization selected under this subsection is a qualified organization for purposes of
11 (c) of this section if the organization

12 (1) is incorporated in the state as a nonprofit corporation; and

13 (2) in the judgment of the department, demonstrates support for a state-
14 based model through a user pays system based on sustained yield and use principles.

15 * **Sec. 4.** AS 16.05.343(b) is repealed.

28-LS0530\I
Bullard
4/1/14

SENATE CS FOR CS FOR HOUSE BILL NO. 161(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES GATTIS, Neuman, Hughes, Johnson, Costello, Muñoz, Millett, Holmes, Peggy Wilson, Keller, LeDoux, Tuck, Feige, Reinbold

A BILL

FOR AN ACT ENTITLED

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9 The donation may be made only to a nonprofit corporation established to promote
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14 * **Sec. 2.** AS 16.05.343(c) is amended to read:

1 (c) The department, subject to regulations adopted by the commissioner, may
2 issue, through a competitive auction or raffle, up to **three harvest permits each year**
3 **for Dall sheep, up to two harvest permits each year for bison, and up to four**
4 **[TWO] harvest permits each year for each of the following big game species: [DALL**
5 **SHEEP, BISON,] musk ox, brown or grizzly bear, black bear, moose, caribou, goat,**
6 **elk, and wolf. Notwithstanding AS 36.30, the department may authorize a qualified**
7 **organization selected under (e) of this section to conduct the auction or raffle on**
8 **behalf of the department. If the department does authorize a qualified organization to**
9 **conduct an auction or raffle for a big game species, the department shall make**
10 **available to a qualified organization [BASED IN THE STATE] at least one harvest**
11 **permit for that species. If the auction or raffle is conducted by a qualified organization,**
12 **the organization may retain an amount from the gross proceeds of the auction or raffle**
13 **equal to the administrative cost of the auction or raffle plus an amount not to exceed**
14 **30 [10] percent of the net proceeds. The percent of the proceeds from the auction or**
15 **raffle of a big game harvest permit retained by the organization may be used only to**
16 **support outdoor tradition education projects and conservation and wildlife**
17 **protection programs approved by the department [NOT BE USED TO MAKE A**
18 **CONTRIBUTION TO ANY CANDIDATE FOR POLITICAL OFFICE OR TO ANY**
19 **ORGANIZATION SUPPORTING OR OPPOSING BALLOT PROPOSITIONS OR**
20 **TO PAY EXPENSES ASSOCIATED WITH LOBBYING THE LEGISLATURE OR**
21 **ADMINISTRATION]. All proceeds from the auction or raffle of the big game harvest**
22 **permit less the amount that is retained by a qualified organization under this**
23 **subsection shall be deposited in the fish and game fund under AS 16.05.100. A person**
24 **who is issued a big game harvest permit under this subsection shall receive upon the**
25 **person's request a complimentary hunting license and a big game tag for the big game**
26 **species for which the big game harvest permit is issued. A hunting license issued**
27 **under this subsection must bear the inscription "Governor's license" or a similar**
28 **designation. A person who receives a big game harvest permit, hunting license, or big**
29 **game tag under this subsection may exercise the privileges conveyed by the permit,**
30 **license, or tag only in accordance with applicable law. In this subsection, "qualified**
31 **organization" means an organization selected under (e) of this section [A**

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7 (e) The department may select a nonprofit organization that promotes
8 education in outdoor traditions and that conducts conservation and wildlife protection
9 programs to conduct auctions or raffles for the department under (c) of this section. An
10 organization selected under this subsection is a qualified organization for purposes of
11 (c) of this section if the organization

12 (1) is incorporated in the state as a nonprofit corporation; and

13 (2) in the judgment of the department, demonstrates support for a state-
14 based model through a user pays system based on sustained yield and use principles.

15 * **Sec. 4.** AS 16.05.343(b) is repealed.



Alaska State Legislature

Representative Lynn Gattis

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HB 161 – Explanation of changes, Version U to Version R

Section 1.

Lines 8-9 change permits from one bison and one Dall sheep to four Etolin Island elk, one bison and one Dall sheep.

Lines 10-11 change the definition of a qualifying non-profit from promote “outdoor and conservation programs in partnership with the department” to promote “education in outdoor traditions and conservation and wildlife protection programs in partnership with the department”.

Line 13 changes “memorandum of understanding” to “memorandum of agreement”.

Section 2.

Lines 2-6 change permits and available species from “up to 4 permits each year for Dall sheep, bison, musk ox, brown or grizzly bear, black bear, moose, caribou, goat, elk, and wolf” to “2 permits each year for Dall sheep and bison, and up to 4 permits each year for musk ox, brown or grizzly bear, black bear, moose, caribou, goat, elk, and wolf”.

Line 14 changes distribution of auction proceeds to the non-profit from 25% to 30%.

Lines 14-17 change where auction proceeds may be used from “be used only to support conservation projects and conversation education programs approved by the department” to “be used only to support outdoor tradition education projects and conservation and wildlife protection programs approved by the department”.

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Section 3.

Lines 15-16 remove "North American Model of Wildlife Conservation" and insert "a state-based model through a user pays system based on sustainable yield and use principles."

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District 9 – Greater Wasilla

SECTIONAL ANALYSIS FOR CS HB 161 (RES) VERSION R

HB 161 updates provisions for several programs where the department donates big game harvest permits in support of outdoor and conservation programs.

Section 1. Amends AS 16.05.343(a) which authorizes the Department of Fish & Game to donate harvest permits to nonprofit corporations for a competitive auction or drawing. These entities work to promote the mission of the department.

Section 1 authorizes the department to donate harvest permits for 4 Etolin Island elk, 1 bison (unspecified herd) and adds the donation of one Dall sheep harvest permit for a competitive auction or raffle. The donation shall be made to a nonprofit corporation established to promote outdoor and conservation programs

Section 1 amends the primary focus of the nonprofit group receiving the donation from one that *"promotes fish and game law enforcement"* to one that *"promotes education in outdoor traditions and conservation programs in partnership with the department"*. Currently, there are no groups described in the original law operating or who are interested in conducting these auctions or raffles. Recently, the department concluded it couldn't continue making these donations to groups that applied because their focus was not law enforcement as stated in statute. For the program to continue, the law must be updated.

Several objectives are achieved by modifying the statute:

- 1) Donations are made to entities established to promote outdoor and conservation programs that are approved by the department.
- 2) Under the program in this section, the nonprofit outdoor and conservation group retains 100% of the proceeds from the competitive auction or raffle for its programs according to terms of a memorandum of agreement developed by the department.
- 3) Entities must have a state chapter located in Alaska thereby ensuring the donations benefit Alaskans.
- 4) The donation program will be healthier as its appeal has broadened.

Section 2. Amends AS 16.05.343(c)—which authorizes the Department of Fish & Game to issue harvest permits for competitive auction or raffle to a

qualified organization to raise money that support the conservation mission. If the department elects to use a qualified organization to conduct the auction or raffle on its behalf, qualifications are established. Individuals who obtain a permit under this subsection may also receive a complimentary “Governor’s license” in lieu of having to purchase the necessary hunting license separately.

Section 2 changes current law by increasing the number of harvest permits that may be issued from 2 to 4 permits from per big game species for musk ox, brown or grizzly bear, moose, caribou, and wolf. It also adds 4 permits for black bear, goat and elk.

Section 2 increases the percentage that the qualified organization retains from the gross proceeds. If the auction or raffle is conducted, the qualified organization retain a portion of the proceeds equal to administrative costs and 30% of the net proceeds for its own programming. This is an increase from current law which authorizes administrative costs and 10% of the net proceeds. The remaining proceeds are deposited in the Fish and Game Fund for use by the department.

Section 2 adds the stipulation that the proceeds retained by the organization may be used only to support conservation projects and conservation education programs approved by the department.

Section 2 redefines a “qualified organization” which is found under (e) of this section.

Section 3 adds a new subsection (e) that establishes the definition of a “qualified” organization who may conduct the auction or raffle on behalf of the department. The department may select

- 1) a nonprofit organization that conducts outdoor and conservation programs and supports wildlife research and management projects to conduct auctions or raffles on behalf of the department; and
- 2) in the judgment of the department, demonstrates support for a state-based user pays system.

Section 4. Current law exempts auctions and raffles of harvest permits authorized by AS 16.05.343(b) from Chapter 15.05 –Games of Chance and Contests of Skills. This is repealed.

SECTIONAL ANALYSIS FOR CS HB 161 (RES) VERSION I

HB 161 updates provisions for several programs where the department donates big game harvest permits in support of outdoor and conservation programs.

Section 1. Amends AS 16.05.343(a) which authorizes the Department of Fish & Game to donate harvest permits to nonprofit corporations for a competitive auction or drawing. These entities work to promote the mission of the department.

Section 1 authorizes the department to donate harvest permits for 4 Etolin Island elk and 1 bison (unspecified herd). The donation shall be made to a nonprofit corporation established to promote outdoor and conservation programs

Section 1 amends the primary focus of the nonprofit group receiving the donation from one that "*promotes fish and game law enforcement*" to one that "*promotes education in outdoor traditions and conservation programs in partnership with the department*". Currently, there are no groups described in the original law operating or who are interested in conducting these auctions or raffles.

Section 2. Amends AS 16.05.343(c)—which authorizes the Department of Fish & Game to issue harvest permits for competitive auction or raffle to a qualified organization to raise money that support the conservation mission. If the department elects to use a qualified organization to conduct the auction or raffle on its behalf, qualifications are established. Individuals who obtain a permit under this subsection may also receive a complimentary "Governor's license" in lieu of having to purchase the necessary hunting license separately.

Section 2 changes current law by increasing the number of harvest permits that may be issued from 2 to 3 permits for Dall sheep and from 2 to 4 permits from per big game species for musk ox, brown or grizzly bear, moose, caribou, and wolf. It also adds 4 permits for black bear, goat and elk.

Section 2 increases the percentage that the qualified organization retains from the gross proceeds. If the auction or raffle is conducted, the qualified

organization retain a portion of the proceeds equal to administrative costs and 30% of the net proceeds for projects approved by the department. This is an increase from current law which authorizes administrative costs and 10% of the net proceeds. The remaining proceeds are deposited in the Fish and Game Fund for use by the department.

Section 2 adds the stipulation that the proceeds retained by the organization may be used only to support conservation projects and conservation education programs approved by the department.

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Section 4. Current law exempts auctions and raffles of harvest permits authorized by AS 16.05.343(b) from Chapter 15.05 –Games of Chance and Contests of Skills. This is repealed.



Alaska State Legislature
Representative Lynn Gattis

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HB 161 – Explanation of changes, Version R to Version I

Section 1.

Lines 8-9 remove one Dall sheep permit from Section 1.

Section 2.

Line 2 adds one Dall sheep permit to Section 2, for a total of three Dall sheep permits.

Line 24 removes “Notwithstanding any other provisions of law, a” and insert “A”.

Line 31 removes “conditions set by the commissioner” and inserts “applicable law”.

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District 9 – Greater Wasilla

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: CSHB 161(RES)
Fiscal Note Number: 1
(H) Publish Date: 2/26/14

Identifier: HB161-DFG-WCD-01-21-14
Title: AUCTIONS FOR BIG GAME HARVEST PERMITS
Sponsor: GATTIS
Requester: House Resources Committee

Department: Department of Fish and Game
Appropriation: Wildlife Conservation
Allocation: Wildlife Conservation
OMB Component Number: 473

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues								
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0

Estimated CAPITAL (FY2015) cost: 0.0

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No

If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Updated for the 2014 legislative session.

Prepared By: Doug Vincent-Lang, Director
Division: Wildlife Conservation
Approved By: Kevin Brooks, Deputy Commissioner
Agency: Commissioner's Office

Phone: (907)267-2339
Date: 10/04/2013 07:30 PM
Date: 10/09/13

FISCAL NOTE ANALYSIS #1

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. CSHB 161(RES)

Analysis

The administrative costs related to managing agreements for big game harvest permits should not require a dedicated position or additional fiscal needs. While staff time for several current division employees may be impacted to comply with the intent of this bill, we do not expect this to be substantial given we already administer this program. The Division Director will be required to lead division staff to comply with Section 2.

Any net revenue to the Fish & Game Fund cannot be accurately predicted. An increase in the number of permits and increased bids for permits due to awardee incentives will most likely offset the lower return to the Fund due to greater revenue sharing with permit awardees.

Past revenue from 2009 to the current year from this program is summarized below:

Year	Organization	Species	Winning Bid	To ADFG
2009-10	Foundation for North American Wild Sheep	Caribou	\$ 600	\$ 540
2009-10	Foundation for North American Wild Sheep	Moose	\$ 0	\$ 0
2009-10	Foundation for North American Wild Sheep	Brown bear	\$ 2,000	\$ 1,800
2009-10	Conklin Foundation	Dall sheep	\$ 18,000	\$ 16,200
2009-10	Wild Sheep Foundation	Brown bear	\$ 20,000	\$ 18,000
2010-11	Foundation for North American Wild Sheep	Musk ox	\$ 2,900	\$ 2,610
2010-11	Wild Sheep Foundation	Brown bear	\$ 16,000	\$ 14,400
2010-11	Grand Slam Club/Ovis Inc.	Dall sheep	\$ 52,000	\$ 46,800
2011-12	Foundation for North American Wild Sheep	Bison	\$ 10,250	\$ 9,225
2011-12	Foundation for North American Wild Sheep	Moose	\$ 0	\$ 0
2011-12	Foundation for North American Wild Sheep	Musk ox	\$ 1,600	\$ 1,440
2011-12	Wild Sheep Foundation	Brown bear	\$ 27,500	\$ 24,750
2011-12	Wild Sheep Foundation	Dall sheep	\$ 41,000	\$ 36,900
2012-13	Sportsmen For Fish and Wildlife	Moose	\$ 21,000	\$ 18,900
2012-13	Foundation for North American Wild Sheep	Musk ox	\$ 2,900	\$ 2,610
2012-13	Foundation for North American Wild Sheep	Dall sheep	\$ 15,000	\$ 14,250
2012-13	Wild Sheep Foundation	Brown bear	\$ 20,000	\$ 18,000
2013-14	Foundation for North American Wild Sheep	Bison	\$ 7,500	\$ 6,750
2013-14	Foundation for North American Wild Sheep	Musk ox	\$ 6,500	\$ 5,850
2013-14	Sportsmen For Fish and Wildlife	Brown bear	\$ 35,000	\$ 31,500
2013-14	Wild Sheep Foundation	Dall sheep	\$180,000	\$171,000
2013-14	SCI - Foundation	Caribou	\$ 8,100	\$ 7,450
2013-14	SCI - Foundation	Bison	\$ 11,250	\$ 10,605
		Total	\$499,100	\$459,580

HB 161 – “Big Game Auctions” Permit List

The work draft of HB161 (version Y) allows for the following hunting permits to be issued for auction by qualifying Non-profit Organizations:

4 elk (Etolin Island)

1 bison

1 Dall sheep

100% of proceeds from these permit sales go to the organization

2 Dall Sheep

2 Bison

4 Musk ox

4 Brown or Grizzly bear

4 Black bear

4 Moose

4 Caribou

4 Goat

4 Elk

4 Wolf

30% of the proceeds from the sales of these permits go to the organization and the other 70% goes to the Dept.

Up to **42** permits per year are issued under HB161. Currently, AS 16.05.343 allows for **19** permits per year.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
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Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 28, 2014

SUBJECT: Does CSHB 161(RES) raise constitutional issues relating to equal protection or common use? (Work Order No. 28-LS0530\R)

TO: Senator John Coghill
Attn: Rynniewa Moss

FROM: Alpheus Bullard *AB*
Legislative Counsel

Rynniewa Moss inquired whether CSHB 161(RES) raises constitutional issues.¹ The bill could be interpreted to raise two related constitutional issues.

Uniform application and equal protection

The bill provides in part:

Notwithstanding any other provision of law, a [A] person who is issued a big game harvest permit under this subsection shall receive upon the person's request a complimentary hunting license and a big game tag for the big game species for which the big game harvest permit is issued. A hunting license issued under this subsection must bear the inscription "Governor's license" or a similar designation. A person who receives a big

¹ Ms. Moss originally requested a legal opinion as to whether a constitutional issue is raised by (1) permitting a nonprofit organization to determine who may bid on a big game harvest permit received from the Department of Fish and Game and auctioned or raffled by that organization under the provisions of the bill, or (2) "appropriating" big game harvest permits to these organizations. In a March 27, 2014 telephone call, Ms. Moss clarified that the memorandum should address all constitutional issues the bill might raise.

In reference to the first question above, permitting a nonprofit to determine who may participate in its raffle or auction for a big game harvest permit should not pose an issue because a nonprofit cannot maintain its nonprofit status under federal tax law if the organization acts illegally or in ways contrary to public policy. *See Bob Jones University v. United States*, 461 U.S. 574 (1983) (tax exemption denied for University that engaged in racial discrimination). In reference to the second question, I do not find that the bill raises constitutional appropriation issues.

game harvest permit, hunting license, or big game tag under this subsection may exercise the privileges conveyed by the permit, license, or tag only in accordance with conditions set by the commissioner [APPLICABLE LAW].^[2]

This language may be interpreted to exempt a person who receives a big game harvest permit, hunting license, or big game tag under subsection AS 16.05.343(c) from the laws and regulations applicable to other persons who receive big game harvest permits, hunting licenses, or big game tags under other provisions of AS 16 (unless the commissioner's conditions include compliance with all applicable laws and regulations). Exempting raffle or lottery winners from "applicable law" could potentially raise problems under the uniform application clause and equal protection clause of the Constitution of the State of Alaska.

The uniform application clause in art. VIII, sec. 17 states: "Laws and regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter and purpose to be served by the law or regulation."

Similarly, art. I, sec. 1 states, in part, that "all persons are equal and entitled to equal rights, opportunities, and protection under the law." In analyzing an equal protection claim, the Alaska Supreme Court uses a "sliding scale" test. First, the court determines what weight should be afforded the constitutional interest impaired by the challenged enactment. Second, it examines the purposes served by a challenged statute. Third, the court evaluates the state's interest in the particular means employed to further its goals.³

In this instance, the nature of the interest may only require the legislature to show that a legitimate state interest is served by donating permits, but the Alaska Supreme Court has stated that "an analysis under the uniform application clause may invoke 'more stringent review' of a regulation than standard equal protection under article I, section 1."⁴ Accordingly, if a program passes the uniform application clause test, then it would also pass the equal protection clause test. The uniform application clause test is as follows:

To satisfy the uniform application clause of article VIII, state fish and game regulations creating non-uniform classifications must (1) have a legitimate purpose. (2) The individual interest in equal access to fish and game resources is a "highly important interest running to each person within the state." (3) Accordingly, once a legitimate purpose has been

² See sec. 2 of the bill, amending AS 16.05.343(c).

³ *Ross v. State, Dep't of Revenue*, 286 P.3d 495 (Alaska 2012).

⁴ *Gilbert v. State, Dep't of Fish & Game, Bd. of Fisheries*, 803 P.2d 391, 398 (Alaska 1990) (quoting *McDowell v. State*, 785 P.2d 1, 10 (Alaska 1989)).

established by the state, the weight of that interest must be "important" to countervail the important individual interest implicated. (4) The means used to further the important state purpose must be carefully drawn and designed for the "least possible infringement on article VIII's open access values."⁵

The first step is to determine whether people who are similarly situated would be treated differently under the changes made by the bill. In this case, raffle or lottery winners could be treated differently from other big game hunters. To justify this different treatment, there must be some legitimate state interest in exempting raffle or lottery winners from those laws and regulations that apply to other hunters. It is not clear to me what this interest might be.

Common use and equal protection

The bill increases the number of big game harvest permits to be auctioned or raffled and increases the percentage of proceeds an organization holding the raffle or auction may retain. While the organization may only use the net proceeds it retains to (1) promote "education in outdoor traditions and conservation and wildlife protection programs in partnership with the department,"⁶ or (2) "support outdoor tradition education projects and conservation and wildlife protection programs approved by the department[,] the proceeds still benefit the nonprofit."⁷ The bill could face a legal challenge that this benefit to the nonprofit violates the common use clause, which provides that, "Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use."⁸

The existing statute may avoid this constitutional problem because the number of harvest permits made available for raffle or auction is limited and because an organization is permitted to retain only 10 percent of the net proceeds of a raffle or auction (in addition to administrative costs). But because the bill increases the number of harvest permits to be raffled or auctioned and increases the percentage of the net proceeds an organization may retain, this argument may be less convincing if the bill is enacted.⁹

⁵ *Gilbert*, 803 P.2d at 399 (internal citations omitted).

⁶ See the bill's sec. 1, amending AS 16.05.343(a).

⁷ See the bill's sec. 2, amending AS 16.05.343(c).

⁸ Art. VIII, sec. 3, Constitution of the State of Alaska.

⁹ To avoid the prohibition on the use of state revenue for private purposes, it may be important that the percentage be reasonably characterized as compensation for the service of conducting raffles and auctions.

Senator John Coghill

March 28, 2014

Page 4

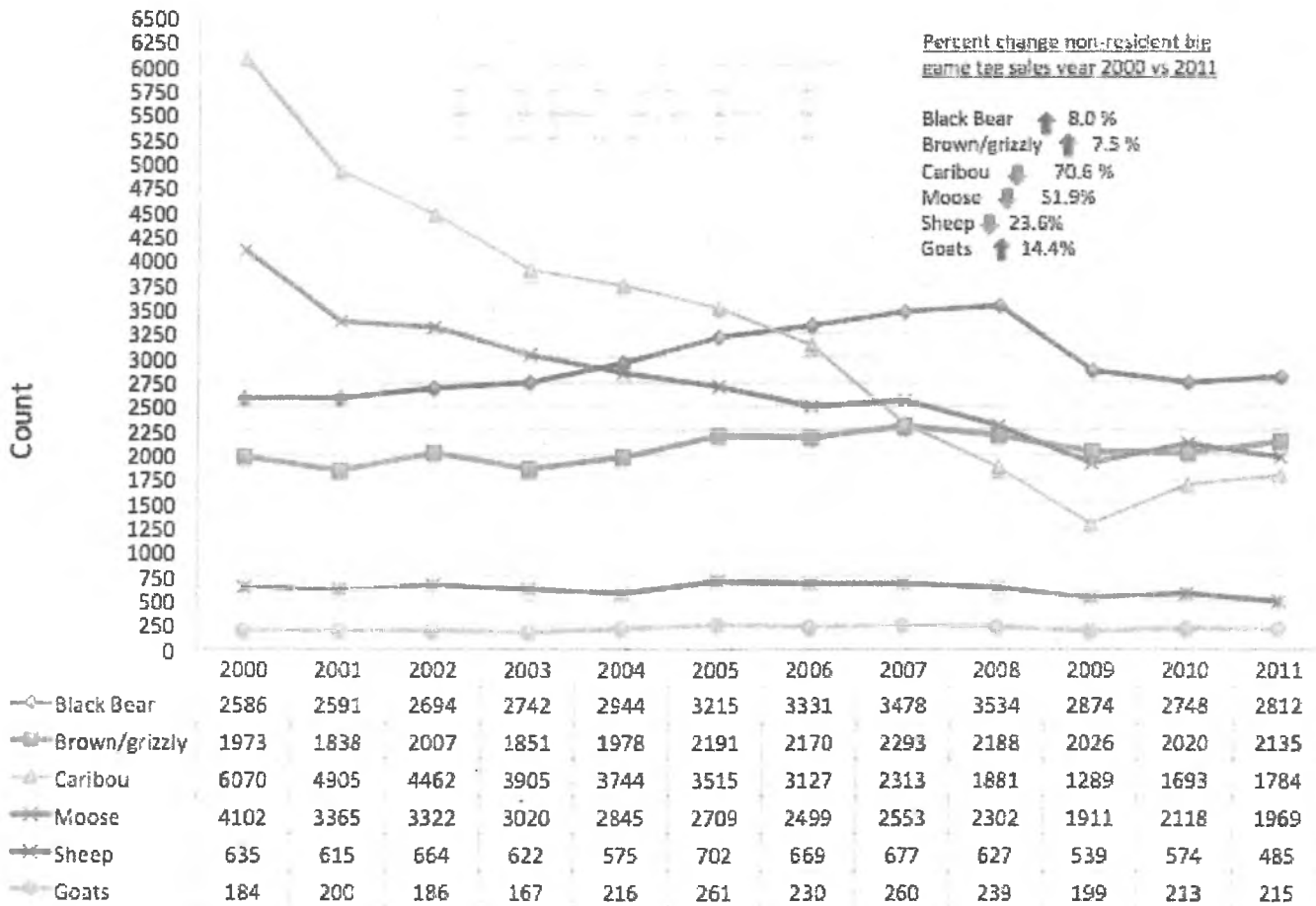
Under AS 16.05.343, a person who is financially able to place a high bid in an auction or buy a large number of tickets in a raffle will have an advantage in acquiring a big game harvest permit. This also could be challenged as a violation of equal protection under the state and federal constitutions or under the Alaska common use clause.

