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SRES

HB

836

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HB



Official Business

Alaska State Legislature

Senate

Committee on Resources

April 24, 1980

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Senate Resource Committee Members
FROM: Jens Zehbe, Staff Member
REGARDING: CSSSHB 836am

This bill amends the Alaska Fish and Game statutes involving master guides. It adds non-resident aliens to the current requirement that a non-resident must be accompanied by a guide (as defined in the Business and Professions statutes) when hunting big game animals.

Persons applying for a non-resident big game tag will be required to furnish a sworn statement showing they will be accompanied by a qualified person. Falsification of this statement will result in perjury under the Criminal Law statutes.

Non-resident alien is added to sub-paragraph (b) which deals with the guide requirement for the importation of polar bears.

Sub-paragraph (d) is added making it unlawful for a non-resident alien to trap, hunt, pursue or take game unless personally accompanied by a guide.

Sub-paragraph (e) is added which states that the Board of Game shall designate by regulation the kinds of small and unclassified game which may be hunted without a guide.

Violation of the above is a Class A misdemeanor, punishable by imprisonment of not more than one year or by a fine of not more than \$2500.

The next portion of the bill adds license fees for non-resident aliens as follows:

(C) Non-resident alien fur dealer license	\$500
(C) Non-resident alien taxidermy license	\$500
(21) Non-resident alien licenses	
(A) Hunting license	\$150
(B) Hunting and sport fishing license	\$200
(C) Hunting and trapping license	\$300
(D) Visitor's special sport fishing license valid for the period inscribed on the license.	
(i) for 10-day license	\$ 25
(ii) for one-day license	\$ 10
(E) Sport fishing license	\$ 50

The final portion of the bill adds sub-paragraph (28) to the Definitions section of the Fish and Game Statutes which defines "non-resident alien" as being a person who is not admitted to the United States with Immigrant or other resident alien status.

See attached fiscal note.



Official Business

Alaska State Legislature

Senate

Committee on Resources

May 9, 1980

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Senate Resource Committee Members
FROM: Jens Zehbe, Staff Member
REGARDING: Senate CS for CSSSHB 836

This bill amends the Alaska Fish and Game Statutes by the addition of:

A new paragraph which would allow Fish and Game to establish separate seasons for the taking of game by non-resident aliens. It would ~~have~~ ^{NOT} affect ~~the~~ present statutes that deal with ~~the~~ hunting seasons for non-residents and resident Alaskans.

The next portion of the bill adds license fees for non-resident aliens as follows:

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- (C) Non-resident alien taxidermy license \$500
- (21) Non-resident alien licenses
 - (A) Hunting license \$150
 - (B) Hunting and sport fishing license \$200
 - (C) Hunting and trapping license \$300
 - (D) Visitor's special sport fishing license valid for the period inscribed on the license.
 - (i) for 10-day license \$ 25
 - (ii) for one-day license \$ 10
 - (E) Sport fishing license \$ 50

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This Committee Substitute was drafted after a meeting between the air taxi representatives, the Alaska Professional Hunters and Representative Hurlbert. It was agreed to delete the guide requirement for non-resident aliens and insert the enabling legislation for Fish and Game to control the number of non-resident aliens hunting in Alaska.

See attached fiscal note.



Official Business

Alaska State Legislature

Senate

Committee on Resources

April 24, 1980

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Senate Resource Committee Members
FROM: Jens Zehbe, Staff Member
REGARDING: CSSSHB 836am

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Sub-paragraph (d) is added making it unlawful for a non-resident alien to trap, hunt, pursue or take game unless personally accompanied by a guide.

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- (C) Non-resident alien taxidermy license \$500
- (21) Non-resident alien licenses
 - (A) Hunting license. \$150
 - (B) Hunting and sport fishing license. \$200
 - (C) Hunting and trapping license \$300
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 - (i) for 10-day license \$ 25
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 - (E) Sport fishing license. \$ 50

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See attached fiscal note.

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OUTFITTERS, INC.
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21 April 1980

Senator Bill Sumner
Pouch V
Juneau, Alaska 99811

Re: CS For SSHI 836

Dear Bill,

Your letter of 18 April received 21 April announcing a hearing set for 25 April in Juneau leaves me little time to respond. I have written you concerning this problem and on several occasions attempted to reach you by phone. In an effort to once again inform you of my total opposition to this type of legislation I will ask Brad Bradley to personally deliver this protest to you to insure you receive my thoughts prior to the Senate Resources Committee hearing this Friday.

The enclosed remarks outline some of the reasons I am totally opposed to CSSHB836. I appreciate the opportunity to be heard on this matter.

Sincerely,



Dean E. Salmeier

1017 Bench Court
Anchorage, Alaska 99504



Parque Diana

Hirschbrunft in Argentinien Abflugtermine: ab März 1979

Rothirsch (europäisch)
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SPANIEN Dies ist vielleicht die letzte Möglichkeit, den größten europäischen Flugfähigen Vogel, den großen Trapphahn, zu bejagen. Nur noch wenige Plätze frei.

UNGARN Sichern Sie sich Ihren Rehbockabschuß durch frühzeitige Buchung, ebenso für Abschüsse auf Rothirsch, Damhirsch, Mufflon, Schwarzwild und Niederwild.

CSSR Rehböcke bitte baldmöglichst buchen, weitere Jagdmöglichkeiten auf Bär, Rot- und Damhirsch sowie Mufflons.

BULGARIEN Für das Jagdjahr 79/80 wurden von der staatlichen Forstbehörde sehr gute Reviere für die Bejagung durch Ausländer freigegeben. Ausgezeichnete Jagdmöglichkeiten auf Bär, Rehbock, Rot- und Damhirsch, Schwarzwild.

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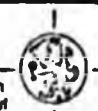
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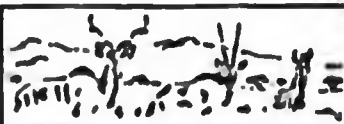
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Kalahari Safari bietet von März bis November 1979 Jagd auf Eland, Großer Kudu, Oryx, Impala, Wasserbock, Warzenschwein, Hartbeest, Bergzebrä, Springböck, in einem zusammenhängenden Jagdgebiet am Waterberg. Nachfragen:

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Frühjahr - Sommer -
Herbst 1979

Alaska Allein

Jagd auf: Eich, Caribou, Schneeziege, Schwarzbär, Wolf, Luchs, Wolverine und Flugwild, 2 Wochen inkl. Flug ab 3278 - DM, 3 Wochen ab 6244,- DM jeweils „alles inbegriffen“ Betreuung, in Alaska durch Dave Klostarmann (Alaska Bush Carlier). Ausführliche Programme, Informationen durch:
**Hans-Friedrich Graf v. Beul Kühne & Nagel
Reisebüro GmbH
Hohestr. 117 - 119
Tel. 02 21 - 23 53 81
5000 Köln 1**

KREUTZER- JAGD 1979

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Wisent, Eich-, Rot-, Reh- und Schwarzwild, Wolf, Luchs, Auer-Birkhahn, Kampfläufer, Angolurhahn und Hottentotier, Urlaub und Kururlaub, auch für Nichtjäger an der Mesurischen Seenplatte und in den Karpaten. Allgemein-Touristik (Gruppen-, Einzel-, Besuchs- und Geschäftsreisen).

Schottland

Rehbocke, Rot-, Sika- und Damwild in herrlicher Landschaft, bei bester Unterkunft. Herbstjagden auf Auer- und Birkwild, Moorhühner (Grouse), Rebhühner, Fasan, Meise und Wasserflügelwild. Bestens besetzte Reviere.

Österreich

Rehbock, Gams, Rotwild, Mufflon u. Seuen in mehr als 30 Revieren in Gebirge u. Flachland. Alle Reviere werden seit Jahren durch unsere Kunden bejagt.

Tschechoslowakei

Bär, Rehbock, Rot- und Damwild, Mufflon.

Angebote auf Anfrage.

KREUTZER- JAGDREISEN

• München 2, Neuhauser Str. 6
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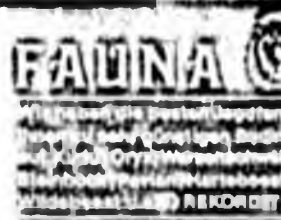
Ferienwohnung in Holland, voll eingerichtet, für max. 4 Personen, direkt am Meer gelegen, für Urlaub/Erholung kostenlos - gegen Absch. zu tauschen gesamt! Zuschrift, unter W 5873 an Anz.-Verw. Wild und Hund, 2 Hamburg 1

Privat nach Kanada auf Eich u. Bär m. Indianer auf einer Trappjagd. Außer preiswert. Zuschrift, unter W 5878 an Anz.-Verw. Wild und Hund, 2 Hamburg 1

ALASKA 79

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 in the Brooks Range. German arrangements
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B) Alaska 29

This price includes everything; make arrangements
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Hand: Moose, Caribou, Black bear,
 Wolf, Fox, Wolverine + water food.
 2 weeks including flight \$
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A) Spring - Summer - Fall
 Alaska Exclusive
 Summer = snow
 winter = sheep



Official Business

Alaska State Legislature

Senate

Committee on Resources

May 6, 1980

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Legal Services
FROM: Jens Zehbe, Senator Sumner's office
REGARDING: House Bill 836

Please draft a Committee Substitute with the following changes:

Delete entire first page and up to and including Line 21 of page 2. Retain portion of the bill which deals with fees for non-resident aliens and the definition section of a non-resident alien. The title of the bill may also need some changing.

In addition, please incorporate the following into the bill. You may need to reword or clean it up.

16.05.255

(11) Establishing for aliens not lawfully admitted to residency in the United States different hunting seasons from those established for other persons, and establishing maximum numbers of such aliens who may hunt for any given species of game in any game management unit or part thereof.

16.05.255

(11) Establishing for aliens not lawfully admitted to residency in the United States different hunting seasons from those established for other persons, and establishing maximum numbers of such aliens who may hunt for any given species of game in any game management unit or part thereof.

16.05.407(d) It is unlawful for a nonresident alien to trap, hunt, pursue or take big game in this State except under authority of a permit which may be issued by the Commissioner. The Commissioner may issue such permits to nonresident aliens in accordance with species and numbers of permits allocated for each GMU or part thereof as may be authorized by the Board of Game under procedures established under AS 16.05.255(11).

SS AB 836

Bill,

Here's the dope you wanted from the morgue on alien hunters.

But there's more.

A fellow here in town by the name of Bruno Zedler is a wealth of information on the foreign hunter and guide racket. He is ~~xxxxxxxxxx~~ a naturalized U.S. citizen and Alaskan from Germany and is familiar with the local guides who cheat by putting out too many hunters in too many spike camps and the Germans who are booking hunts in Germany and bringing their clients over here, hunting with them and going back.

He also knows of booking agents in Europe which arrange hunts here for guides who subsequently hire Europeans to do the guiding. One guy, by the name of Hans, has hunted here for about three years without a guiding license. He worked, as did the Obwaller fellow mentioned in the articles, for one of the Brunners.

If you need more, call me. Also Bill Bellinger with the guide board is continuing the state probe into the case against Mort Mason, the fellow who hired Obwaller from Germany.

Bill Bellinger

A cure worse than the problem

APRIL 10, 1980

By Bill Blessington
Times Outdoor Editor



The recent move by the state House to outlaw hunting by aliens needs a hard reexamination.

Not because it doesn't have some measure of emotional appeal but because it may be a cure worse than the problem.

Between the lines, the bill addresses two issues. There's the question of laws being intentionally flaunted by trophy hunters. There's also a problem of the amount of game being harvested by nonresidents of all classes.

The violations of law attributed to aliens hunting without guides are vastly overstated. One keeps hearing the same story about the 40 Swedes near Aniak over and over. It doesn't do any good to point out that Protection officers and Fish and Game investigated the operation and found it above board. It also doesn't do any good to point out that the organizer of the trip is taking his clientele to Canada this year because of the regulatory hassles here.

This writer, for one, has seen more violations in camps run by registered guides than in camps of drop off hunters but be assured that we haven't seen all of them either.

Wanton waste is another problem that has statewide implications. Aliens can't take the meat home and are, according to some

of the air taxi operator, not as motivated as Alaskans or other Americans who see meat as a valuable commodity. The solution to that particular problem is fairly simple: require all nonresidents, even residents as well, to show the meat to a state agent.

Since nonresident aliens primarily travel by air from Lake Hood, a check station there could inspect both antlers and meat as airplanes are unloaded. If meat is turned over to village councils, they can certify the transactions. Fish and Game and Protection both have local offices in major villages and could do the work there. A plus for the state would be more accurate information about the game that's harvested and collection of biological samples.

If violations of law are a problem, it is a problem that lies with the individual hunter, not the person that shuffles him or her around.

If there's too much pressure on the game in some areas, the state can resort to permits allocated between residents and nonresidents. Many other states do. The state can also increase the price of licenses and tags. The last time this occurred, hunting by nonresidents dropped significantly but didn't put anyone out of business.

For air taxi operators, salting meat means more money since they are paid on the number of hours they fly. To go back and pick up a load of meat means that a hunter's bill increases by at least

one-third. It just makes sense for the air taxi operators to want that extra business.

On the other hand, they point out, big game guides operate on a fixed fee. They're more flying they do, the lower their profit. The air taxi operators this writer spoke to this week stopped short of making direct accusations about guides. But by pointing out the temptation that exists, their side of the ledger

at least needs to be listened to. Hopefully, the Senate will schedule hearings on the bill in Anchorage.

It would be nice to hear the numbers of violations reported by Protection and it would be nice to hear some authoritative testimony from the Department of Fish and Game to find out if herds are being wiped out and who, exactly, is at fault.

Foreign Guides Work Openly

By LILL BLESSINGTON
Times Outdoor Editor

A lack of game law enforcement and loose restrictions on alien hunters have allowed a full-blown international ring of foreign guides and clients to operate openly in Alaska without licenses or regard for wanton waste laws.

NOV 1 1979
"I worked for one guide who had eight spike camps set up with individual guides," one German-speaking assistant guide told The Anchorage Times this week.

"And we had two other Germans guiding for us the whole season," he added.

The man, who asked that his name not be used, said he personally saw five moose and two caribou wasted by hunters, who left them in the field, or by the guide, who oversaw their operation and let the meat spoil next to a runway at their base camp. The nameless assistant guide is a 10-year resident of Alaska and was legally licensed to guide hunters this year under the supervision of a registered guide.

The incidents took place on the far side of the Alaska Range, between Lake Clark and Rainy Pass.

And from the same area came reports of at least two "freelance" German-speaking guides who showed their hunters in Europe and came over with them, departing Alaska at the end of the hunting season without benefit of licenses either to guide or do business.

Confirmation about the foreign guiding ring came from two other sources, one an Austrian professional hunter who guided in Alaska as an unlicensed assistant guide this year, and from a local hunter who saved three German-speaking men a lift in his plane.

The Austrian, Otto Obwaller of Feilerbrunn in the 11th, was involved in apparent wanton waste of a moose which was left untouched after a German client cut the head off for the antlers.

Obwaller said he knew of three other Germans working for Alaskan guides this year. In addition, he admitted that this season was his third year working in Alaska as a pirate guide for two Alaskan registered guides. State law prohibits non-residents from guiding.

