

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

4313 SRES HB 21 - HB 31

198



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James A. Smith
Signature of Camera Operator

11/24/89
Date

H B

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Alaska State Legislature

ARLISS STURGULEWSKI, Chairman
BETTYE FAHRENKAMP, Vice Chairman
JACK COGHILL
DICK ELIASON
VIC FISCHER
RICK HALFORD
FRED ZHAROFF



P. O. BOX V
JUNEAU, ALASKA 99811
(907) 485-4907

Senate Committee on Resources

TO: Senate Resources Committee Members, April 11, 1986
FROM: Senate Resource Committee Staff *ME*
RE: CS for HB 21(Rules)am "An Act relating to homesites for veterans."

This bill would exempt veterans who qualify for a homesite entry permit from reimbursing the state for surveying costs. The rules CS would limit the definition of veteran to persons honorably discharged from the armed services who served during a war.

Attached are two different fiscal notes for the bill. DNR has been requested to present to testify and explain the differences .

OK
Supp 52

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB 21(Fin)
Title: Homesites for Veterans

FISCAL DETAIL

Agency Affected: Natural Resources
Program Category Affected: _____

Sponsor: Goll
Requestor: _____
Date of Request: 4/15/85

BRU, Program or Subprogram(s) Affected: Land and Water Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		0				
200 TRAVEL		0				
300 CONTRACTUAL		0				
400 SUPPLIES		0				
500 EQUIPMENT		0				
600 LAND & STRUCTURES		0				
700 GRANTS, CLAIMS		0				
800 MISCELLANEOUS		0				
TOTAL OPERATING		0				
CAPITAL		0				
REVENUE		(86.0)				

FUNDING: (Thousands of Dollars)

GENERAL FUND	0				
FEDERAL FUNDS	0				
OTHER	0				
TOTAL	0				

POSITIONS:

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS: Attach a separate page if necessary

Any funds necessary to implement this bill can be absorbed within the agency's existing budget.

APA

Prepared By: Al Adams, Chair
Division: House Finance Committee

Phone: 465-3706
Date: 4/15/85

Approved by Commissioner: _____
Agency: _____

Date: _____

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

7/1/84

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 2/4/86

REQUEST

Bill/Resolution No.: CS HB 21 (Rules)
 Title: An Act Relating to Homesites
 for Veterans

Sponsor: Goll Szymanski
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Natural Resources
 BRU: Land & Water Management

Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL		24.5	4.3	4.3	4.3	4.3
CONTRACTUAL						
SUPPLIES		0.5	0.2	0.2	0.2	0.2
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		25.0	4.5	4.5	4.5	4.5

CAPITAL						
---------	--	--	--	--	--	--

REVENUE		(45.0)	(45.0)	(45.0)	(45.0)	(45.0)
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FUNDING : (Thousands of Dollars)

GENERAL FUND		25.0	4.5	4.5	4.5	4.5
FEDERAL FUNDS						
OTHER						
TOTAL		25.0	4.5	4.5	4.5	4.5

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by: Gary Gustafson Phone: 465-2400
 Division: Land & Water Management Date: 2/4/86

Approved by Commissioner: Wm D Amel, Deputy Date: 2.4.86
 Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

February 4, 1986

ANALYSIS:

Operating expenditures will be minimal in the implementation of this bill. Of approximately 2200 homesite entry permits now issued, 20 percent are held by veterans. As much as \$25,000 will be required to obtain and review necessary documentation of eligibility of these permittees. This figure covers management, clerical, typing, and postage costs. At projected rate, homesite entry permittees authorized after implementation of this bill will require an additional annual increment of \$4500 to administer.

A net revenue loss will be incurred with this bill as follows. 20 percent of the total number of homesites issued is 440. At an average cost of \$1450 for surveying and platting each homesite, the total forgiveness of these costs is \$640,000 over the next ten years. In addition, at the current rate of 75 homesites per year, an additional 15 will be issued to veterans. This will further increase the revenue loss by \$22,000 per year. Using these figures a net annual revenue loss of \$86,000 will be incurred. Of course, as the program becomes more attractive the percentage of veterans in the numbers, and consequently the net annual revenue loss, will increase.

Part time position in FY 86 is for clerical staff.

*
* DELIVER TO: JFOM *
*
* ORIGINAL *
* SENT: 02/13/86 TIME: 11:55 *
* FROM: MAXINE WALTON *
* SUBJECT: FOM/FBX *
* PRINT DATE: 02/13/86 TIME: 11:55 * 14 *
*

TO: SENATE RESOURCES

SENS: STURGULEWSKI, FAHRENKAMP, ELIASON, ZHAROFF, HALFORD,
COGHILL, V. FISCHER

ALSO: SENATOR BENNETT
REPS FRANK, M.W. MILLER, RINGSTAD, KOPONEN, DAVIS

FROM: KENT LYON
BOX 82663
FAIRBANKS 99708

PH: 452-6815

RE: CS HB 21 RLS AM HOMESITES FOR VETERANS

MSG: I WOULD LIKE TO VOICE STRONG SUPPORT FOR THIS VET HOMESITE
BILL.

Offered: 5/2/85
Referred: Rules

Original sponsors: Goll, Szymanski
and Pignalberi

1 IN THE HOUSE

BY THE RULES COMMITTEE

2

CS FOR HOUSE BILL NO. 21 (Rules) am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to homesites for veterans."

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

8 * Section 1. AS 38.08 is amended by adding a new section to read:

9 Sec. 38.08.015. HOMESITES FOR VETERANS. A veteran who ^{after the effective date} qualifies
10 for a homesite entry permit under AS 38.08.030 and who complies with
11 the provisions of AS 38.08.060(a)-(d), except AS 38.08.060(a)(3), may
12 not be required to reimburse the state for the costs incurred by the
13 state in surveying and platting undertaken by the state in accordance
14 with this chapter.

at this bill,

15 * Sec. 2. AS 38.08.120 is amended by adding a new paragraph to read:

16 (4) "veteran" means a person honorably discharged, or with
17 a general discharge under honorable conditions, from the armed
18 services of the United States who has performed service in the armed
19 forces of the United States for a period of 180 days or more during
20 one or more of the following periods unless a shorter period of
21 service resulted from a service connected injury or disability:

22 (A) between April 6, 1917 and December 1, 1918;

23 (B) between September 16, 1940 and July 25, 1947;

24 (C) between June 25, 1950 and January 31, 1955; or

25 (D) between August 4, 1964 and October 14, 1976.