If you have questions, please do not hesitate to contact me.

ALB:ray

14-136.ray

Selected Non-resident Big Game Tag Sales



This graph shows that non-resident purchases of big game tags for the three most sought after species by Alaska residents has fallen over the last decade. One of the arguments some are making against HB 161 is that it takes a possible sheep tag away from an Alaskan. However, considering that one tag represents only .2% of the available tags, and that nearly 24% of the tags that used to go to non-residents are now going to residents, we believe the potential fundraising from that one tag will help offset the loss in revenue the Alaska Department of Fish and Game is experiencing from the downturn in tag sales. If we extrapolate the 24% loss to just those tags in the drawing permit pool, then we could be looking at an approximate loss of \$44,000. The passage of HB 161 could allow the Department to actually recoup that loss.

SOURCE: ADF&G License Sales database. This information was researched by Mr Joe Want from Fairbanks who is a recognized expert on sheep and brown bear, and is being provided by the Outdoor Caucus Advisory Council.

ADF&G drawing hunt permits for 2014-2015

Bison – 116

Caribou – 1580

Elk – 406

Mountain Goat – 689

Musk Ox – 35

Sheep – 443

Brown Bear – 673

Black Bear – 549

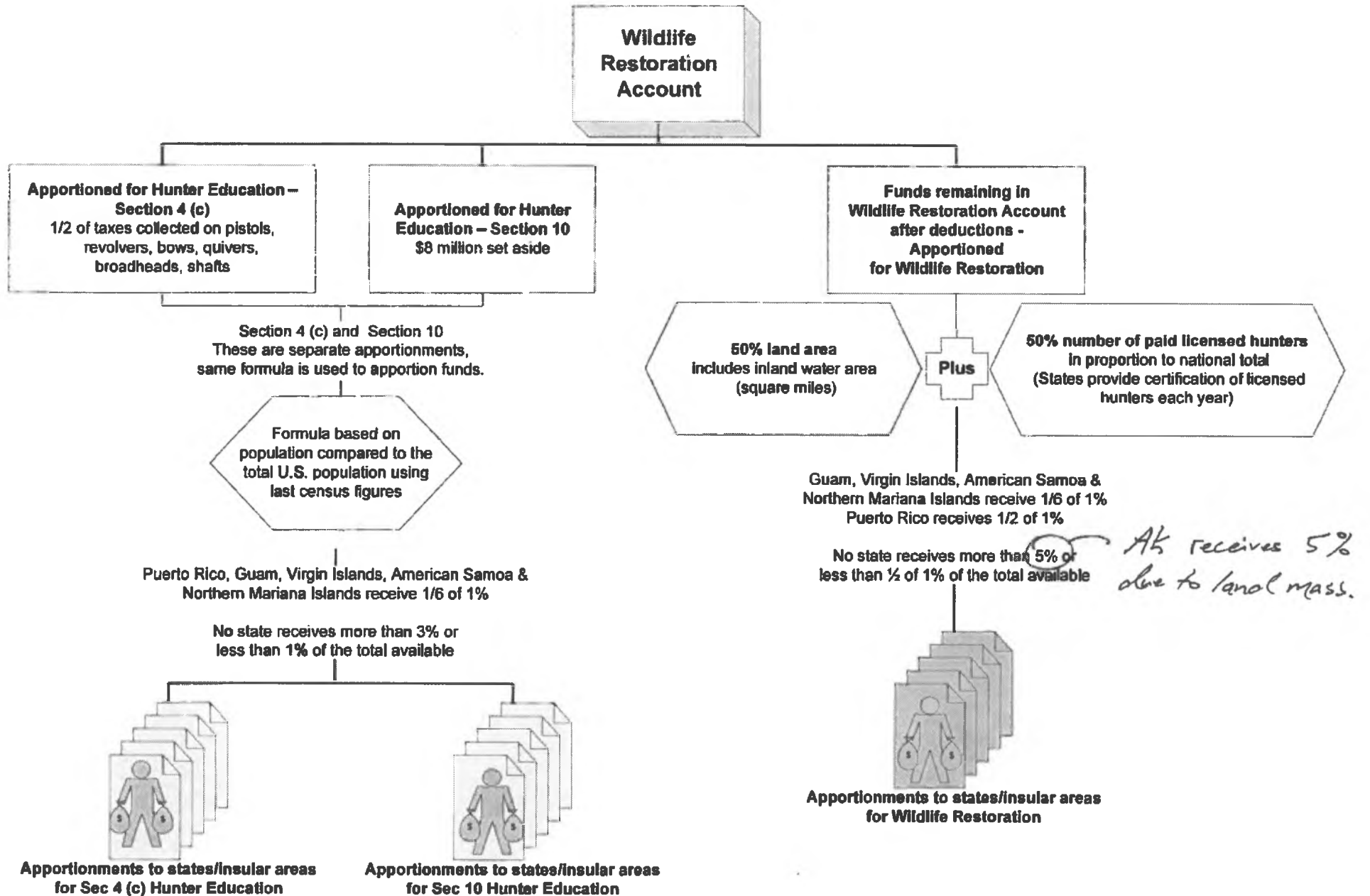
Total permits: 4,491

ADF&G Governor's License Auction Proceeds

Past revenue from 2009 to the current year from this program is summarized below:				
Year	Organization	Species	Winning Bid	To ADFG
2009-10	Foundation for North American Wild Sheep	Caribou	\$600	\$540
2009-10	Foundation for North American Wild Sheep	Moose	\$0	\$0
2009-10	Foundation for North American Wild Sheep	Brown bear	\$2,000	\$1,800
2009-10	Conklin Foundation	Dall sheep	\$18,000	\$16,200
2009-10	Wild Sheep Foundation	Brown bear	\$20,000	\$18,000
2010-11	Foundation for North American Wild Sheep	Musk ox	\$2,900	\$2,610
2010-11	Wild Sheep Foundation	Brown bear	\$16,000	\$14,400
2010-11	Grand Slam Club/Ovis Inc.	Dall sheep	\$52,000	\$46,800
2011-12	Foundation for North American Wild Sheep	Bison	\$10,250	\$9,225
2011-12	Foundation for North American Wild Sheep	Moose	\$0	\$0
2011-12	Foundation for North American Wild Sheep	Musk ox	\$1,600	\$1,440
2011-12	Wild Sheep Foundation	Brown bear	\$27,500	\$24,750
2011-12	Wild Sheep Foundation	Dall sheep	\$41,000	\$36,900
2012-13	Sportsmen For Fish and Wildlife	Moose	\$21,000	\$18,900
2012-13	Foundation for North American Wild Sheep	Musk ox	\$2,900	\$2,610
2012-13	Foundation for North American Wild Sheep	Dall sheep	\$15,000	\$14,250
2012-13	Wild Sheep Foundation	Brown bear	\$20,000	\$18,000
2013-14	Foundation for North American Wild Sheep	Bison	\$7,500	\$6,750
2013-14	Foundation for North American Wild Sheep	Musk ox	\$6,500	\$5,850
2013-14	Sportsmen For Fish and Wildlife	Brown bear	\$35,000	\$31,500
2013-14	Wild Sheep Foundation	Dall sheep	\$180,000	\$171,000
2013-14	SCI - Foundation	Caribou	\$8,100	\$7,450
2013-14	SCI - Foundation	Bison	\$11,250	\$10,605
		Total	\$499,100	\$459,580

P-R Fund

Wildlife Restoration Program Apportionment Formula



continued Sustaining Business Members

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We have warm dry storage for your summer toys in the winter and your winter toys in the summer.

Ruth's Salmon Loaf Recipe

By Ruth Swanson & Pam Iverson

Can be used for salmon, tuna or other fish

- 2 cups of drained, cooked salmon (no bones or skin)
- 1 cup soft bread crumbs
- 1 cup medium white sauce
- 2 eggs
- 1 Tablespoon lemon juice

Combine salmon, white sauce, bread crumbs, eggs, and lemon juice, place in a greased loaf pan and bake at 350 degrees for 35 to 45 minutes.

Thin White Sauce

- 1 Tablespoon Butter
- 1 Tablespoon flour
- 1/4 teaspoon salt
- 1/8 teaspoon pepper
- 1 cup milk

Use 3-4 Tablespoons of butter and 2-3 Tablespoons of flour to make a medium sauce or use 4 Tablespoons of butter and 4 Tablespoons of flour to make a thick white sauce.

Stir all ingredients in a small pan and heat over medium flame to the correct consistency before pouring into loaf above.

AOC Member Clubs (to get contact info go to our website)

- | | | | |
|--|----------------|--|-------------|
| Alaska 2nd Amendment Coalition | Fairbanks | Interior Airboaters Association. | Fairbanks |
| Alaska Backcountry Adventure Tours | Palmer | Interior Alaska Trail Riders Association | Fairbanks |
| Alaska Chapter of the Wild Sheep Foundation. | Anchorage | Juneau Gun Club | Juneau |
| Alaska Charter Association | Homer | Juneau Rifle and Pistol Club, Inc | Juneau |
| Alaska Frontier Trappers Association. | Palmer | Juneau Shooting Sports Foundation, Inc. | Juneau |
| Alaska Interior Marksmanship Committee | Fairbanks | Kodiak Island Sportsman's Association | Kodiak |
| Alaska Machinegun Association. | Chugiak | Matanuska Valley Sportsmen, Inc. | Palmer |
| Alaska Moose Federation. | Anchorage | Mat-Su Anglers. | Wasilla |
| Alaska Outdoor Access Alliance. | Palmer | McKinley Mountainmen Muzzle Loading Rifle Club | Eagle River |
| Alaska Professional Hunters Association. | Anchorage | Personal Watercraft Club of Alaska | Anchorage |
| Alaska Rifle Club | Chugiak | Prince William Sound Charter Boat Association. | Valdez |
| Alaska State Snowmobile Association | Anchorage | Ruffed Grouse Society/SC AK Chapter | Anchorage |
| Alaskan Marine Dealers Association | Anchorage | Sitka Charter Boat Operators Association | Sitka |
| Anchorage Snowmobile Club, Inc. | Anchorage | Sitka Sportsman's Association | Sitka |
| Chitina Dipnetters | Fairbanks | Skagway Outdoor Council | Skagway |
| Clear Sky Sportsmen's Club. | Nenana | Slana Alaskans Unite | Slana |
| Cook Inlet Archers | Anchorage | Snomads, Inc. | Homer |
| Delta Sportsman's Association, Inc. | Delta Junction | South Central Alaska Dipnetters Association | Wasilla |
| Fairbanks Retriever Club | Fairbanks | Sportsmen for Fish & Wildlife | Wasilla |
| Fairbanks Trap Club. | Fairbanks | Tanana Valley Sportsmen's Association | Fairbanks |
| Fortymile Mining Association | Fairbanks | Territorial Sportsmen, Inc. | Juneau |
| Golden North Archery Assoc. | Fairbanks | Tok Shooters Association. | Tok |
| Houston Chamber of Commerce | Wasilla | | |

From: April Neumann

Date: March 31, 2014 at 8:18:30 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>, <Senator.Fred.Dyson@akleg.gov>, <Senator.Peter.Micciche@akleg.gov>, <Senator.Click.Bishop@akleg.gov>, <Senator.Lesil.McGuire@akleg.gov>, <Senator.Anna.Fairclough@akleg.gov>, <Senator.Hollis.French@akleg.gov>

Subject: Opposed to HB 161

Senate Resources Committee

Sen. Cathy Giessel, Chair

Testimony on CSHB 161

I'm writing you in regards to HB 161. After reading the Bill multiple times, and it's revisions, I cannot support it, and would encourage you and the other committee members, along with the Bill's sponsors and co-sponsors to reconsider your support. Even with the changes I think we are still headed down the wrong path. The path of Non-residents funding the Department, thus giving the Non-residents Sportsmen's groups, and the Guiding Industry more power and say over an All Alaskan Resource.

A lot of my heart burn comes from the additional Sheep tag being added. It will only dilute the value of the current Governors tag. And it would take another tag and hunting opportunity away from fellow Alaskans, all in the name of funding. Under the current language this Bill does not clarify which pool these additional permits would come from, out of the resident pool, or non-resident pool of permits. After doing a little math from the drawing supplement, there were 9471 application for the Alaska Resident only Sheep tags. And in addition to that you have 7 other draw hunts that combine both Non-residents, and Resident applicant's, totaling another 11,392. You could argue that 10,000 of those application are Alaskan Residents. Which would give you over 19,000 application divided by 3, for the number of permits one applicant can apply for. $19,000 / 3 = 6333$ Alaskans who are hoping for a tag. Having said all that just to show you the demand by Alaskans for the tag this Bill would donate to a Non-resident. I've read in other comments where this one tag is only .7% of the draw tags available, however; it's 100% of 1 Sheep tag to me. Then, what does "conditions set by the commissioner" mean? Will this be a early season, same day airborne, etc.etc.etc. I'm totally against any special HUNT Conditions that fall outside the General Season, and Hunting Regs.

My second concern would be with the ramifications of allocating an Alaskan Resource to a Non-profit Organization, and that they would be allowed to keep 100% percent of the funds. To my understanding, that Non-profit Group is to be chosen/selected from a pool of qualifying Groups by the Commissioner. Now tell me that wouldn't get political in the future. This beauty contest of selecting the winning Organization should be done on a bidding process, with the winning org. taking the smallest percentage for themselves. Is a 100% allocation to a Non-profit group a practical application for the State when dealing with a natural resource for All Alaskans?

Then, there's the issue of the reasons way, the need for the percentage increase to be given to the Non-profit group from 10% to 30%, and allowing them to do what they want with it. This was done under the disguise to make it more attractive for Non-profits to compete for it. Now that argument is out the window with the language which now spells out that they must spend all of it in State, on programs approved by the Department. If this is the case, then why are we changing the percentage at all? The Organizations who have auctioned off the permits in the past are not asking for the percentage increase. This just doesn't add up, and would indicate that something else is going on behind the scenes. That may be a stretch, but then again, maybe it's not.

I've read the letters that are posted on the Alaska State Legislature web-site under the Documents for HB 161, for those that Support, and those that Oppose HB 161, and I noted that most of the supporting letters are coming from Organizations, while those that Opposed are coming from Alaskan Residents, that you, and your committee represent. Please keep this in mind, as other special interests try to influence your vote. I would also

like to say that the Letter written on the behalf of the AWCA by Mike Tinker, as well as Wayne Heimer's letter, and the ABHA letters all speak very well to these, and other important concerns.

Again, I encourage you to Kill this Bill, as it is currently written, or at the very least to slow this train down. Fast tracking this Bill is not in the Best interest of All Alaskans.

Thanks for your Time and Service to this Great State.

Sincerely

Frank Neumann

Chugiak, AK.

907-688-3953

From: Mark Richards

Sent: Wednesday, March 26, 2014 1:54 PM

Cc: Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Peter Micciche; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French

Subject: Additional Comments on HB 161

Dear Chair Giessel and Committee members,

You already have the letter Alaska Backcountry Hunters & Anglers sent in opposing HB 161. I would like to offer additional comments after listening to the invitation-only testimony on March 21st, and hopefully they can be put in the document packet.

Use of Helicopters and conducting these Governor tag hunts out of season:

- When Rep Gattis or anyone else tells the committee that the use of helicopters, or holding these hunts out of season, will not be allowed in accord with this bill, that is simply not true. The only way we can positively say that a helicopter will not be allowed to be used for transportation under one of these Governor tag hunts, or that a hunt won't be conducted outside of normal seasons, is if we reinstate language (that was removed from original statute) that these hunts must be conducted according to "applicable law." This legislation if passed would carry on far beyond the current administration and current ADFG leadership positions. No one can say truthfully that in the future the use of helicopters or holding these hunts out of season will not happen. For what other reason was "applicable law" language struck from the original statute? That's the question no one has yet asked proponents of the bill. At minimum we urge you to reinstate the "applicable law" language.

Increasing funding to the Division of Wildlife Conservation, and fiscal costs not listed in this bill:

- There seems to be confusion over just how much this legislation would actually increase funding to DWC, and how much it may cost to implement. There should be a fiscal note attached to this legislation. HB 161 also should go through the Senate Finance committee for further study and input on the true costs involved, both positive and negative. An evaluation needs to be made on how to better align any increased revenues with the matching 3:1 Pittman-Robertson funds. If, for example, a governor permit under this legislation auctions for \$200,000 dollars, and the organization is allowed to keep 100% of that profit to be used in coordination with the Department, there are no assurances that the projects carried out with those monies will be eligible for matching P-R funds. There are also no assurances those monies won't be used for administrative and other expenses, hiring more staff, nor is there any way we can see for the Department or another entity to fully audit where those monies are going.

What pool of permits do the increased Governor permits come from, and how does this affect resident opportunity?:

- When Rep. Gattis testified before the committee on March 21st, she said: "*Permits occupied by the Governor's license program are taken out of the draw hunt. The program does not take permits directly from Alaskan hunters. When a resident hunter enters into the drawing for most hunts, that person has the same chance of winning a permit as a nonresident hunter.*" This statement shows a clear lack of understanding of how our draw permit system works. The most coveted draw hunts residents apply for are Kodiak brown bear and Dall sheep permits. For those hunts, there are separate drawings for resident and non-resident hunters. In every instance where these draw permit hunts have differing hunt numbers and draws based on residency, nonresidents have a much higher chance of drawing a permit than residents. Nowhere in this legislation does it state that the additional allocation of Governor permits will come only from the nonresident pool of permits. For example, if the new donated Dall sheep permit will be for a sheep hunt in the Unit 13D/14A areas where it is draw only for both residents and nonresidents,

and it is auctioned to a nonresident hunter, is that one less permit taken from the nonresident or resident pool? At minimum this should be clarified in the bill and stipulated that these additional permits **do not** come out of the resident pool of permits. Otherwise, the statement that this program does not take permits directly from Alaskan hunters is false.

There is a better way to fund DWC and sportsmen's organizations:

- As we stated in our previous letter, Alaska Backcountry Hunters & Anglers has been proposing a hunting license/tag fee increase since 2008. That is the fairest and most sensible way to increase funding to the Department, that would be eligible for the matching 3:1 Pittman-Robertson federal funds. It is unfortunate that we can't get legislators to support such an increase at this time. One compromise on this bill would be to eliminate the additional permit allocations and retain the language that allows organizations to keep more of the profits. During House hearings on HB 161, it was asked if non-profit organizations supporting this bill would accept raising the profits they could retain according to the legislation, without additional governor permits being allocated. The answer was yes.

In closing, we still do not support HB 161. It is unfortunate that this legislation has the hunting community split. We urge Senators to weigh this more closely and at least think of compromises that can be made to make this a better package.

Sincerely
Mark Richards
co-Chair Alaska chapter Backcountry Hunters & Anglers

March 23, 2014

Senator Cathy Giessel, Chair
Senate Resources Committee
120 4th St. Rm 427
Juneau, AK 99801



PO Box 2193
Palmer, AK 99645
(907) 841-0358

Dear Senator Giessel:

I am writing to express my strong support for HB 161, an act related to the auction or raffle of Governor's Permits. Upon listening to the testimony given on this bill, along with comments made online and in other sources, it seemed prudent to provide some factual content in response for the Resource Committee's consideration.

One complaint against this legislation is that it narrows the dispensation of the associated permits to the benefit of one organization. Nothing could be further from the truth. Article II, Section 19 of the Alaska Constitution prohibits such legislation and if that were the case, this bill would have never been introduced as the legal experts that draft bills for legislators would have never allowed such language. The provisions in the bill clearly spell out the conditions under which a permit may be applied for and allocated. Any organization that meets those conditions is welcome to apply.

Another complaint involves the addition of a sheep tag to section one of the bill. Although that is true, it amounts to only .2% of the available sheep tags in the general draw pool. Furthermore, research of the state's license sales reveals that the allocation of sheep tags to non-residents has fallen 23.6% over past 10 years. Quite likely that means more permits are now available to resident hunters.

The sheep tag was added as the Etolin Island elk tags, currently in statute, solely benefit the non-profit. Also the bison tag, currently in statute, benefits only law enforcement. So, although all these permits are the property of the Department of Fish & Game (ADF&G), they derived no benefits. The ADF&G and those hunter/conservationist groups supporting this bill did not want to change the status quo in existing statute, so the decision was made to add the sheep tag with idea that the money raised would benefit ADF&G.

There is also the concern related to the one sheep tag raised by Mr. Wayne Heimer regarding the State's match for Pittman-Robertson federal funds. Although the situation as described could occur depending on the Memorandum of Agreement (MOA) entered into between the ADF&G and an eligible non-profit, there is also a good chance that the funds would end up in the Fish and Game fund and be available for the P-R match if the MOA was for a conservation project. In those cases where the funds went to an agreed upon education or wildlife protection project between the non-profit and the ADF&G, there may be less, or perhaps no dollars for a match depending upon the project. In those cases the Legislature would be making a policy call as to whether it is in the public's interest to lend support to education or wildlife protection programs.

It is our position, and likely the position of the Department of Public Safety Fish and Wildlife Protection Division that the fundraising from the bison permit to benefit law enforcement efforts to protect Alaska's valuable wildlife resources should continue as they have the past 15 years.

We also strongly support the provisions that allow for education projects, and we believe this is one of the factors that led the ADF&G to support this legislation. I'd like to explain why this component is important.

About 15 years ago, realizing that as numbers of hunters dwindled there would be less funding available to sustain the professional management of wildlife resources, state agencies along with many sportsmen's groups began discussing this problem. A meeting was held in Lansing, Michigan in October 1999 to discuss the problem and identify courses of action. Over the next several years, state agencies, hunter/conservationist groups and shooting sports groups met and discussed the issue. Hunter recruitment and retention became a national action item for the sporting community.

All of us in the hunting community from hunters to wildlife professionals knew that if the decline in the purchase of hunting licenses continued there would be less and less funding for wildlife management. Statistical data from the U.S. Fish & Wildlife Service quintennial surveys showed an overall decline in the number of hunters over the preceding decades. After many meetings and much discussion it was generally agreed that more and better educational efforts were needed.

Nationwide state agencies and sportsman's groups stepped up their efforts to provide education. Here in Alaska, that effort was led by the Outdoor Heritage Foundation (OHFA) which provides programs like Becoming an Outdoors-Woman (BOW) and Outdoor Youth Days in direct partnership with ADF&G. Since these efforts were started, the decline in license sales slowed, and over the last 5 years actually increased.