Local hunter Bill Hudok reported two weeks ago that he encountered three German-speaking men along a river just west of the Alaska Range in September. Two of the men were being guided by the third who told Hudok that their hunt had been arranged in Germany.

Two years ago, Obwaller said, he began working for a well-known Anchorage guide who paid him \$60 a day and gave him a bonus for each animal his hunters bagged. Then, according to Obwaller's story, the guide had one other German professional hunter. Last year, said Obwaller, the guide employed an additional German as a guide for a total of three. "If somebody from the Fish and Game showed up," he said, "(the guide) told us to say that we were just packers."

Obwaller claimed he had a falling out with the guide over pay and didn't plan to return to Alaska this year. One of his former German speaking colleagues referred him to another Anchorage guide for this past season and Obwaller said he was paid \$80 per day with a \$200 bonus per animal.

German-speaking guides are in such high demand that a few local registered guides seem willing to take the risks connected with hiring them.

"A lot of the Germans who come over here to hunt are older people," said the anonymous assistant guide. "Many of them are in their 50s, 60s and 70s and they don't speak any English. They specifically ask for German-speaking guides."

"This registered guide charged between \$4,000 and \$6,000 per hunt," he continued. "I know that fellow had in excess of 20, maybe 25 hunters go through his camps in five weeks."

"And the state only gets between \$100 and \$250 per hunt for tags and fees. It's no wonder the state ain't got no money to go and enforce the laws."

"I was in camp for 47 days," he said, "and we never saw a protection officer."

Wanton waste is common, according to the protection officer, because the foreign hunters don't know what to expect in Alaska and aren't familiar with the size of moose and caribou.

"I was in camp one day and two Germans hiked in with caribou racks on their backs. In the course of their conversation, I learned that they had no intention of salvaging the meat because of the distance."

"The hunters don't seem to have any judgment for the vastness of the area. They are in good shape because many of them come from Austria or Germany where they are very active and hunt in the mountains to stay in shape so they hunt a full eight hours away from camp in all directions. Then when they've down a moose or something, there's no

John Vania, regional game supervisor for the Alaska Department of Fish and Game, says the alien hunter problem has surfaced rapidly in the past year.

"Five or 10 years ago," he said, "the European hunter was the best hunter in the field. They took every scrap of meat out and they worked like heck for their game. They were really good hunters."

NOV 1 1979
"Now they can come over here cheap and instead of getting a lot more of the good hunters like we used to, we're getting a lot of slob."

Vania has been requested by one legislator to prepare a bill that would put tighter controls on alien and non-resident hunters.

NOV 1 1979
State officials are familiar with the alien guiding operations as well as international booking operations that bring large numbers of foreign hunters into the state seeking moose, caribou and black bear.

"There's one Swede who brings in a bunch of hunters every year," said game biologist Ray Cramer. "Last year he brought in 40 and I'm sure he brought in the same number this year. That's all he does — look for places to hunt and broker the ticket sales and collect the money from other Swedes. He goes all over the world."

Cramer said the booking agent was tough with his hunters about wanton waste and observing local laws. "He told me he went in to pick up two hunters who just had the moose racks and he gave them 24 hours to go back and get the meat or they would have to find their own way back to Sweden."

"They got the meat and took it to a village so it wasn't wasted," Cramer continued. "We put one protection officer on his operation for a season and he couldn't find any waste at all."

Vania says the increasing numbers of non-resident and alien hunters will eventually create friction between themselves and Alaskans seeking big game on smaller and smaller areas.

Are We Giving It Away?

By Bill Blessington
Times Outdoor Editor OCT 1 1979



Only a week or so ago, this writer had the unfortunate experience of seeing the meat from a great Alaskan animal wasted.

A big moose — a trophy bull in the prime of his life — shot and left to rot. Only the antlers taken out of the woods, eventually stolen.

It's not the first time I've seen such waste but that makes it no easier.

Who did it? I can say and probably will have to under oath.

Who's ultimately responsible? I don't know. The parties who pulled the trigger and cut the head off have left the country. When the moose was shot, it was done with the hunter's full knowledge of the laws about wanton waste. What can you do when you remind someone of the law and all they do is shrug? The licensed guide involved did what he could to arrange salvage of the meat as soon as he arrived on the scene.

It would be dead wrong to portray Alaska's hunters and guides as law-breakers. The vast majority of them respect the law and go out of their way to make sure that game is taken fairly.

But a single incident such as the one I saw, despicable as it was, should not be taken out of context. The context, however, bothers me.

It's simply too easy to break the game laws in Alaska and get away with it. A very thin brown line of less than 70 men and women is the only buffer between the rip off artists or those who don't care and the game which most of us love.

I recently spent a couple of days at Lake Hood, watching plane loads of hunters return to town. The obvious non-residents, dressed in green wool with tan caps and tweeds, carried their caribou horns, moose racks and bags to waiting taxis.

But then something struck me as odd. Only baggage came off the planes. I failed to see any meat. It wasn't one plane. It was one after the other, as long as the pass was open.

It is possible that the meat was given to natives for their winter supply. It's also possible that a lot of it was eaten in camp by a crew of hungry hunters.

But it's also possible that Alaska is selling its game too cheaply. A policy which not only hurts Alaska's Alaskans and sportsmen but threatens the herds themselves.

Jack Carter bags 3 ducks

OCT 13 1975

ANCHORAGE

NEWS

Jack Carter bagged three ducks during a full day of shooting Friday on the Knik River, one of his hunting partners reported.

The President's son — visiting the state for the first time ever — "hit just about every bird he shot at" during a generally slow day of hunting, said Brad Snodgrass of Palmer.

"It was a fair shoot," Snodgrass said. "We could have done a lot better...There were a lot of birds in the area but not many hunters out there to move them around."

Two Secret Service agents joined the 31-year-old Carter and two others for the hunt at a blind owned by Snodgrass. Before going out, Carter purchased the required \$50 nonresident hunting license and a \$7.50 duck stamp.

In all, Snodgrass said, the six-member party caught down "seven or eight" ducks.

Carter told The Daily News prior to the hunt that he hadn't done much duck hunting in his native state. "Georgia isn't on any of the flyways," he said.

The owner of a grain elevator in Calhoun, Georgia, accompanied his wife, Judy, to Anchorage for her appearance as a keynote speaker before

The Alaska Association of Community Education. As director of career education for the Palmer School District, Snodgrass helped to host the Carters during their visit.

The Carters also delivered a series of speeches at area schools and interviews were scheduled to return home today.

Before leaving town, however, Carter was greeted by a blast from the Alaska Waterfowl Association, which issued a statement through secretary Dick White of Anchorage criticizing the duck hunt as being "in quite poor taste."

White said the association's board of directors were "quite incensed about the son of the President who has locked up our lands...coming up here to go duck hunting. It's the epitome of the ancient feudal landlord system."

President Carter's declaration of 17 national monuments in Alaska last December banned sport hunting on some 50 million acres of land, but allowed continued subsistence hunting. The Knik River area where his son hunted Friday was not affected by the presidential order.

1. Carter was shot by Snodgrass

Foreigners Flock To Alaska To

By BILL BLESSINGTON
Times Outdoor Editor

"Zie elk!"

"Zie elk!" OCT 11 1979

Less than 100 yards ahead of me was a fine specimen of Alaskan bull moose and a guide. Behind me, was an excited German hunter and his wife who had just spotted the animal in the gathering dusk.

The moose watched us, obviously nervous about the intrusion into his rutting ground. His antlers stood out like twin beacons above his head, their whitered tips and palms in contrast with the rain-soaked brush on a slight rise behind him.

The German, Conrad Wineber, slipped his pack to the ground and after being told to shoot by the guide, Austrian Otto Obwaller, moved ahead of us.

Wineber made no attempt to use cover as I stood frozen. He pushed ahead five yards and ran a round into the chamber of his 375 H & H.

"Shout, shoot," said Obwaller.

The moose climbed up on top of a ten-foot bank in a single easy movement. He stood there glaring at us.

With an ear-splitting roar, the heavy Saur spoke. I listened for the "thwock" of the bullet hitting its target. Another shot, a third shot, and still no sign that the moose had been hit.

The bull looked off into the brush and took a few steps, disappearing neatly in a scrub of alders and black spruce.

"I don't think he hit it, I didn't hear anything," I said to Obwaller.

The German moved forward, his excitement obvious.

When the guide and I reached the spot where the moose had been standing, there was no sign of blood or hair which would have indicated a hit. I briefly relaxed, thinking that my pack wouldn't get any heavier over the next four miles to a lake where we were scheduled to be picked up.

Off to my left, a small bull looked on, probably wondering what all this new noise had to do with the mating season.

Then another shot rang out forty yards away through the brush. A second shot came just a minute afterward.

"Conrad, zu habst?" shouted Wineber's wife Erica.

"Ja, ja!" came the muffled reply.

The moose had fallen after being cleanly hit and travelling about 50 yards. The huge animal died quietly from the heart/lung shots.

The moose was not a gigantic trophy as far as moose go, but it was a trophy nonetheless for Wineber, a chemist with a German industrial combine.

The brow tines were almost perfectly matched with five well-shaped points on each side. The palms of the antlers stretched 61 inches, both sides almost perfectly symmetrical.

After a photo session, Obwaller began preparing the trophy by severing the moose's head at the atlas joint.

The skinning of the head was to be left for the hunter. An eventual wall mount was planned in the European fashion where the entire skull is left attached to the antlers and mounted on a plaque.

The young bull was still circling us slowly, his curiosity obviously getting the better of his natural sense of wariness. At one point, he stood calmly thirty yards away and watched for several minutes without moving.

Without a sound, he finally moved off. The rutting ground his if he could defend it.

Moose hunting in Alaska has many scenarios. They range from unfortunate ones like this where the hunters did not salvage the meat to those involving horses, bulls standing next to the highway, riverboats and airboats, tent camps on riverbanks and airplanes.

Residents and non-residents alike hunted the woodland giants this year, most of them legally and a very few illegally.

But it is clear that several factors are compounding to increase the pressure drastically on Alaska's moose. Some of them have to do with laws, some of them with administrative decisions both here and in the Iron Curtain countries, some of them with international currency, some with terrorism, some with simple greed.

More and more areas are being closed to hunting in Alaska.

This year sportsmen were shut out of 4 million acres of the state where national monuments were created and placed under the control of the park service.

outside

Cont'd.

At the time of the action, President Carter indicated the measure would be temporary. But that term has become a lawyer's term. The net effect of the closure is permanent, at least as far as the Alaska hunter is concerned. And when hunting is closed in one area and left open in others, hunting pressure builds in the areas left open.

Although the D2 bills in Congress set up park preserves which may be open to hunting, a ringer is present in the word "may". If the Wrangells ever reopen to legal hunting, it will be only on a permit basis and, thanks to court rulings, Alaskans will likely get no preference for having their needs for hunting taken care of first.

More than likely, national permit drawings might be held for the white

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sheep, caribou and bears of the Wrangells. And that means tens of thousands of applications from anti-hunting and anti-gun groups who feel they can "save the animals" by foiling legitimate hunters.

The other major increase in hunting pressure in Alaska this year comes from the international scene.

Alaska is cheap and Alaska is a fad.

Hunting in Europe, according to guides, hunters and tourism officials, is expensive, if it is available at all.

"We just don't have the places to hunt that you do," explained Nells Tuxen of Denmark.

As a result, European hunters are used to paying top dollar for hunting and travelling long distances. Good hunting can still be found in some parts of Germany, Austria and the Scandinavian countries. But the best European hunting is behind the Iron Curtain, a fact which has not escaped the attention of tax collectors.

"A good deer in Rumania costs about \$10,000," explained one hunter.

"They have a very modest fee for a license and a guide but they charge you so many dollars per gram of horn."

"You literally go out on a hunt and when the guide points out the deer, you count dollars to make sure you have enough for the animal."

Animals taken under the Eastern European system are "sold" to the hunters on the basis of a complicated formula involving weight and size of trophies. The bigger the buck, the bigger the bill.

Hunters, however, don't touch the meat, which is sold in butcher shops as a delicacy. For them, Alaskan wanton waste laws and the packing of meat are something new.

Another hunter said a bear hunt in Russia or Bulgaria could easily run as high as \$12,000 when the costs of transportation, guides, lodging, trophy fees,

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licenses and duties were added up.

In Alaska, a non-resident hunter pays \$250 for a tag which would allow him to take any big game animal in the state with the exception of musk ox.

During the past year, a constant downward valuation of the dollar in relation to European currencies has meant lower and lower air fares from Europe to Alaska. Additional savings are also realized by hunters who book two or three week hunts and travel on discount fares.

The net result, according to Bernd Guetschow, the German consul in Alaska, is "that hunting here in Alaska for Germans is cheaper than hunting 30 miles away in Eastern Europe."

"The cost of a guided hunt here is about \$5,000," said Guetschow, "which compares with \$7,000 or \$8,000 there."

In addition to the financial attractiveness of the Alaskan hunt, there has been a closure of most of Africa to legal hunting. The great game herds of Kenya, Mozambique, Gabon and other third world nations have been decimated by poaching and fueled by escalating Asian prices for hides and horns.

The African countries where hunting is still allowed include South Africa and Rhodesia. In Rhodesia, armed guards with automatic rifles accompany hunters on jaunts for plains game. Many parts of South Africa are similarly stressed because of military priorities and tense border situations.

The Middle Eastern countries of Iran and Iraq have closed to sportsmen because of revolution and a growing distrust of foreigners.

Alaska, for now, has some good hunting left. How long the hunting will stay good is a matter of speculation but some signs are evident that the pressure is being felt.

"It is exotic," said Guetschow and it has a great appeal to Europeans looking for a new place to hunt.

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man who took President Carter duck hunting says critics say the hunt by some people was

Snodgrass of Palmer took Carter and friend Joe Miguel of the Times Outdoor Editor along with a couple of Service men hunting in the Kuskokwim Valley today.

are some of the concerns Snodgrass said Monday. "I was looking at it as a little bit of an approach."

instead of being inhospitable Jack holed up in a hotel. "I thought this (hunt) might have a positive effect. He enjoyed it."

Alaska Waterfowl Association issued a statement criticizing the hunt as being "in poor taste" because of President Carter's plan to place 56 million acres of land here into 17 highly recreational monuments.

Association spokesman said Carter's coming to Alaska to "hunt" is "the epitome of the ancient landlord system."

Snodgrass said Carter was "very relaxed and easy to get along with. I didn't get into any big political discussions. We talked about hunting in Alaska and quail in Georgia."

Snodgrass said he was aware his father had an-

gered people in Alaska," Snodgrass said. "And I'm sure he took back to his father" the Alaska sentiment.

Snodgrass also is a waterfowl artist and president of the Mat-Su chapter of Ducks Unlimited.

Carter shot three ducks, a mallard, a pintail and a scaup, during the

day's hunt on the Knik River, Snodgrass said. The two Secret Service men didn't bag any game.

Carter came to Alaska with his wife, Judy, who was the keynote speaker before a community education conference in Anchorage. The couple left the state Saturday.

More Game Waste Reported

OCT 1 8 1979

"They just took the four legs off it and the cape and horns and the head."

Another incident of wanton waste of a moose by European hunters was reported in the fashion this week by Bill Hudok of Anchorage.