Frank says this includes everything but dishonorable

check definition of veteran

I don't think it is retroactive with existing language but the amendment above would remove any doubt.

2/10 5/86

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : CS HB 21 (Res)
 Title : Homesites for Veterans

 Sponsor : Representative Goll
 Requestor : _____
 Date of Request : 2/4/86

FISCAL DETAIL

Agency Affected : Natural Resources
 BRU : Land & Water Management

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		-0-				
TRAVEL		-0-				
CONTRACTUAL		-0-				
SUPPLIES		-0-				
EQUIPMENT		-0-				
LAND & STRUCTURES		-0-				
GRANTS, CLAIMS		-0-				
MISCELLANEOUS		-0-				
TOTAL OPERATING		-0-				

CAPITAL		-0-				
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REVENUE		(86.0)				
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FUNDING : (Thousands of Dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS		-0-				
OTHER		-0-				
TOTAL		-0-				

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Any funds necessary to implement this bill can be absorbed within the agency's existing budget.

Prepared by : Representative Al Adams - Chairman *APA*
 Division : House Finance Committee

Phone : 465-3706
 Date : 2/4/86

Approved by Commissioner : _____
 Agency : _____

Date : _____

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

*NEW
1986
under Budget
Reports*

Introduced: 1/14/85
Referred: Resources and
Finance

1 IN THE HOUSE

BY GOLL

2

HOUSE BILL NO. 21

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to homesites for veterans."

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

8 * Section 1. AS 38.08 is amended by adding a new section to read:

9 Sec. 38.08.015. HOMESITES FOR VETERANS. A veteran who qualifies
10 for a homesite entry permit under AS 38.08.030 may not be required to
11 reimburse the state for the costs incurred by the state in surveying
12 and platting undertaken by the state in accordance with this chapter.

13 * Sec. 2. AS 38.08.120 is amended by adding a new paragraph to read:

14 (4) "veteran" means a person who

15 (A) performed service in the armed forces of the
16 United States for a period of 180 days or more during one or more
17 of the following periods unless a shorter period of service
18 resulted from a service connected injury or disability:

19 (i) between April 6, 1917 and December 1, 1918;

20 (ii) between September 16, 1940 and December 31,
21 1947;

22 (iii) between June 25, 1950 and January 31, 1955;

23 or

24 (iv) between August 4, 1964 and November 7, 1975;

25 (B) received an honorable discharge,

Offered: 2/1/85
Referred: Finance

Original sponsor: Goll

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR HOUSE BILL NO. 21 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL
6 For an Act entitled: "An Act relating to homesites for veterans."
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 38.08 is amended by adding a new section to read:
9 Sec. 38.08.015. HOMESITES FOR VETERANS. A veteran who qualifies
10 for a homesite entry permit under AS 38.08.030 and who complies with
11 the provisions of AS 38.08.060(a)-(d), except AS 38.08.060(a)(3), may
12 not be required to reimburse the state for the costs incurred by the
13 state in surveying and platting undertaken by the state in accordance
14 with this chapter.

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17 (A) performed service in the armed forces of the
18 United States for a period of 180 days or more during one or more
19 of the following periods unless a shorter period of service
20 resulted from a service connected injury or disability;

21 (i) between April 6, 1917 and December 1, 1918;
22 (ii) between September 16, 1940 and December 31,
23 1947;

24 (iii) between June 25, 1950 and January 31, 1955;
25 or

26 (iv) between August 4, 1964 and November 7, 1975;
27 (B) received a discharge under honorable conditions.



Alaska State Legislature

HOUSE OF REPRESENTATIVES
COMMITTEE ON RESOURCES

POUCH V
JUNEAU, ALASKA 99811
(907) 465-3715

January 30, 1985

The Honorable Al Adams
Chairman, House Finance Committee
House of Representatives
Pouch V
Juneau, AK 99811

Dear Representative Adams:

It was brought to the House Resources Committee's attention as CSHB 21 (Res) was being passed out of the committee today in final form, that a small technical change should be made in the bill. That change involves line 27, after the word received insert an honorable discharge or ... a discharge under honorable conditions. This addition will clarify the type of discharged veterans who should receive the benefits of this legislation as explained by Representative Goll who is the prime sponsor of this piece of legislation. It was decided that this change could be addressed in the House Finance Committee for reasons of expediency.

If you have any questions regarding this matter, please feel free to contact me or my staff at 465-3715.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dick Shultz".

Representative Dick Shultz, Co-Chair
House Resources Committee

DS:tem

Offered: 4/18/85
Referred: Rules

Original sponsors: Goll and Szymanski

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 21 (Finance)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

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6 For an Act entitled: "An Act relating to homesites for veterans."

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

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9 Sec. 38.08.015. HOMESITES FOR VETERANS. A veteran who qualifies
10 for a homesite entry permit under AS 38.08.030 and who complies with
11 the provisions of AS 38.08.060(a)-(d), except AS 38.08.060(a)(3), may
12 not be required to reimburse the state for the costs incurred by the
13 state in surveying and platting undertaken by the state in accordance
14 with this chapter.

15 * Sec. 2. AS 38.08.120 is amended by adding a new paragraph to read:

16 (4) "veteran" means a person honorably discharged from the
17 armed services of the United States who has at any time resided con-
18 tinuously for at least one year in the state and who has performed
19 service in the armed forces of the United States for a period of 180
20 days or more during one or more of the following periods unless a
21 shorter period of service resulted from a service connected injury or
22 disability:

- 23 (A) between April 6, 1917 and December 1, 1918;
24 (B) between September 16, 1940 and July 25, 1947;
25 (C) between June 25, 1950 and January 31, 1955; or
26 (D) between August 4, 1964 and November 7, 1975.

Offered: 5/ 2/85
Referred: Rules

Original sponsors: Goll and Szymanski

1 IN THE HOUSE

BY THE RULES COMMITTEE

2

CS FOR HOUSE BILL NO. 21 (Rules)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

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A BILL

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11 the provisions of AS 38.08.060(a)-(d), except AS 38.08.060(a)(3), may
12 not be required to reimburse the state for the costs incurred by the
13 state in surveying and platting undertaken by the state in accordance
14 with this chapter.