OHFA and ADF&G just recently conducted their Winter BOW program in Chickaloon and over 20 ladies bought their very first hunting license. The bottom line is that education works, and it is providing additional financial resources for the ADF&G. So, the real issue with HB 161 is a policy call, your policy call. Are we going to listen to the old guard and just fund conservation hoping that will somehow sustain age old traditions here in Alaska, or are we going to broaden our foundation and help support those education efforts that have proved to be effective in getting Alaskans, especially young Alaskans involved in those same traditions?

If there is anything I can do to assist you in the passage of this important bill, please do not hesitate to call on me.

Sincerely,



Eddie Grasser
SCI Vice President
Chair SCI Gov't Affairs Sub-Committee on State Affairs

cc: Senate Resources Committee Members
Legislative Outdoor Heritage Caucus Senate Members

Ivan J. Clark, P.E.
23212 Green Garden Cir.
Chugiak, Alaska 99567
March 13, 2014

The Honorable Senator John Coghill
State Capitol Room 119
Juneau AK, 99801

Dear: Senator Coghill

I am writing to ask you to support SB-160, "*An Act authorizing the commissioner of natural resources to implement a hunting guide concession program or otherwise limit the number of individuals authorized to conduct big game commercial guiding on state land.*" This bill represents a pivotal moment in history for Alaska resource management. The Guide Concession Program (GCP) has been a long-time in the making, with thousands of man-hours and dollars expended. Now is the time to implement the program!

As currently proposed, the GCP is based on a solid framework that any guide/outfitter can work within and be successful. I understand that the program may end up putting some out of business, and may be cumbersome for others, but there is NO plan that will work fairly for everyone. We owe it to our natural resources to have a competitive, fair system. The current free-for-all management (or lack thereof) of the guiding industry on state land is completely unsustainable. I urge you to stand up for Alaska's natural resources. Alaskan residents, by far, have more to gain by the passage of SB-161, than a few stand to lose!

As a lifelong hunter, I have seen wildlife reduced to dollar signs, glamorized by the media, and witnessed the abuse of the current "cash for wildlife" management system. Without some sort of cap on the number of guides operating on state land, and without some sort of oversight by DNR, we residents will soon be forced off our own public land. I find this concerning, considering that hunting is fast becoming a symbol of a past lifestyle in Alaska, and a vacation destination for the non-resident hunter. For instance sheep hunter numbers have decline nearly 50% in the last 20 years, most likely due to increased pressure exerted by guided non-residents. The residents can't compete, and know that the Board of Game won't do anything, and thus have given up! No one seems to care about the resident hunter, because we don't squeal as loud when we lose out.

The current system is a complete disaster for everyone, including, guides, non-residents and resident hunters alike. Too much pressure in the field ruins the experience for everyone, and creates unneeded animosity among user groups.

We are fortunate to have ample space and resources to share with our non-resident brethren. However, a limit must be put in place. The current guide program is not sharing

From: Mike Cronk

Sent: Tuesday, March 25, 2014 11:45 AM

To: Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Peter Micciche; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French

Subject: HB 161

Dear Senator's,

I am writing this to voice my concern with HB 161. This bill is bad for Alaska and Alaskan resident hunters. This bill is fast tracking Alaska to follow the absolute mess that the lower 48 states have with wildlife management. HB 161 becomes a rich man's game. I am a life long Alaskan that while I recognize that we may have our issues with wildlife and its management, we do not need to be following any example of what or how it is done in the lower 48. This bill reduces resident's opportunities to hunt, while supporting outside interests. Basically it would give money to people that have nothing to do with the management of Alaska and its wildlife resources. HB 161 is seriously flawed and really needs to be voted down. If you are serious about this, you would vote this bill down and make sure you have a bill that isn't fast tracked and isn't flawed such as this bill is. This bill is a total slap in the face to all Alaskan's. Selling our resources to the highest bidder and letting that money go to organizations that have no interest in Alaska and its wildlife is simply wrong and should not be supported in any way.

Thank you for your time,

Michael Cronk
PO Box 365
Tok, Alaska 99780
(907) 750-3099

Hon. Senator Coghill
March 13, 2014
Page 2

it's a fleecing! The GCP, will limit the abuse to sustainable levels, which I believe will benefit everyone in the long run.

This bill is very important to myself, my family and my friends whom I spend time with in the field. I want to be able to take my kids hunting one day, and not have to sift through the smoldering ruins left by the outfitting industry to find a scrap they missed.

Thank you for time and service.

Sincerely,



Ivan J. Clark, P.E.

Copy:

Senator Giessel Chair	Senator.CathyGiessel@akleg.gov
Senator Micciche	Senator.Peter.Micciche@akleg.gov
Senator Bishop	Senator.Click.Bishop@akleg.gov
Senator McGuire	Senator.Lesil.McGuire@akleg.gov
Senator Fairclough	Senator.Anna.Fairclough@akleg.gov
Senator French	Senator.Hollis.French@akleg.gov
Senator Dyson	Senator.Fred.Dyson@akleg.gov

From: ed czech

Date: March 24, 2014 at 5:11:22 AM AKDT

To: "Sen.Cathy.Giessel@akleg.gov" <sen.cathy.giessel@akleg.gov>, "Sen.Fred.Dyson@akleg.gov" <sen.fred.dyson@akleg.gov>, "Sen.Peter.Micciche@akleg.gov" <sen.peter.micciche@akleg.gov>, "Sen.Click.Bishop@akleg.gov" <sen.click.bishop@akleg.gov>, "Sen.Lesil.McGuire@akleg.gov" <sen.lesil.mcguire@akleg.gov>, "Sen.Anna.Fairclough@akleg.gov" <sen.anna.fairclough@akleg.gov>, "Sen.Hollis.French@akleg.gov" <sen.hollis.french@akleg.gov>

Subject: HB 161

Dear Legislators

Thank you all for taking the time to read my letter. I am writing to add my voice to those of many other Alaskans who are worried and disgusted about HB 161, which proposes a number of changes to the "Governor's Permit" system. I am writing as a lifelong hunter. This bill is a disservice to Alaskan hunters. It reduces our opportunity to hunt many big game species in Alaska, while purporting to help outside organizations support management of our resources. In reality it will just give our money and resources to outside groups with little or no interest in Alaska's best interests or its citizens. It also places rich hunters who can afford auction tags above the laws, regulations, and seasons the rest of us must follow. In short, it puts the rich above the law, at our expense.

I am sick over the fact that such an undemocratic bill could ever be considered in any US state, let alone Alaska. I beg you to please do everything in your power to defeat this bill.

Thank you for your time,

Edward J Czech
64501 Ressurrection Crk Rd
Hope, Ak
99605

From: Sandie
Sent: Friday, March 21, 2014 12:45 PM
To: Sen. Cathy Giessel
Subject: Senate resource committee HB 161 hearing

Dear Honorable Senator Giessel,

I am writing in regards to the senate resources committee hearing on HB 161. At first look at this bill I was supportive of it, however, after talking to an expert in wildlife biology and state wildlife management politics I became concerned. This bill allows the state to donate several hunting permits to be auctioned off by a private organization. The state currently keeps about 90% of these profits and the other ten percent to to the organization to cover the auction costs.

Because of the Pittman/Robertson act, the 11% excise tax on firearms is put into a federal fund that is given to states based on the amount of money that is spent on conservation efforts. In effect the federal govt matches every state spent dollar with three dollars from this fund money generated by gun sales. This bill gives more money to the private organizations that auction off the permits but regulates how they can spend it. This in effect increases the size of the government by using a private entity to do the work that the government wants done. If this money was instead kept by the state (as it currently is in all permit auctions) it is matched by the funds out of the tax pool generated by the tax on gun sales. I believe this bill should be amended to allow the organizations to keep 10% of the auction profits and allow them to use the money (10% of auction profit) as they see fit.

Sincerely,
Sandie Gilliland

From: Brian Lynch

Sent: Friday, March 21, 2014 10:37 AM

To: Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Peter Micciche; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French

Cc: Reid Harris; bill@alaskaoutdoorcouncil.com; eddie@aksafariclub.org

Subject: CS FOR HOUSE BILL NO. 161(RES)--Proposed Amendment to Sect. 1(a)

Dear Senator Giessel and members of the Senate Resources Committee,

As a founding member and trustee of the Devils Thumb Archers archery club in Petersburg, I am concerned about an amendment to section 1(a) CS for House Bill 161 that would reduce the revenue going to a qualified organization from the auction/raffle of a Dall Sheep and Etolin Island Elk harvest permit from the current 100% to 30%. We understand that the concern expressed by the Alaska Outdoor Council and the reason for this amendment pertains to the Dall Sheep permit and not the Etolin Is. elk permit. The Dall Sheep permit has been the subject of a number of posts on outdoor and hunting chat rooms but the Etolin Is. elk permit has not been mentioned in any posts that we know of. We do understand the concerns raised about the Dall Sheep permit and we have no interest in disputing those concerns. However, Devils Thumb Archers has been raffling off an Etolin Is. elk permit for nearly 15 years and for the past several years, we have been the only organization to apply for those permits. While we don't know the history of why the organizational revenue was initially set at 100%, we believe it had to do with elk being transplanted to Etolin Is. and are not indigenous to that area.

Devils Thumb Archers is a small local non-profit organization with fewer than 100 members, most of which are family members with kids making up nearly 1/2 of the total membership. Generally the revenue we receive from the elk raffle is \$500 to \$1,000 and has ranged from less than \$300 to nearly \$2,000 early in the program. While the total dollars is not a large amount, the impact to our small organization is substantial. We use this money to maintain our archery range, purchase 3-D archery targets (which are very expensive) and put on tournaments, open houses, provide archery instruction and free use of equipment by our members with the emphasis on encouraging participation by kids. The local schools have also occasionally used the archery range for physical education classes. Without the opportunity to utilize 100% of the proceeds of the Etolin Is. elk permit raffle, we will be very hard pressed to be able to increase our revenue from other sources, such as membership dues. We are hesitant to increase our dues structure because we want to encourage people of all economic incomes to be able to utilize our facilities. Also, all of our range maintenance is done by volunteers often utilizing their own equipment. **Therefore, we respectfully request that the organizational revenue for the auction/raffle of the Etolin Is. elk permit remain at 100% in Sect. 1(a) in CS For House Bill No. 161(RES).**

Thank you for your consideration of our request.

Sincerely,

Brian Lynch

PO Box 1247

Petersburg, AK 99833

(907) 518-0211

From: Andrew Audap
Date: March 20, 2014 at 9:54:24 PM AKDT
To: <Sen.Cathy.Giessel@akleg.gov>
Subject: Please oppose HB 161

Thank you for taking the time to read my letter. I am writing to add my voice to those of many other Alaskans who are concerned about HB 161, which proposes a number of changes to the "Governor's Permit" system. I am writing as a longtime Alaskan and a lifelong hunter.

This bill is a disservice to Alaskan hunters. It would reduce our opportunity to hunt many big game species in Alaska. It would help outside organizations support management of our resources. In reality it will just give our money and resources to outside groups with little or no interest in Alaska's best interests or its citizens. It also places rich hunters who can afford auction tags above the laws, regulations, and seasons the rest of us must follow. In short, it puts the rich above the law, at the expense of your less wealthy constituents.

Please oppose this bill.

Sincerely,

Andrew Audap
Palmer, AK

From: Dick/Mary Bishop

Date: March 20, 2014 at 11:05:46 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>, <Senator.Fred.Dyson@akleg.gov>, "Bishop, Click"
<Senator.Click.Bishop@akleg.gov>, <Senator.Hollis.French@akleg.gov>,
<Senator.Peter.Micciche@akleg.gov>, <Senator.Lesil.McGuire@akleg.gov>,
<Senator.Anna.Fairclough@akleg.gov>

Cc: "Kelly, Pete" <Senator.Pete.Kelly@akleg.gov>, Wayne Heimer <weheimer@alaska.net>

Subject: RE: HB 161 can wait

From: Mary Bishop

I agree with Wayne. I, too, am saddened by this disunity. **The bill can wait.** At this point, you have better things on which to spend your limited time. As Wayne says, "Please do not facilitate this division" between elements of the outdoor hunting/conservation groups.

Mary Bishop – 455-6151

1555 Gus's Grind

Fairbanks

From: Noah

Date: March 20, 2014 at 9:28:57 PM AKDT

To: "Sen.Cathy.Giessel@akleg.gov" <sen.cathy.giessel@akleg.gov>, "Sen.Fred.Dyson@akleg.gov" <sen.fred.dyson@akleg.gov>, "Sen.Peter.Micciche@akleg.gov" <sen.peter.micciche@akleg.gov>, "Sen.Click.Bishop@akleg.gov" <sen.click.bishop@akleg.gov>, "Sen.Lesil.McGuire@akleg.gov" <sen.lesil.mcguire@akleg.gov>, "Sen.Anna.Fairclough@akleg.gov" <sen.anna.fairclough@akleg.gov>, "Sen.Hollis.French@akleg.gov" <sen.hollis.french@akleg.gov>

Cc: "Representative.Lynn.Gattis@akleg.gov" <representative.lynn.gattis@akleg.gov>

Subject: HB 161

Dear Legislators

Thank you all for taking the time to read my letter. I am writing to add my voice to those of many other Alaskans who are worried and disgusted about HB 161, which proposes a number of changes to the "Governor's Permit" system. I am writing as a lifelong Alaskan and a lifelong hunter. This bill is a disservice to Alaskan hunters. It reduces our opportunity to hunt many big game species in Alaska, while purporting to help outside organizations support management of our resources. In reality it will just give our money and resources to outside groups with little or no interest in Alaska's best interests or its citizens. It also places rich hunters who can afford auction tags above the laws, regulations, and seasons the rest of us must follow. In short, it puts the rich above the law, at our expense.

I am sick over the fact that such an undemocratic bill could ever be considered in any US state, let alone Alaska. I beg you to please do everything in your power to defeat this bill.

Thank you for your time,

Noah Zogas

From: Michael Tinker
Sent: Friday, March 21, 2014 10:14 AM
To: Vivian Stiver
Subject: CSHB161 Hearing and thoughts

Good morning. I'm going to be at the LIO for the 3:30 hearing of S. Resources. I'll be available for testimony. The Sen. should know that the parties on both sides of this issue have been working together and some new language has been proposed. (Nothing major but changes to tweak this thing in the direction of allowing more than one NGO because of the "conditions", and changing the percentages of the funds that can be given back to the NGO(s).)

There is some further problem in making sure Alaskans understand that by selling these permits to outside hunters we can't expect to raise enough more for the Fish and Game Fund to meet the needs of the Department. That is, Alaskans are going to need to pay a share too.

The low number of permits, in the whole program both existing and proposed, will not make a difference to opportunity for Alaskan hunters but may be perceived to lower opportunity. In other state's "governor's permits" multiple permits for the same animal, like our dall sheep, have lowered the value of each permit resulting in no net increase to the state. It will be difficult to avoid that with this legislation where the clear intent is to provide more.

The other issue is the appearance of "earmarking" the new funds for "education" purposes. While a priority right now, putting that purpose in statute removes the Department's ability to use the funding for something else in the future. Others are working to provide language to "direct" funding to education without requiring it be spent there.

Finally, there are other "big picture" issues with adding to the F&G Fund. For example, last weekend the Board of Game passed a new split resident musk ox tag fee resulting in some residents paying \$500 for a musk ox tag and some paying \$25. I'm wondering if this will pass legal muster. Since tag fees go into the F&G Fund, having such a split tag fee not only causes hard feelings but also results in a \$475 loss to the fund for each tag. As much as can qualify of F&G Funding is matched by federal Pittman-Robertson Funds at a three to one ratio. Pretty easy math to show a significant loss to the fund.

There are also license and tag fee structures that need attention and compliance efforts to treat all Alaskans fairly in making sure license money relates accurately to harvest of game animals.

CSHB 161 is not a cure, just a small part of the picture and the Sen. should understand that.

Have a great day.

--
Mike Tinker

As I continue to mull the issues surrounding HB 161, I have come to (I hope) my penultimate participation in the issue (I always reserve the right to think further).

In considering my own concerns (and calculations) about loss of revenue to the Fish and Game Fund as HB 161 left the House, my own philosophical musings, Mike Tinker's identification of HB 161 as an "education endowment," and the passion with which classic conservation educators approach the issue of declining hunting license sales, I've attempted a further synthesis of these things.

First: Is there a real problem? The general impression is that the trend in hunting participation has been downward. This trend has been identified and considered alarming by most of us with an outdoor use-including hunting-tradition. Although the causes for this downward trend are uncertain, folks have anecdotally linked it to everything from lack of hunter success (which would cause hunters to "give it up") to "urbanization" and "the internet" (which focuses one's attention on alternative activities). Hence the common understanding is that there is a real problem, at least nationwide.

Second: Is this a problem in Alaska? Since ADF&G/Wildlife Conservation Division gets most of its wildlife management and research money through the P-R funding mechanism (where license sales dollars are matched 3:1 for wildlife management and restoration), it seems rational to be concerned about trends in Alaska as well as the country at large. However, the trend may be turning around in Alaska. Over the last two years, license-issuance seem to indicate a change in trend. In the last two years, approximately 5,200 licenses per year more than the recent longer term average have been issued. Whether this will produce the expected revenue is uncertain.

Third: Is this something we can effectively alter? Maybe, but not knowing the direct (cause or causes) of the above-perceived effect is bound to limit our effectiveness.

Fourth: What should we do, if anything? There are two primarily suggested remedies for the (perhaps) flagging hunting license sales in Alaska.

One remedy argues, "Make more game to hunt." This suggested remedy assumes Alaskans are buying fewer hunting licenses because they generally don't think hunting success is high enough to justify the required investments (the license fee of \$25 probably being the least compelling factor). There is no doubt that, on a *per capita* basis, game is less abundant than it used to be. Similarly, there are fewer places to hunt than in the past. Of course, "making more game" requires more money.

With respect to HB 161, this leads to the position (which I tend toward) of maximizing revenue to the Fish and Game Fund so managers have the opportunity to increase the *per capita* abundance of harvestable game on available state lands. The assumption is that if there's more game, hunting will be more rewarding, and license sales (and management money) will naturally increase.

The other remedy argues: "We can fix the problem through education." The ancillary assumption here is that by explaining the conservation benefits of hunting to uninformed or apathetic people, we can motivate them to eventually buy hunting licenses and increase funding for wildlife management and restoration. This approach seems to require non-traditional educational experiences like, "hands on" like shooting, preparing, and eating game as well as "head" instruction in a classroom setting.

This overall approach, though emotionally appealing (who can oppose education?) is counter-intuitive. Reduced to its essence, it requires that people "hunt more to preserve the hunt." I'm not saying this a paradox or oxymoronic, only that it's counter-intuitive. With respect to HB 161, this leads to the position of the bill's sponsors, "If we allocate more money for education, we'll see increased license sales." Perhaps.

Fifth: If everyone agrees we need more money, why is there any disagreement over HB 161? "The devil is in the details."

A. The problem is not well defined. Is there a continuing trend toward decreasing in license sales? Maybe, maybe not. Licenses issued have shown a stable or upward trend in the last two years.

B. The cause of the perceived downward trend is uncertain?

C. Given there is a continuing downward trend in license sales, should/can we use public resources to fix it?

D. Even given there is a continuing downward trend in license sales, **and** that we should/can use public resources to fix it, there are conflicting approaches to the presumed fixes. Both involve spending more money.

1) One argument is that we should "fix it by leaving it alone" while trying to maximize the return to the Fish and Game Fund through existing mechanisms...these include the sale of special hunting permits as already codified in Alaska Statutes. This is the "make more game" crowd position. It argues more efficient use of existing moneys will produce more game for harvest. This represents my personal

bias. WEH

2) The other argument is that we should adjust the sale of special permits to create what amounts to an endowment for classic conservation education managed by volunteer non-governmental organizations (NGOs). This is the "pro HB 161" crowd position. It argues that education through this mechanism is the way to create more money for more productive wildlife management and restoration, thus assuring a continuing supply of hunters buying licenses throughout the future.

E. The HB 161 details are nettlesome.

1) The "make more game" crowd argues, "*The bill (particularly Section 1 (a), appears written to favor one particular NGO, the one pushing to advance the bill, and the apparent favorite of the Division of Wildlife--which seems to be in the "education will fix it" or pro-HB 161 crowd. In reposte, the "education will fix it" crowd counters, "It looks that way to you, but other NGOs will be able to compete in the future." The "make more game" crowd then counters with, "Yeah, but the stipulations to qualify for competition to market the permits will require "rechartering" of existing, potential competitors, and they'll have to suck up to ADF&G to compete because under terms of HB 161, the Department effectively chooses the preferred NGOs.*" In response, the "education will fix it" folks argue, "*The Depatment does not have undue influence*" (even though the Department will approve spending of the education money. And so it goes.

One important question for the Senate Resources Committee is, "**Is this special interest legislation or not?**" The major involved interests don't seem to agree.

- 1) The way HB 161 comes to the Senate, it sets aside a handful of revenue-generating special permits as an ADF&G directed, education endowment. Permit sales money would go directly for NGOs to "fix the problem" through Department-approved educational programs. This troubles the "make more game" people because HB 161 money won't go through the Fish and Game Fund to generate three times the value via federal matching money.

- 2) These people also argue that doubling the number of auction/raffle permits is likely to lower revenue by "glutting the market" with these special permits. The "make more game" folks says, "*This won't work; HB 161 will probably cost the Fish and Game Fund money.*" The "education will fix it" crowd says, "*There won't be any real loss to the Fish and Game Fund because the money the bill specifies to be spent on education doesn't exist yet (and won't till after the bill is enacted).*" These folks say education is sufficiently important that it is worth the risk of lowering existing permit money into the Fish and Game Fund. They must argue that the projected revenue from education will more than make up for any lost dollars in the Fish and Game Fund.

I have said "*The market for permits is too volatile to consider it as a stable source of income for any purpose.*" My decades of experience with the the "permit market" show it is extremely volatile. If the Senate thinks an endowment for classic conservation education is important enough to support with public resources, it should not consider the permit auction business as a funding source."

In the end, the more fundamental questions, looking beyond whether HB 161 is special-interest legislation should be:

Does Alaska need an endowed classic conservation education program? (regardless of whether it will generate income or losses to the Fish and Game Fund)

If so, what is the best way to accomplish development of this program? HB 161 will leave developing this program to a shakily endowed competing assemblage of volunteer NGOs. Is the best long-range solution? We're looking at an Alaskan Statue (not a regulation) here. That means we're gonna be "stuck with this baby" till the Legislature repeals or amends it. Do we really want to go this far given that (here I summarize:

SUMMARY:

1. The basic problem, decline in hunting, is perceived; but it is real in Alaska?

Is the national trend-to-date relevant in today's Alaska?

IF SO, should/can we reverse it using public resources?

Should we wait a little longer to see what the Alaska trend is?

Do we want to create a law based on disputable assumptions at this time?

2. The cause of the perceived decline is uncertain.

Is this a crisis?

Does the legislature want to provide an uncertain solution to a perceived problem with an uncertain cause at this time?

Will the proposed solution (HB 161) really "fix" the problem?

Does HB 161 stand a reasonable chance of fixing the problem?

3. The proposed solution (HB 161) has arguable outcomes.

Does the legislature really want to codify a fix to a problem with uncertain cause and possibly reversing trend?

Does the legislature want to "bank on" the stability of the auction permit market to fund outdoor education?

Is leaving conservation education to volunteer NGOs which must be "incentivized" by a tripling of their "take home" from "marketing permits" really the best we can do?