Hudok said the incident took place last month in the Swift River Valley, on the western slope of the Alaska Range.

Hudok and a friend were flying in Hudok's plane when they spotted three men in the valley. Hudok said he landed and the hunters offered to give him one of the moose's hind-quarters for a ride down to a cabin they were using on the river.

"The fellow who was acting as a guide was a German," said Hudok. "He spoke real good English."

"They're just raping the country," he added.

"The rest of the carcass was just left there," Hudok said. "It was a good sized animal, a real trophy

"I was under the impression that they were working with a guide, since they had the use of the cabin," he said. "One of the Germans was a game warden or field policeman back home and he gave me a little medal."

"The hunter who shot the moose said he probably spent 45,000 marks for the trip to get his trophy. He'd been here before but hadn't gotten a trophy."

Details of the incident have been reported to the Department of Public Safety. The state is continuing another investigation into the reported wanton waste of a bull moose by other European hunters in the Stony River area. That incident was reported in The Anchorage Times last week.

Under state law, wanton waste of game meat is a misdemeanor; so is guiding hunters without a license or operating as a guide inside another guide's exclusive guiding area.

Hunt Violations Net \$100 Fines

Judge John Mason, in Anchorage District Court, fining two German hunters a total of \$100 each for killing two moose over their limit and wanton waste.

According to Kenneth Rourke of Anchorage, who reported the incident to Fish and Wildlife Protection officers, the two hunters shot four moose some three miles off the Petersville Road in a swamp. Rourke and a department spokesman said the Germans had only two moose tags when the four bulls were killed.

"All they got was a \$100 fine," said Rourke, who found one of the carcasses which had been left to spoil.

"The moose was not skinned and was left in the water for about two days when I found it," said Rourke.

The hunters, Hans-Peter Filtgen and Nanfred Ceraficki, were arrested as a result of Rourke's complaint. OCT 1 8 1979

In the Oct. 6 decision, Filtgen received a \$500 suspended fine for killing an overlimit of moose and another \$500 fine for wanton waste. All but \$100 of the wanton waste fine was suspended by Judge Mason.

Ceraficki was fined \$100 for killing the extra moose when \$400 of a \$500 fine was suspended.

A department spokesman said the case was complicated because the Germans apparently gave the meat from the kills to some other hunters they encountered in the field. The other hunters, according to Rourke, had no way of salvaging the meat.

"I think the person who pulls the

trigger should be responsible for the meat," said Rourke.

Two of the bulls shot by the Germans were mulligans, or young bulls; a third had a rack of about 50 inches. According to Game Board member Daryl Farmen, who owns D & C Expeditors, the larger rack was returned to the hunters by the judge the day after it was seized at his warehouse by enforcement agents.

Farmen said he has favored the concept of forcing non-resident aliens to employ registered guides for Alaskan hunts.

"At least it would make somebody responsible for their actions," he said, "and it would cut down on the numbers of them."

A guide's only restriction on non-residents would require an act of the state legislature.

Non-resident hunters are now required to have registered guides only when they hunt brown or porcupine caribou and Dall sheep.

Rep. Vern Hurlbert, D-Sleetmute, said he expects further action in the legislature next year on requiring non-residents to have guides.

A tougher meat salvage law with the guide requirements for non-resident moose and caribou hunts in units 22, 23 and 19 A and C was passed by the House last session and is presently in Senate committee, according to Hurlbert.

"A moose in my opinion," he said, "is to hunt for subsistence, for meat. The taking of the horns should be incidental. It galls me to see our resources shattered like that," said Hurlbert.

Missing Hunter Found Dead

A 50-year-old German hunter was found dead Tuesday near the Kichatna River north of Rainy Pass.

Alaska State Troopers said the man, whose name has not been released, had been missing since Sunday morning. His body was found by a military helicopter at 4:30 p.m. Tuesday, troopers said.

Cause of death was unknown this morning.

OCT 4 1978

The victim reportedly walked away from his two-man camp at 6 a.m. Sunday and failed to return. His disappearance was reported to the Rescue Coordination Center Monday by Ketchikan Air Service, troopers said.

A combined air-ground search was conducted by troopers, the rescue center and volunteers from the Alaska Rescue Group.

The German consulate in Seattle has been attempting to notify the victim's relatives in West Germany, troopers said.

Hunt Victim Identified; Exposure Caused Death

Alaska State Troopers have identified a German hunter found dead Tuesday north of Rainy Pass.

The body of Martin Brackelsberg, 40, was found by a rescue helicopter dispatched to the area when the man was reported missing from a hunting camp, troopers said.

Autopsy results indicate Brackelsberg died of exposure, troopers said.

The victim was a resident of Darmstadt, West Germany.

Brackelsberg had been missing since 6 a.m. Sunday when he left his two-man camp near the Kichatna River, troopers said.

OCT 5 1978

Guided Alaskan Hunts Prove More Successful

"Hunt in Alaska" OCT 11 1979

Big game hunters looking for adventure and a trophy in a foreign country have been flocking to Alaska in increasing numbers for the past three years.

Most of them take home at least one trophy, either a moose or caribou. A smaller number take home black or brown bears.

The marketing of hunting and game in Alaska is now a bigger business than ever before involving international looking agencies, travel agencies and advertising.

The big game guides, in some instances, support hundreds of thousands of dollars worth of loans and mortgages, airplanes, lodges, all terrain vehicles and camps.

There are three major ways in which Alaskans are cashing in on the growing number of non-resident hunters, the largest now being the air taxi operations which transport hunters to and from the field.

Probably the second largest business is the registered guide business where a hunter books with a guide for an escorted hunt for a particular species. Guides are required for non-resident sheep and brown or grizzly bear hunters.

The third kind of business available to Alaskans is that of the game and hunter transporter. Anyone with a riverboat, weasel or airplane can, for a \$10 fee, be licensed as a transporter and take hunters and their gear to and from hunting places.

For the Alaskan or out of state hunter on a budget, some good hunting experiences can be obtained with drop off hunts provided by air taxi

operators and transporters.

Under this system, people are flown out for a fee ranging from \$300 to \$1,500 or more and dropped off in a likely looking spot for a specified period of time. Food, tents, camping gear and other services are available from most of the air taxi operators at additional cost.

Registered guides provide a more complete service in most instances by having an employee stay with the hunter during the hunt. The costs run from several thousand dollars for a guided moose hunt to over \$8,000 for some guided brown bear hunts. It's not unusual for clients of registered guides to spend \$10,000 or more for a hunt in Alaska, including air transport, new gear, the guide's fees and tips.

Transporters charge varying rates, depending upon their equipment, location and services. Their businesses usually involve aircraft, although more have sprung up in recent years with riverboats.

The problem for non-resident hunters is that some have purchased a pig in a poke because of loose use of the words "guide" and "outfitter".

What might be advertised as a guide service may in fact be a simple drop off hunt.

And a guide who supposedly cannot operate within another guide's hunting area can do so with impunity under the guise of a "transporter".

"You're almost a fool to get a guide's license anymore," said one guide.

"It's just too much bother to go through the five-or eight-year process, the examinations and the oral tests and then find out that there are no more exclusive guide areas left open."

It's no secret that guided hunters have a better success rate than resident Alaskans when it comes to bagging game.

In 1976, for example, Department of Fish and Game statistics from harvest reports indicate that 4,037 moose were killed by hunters statewide. Of that total, 636 were taken by non-residents who had a 52.7 percent success rate. The state's 15,000-odd hunters who reported that they hunted moose in 1976 had a success ratio of 21.3 percent, although residents took the vast majority of the total.

In 1977, an estimated 4,500 moose were legally taken. Non residents took roughly 12 percent of the total but their success rate was about 60 percent.

Last year, 5,171 moose were harvested legally and reported to the state. Non-residents again took a total of about 12 percent of the kill but with a 57 percent success rate.

For sheep, where a non-resident is required to have a guide, the difference in success rates is more obvious.

In 1976, non-residents had a success rate of 70 percent, residents 28 percent.

In 1977, non-residents had a success rate of 82 percent, residents 30 percent.

In 1978, non-residents had a success rate of 77 percent, residents 33 percent.

For brown and grizzly bears, 823 were taken in Alaska during the 1977-78 regulatory year.

This past spring, 337 of the great bears were taken, 62 percent of them by non-resident hunters with guides.



SUCH A TERRIBLE WASTE

OCT 11 1979

Otto Obwaller cuts the head off a moose shot just west of Merrill Pass. The moose was taken by a German hunter who left it to rot

after skinning the head. Wanton waste of big game under Alaskan law is a misdemeanor.

'Keep Meat Dry, Cool'

Game Processor Explains Job

"Don't ever get the meat wet and keep it cool," says Spiro George, the owner of George's Game Processing.

George, as he prefers to be called by his customers, has been in the food business for over 25 years and has been dressing moose, caribou and even ducks in Alaska for close to 20 years.

"The biggest moose I ever saw," he said, "was one that weighed 1,150 pounds when it came in through that door."

George pointed toward the door leading to another portion of his store at Mile 6 on the Old Seward Highway.

"The neck was so big they had to cut it in two different pieces and each of them weighed in at over 100 pounds."

"And you know what?", he asked. "They shot that moose right up off O'Malley Road, put it in the back of a truck and brought it down here."

Although it's not a service available at every neighborhood supermarket, George and two or three other butchers and sausage making firms in Anchorage, will handle a hunter's meat from the moment it comes

back to town.

"We weigh everything when it comes in the door," explained George, who with his wife and son, do all the game processing themselves.

"A man works hard for that moose and I like to make sure he knows why there might be a difference between the weight when the meat comes in and when he takes it home."

George says if meat is well taken care of by hunters, then almost no waste will take place in the butcher shop. George says hunters should bring the meat to their butchers as soon as they come back from a trip, rather than trying to guess the best length of time for aging the meat.

As soon as the game is taken "the hunters should keep their meat in a cool, dry place," he said. "And they must use cloth bags to keep the flies and dirt off the meat."

George and other game processors charge by the pound for meat

cutting, boning, sausage making and grinding.

Mooseburger, for instance, usually has a minimum of 20 percent suet added. The original meat has almost no fat and when ground, does not cook well unless fat is added.

"I have to ship in beef suet from Outside," said George, who also adds beef suet and pork fat to his sausage.

Hunters can have either Polish or summer sausage made from the game. George and the other sausage plants in Anchorage make the sausage on the premises and can adjust the recipes to make the sausage hotter or milder according to the taste of the customer.

When a large animal is processed, the hunter can expect to receive steaks, roasts and ground meat much like those obtained from cows.

Smaller animals are cut into roasts and chops, "but its only the name that's different," according to George.

Parker Cites Harm To Hunters

OCT 15 1979

Urban sportsmen will get the worst deal under subsistence provisions of D2 legislation, Walt Parker says.

"It's the urban sportsman who has taken it in the shorts, much more so than even the miners," said Parker, former member of the state Game Board and state co-chairman of the now defunct Federal-State Land Use Planning Commission.

He said sporting organizations basically failed in their congressional lobbying efforts to keep large areas of Alaska open to regulated hunting.

"The national organizations tried hard but it was just too big a game for them," he said. "They didn't back our management concept and lost out as a result."

The plan supported by the commission called for joint management of large tracts of land between federal, state and native owners.

Parker says the new national park and monument restrictions on hunting involve essentially only non-native hunters.

"The refuges were set up to take care of the subsistence needs of the natives," he said, "the conflict over the monuments is not with the natives because the monuments are in areas that were never used to any great extent by natives for subsistence purposes."

Parker denied that native leaders forged what one state official termed an "unholy alliance" with environmental groups, exchanging support for large park withdrawals for support on exclusive hunting and fishing rights for natives.

"It was a natural alliance rather than a political plot," said Parker of the seeming agreement between natives and environmentalists on some issues.

Some of the native support for federal oversight of fish and game management in the state was attributed by Parker to "a reaction against the failure of the Alaska Department of Fish and Game to meet the needs of some of the native groups."

"The natives were really dealing in their own interests and occasion-

ally those interests coincided with the environmentalists."

Parker said sportsmen have lost hunting opportunities on 60 percent of the Dall sheep range in the United States as a result of the D2 bills. "And," he said, "they'll lose big on bear too." Parker said he expects drastic changes in hunting opportunities for sportsmen in the state within the next few years.

Hunting Response

Dear Editor:

OCT 20 1979

I was in a sour mood. After a very long day as I read the front page of the Oct. 11 Times, I saw a notice that Outdoor editor, Bill Blessington, had witnessed the waste of a big game animal. And as I read the articles on page 52, I became increasingly incensed.

As an employee of a local airline for the past few years, I have witnessed an increasing number of animals, taken from animals killed by foreign hunters, coming in from the bush. Even if the European full-skull moose were not in vogue, they would easily be recognizable: they accompany no meat.

With the no-hunting laws in the National Monument areas, us folks in Alaska's big cities are being unfairly restricted. I feel that most of us had come up here to live as self-reliant a life-style as possible, that the term "subsistence" therefore, had been unfairly interpreted by the state and federal governments for people who paid the highest taxes, the most for land and housing and had the least access to this state's wilderness acreage.

Foreign hunters should be placed in a lottery system; the big-game tag fee for lottery-drawn participants should be increased ten fold; foreign hunters should be accompa-

nied by registered guides on all big game hunts; hunting should be closed during the rut, to all hunters — approximately the month of October, as it would prevent the deaths of animals whose meat would balk a village dog; guides should be held strictly accountable for the meat of animals killed by their clients.

At this point, I am in a state of amazement. In Sunday's "Times", page A-8, a short article stated Jack Carter had killed three ducks. In Letters to the Editor of the same edition, a letter from the Alaska Waterfowl Association protested the projected hunt, which had been written about in articles a few days prior. Monday's Letters to the Editor had an expression of concern about the deaths of three ducks, which (as an aside) happened to occur during open season and in an unrestricted area. Tuesday's front page photo actually showed Jack Carter at the scene of the crime.

If that is the pervasive mentality of us big city hunters, then the anti-hunting people and lock-up types might have a valid point after all.

Where is the outcry for the wasted moose on the headwaters of the Stony River?

James L. Bachman Jr.
Muldoon

State Game Rules Apply

JUNEAU (AP) — Alaska's hunters should keep in mind that state game regulations still apply in national monuments, the Department of Fish and Game said OCT 25 1979.

"A recent opinion by the Department of Law confirms that state laws and regulations still apply on monuments, unless more restrictive federal regulations have been adopted," said Commissioner Ron Skoog of the department.

"Federal agents, not state enforcement officers, will enforce (more restrict federal rules)," he added.

Hunting Fines

Dear Editor:

In recent weeks the Anchorage Times has contained several articles concerning violations of hunting regulations by European hunters. Wanton waste appears to be a habit shared by many foreign hunters visiting our state. In the most recent article two German hunters shot two moose over their allowable limit and left the meat to spoil. The honorable Judge John Mason slapped these naughty hunters on the fingers and fined each of them \$100. He really taught them a lesson for violating our state's game regulations.