15 * Sec. 2. AS 38.08.120 is amended by adding a new paragraph to read:

16 (4) "_____ honorably discharged from the
17 armed services of the United States who has performed service in the
18 armed forces of the United States for a period of 180 days or more
19 during one or more of the following periods unless a shorter period of
20 service resulted from a service connected injury or disability:

- 21 (A) between April 6, 1917 and December 1, 1918;
22 (B) between September 16, 1940 and July 25, 1947;
23 (C) between June 25, 1950 and January 31, 1955; or
24 (D) between August 4, 1964 and November 7, 1975.

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TITLE 18.

Health and Safety.

CHAPTER 55.

Housing, Urban Renewal, and Planning Assistance.

ARTICLE 2.

Moderate Cost and Rental Housing.

CITATION Sec. 18.55.470.

(5) "veteran" means a person honorably separated from the military service of the United States who has at any time resided continuously for at least a year in the state and who served in the armed forces of the United States for at least 90 days or whose service was for less than 90 days because of injury or disability incurred in the line of duty, between:

(A) September 16, 1940 and July 25, 1947; (B) June 25, 1950 and January 31, 1955; or (C) August 4, 1964 and November 7, 1975. "veteran" also includes the spouse or widow or widower of a veteran.

TITLE 18.

Health and Safety.

CHAPTER 56.

Alaska Housing Finance Corporation.

CITATION Sec. 18.56.098.

SPECIAL MORTGAGE LOAN PURCHASE PROGRAM.

(j) If the money used to purchase a mortgage loan made to a veteran under this section comes from an issue of bonds of the corporation guaranteed by the state, each bond must be issued as part of an issue substantially all of the proceeds of which are used to provide residences for qualifying veterans. In this subsection a qualifying veteran is a person who is a "qualified veteran" as the term is defined or may subsequently be defined under the Mortgage Subsidy Bond Tax Act of 1980 (26 U.S.C. 103A), as amended.

TITLE 26.

Military Affairs and Veterans.

CHAPTER 10.

Veterans.

ARTICLE 2.

Miscellaneous Provisions.

CITATION Sec. 26.10.060.

EXTENSION OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT PROVISIONS TO ALASKA EMPLOYEES.

(b) As used in this section, "veteran" means a person subject to the Universal Military Training and Service Act.

(A) Add WWI

180

←

(B)

(D)

TITLE 26.

Military Affairs and Veterans.

CHAPTER 10.

Veterans.

ARTICLE 2.

Miscellaneous Provisions.

CITATION Sec. 26.10.080.

DEATH GRATUITY.

(2) "veteran" means

(A) a person who served in a branch of the armed services of the United States

(i) who at the time of entry into the service was a resident of the territory or state, who had been a resident for not less than one year immediately before entry into the service, and who returned to the territory or state within one year after discharge as a resident with the intention of remaining in the territory or state; or

(ii) who was a resident of the state for not less than one year immediately preceding the time of death; or

(B) a person who served in the Alaska Army National Guard, the Alaska Air National Guard, or the Alaska Naval Militia, or who served in a reserve unit of the United States armed forces in Alaska if the reserve unit required a minimum of one weekend of duty each month and 15 consecutive days of active duty training each year for not less than three years.

TITLE 29.

Municipal Government.

CHAPTER 53.

Municipal Assessment and Taxation.

ARTICLE 1.

Municipal Property Tax.

CITATION Sec. 29.53.020.

REQUIRED EXEMPTIONS.

(1) "disabled veteran" means a disabled person separated from the military service of the United States under a condition that is not dishonorable who is a resident of the state, whose disability was incurred or aggravated in the line of duty in the military service of the United States, and whose disability has been rated as 50 percent or more by the branch of service in which that person served or by the Veterans' Administration;

TITLE 29.

Municipal Government.
CHAPTER 73.
Miscellaneous Provisions.

CITATION Sec. 29.73.060.

PROPERTY TAX EQUIVALENCY PAYMENTS.

(e) In this section "disabled veteran" means a disabled person separated from the military service of the United States under a condition that is not dishonorable who is a resident of the state, whose disability was incurred or aggravated in the line of duty in the military service of the United States, and whose disability has been rated as 50 percent or more by the branch of service in which that person served or by the Veterans' Administration.

TITLE 38.

Public Lands.
CHAPTER 05.
Alaska Land Act.
ARTICLE 2.
Sale of Lands.

CITATION Sec. 38.05.067.

VETERANS PREFERENCE.

(d) In this section "veteran" means a person with 90 days or more of active service in the armed forces of the United States who has been honorably discharged.

(e) This section does not apply to the sale of state land under AS 38.04.020(g)(2) and AS 38.09.

TITLE 39.

Public Officers and Employees.
CHAPTER 25.
State Personnel Act.
ARTICLE 3.
Personnel Rules.

CITATION Sec. 39.25.150.

SCOPE OF THE RULES.

(A) "veteran" means a person with 181 days or more active service in the armed forces of the United States who has been honorably discharged after having served during any period between April 6, 1917, and December 1, 1919, between September 16, 1940, and December 31, 1947, or between June 27, 1950, and November 7, 1975;

(B) "disabled veteran" means a veteran who is entitled to compensation under laws administered by the United States Veterans' Administration, or a person who was honorably discharged or released from active duty because of a service-connected disability;

TITLE 26.

Military Affairs and Veterans.

CHAPTER 15.

Veterans Loans.

CITATION Sec. 26.15.130.

ELIGIBILITY FOR LOANS.

TEXT

(a) Qualifications for loans under this chapter are:

(1) persons who served in the armed forces of the United States for 90 days or more, or whose service was for less than 90 days because of injury or disability incurred in the line of duty, between April 6, 1917, and November 11, 1918, and beginning September 16, 1940, to November 7, 1975, or in a combat zone during any period of armed conflict, who were separated from the armed forces with a discharge other than dishonorable, and

(A) who, at the time of induction into the service, were residents of the territory or state, who had been residents for not less than one year immediately before their induction, and who returned to the territory or state after discharge as residents with the intention of remaining in the territory or state; or

(B) who, not being bona fide residents of the territory or state before their entry into the service, have been residents of the territory or state for one or more years;

(2) persons who were dependent on a member of the armed forces or a veteran of World War II at the time of the member's or veteran's death, if

(A) the member or veteran was a resident of the territory or state for one year before induction into the service; and

(B) the member or veteran served in the armed forces for at least 90 days between September 16, 1940, and July 25, 1947, but no benefits for loans accrue to dependents of an enlistee or re-enlistee for time served after November 1, 1945, regardless of whether the enlistment or reenlistment was before or after November 1, 1945; and

(C) the member or veteran died before the official date of the termination of that war; and

(D) the member's or veteran's discharge was not dishonorable;

(3) persons who have served in the Alaska Army National Guard or the Alaska Air National Guard or the Alaska Naval Militia for not less than six years and who have not received a discharge other than honorable.