4. The proposed legislation has divided Alaska's "outdoor" community. I've heard it crudely characterized by a House legislative staffer as "a pissing contest between Safari Club and the Alaska Outdoor Council." However, the gossip from my sources is that Safari and the AOC had a joint work session to resolve differences. I don't know what happened there, but suggest that you table HB 161 till the outdoor community has a chance to resolve these differences.

There's no compelling reason to be in a rush about this.

The "zero" fiscal note seems unreasonable to me. It will cost more money to administer twice the number of permits, negotiate projects with NGOs, etc. If ADF&G has at least a half-time biologist sitting around doing nothing, the "zero fiscal note" is defensible. If all biologists are working at capacity, it will logically require more money to "realize the funding bonanza HB 161 postulates

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From: Michael Tinker
Sent: Friday, March 21, 2014 10:14 AM
To: Vivian Stiver
Subject: CSHB161 Hearing and thoughts

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CSHB 161 is not a cure, just a small part of the picture and the Sen. should understand that.

Have a great day.

--
Mike Tinker

From: Wayne Heimer

Date: March 20, 2014 at 9:22:20 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>, <Senator.Fred.Dyson@akleg.gov>, "Bishop, Click" <Senator.Click.Bishop@akleg.gov>, <Senator.Hollis.French@akleg.gov>, <Senator.Peter.Micciche@akleg.gov>, <Senator.Lesil.McGuire@akleg.gov>, <Senator.Anna.Fairclough@akleg.gov>

Cc: Dick/Mary Bishop <rmbishop@ptialaska.net>, "Kelly, Pete" <Senator.Pete.Kelly@akleg.gov>

Subject: HB 161 can wait

Attn: Senate Resource Committee

I am saddened to tell you the rumor that HB 161 interests and the Alaska Outdoor Council had negotiated was incorrect. This distresses me because both sides on HB 161 represent venerable segments of the outdoor community. The fact that these differences of opinion on how best to increase revenue to the Fish and Game Fund and how to fund outdoor education have not been cooperatively addressed shows one side or the other (or both) is not playing nicely.

Consequently, passing HB 161 may well cement a division within the outdoor community in Alaska. My hope is that you will not report the bill out of committee. This should send the message that the outdoor community will not survive if it is not united (permit-funded classic outdoor education or not). Unity is more important now than ever before. Please do not facilitate this division. **This bill can wait.** The last two years of data suggest license issuance may have bottomed out, and is turning around anyway. Funding outdoor education is not an emergency. We can certainly wait one more year to "attempt a new fix" for less than optimal funding for both P-R projects and NGO-driven outdoor education.

And the bill DOES need a reasonable fiscal note.

I'm sorry to have mislead you earlier, but more embarassed that my friends can't seem to play nicely together before coming to you in a united fashion.

Respectfully,

Wayne E. Heimer
Dall sheep biologist of some antiquity

From: Wayne Heimer

Date: March 20, 2014 at 6:38:45 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>, <Senator.Fred.Dyson@akleg.gov>, "Bishop, Click" <Senator.Click.Bishop@akleg.gov>, <Senator.Hollis.French@akleg.gov>, <Senator.Peter.Micciche@akleg.gov>, <Senator.Lesil.McGuire@akleg.gov>, <Senator.Anna.Fairclough@akleg.gov>

Cc: Dick/Mary Bishop <rmbishop@ptialaska.net>, "Kelly, Pete" <Senator.Pete.Kelly@akleg.gov>

Subject: Fw: HB 161 perhaps penultimate pensiveness

Dear Senators:

It will take courage to vote against HB 161 as it has come to you from the House of Representatives. The "emotional appeal" of the bill (creating wealth and allocating it to "education") has strong appeal. Unfortunately, in my judgement, the practicalities associated with the bill do not match its emotional appeal. I have been concerned about this bill since it was introduced last session. **I think it needs review by Senate Finance (see very end of argument.)**

From:

Date: March 20, 2014 at 6:16:06 PM AKDT

To: <Sen.Cathy.Giessel@akleg.gov>

Subject: HB 161

We are 100 percent opposed to HB 161. We agree 100 percent with Mark Richards article in Alaska Dispatch:

<http://www.alaskadispatch.com/article/20140320/legislature-should-slam-pandoras-box-shut-and-reject-governor-taq-hunting-permit>

I ask that you vote against it.

Sincerely,

David and Elise Twyman
18640 France Circle,
Anchorage AK 99516

Alaska Dispatch

News and voices from the Last Frontier

Published on *Alaska Dispatch* (<http://www.alaskadispatch.com>)

[Home](#) > Legislature should slam Pandora's box shut and reject 'governor-tag' hunting permit program

Mark Richards

March 20, 2014

Main Image:

[Moose in Rut Powerline Pass 12](#) ^[1]

Main Image Caption:

OPINION: There are benefits to nonprofit sporting organizations partnering with the state of Alaska through donated hunting permits, but Alaska lawmakers should take great care to avoid opening Pandora's box.

It started in Utah. Like Alaska and most other western states, Utah had it's own "governor-tag" statute, whereby a very limited number of special hunting permits are allocated to private non-profit sporting groups. The groups apply for these governor permits and typically auction them off at their conventions to wealthy nonresident hunters. They keep a small percentage of the profits, with the remaining money going back into the game department's coffers.

It's considered a win-win. Very few permits are allocated away from resident hunters, the non-profit groups can raise revenues to support wildlife conservation projects and hunting education, and more money comes back to the department that manages the game. And it has, with a very limited allocation of tags, been a win-win.

But these governor tag statutes were always ripe for expansion when legislators could be lobbied by influential sportsmen's organizations with their own best interests in mind. That's exactly how it started in Utah, with a bill similar to Rep. Lynn Gattis' [HB 161](#) ^[2]. The legislation passed. Expansion of governor permits and increased revenues to organizations and the state was so wildly profitable that it was easy to lobby the Utah Legislature again and get them to allocate more permits and expand the program -- further privatizing the wildlife resource. Today in Utah, nearly 500 special permits are allocated away from resident hunters to non-profits for auction or raffle. And it's virtually impossible to get a truthful and accurate accounting of where the money the non-profits retain is really going and how it is being used.

Which leads us to the most interesting aspect of Gattis' legislation, the canard we heard so often during hearings about the need to provide more "incentive" to non-profits to participate. Non-profits were, according to Gattis, telling her that the 10 percent organizations could currently retain to use as they saw fit was not enough. If that was tripled and more permits were allocated, it would provide much more incentive for organizations to participate.

Gattis also added a new "donated" Dall sheep tag from which the organization could keep 100 percent of the profits. At the same time, her bill deleted language in current statute that all of these governor permit hunts had to be conducted according to "applicable law," inserting new language giving authority to the commissioner of the Alaska Department of Fish and Game to determine how and when these hunts were conducted. What this means is that the commissioner could authorize, for example, a new Dall sheep hunt outside normal seasons. Or allow the use of helicopters for transportation. The rationale we heard was that this would make such a hunt much more valuable, and more organizations would apply for that permit.

But then it came out that the organizations couldn't actually keep any profits from the auction or raffle of these expanded permits. According to amended language in the bill, if an organization's share of the profit was \$30,000, or an organization made \$500,000 dollars on that new donated Dall sheep permit, those monies could only be spent in consultation with Fish and Game on approved wildlife conservation, protection, or education projects. Which led to the question: So what's the real incentive here for organizations to participate?

Someone purporting to be a representative of Safari Club International in Alaska answered that recently on [an online hunting forum](#) [3].

The real incentive, he said, was that it would give his organization and other organizations "more say" in how these monies were spent.

Isn't our Alaska wildlife management already overly politicized? Has everyone forgotten [Corey Rossi, the disgraced former director of the Division of Wildlife Conservation](#) [4], and his own ties to a sportsmen's organization? Do we really want, say, Sportsmen for Fish and Wildlife, having "more say" in how we spend funds that really only Fish and Game should control?

What "more say" would actually mean in the real world is hard to quantify, though [Gattis, in a rebuttal](#) [5] to Rick Sinnott's [Alaska Dispatch commentary on HB 161](#) [6], says that if the measure becomes law, "the language becomes statute and is not open to interpretation by the department or any other entity." She is referring to language that dictates what an organization can do with any profits it makes from the auction or raffle of these expanded permits: "Proceeds may be used only to support outdoor tradition education projects and conservation and wildlife protection programs approved by the department."

Political winds

I should note that it was less than 10 years ago that Fish and Game said it did not support the trapping of any brown bears, even as part of an intensive management predator-control program. Neither did the department support the trapping of bears by the public under the guise of increased opportunities. I say this only to highlight that what Fish and Game "approves" has changed drastically in a short time as wildlife management itself had become ever more politicized, especially in the realm of predator control. Who knows what Fish and Game will "approve" down the line when various sportsmen's organizations with various agendas hold the purse strings.

Add to this the fact that Fish and Game is supporting this legislation, when on everything else these days concerning things like sheep hunting allocations -- or for that matter, the public trapping of bears -- they are now neutral, and one wonders what is going on at Fish and Game. In some areas of the state, nonresidents harvest 60 to 80 percent of the Dall sheep taken. The Board of Game continues to hear (and fail to act on) numerous proposals asking that nonresident sheep hunters be limited. Fish and Game claims that this is an "allocation issue," they have no resource concerns, and on allocation issues they must remain neutral. So what really is going on Director Doug Vincent-Lang? I would ask the same of Ted Spraker, chairman of the Alaska Board of Game. How the hell can Fish and Game and the Board of Game support allocating an additional Dall sheep tag to wealthy nonresident hunters? Why is the Fish and Game not neutral on these particular allocation issues that clearly take allocations away from residents? And if Fish and Game is willing to support taking allocations away from residents for the ostensible purpose of raising more revenues for itself, where does it end? How far will it go? This is exactly how it began in Utah.

I do want to stress that, yes, there is no doubt that some good could come out of public-private "partnerships" between Fish and Game and various sportsmen's organizations in accord with this

legislation. There are some great sportsmen's organizations that I'm sure would want to carry out science-based projects and education efforts in consultation with Fish and Game. But we all need to admit that is only one side of the coin, and the flip side has some very serious negatives -- especially when there are large sums of money involved.

The bottom line, though, is if we assume that all sportsmen's organizations have the best interests of the resource and hunters in mind, it still is not in their purview to be dictating or deciding what projects and what education efforts should be conducted using funds derived from the reallocation and sale of our public resource.

Alternatives

And speaking of our public resource, it's ironic that Gattis and proponents of this legislation touted the North American Model of Wildlife Conservation (NAM) in pushing this. NAM was mentioned in her sponsor statement, in support letters, and even in the initial legislation. Any mention of NAM, however, has since been stricken from the bill. Maybe that's because one of the basic tenets of NAM is a democracy in hunting; the wildlife resource is a public trust belonging to all equally. Expanding allocation of our wildlife resource to the wealthy is the exact opposite of what NAM calls for.

In her sponsor statement, Gattis also mentions that NAM is based on a user-pay system of licensing fees. Everyone contributes to hunting licenses and tags that fund wildlife management. Well, if the primary goal of Gattis' legislation is to increase funding to the Division of Wildlife Conservation, the best way to do that is increasing hunting license and tag fees for both residents and nonresidents. That is what NAM would call for if game management was under funded.

Alaska Backcountry Hunters & Anglers has been proposing just such an increase since 2008 ^[7]. The last hunting license increase came in 1993, and it's hard to believe Alaska residents pay only \$25 for a hunting license that gives them the opportunity to harvest several caribou, a moose, a sheep, several deer, several black bear, and a grizzly bear, at no extra cost. Nonresident license and tag fees also need to be more on par with what other western states charge. With increased fees, the federal matching funds would also increase substantially.

We understand that legislators are wary of sponsoring or supporting legislation to increase fees for resident and nonresident hunters, over fears it would be construed as a tax increase or growing government. Ironically though, many legislators don't seem to see a problem in sponsoring and supporting legislation that would take allocations away from residents and give them to wealthy nonresident hunters, opening a Pandora's box whereby we give more say to in-state and Outside sportsmen's organizations on how best to manage Alaska's wildlife.

We urge Alaska senators to halt HB 161.

Mark Richards is co-chair of the Alaska chapter of Backcountry Hunters & Anglers.

The views expressed here are the writer's own and are not necessarily endorsed by Alaska Dispatch, which welcomes a broad range of viewpoints. To submit a piece for consideration, e-mail [commentary\(at\)alaskadispatch.com](mailto:commentary(at)alaskadispatch.com) ^[8].

Source URL: <http://www.alaskadispatch.com/article/20140320/legislature-should-slam-pandoras-box-shut-and-reject-governor-tag-hunting-permit>

Links:

[1] <http://www.alaskadispatch.com/image/moose-rut-powerline-pass-12>

[2] http://www.akleg.gov/basis/get_bill.asp?session=28&bill=HB161

[3] <http://forums.outdoorsdirectory.com/showthread.php/139609-Article-on-Auction-Permits>

[4] <http://www.alaskadispatch.com/article/corey-rossi-and-30-bear-weekend>

[5] <http://www.alaskadispatch.com/article/20140314/gattis-responds-sinnotts-sheepish-argument-against-big-game-hunting-permit-changes>

[6] <http://www.alaskadispatch.com/article/20140307/bill-sell-alaska-wildlife-highest-bidder-gains-momentum>

[7] <http://www.alaskabackcountryhunters.org/AK%20BHA%20Hunting%20License-Tag%20Fee%20Increase%20Proposal.html>

[8] <mailto:commentary@alaskadispatch.com>

From: Ken Radach
Sent: Monday, March 10, 2014 2:57 PM
To: Sen. Cathy Giessel
Subject: House Bill 161-NO

Hello,

My name is Ken Radach (Voter ID: 10779153). I have never contacted anyone in the legislature before, but I recently read about HB 161 being passed by the House and heading to Senate. That is the reason I am writing this email.

HB161 is another attack on resident hunters. Already there are too many opportunities for Non-residents hunting in the State of Alaska. While most states in the lower 48 limit non-resident hunting to 10% (5% in some states), Alaska has allowed much more than that for coveted tags. In some cases, like the Kodiak Brown Bear, non-residents are allowed—in fact guaranteed—over 30% of those hard-to-draw tags. Now, this House Bill is passed to increase the number of tags auctioned off by more than double. These tags are typically purchased by wealth out-of-staters. Those additional auction tags will be taken from the quota and reduce resident participation in those coveted hunts.

If the intent of the bill is to raise more revenue (which would be the wrong reason and possibly a violation of the constitution), that could also backfire. The bill would reduce the amount of money received from 90% to 70%. Also, by increasing the numbers of tags auctioned off the price will certainly drop—simple “Supply/Demand” principle applies here. I wonder if any impartial studies were done to evaluate whether this will actually increase revenue. I would guess that the net increase in dollars will be minimal given the increased amount given to the organizations and the reduced amounts fetched for these auction permits.

Another huge sticking point is the language that erases the prohibition of these same organizations to use the proceeds to make contributions to candidates or lobbyists. This opens the door for legislative misappropriations. Doesn't Alaska already have enough of a cloud hanging over our head for misappropriation? Do we need another temptation added? There are also provisions in the bill for allowing out-of-state organizations to receive the auction permits and gives the commissioner authority to allow hunting outside of normal seasons set by Fish and Game. All of these concessions seem to open the doors for corruption—I really don't want to explain to my friends outside that Alaska is not Illinois, but it certainly seems like we didn't learn our lesson last time.

As I understand it, fish and game is mandated in the state constitution to be managed for the maximum benefit of its residents. How does taking tags away from residents help them? This certainly doesn't seem to benefit anyone except outside interests. If this bill is to pass, I could easily see it locked up in the courts for years—again costing taxpayers of the State of Alaska. Please don't allow this bill to pass—it certainly isn't in the best interest of Alaska residents. Thanks in advance for your time...kr

Ken Radach

Project Manager

(907) 279-1020

(907) 279-1089 - Fax

To the House Resources Committee, Rep. Lynne Gattis, the Interior delegation, and Eddie Grasser: On last Wednesday, I testified in opposition to HB 161, *An Act relating to auctions or raffles for big game harvest permits and to the selection of nonprofit organizations to conduct auctions and raffles for the Department of Fish and Game*. I was opposed to the bill, but did not testify very well. For that I apologize. One of the things I failed to mention was that **the bill may well require an attached fiscal note**. It will create an additional administrative burden for the Department of Fish and Game. I assume that the Department's employees are already working at capacity so identifying the "winning" non-governmental organization (NGO), drafting cooperative agreements, administering and enforcing the agreements, and managing a four-fold increase in permits for auction will require more work. I estimate a very efficient worker would require more than "quarter time" employment. The requirement might be as much as half time. I estimate an additional cost to ADF&G to do this administratively required work at approximately \$50,000 per year should HB 161 become law. **Additionally, Section 1 of the bill would deprive the Department's Fish and Game Fund of at least \$100,000 annually which would not be available for Pittman-Robertson match funding at a three dollars to one ratio.** Hence, the bill would make at least \$400,000 per year unavailable for expenditure by ADF&G. I am not certain whether this sort of foregone income should be included in a fiscal note, but the amount of money "lost" to ADF&G will be huge, primarily because a Dall sheep auction permit is included in the "*direct-to-the-NGO at 100% list*" in Section 1 of the bill. Section 2 of the bill would increase the "incentive" for NGOs to market these permits for ADF&G from 10% (which I consider reasonable) to 30% (which I consider userous). The amount of money at risk of never entering the Fish and Game Fund for the Pittman-Robertson "match" is immense, and should be fully recognized. Paradoxically, an earlier version of this bill intended to codify the "North American Wildlife Management Model" in Alaska law. That provision has been deleted with the realization that said model is already conceptually enshrined in our constitution. The paradox is that the present bill would turn that very model "on its head," by reversing the flow of conservation dollars from "user-to-agency" so it would become "agency-to-user." Administering the "agency to user" money would create the need for administrative expense, hence my suggestion of a fiscal note of at least \$50,000. Thank you for your consideration of these matters. I hope to be able to bring this to your attention in Committee hearing on Monday.

Respectfully,

Wayne E. Heimer

Dall Sheep Biologist/Manager-retired from ADF&G but still active 1098 Chena Pump Road Fairbanks, Alaska 99709



BACKCOUNTRY HUNTERS AND ANGLERS ALASKA CHAPTER



February 24, 2014

To: House Resources Committee
RE: HB 161

We oppose HB 161, including the amended Version Y. There are many aspects of this proposed legislation we find troubling, and this action would set alarming precedent for tag disbursement in Alaska.

We do not want to see Alaska become another Utah, where resident opportunity has taken a back seat to the misguided practice of selling or gifting a resource that truly belongs to the residents of the state.

We are aware that the Division of Wildlife Conservation does not have the funding to carry out the numerous programs and projects it oversees. For the last 8 years now we have been pushing an increase in hunting license and tag fees for both residents and nonresidents. The last increase was in 1993 and Alaska, where costs run so much higher than the lower 48, charges by far the least amount among all the western states to residents and nonresidents alike for hunting licenses and tags.

We are pleased that the legislature has taken note of funding shortfalls and wants to see more monies go into wildlife conservation. However, this bill is not the way to accomplish that goal.

It is a telling fact that mention of the North American Model of Wildlife Management (NAM) was struck from this legislation. NAM is all about democracy in hunting. The resource belongs to all equally. Wealthy hunters should not get a preference.

This legislation would add a new sheep tag to *donate* to an organization to auction off. It also gives the ADFG Commissioner the authority to hold that hunt outside normal seasons. Think about how much such a tag and hunt would sell for at auction. What uber-wealthy sheep hunter would not be willing to pay a half million dollars to go on an Alaskan sheep hunt on August 1st, ten days before the normal season, the entire mountain and any

legal rams all to himself? In addition, since this new sheep tag is donated, the organization that auctions it off gets to keep 100% of those funds. How does that remotely help our Fish and Game coffers?

This legislation is the slipperiest of slippery slopes. It will undeniably take opportunities away from resident hunters. It started just this way in Utah. Non-profit hunting organizations saw how much money it could bring in to them and so they pushed for more tags to be allocated. Now over 200 tags are allocated and auctioned off in Utah.

It was mentioned by the sponsor of this bill that from 2009 – 2013, 460,000 dollars in revenue from governor's tags was generated. That's great and we certainly don't oppose the way we currently allocate those tags or the 10% profits that 501c3 orgs are allowed to keep.

We have attached with this letter a copy of the Alaskan Auction and Raffle Permits 2014-2015. As far as we can tell, every single governor's tag offered under current statute will be up for auction at various venues by non-profit hunting and conservation organizations. Comments that that there isn't interest, or that these organizations need a larger cut of the proceeds, doesn't seem to jibe with reality.

Let's not set this precedent and allocate more tags for the wealthy while disavowing the North American Model of Wildlife Management. We don't need to change anything about the current statutes relating to governor's tags.

Sincerely,

Alaska Chapter Backcountry Hunters & Anglers
www.alaskabackcountryhunters.org

Alaska Auction and Raffle Permits 2014-15

Auction Tag	Organization and Contact	Event Location and Date
<i>Big Game Program</i> Bison (Copper River DI454)	Foundation for North American Wild Sheep (Eastern) Jim Wilson (717) 435-8023	23rd Annual Hunting and Outdoor Expo Lancaster County Convention Center, Lancaster, PA February 14-16, 2014
Bison (Delta DI405)	Alaskan Bowhunters Association (Alaska) Gary Keller	36th Annual Awards Banquet & Fundraiser Coast International Inn, Anchorage, AK April 5, 2014
Brown bear (Nome DB685-690)	Ruffed Grouse Society (South Central Alaska Chapter) Mike Griffin (907) 257-9499	22nd Annual RGS Sportsman's Banquet Anchorage Hilton Hotel, Anchorage, AK March 30, 2014
Brown bear (Unimak Island DB375-376)	Sportsmen for Fish and Wildlife (Utah) Byron Bateman (801) 479-1604	Western Hunting and Conservation Expo Salt Palace, Salt Lake City, UT February 13 - 16, 2014
Caribou (Kenai, Fox River DC618)	Alaska Trappers Association Keith Bayha (907) 223-1993	Bistro 36, Golden Lion Hotel Anchorage, AK October 26, 2013
Dall sheep (Tok Mgt Area DS102)	Alaskan Bowhunters Association (Alaska) Gary Keller	36th Annual Awards Banquet & Fundraiser Coast International Inn, Anchorage, AK April 5, 2014
Dall sheep (Western Chugach DS123)	Wild Sheep Foundation (National) Gray Thoraton (307) 527-6261	2014 Sheep Show Reno-Sparks Convention Center, Reno, NV January 22-25, 2014
Moose (Fairbanks 20A DM769)	Alaskan Bowhunters Association (Alaska) Gary Keller	36th Annual Awards Banquet & Fundraiser Coast International Inn, Anchorage, AK April 5, 2014
Moose (Koyukuk CUA DM823-830)	Sportsmen for Fish and Wildlife (Utah) Byron Bateman (801) 479-1604	Western Hunting and Conservation Expo Salt Palace, Salt Lake City, UT February 13 - 16, 2014

Last Updated on Monday, October 8, 2013

Page 1 of 2

Prepared by: Alaska Chapter Backcountry Hunters & Anglers

Auction Tag

Musk ox (Nunivak Island DX001-003)

Organization and ContactFoundation for North American Wild Sheep (Eastern)
Jim Wilson (717) 435-8023**Event Location and Date**23rd Annual Hunting and Outdoor Expo
Lancaster County Convention Center, Lancaster, PA
February 14-16, 2014

Musk ox (Nunivak Island DX001-003)

Ruffed Grouse Society (South Central Alaska Chapter)
Mike Griffin (907) 257-949922nd Annual RGS Sportsmen's Banquet
Anchorage Hilton Hotel, Anchorage, AK**Auction Tag*****Delta Bison Program***

Bison (Delta D1405)

Organization and ContactOutdoor Heritage Foundation of Alaska
Eddie Grasser (907) 745-0358**Event Location and Date**SCI Alaska - Hunter's Expo and Sportsmen's Banquet
Dena-ina Convention Center, Anchorage, AK
February 22, 2014**Auction Tag*****Etolin Elk Program***

Elk (Etolin Island DE318-323)

Organization and ContactDevil's Thumb Archers (Alaska)
Dan McMahon (907) 772-3584**Event Location and Date**Annual Banquet
Jack Hicks Memorial Archery Range, Petersburg, AK
July 15, 2014

From: Robert Fuller

Date: March 16, 2014 at 7:52:29 PM AKDT

To: "Senator.Hollis.French@akleg.gov" <senator.hollis.french@akleg.gov>,
"Senator.Fred.Dyson@akleg.gov" <senator.fred.dyson@akleg.gov>,
"Senator.Cathy.Giessel@akleg.gov" <senator.cathy.giessel@akleg.gov>,
"Senator.Anna.Fairclough@akleg.gov" <senator.anna.fairclough@akleg.gov>,
"Senator.Peter.Micciche@akleg.gov" <senator.peter.micciche@akleg.gov>,
"Senator.Lesil.McGuire@akleg.gov" <senator.lesil.mcguire@akleg.gov>,
"Senator.Click.Bishop@akleg.gov" <senator.click.bishop@akleg.gov>

Subject: Opposition to HB161

Senators of the resource committee

As a longtime resident hunter, trapper, fisherman, and consumptive user of Alaska's resources I am very concerned about the loss of opportunity for myself and family to participate in these activities as residents. Bills like HB161 further degrade a resident hunters opportunities to utilize Alaska's game as a food resource. HB161 offers up for sale big game tags that may be currently available for a resident user. These type of bills may not seem like top priority to many, however the lifestyle these activities afford my family both in tradition and resource use are one of the main reasons I remain a resident in our great state. My belief is that Alaskans should have first crack at game resources. They shouldn't be sold off to the top non-resident bidder in an effort to raise money for the state or private organizations. I would appreciate your consideration of my opinion, and focused effort on your part to oppose HB161. Please feel free to contact me if there are other avenues I should pursue to further my opposition of this bill.