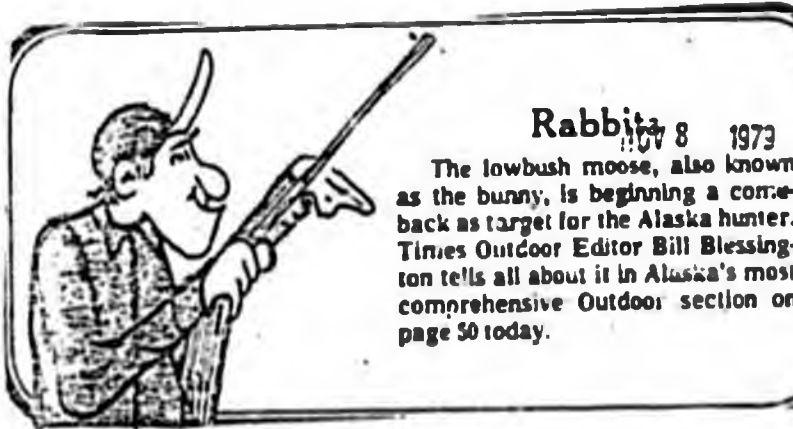
The following day the Anchorage Times carried an article about two local hunters who mistakenly shot two sheep which they thought were goats. These hunters carried legal permits for goats and, being honest hunters, took their "goat" horns to

the Alaska Department of Fish and Game to be tagged as required under the conditions of the permit. They were each fined \$250, forfeited their game, and had their hunting privileges suspended for one year. I would bet that Judge John Mason did not rule on this case, or if he did, he certainly has his priorities mixed up.

I will not expound on the punishment received versus the violation committed in the case of the two local hunters. However, I do feel that the violations committed by the two German hunters warranted a much, much stiffer punishment than was handed down by Judge Mason. The punishment in this case certainly did not fit the crime. According to Mr. Hobbs' Letter to the Editor (Friday, October 26) the hunters were even allowed to keep the antlers.

Nov 2 1973
Judge Mason and other judges who hand down minor punishments for violations of fish and game regulations certainly do not have protection of our wildlife resources in mind. I think its time that our judges realize that Alaska's fish and wildlife resources are important on a local, national and international level as evidenced by the people who come to Alaska to harvest them. I suggest that everyone who feels that our judges are being too lenient on fish and game violators keep the names of these judges in mind when they come up for re-election.

Frank Wending
SRA Box 559
Anchorage



Rabbit 8 1973

The lowbush moose, also known as the bunny, is beginning a comeback as target for the Alaska hunter. Times Outdoor Editor Bill Blessington tells all about it in Alaska's most comprehensive Outdoor section on page 50 today.

Alaska House of Representatives



COMMITTEE ON NATURAL RESOURCES
POUCH V • JUNEAU, ALASKA 99811

4/9

Jens - The House is voting today on HB 836 about Nonresident alien hunters. If it passes it should be referred to Sen. Resources. If & when you schedule it please notify Mr. Ketch Kethum of Kethum Air Center in Anchorage 243-5525. He is really upset about the bill & didn't learn about it til it was too late for input in the House. He may be writing to you on it also. I told him to talk to "Jens" if he calls Sen. Resources. (This bill would hurt air taxi business by requiring non-resident aliens to hire big game guides - now air taxis just fly hunters in & out & thus serve as

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pseudo-guides themselves
Thanks,
Mary

Alaska State Legislature

PAT CARNEY
DISTRICT 6
POUCH N
WASILLA, ALASKA 99687

POUCH V
JUNEAU, ALASKA 99811



House of Representatives

April 10, 1980

COMMITTEES
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VICE CHAIRMAN
COMMUNITY & REGIONAL AFFAIRS
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RESOURCES
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SPECIAL AGRICULTURE

To: Senate Resources Committee Members

From: Representative Carney

I am interested in expanding the scope of CSSSHB 836 am to include non residents as well as non resident aliens. Please notify me when this bill is scheduled in your committee so that I may answer questions if necessary.

A handwritten signature in cursive script, appearing to read "Pat Carney".



Official Business

Alaska State Legislature

Senate

Committee on Resources

Agenda

Pouch V
State Capitol
Juneau, Alaska 99811

Senate Resources Committee
April 25, 1980
1:30 p.m.
Butrovich Room

CSSSHB 836am An Act relating to alien and non-resident
hunters

Testimony:

Randy Smith- Alaska Professional Hunters Assoc.
Bob Hinman- Department of Fish and Game
Joe Geldhof- Alaska Center for the Environment

In addition, several representatives may appear
from the air taxi industry.

Question No. 2. If the state chose to pass legislation setting different tag fees and guide requirements for aliens as opposed to non-resident U.S. citizens, what court tests would it have to pass? How should the legislation be drafted so as to maximize the possibility of surviving judicial review?

Summary Answer: A state law that discriminated against aliens by charging them a higher hunting license fee would be subject to strict judicial scrutiny and would have to be the least drastic means of furthering a compelling state interest.

Analysis of this rather complex question requires several steps:
(1) Who is an "alien"? (2) What is the basis for classifying aliens differently from U.S. citizens? (3) What state interest is protected?

A. Aliens Defined. An alien is defined generally as a citizen or subject of a foreign state or a foreign government (see Black's Law Dictionary, at 95 and DeCano v. State, 110 P.2d 627 (Wash. 1941)). The Board of Fisheries defines "alien" in 5 AAC 39.975 as:

[A] person who is not a citizen of the United States, and who does not have a petition for naturalization pending before the district court.

An alien may be a resident alien or a non-resident alien, and may live legally in the United States even though he is not naturalized. Aliens living within the United States are granted certain protections (to make contracts, sue and be sued, be protected by law enforcement, etc.) and as a result they owe a temporary and local allegiance to the country in which they reside.

B. Basis of Challenge to Laws that Discriminate Against Aliens. Whether a law that discriminates against an alien will withstand constitutional scrutiny may depend on whether the alien is: (1) an alien not lawfully in the state; (2) a non-resident alien; or (3) a resident alien.

Probably a law prohibiting an alien not lawfully in the U.S. from taking fish and game would be upheld under a state's police powers. (See, e.g., AS 16.05.905, prohibiting aliens not lawfully admitted to the U.S. from engaging in commercial fishing or taking marine mammals in territorial waters.)

Laws or regulations that discriminate against a non-resident alien, a non-resident citizen, or a resident alien, are subject to attack under:

- (1) Article IV § 2 of the U.S. Constitution - privileges and immunities;
- (2) 14th Amendment of the U.S. Constitution - equal protection;
- (3) Article I § 8 of the U.S. Constitution - commerce clause; or
- (4) Article VI, U.S. Constitution - supremacy clause.

Analysis of the constitutionality of the law or regulation depends on which constitutional challenge is raised.

(1) Privileges and Immunities. A law or regulation aimed directly at aliens could not be overturned under the privileges and immunities clause, because that clause protects only citizens. Similarly, a law that discriminated against non-resident American citizens by restricting or prohibiting them from sport hunting might arguably withstand a privileges and immunities challenge on the grounds that sport hunting, unlike commercial fishing, is not a right of citizenship to be protected, but is merely a privilege.

The test applied by the U.S. Supreme Court to determine whether a law that discriminates against non-residents violates the privileges and immunities clause was set out in Toomer v. Witsell, 334 U.S. 385 (1948). The court there struck down a South Carolina shrimp fishing law that charged non-residents one hundred times the resident license fee for shrimping in its three-mile coastal waters. The court distinguished its earlier decision, McCready v. Virginia, 94 U.S. 391 (1876), (which had upheld a law allowing Virginia citizens only to plant oysters in state tidal waters) on the grounds that McCready involved non-migratory fish in inland waters and that it was based on an outdated "ownership" theory of fish game. The court then held that the ability to engage in commercial fishing is a right protected by the privileges and immunities clause, and that no law may discriminate against non-citizens (of the state) unless "there is something to indicate that non-citizens constitute a peculiar source of the evil at which the statute is aimed" Toomer, supra at 398.

In a subsequent case, the U.S. Supreme Court addressed a similar privileges and immunities challenge to a Montana law that charged non-residents a higher hunting license fee. The court in Baldwin v. State Fish and Game Commissioner, ___ U.S. ___, 98 S.Ct. 1852 (1978) upheld the scheme, on the ground that the privileges and immunities clause does not encompass recreational sport hunting:

Some distinctions between residents and non-residents merely reflect the fact that this is a Nation composed of individual States, and are permitted; other distinctions are prohibited because they hinder the formation, the purpose, or the development of a single union of those states. Only with respect to those "privileges" and "immunities" bearing upon the vitality of the Nation as a single entity must the State treat all citizens, resident and non-resident, equally.... Equality in access to Montana elk is not basic to the maintenance or well-being of the Union. ___ U.S. at 98 S.Ct. at 1861-62.

Thus the initial test for a privileges and immunities challenge is whether the law affects a right to engage in a livelihood or whether the activity is merely recreational and a sport. If the latter, a privileges and immunities challenge will not prevail.

(2) Equal Protection Under 14th Amendment.

State laws that discriminate against aliens or non-residents must withstand a different test when challenged under the "equal protection" clause of the 14th Amendment.

First, the court must determine whether the class discriminated against is "inherently suspect" or if the law affects a "fundamental right." If so, the court will "strictly scrutinize" the intent and purpose of the law to establish whether there is a "compelling state interest" that necessitates the law and that the law is the least drastic means to further that interest. Dunn v. Blumstein, 405 U.S. 330 (1972). If the classification is not "suspect," and the right not "fundamental" the court will restrict its review of the law to a determination whether the law and the classification it establishes is "rationally related to a permissible state interest."

The Court in Baldwin, supra, at 1862 concluded that recreational hunting was not a "fundamental right" (for purposes of privileges and immunities analysis which protects a longer list of rights than does the equal protection clause. (Hicklin v. Orbeck, 565 P.2d 159, 168 n.16 (Alaska 1977), rev'd on the grounds U.S., 57 L.Ed.2d 397 (1978)). However, the class of aliens (regardless of residency) has been held to be a suspect class for state laws, though not federal laws. Mathews v. Diaz, 426 U.S. 67 (1976), Sugarman v. Dougall, 413 U.S.634 (1973) (civil service); Takahashi v. Fish and Game Commission, 334 U.S. 410 (1948) (commercial fishing); Frovlov v. Delo, 383 N.Y.S.2d 470 (N.Y. 1976) (hunting license). Thus, in order to uphold a law that discriminated between resident citizens and resident aliens, the state would have to show that distinguishing the class of aliens was necessary to further a compelling state interest. Frovlov, supra, at 472; Takahashi, supra at 416-17. A classification based solely on alienage must thus correspond to the class from which an "evil" is to be feared. Patson v. Commonwealth of Pennsylvania, 232 U.S. 138 (1914) (upholding a state law prohibiting aliens from killing game for sport and to that end making possession of shotguns by aliens unlawful).

It may thus be more difficult to demonstrate that a law directed at aliens only is directed at the primary source of the problem. The court in Takahashi, supra at 417 held:

The protection of this section, [8 U.S.C. § 41 relating to rights of all persons under U.S. Jurisdiction] has been held to extend to aliens as well as to citizens. Consequently the section and the Fourteenth Amendment on which it rests in part protect "all persons" against state legislation bearing unequally upon them either because of alienage or color...The Fourteenth Amendment and the laws adopted under its authority thus embody a general policy that all persons lawfully in this country shall abide "in any state" on an equality of legal privileges with all citizens under non-discriminatory laws. [Footnotes omitted.]

The court concluded that the power of a state to apply its laws exclusively to alien inhabitants is "confined within narrow limits." Takahashi, supra at 420.

Applying this language to an Alaska law that would bar aliens from hunting, or otherwise restrict their ability to engage in sport hunting, its validity would depend in part on whether the privilege of sport hunting is encompassed by the privileges citizens can also enjoy. Arguably, sport hunting is not such a privilege enjoyed by all citizens, but is a special privilege that may be restricted to state citizens in order to protect the resource. In Patsone v. Pennsylvania, 232 U.S. 138 (1914) (cited in Takahashi, supra at 410) the Supreme Court sustained, against Fourteenth Amendment due process and equal protection challenges, a state law barring aliens from hunting wild game in the interest of conserving game for citizens of the state. The distinction between the Patsone and Takahashi cases apparently was that in Patsone the court found no conflicting federal law or treaty, that the privilege of taking wild game was not a right of citizenship, and a state could keep game for its own citizens. (Citing Geer v. Connecticut, 161 U.S. 519 (1896)).

Takahashi, suggests that to earn a living by fishing is a right of citizenship, and that:

To whatever extent the fish in the three-mile belt off California may be capable of ownership by California, we think that "ownership" is inadequate to justify California in excluding any or all aliens who are lawful residents of the state from making a living by fishing in the ocean off its shores while permitting all others to do so.

Based on the Takahashi case, it appears that a law directed at non-residents, rather than aliens (whether resident or non-resident), would be easier to justify.

Earlier analysis used to uphold state laws directed at non-residents (citizen or alien) relied on the theory of "state ownership" of fish and game resources. In re Eberle, 98 F. 295 (7th Cir. 1899) (upholding state law charging non-residents a much higher hunting license fee); State v. Tower, 24 A. 898 (Me. 1892) (upholding a state law forbidding non-residents from hunting in the state).

The "state ownership" theory is that the wild game (and fish) in a state is the property of the state under its "sovereign ownership." Patsone v. Pennsylvania, 232 U.S. 138 (1914) (no resident aliens may hunt deer); McCready v. Virginia, 94 U.S. 391 (1877) (state title to oysters in tide waters). This analysis has, in recent years, been severely eroded, although not overruled. Fish that migrate have been deemed not the state's property, Toomer v. Witsell, 334 U.S. 385 (1948) and state laws prohibiting aliens from commercial fishing in territorial waters, when the aliens held a federal gear license, have been stricken. Douglas v. Seacoast Products, Inc., 431 U.S. 265 (1977). Although the ownership theory has been deemed "but a fiction," Toomer v. Witsell, 334 U.S. 385, 402 (1948), and a "slender reed," Missouri v. Holland, 252 U.S. 416, (1920), nevertheless it has not been overruled.

Courts today have, however, tended to replace "ownership" concepts with the principle that under a state's police powers, the state is trustee of the fish and game within its borders and may take reasonable measures to protect and manage it. Baldwin, supra at 1864 (Burger concur.); State v. Kemp, 44 N.W.2d 214 (S.D. 1950), dis'd 340 U.S. 923 (1951) (U.S. S.Ct. dis'd for want of "substantial federal question" a South Dakota law excluding non-resident from hunting migratory waterfowl.)

Alaska's supreme court has taken a similar approach to protection of its natural resources. The court in Hicklin v. Orbeck, 565 P.2d 159 (Alaska 1977) struck down the durational (one year) residency requirement for pipeline jobs, on the grounds that, under equal protection analysis, a "fundamental right" (travel or migration) was infringed upon and the law must be strictly scrutinized; however the court also upheld a non-durational residency provision, claiming the right to work is not a fundamental right, and therefore the law must merely "bear a fair and substantial relation to a permissible state interest." Hicklin, supra at 167. The court relied on McCready v. Virginia, 94 U.S. 391 (1877) and the Alaska Constitution Art. VIII § 2, that holds Alaska's natural resources for the benefit of her people, to conclude that the natural resources of the state "belong" to Alaskans "in a way that, in our federal system, Alaska's society and economy in general do not." Hicklin, supra, at 169. The United States Supreme Court reversed the state decision in Hicklin v. Orbeck, U.S. , 57 L.Ed.2d 397 (1978), however, stating that Alaska's hire law violates

the privileges and immunities clause because the state failed to show that non-residents are "a peculiar source of the evil" and because the Alaska hire preference does not bear a substantial relationship to the problem. The Supreme Court further held that the theory of state ownership of its resources does not remove a law concerning that resource from the prohibitions of the privileges and immunities clause.