(b) Dependents shall be unmarried and the deceased member of the armed forces or deceased veteran shall have been their chief means of support and they shall be either a widow, widower, minor son, minor daughter, or mother, father, sister or brother incapable of self-support. Dependents shall be residents of the territory or state at the time of making application and intend to reside in the territory or state permanently. The rights of minor children may be exercised only if they have no surviving parent and have an appointed guardian who may apply on their behalf to secure a loan for their care, support, education or other purposes mentioned in AS 26.15.040 or to receive the bonus

TITLE 26.

Military Affairs and Veterans.

CHAPTER 15.

Veterans Loans.

CITATION Sec. 26.15.160.

TEXT

EXTENSION OF CHAPTER TO VETERANS OF KOREA AND VIET NAM.

The provisions of this chapter, except those provisions relating to the payment of bonuses, are extended to persons who served other than dishonorably on active duty between June 25, 1950, and January 31, 1955, who served other than dishonorably on active duty between August 4, 1964, and November 7, 1975, and to dependents of such persons, subject to the following provisions and eligibility qualifications.

(1) Persons are eligible

(A) who were discharged other than dishonorably from the armed forces of the United States or who are released to a reserve component; and

(B) who at the time of entry into the service were bona fide residents of the territory or State of Alaska and had been residents of the territory or state for not less than one year before their entry into the service; and who have returned to the territory or state within a reasonable length of time after discharge or separation as residents with the intention of remaining in the territory or state; or who, not being bona fide residents of the territory before their entry into the service, have lived in the territory or state for at least five years following their release from active military service; and

(C) who served in the armed forces of the United States for 90 days or more, or whose service was for a lesser period because of injury or disability incurred in line of duty, between June 25, 1950, and January 31, 1955, or who served in the armed forces of the United States for 90 days or more or whose service was for a lesser period because of injury or disability incurred in line of duty, between August 4, 1964, and July 1, 1977.

(2) Persons are eligible who were dependent upon a member of the armed forces or upon a veteran eligible for the benefits of this chapter at the time of the member's or veteran's death if the member or veteran was a resident of the territory for one year before entry into service and died before November 5, 1975. Dependents shall be unmarried and the deceased veteran or member of the armed forces shall have been their chief means of support and they shall be either a widow, widower, minor child, or a mother, father, sister, or brother incapable of self-support. Dependents shall be residents of the state at the time of application and shall intend to remain residents in the state permanently. The rights of minor children under this chapter may be exercised only if they have no surviving parent and have an appointed guardian who may apply on their behalf for the benefits of this chapter for their care, support or education.

(3) No person unless he has lived in the state or territory for at least five years following his release from active military service is eligible for the benefits of this section who is eligible for veterans' benefits under the laws of any other state or territory. A World War II veteran who received a bonus under AS 26.15.120 and 26.15.150 need not repay the bonus in order to qualify under the loan provisions of this section.

(4) For persons otherwise eligible for the benefits under this section, who did not return to the state or territory within one year after separation from the service unless prevented from doing so for medical, educational or other valid purposes approved by the Department of Commerce and Economic Development within one year after separation from the service, an additional requirement of four years' residence in the state or territory before their entry into the service is imposed to entitle them to the benefit provisions of this section.

MEMORANDUM

TO: Representative Peter Goll
FROM: Loren Jones
DATE: February 1, 1985
RE: Discharge status....HB 21

Per your request I contacted the Veterans Administration in Anchorage. The Director, Dave Barrett, referred me to Mr. Mike Sheehy who is the Adjudication Officer. In that job he must decide on eligibility for benefits that are based upon discharge status of the individual. He related the following information.

TYPES OF DISCHARGES

1. Honorable - Qualifies for all benefits
2. General - Qualifies for all benefits
3. Other Than Honorable - There must be an independent decision made as to qualifications for benefits
4. Dishonorable - Barred from all benefits

New discharges added in past years

5. Entry Level Separation - Qualifies for benefits if length of service also qualifies for benefits
6. Void Enlistments - There must be an independent decision made as to qualifications for benefits
7. Dropped From The Rolls - There must be an independent decision made as to qualifications for benefits.

I asked about "medical discharges" and how that would fit with the above. Mike stated that "medical" was a REASON for the discharge not the CHARACTER of the discharge. Thus it is possible to have any of the above discharges and have medical reasons. Mike stated that under most normal circumstances, discharges for medical reasons are Honorable or General.

Mr. Sheehy states that it is certainly the states right to be more strict when it comes to detailing benefits for veterans under state programs.

The current language in CSHB 21 "received a discharge under honor conditions" would relate to discharges 1,2, & 5 above.

The language suggested to the finance committee from the resources committee would change the bill to read "received an

honorable discharge or discharge under honorable conditions." would relate to discharges 1,2, & 5 above.

It is my assumption that what you desire and what the resource committee desire is provided under either language.

If you desire to become specific your could use the names of the discharges you specifically want to include.



RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James A. Smith
Signature of Camera Operator

11/24/89
Date

H B

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Alaska State Legislature

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RICK HALFORD
FRED ZHAROFF



POUCH V
JUNEAU, ALASKA. 99811
(907) 465-4907

Senate Committee on Resources

TO: Senate Resource Committee Members March 20, 1986
FROM: Senate Resource Committee Staff *MFA*
RE: Committee Substitute for House Bill No. 31(Resources)
"An Act relating to the obstruction or hindrance of
lawful hunting, fishing, or trapping."

In this packet is a proposed committee substitute for HB 31. The CS adds one additional section (d) to the bill. This section exempts commercial fishermen while engaged in a customary practice recognized in the commercial fishing industry. This addition was made at the request of Senator Zharoff to exclude practices such as "corking" or setting nets in front of another fisherman who had set out of turn.