Robert G. Fuller
3861 Winchester Lp
Anchorage, Ak. 99507-3989

From: Scott Luber
Sent: Wednesday, April 02, 2014 1:26 PM
To: Sen. Cathy Giessel
Subject: HB161- Please Oppose

Senator,

I would ask that you do not support HB161. This bill is unnecessary and in many ways wrong.

Please oppose.

Regards,
Scott Luber

Senate Resources Committee
Sen. Cathy Giessel, Chair
Testimony on CSHB 161
From: Mike Tinker, AWCA (as requested)
March 24, 2014

Sen. Giessel and Committee members, my testimony last Friday was from an outline only. I have re-created it as best I can remember for your use.

My name is Mike Tinker and I'm representing the Alaska Wildlife Conservation Association (AWCA). The organization began over 45 years ago and is a group of Alaskans, mostly in Fairbanks, with affiliations in other parts of the state. We work on resource issues, especially fish and game. This group has met weekly, year around, for over 40 years. We are businessmen, former legislators, retired managers from both the private and public sector and others interested resource and resource use issues.

To stop the divisive battle over "who gets the last moose", the AWCA did the footwork, research and original draft of the Intensive Management Law for wildlife management. Helping Alaskans get food from our wildlife resources was the goal. The result behind the concept of managing for more game on good habitat rather than hand wringing over small populations, is evident today in the high harvest rate. We brought you the clarification on the use of Alaska's referendum process prohibiting resource allocation by that method. Lastly, we've been on the spear point in the battle with federal agencies on regulatory and enforcement "overreach" for years. Working with Senator Murkowski and Congressman Young we brought out the first federal craziness against individuals both here and across the country.

We fight some of the battles you in government can't. We've created websites to fight the extreme positions of animal rights groups, anti-resource users and others who choose not to understand what's important in our special Alaskan lifestyle.

The department needs more money for management activities. That is the case on both the fish and wildlife sides of the program. We've always supported their activities and budgets with some reservations on the quality of the statutory annual reports and being able to follow where the funds were spent. These problems have not surfaced in recent years because the leadership, especially on the wildlife side, has put in considerable effort to comply. There are

more federal firearms and recreational tax dollars (from the Pittman-Robertson legislation) available to the department. They need to find matching funds to take advantage. In CSHB 161 the use(s) of the "new" income are sort of earmarked for education. Outdoor education is a good thing. However, some educational programs do not qualify for federal matching funds.

The gentleman who spoke for the Kenai Safari Club International was justifiably proud that they had raised "nearly a million dollars" for educational programs. Had they donated that money through the Fish and Game Fund, the department may have had \$4 million for their programs. It's all about priorities and protecting the ability to use money where it's needed most.

We hope you'll join us in helping the department find additional funding, but we caution that this legislation could do that in only a small way. Doesn't make it bad, just that we cannot sit back and think we've solved the funding problems.

I was one of the first instructors who signed on for the Becoming an Outdoor Woman workshops. It's a great program. It has been very effective in introducing women who do not have much outdoor experience to the out back and giving them the basic skills to hunt, fish, shoot, drive boats, and other outdoor activities.

When we look at draft legislation, we are looking to see if the language will get us to the desired product. That is, the effects of the change(s) should lead to the desired outcome. CSHB 161 has some gray area in this regard. The assumptions of the sponsors are not well identified and the new "formula" created to help with (especially) educational funding for the various fish and game public programs has not been tested to give us an idea of the result. In its original form the bill had several nice sounding references to concepts like the North American Wildlife Model which, fortunately, have been removed. Alaska's wildlife management process does not need to emulate any other. In many ways we are the world leader in understanding management and especially from the perspective of utilizing those resources. The legislature re-emphasized the priority for using wild game for food only a couple of years ago.

The language has been changed to include non-governmental organizations (NGO's) in a manner that allows the department to select. In original form it was not clear how the purpose of an NG organization qualified them for participation. Also, the need to raise the percentage of the "sale" of the permit(s) is assumed but not explained. I.e. The example of the dall sheep permit(s) "sold" by the Wild Sheep Foundation has brought in high dollar value (perhaps nearly a million dollars in aggregate over the years) but neither the Alaska Chapter of WSF nor the national organization has ever asked for more money. Why then the need to raise the kick back to 30%.

We'd like to see a bit more detail in both the "cost" of this program and an example of what it's expected to produce. Are we talking about new income in the thousands, tens of thousands,

hundreds of thousands, etc.? The “cost” to manage agreements and conditions with multiple NGOs is something-not zero. This bill needs an honest fiscal note. We don’t expect the management cost to be high, but it should be estimated. Supporters assume that additional funds would pour in. Our experience watching the sale of state permits at the national organizational level, such as at WSF, shows that a permit that can produce “the biggest trophy” brings the high dollar value. Additional permits for the same species are usually sold at much lower values. Adding additional permits through CSHB 161 would not likely bring in much revenue, especially for species such as black bear, goat, elk, wolf etc. Estimating a most likely scenario for given year’s permits could give the legislature and the department a glimpse of what they might get for new money.

CSHB 161 has improved with the continuing discussions between the sponsors and those concerned about the issues within. It would also benefit from an open hearing in addition to the “invitation only” discussion last week. We recommend that the estimate of what we stand to gain be completed before this legislation is passed into law.

Thank you for the opportunity to provide written input. Please have anyone with questions contact me at 907-322-2158.

Senator Dyson,

I am writing to you as a constituent living in Eagle River. I am deeply troubled by HB 161 concerning auctions and raffles for big game harvest, which is currently in the Senate Resources committee. I hope that as the Vice-Chair of this committee, you will take action to prevent this bill from reaching the full senate.

HB161 puts Alaska wildlife management on a very wrong path for Alaska hunters and those with a love for Alaska's wildlife resources. I apply year after year in a drawing for a once in a lifetime opportunity to hunt in specific areas or for specific species. This bill will allow an out of state hunter to buy that tag out from under me and every other Alaskan that would like the same opportunity. Many of the state's top hunts already give non-residents a better opportunity to hunt than residents. An example of this is the Kodiak bear hunts. A non-resident has a 30%-100% chance of drawing a tag, while a resident has a 1%-27% *chance of drawing the exact same hunting opportunity*. Representative Gattis has said that *"HB 161 does take permits out of the drawing pool; it does not take permits directly from Alaskan hunters. When a resident hunter enters into the drawing he has the same chance of winning a permit as a hunter from New York or Texas."* This is absolutely un-true for many of our coveted hunting opportunities. Unit 14C, right in our backyard, has separate sheep tags for residents and non-residents and as in the above example about Kodiak bears, non-residents have a much greater chance of drawing a tag. The Upper Eagle River drainage only allocates one tag to non-residents versus the multiple tags to residents. Call me cynical, but I've got a guess as to where the reduction in opportunity will occur.

The state does not need to sell out it's residents in order to raise a marginal amount of new funding. Further, I do not believe that flooding the auction market with twice as many permits will result in twice as much revenue. That argument does not hold up to the law of supply and demand.

I am also troubled by the fact that this bill triples the amount of money that the organizations get to keep when they auction one of Alaska's resources. During public testimony before the House, a representative of one of these organizations, Mike Crawford, was asked by Representative Tarr *"Mr Crawford, I'm just wondering, part of this discussion about the administrative burden for one of the nonprofit organizations and being more motivated to perhaps do more with the permits if you had a larger percentage of the proceeds. So would you be interested in support of legislation...just change that 10% to 30%?"* to which Mr. Crawford responded in the affirmative. My question is why do the residents of the State of Alaska need to provide three times as much motivation to these non-profit organizations for them to perform their stated goals of wildlife conservation?

In conclusion, I will propose that if the State needs additional funding for wildlife management I would fully support a resident tag fee. There were almost 29,000 black bear tags given to residents at no charge last year. If the State were to implement a \$5 tag fee, \$145,000 would be generated directly. In addition to that, the Federal Government would match that 3:1 with Pittman-Robertson funding. That \$5 fee generates \$580,000 for just one species. The state has only received \$460,000 from the auction process since 2009. As you can see, a resident tag fee

will provide a much larger benefit to Alaska wildlife resources than the auctions could ever hope to, without pulling the resources out from under the residents of this amazing State.

Please don't sell out our wildlife resources and hunting opportunities to out of state interests.

Sincerely,

Kyle H Jones
Eagle River, Alaska

From: Gary Gearhart
Sent: Wednesday, March 19, 2014 2:35 PM
To: Sen. Cathy Giessel
Subject: HB 161 Governor's Tags

Senator Giessel,

As President of the Alaska Chapter Safari Club International I am requesting your support for HB 161 Governor's Tags. This bill has just passed the House on a vote of 30 to 5 and will be heard by the Senate Resource Committee on Friday, March 21, 2014.

You will note that the bill has no fiscal note because there isn't any negative impact on the ADF &G budget. In fact right now most of the permits available under current statute aren't being used, and the ones that are bring in far more money to the Department than would otherwise be realized in the regular drawings the State conducts. We firmly believe that this legislation will increase revenues to the State. The Governor's Permit is already statute. HB 161 merely makes a few amendments to current language.

Last of all this legislation will not create a subsidy for any of our non-profits as the funds are restricted and can only be used on agreed upon projects between the non-profit and the Dept. for Conservation, conservation education and fish and wildlife protection. While the bill does increase the amount a qualified non-profit can keep (30% vs. 10%), it also requires the non-profit to consult with the Dept. and get an approved conservation project before any funds get spent. Basically that means if any of this money has match possibilities, we will still realize that match. Furthermore, unless a permit is granted, the permits granted under the general draw system produce no funds for the Dept., so there really can be no loss of revenue. Therefore, when a non-profit receives a permit and sells it for \$10,000, at the very least the Dept. would have \$7000 to use for a match and would gain money.

I would appreciate your favorable consideration for this bill when it comes to a vote.

Thank You,

Gary A. Gearhart
President
AK Chapt. SCI

From: Kit
Sent: Wednesday, March 19, 2014 10:57 AM
To: Sen. Cathy Giessel
Subject: HB 161

Senator Giessel

As an Alaska outdoors woman and Outdoor Heritage Foundation board member, I ask you to vote for HB 161 to support changes to help Alaska Dept of Fish and Game. Thank you.

Kathleen (Kit) Kennedy

From: Ken Taylor
Sent: Wednesday, March 19, 2014 2:10 PM
To: Sen. Cathy Giessel
Subject: HB 161

Cathy,

Please support HB 161 and recommend Do Pass from your committee this Friday.

Sincerely,

Ken Taylor

From: Mike Crawford
Sent: Saturday, March 01, 2014 6:33 PM
To: Rep. Mike Chenault; Rep. Kurt Olson; Rep. Paul Seaton
Cc: Sen. Cathy Giessel; Sen. Peter Micciche
Subject: HB161

Hello, my name is Mike Crawford. I am the Regional Representative for Safari Club International. I also serve on the board of directors and past President of the Kenai Peninsula Chapter of SCI. I have been a part of of this conservation organization for many years. I would like to express my support of house bill 161. Some of you know of all the great things that SCI does on the Kenai. We have worked with ADFG on many projects over the years. SCI and it's foundation SCIF have spent well over \$750,000 in Alaska on ADFG and SCI projects. This is not counting the money that the two chapters of SCI has spent in state on numerous conservation and education projects. We have been a partner for many years with ADFG. We are good at raising money for these issues. HB161 will help us help ADFG. We do not see ourselves as being greedy. We have a huge desire to work on conservation and education issues. SCI books are open. I have heard from one organization that certainly has failed to represent the Kenai that they think we are going to pad the books to keep this extra money. This is and never has been an issue. We raise money to spend on our mission. Our mission is clear. We are the leader of conservation and hunters rights here on the Kenai, Alaska, our nation, and the world. I am available for questions at any time. I am looking forward to my annual visit to Juneau this month on the 24-26 of March.

Mike Crawford
SCI Regional Representative Region 33
Alaska's Kenai Peninsula Chapter of SCI
(907) 252-2919



PO Box 2193
Palmer, AK 99645
(907) 841-0358

January 29, 2014

Representative Lynn Gattis
Alaska State House
120 4th St. Rm 420
Juneau, AK 99801

Dear Representative Gattis:

I would like to personally thank you for introducing HB 161 related to the issuance of Governor's Permits. This Legislation will accomplish two major goals of the angling, hunting and trapping public. First it will set the rate of return on the use of these permits at a level making them much more attractive to qualified non-profits. Right now the available tags are not all being used as the 10% return on their use to a non-profit isn't sufficient to warrant their use.

By increasing the percentage a non-profit may keep, more of them will participate thereby increasing the amount of available revenue to the conservation of our wild renewable resources. Furthermore, more interest will be given to these permits as the new language requires consultation between the non-profit raising the money and the Alaska Department of Fish and Game. This provision will hopefully give more alignment between concerned sportsmen and the Department on management issues.

The second issue of importance in HB 161 is the official definition of the North American Model for Wildlife Conservation. The issue of who manages wildlife in each state is coming to the forefront and this 100 plus year old model is coming under attack by federal agencies. Recently in a meeting between the Western State Directors of Fish and Game Departments and the United States Fish and Wildlife Service, the Directors were told that the Model was broken and the feds would be taking over. Worse yet, the threat of using the Endangered Species Act against states to get them to comply with this federal takeover was leveled by the Director of the USFWS.

HB 161 was discussed by the Legislative Outdoor Caucus Advisory Council a couple of weeks ago and the consensus was that it would be our primary goal that this legislation pass this year. Present at the meeting were representatives from the Rocky Mountain Elk Foundation, Ruffed Grouse Society, SCI Alaska Chapter, SCI Kenai Chapter and the Sportsman's Conservation Alliance PAC. Since that meeting I have been in discussions with my counterparts in the leadership of the NRA from Fairfax, VA and they are supporting your bill also.

Nationally, aside from the NRA, I am also working with the National Assembly of Sportsmen's Caucuses and the Wild Sheep Foundation to counter the increasing federal overreach into the states' traditional role as the lead manager of our fish and wildlife resources. Your bill will help solidify our commitment to upholding the North American Model and the primacy of state management.

If there is anything I can do to assist you in the passage of this landmark bill, please do not hesitate to call on me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eddie Grasser".

Eddie Grasser
SCI Vice President
Chair SCI Gov't Affairs Committee on State Affairs

cc: House Resources Committee Members
Legislative Outdoor Heritage Caucus Members

February 17, 2014

Alaska Chapter SCI
PO Box 770511
Eagle River, AK 99577
(907) 980-9018



Representative Eric Feige, Co-Chair
Representative Dan Saddler, Co-Chair
House Resources Committee
Alaska State Capitol
Juneau, AK 99801

Dear Reps Feige & Saddler:

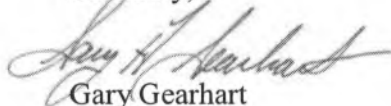
I am writing in support of HB 161 related to the issuance of Governor's tags for big game hunting. SCI Alaska Chapter is a leading advocate for hunters here in Alaska and is the leading SCI Chapter in the world. The Alaska Chapter has been standing first for hunters in Alaska for over 38 years and was the leader in defeating anti-hunters in their attempt to stop bear hunting and predator/prey management at the ballot box.

HB 161 improves the statutory provisions enacted under the able direction of Senator Con Bunde and provides for a more likely scenario for the tags to be used and therefore generate revenue for Alaska Department of Fish and Game (ADF&G) conservation and recruitment and retention education programs. By increasing the percentage rate from 10% to 30% and providing for consultation requirements between the ADF&G and the non-profit a permit was issued, there is far greater chance that this program will achieve the results desired in the original legislation.

Conservation has always been primarily provided for by hunters. Since its passage in 1937, the Wildlife Restoration Act, or Pittman-Robertson (PR) Act has accounted for billions in aid from sportsmen to wildlife. HB 161 is a logically next step in that storied legacy giving hunters an opportunity to increase the amount of revenue available for wildlife conservation programs that will benefit all Alaskans.

It is our understanding that the Advisory Council to the Legislative Outdoor Caucus has made passage of HB 161 a priority and has asked Caucus Members to support that effort. SCI Alaska Chapter adds its voice to that request and respectfully asks that the members of the House Resources Committee move this legislation out of committee at its earliest convenience. Thank you for your time and consideration on our request.

Sincerely,


Gary Gearhart
President

cc: House Resources Committee Members

SCI's Top Gun Chapter



Legislative Outdoor Caucus Advisory Committee
PO Box 4752 ♦ Palmer, AK 99645
(907) 841-0358

April 3, 2013

Representative Dan Saddler, Co-Chair
House Resources Committee
Alaska State Capitol
Juneau, AK 99801

Dear Representative Saddler:

The members of the Legislative Outdoor Heritage Caucus (LOHC) Advisory Council are solidly behind HB 161 and would encourage you to consider co-sponsoring this legislation. HB 161 would amend current statute governing the issuance of big game tags as Governor's Permits and would regulate how they are used. The proposed changes would enhance the Alaska Department of Fish and Game's funding, as well as those non-profits engaged in the wildlife conservation related to hunting and trapping.

The Advisory Council (AC) was formed a couple of years ago as part of an initiative by the National Assembly of Sportsman's Caucuses to form support for the various state caucuses. In Alaska the AC consists of major supporters of the Outdoor Heritage Foundation which supports the LOHC through various means such as its sponsorship of the recent Legislative Shoot. The current members are SCI Alaska Chapter, SCI Kenai Chapter, Kenai River Sportfishing Assoc., Ruffed Grouse Society, Rocky Mountain Elk Foundation, National Rifle Assoc. and the Alaska Bowhunters Assoc. The Chair is the sitting President of the Outdoor Heritage Foundation.

Member groups of the AC are strong supporters of the North American Model for Wildlife Conservation and believe that the provisions in HB 161 will greatly afford the State, the Department and many sportsmen's groups an opportunity to further strengthen the relationship between hunters and the ADF&G as proscribed by the Model. The AC would very much appreciate your serious consideration of this legislation and are hopeful that you will join fellow Caucus Members Representatives Mark Neuman, Mia Costello, Lindsey Holmes, Shelley Hughes, Craig Johnson, Charisse Millett, Cathy Munoz and Peggy Wilson in co-sponsoring this legislation.

Thank you for your time and consideration on our request.

Sincerely,

A handwritten signature in black ink, appearing to read "Eddie Grasser". The signature is written in a cursive style.

Eddie Grasser
Chair

Support - J. Hall

Trevor Fulton

From: Jerry Hall <halldixn@mtaonline.net>
Sent: Tuesday, April 09, 2013 8:34 PM
To: Jerry Hall
Subject: HB 161

Dear Representative's,

I'm writing to ask you to support HB 161. It's time for a change to allow qualifying non-profit organizations a little more profit for the Governors Big Game permits. At present the non-profit only gets 10% and the State 90%. The proposed 25% to the non-profit and 75% to the State would be a better split so the non-profit might be able to market the permit more seriously.

My organization, typically does not encourage their members to get into political actions so as an Individual I'm asking for your support on HB 161

Thanks for your consideration,

Jerry R. Hall

2301 N Loren Circle

Wasilla, AK 99654



Representatives Eric Feige and Dan Saddler
Alaska State House
Juneau, AK 99801

February 24, 2014

Dear Representatives Feige and Saddler:

Thank you for chairing the committee that is reviewing HB 161 regarding big game auctions and raffles. This is a letter in support of that bill. I currently serve as the president of the Devils Thumb Archers, a non-profit organization in Petersburg, Alaska. You've heard previous testimony about this bill from some large national organizations; in contrast, Devils Thumb Archers membership hovers between 30-40 individuals and their families, and we are all Alaskans. Most members are from Petersburg, but we do have members from Wrangell, Edna Bay and Prince of Wales Island.

The Devils Thumb Archers have applied for and received an elk tag from the Etolin Island herd to be used as a fund raiser for over 10 years under present state law. The proceeds from the tag represent the main annual income for our organization. Funds generated from the tag are used to purchase youth bows and arrows, targets, and trail construction and maintenance materials. Funds raised with this tag are generally in the \$1000 to \$2000 range per year. I support HB 161 because it retains the opportunity for up to 4 Etolin elk tags to be donated to a non profit, and allows the non profit to keep 100% of the proceeds from the auction or raffle.

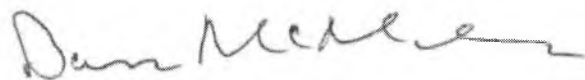
Though our organization is small it does some big things. Our members include ADF&G hunter safety volunteer instructors for both firearms and archery certification. The bowhunter certification field test takes place at our field facility. Annually, our members guide visitors along the 1 mile long boardwalk and provide basic archery instruction using equipment purchased with funds from this tag. Boy scouts, girl scouts, elementary, middle and high school students visit our range and course annually, and are guided and instructed by members in the basics of archery. After safety, educating visitors in the outdoor tradition of archery is the primary objective of our volunteers when guiding these groups.

During the 10+ years that our organization has been raffling the elk tag, each year the tag has been awarded to an Alaskan resident. We don't exclude non-residents from the raffle, and we have had inquiries about the tag from as far away as Texas and Pennsylvania and New York, but our primary sponsors have been Alaskans. Winners of the tag have come from Ketchikan, Prince of Wales Island, Edna Bay, Wrangell, Petersburg, Kupreanof and Fairbanks.