The analysis suggested by the above equal protection cases, assuming "strict scrutiny" is not used, is whether the state can present sufficient evidence that the discriminatory law is justified by problems that class creates. For example, the court in Baldwin, supra found that residents contributed to the feeding of elk; that non-resident hunting pressure threatened the resource, and that the law was supportable on these and similar grounds. In contrast, the court in Gullaney v. Anderson, 342 U.S. 415 (1952) struck down a territorial fishing law that required aliens and non-residents to pay higher fishing license fees; the court found no evidence that the higher fee represented actual compensation to the state for a higher enforcement burden, but did not rule out the possibility that this could be a legitimate basis for discrimination. Thus the "rational basis" for the law was not established, and it failed constitutional scrutiny.

(3) Supremacy Clause: Art. VI § 2.

Constitutional challenges to discriminatory state laws based on the supremacy clause fall into two categories: first, laws directed at aliens that conflict with rights granted to aliens under federal laws or treaties; second, state laws that impinge upon a federally granted license or privilege. Both types of cases receive the analysis discussed by the court in Takahashi, supra: no law that conflicts with a treaty, or with a particular federal right or privilege, will survive U.S. Supreme Court scrutiny. Federal legislation pre-empts state law in fields that have been traditionally occupied by the states only where there is a manifest intent of Congress. This has been held to include federal vessel licenses to engage in fisheries. Douglas v. Seacoast Products, Inc., 524 ed.2d 204. See also Kleppe v. New Mexico, 426 U.S. 529 (1976) which struck down a state wild burro law that "conflicted" with a federal law protecting the animals on federal lands.

Assuming there is no overriding federal law involved, a state could pass a discriminatory law if it is based on, and rationally related to, a valid state interest. Since the Baldwin court has concluded that sport hunting is not a fundamental right of citizenship, a sport hunting law aimed at restricting non-residents or aliens would probably survive a challenge under the supremacy clause.

(4) Commerce Clause; Art. I § 8. A state law that restricted access by non-residents or aliens to a resource and thereby detrimentally affected interstate commerce, could be struck down under the commerce clause. For example, the court in Douglas v. Seacoast Products, Inc., ___ U.S. ___, 52 L.Ed.2d 304 (1977) held that Congress had the power to regulate the taking of fish in state waters where there was some effect on interstate commerce. The court struck down a Virginia law that limited the right of non-residents and aliens to catch fish in territorial waters.

It is unlikely that this analysis would find a similar sport hunting law invalid, since the Baldwin court has held sport hunting to be a purely recreational activity, not a source of livelihood.

Summary. Whether Alaska could pass a constitutionally supportable law or regulation that restricted the ability of non-residents or aliens from taking game would depend on whether the state could gather enough evidence showing the need to protect this resource and showing that the non-residents or aliens were a special threat.

The evidence to look at includes: the higher tax burden borne by state residents, which taxes support game management; the likelihood of enforcement problems generated by aliens or non-residents; the likelihood of non-residents or aliens not abiding by, or being familiar with, state game laws; dangers to non-residents and aliens unfamiliar with climate, terrain, wildlife habits [see attached article on point]; the need to limit the overall take of the species; protection of game and conservation purposes.

If the state simply charges a higher license fee to non-residents, the evidence to support this will be easy to supply. If only aliens are charged a higher fee, the burden will be much higher on the state. [The burden of proof is on the one who challenges the law, of course, but once the discrimination is established, the state must defend the classification.]

A second possibility for legislation would be to require all aliens to be accompanied by guides. If directed only at aliens and not non-resident citizens, it would be necessary to demonstrate that aliens present a different danger to the game (because of language barriers making it difficult to comprehend rules, training, allegiance to laws, culture, or other reasons).

March 5, 1979

The easier-to-justify approach would be to require all non-residents (aliens or citizens) to be accompanied by guides. The justification then would rest on: greater likelihood of violations due to unfamiliarity with laws; costs of enforcement and need to have the guide function as a person responsible for the legality of the hunt; danger to the non-resident who is not familiar with weather, terrain, and animals, and the likely cost to the state of aiding non-residents in distress.

One problem with the required guide approach is that as the law (AS 16.05.407) now stands guides are only required for brown bear, grizzly bear, polar bear and sheep. This makes it difficult to justify a guide requirement based on safety of the hunter, since it does not include goat, moose and other species that present as great or greater potential hazards to the hunter, in terms of terrain, weather, etc. Thus AS 16.05.407 would have to be expanded to include all species.

In State v. Jack, supra, the supreme court in Montana struck down a state law requiring guides for non-residents on national forest, wilderness or game refuge lands or state game refuges. The basis for the decision was that because the law did not apply to deer and antelope, it could not be based on legitimate safety needs, and therefore had no reasonable connection with the classification.

: In conclusion, although the Supreme Court has severely eroded a state's sovereign ownership of game, it has not ruled out the possibility of establishing a constitutionally sound law reserving sport hunting to resident citizens. In order to draft a supportable resident law or regulation, the state or state board must demonstrate clearly that the purpose of the discriminatory law is strictly related to valid biological interests, essential state management goals and similar unimpeachable motives and that the law does not conflict with established federal laws or treaties.

SEP:ln

cc: Robert Hinman
Marcus Jensen
Ronald Skoog
Col. Wolstad
Bill Bellingar
Don Harris
Ron Somerville
John Gissberg

Attachment

(j) Notwithstanding any other provisions of this section, the commissioner shall issue permits for the possession of neutered skunks, neutered raccoons, and neutered ferrets legally possessed in the State of Alaska before January 1, 1980, upon receipt of applications postmarked no later than July 1, 1980.

Authority: AS 16.05.050(6)
AS 16.05.255(5), (8)
and (9)
AS 16.05.920
AS 16.05.930

5 AAC 81.140 is repealed and re-adopted to read:

5 AAC 81.140. POSSESSION AND TRANSPORTATION.

(a) No person may possess, transport, or place into the possession of another, any game or parts of game that the person has taken in violation of AS 16 or a regulation promulgated thereunder.

(b) A person may possess or transport game or parts of game received from a person who took the items contrary to AS 16 or a regulation promulgated thereunder, if the person receiving the items knows, has reason to know, or should know that the item was taken in violation of AS 16 or a regulation promulgated thereunder.

(c) No person may possess or transport game or parts of game that the person knows were taken in violation of AS 16 or a regulation promulgated thereunder.

Authority: AS 16.05.250(3)

5 AAC 81.145 is amended to read:

(a) No person may transfer possession of game or parts of game that he has taken unless he provides immediately upon request of any person authorized to enforce these regulations, a statement, signed by himself and the person to whom the game or its parts are transferred, stating the date of the transfer and the name and address of the person to whom the game was transferred.

(b) No person may possess or transport any game or parts of game not taken by himself unless he provides immediately upon request of a person authorized to enforce these regulations, a statement signed by the person who took the game, stating that person's name, address, and license or permit number, and the place the game was taken.

(c) No guide, transporter, or common carrier may possess or transport any game or parts thereof unless he first obtains from the person seeking to transfer possession or transport the game or its parts, and produces immediately upon request of any person authorized to enforce these regulations, a statement signed by the person who took the game, stating that person's name, address, and license or permit number, and the place the game was taken.

(d) A person who takes an animal that has been marked or tagged by the Department for scientific studies must, within a reasonable time, notify the Department of the date when and the place where the animal was killed, and any ear tags, collars, tattoos, or other identification must be retained with the hide until it is sealed, if sealing is required, and in all cases any identification equipment must be returned to the Department.

Authority: AS 16.05.250(3)

It was agreed by the air tax ^{representatives} ~~people~~ and Rudy Smith of the Professional Hunters to delete the guide requirement for non-resident aliens. ~~In addition, the~~ Bob Hinman of the Board of Game stated that the Department had revised and strengthened its regulations pertaining to the winter waste of meat which ~~get retain the higher fees for non-resident~~ ~~aliens which was in the original bill as a means~~ for controlling their numbers.

The air taxi representatives agreed to promote more self enforcement within their industry ~~advised~~ as it pertains to aliens and the winter waste of ^{game} meat.

Bob Hinman of the Board of Game was also present and stated that the Department had revised ~~and strengthened~~ ~~its~~ its regulations on the winter waste of meat and he felt that might help alleviate the problem. He also ~~state~~ addressed the need for enabling legislation.

LA11 0707 09.18 JAO1 0008 09.18 05/08/80

TO: ALL LEGISLATORS

FROM: LINDA SHEY, 923 W. 58TH, ANCHORAGE

IT SEEMS I HAVE BECOME NOTHING BUT A NUMBER AND NOW YOU ARE CONSIDERING DISCRIMINATING AGAINST ME IF I MAKE TOO MUCH MONEY OR WANT TOO BIG OF A HOUSE. I AM AGAINST A SLIDING SCALE INTEREST RATE THAT DISCRIMINATES.

LA11 4240 17.14 JAO1 0062 17.14 05/07/80

TO: ALL LEGISLATORS

FROM: BOB POSMA

PRESIDENT OF AK. MUSKEY BATTERY
MT. VIEW DR., ANCHORAGE, AK. 99504
PH. 333-5589

"IF OSHA COMPLIANCE IS TURNED OVER TO THE FEDERAL GOVERNMENT AK. BUSINESSMEN WILL HAVE A VERY REMOTE ACCESS TO AN EAR TO HEAR THEIR COMPLAINTS OF HARASSMENT OR EFFECTIVE EMPLOYMENT. PLEASE FUND THE STATE OSHA COMPLIANCE PROGRAM. THIS MEANS YOU MAY HAVE TO LISTEN TO SOME COMPLAINTS, BUT IT WILL HELP ALASKA."

#####

LA11 4019 16.40 JAO1 0056 16.40 05/07/80

TO: ALL LEGISLATORS

FROM: BILL SHERWOOD, 4142 SHORECREST DRIVE, ANCHORAGE 99502 247 4469

I SUPPORT FUNDING TO THE ALASKA HOSPITAL. WE NEED A CHOICE OF HOSPITALS IN ANCHORAGE.

Longitude -
156° W latitude -

Proposals split the state in terms of one area
would require a guide for alien

Delete all animals except moose ~~to~~
be required; to be hunted with a guide

OK Air Carriers -

Delete - Guide requirement for non-resident
aliens.

Keep portion of bill which specifies - fees
for non resident aliens.

Letter of Intent - directed to all concerned
that they use self-enforcement.

Enabling legislation

Dispersion Plan - F+G come up with
the numbers - #^s of hunters that an air taxi
operator can drop in one particular zone -
Come - need to define the zones and
optimum #^s

Draft enabling legislation to distinguish between
alien & non-resident

STATE OF ALASKA
THE LEGISLATURE

POUCH V - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 26, 1980

SUBJECT: Nonresident alien hunters
CSSSHB 836

TO: House Resources Committee
ATTN: Mary Levan, AA

FROM: Kenneth E. Vassar
Legislative Counsel 

Enclosed is the committee substitute you requested for sponsor substitute for House Bill 836. The fees for licenses established in this bill for nonresident aliens are generally higher than the fees for the same licenses for residents, and the fee for one type of license (hunting and trapping) is 20 times the fee for the same license for residents. I realize you are in a rush to receive this bill, so I have not conducted any research into the equal protection questions these fees raise; I believe that the United States Supreme Court has upheld state fees for fish and game licenses for nonresidents which were as much as seven times the fee for the same licenses for residents and has ruled unconstitutional fees for nonresident licenses which were 100 times the fee for resident licenses. Whether the court would uphold a nonresident fee which is 20 times the resident fee, I cannot say with certainty.

Also, I am confused by the special visitor's sport fishing license fee established in the bill. When would a nonresident alien be considered a visitor and thus eligible for this special fee rather than the general nonresident alien sport fishing fee established in the bill? I realize this simply parallels the special visitor's license already included in AS 16.05.340(a)(6), but I am not sure I understand that provision either.

KEV:jdn

Enclosure

LA11' 2407 14.34 JAD1 0062 14.35 04/11/80

TO ALL LEGISLATORS

FM KIRK D. GAY
ALASKA SAFARI, INC.
BOX 6583
ANCHORAGE 99502

243 6394

I URGE YOU TO SUPPORT A LAW REQUIRING NON RESIDENT ALIENS TO REQUIRE
LICENSED PROFESSIONAL GUIDES FOR ALL BIG GAME HUNTING. THIS LAW IS
ESSENTIAL FOR CONSERVATION AND PERPETUATION OF OUR RENEWABL RESOURCES.

THIS LAW IS ESSENTIAL IN GUARANTEEING A NON-RESIDENT ALIEN A SAFE,
PROPERLY OUTFITTED, PROPERLY CONDUCTED HUNTING EXPERIENCE. THE
NON-RESIDENT HAS RECOURSE AGAINST A GUIDE PER CONTRACTUAL AGREEMENT.

TO SEN. SUMNER, CHAIRMAN, SENATE RESOURCES COMMITTEE, AND ALL MEMBERS
OF THE COMMITTEE

745-3160

FROM: GEORGE PALMER, BOX 878, PALMER 99645

I URGE YOU TO PASS HB 836.

LA11 3819 18.35 04/23/80 JA01 0009 C.41 04/24/80

7

✓
TO: SENATORS SUMNER, DANKWORTH, BENNETT, MULCAHY, FAHRENKAMP, KERTTULA,
MELAND

FROM: WAYNE MUNDY, P.O. BOX 834, CHUGIAK, AK. 99567 608-2535

I URGE YOUR SUPPORT OF HB-836.

HP \

TO: Senators Meland, Kerttula, Fahrentkamp, Mulcahy, Bennett, Sumner,
and Representative Huriburt

FROM: Mary Porter, 4225 Spenard Road, # 96, Anchorage, AK 99503 243-6454
Dan McGinsey, 4225 Spenard Road, Anchorage, AK 99503 243-6454

We are in favor of HB 835.

✓

To Senators Kerttula and Sumner
Representatives Montgomery and Hayes

From: Keith Johnson,
243-5087

✓

1646 North Point Drive, Anchorage 99502

Help support HB 836.

The natives need it and so does Alaska.

TO: SENATOR BILL SUMNER
FROM: DEAN E. SALMEIER, *Lake Creek Lodge*
SUBJECT: OPPOSITION TO CSSSHB 836

CSSSHB 836 has judged and found guilty a valued and important industry in the state of Alaska -- TOURISM. It is special interest legislation giving a part of the natural resources of this state to one group -- GUIDES. HB 836 is fraught with invalid reasoning in the name of game management, meat preservation, and safety. It accuses air taxi operators of acting as guides but does not consider that guides act as air taxi operators. It infers that the non-resident alien who have not secured the service of a guide are unlawful. This is an absolute absurdity.