Also in this packet is:

- a zero fiscal note from the Department of Fish and Game.
- a zero fiscal note and position paper supporting this bill from Public Safety.
- a paper by House Research on this issue.
- a summary of similar laws in other states.
- a copy of the governor's 1984 veto letter on similar legislation.
- a memo from the drafter in Legal Services explaining how this bill has been changed from the previous session's version to accommodate the governor's legal objections.
- a copy of the bill history.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 31
 Title: Obstruction or hindrance of
hunting, fishing or trapping
 Sponsor: Shultz and Marrou
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Fish and Game; FWP
 Program Category Affected: _____
Natural Resource Management
 BRU, Program or Subprogram(s) Affected:
Game

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
500 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared by: Phil Koehl Phone: 465-4190
 Division: Game Date: 4/19/85

Approved by Commissioner: *James H. Poyer* Date: 4-22-85
 Agency: Fish and Game

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 31
 Title: "An Act relating to obstruction of lawful hunting, fishing or trapping."
 Sponsor: Rep. Shultz
 Requestor: H. Judiciary
 Date of Request: 4/19/85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: NRMEC
 BRU, Program or Subprogram(s) Affected: Fish & Wildlife Protection

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Marcia Lynn McKenzie Phone: 465-4349
 Division: Administrative Services Date: 4/19/85

Approved by Commissioner: Robert J. Studdberg Date: 4/19/85
 Agency: Department of Public Safety

- Distribution (by Agency preparing fiscal note):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - HB 546

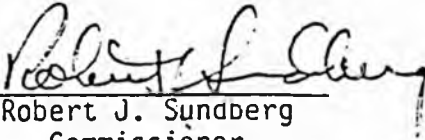
Support

"HB 546 - An Act relating to harassment of persons lawfully engaged in hunting, fishing, or trapping."

The Department of Public Safety supports passage of HB 546.

This bill adequately addresses conduct that is illegally aimed at interfering with lawful hunting, fishing or trapping.

British Columbia has had severe problems between legal hunters and anti-hunting groups that have led to armed confrontations. The potential for that to occur in Alaska is evident and I think enacting a law to address this problem would be a good start toward prevention.


Robert J. Sundberg
Commissioner



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

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

April 13, 1984

MEMORANDUM

TO: Representative M. Mike Miller

FROM: Nancy Pease *Nancy Pease*
Legislative Analyst

RE: HB 546 Harassment of Hunters
Research Request 84-081

You requested information on statutes prohibiting the harassment of hunters in other states. Specifically, you asked how other states define harassment of hunters, what penalties other states prescribe for the harassment of hunters, and how many people have actually been prosecuted in each state in which these laws are in place.

Statutory Definitions of Harassment

Nine states currently have statutes which prohibit persons from intentionally interfering with the lawful taking of fish and game.¹ Most of the states' statutes use fairly broad language to prohibit persons from intentionally:

- harassing persons engaged in lawful hunting, trapping, and/or fishing; or
- interfering with the process of the lawful taking of fish or game; or
- disturbing fish or game in order to hinder fishermen or hunters from lawful taking.

In most of these states, the language of the statutes does not define "harassment", "interference", or "disturbance" in terms of specific activities which are disallowed. There are some instances in which states mention activities that would constitute harassment under the

¹Arizona, Illinois, Louisiana, Maine, Michigan, Nevada, Pennsylvania, South Dakota and Vermont. Arkansas repealed a law prohibiting the harassment of hunters after landowners protested that the law, as written, might have legalized trespassing on private lands.

law: Pennsylvania prohibits persons from tampering with, mutilating, destroying or removing traps, and from removing animals from traps; Louisiana prohibits the disturbing of wild animals by placing any object or substance intended to alter the behavior of the animals to the detriment of hunters; Vermont, Arizona and Pennsylvania specify that the "d.iving" of animals with the intent to hinder hunters constitutes illegal interference with a hunt. Nevada frames illegal interference with hunters in narrow terms by prohibiting "a group of people, acting together, [from] intentionally interfering with a person who is lawfully hunting or trapping."

The statutes of several states also mention specific activities which the law does not curtail even though the activities may, in some instances, hinder hunters, fishermen or trappers. For example, the Pennsylvania statutes specify that landowners may remove traps which have been set on their private property without their permission; in Maine the law does not prevent private landowners from keeping hunters off their property; and in several states, the law "may not be construed to prohibit incidental interference arising from lawful activity by land users such as farmers and recreationists (Vermont) or ranchers and miners (Nevada).

For the most part, states have either not defined "harassment", or have set out very general circumstances under which activities of many types might be construed as "harassment" of hunters. As an example of the broad language common to these statutes, Louisiana and Illinois forbid persons from disturbing any hunter, trapper or fisherman who is "engaged in the lawful taking of a wild animal or who is engaged in the process of taking (including travel, camping or other hunt preparations) with intent to dissuade or otherwise prevent the taking." In addition, other parties may not act to "prevent such person's enjoyment of the outdoors." Also, other parties may not enter or remain on state-managed or private lands or waters with the intent to disturb game or harass hunters.

Actual Incidents of Harassment

I talked with game wardens or legal specialists in the Fish and Game Departments of fifteen states to try to compile a list of activities which might commonly be considered interference in the lawful taking of fish and game. It appears that Fish and Game personnel have differing and uncertain impressions, under the broadly written statutes, of what activities might constitute intentional harassment of hunters or interference in the taking of game. Several of the fish and game officers with whom I spoke emphasized that they would not charge a

person with interference unless his presence and activities in a hunting area were blatantly intended to disrupt a hunt. The wardens mentioned planned, publicized disruptions by anti-hunting groups as instances in which they would charge participants with interference in the lawful taking of game.

Game wardens in Maine and South Dakota mentioned incidents of disturbance to hunters where charges were considered but not filed. In Maine, game wardens issued warnings to a person who drove a deer out of a clearing, interrupting the stalk of a bow hunter; and to an elderly couple dressed in blaze-orange clothing and carrying a red umbrella who settled themselves in lawnchairs right behind a duck blind where hunters were hunting over decoys. In South Dakota, state conservation officers investigated two incidents between competing sportsmen and failed to file charges because the harassment appeared to have been mutual and of unverifiable origin. The first such incident involved two parties of fishermen throwing rocks at one another in a dispute over access to a creek on private land. The second incident occurred when a goose hunter was ordered to leave a section line by a farmer who owned the land on either side of the right-of-way and charged hunters to hunt on his property.