I support HB 161 regarding the opportunities for auctions and raffles and Etolin Island elk. I also support HB 161 because it provides a way to fund small non-profit organizations that are interested in outdoor traditions, conservation and wildlife.

If there are any questions, or if there is anything I can do to help in the passage of this bill please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Dan McMahon". The signature is written in a cursive style with a long, sweeping underline.

Dan McMahon
Devils Thumb Archers, President
PO Box 1513
Petersburg, AK 99833
907 518 1145



of Alaska

Conserving Alaska Preserving Traditions

PO Box 4752
Palmer, AK 99645
(907) 745-6166
FAX: 745-6175

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April 2, 2014

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Joe Schuster

Ken Taylor

The Honorable Cathie Giessel, Chair
Senate Resources Committee
Alaska State Capitol
Juneau, AK 9801

Dear Senator Giessel:

I am writing to inform the Senator Resources Committee that the Board of Directors of the Outdoor Heritage Foundation of Alaska (OHFA) strongly support HB 161 as written. I would like to also bring to your attention that the OHFA Board consists of 4 current or past leaders from the Alaska Department of Fish & Game as well as Senator Con Bunde who was the original sponsor of the Governor's Permit legislation.

The OHFA support this legislation primarily because we fully understand the value of education as it relates to the future of Alaska's outdoor traditions. In that regard, the debate over HB 161 basically revolves around two different viewpoints. One believes putting all the money we raise toward wildlife conservation. The other believes we have to do more to save wildlife conservation and its associated traditions which would include comprehensive educational efforts.

I would submit that those who believe we can save wildlife conservation efforts by simply allocating more funding to that effort haven't been paying close attention to the transformation of American Culture in the past century. Early in the last century America was still a rural culture with close ties to the land and traditions such as hunting and fishing. Since then, Americas has become primarily an urban culture with the transformation intensifying in the past couple of decades due to new ways of communicating.

We have seen the effect of urban acculturation over the past several decades where surveys conducted by the U.S. Fish & Wildlife Service (USFWS) every five years indicated a decline in the sale of licenses for hunting and/or fishing. According to research much of the decline occurred due to changes in child rearing and especially play habits. Where once kids all went outside to play, they now choose to stay indoors and play computer games. This phenomenon was brilliantly highlighted in author James Louv's book "Last Child in the Woods" and has since been substantiated in an increasing body of research.

HB 161 gives those organizations who believe that more than just funding conservation is needed to save wildlife resources and those traditions dependent upon those resources. It also provides an avenue for non-profits interested in those resources and the dependent traditions a chance to raise money without coming to the legislature for an appropriation as

many non-profits do. The OHFA hopes this committee sees the value in supporting that effort and understands the importance of education programs to the overall sustainability of wildlife conservation and traditions like hunting and fishing those conservation efforts support.

It may be that there will be some diversion of funds that thereby effects our ability to match federal P-R funding, but think about the fact that if the traditions of hunting and fishing fade away, there will be far less funds available to match P-R funding due to the fact that few if any people would be buying licenses. Societal trends in American culture over the last 100 years strongly suggest that possibility. It was such a concern to state fish and wildlife agencies and major sporting groups that a national effort was organized over 15 years ago to put more emphasis on recruitment and retention programs. That effort has worked and the decline in sales of licenses and tags has rebounded with the last 5 year survey conducted by the USFWS showing an increase in sales across the country, including Alaska.

HB 161 is in our opinion a necessary step if we are to save those traditions that make Alaska unique. It is a step toward creating and sustaining a vision that much more needs to be done if we are to retain remnants of America's rural culture. We hope this committee shares that vision.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eddie Grasser".

Eddie Grasser
President

Members of the Senate Resource Committee,

My name is Brian Mason. I am a lifelong Alaskan resident, an avid hunter who provides the substantial majority of my family's protein intake from wild sources, and the website administrator for Alaska Outdoors Directory. As the largest website on the internet focused on Alaskan Hunting, I am in a unique position to observe trends and public sentiment on a variety of issues that affect Alaskan hunters. To put it succinctly, there is much concern among Alaskan resident hunters about HB 161. While its stated goals are laudable, as the details of the bill have emerged and been debated it has become increasingly clear that this will potentially harm both resident opportunity and funding for ADF&G while also raising Constitutional issues.

Opportunity: In early statements in support of HB 161 it was claimed that this bill would not reduce resident opportunity. This was later clarified to state that the reduction in opportunity would be small and that since residents and non-residents have equal chance in the drawing for coveted permits, the reduction in opportunity would be borne equally by all hunters. This is patently untrue for many of the hunts from which permits will be reallocated by HB 161. While residents and non-residents may apply for the same hunt areas, for sheep and brown bear they are most often separated into separate pools for the drawing. The resident and non-resident applications are given different hunt numbers, and each hunt number has its own fixed allocation. In all cases, the result is that non-resident applicants already have far higher odds of drawing a permit under current law, as there are fewer applicants per permit. Under HB 161, it is not stated where the allocation will come from when permits are awarded to organizations for auction/raffle. For example, if an organization were awarded a hunt from Ship Creek in 14C and the permit was thereafter purchased by a non-resident, would the allocation be reduced from the resident pool (hunt DS 136), or from the non-resident pool (hunt DS 236)? Given that only a single non-resident tag is allocated for this area for each season, it is hard to imagine that the non-resident allocation in the drawing would be zeroed out. As such, the residents of Alaska would bear the reduction in opportunity. Even though that reduction would only directly affect one hunter per permit allocated, it is hard to argue that such a reduction is insignificant for these most treasured of once-in-a-lifetime opportunities. Simply put, we're being asked as residents of Alaska to sell our own chances at hunting in the state in which we live for a very uncertain, loosely defined potential benefit.

Funding: There are two issues of concern here – how best to fund ADF&G's mission and whether this bill will in fact increase funding for the Department. With regards to ADF&G funding, I strongly believe that we need to pay our own way through a nominal increase to license fees and a small per-tag fee on harvest tickets. The State of Alaska has not increased our license fees since 1993. In the meantime, the consumer price index has increased substantially. According to the Bureau of Labor Statistics, the current license fee of \$25 in 1993 dollars would need to be replaced

by \$40.62 today to have similar purchasing power. Needless to say, our Department cannot be expected to be able to do the same work year after year when their funding from license and tag fees has not kept pace with inflation. We can easily address this by raising our non-resident fees to match those of other Western states (we currently are significantly cheaper than other states with huntable sheep, goat, and moose populations) and by contributing a small amount as residents. After all, part of the Alaskan ethic is taking responsibility for our own needs – in this case we have been sorely derelict.

More specific to HB 161, it is far from certain that it will result in increased funding to ADF&G. Beyond increasing the amount that organizations can keep for expenses (from 10 to 30%), this bill increases the supply of permits substantially. This will almost certainly reduce price, as with increased supply there will be less incentive to outbid the small amount of competitors for such permits. The price per permit will almost certainly fall, and coupled with the reduction in the percentage kept by ADF&G, the overall result could very well be reduced funding for wildlife management rather than the increase sought by HB 161,

Constitutional Issues: As noted in the HB 161 legal memo 20140328 posted on the Legislature's website, this bill also raises substantial Constitutional concerns. I won't restate these in detail here, but upon review of the legal memo it is clear that there is reason to believe that the Constitution's Equal Protection, Common Use, and Uniform Application clauses will be violated by HB 161.

I urge members of the Resource Committee to deny passage of HB 161. While its goals are laudable, the details will actually harm resident opportunity while falling short of its aim of increasing funding to ADF&G. There are other means for adequately funding our Department, and I encourage you to explore those options in the future. Thank you.

-Brian Mason
Eagle River, Alaska

Corine Hickey

PO 870342
Wasilla, AK 99687
907-232-5151

March 11, 2014

Outdoor Heritage Foundation
ATTN: Eddie Grasser
PO box 4752
Palmer, AK 99645

RE: BOW Winter Workshop March 7-9, 2014

To Whom It May Concern:

This past weekend was my first time ever attending a Becoming an Outdoor Woman (BOW) workshop. After experiencing this winter weekend at Victory Bible Camp, I feel I must write to your agency to express my feelings.

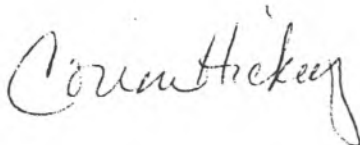
First, I would like to give a giant "Thank You" to everyone that organized the event. It was the most fun I have had in years. It was a pleasure to meet so many positive and helpful woman (and a couple of men) in one place.

The weekend was full of excitement and education for me. I experienced events I had never done in my life, such as shooting a shot gun and a bow and arrow to tasting dutch oven cooking and wild edible plants. Every class inspired me to want to learn and experience more of what I just tried.

The coordinators, staff, and instructors were all very knowledgeable, encouraging, and helpful. They created a fun, exciting, positive environment that left me wanting to experience more of our great outdoors. The prizes, handouts, books, and even a clay target will forever bring me wonderful memories.

From the drive to the breathtaking camp to the final session of the program, I will be forever changed. I am very grateful to have had the privilege to attend this event and I am looking forward to next year. What a great program and it is my goal to bring a few friends with me next year!

My sincere thanks,



Corine Hickey

From: Dave Madden

Date: April 1, 2014 at 8:40:09 PM AKDT

To: "Senator.Cathy.Giessel@akleg.gov" <Senator.Cathy.Giessel@akleg.gov>

Subject: Hb161

I urge you to read this bill carefully and vote against it. It will do more harm than good!!

Dave Madden

Sent from my iPhone

From: Robert Howard

Date: April 1, 2014 at 5:07:51 PM AKDT

To: <Sen.Cathy.Giessel@akleg.gov>, <Sen.Fred.Dyson@akleg.gov>, <Sen.Peter.Micciche@akleg.gov>, <Sen.Click.Bishop@akleg.gov>, <Sen.Lesil.McGuire@akleg.gov>, <Sen.Anna.Fairclough@akleg.gov>, <Sen.Hollis.French@akleg.gov>

Subject: HB161

Dear Senators,

My family and I, long time Alaskans, heartily oppose HB 161 and ask that you reject this funding concept altogether.

Robert Howard
Palmer, Alaska
907-745-0868

From: Mel & Alana
Sent: Tuesday, April 01, 2014 4:49 PM
To: Sen. Peter Micciche
Subject: HB161

I do not support HB161 and urge you to not pass this bill. Please include these comments in the document package.

Regards,
Melvin Roe
Kodiak, Alaska

From: Dave Lyon

Date: April 1, 2014 at 7:39:32 PM AKDT

To: "senator.cathy.giessel@akleg.gov" <senator.cathy.giessel@akleg.gov>

Subject: HB161

Dear Senator,

As the Chair of the Homer fish and game advisory committee, and a twenty year hunter of big game in Alaska, I must write you in objection to the passage of HB161, the governors tag bill. This legislation is unneeded, addresses a nonexistent "problem", and in no way benefits Alaskan hunters as a group, or the state as an entity.

This legislation proposes to reduce available big game tags to all hunters for the benefit of a very few organizations. The argument that more tags will somehow increase the value of tags at auction, and thus result in more monies generated to our department of fish and game not only flies in the face of supply and demand, but with the addition of a "special" governor's tag the proceeds of which go 100% to the auctioning organization becomes a farcical statement.

This entire legislation not only reeks of the privatization of our public wildlife resources, but also of the attitude of "the King's deer", a concept we left behind with the foundation of this nation. Alaska is, as we so often mention an "owner state", with the wealth of our resources being held for the public in the public trust. It is NOT a state where the ownership of the public trust has been transferred to our elected officials, no matter what they may think.

Should more monies to fish and game management be the true goal of this legislation, which seems dubious, real consideration should be given to an increase in license and tag fees. This solution is far more palatable to the public than the pimping of coveted big game tags to the rich. On behalf of the Homer AC and all Alaskans I urge you to reject this bill in its entirety.

Dave Lyon

Chair, Homer F&G advisory committee

Please see that this testimony is added to the record

Sent from the home office.

From: MC

Sent: Tuesday, April 01, 2014 9:52 AM

To: Sen. Cathy Giessel

Cc: Sen. Fred Dyson; Sen. Peter Micciche; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French

Subject: Re: HB161

On Mar 31, 2014, at 12:11 PM, MC wrote:

> Dear Senators,

>

> I am opposed to HB 161.

>

> Non profits advocating for modification of the governors tag program as it exists today declared their "cost" associated with auctioning of tags as the rational basis for amending the existing legislation and why many of the available tags have not been utilized (auctioned) in recent years.

>

> It is more than reasonable to conclude that authorizing non profits to auction more tags and now monitoring of the proposed program by the Department is not going to be '0' cost.

>

> A fiscal note attached to the proposed legislation must be considered a legitimate part of the deal here should it not?

>

> Even then this program will not solve any financial problem for the Division. Especially not when 100% of the proceeds for the revenue for a tag is retained by a special interest organization. Not to mention the fact that the proposed 100% tags are the most sought after tags by resident hunters and will more likely than not will end up in the hands of non resident hunters...year after year after year.

>

> If in your collective wisdom you feel something needs done NOW then regroup. Go back to the beginning and consider simply limiting an amendment to include NO increase in the number of tags and only authorizing a non profit to retain 25% of the proceeds from the existing governors tag program. It seems then, there is more likely to be an increase in revenue to the Division and the original concern non profits have with their costs associated with the auctioning of a tag is no longer an issue.

>

> Mike McCrary



Outdoor Alaska



The Official publication of the Alaska Outdoor Council and Alaska Fish & Wildlife Conservation Fund.
"Protecting your hunting, fishing, trapping, and outdoor heritage since 1955"

Volume 21, Issue 2

www.alaskaoutdoorcouncil.org

Winter 2013-14

Sharing the Burden of Conservation, Whose harvest gets cut when harvestable surplus is low?

By Rod Arno, Executive Director for AOC

Upcoming Events

Annual Anchorage Banquet & Fund-raiser
Egan Center
Anchorage, Alaska
Saturday - February 15, 2014

AOC Annual Meeting & Awards Banquet

Anchorage, Alaska
March 13-15, 2014

MAT-SU Outdoorsman Show Wasilla

Curtis D. Menard Memorial Sports Center
MARCH 21st, 22nd, & 23rd

The Great Alaska Sportsman Show

Sullivan & Ben Boeke Arenas
1600 Gambell St
Anchorage, Alaska
March 27 - March 30

WE NEED VOLUNTEERS.

contact:
president@alaskaoutdoorcouncil.com

It's during times of low abundance of fish stocks or game population that this questions gets asked. It's not like the questions has never come up in Alaska before. The framers of the Alaska State Constitution were acutely aware of fish and game allocation battles when they sat down to draft the constitution. A commercial fisheries trap in the mouths of major salmon producing rivers was on everyone's mind.

The constitutional framers of the 50's made a couple things clear regarding renewable resource management and allocation in Article VIII, Natural Resources of the Alaska State Constitution;

1. Fish and game were commonly owned by all Alaskans. Section 3 - Common Use

2. Fish and game will be maintained on the sustained yield principle, subject to preferences among beneficial uses. Section 4 - Sustained Yield.

When cuts in fish and game harvest are necessary to ensure sustainability there is a clear order in state law as to who gets their harvest reduced. The state Legislature has determined which uses of fish and wildlife are the most beneficial to Alaskans; subsistence uses. Subsistence harvest has a priority



Pam Iverson - Red salmon on the Kenai

over all other uses and is only cut when sustained yield of the fish stock or game population is threatened and all other uses have been restricted.

In the regulatory process regarding the harvest of fish stocks the legislature created an **allocation criteria**, AS 16.05.251(e), for the Alaska Board of Fisheries (BOF) to consider when deciding whose harvest gets cut. The BOF adopted their own findings (91-129-FB) based on this criteria to determine whose uses are the most beneficial among commercial fisheries, personal use,

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Presidents Message

By Bill Iverson, AOC President

I attended the U.S. Fish and Wildlife Services Public Hearing on the Kenai National Wildlife Refuge 2013 Emergency closure of brown bear hunting this fall, to all but federally qualified subsistence hunters. What a joke. Here goes the Feds overstepping their reach again. The odds of the Services changing their direction are very remote, even though the testimony was almost all against the closure. The notice of the Anchorage meeting was hardly known about even though the Services were at the local AC meetings within the past couple weeks and said nothing of this public testimony announcement. They didn't want us to show up. The Anchorage meeting, on November 21st, had hardly any attendance except by the anti's, who somehow got notice. AOC didn't find out about it until that afternoon so we concentrated on the Soldotna meeting. There were 100 people that showed up at that meeting on November 25th in Soldotna.

Over 40 people testified, and all but a few were against the closure. Amongst them were Doug Vincent-Lang Director, Division of Wildlife Conservation of the Alaska Department of Fish and Game (see Director Lang's testimony in the newsletter) and Ted Spraker of the Board of Game (BOG), who both gave great testimony. I gave testimony as well and it was received well from the crowd.

There seems to be a huge divide between the Service and those who attended the meeting. The Services goal is to continue to growing the bear population whereas the rest of the majority of the room wanted to reduce the number of bears on the Peninsula. The Services had graphs showing just that.

There was testimony from their experts that at the present course the bears would be extinct within 25 years. What kind of scare tactics are these. The BOG, or as far as that goes AOC, would ever allow that to happen. We are first and foremost true conservationists, but as with all species we need to keep a balance. With man being the only species that can do that, it is up to us to maintain that balance. Hunting interest on brown bears will slow as the local hunters get one for the wall or floor and decide one is enough.

It is generally agreed on that the old estimated number of bears on the Kenai Peninsula (250) was way low but most agree that the formula used to come up with the new number is also suspect. Of the 211 bear hair samples taken, 5 were from the approx. 35 tagged bears known to be on the refuge. Using simple math, if only 5 out of 35 bears got sampled then the bigger picture should hold true. So if you divide 35 by 5 you get 7 for the multiplier. 7 times their 211 sample gets you to 1477 bears, a far cry from their 624 number. Even that by some estimates is way low. Anyone wanting to comment on this need send them to Kenai National Wildlife Refuge at kenai@fws.gov or fax to (907) 262-3599.

Well it is another year and time to get ready for our Annual Anchorage Banquet on February 15th at the Egan center. Also the Annual meeting on March 14th & 15th at the Clarion Suites Downtown.

See center spread with info.



Bill with this years moose - 51" rack



We have more challenges to our outdoor rights daily.

Banquets

Thank you to all who volunteered, contributed to and attended the Banquets around the state. Without your help we would not be able to represent you.

Interior Airboaters Association has outdone themselves again with more large donations to AOC, to the Fairbanks banquets. Thank you very much.

Donations and volunteers

Anyone who would like to help with any of our banquets or sports shows please contact me. We still need donation of items for each of our banquets, so if you have that item sitting around your home, that you could part with, we could re-purpose it to a new user and help support AOC.

AOC Supporters

I would like to stress the importance of you supporting the Sustaining Business Members and Advertisers in this newsletter. They have committed their time and reputation by aligning the names with AOC and deserve acknowledgement of their commitment to Alaskan's. By you frequenting their business it shows them you care.

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Executive Director Report

Rod Arno, Executive Director Report



Gaining Momentum

Persistence pays off, the Joint Boards of Fisheries & Game voted unanimously to strike "rural" from the regulation and definitions governing subsistence uses at the Fall 2013 Joint Boards meeting. Just in time to celebrate the 25th anniversary of the Alaska Supreme Court decision, back in 1989, determining that the

rural qualification was in violation of the Common-use clause enshrined in the Alaska State Constitution.

Amazing, that while the unconstitutional rural subsistence priority lasted in state regulation less than 10 years it took 25 to get it out. Thanks to Board of Game members, Teresa Sager Albaugh, and Pete Probasco for making, and seconding the motion to adopt the AOC proposal.

Another major victory for AOC was the willingness of Governor Sean Parnell to elevate the *State of Alaska v. Sally Jewell, U.S. Sec. of Interior* Appeal to the U.S. Supreme Court. AOC's litigating arm the Alaska Fish & Wildlife Conservation Fund has been a Plaintiff-Intervener in this suit since it's filing in 2010. This appeal to the US Supreme Court could lay to rest the issue of whether or not the U.S. Secretary of Interior can establish the existence of federal reserved water rights over navigable waters in Alaska by rulemaking. This case revives the *State of Alaska v. The Sec. of Interior, Bruce Babbitt* suit which was dropped by then Gov. Knowles 1995. This has led to a decade of federal overreach on Alaska management authority that was granted the state at statehood by Congress. It will be good to finally get this jurisdictional question resolved by the US Supreme Court. Fourteen Western States who realize the importance of this decision regarding their water rights have joined Alaska as Amici Curiae supporters of the petition.

On yet another front AOC continues to pursue equal opportunities to hunt during times of abundant harvestable surplus in the Copper River Basin. The Board of Game and their legal counsel, the Alaska Department of Law, have tried their best for years to circumvent the state subsistence law by adopting a community subsistence hunt. That hunt continues to frustrate both hunters and ADF&G managers. Unequal hunt conditions giving advantages to groups of hunters over individuals during times of harvest above amounts necessary for subsistence should not go unchallenged. Oral argument before the Alaska Supreme Court on appeal of the lower court's ruling allowing the community subsistence hunt to continue was heard December 10, 2013. A Supreme Court decision on the appeal should be coming within the next year and a half.

AOC staff has been working with DNR and the governor's office

over the last 6 years to promote 17(b) easements through private Alaska native's lands to public lands beyond. DNR has been actively mapping these access corridors which were guaranteed by Congress with passage of the Alaska Native Claims Settlement Act back in 1971. The Governor's budget includes funds to construct a number of parking areas along public roads marking some highly used 17(b) easements. AOC hopes knowledge of the locations of these easements will lead to reductions in trespasses on to private native lands.

AOC staff has spent years attending public meetings, and advocating for Alaskans, with federal land managers and watching our opportunities to access publicly owned resources diminish over 60% of the state under federal management. Recently AOC staff and board members have become quite pleased to witness a ground swell of interest by legislators, regulatory boards' members, and some of the public in the current level of overreach by federal land managers into Alaska's authority to manage and allocate public resources. Governor Parnell and department staff in ADF&G, ADNR, and the Attorney General's office have taken a much more aggressive stance on actions taken by federal agencies, from bear hunting closures on the Kenai U.S. Fish & Wildlife Refuge to policies dealing with management of the Arctic region. Momentum is building in the state to defend Alaska's authority to manage public resources, like all other States get to. AOC is grateful for that.

AOC continues to advocate for conservation and fair allocation of Alaska's renewable fish stocks and game populations for the benefit of its citizens. Every additional AOC member adds to AOC's clout in the regulatory and legislative process. Please join up.

Upcoming BOF meetings

January 7-11 2014 Kodiak Finfish
[5 days] Kodiak Harbor Convention Center

Jan. 31-Feb. 13 2014 Upper Cook Inlet Finfish
[14 days] Egan Civic Center

March 17-21 2014 Statewide King and Tanner Crab (except Southeast/Yakutat), and supplemental Issues
[5 days] Sheraton Anchorage

Upcoming BOG meetings

January 10-13 2014 Arctic/Western Region Meeting
(Game Management Units 18, 22, 23, and 26A)
[5 days] National Guard Armory, 605 3rd Avenue, Kotzebue, Alaska

February 14-23 2014 Interior Region Meeting
(Game Management Units 12, 19, 20, 21, 24, 25, 26B, and 26C)
[10 days] Alpine Lodge, 4920 Dale Rd, Fairbanks, Alaska

Conservation - Continued from Page 4

sport, and guided sport. The criteria contains 7 factors for board members to consider each time they are adopting regulations that cut any user groups allocation of the allowable harvest.