This bill addresses the alleged problems which nonresident alien hunters are causing. It states that they are unfamiliar with the English language; not true, most of them speak very good English. It says they are unfamiliar with the language spoken in the area of Alaska in which they hunt; I submit that all hunters -- resident, nonresident, as well as guides -- are also unfamiliar with many of the languages spoken in Alaska. I would like to see a figure on how much money the state has spent on search and rescue of nonresident aliens and further what number of these lost hunters were clients of registered guides as opposed to the drop-off hunter. I believe state paid rescue of nonresident alien hunters is minimal.

The history of game management laws in Alaska, in my opinion, are a pyramid of ridiculous special interest group legislation which does little to conserve game resources. Rather it is a hodge podge of nearly unworkable and largely unenforceable laws, which in effect allows a commercial operator full monopoly of a public resource. It is time to address the total problem -- that of true game management and conservation. Another "limited entry" into game resources is certainly not conducive to this desired successful game management.

This legislation will have adverse affect on the growing tourist industry in Alaska -- now our number two industry. Tourism is a renewable industry of the highest order and nothing should be done to jeopardize it.

Air Taxi operators perform a necessary service to Alaskans throughout rural Alaska. Nonresident hunters provide much of the revenues which in essence "subsidize" this industry so it can provide that service. These operations will not be able to continue if they are constantly restricted and their very livelihoods are endlessly threatened by special interest legislation.

HB 836 will seriously diminish the income of my own operation on Lake Creek. I own and operate two lodges, Lake Creek and Martana, in Game Management Unit 16B. I also have an air taxi certificate with a base at Lake Creek Lodge. This area is designated an exclusive guide area for Brown Bear and Dall Sheep. I have invested several hundred thousand dollars in my business and have spent years building my business into an honored and honest operation. The vast majority of my business is sport fishing and I have guests from all parts of the United States, from Europe and the Far East. Also, I have developed a small but valued following of European hunters who come each season to hunt our area. These hunters (some have been with me for more than one hunt) are true sportsmen, being interested mainly in experiencing a good hunt and the possibility of taking a trophy. They salvage all the meat which is given to persons who live in the local area or to an Alaskan hunter who has not been successful. It is my responsibility to see that there is no waste of meat and I have accepted that responsibility.

If overhunting becomes a problem in any area then some method of limiting the kill is essential to game conservation. I would suggest a permit system in this case which is a workable management method and should be used to address the problems outlined in HB 836.

I have grave concerns as to the motives of the sponsors of this legislation. The chronology of this legislation and legislation like it, indicates that it will not go away simply because it is not passed in a given session. In one form or another it surfaces again and again. I urge you to do whatever is necessary to defeat HB 836 and to discourage any further action to resurrect the elements of this special interest legislation concerning the natural resources of Alaska. The resources of this state belong to all Alaskans and should not be for the exclusive use of any one group.

Osa - Schmitt

ALASKA AIR GUIDES, INC.

NORTH SHORE LAKE HOOD
MAILING ADDRESS: 327 E. FIREWEED LANE • ANCHORAGE, ALASKA 99503 • (907) 278-4842

MAINTENANCE & OVERHAUL - CHARTER & CONTRACT FLYING - FLIGHT INSTRUCTION

TO ALL SENATE HOUSE MEMBERS

WE URGENTLY REQUEST YOU VOTE AGAINST H.B. 836 WHICH
REQUIRES A GUIDE FOR NONRESIDENT HUNTERS FOR BIG GAME
ANIMALS.

1. If this bill is passed it will be an economic hardship on all businesses associated with tourism such as sporting good stores, hotels, air taxis, airlines, taxidermists, etc. It would discourage hunters from coming to Alaska that cannot afford the fees of a big game guide.

2. We feel that the public has not had a reasonable opportunity for public input on this bill. The air taxi industry has been unjustly accused of being the culprit in wanton waste of big game meat, with no chance of rebuttal.

3. This bill if passed would give an exclusive monopoly of all big game animals to small segment of the industry, registered guides. This would not be in the best interest of the state, it's people or it's big game animals. And it would not be a solution to the problem of wanton waste of big game meat.

Sincerely,


Don Cogger

General Manager
Alaska Air Guides, Inc.

Alaska Travel Air

FULLY INSURED AND LICENSED AIR CARRIER

P.O. Box 6012
Anchorage, Alaska 99502

Telephone
(907) 243-4200

TO: ALL MEMBERS OF THE SENATE
FROM: DEAN CARRELL---ALASKA TRAVEL AIR
DATE: APRIL 9, 1980

We are opposed to HB836. We urgently ask that you delay passage of this bill until hearings can be held here in Anchorage in order to collect input from the public concerning proper game management.

This proposed bill will only create a monopoly of Alaska's big game industry in favor of Alaska's Big Game Guides.

We are in favor of stricter game management and feel that a possible solution to waste, such as leaving meat in the field, could be solved simply by setting up check points by Fish & Game requiring that all trophies be accompanied with the meat.

With reference to a solution for all alien, non-english speaking hunters, we feel that Fish & Game could easily print game regulations in three (3) languages; English, German & Latin, which would cover the largest percentage of alien hunters.

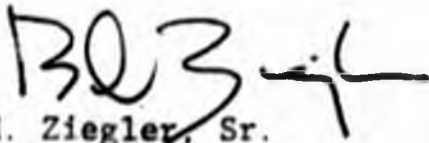
This bill is detrimental to Tourism, Alaska's #2 industry and the mainstay of my livelihood in the air carrier business. It also effects the economy of all Alaskan Communities; Hotels, Sporting Good Stores, Major Airlines etc.....

YOUR VOTE AGAINST PASSAGE OF HB836 IS URGENTLY REQUESTED-----

→ April 14, 1980 The House action on HB 836 was done in much to hasty a fashion. Senator Sumner now has the bill in his Senate Resources Committee and Bill tells me that everyone concerned will get a fair shake.

I suggest you call his office upon receipt of this letter at 465-3791/92/93 and ask about his plans for scheduling.

Regards,


Robert H. Ziegler, Sr.

cc: ✓ Senator Sumner

Ketchum



AIR SERVICE, INC.

MAIL: 2708 ASPEN DRIVE

ANCHORAGE, ALASKA 99503

(907) 279-5511

TO: Senator Bill Sumner
Alaska State Legislature
Pouch V (MS3100) Juneau, AK. 99811

11 April 1980

CONCERNING: HB836

We are opposed to HB836, this is a special interest bill. It has very little to do with game management or meat harvesting control.

It gives the Game Guide Industry a virtual monopoly on non-resident and foreign hunters. "This is putting the Fox in charge of the Hen House."

This bill is directed against segments of the Air Carrier Industry and is counter productive to Alaska's # 2 industry, "TOURISM"!

Fish and Game now has the laws on the books. We are opposed to Bill HB836 because:

- a. It will not control Game Harvest or Game Meat Salvage. Guides are Trophy Hunters, NOT Meat Hunters!
- b. It is directed against a segment of the Air Carrier Industry.
- c. It is directed against Tourism, "Alaska's #2 Industry"
- d. It will reduce the State of Alaska's Tax Base by reducing visitors to our State.
- e. It gives a special interest group, the GAME GUIDE INDUSTRY, a virtual monopoly!

As representatives of the Air Carrier Industry, we propose:

- a. Give HB836 "due process" by holding hearings in Anchorage and other locations thru out the State.
- b. Ask Fish and Game to set up controls, such as "Trophy and Meat Check Points", requiring ALL Hunters (resident, non-resident, and foreign) to check their Trophy and Meat thru these points.
- c. Translate Hunting and Fishing Regulations into appropriate foreign languages. ✓

Respectfully,

L. H. "Ketch" Ketchum

LHK:de



HELP PROTECT OUR WILDERNESS RESOURCES

FISHING - LODGES - CAMPS - CHARTER - CONTRACT - RIVER FLOAT TRIPS - BOATS - MOTORS - RUBBER RAFTS

LA11 0972 10.14 JA01 0018 10.14 04/09/80

TO ALL LEGISLATORS

FROM DEAN CARROLL, P.O. 6012, ANCHORAGE, AK 99502 PHONE 243-4200

I AM OPPOSED TO SS HB 836, THE LIMITED ENTRY PROGRAM WHICH I SEE AS ANOTHER SPECIAL INTEREST LEGISLATION. THIS MEASURE WOULD TEND TO CREATE A MONOPOLY ON THE GAME GUIDE INDUSTRY. THIS IS NOT EFFECTIVE GAME MANAGEMENT AND IS DIRECTLY DETRIMENTAL TO TOURISM, ALASKA'S NUMBER 2 INDUSTRY AND OUR ONLY RENEWABLE RESOURCE. YOUR VOTE AGAINST HB 836 IS URGENTLY REQUESTED. \

TELEGRAM

ALASCOM, INC.
PHONE: 583-6442
JUNEAU, AK 99802

HB836

02040 NL ANCHORAGE ALASKA 63 04-06 100P AST
PMS REP ALVIN OSTERBACK
JUNEAU AK 572

WE ARE OPPOSED TO HB836. THIS MEASURE WOULD TEND TO CREATE
A MONOPLY FOR THE GAME GUIDES INDUSTRY. ALASKAN GAME A
RENEWABLE RESOURCE, MUST BE MANAGED FOR ALL PEOPLE, NOT A
SPECIAL INTEREST GROUP.

THE BILL DOES NOT PROMOTE EFFECTIVE GAME MANAGEMENT AND IS
DETRIMENTAL TO TOURISM, ALASKAS NUMBER TWO INDUSTRY.
YOUR VOTE AGAINST PASSAGE OF HB836 IS URGENTLY REQUESTED.

LAKE HOOD AIR TAXI ASSOCIATION
KETCH KETCHUM ACTING PRESIDENT, ANCHORAGE.

80 APR 6 PM 3 54

LA11 3177 16.48 JA01 0081 16.48 04/11/80

Chairman Sumner

TO ALL MEMBERS OF THE SENATE RESOURCES COMMITTEE, AS WELL AS ALL OTHER MEMBERS OF THE SENATE

FROM ROBERT. W. WHITE
5369 E. 4TH APT. 2
ANCHORAGE, AK 99504
333-8062

RE: HB 836 SECTION 1 (D)

MORE VIOLATIONS BY OUR REGISTERED GUIDES ARE EVIDENT EACH YEAR. MANY WHO WOULD COME HERE TO HUNT CANNOT AFFORD THE HIGH FEES. THEREFORE LESS VISITORS - LESS REVENUE. HAVING CHECK POINTS THAT AIR TAXI OPERATORS MUST CHECK IN WILL SOLVE MOST PROBLEMS. CLOSING AIR TAXIS DEFINITELY WON'T HELP OUR UNEMPLOYMENT.

4/30/ 

Rep. Harbort -


State Reason for the bill - would like to see
elms not entering but compromise is to disperse
them over a larger area, not concentrated

~~over~~ in
Bob Hinman

825

Bob
Hinman
asked

Legal question - when violation occurs - state
has a better control on guides - than they
do on air tax operators?

 A/Tax Response - legally yes but they have the
economic motivation - and also they can be
charged when they don't report a violation by
a hunter

Possibility of applying it only to moose -

Delete guide requirement - increase non-resident
fees

Original sponsors: Hurlbert, Anderson,
Hayes, et al

Offered: 3/31/80
Referred: Rules

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 836 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the use of state fish and game
7 resources by aliens and nonresidents; and providing for
8 an effective date."

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

10 * Section 1. AS 16.05.407 is amended to read:

*This section adds
alien as it pertains to*

11 Sec. 16.05.407. NONRESIDENT OR NONRESIDENT ALIEN HUNTING GAME
12 ANIMALS MUST BE ACCOMPANIED BY GUIDES. (a) It is unlawful for a non-
13 resident to hunt, pursue or take (brown bear, grizzly bear, polar bear or
14 sheep) in this state, unless personally accompanied by a person who is
15 licensed as a master guide, registered guide or assistant guide
16 under AS 08.54 or [BY THE DEPARTMENT, OR WHO IS PERSONALLY ACCOMPANIED]
17 by a resident Alaskan over 19 years of age who is the spouse of or is
18 related by blood within and including the second degree of kindred
19 to the nonresident. A person who applies for a nonresident big game tag
20 for the taking of an animal specified in this section shall first fur-
21 nish to the state, on a form provided by the state, a sworn statement
22 [AN AFFIDAVIT] showing that he will be accompanied in his hunt by a
23 person who is qualified under the terms of this section. A person who
24 falsifies the required sworn statement commits the crime [AFFIDAVIT IS
25 GUILTY] of perjury under AS 11.56.200.

26 (b) It is unlawful for a nonresident or a nonresident alien to
27 import polar bear into this state unless personally accompanied by a
28 person who is licensed as a master guide, registered guide or assistant
29 guide under AS 08.54 [BY THE DEPARTMENT].

*Presently - The law only calls
only for an affidavit - and does
not specify
the penalty*

*Reason proposed is most polar bears are taken outside the
3-mile limit, i.e. brought back dead that is considered importation
At this point there are no polar bears to be taken out should it come up they
sent it to the state.*

CSSSHB 836 am

1 (c) A [THE] nonresident who violates (a) or (b) of this section
2 or a nonresident alien who violates (b) or (d) of this section is guilty
3 of a class A misdemeanor [AND UPON CONVICTION IS PUNISHABLE BY IMPRISON-
4 MENT FOR NOT MORE THAN ONE YEAR, OR BY A FINE OF NOT MORE THAN \$2,500,
5 OR BY BOTH].

this section pertains to the taking of all game unless F&G

6 (d) Except as provided in (e) of this section, it is unlawful
7 for a nonresident alien to trap, hunt, pursue or take game in this state
8 unless personally accompanied by a person who is licensed as a master
9 guide, registered guide or assistant guide under AS 08.54 or by a resi-
10 dent Alaskan over 19 years of age who is the spouse of or is related by
11 blood within and including the second degree of kindred to the nonresi-
12 dent alien. A nonresident alien who applies for a hunting license or a
13 big game tag shall, when required by the Board of Game, furnish to the
14 state, on a form provided by the state, a sworn statement showing
15 that he will be accompanied in his hunt by a person who is qualified
16 under this subsection. A person who falsifies the required sworn
17 statement commits the crime of perjury under AS 11.56.200.

18 (e) The Board of Game shall designate by regulation species of
19 small or unclassified game which a nonresident alien may hunt without
20 being personally accompanied by a guide or resident Alaskan related
21 to the nonresident alien.

This section sets up a new classification of licenses for non-resident hunters

22 * Sec. 2. AS 16.05.340(a)(13) is amended by adding a new subparagraph to
23 read:

24 (C) Nonresident alien fur dealer license..... 500

25 * Sec. 3. AS 16.05.340(a)(14) is amended by adding a new subparagraph to
26 read:

27 (C) Nonresident alien taxidermy license..... 500

28 * Sec. 4. AS 16.05.340(a) is amended by adding a new paragraph to read:

29 (21) Nonresident alien licenses

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(A) Hunting license..... 150
(B) Hunting and sport fishing license..... 200
(C) Hunting and trapping license..... 300
(D) Visitor's special sport fishing license -
valid for the period inscribed on the license
(i) for 10-day license..... 25
(ii) for one-day license..... 10
(E) Sport fishing license..... 50

* Sec. 5. AS 16.05.940 is amended by adding a new paragraph to read:

(28) "nonresident alien" means a person who is not a citizen of the United States and who is not admitted to the United States with immigrant or other resident alien status under the immigration and naturalization laws of the United States.