Only two states report that persons have been convicted under their statutes prohibiting interference with the lawful taking of fish and game.² These cases apparently did not involve serious challenges to the vagueness of the statutes; to date, there have been no court rulings to further define what activities and circumstances constitute intentional harassment of hunters.

Because anti-harassment statutes have resulted in few actual charges, officials in most states explained the scope and intent of the statutes by mentioning past instances of harassment of hunters in their states, or incidents that have occurred in other states. Following is a list of instances of harassment of hunters mentioned by fish and game officials as contributing to the passage of anti-harassment legislation, or as defining the application of such laws.

Arizona. According to Assistant Attorney General Joe Clifford, three incidents of harassment of hunters in Arizona led to his state's passage in 1981 of the first law prohibiting interference with the legal taking of game. The earliest incident involved Arizona's small bison

²Vermont's Chief Warden of Fish and Game reported that four complaints of interference with the taking of game in the second half of 1983 resulted in three convictions, all related to trapping. In Illinois, since the anti-harassment law took effect on January 1, 1984, one person has been convicted of tampering with traps.

Representative Miller

April 13, 1984

Page 4

herd. Approximately 10 years ago, anti-hunting groups began to protest the annual permit hunt by which the Arizona Game Department culls the bison herd to keep the herd's population stable. The protest escalated year by year until the anti-hunters were threatening to lie down between the herd and the hunters. A second protest was sparked over Arizona's desert bighorn sheep, which Mr. Clifford called "a rare animal", highly valued by both trophy hunters and wildlife conservationists. Individuals opposed to the sheep hunt attempted to protect a herd of bighorns in the Tucson area by hiking in the mountains and beating pots and pans. The final incident which contributed to passage of an anti-harassment law in Arizona involved a shootout between a hunter and a ranch owner over the locking of a gate on grazing lands owned by the state.

Because the conflicts in Arizona primarily involved organized protests, the anti-harassment law in Arizona was drafted specifically to prevent harassment of hunters by organized groups. The Arizona law becomes effective only in instances where the game commission (1) "finds that a significant interference or disruption of a hunt is likely to occur," and (2) establishes a designated hunting area where harassment is illegal. This law passed unanimously. There have been no arrests under the Arizona law.

Illinois. Jennifer Breedlove, an officer of the Illinois Department of Conservation's Law Enforcement Division, stated that anti-harassment legislation was instigated in Illinois by incidents involving duck hunters along the Mississippi River. The hunting of animals by drawing them to bait or feed is illegal in Illinois, and hunting protesters would attempt to protect waterfowl by spreading grain in popular hunting areas to make hunting illegal there.

Since the law went into effect on January 1, 1984, there has been one incident of arrest; a person was convicted of tampering with traps, and fined.

Louisiana. In 1982, Louisiana adopted a very broad law prohibiting interference with the lawful taking of game. According to Major Tommy Candize of the Louisiana Department of Wildlife and Fisheries, there have been no reported incidents of interference in Louisiana before or after the passage of the law; the law was passed as a preventive measure.

Michigan. According to Dick Elden, Assistant Chief of the Wildlife Division of Michigan, there were no incidents in his state which led to the introduction of an anti-harassment bill, and there have been no reported incidents since its enactment. The bill was inspired by hunting protests in the western states and by the CBS documentary "Guns of Autumn" which portrayed a negative image of hunters. Mr. Elden characterizes his state as having a high potential for conflicts

between hunters and anti-hunters because of Michigan's large urban population for whom hunting is not traditional, and the state's healthy wildlife resource which attracts hunters from many areas.

Maine. In Maine, the passage of a law to prohibit interference with the taking of fish and game was largely a preventive measure. According to Dave Allen, Executive Director and lobbyist for the Sportsmen's Alliance of Maine, Maine hunters were inspired to campaign for a protective law by two out-of-state events: the disruption of a trophy hunt in British Columbia by Greenpeace protesters, and the distribution in the Northeast of a tip sheet of tactics for "hunt saboteurs". Within Maine, there was debate over whether or not to hold a moose hunting season, but according to Mr. Allen, the moose hunt was challenged only by ballot referendum; and the sportsmen's fears of a protest in the woods were not confirmed.

Mr. Allen stated that the terms "willful" and "harassment" used in Maine's anti-harassment law were not discussed at any length during hearings on the bill; the terms draw on their standard legal definitions. Mr. Allen did offer his opinion that the law would not prevent landowners from keeping hunters off their private land, or prevent someone from walking in the woods with a radio unless a prosecutor could prove that the action was willful disruption of a hunt.

Nevada. The staff specialist in law enforcement with the Nevada Division of Fish and Game could recall no instances of harassment of hunters in his state before or after the passage of a law to prohibit such harassment.

Pennsylvania. John Plowman, legislative liaison with Pennsylvania Fish and Wildlife, reports that there have been no direct confrontations between hunters and hunt protesters in his state. Pennsylvania has had for many years a law protecting law-abiding trappers from interference; protection for hunters was instituted in 1983 as a preventive measure, with the backing of the Federation of Sportsmen and the Wildlife Legislative Fund of America. No charges have been filed under the new law.

South Dakota. South Dakota appears to be the only state that has prohibited interference with hunters partly because of conflicts among the hunters themselves. According to state conservation officer Bob Pract, the primary conflicts with hunters in South Dakota have involved pay-to-hunt operations run by farmers who own the wheat and corn fields on the bluffs above the wildlife refuges in the bottomlands of the Missouri River. These farmers construct duck blinds along their bluffs and charge hunters fees to hunt the ducks and geese that fly out of the bottomlands to feed in the grain fields. Hunters who choose not to pay to hunt from private lands have legal access to the bluff hunting areas only along the public right-of-way of the section lines.

The competition for ducks and geese, pitting nonpaying hunters against farmers and their client-hunters, has led to confrontations--verbal threats and physical blows. The anti-interference statute seeks to discourage harassment of hunters by competing hunters. Officer Pract added that while he knows of no anti-hunting groups in South Dakota, this law was also intended to prevent such groups from establishing themselves in the state.

Vermont. The Vermont State Constitution (written in 1777) guarantees that all citizens have the right to hunt, fish, and trap the state's wildlife. In 1981, the Vermont legislature adopted an anti-harassment law to safeguard that constitutional right by prohibiting disturbance of hunters and fishermen. (Trappers in Vermont had been protected by the statute for over 20 years.) The new statute seeks to minimize restrictions on other legitimate users of public lands by exempting from the ban "any incidental interference arising from lawful activity by land users including farmers and recreationists."