The big unanswered question is who is responsible for providing the allocation criteria data to board members before they deliberate on proposals that will cut a user groups share of the total allowable harvest? The Alaska Department of Fish & Game (ADF&G) is the only agency that can provide the number of participants in each personal use, sport, and commercial fisheries to the board members. ADF&G also has the best data regarding any alternative fisheries resources that would be available to a user group who had its allocation cut.

But who is responsible for telling the board the importance of each fishery for providing residents the opportunity to obtain fish for personal use and family consumption? Or the importance of each fishery in providing recreational opportunities for residents and nonresidents? It seems reasonable that data can only come from the public facing a cut in their fish harvest. If the board doesn't hear from individuals, fishing groups, or Fish & Game Advisory Committees how will they know the value of these factors? They won't, that's why the board process allows days of oral public testimony and written comments to be submitted on each proposal submitted.

Two of the seven allocation criteria relate to the economics of the fishery. That's a tough one, who can the board trust to bring that data to the board? Are independent economic surveys, ADF&G, Department of Commerce, industry sales data, or testimony by individuals a reliable source? Does the highest monetary value of the fishery win out? How about the monetary value per fish? How does the board measure the value of fish to someone's food security?

The history of the fishery and whether its harvest is going to the highest beneficial use to the state seems to be the factors most often applied by past boards when circumstance requires a cut in any user group's harvest.

Because of a number of fish stocks not meeting their escapement goals in Upper Cook Inlet the BOF, starting next January 31st in Anchorage, will determine whose salmon harvest is going to get cut in the most diverse, heaviest fished drainage in Alaska. If you fish in Cook Inlet you will want to let the board know your desires to harvest salmon commercially, for personal use, or for recreation. Your continued opportunity to harvest salmon in Cook Inlet may depend on your input.

Now on the game side there is no set allocation criteria other than subsistence use, which trumps all other uses. At the Interior Region Alaska Board of Game meeting, starting February 14th in Fairbanks, the board will be addressing Dall sheep allocation between residents, nonresidents, guided, and hunting with next of kin. Sheep hunters will want to comment on those proposals. There appears to be a much higher demand to harvest sheep than there is harvestable surplus these days.

The open to the public Boards of Fisheries & Game works, but whether or not your preferred use gets a share of the harvest depends a lot on your participation in the process.

Alaska Board of Fisheries - finding #91-129-FB

Mike Martin, former Chairman, Alaska Board of Fisheries

ALLOCATION CRITERIA

The Alaska Supreme Court recently issued a decision, Peninsula Marketing Association vs. State (Opinion No. 3754; dated September 20, 1991), regarding the application of the allocation criteria found in AS 16.05.251 (e). The Court interpreted the statute to require the criteria to be considered when allocating between commercial fisheries as well as among the three user groups, commercial, personal use, and sport.

Consistent with the decision of the Court, the board finds that it will utilize the following specific allocation criteria when allocating between fisheries. Note that these criteria are essentially the same as the allocative criteria specified in AS 16.05.251 (e), which the board has historically used as set out in 5AAC 39.205, 5AAC 77.007, and 5AAC 75.017.

- 1) The history of each personal use, sport, and commercial fishery,
- 2) The characteristics and number of participants in the fisheries;
- 3) The importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption;
 - 4) The availability of alternative fisheries resources;
- 5) The importance of each fishery to the economy of the state;
- 6) The importance of each fishery to the economy of the region and local area in which the fishery is located;
- 7) The importance of each fishery in providing recreational opportunities for residents and nonresidents

Note that all seven (7) criteria do not necessarily apply in all allocation situations, and any particular criterion will be applied only where the board determines it is applicable.

Adopted: November 23, 1991

Vote: (Yes/No/Abstain/Absent) (5 /O /O /2.) [Absent: Robin Samuelson, Tom Elias]

Location: Anchorage International Airport



Alaska's Sheep Management – catching the interest of sheep hunters throughout North America

By Tony Kavalok Asst. Director, Div. of Wildlife Conservation, Alaska Dept. of Fish and Game

Alaska is recognized as the jurisdiction with the most sheep hunting opportunity in North America. As is the case everywhere though, the demand for sheep hunting surpasses supply. For this and other reasons, Dall's sheep in Alaska have been getting more attention from ADF&G in recent years. This has been due to several factors including the increasing number of sheep-related Board of Game proposals, more vocal public interest in sheep management, and direction from division leadership to address concerns from the public. Many of the sheep regulation proposals have been recurring with each Board cycle with some of the same proposals submitted to each of the four "sheep" regions (Regions II, III, IV and V). Some proposals suggest major shifts in allocation while others opt for changes to hunting seasons, bag limits, and sealing (horn plugging) requirements. Hunters, guides and others have told us they want to see the agency spend more time addressing sheep issues. These factors have influenced recent Board direction and the department's increased support of sheep research and management programs.

Examples of recent work includes Tom Lohuis' project to evaluate lamb survival and ewe condition in the Chugach Mountains as well as Steve Arthur's survival and movement project in the Brooks Range. This increased emphasis on sheep has been noticed by people interested in sheep in Alaska, including non-resident hunters from the lower 48 and elsewhere. DWC biologists have been attending the Northern Wild Sheep and Goat Council professional meetings for a number of

years, but for the last 5 years the department has been sending two or three staff to the Wild Sheep Foundation (WSF) Convention. Biologists and other staff also occasionally attend other events such as the Grand Slam Club /Ovis (GSCO) Convention and the Western Hunting and Conservation Expo (SFW event). We attend these events to support national sportsmen's organizations that support us, promote Alaska auction permits (e.g., Chugach Sheep) and interact with hunters (including Alaskans) and others at ADF&G show booths. An added benefit for department staff has been to attend professional sheep managers' meetings at WSF and the opportunity to visit with sheep biologists from other jurisdictions in Canada and the western states. All of this has brought more attention to the department's activities related to sheep.

As an example, the Chugach Sheep Permit sold for \$180,000 during the final auction at the WSF convention in Reno (this revenue helped make 2013 the most successful year ever for Alaska's auction / raffle permit program). This was second only to the very first Chugach Sheep permit ever offered in 1997, which was sold at the

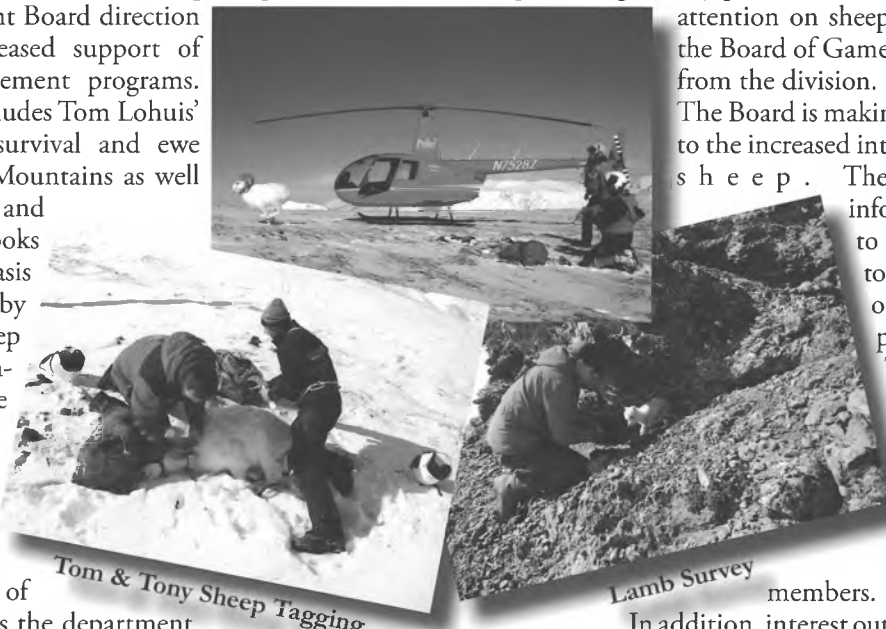
Foundation for North American Sheep Convention auction for \$200,000. Auction and raffle permit revenue is matched with federal Pittman-Robertson dollars to support research and management activities. Due to public demand and availability of these funds, the department has been motivated to spend additional dollars on sheep. While it is true the Chugach Mountains and other ranges in Alaska have been producing some very large rams over the last few years, other reasons for interest in Alaska's sheep have been at play. These points were brought up in discussions with the two highest bidders in Reno last year and it was clear that their willingness to bid high dollars for an Alaska sheep permit was as much about their support of the state's current sheep program as it was their desire to get a large ram. This sentiment is shared by many of the hunters, guides and others that have been talking to DWC staff. Although the public is generally pleased with the department's current level of

attention on sheep, they have indicated through the Board of Game that they are looking for more from the division.

The Board is making a concerted effort to respond to the increased interest from the public regarding s h e e p . They have requested additional information from the department to be collected through a survey to improve their understanding of sheep hunter concerns and preferred management options. This survey will inform future board decisions on regulatory proposals from hunters, guides and others. UAF will conduct the survey for ADFG with input from a subcommittee of three board members.

In addition, interest outside of the state has culminated in this year's decision by the WSF Board of Directors to host a "Thinhorn Summit" in Vancouver, B.C. this coming April. Agency managers and researchers from Alaska, Yukon, Northwest Territories and British Columbia have been asked to participate along with hunters, guides, and others. The meeting and discussions will focus on management of Dall's and Stone sheep. These activities will provide more information for the Board and the department as they evaluate proposals and consider management options brought forth by the public.

Now is a good time for anyone interested in sheep management in Alaska to engage in the Board of Game process. Based on input received from the public, interest in sheep is as strong as ever across the state and elsewhere. We encourage all who receive the survey to take time to respond. You will be providing the valuable input necessary to inform sheep management decisions. Watch for survey results next fall. Be assured that ADFG and the Board of Game are committed to addressing public concerns and providing the best sheep hunting opportunities for sheep hunters in Alaska.



Personal Watercraft Club of Alaska (PWCA) news



By Ben Ellis, Alaska State Parks Director

Members of PWCA have been busy for 10 plus years fighting for equal access for the use of personal watercraft in Kachemak Bay in Homer. In the spring of 2012 after several attempts to negotiate a combined meeting with the Department of Natural Resources and the Department of Fish and Game that meeting finally occurred with the help of Governor Parnell's Deputy Chief of Staff Randy Ruaro. PWCA President Gene Gerken, Vice-president John Lang and Executive Director Gina Poths met with Randy in Juneau during the 2012 AOC meeting. Randy gave the members valuable instructions on the process for submitting information to these two agencies and requesting a meeting. Part of the process besides gathering as much information regarding scientific studies with the use of personal watercraft and the environment was to submit a petition requesting the agencies for a change in policy. AOC and AOAA allowed PWCA members to collect signatures at their booth at the 2012 AK Sportsman show. Petitions were also sent to Homer businesses that are pro-equal access. All and all in 2 months 700 signatures were gathered and Gina submitted a 180 page document and the petitions to the agencies requesting a review of the management plans of the Kachemak Bay State Park, Kachemak Bay State Wilderness Park and Kachemak Bay Critical Habitat Areas. (It took a year after this to get the joint meeting!)

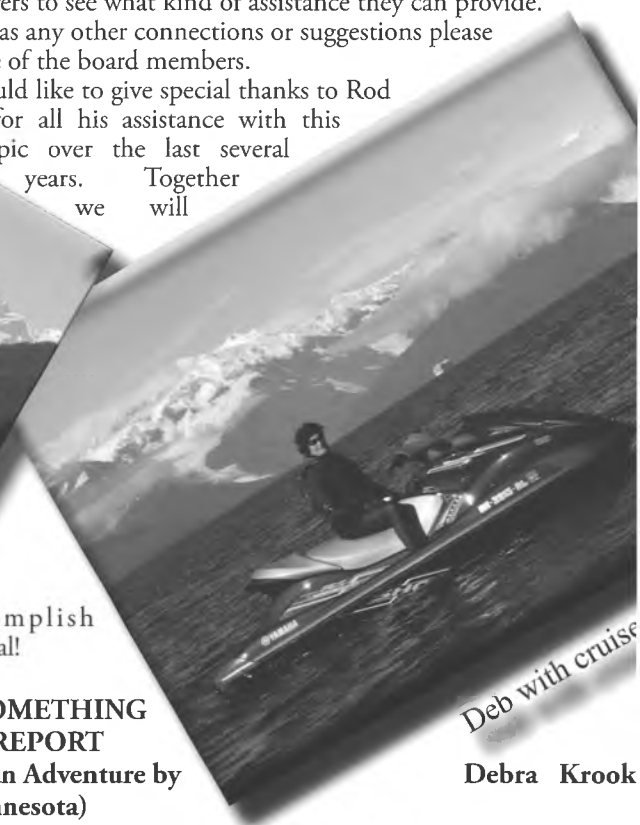
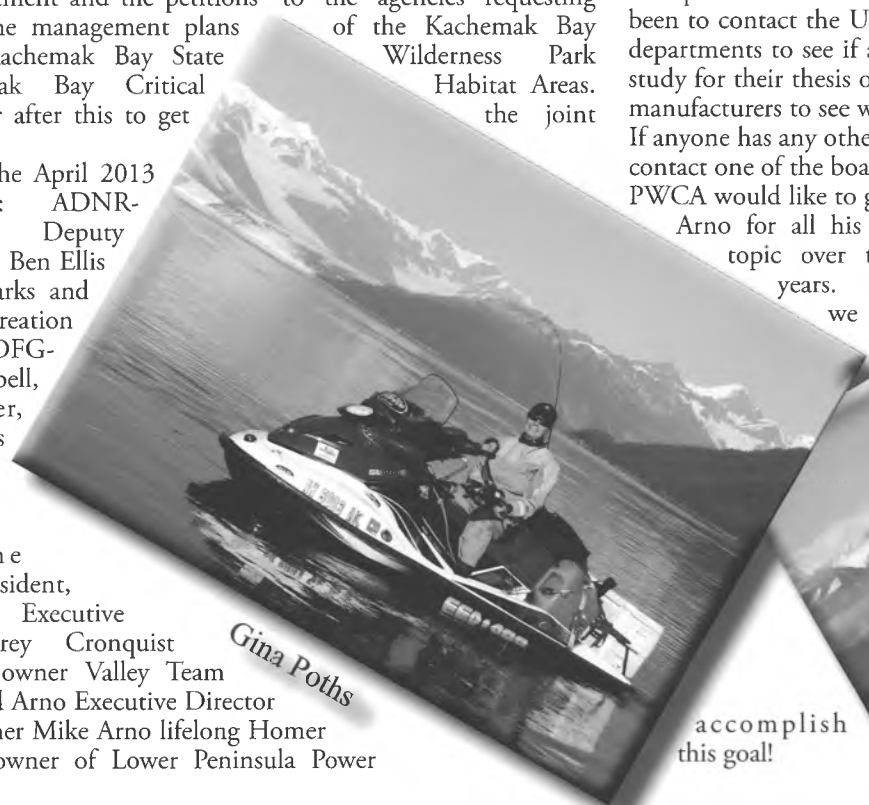
Attendees to the April 2013 meeting were: ADNR-Ed Fogels, Deputy Commissioner, Ben Ellis Division of Parks and Outdoor Recreation Director; ADFG-Cora Campbell, Commissioner, Randy Bates Director Division of Habitat; PWCA-Gene Gerken President, Gina Poths Executive Director, Korey Cronquist member and owner Valley Team CC; AOC-Rod Arno Executive Director and from Homer Mike Arno lifelong Homer resident and owner of Lower Peninsula Power Sports.

To save writing a book here, the bottom line from the AK Dept. of Natural Resources who manages the state parks side of Kachemak Bay: they are currently reviewing the management plan and will take under consideration the use of personal watercraft in the bay. As of September 25, 2013 their progress is (I copied and pasted an email from Director Ben Ellis that I had received on 9/25/13) "I was informed today that our planners will be meeting with the K-Bay State Park Advisory Board in October to begin discussions on the K-Bay plan revision. It is my understanding that preliminary work will be done this fall including a survey and a set of focus groups. As I learn more about the process, I will pass along the information."

By Gina Poths

Now for the ADFG side of things; ADFG manages the entire pay excluding the state parks side which is basically the entire bay with the main access point being the small boat harbor in Homer. Even if DNR opens the state parks side of Kachemak Bay to the use of personal watercraft, one can't get there without going through the rest of the bay. This fact was brought up in the meeting by Gina. Commission Cora Campbell said that they had too many other habitat areas in the state that did not have a management plan at all and they currently didn't have the time or the resources to open up re-evaluating the management plan for Kachemak Bay Critical Habitat area. She and Randy Bates both stated that if we could give them 'current' information to review they would consider it. Gina asked about the 180 page document she submitted on behalf of the 700 petition signers and PWCA and Cora stated she had looked at it. Apparently this information isn't current enough or not what they want. What they want is for PWCA to do or hire someone to do an environmental assessment in Kachemak Bay with personal watercraft. So, that's where we are today. The plan has been to contact the University engineering and environmental studies departments to see if anyone would like to participate in this kind of study for their thesis or other project. We are also in contact with the manufacturers to see what kind of assistance they can provide. If anyone has any other connections or suggestions please contact one of the board members.

PWCA would like to give special thanks to Rod Arno for all his assistance with this topic over the last several years. Together we will



accomplish this goal!

NOW SOMETHING FUN TO REPORT
My Alaskan Adventure by (from Minnesota)

By Deb Krook

Debra Krook

When a group of my friends talked about going on an Alaskan cruise 4-5 years ago, there's no way I could have imagined what was going to happen. My friend Carl, who had been the president of our PWC club JAM, Jetsporters Association of Minnesota (it no longer exists), said what fun it would be to go jetskiing in Alaska! What a great idea! But life isn't usually easy; Carl became ill and his condition deteriorated before we made the trip. He died 3 years ago.

We finally made plans to go this year, and I was still determined to go jetskiing there, both for myself and in memory of Carl. But where to find jetski excursions along the cruise route? I found one place but they were in the process of relocating and wouldn't be open yet. The only other one I could find was inland. So I found the website for PWCA and contacted Gene Gerken and Gina Poths to see if they knew where I could rent one. No, they didn't know of any, but Gene said he would take me out on one of his machines! A total stranger offering to meet me and take me riding, what amazing hospitality!

Fast forward to August, our plans are made; I'll be meeting them in Seward at the end of the cruise. But the week before, Gene tells me that a cruise ship has been docked in Seward for several days that is having mechanical problems; surely it's not our ship, right? Wrong, it is our ship, the Celebrity Millennium, but we're assured that it would be in Vancouver next week ready for our cruise! As promised we left there on Friday, August 16. After a day and a half sailing, we reach Ketchikan and spent a fun day there. That afternoon, off we go to our next destination, Icy Strait Point. But wait, the ship is turning around and heading back to port! More mechanical problems, but they're working on it. After five days of being docked in Ketchikan, it's over, the cruise is cancelled. We've seen one port. We're assured they'll get us to Anchorage where our flight leaves from. But wait, they've changed their minds;



Deb & Jan at Waterfall

they're going to send us back to Vancouver! Nooooo! That's not where my return flight leaves and NOT where the jetskiing is! Did I haul my jetski gear all that way for nothing? I felt my dream of jetskiing in Alaska was slipping away :(

After many people had heated exchanges with Celebrity's management, they finally agreed to fly us to Anchorage, whew! They had to charter a jet and make 11 trips in 2 days from Ketchikan to get people there. I'm in contact with Gene who tells me it's no problem, he'll pick me up in Anchorage and we'll go jetskiing in Prince William Sound at Whittier. What a nice guy! We get to our hotel at 2am, and Gene picks us up at 9am, where I see that it's cloudy, foggy, and a little rainy. Hey, I'm just glad I get to go, I can hardly wait!

Along the way to Whittier, we're in awe of the beautiful scenery; Gene points out Beluga whales along our drive! Then we come to a one-way tunnel, through a mountain, the only way in and out of Whittier, and emerge into clearing skies on the other side! What a blessing! My friend goes off on a boat cruise, and we meet Gina and Jan there. I'm so excited to go! After launching, making preparations (believe me, these folks are prepared!), and getting gas, we're off! I'm FINALLY jetskiing

in Alaska, a dream come true! Carl would have loved it, but in a way, he was there.

The water is calm, we're cruising along at 45-50 mph (I like to go fast), and the scenery is incredible! Could it get any better than this? It's hard not to stop all the time to take pictures and videos, but there's so much to see! And believe it or not, it does get better...glaciers!! We saw so many gorgeous views, glaciers, snow-capped mountains, waterfalls, sea otters, eagles, lots of seagulls, and even salmon! It's all beautiful, but my favorite was Blackstone Glacier! It was stunning; we sat there and listened to it cracking and moving. It was something I've never experienced before! In Minnesota, we have to watch for debris in the river after a storm; here, we have to watch for ice chunks!

The waterfalls were fabulous and we could get pretty close to them as they poured into the water. They were a big hit with the seagulls too; there must have been thousands of them! Then we head out to Esther Island State Park for lunch. There's a salmon hatchery there and we could see tons of them swimming around our jetskis. After a short hike, we come upon the most spectacular dining view I've ever had, surrounded by mountains and overlooking Esther Island Waterfall! A sub sandwich never tasted so good with a view like that! Some of the group has camped there before too.

Heading back towards Whittier was so beautiful but so hard to leave. It was a gorgeous day with great new friends, on jetskis...it doesn't get any better than this! This was easily the highlight of my entire trip! But I had to catch the flight home that night, so at a brief stop at Gene's house to drop off the skis; I met his wonderful wife Vicki. Not only

did she let me use her jetski that day, but she gave each of us a jar of smoked salmon that she made! And being the nice guy he is, Gene then drove us to the airport. I did get searched at the check-in, I think they wanted my salmon that I had on my carry on, but they let me keep it!

I can't express my gratitude enough to all of you so very much for fulfilling my dream, spending your time with me, and sharing your beautiful Alaska with me! PWCA is the best, and I'm happy to now be a member of your club and wear my new t-shirt proudly! I wish I could return the favor, and you're welcome to come ride here with me anytime, but of course the scenery can't compare to Alaska.

Since my adventure there, Gene has come here and ridden with us on the St. Croix and Mississippi Rivers, and we had a fun time. Maybe next time we could ride the North Shore of Lake Superior, you guys would feel right at home with the cold water, so bring your dry suits! Thank you again, I'm eternally grateful,

Deb Krook

P.S. Gene stated we rode about 80 miles that day.

Side note: jetski is actually a trademark brand name of Kawasaki but it is the term that everyone uses for personal watercraft. It's easier to write and say!



2014 AOC Annual Meeting – Invitation

Clarion Suites Downtown, 1110 West 8th Ave, Anchorage, Alaska - March 14th-15th, 2014

The 2014 Alaska Outdoor Council (AOC) Annual meeting will take place in Anchorage, March 14th – 15th 2014. The same weekend the Board of Game will be taking public testimony on Statewide proposals at the Dena’ina Center. The timing of the 2014 AOC Annual meeting will give AOC members and delegates ample time to weigh-in on legislation affecting fish & wildlife conservation and outdoor uses currently being debated in committees during the **2nd Session of the 28th Alaska Legislature**.

Schedule:

- **Thursday March 13th at 6:00pm** - “Meet & Greet” AOC delegates and members are invited to meet other delegates, Alaska State employees, and politicians. Please RSVP and we will let you know where we will meet.
- **Friday March 14th (8:30am – 5:00pm)** – The AOC 2014 Annual Meeting, at the Clarion Suites Downtown, will provide an opportunity for you to meet other AOC Club delegates and active AOC members, talk to the current AOC Board members, Alaska Fish & Wildlife Conservation Fund Trustees, and invited speakers.
- **Friday March 14th at 6:00pm** - Our 2014 Annual AOC Awards Banquet will take place at Clarion Suites Downtown.
- **Saturday March 15th (8:30am- 5:00pm)** - The 2014 Annual AOC Business Meeting at the Clarion Suites Downtown. Each AOC Club has the opportunity to name one official delegate and, if desired, an alternate or proxy delegate to the Annual Business Meeting to represent them on. In addition to reports of AOC activities this past year, the agenda includes election of AOC directors and voting on proposed changes to Bylaws, Policies or Resolutions.