* Sec. 6. This Act takes effect immediately in accordance with AS 01.10.070(c).



Official Business

Alaska State Legislature

Senate

Committee on Resources

April 24, 1980

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Senate Resource Committee Members
FROM: Jens Zehbe, Staff Member
REGARDING: CSSH B 836am

This bill amends the Alaska Fish and Game statutes involving master guides. It adds non-resident aliens to the current requirement that a non-resident must be accompanied by a guide (as defined in the Business and Professions statutes) when hunting big game animals.

Persons applying for a non-resident big game tag will be required to furnish a sworn statement showing they will be accompanied by a qualified person. Falsification of this statement will result in perjury under the Criminal Law statutes.

Non-resident alien is added to sub-paragraph (b) which deals with the guide requirement for the importation of polar bears.

Sub-paragraph (d) is added making it unlawful for a non-resident alien to trap, hunt, pursue or take game unless personally accompanied by a guide.

Sub-paragraph (e) is added which states that the Board of Game shall designate by regulation the kinds of small and unclassified game which may be hunted without a guide.

Violation of the above is a Class A misdemeanor, punishable by imprisonment of not more than one year or by a fine of not more than \$2500.

The next portion of the bill adds license fees for non-resident aliens as follows:

- (C) Non-resident alien fur dealer license \$500
- (C) Non-resident alien taxidermy license \$500
- (21) Non-resident alien licenses
 - (A) Hunting license \$150
 - (B) Hunting and sport fishing license \$200
 - (C) Hunting and trapping license \$300
 - (D) Visitor's special sport fishing license valid for the period inscribed on the license.
 - (i) for 10-day license \$ 25
 - (ii) for one-day license \$ 10
 - (E) Sport fishing license \$ 50

The final portion of the bill adds sub-paragraph (28) to the Definitions section of the Fish and Game Statutes which defines "non-resident alien" as being a person who is not admitted to the United States with Immigrant or other resident alien status.

See attached fiscal note.

Alaska State Legislature



PAT CARNEY
DISTRICT 6
POUCH N
WABILLA, ALASKA 99687

POUCH V
JUNEAU, ALASKA 99811

House of Representatives

COMMITTEES
—
VICE CHAIRMAN
COMMUNITY & REGIONAL AFFAIRS
—
RESOURCES
—
BUDGET & AUDIT
—
SPECIAL AGRICULTURE

TO: Senate Resource Committee Members
FROM: Representative Pat Carney
DATE: April 24, 1980

I am not able to attend the hearing on House Bill 836 but would like to make the following recommendations:

1. I feel all out of state hunters should be considered under these same provisions.
2. A provision should be provided to exclude persons from being forced to hire a guide if they can prove they are experienced as hunters in Alaska.

A handwritten signature in cursive, appearing to be "PC".

ALASKA

MEMORANDUM

TO: R. D. Stevenson
Special Assistant
Department of Revenue

DATE: March 28, 1980

FILE NO:

TELEPHONE NO:

FROM: N. David Ziemer
Chief, Audit Services
Audit Division

SUBJECT: CS SS HB No. 836

This memorandum of fiscal impact has been prepared at the request of Mary Levan, Administrative Assistant to the House Resources Committee.

CS SS HB 836 would require nonresident hunters to use the services of registered guides while in Alaska. It would also raise both hunting and fishing fees for this class of visitor. From usage figures developed by the Alaska Professional Hunters Association, this bill would increase revenues by \$240,820 each year. This increase was computed with two assumptions:

1. The number of nonresident - alien hunters will decrease 25% from current figures due to increased fees and the required use of a guide.
2. The number of nonresident - alien fishermen will remain the same.

There would not be any added fiscal impact to the Department of Revenue.

IV. DATE March 28, 1980 • PREPARED BY N. David Ziemer (N. David Ziemer)
AGENCY Department of Revenue, Audit Division
PHONE 465-2320
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

HB 836

Persons requesting testimony -

Randy Smith Alaska Professional Hunters Assoc.
789-9189

& through Rick Halfords office

Ketch Ketchum Ketchum Air

Joe Gelsdorf - Alaska Center for the
Environment

" 1979 "

5,400 NR HUNTERS
1,020 NR Alien HUNTERS = 18%

Residents / Non-Residents entitled to Hunt

78,711 Total = .01 %
1,020 NR Alien

SPORT FISH & GAME RECEIPTS
Calendar Year 1979
Final - January 1, 1979 thru December 31, 1979
Prepared January 14, 1980

CODE	TYPE OF LICENSE	NUMBER	GROSS	NET	NET/SPORT	NET/GAME	NET/GENERAL
201	R. Sport Fishing	83,782	\$ 836,726.58	\$ 793,793.33	\$ 793,793.33	\$-----	\$-----
202	R. Hunting	22,618	271,416.00	259,240.47	-----	259,240.47	-----
203-A	R. Hunt/Trap	2,170	32,550.00	30,909.33	-----	28,536.43	2,372.90
204	R. Spt. Fish/Hunt	29,004	638,088.00	604,917.93	274,960.90	329,953.03	-----
205	R. Fish/Hunt/Trap	9,328	233,200.00	220,723.25	88,289.31	114,632.27	17,801.67
206	NR. 10-Day Spt. Fish	34,473	517,095.00	492,039.41	492,039.41	-----	-----
207	NR Sport Fishing	12,411	372,330.00	353,964.63	353,964.63	-----	-----
208	NR Hunting	4,345	260,700.00	248,300.74	-----	248,300.74	-----
209	NR Fish/Hunt	1,002	90,180.00	85,362.50	28,462.04	57,100.46	-----
210	NR Hunt/Trap	53	10,600.00	10,022.98	-----	6,030.43	3,992.55
211	NR 1-Day Spt. Fish	16,346	81,730.00	77,531.45	77,531.45	-----	-----
212	NR Military Spt. Fish	6,980	69,800.00	66,448.15	66,448.15	-----	-----
213	NR Military Small Hunt	979	11,748.00	11,127.95	-----	11,127.95	-----
214	NR Military Fish/Hunt	878	19,316.00	18,431.46	8,377.93	10,053.53	-----
217-3B	R. Trap	1,465	4,395.00	4,189.10	-----	1,532.94	2,656.16
218	Duplicate License	2,905	5,810.00	5,524.47	-----	-----	5,524.47
120	Fish/Fur/Game Farm	4	400.00	381.41	-----	-----	381.41
121	R. Fur Dealer	105	3,250.00	4,942.74	-----	-----	4,942.74
122	NR Fur Dealer	5	1,000.00	931.56	-----	-----	931.56
123	R. Taxidermy	37	2,775.00	2,604.56	-----	-----	2,604.56
124	NR Taxidermy	2	400.00	382.82	-----	-----	382.82
200	Permit Fees	18,915	96,595.00	94,665.50	-----	94,665.50	-----
201-B	R. Blind Spt. Fish	10	2.50	2.37	2.37	-----	-----
205-A	R. 25c Hunt/Fish/Trap	8,334	2,083.50	1,981.92	660.57	1,149.51	171.84
SURTOTAL		256,151	\$3,564,190.58	\$3,388,616.03	\$2,184,530.09	\$1,162,323.26	\$41,762.68
215	R. Big Game Tags	3,538	90,825.00	87,481.14	-----	87,481.14	-----
216	NR. Big Game Tags	7,301	1,290,050.00	1,229,716.83	-----	1,229,716.83	-----
TOTAL		266,990	\$4,945,065.58	\$4,705,814.00	\$2,184,530.09	\$2,479,521.23	\$41,762.68

979
878 *1857*

RESIDENT TAGS	
B/G Bear	3,533 \$88,325.00
Moose	5 2,500.00
TOTAL	3,538 \$90,825.00

Gross	\$4,945,065.58
Cost	239,251.58
Net	\$4,705,814.00

Residents entitled to Sport Fish	130,458	
Non-residents entitled to Sport Fish	72,090	202,548
Residents entitled to Hunt	71,434	
Non-residents entitled to Hunt	7,257	28,711
Residents entitled to Trap	21,297	
Non-residents entitled to Trap	53	21,350

55%
10%
.002%
LESS Military = 5400
7.5%

NON-RESIDENT TAGS	
B/G Bear	1,036 \$ 259,000.00
Black Bear	1,262 126,200.00
Deer	390 13,650.00
Moose	1,837 367,400.00
Sloop	661 165,250.00
Rib	12 1,500.00
Goat	392 49,000.00
Caribou	1,393 276,600.00
Wolf	249 12,450.00
Wolverine	60 3,000.00
Blind	-----
Muskox	15 15,000.00
Walrus	4 1,000.00
Total	7,301 \$1,290,050.00

30% Alien
- 311 -
- 329 -
- 852 -
- 198 -
- 118 -
- 415 -

1.35 TAGS/HUNTER

NUMBER SOLD EACH YEAR BY CLASS		1970	1971	1972	1973	1974	1975	1976	1977	1978	1979
201	R. Sport Fishing	39,442	40,303	44,139	47,883	50,593	54,561	66,409	76,892	83,824	81,787
202	B. Hunting	22,148	21,453	19,957	23,875	19,699	16,205	17,003	21,470	21,803	22,618
203-A	R. Hunt/Trap	1,042	854	842	1,059	1,109	1,181	1,328	2,063	1,947	2,171
204	R. Spt. Fish/Hunt	22,951	25,686	27,625	29,937	32,394	34,779	37,380	30,403	29,885	29,004
205	R. Fish/Hunt/Trap	3,955	4,167	4,387	5,343	6,239	7,551	9,604	9,153	9,141	9,328
206	NR. 10-Day Spt. Fish	17,387	17,662	19,486	22,166	21,702	24,228	26,706	23,564	28,600	34,473
207	NR Sport Fishing	20,790	18,405	19,269	14,374	16,009	19,953	20,777	12,766	12,935	12,411
208	NR Hunting	9,004	8,033	8,067	7,066	6,636	5,437	5,390	3,656	3,552	4,345
209	NR Fish/Hunt	3,506	3,476	3,592	1,639	1,680	1,640	1,711	803	787	1,102
210	NR Hunt/Trap	9	16	10	23	24	26	37	52	67	57
211	NR 1-Day Spt. Fish	-----	-----	-----	-----	-----	-----	-----	11,174	14,800	16,346
212	NR Military Spt. Fish	-----	-----	-----	-----	-----	-----	-----	6,527	7,447	6,980
213	NR Military Small Hunt	-----	-----	-----	-----	-----	-----	-----	841	1,077	979
214	NR Military Fish/Hunt	-----	-----	-----	-----	-----	-----	-----	987	912	878
217-3B	R. Trap	815	672	822	1,137	890	759	1,210	1,589	1,480	1,465
218	Duplicate License	-----	-----	1,154	1,537	1,611	1,487	2,218	2,748	2,949	2,905
120	Fish/Fur/Game Farm	16	21	18	4	5	1	2	2	2	4
121	R. Fur Dealer	-----	-----	-----	126	136	121	136	107	189	105
122	NR Fur Dealer	-----	-----	-----	2	3	4	3	4	7	5
123	R. Taxidermy	-----	-----	-----	54	42	36	41	45	63	37
124	NR Taxidermy	-----	-----	-----	3	-----	2	-----	1	1	2
	R. Fur Dealer-Taxid.	159	166	121	-----	-----	-----	-----	-----	-----	-----
	NR Fur Dealer-Taxid.	13	7	6	-----	-----	-----	-----	-----	-----	-----
	Reg & Master Guides	346	352	379	233	-----	-----	-----	-----	-----	-----
	Ann't Guides	458	535	495	66	-----	-----	-----	-----	-----	-----
	Class "A" Ann't Guide	52	65	79	18	-----	-----	-----	-----	-----	-----
200	Permit Fees	-----	-----	-----	-----	-----	-----	-----	718	20,034	18,915
201-B	R. Blind Spt. Fish	4	1	1	2	3	5	3	2	13	10
205-A	R. 75c Hunt/Fish/Trap	5,359	5,595	5,936	6,658	6,256	5,004	5,281	5,463	6,887	8,334
215	R. Big Game Tags	-----	-----	-----	-----	-----	-----	-----	2,937	3,449	3,538
216	NR Big Game Tags	12,602	11,955	11,866	8,339	8,331	6,956	7,415	5,775	5,426	7,301
TOTAL		160,058	159,644	168,301	171,544	173,367	179,936	202,656	219,242	252,277	264,990

GROSS SPORT FISH AND GAME LICENSE RECEIPTS 1970 thru 1979

1977 NR Hunting - 68%
 NR Hunting & Fishing - 47%
 NR Big Game Tags - 78%

"1979"

SPORT FISH & GAME RECEIPTS

RS 3-25

Type of License	NUMBER	GROSS	
NR Hunting Alien 25%	4345 1086	260700 # - 65175	195525 162900
Alien Lic Fee / 150 ⁰⁰	162900 ⁰⁰	195,525	358425 ⁰⁰ - 260700 ⁰⁰ # 97,725 ⁰⁰
NR Hunting & Fishing Alien 25%	1002 251	90180 # - 22545	67635 50200
Alien Lic Fee / 200 ⁰⁰	50,200 ⁰⁰	67635 ⁰⁰	117835 ⁰⁰ - 90180 ⁰⁰ # 27655 ⁰⁰
NR Hunting & TRAP Alien 25%	53 14	10600 # - 2650	7950 ⁰⁰ 4200 ⁰⁰
Alien Lic Fee / 300 ⁰⁰	4200 ⁰⁰	7,950 ⁰⁰	12150 ⁰⁰ - 10600 ⁰⁰ # 1550 ⁰⁰
Total NR Hunt - #126,930 ⁰⁰			295,631 ²⁵
Total NR Fish - 168,701 ²⁵			
NR Fish Alien 25%	12411 3103	372330 # - 93082.50	279247.50 155150.00
Alien Lic Fee / 50 ⁰⁰	155,150 ⁰⁰	279,247.50	434,397.50 - 372,300.00 # 62,097.50
NR 10-Day Fish Alien 25%	34473 8618	517095 # - 129273.75	387821.25 215450.00
Alien Lic Fee / 25 ⁰⁰	215450 ⁰⁰	387821.25	603271.25 - 517095.00 # 86,176.25
NR 1-Day Fish Alien 25%	16346 4086	81730 # 20432.50	61297.50 40860.00
Alien Lic Fee / 1/10 ⁰⁰	40860 ⁰⁰	61297.50	102157.50 81730.00 # 20,427.50

Randy Smith
Ketch Ketchum
Don Coopers

- 1) Where does the problem lie with the bill -
- 2) Do we eliminate aliens entirely -

Mtg with Ketch Ketchum Air Taxi -

11:30 HB 830-

Comments Ketchum - problem in seeing where guides are controlling game -
! should be done by Fish & Game not guides or Air taxi people -

Idea of mtg is to work out some compromise between air taxi, ~~and~~ guides

✓ ATL - ^{used to be} SB 60 find out where north or south bill is

Free Conference -

Check SB 159 Re: Leasing
Fergie & Hollman Dirpers Leasing ^{over Bill} get them
put on some bill as a whole Together



ALASKA STATE LEGISLATURE
 HOUSE OF REPRESENTATIVES
 RESEARCH AGENCY

Pouch Y, State Capitol
 Juneau, Alaska 99811
 (907) 465-3991

MEMORANDUM

April 24, 1980

TO: Representative Vern Hurlbert

FROM: Christine Johnson, Research Analyst *Johnson*

THROUGH: Duncan L. Read, Director

RE: Moose and Caribou Hunting
 Research Request No. 125

We have prepared the following information in response to your request regarding moose and caribou hunting in the state. According to the Department of Fish and Game, the number of moose and caribou in the state has declined significantly since 1970.