Vermont's Chief Warden Roger Whitcomb reports that the anti-harassment law is actively enforced in Vermont because trapping and hunting are activities traditional to the Vermont lifestyle. During the six-month period from July 1 to December 1, 1983, the warden's office pursued four complaints of harassment, leading to three convictions in trapping cases. The harassment problem in Vermont has been limited primarily to instances of individuals tampering with traps.

In summary, of the nine states which have adopted laws to prohibit interference with the lawful taking of fish and game,

- only two states have convicted persons of violating the law, in a total of four cases,
- a few states have used the authority of the law to issue warnings rather than to make arrests, and
- in over half of the states which have passed a law to prohibit harassment of hunters, there have never been major, reported instances of harassment of hunters, trappers or fishermen.

Representative Miller
April 13, 1984
Page 7

Comments from Advocacy Groups

In addition to talking with Fish and Game Department officials and legislative specialists, I contacted several organizations dedicated to the protection of wildlife and several organizations that promote hunting, fishing and trapping.³ While these groups were not aware of further incidents or arrests involving interference with hunters, they did offer a few comments on the issue. Susan Russell, Director of Friends of Animals (a national animal protection agency) cautioned that the "intent" of persons who disrupt a hunt may be difficult to prove. She added that legislation to prohibit interference with a hunt may be unconstitutional in its vagueness and in its infringement upon a person's rights to use public lands. From the opposite point of view, the Wildlife Legislative Fund of America (a hunters lobby) argues that, when charges of interference arise, a non-hunter who is using a hunting area should have the burden of justifying his activities. The Wildlife Legislative Fund is sending us a copy of a "model" statute, proposed by their organization, which would make interference with hunting a felony; we will forward a copy to you.

Incidents in States Without Anti-Harassment Laws

The confrontations between hunters and hunt protesters have become most heated in the northeastern states. Fish and game officials or legislative specialists in other states commonly cited conflicts in New York, Massachusetts, Connecticut or New Jersey in explaining the intent and scope of laws passed in their own states. The major conflicts that have occurred in these states are summarized below.

New York. The New York Director of Fish and Wildlife stated that most instances of alleged harassment of hunters in his state were not well-documented. He recalled two protests involving the "peaceful, though noisy" picketing of deer hunts in state parks by the Committee Against Sports Hunting. A third incident involved the special Ripley Hunt to curtail deer damage to orchards in a deer wintering area; hunters' car tires were punctured by unidentified persons. Partly on the basis of these three incidents of potential violence between hunters and hunt protesters, the New York legislature is now considering legislation to prohibit interference with the taking of game.

³Greenpeace, USA; Fund for Animals; Friends of Animals; Animal Protection Institute of America; National Rifle Association; National Shooting Sports Foundation; Wildlife Legislative Fund of America; Game Conservation International.

Massachusetts. Fisheries and Wildlife Director Richard Cronin characterized hunting conflicts in his state as involving a core group of no more than 200 sophisticated protesters who achieve major disruption by playing to the media. Their strategies have included picketing deer check stations, playing music at duck hunting lakes, and announcing that they would place themselves in hunters' lines-of-fire in order to halt a hunt scheduled for the culling of the deer herd on a private nature preserve at Cranes Beach. Legislation has been proposed to prohibit such activities, but Mr. Cronin estimated that it has only a slim chance of passage.

New Jersey. Legislation to prohibit hunt interference is much closer to passage in New Jersey, where a bill has been introduced with 21 co-sponsors (in an 81-member House). According to the game department's legislative specialist, Bob Hitchmoney, New Jersey has experienced isolated incidents in which duck blinds have been contaminated through methods advocated by wildlife protection groups. In addition, Mr. Hitchmoney says a group of protesters from New York City annually picket the Great Swamp deer hunt, attracting considerable media attention.

Connecticut. The Director of Wildlife said that incidents of harassment were common several years ago (although legislation failed to pass at that time), but Connecticut has experienced no major problems within the past year. Past incidents have involved the New York-based protection society Friends of Animals, whose tactics include walking in the woods with loud radios, beating on pots and pans, and sprinkling lighter fluid along deer trails. There was also an incident where anti-hunters launched a raft in Long Island Sound from which they shot flares and played martial music to alarm ducks and geese, and an incident where limbs were sawed through on a deer stand, resulting in a hunter's falling and injuring himself. Connecticut's Director of Wildlife said that, in the absence of a statute to prohibit such harassment, Connecticut conservation officers would in the future arrest hunt protesters on other applicable charges; for example, a person pouring lighter fluid along deer trails could be charged with illegal disposal of flammable substances.

Penalties

Most states classify intentional interference with the lawful taking of fish or game as a misdemeanor offense, punishable by a fine in the range of \$100 to \$500, or a jail term in the general range of 30 to 90 days, or both. (See attached table.) The severity of the penalty usually depends on whether or not the violator actively disrupted a hunt, refused an enforcement officer's order or a court injunction not to disturb a hunt, or was only present in the hunting area with the

Representative Miller
April 13, 1984
Page 9

intent to disrupt the hunt. In addition to civil penalties, a convicted violator may be liable for court costs, for punitive damages, and for damages incurred by the affected hunter when the interference rendered his hunting efforts and expenditures futile. (For example, the affected hunter might collect the cost of his license and permit fees, travel, guides, special equipment and supplies.)

I hope this information is helpful to you. If you have further questions, please let us know how we can be of assistance.

NP

Attachment

PENALTIES FOR
INTERFERENCE WITH THE LAWFUL TAKING OF FISH & GAME

Arizona Actual interference is a Class 2 misdemeanor punishable by a fine not to exceed \$750.00.

Presence in a hunting area with intent to disrupt a hunt is a Class 3 misdemeanor punishable by a fine not to exceed \$500.00.

A hunter may claim reimbursement for expenses related to an interrupted hunt.

Illinois Failure to obey a peace officer's orders to cease interference or to leave a hunting area is a Class B misdemeanor punishable by a fine of up to \$500, or a jail term of up to 6 months, or both.

Actual interference with a hunt, or presence in a hunting area with the intent to interfere, is a Class C misdemeanor, punishable by a fine of up to \$500, or 30 days in jail, or both.

A hunter may claim punitive damages and damages for expenditures that were rendered futile by the actions of the person who disrupted the hunt.