Tickets for the 2014 Awards Banquet are \$55.00 or \$100.00 for couples and may be purchased by emailing: membership@alaskaoutdoorcouncil.com or calling Pam Iverson (907) 260-5723, Bill Iverson (907) 244-6285.

A registration fee of \$25.00 is asked of delegates to help cover meeting arrangements.

AOC Club delegates and AOC delegates-at-large will have the opportunity to vote on five AOC Board seats up for renewal during the AOC Business Meeting Saturday March 15th.

Please consider attending whether you will be representing your club

in an official capacity or not. As an individual member of AOC, you can be elected as a delegate-at-large at the annual meeting. Individual (associate) members will be represented by one delegate from each region: Southeast, South-central, and Interior Alaska.

- **Sunday March 16th** is reserved for the AOC Board of Directors meeting with newly elected board members.

Current topics of interest to AOC delegates and members;

- Federal land agencies encroachment on state fish & game management and allocation.
 - Continued litigation supporting the “Common Use clauses” enshrined in the Alaska State Constitution.
 - Regulated motorized access to public lands, waters, and resources.
 - ESA ramifications on fish and game management.
 - New “Roads to Resources” projects.
 - Creation of Big Game Guide Concessions on State and BLM lands.
 - Game population abundance
 - Salmon stock management.
 - In-river salmon allocation.
 - Alaska shooting range funding
 - ADF&G, DNR, and Alaska State Wildlife Troopers funding.

2014 AOC AWARDS:

Nominations are currently being solicited for our annual awards to recognize outstanding work in fish and wildlife management or other resource issues important to our members. The AOC Board will consider nominations submitted in the following categories:

- AOC individual member of the year*
- Outstanding AOC member club*
- Sam McDowell award*
- Sidney Huntington award*
- Biologist of the year – fisheries or wildlife or habitat*
- Legislator of the year award*
- Outdoor educator of the year*
- Outstanding business of the year*
- Fish & wildlife protection officer of the year*
- and other awards by nomination*

Email nominations to: membership@alaskaoutdoorcouncil.com or mail to the AOC Office.

Room Reservations are available at Clarion Suites Downtown 1110 West 8th Ave; AOC room rates of \$95.00 per night (please call 907-222-5005 and reference AOC Meetings to get the \$95.00 rate).

This is your opportunity to participate in protecting your outdoor heritage and providing for your outdoor future. We believe that this event will be an outstanding chance to be better connected to your Alaska Outdoor Council and the issues that affect you as a member. We're looking forward to a great event, and hope that you will help us make this meeting one of the best yet by attending in person!

AOC staff and board members have had a productive year in 2013 representing fishers, hunters, trappers and members who access Alaska's outdoors. Numerous agenda topics from past AOC Annual Meetings have been addressed by both State and Federal courts, the State Legislature, or the Boards of Fisheries and Game. The Obama administration has had a profound effect on all aspects of federal land management in Alaska. Many topics are still unresolved and may come before state and federal courts and agencies this year.

Proposed Resolutions or Policies may be submitted by AOC members and delegate clubs. All proposed resolutions or policies, along with a signed statement of the reason for their passage, must be submitted to the AOC office prior to the 1st of February 2014. These proposed resolutions or policies will be distributed to AOC member clubs for their review; action will then take place during the Annual Business meeting. (All current Resolutions and Policies are available for review on the AOC website)

Please return signed 2014 Delegate Certification forms (which are available on the AOC website under the Clubs tab) and any proposed Resolutions or Policies by mail or email to: membership@alaskaoutdoorcouncil.com
Or fax to: 1-888-932-3353 Toll free.

We are looking forward to seeing you March 13 – 15th in Anchorage at the AOC 2014 Annual meeting.



Robert Caywood - AFWCF Bison permit winner



Alaska Outdoor Council 4th Annual Anchorage Awards Banquet & Fundraiser

Saturday February 15, 2014

No-host Bar open at 4:30 pm

Fabulous Dinner at 7:00 pm

Door prizes, Raffles
and Auctions

Egan Center

Dinner ticket @\$75.00 each



Get Tickets by emailing membership@alaskaoutdoorcouncil.com
or calling Gary Stevens (907) 229-4710

Pam Iverson (907) 260-5723 or Bill Iverson (907) 244-6285

Hobo Jim will provide entertainment!

AOC is making a number of tables (reserved seating for 8)
available to businesses and organizations for \$1000 & \$2000.

\$1000.00 Tables - 8 dinner tickets, each sponsor's table guest will receive \$240.00 worth of raffle tickets. Table as well as program recognition. **Value \$2520.00**

\$2000.00 Tables - 1 Ruger SR1911 pistol per table and 8 dinner tickets, each sponsor's table guest will receive \$480.00 worth of raffle tickets. Table as well as program recognition. **Value \$5240.00**

The Alaska Outdoor Council is (and always has been, since before Alaskan statehood) Pro-Hunting, Pro-Trapping, Pro-Fishing and Pro-Public access to Publicly owned lands/waters and resources.

Tickets purchased by January 31st will be entered into a drawing for Ruger 10/22 Rifle.

Please come and support your "Outdoor" Voice



Hobo Jim @ Anchorage Banquet

USFWS Preemption of State Hunting Regulations on the Kenai National Wildlife Refuge

Oral Testimony of Doug Vincent-Lang Director, Division of Wildlife Conservation Alaska, Department of Fish and Game

November 21, 2013

On October 26, the Service closed hunting for brown bears on the Kenai National Wildlife Refuge. In so doing, the Service unnecessarily preempted state hunting regulations legally adopted by the Alaska Board of Game in a comprehensive public process.



Doug Vincent-Lang

As justification for the closure the Service stated that their action was necessary because the state's management approach exceeded sustainable levels and threatened long-term viability. Quite an accusation in that the Department is constitutionally required to manage populations for sustainability. In essence the federal government is accusing us of mismanaging brown bears to an extent that we are threatening their viability and violating our Constitutional mandates.

This is simply not accurate. We agree that this year's harvest of bears at the level approved by the Alaska Board of Game probably cannot be sustained indefinitely. This said, it was not the intent of the Board or the Department to maintain these harvests at this level indefinitely. Instead, these harvests are meant to be temporary, to:

- address increased human-wildlife conflicts by taking those bears most likely to be causing difficulties,
- provide expanded harvest opportunities based on a new Service population estimate that minimally doubled the estimated bear population on the Peninsula, and,
- reduce or stabilize bear numbers.

Let me address one issue – that is that the Board and Department meant this as a predator control effort. Let me be clear, it was not. If this was meant as predator control it would have been done using our intensive management protocol.

The department reviewed the board's proposed approach at the meeting, and concurred that this short-term strategy would have no adverse impact on long-term viability of the brown bear population. If there were concerns, the department would have stepped in to prevent overharvest. Also, the department retains the authority to restrict hunting at any time if our biologists believe it is necessary to ensure conservation. Simply put, our professional biologists agree that there is no long-term conservation concern with the number of bears killed this year.

It will probably surprise many to know that we repeatedly tried to

discuss this issue with the Service before they implemented their pre-emption closure. We had nothing to hide from the Service and regularly sent them updated harvest figures. Instead the Service repeatedly stated an unsubstantiated concern about this year's harvest, but could not or would not provide us with empirical data showing the harm that concerned them. They would not tell us a number above which they thought we should take action to ensure for sustainability. Instead they told us we must close the hunt to prevent them from taking unilateral action to close federal lands.

Absent their analysis of any harvest impact on long-term conservation I was not inclined to close a legally authorized hunt that my staff agreed was not affecting the long-term sustainability of the population. In short, the hunt was having the desired effect requested by the public and as envisioned by the Alaska Board of Game, and was not causing long-term conservation concerns.

Over the past 50 years, biologists from our Department have learned a great deal about how to manage Alaskan brown bears. We have learned that with adequate natural resources and responsible harvest strategies, brown bear populations are much more resilient than had been previously assumed. The Kenai population is a good example of this as it has increased in size in the past couple decades, to the point that dangerous bear-human encounters are also increasing. Based on our successful management programs throughout the state, we are confident in our ability to achieve a sustainable and healthy bear population across the Kenai while balancing the public's desire to stabilize or reduce the size somewhat.

Because the State refused to capitulate by employing its emergency order authority, the Service chose to exercise its supremacy to preempt state regulations on federal lands and closed the state hunt without specifying any specific metrics that caused them concern. All they stated was extreme concern over this year's harvest levels and its possible impact on long-term conservation. One has to ask if the hunt was causing such dire impact to the brown bear population, why the Service didn't simultaneously close the federally authorized hunt. This federal hunt targets the same population and could cause additional harvest and harm, yet the Service left it open.

Despite a request by the Service to jointly develop a harvest strategy, the Service unilaterally developed the population viability model you saw Dr. Morton present tonight. We saw this model for the first time at a public meeting in Anchorage last Thursday. I would like to note that the Service cancelled 3 meetings with us to discuss harvest strategies since taking their action. We have not had a chance to review this model and its conclusions in detail, however a preliminary assessment shows reason for concern. Models such as this are only as accurate as the information put into them, and one of the ways of assessing the accuracy of a model is to see how well they retrospectively predict current populations. In other words,

how well do the models predict what actually occurred. These analyses have yet to be performed. We feel it is inappropriate to present unverified models in a public forum or to use such models as the sole source for a management decision. At ADF&G, we are continuing our efforts to develop, test and verify the most accurate models possible and have those models peer reviewed by professional biologists outside of our agency. We will share the results of this analysis with the Board and the Service early next spring, prior to the bear hunting season, so that everyone can see the predicted impacts of various harvest strategies. This will ensure we can take any corrective action that may be necessary to ensure for long term conservation.

In many discussions with the Service we have been told that their legal mandates requires them and the state to maintain “natural diversity” of brown bears on the refuge. When queried about what “natural diversity” means we have received varying responses, including:

- state regulations cannot result in any change in bear numbers or alter their population trend or trajectory on the Kenai Peninsula;
- state regulations must maintain the important biological function that brown bears serve, and have served, as predators and recyclers of marine derived nutrients; and/or,
- state regulations must ensure Kenai Peninsula bear numbers are maintained at a range equivalent to other coastal brown bear populations.



Photo courtesy Ken Marsh/ADFG

Unfortunately, none of these provide specific metrics to guide state management and prevent preemption. So we are left to guess and interpret to the best of our ability what these undefined goals might mean.

Through the Alaska Constitution, the Department of Fish and Game is required to maintain sustainable populations of fish and wildlife for the maximum benefit of the people. Populations that are sustainable are biologically diverse and vice versa. By managing for sustainable populations I believe the Department is meeting the requirements of the Service for biologically diverse populations.

So if the Department is managing for sustainable and biologically diverse populations and that population is without conservation concerns, what is the Service really trying to do? Our perspective is that this is not a biological issue, but a philosophical divide. It pits the theory of non-intervention enshrined in an ambiguous interpretation of the Services Biological Integrity Policy against the

active ecosystem management philosophy long employed by the state. The Service has embraced the philosophy that man should not intervene in natural processes, including the management of wildlife, despite the outcomes as prescribed by their own Biological Integrity Policy.

An example of this non-intervention philosophy at its worst can be found on the Alaska Maritime Refuge at Unimak Island, where the caribou herd is on the verge of extirpation due to wolf predation. The Service refuses to allow the state to take temporary management actions to reduce wolf predation because it is inconsistent with their philosophical ideal of natural processes. We’re not proposing to exterminate wolves on a broad scale as the federal government did throughout the country in the late 18 and 1900’s, but to reduce their impact on calves for a period of time that will allow the herd to recover and provide for subsistence and other ecosystem functions. And just to provide an important fact, in a biological review of the situation on Unimak, the Service’s biologists and a group of independent scientists agreed with department staff that if nothing was done to manage the situation, these caribou were in danger of extirpation. When the primary ungulate and a purpose of the refuge disappear from the landscape it’s not a very naturally diverse picture, is it? Nor does it ensure that an important link in the marine derived nutrient food chain of Unimak Island is preserved, a consideration the Service told us was a critical reason to preserve with brown bears on the Kenai.

What we are facing is not just the question of how brown bears are managed on the Kenai Peninsula, but if there will actually be management of wildlife anywhere on Service administered lands, refuge or otherwise. Will there be active management intended for specific outcomes of sustainability and natural diversity? And will the tradition of hunting for any purpose, subsistence or otherwise, continue?

In summary, there is no long-term conservation concern that necessitated federal preemption of a valid state hunt. Understanding that current brown bear hunting regulations on the Kenai are intended as a temporary adjustment, the department and board are developing a long-term harvest strategy for brown bears. This strategy will ensure the long-term conservation of brown bears in a manner that addresses human and ecosystem considerations on the Kenai Peninsula, as well as meet the needs of its residents. We welcome involvement of the public and the Service in this effort. We are also committed to continuing and expanding our research monitoring efforts on this bear population to assure its sustainability.



Make a Difference in the New Year

www.pickclickgive.org

Please choose:
Alaska Fish & Wildlife Conservation Fund
 As your non-profit
 Help hang onto your outdoor future.
 The fund is the associated conservation arm of AOC

Obituaries

By Dick and Mary Bishop

Sally Burris passed away at home on October 9, 2013 after a long illness. Her husband Bud, four children and several grandchildren survive her. On top of her devotion to family, Sally gave a lifetime of good works to the Fairbanks community – including Tanana Valley Sportsmen’s Association (TVSA), the Alaska Outdoor Council, local 4-H and many other organizations. She and Bud educated literally thousands of kids in gun safety and shooting skills. They initiated the Fairbanks AOC/Fund banquet and auction event effort in 1983. Sally served as treasurer of the event for a decade or more.



Sally was unfailingly gracious and respectful to all – and unfailingly true to her principles. The family invited community friends to a memorial reception in her honor on Nov. 23 at TVSA.

Long-time AOC member and strong supporter **Jack McCombs** passed away on October 22, 2013. Besides his profession in clinical psychology and a career with the State of Alaska, Jack had a passion for adventures in Alaska’s outdoors, fine shotguns, skeet and sporting clay shooting, and equal rights for all before the law.

These interests apparently spurred his interest in, and long-term support of, the Council and Fund. He was a member, auction donor



and volunteer, and upon his passing a substantial donor to AOC through his estate. In fact, he left a note on the brink of his passing which said in part: “if somebody hustles they might get some of this stuff on the Nov. 2 AOC auction”. The event invitation was tucked in a book among that “stuff”. We did get it in time, Jack. Thanks. We’ll miss your no-

nonsense perspective on the human condition.

Alaska Trust Fund – A Gift to Alaska

-- investing the resources of today to protect fishing, hunting, trapping & access for the Alaskans of tomorrow.

By Mary Bishop, Secretary, Alaska Trust Fund

How can you and I be assured our younger generations can learn the values associated with harvesting wild foods? How can we defend the opportunity to harvest now and in the future?

The AOC and Alaska Fish & Wildlife Conservation Fund help. And in 2002 the Fund established an endowment account called the **Alaska Trust Fund** to build an account large enough so the interest would cover the operating costs of the parent Fund. the goal of the Alaska Trust Fund is to reach the endowment level of \$1 million. Every dollar invested in the Trust is protected - only



the interest it generates can be spent. Every dollar donated to the Trust stays right here at home - protecting the outdoor heritage you and I have grown to love and enjoy.

Trust Fund trustees Warren, Byron, Kenton, Ron, Dick and I **ask you to consider an annual gift to the Trust Fund.** Become a Trustee by donating \$250. Make it permanent by adding

\$750 over 3 more years. Other donation options are available.

Please use the form below to donate – or inquire by calling me at 907-455-6151 or Warren Olson @ 1-907-346-4440.

“Mike” Dalton honored

By Richard Bishop



I first encountered Mike Dalton about 40 years ago at a meeting I remember nothing about - except this lady who was so well informed and spoke with such conviction. I didn't know her. When I got home I asked Mary, my wife, who that lady could be? She said "I'll bet it was Mike Dalton!" I said no - it was a lady, not a guy!

Well, little did I know what a big role that lady would have in our future. Kathleen "Mike" Dalton soon became a spark plug in the AOC. Whether it was pushing for

individual and states' rights, or organizing the Fairbanks Banquet and Auction, Mike has been there. When the kitchen and laundry room at Monroe High School Gym needed cleaning before we could use the place for this event, Mike arrived with Clorox, rubber gloves and dish towels in hand. She declared war on grease and grit. Monroe's kitchen and laundry got a good cleaning at least once a year for 10 years!

Mike attacks bad public policy the same way she attacks grease and grit. She and Lisa Harbo spent countless hours documenting public access on RS2477 trails all over the state when the feds and Tony Knowles were trying to bury the subject. Through Mike's political know-how that effort led to about 600 trails being recognized in State law.

When TVSA members scrambled to rebuild following the 2007 fire which destroyed their clubhouse and range, Mike showed up weekly with homemade goodies to energize bodies and spirits. And the Friends of NRA could hardly have a better friend.

Mike is not a hunter or fisher though she may pack a pistol as needed. But she is passionate about Alaskans' rights to fish, hunt, trap, travel, and shoot, and about everyone having equal rights under the law.

A few years ago Mike created this phrase for the Fairbanks Fund/AOC banquet that says it all: "Alaska's Outdoors is Yours". AOC has adopted that saying.

In recognition of her huge contribution to AOC, the Board of Directors chose to recognize Kathleen "Mike" Dalton as an Honorary Life Member.

Mike, I'm proud to present you with this certificate, 30th Anniversary Flask, Life Member pin, - and this special award of a dish towel, Clorox, and rubber gloves - commemorating your hard work on behalf of AOC. Thank you, Mike. (Sandy Jamieson sketched a cartoon on the towel and many volunteers signed it.)

Dear Alaskan Outdoor Enthusiast,

Do you have a personal or professional interest in the prolific salmon fisheries of Alaska's world famous Cook Inlet? Would you like to catch a mighty Cook Inlet King Salmon or, perhaps, watch your child or grandchild catch one?

Well, if so, WE NEED YOUR HELP!

Surely you have heard about dismal Cook Inlet returns of various salmon species of importance to in-river users the past few years. On January 31, 2014, the Alaska Board of Fisheries will begin a two week public meeting dedicated to fisheries management in the Upper Cook Inlet. They will be dealing with over 200 proposals put forth by the Alaska Department of Fish & Game, commercial fishing interests, subsistence fishing interests, personal use fishing interests, sport fishing interests, and others. There are many proposals that, if adopted by the BOF, will have an extremely negative impact on our ability to catch any salmon. For instance, proposals that would eliminate fishing in any river while salmon are spawning. On the other hand, there are proposals that focus on the responsible management and conservation of these precious renewable resources.

Historically, the commercial fishing interests have been better organized, more engaged, and more united than any of the other stakeholder groups. **WE MUST DO BETTER!**

We have to get an "Army" of well informed individuals to testify before the Board in favor of conservation and an increased allocation for in-river users. Credible public testimony is necessary for board members to justify their votes during deliberation. A public education campaign is the only way to inform in-river users of the regulatory process and the facts related to the allocation criteria found in state statute. This campaign will likely cost in excess of \$10,000. **Again, WE NEED YOUR HELP.....**

We are asking for financial contributions, however, products or services could be used to generate additional revenue. Any amount will be greatly appreciated. Please make checks to "Alaska Outdoor Council" and reference "BOF Ad Campaign" on the memo line.

Please feel free to contact either of us to discuss this project or to offer any suggestions/opportunities that you believe could further our cause. Again, we all need to join together and communicate to the Board that the conservation and sustainability of all the Cook Inlet salmon stocks is **PARAMOUNT!**

Respectfully,

Gary Stevens, AOC Board of Director, At Large 907-229-4710

Rod Arno, AOC Executive Director 907-841-6849

AOC Sustaining Business Members

Please support those who support AOC by patronizing these AOC's Business Members!

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Ruth's Salmon Loaf Recipe

By Ruth Swanson & Pam Iverson

Can be used for salmon, tuna or other fish

- 2 cups of drained, cooked salmon (no bones or skin)
- 1 cup soft bread crumbs
- 1 cup medium white sauce
- 2 eggs
- 1 Tablespoon lemon juice

Combine salmon, white sauce, bread crumbs, eggs, and lemon juice, place in a greased loaf pan and bake at 350 degrees for 35 to 45 minutes.

Thin White Sauce

- 1 Tablespoon Butter
- 1 Tablespoon flour
- 1/4 teaspoon salt
- 1/8 teaspoon pepper
- 1 cup milk

Use 3-4 Tablespoons of butter and 2-3 Tablespoons of flour to make a medium sauce or use 4 Tablespoons of butter and 4 Tablespoons of flour to make a thick white sauce.

Stir all ingredients in a small pan and heat over medium flame to the correct consistency before pouring into loaf above.

AOC Member Clubs (to get contact info go to our website)

Alaska 2nd Amendment Coalition	Fairbanks	Interior Airboaters Association.	Fairbanks
Alaska Backcountry Adventure Tours	Palmer	Interior Alaska Trail Riders Association	Fairbanks
Alaska Chapter of the Wild Sheep Foundation.	Anchorage	Juneau Gun Club	Juneau
Alaska Charter Association	Homer	Juneau Rifle and Pistol Club, Inc	Juneau
Alaska Frontier Trappers Association.	Palmer	Juneau Shooting Sports Foundation, Inc.	Juneau
Alaska Interior Marksmanship Committee	Fairbanks	Kodiak Island Sportsman's Association	Kodiak
Alaska Machinegun Association.	Chugiak	Matanuska Valley Sportsmen, Inc.	Palmer
Alaska Moose Federation.	Anchorage	Mat-Su Anglers.	Wasilla
Alaska Outdoor Access Alliance.	Palmer	McKinley Mountaimen Muzzle Loading Rifle Club	Eagle River
Alaska Professional Hunters Association.	Anchorage	Personal Watercraft Club of Alaska	Anchorage
Alaska Rifle Club	Chugiak	Prince William Sound Charter Boat Association.	Valdez
Alaska State Snowmobile Association	Anchorage	Ruffed Grouse Society/SC AK Chapter	Anchorage
Alaskan Marine Dealers Association	Anchorage	Sitka Charter Boat Operators Association	Sitka
Anchorage Snowmobile Club, Inc.	Anchorage	Sitka Sportsman's Association	Sitka
Chitina Dipnetters	Fairbanks	Skagway Outdoor Council	Skagway
Clear Sky Sportsmen's Club.	Nenana	Slana Alaskans Unite	Slana
Cook Inlet Archers	Anchorage	Snomads, Inc.	Homer
Delta Sportsman's Association, Inc.	Delta Junction	South Central Alaska Dipnetters Association	Wasilla
Fairbanks Retriever Club	Fairbanks	Sportsmen for Fish & Wildlife	Wasilla
Fairbanks Trap Club.	Fairbanks	Tanana Valley Sportsmen's Association	Fairbanks
Fortymile Mining Association	Fairbanks	Territorial Sportsmen, Inc.	Juneau
Golden North Archery Assoc.	Fairbanks	Tok Shooters Association.	Tok
Houston Chamber of Commerce	Wasilla		



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Option out of Newsletter to View online instead.

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MEMBERSHIP CATEGORY:

- Annual Individual \$25 Annual Family \$30
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- 5-year Individual \$100 5-year Family \$110
- Club Membership \$50 annual
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