Moose and Caribou
 Populations

	<u>1970</u>	<u>1979</u>
Moose	141,000	77,000
Caribou	415,000	264,000

This data indicates that the moose population is presently 55% of what it was in 1970, and the number of caribou has declined by 35%. A spokesperson for the Department of Fish and Game attributed the population reductions to particularly severe winters during the early 1970's, and a reduction in the amount of suitable moose habitat. (Many ranges have matured beyond ideal moose conditions, and, due to wildfire control efforts, few new ranges have appeared to replace them.) We have attached several maps of current moose and caribou habitat for your reference.

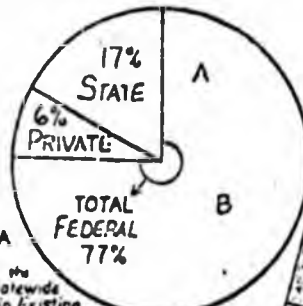
Available Hunting Lands

Since 1970 the amount of unrestricted hunting land has been reduced by 130,000,000 acres. The federal government has designated approximately 40,000,000 acres as National Park Monuments, where some subsistence hunting (by local rural residents) is permitted, and 56,000,000 acres as

Representative Hurlbert
April 24, 1980
Page 2

National Forest and Wildlife Refuges, where a limited amount of both sport and subsistence hunting is allowed. (Monument managers have been instructed to determine a quota of animals to be taken by hunters.) Approximately 44,000,000 additional acres have been transferred to private owners who may restrict hunting on their land as they choose. (Native land selections comprise 43.7 million acres of this private land.)

DALL SHEEP DISTRIBUTION
TOTAL: 30.2 MILLION ACRES

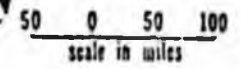


13% of the statewide total in existing National Parks, Wildlife Refuges and forests

38% of the statewide total in D-2 withdrawals



ALASKA



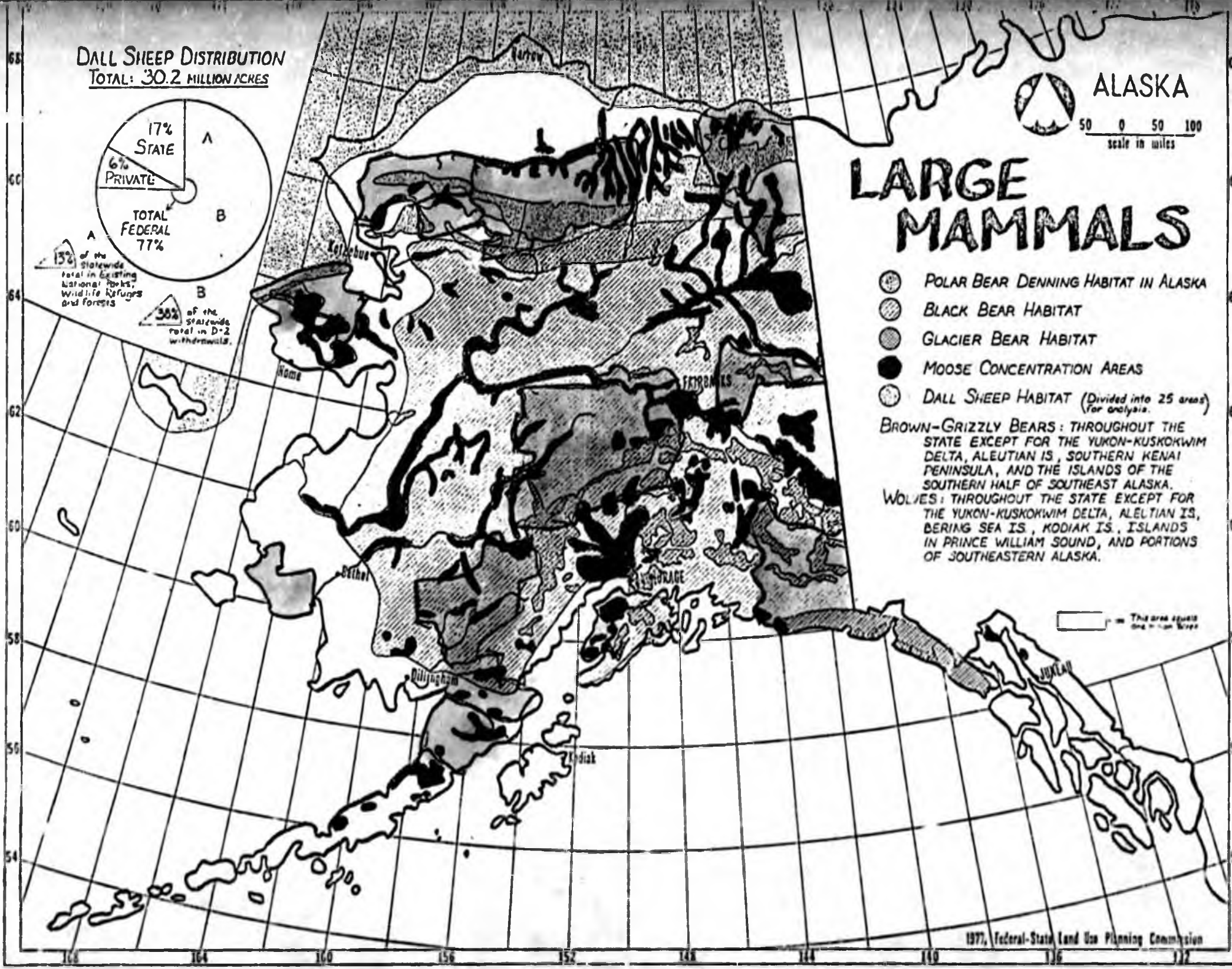
LARGE MAMMALS

- POLAR BEAR DENNING HABITAT IN ALASKA
- BLACK BEAR HABITAT
- GLACIER BEAR HABITAT
- MOOSE CONCENTRATION AREAS
- DALL SHEEP HABITAT (Divided into 25 areas for analysis)

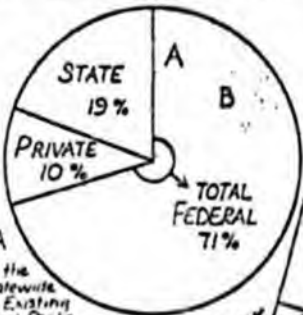
BROWN-GRIZZLY BEARS: THROUGHOUT THE STATE EXCEPT FOR THE YUKON-KUSKOKWIM DELTA, ALEUTIAN IS., SOUTHERN KENAI PENINSULA, AND THE ISLANDS OF THE SOUTHERN HALF OF SOUTHEAST ALASKA.

WOLVES: THROUGHOUT THE STATE EXCEPT FOR THE YUKON-KUSKOKWIM DELTA, ALEUTIAN IS., BERING SEA IS., KODIAK IS., ISLANDS IN PRINCE WILLIAM SOUND, AND PORTIONS OF SOUTHEASTERN ALASKA.

This area equals one million acres



CARIBOU DISTRIBUTION
TOTAL: 145.8 MILLION ACRES



A
 7% of the Statewide total in Existing National Parks, Wildlife Refuges and Forests

B
 19% of the Statewide total in D-2 withdrawals



ALASKA

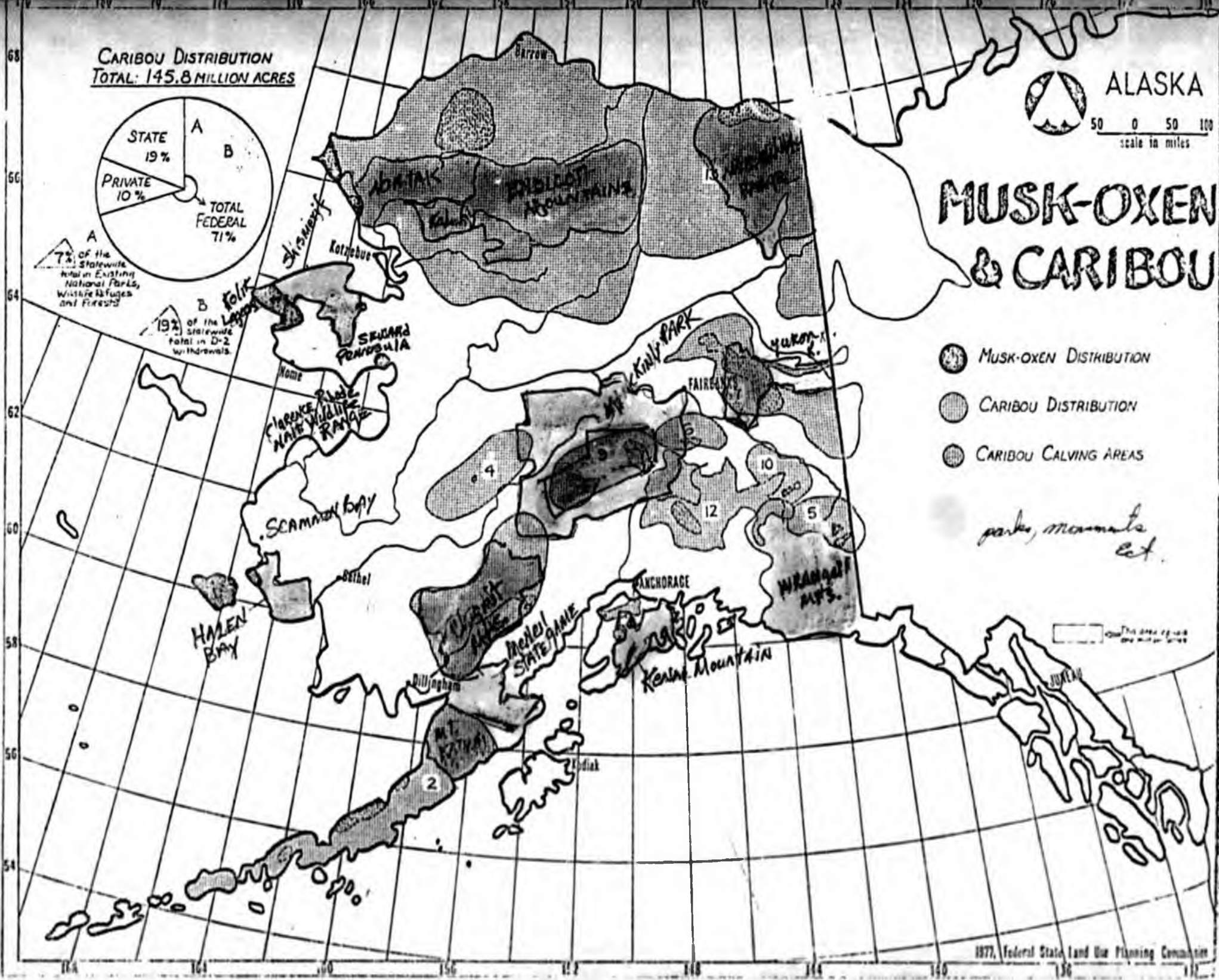
0 50 100
 scale in miles

MUSK-OXEN & CARIBOU

- MUSK-OXEN DISTRIBUTION
- CARIBOU DISTRIBUTION
- CARIBOU CALVING AREAS

parks, mountains, etc.

The area of the map is not to scale



4/25/80

Adjourned 2:50 PM

Present

- Bennett -
- Dankworth
- Fuhrer/Kemp
- Mulcahy

Rep. Herbert - Prime sponsor
of HB 836

Rep. Barnes - opposition to bill
Greg Cook - Exec. Dir. Board of Game -
Board in favor of the bill -

Absent

- Summer -
- Meland -
- Keritula -

Benefits outweigh negative effects
Randy Smith - AK Prof. Hunters
Association

Joe Goldhof AK Center for
The Environment

Polthman - Dep. Director Division
of Game - Support Bill

Recommend change Page 2 Line 13
to Dept. of Revenue

Adjourned 2:45 PM

Let Randy Smith
789-9789

Dean Erich AK Visitors Association
278-4116

HB

878



Alaska State Legislature

House

HOUSE RESOURCES COMMITTEE

FISH & GAME ISSUES

Alvin Osterback, Chairman

Pouch V, State Capitol
Juneau, Alaska 99811
(907) 465-3715

HEARING NOTIFICATIONS

Re : Musk Oxen

BILL	DATE INFORMED	LETTER/PHONE	INFORMED	HEARING DATE
SS HB 878	4/3/80		Rep. Fuller ✓ Dept. of Fish & Game ^{will testify} Bob Hinman of Game Div. ^{4/9/ 4/9/80} to testify Rep. Phil Guy, to testify ✓ ^{will call back} Alaska Professional Hunters, ✓ Randy Smith Dept. of Revenue.	4/8/80

The bill permits the Department of Fish and Game and the Board of Game to lower the resident tag fee for musk oxen in certain situations. There are presently 167 musk oxen counted on Nelson Island. This amount of musk oxen has been determined by the Department of Fish and Game to be too many for the habitat. Therefore it is necessary for some of the musk oxen to be harvested. The people of Toksook Bay and the Central Bering Sea Fish and Game Advisory Committee requested that the legislature lower the tag fee in order that they be given the opportunity to take these surplus musk oxen for their personal use. The Nelson Island area is very poor in red meat resources and the musk oxen would be a beneficial supplement to their diet. Presently the tag fee for residents makes the taking of musk oxen prohibitively expensive. Allowing the Board of Game to lower the tag fee and provide for an open season when a surplus exists would enable these villagers to take musk oxen while providing for a healthy and stable populations on the island.

The people of Toksook Bay and the advisory committee decided that they would rather not have a sports hunt of musk oxen on the island. Rather than follow a plan similar to that on Nunivak Island, where local villagers take part in the guiding for musk oxen, the people of Toksook Bay requested that they and the other villagers of the Nelson Island area be able to harvest this surplus in the discretion of the Board of Game. This bill

would provide for similar arrangements for other musk oxen herds. Something needs to be done at this time to provide for the welfare of the musk oxen herd on Nelson Island and this bill provides the flexibility to harvest the surplus animals according to the desires of the people who have lived with the musk oxen since their transplant from Nunivak Island. It also should be noted, however, that nothing in this bill is intended to require the Board of Game to reduce or eliminate the resident Big Game Tag for musk oxen in instances such as the Nunivak Island sport hunt in which the Board determines that the \$500 resident tag is appropriate.

SECTIONAL ANALYSIS

Section 1. Addition of a sub-paragraph that institutes a \$1000 non-resident big game tag fee for musk oxen.

Section 2. Paragraph 18, which presently deals only with bears, is revised to include musk oxen. It requires a \$500 resident big game tag fee for musk oxen. Additional language is inserted stating: However, the Board of Game may reduce or eliminate the fee for a resident big game tag for musk oxen for an open season.

Section 3. The present section on musk oxen is repealed and replaced by Permit Applications:

(a) If the Board of Game declares an open season for