Louisiana Actual interference with a hunt, or presence in a hunting area with intent to interfere is a Class 2 violation.

Failure to obey an enforcement officer's orders not to engage in disruptive activities or to cease disruptive activities is a Class 3 violation.

The first such offense is punishable by a fine of \$25 to \$100, or 10 to 60 days of imprisonment, or both. A subsequent offense is punishable by a fine of \$100 to \$300, or 30 to 90 days in jail, or both.

Maine. Interference with the taking of fish and game in Maine is a civil violation punishable by a fine of \$100 to \$300.

A hunter may collect may collect damages for costs related to the interrupted hunt.

PENALTIES (continued)

- Michigan Interference with a hunt is a misdemeanor violation of game laws which may result in a fine of not more than \$100 plus the costs of prosecution, or jail for up to 90 days, or both.
- Nevada The law makes no provision for penalties.
- Pennsylvania Interference with the lawful taking of game is punishable by a fine of up to \$500, or jail for up to 30 days, or both.
- South Dakota Failure to heed a peace officer's warning not to engage in, or to cease, an act disruptive to hunters is a Class 1 misdemeanor.
- Interfering with hunters, the process of the hunt, or the hunted game is a Class 2 misdemeanor.
- A violation may draw a fine of not more than \$500, or a jail sentence of not more than one year, or both.
- Damages may include an award for punitive damages as well as license fees, travel or other expenses which were rendered futile by the interference.
- Vermont Violators of minor hunting laws in Vermont are generally penalized by a fine of not more than \$100.

Source: State statutes, and telephone conversations with Fish and Game enforcement officers in the respective states.

Prepared by: House Research Agency, April 1984.

NEVADA

Section 1. Chapter 503 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. It is unlawful for a group of people, acting together, intentionally to interfere with a person who is lawfully hunting or trapping. For the purpose of this subsection, hunting or trapping is "lawful" only if permitted by the owner or person in possession of the land, other than the government, in addition to any requirement of license or permit from a public authority.

2. The provisions of subsection 1 do not apply to any incidental interference arising from lawful activity by users of the public land, including without limitation ranchers, miners or persons seeking lawful recreation.

MAINE

§7541 Harassment prohibited.

1. Interference with taking. No person may willfully interfere with the lawful hunting, fishing or trapping of a wild animal, wild bird or fish.

2. Disturbing wild animals, wild birds or fish. No person may willfully disturb or attempt to disturb a wild animal, wild bird or fish with the intent to interfere with the hunting, fishing or trapping of them.

3. Violation. A violation of this section is a civil violation for which a forfeiture of not less than \$100 nor more than \$500 may be adjudged.

4. Property rights otherwise provided by law. This chapter shall not be construed in any way to limit the ownership use, access or control of property rights otherwise provided by law.

§7542 Injunction; damages.

1. Injunction. The District Court or Superior Court may enjoin conduct which would be in violation of section 7541 upon notification by a person affected or who reasonably may be affected by the conduct, upon a showing that the conduct is threatened or that it has occurred on particular premises in the past and that it is not unreasonable to expect that under similar circumstances it will be repeated.

SOUTH DAKOTA

Section 1. No person may intentionally interfere with any person or group of persons lawfully engaged in the process of taking or attempting to take any game or fish. No person may engage in any activity specifically intended to harass or otherwise prevent the lawful taking of any game or fish. No person may engage in any activity to scare or disturb any game with specific intent to prevent their lawful taking. This section may not be construed to prohibit a landowner from revoking a prior grant of permission to hunt on his land. A violation of any provision of this section is a Class 2 misdemeanor.

Section 2. Any person who fails to obey the order of a peace officer to desist from conduct in violation of section 1 of this Act, if the officer observes such conduct, or has reasonable grounds to believe the person was engaged in such conduct that day or intends to engage in such conduct that day on a specific premises, is guilty of a Class 1 misdemeanor.

Section 3. The court may enjoin conduct which is in violation of section 1 of this Act upon petition by a person affected or who reasonably may be affected by such conduct, upon a showing that such conduct is threatened or that it has occurred on a particular premises in the past and may reasonably be expected to be repeated. The court may award damages to any person adversely affected by a violation of section 1 of this Act. Damages may include an award for punitive damages, license fees, travel or other expenses which were rendered futile by preventing the licensee from taking game or fish.

Signed March 12, 1983.

ILLINOIS

[S.H.A. ch. 61, §301]

Section 1. Definitions. As used in this Act:

- a. "wild animal" means any wild creature the taking of which is authorized by the fish and game laws of the State.
- b. "Taking", means the capture or killing of a wild animal and includes travel, camping, and other acts preparatory to taking which occur on lands or waters upon which the affected person has the right or privilege to take such wild animals.

[S.H.A. ch.61, §302]

Section 2. Any person who knowingly performs any of the following is guilty of a Class C misdemeanor;

- (a) interferes with the lawful taking of a wild animal by another with intent to prevent the taking.
- (b) disturbs or engages in an activity that will tend to disturb wild animals, with intent to prevent their lawful taking.
- (c) disturbs another person who is engaged in the lawful taking of a wild animal or who is engaged in the process of taking, with intent to dissuade or otherwise prevent the taking.

(d) enters or remains upon public lands, or upon private lands without permission of the owner or his agent, with intent to violate this Section.

[S.H.A. ch. 61, §303]

Section 3. Any person who knowingly performs any of the following acts is guilty of a Class B misdemeanor;

(a) fails to obey the order of a peace officer to desist from conduct in violation of Section 2 of this Act if the officer observes such conduct, or has reasonable grounds to believe that the person has engaged in such conduct that day or that the person plans or intends to engage in such conduct that day on a specific premises.

[S.H.A. ch. 61 §304]

Section 4. (a) Any court may enjoin conduct which would be in violation of Section 2 of this Act upon petition by a person affected or who reasonably may be affected by such conduct, upon a showing that such conduct is threatened or that it has occurred on a particular premises in the past and that it is not unreasonable to expect that under similar circumstances it will be repeated.

(b) A court may award damages to any person adversely affected by a violation of Section 2, which may include an award for punitive damages. In addition to other items of special damage, the measure of damages may include expenditures of the affected person for license and permit fees, travel, guides, special equipment and supplies, to the extent that such expenditures were rendered futile by prevention of the taking of a wild animal.

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

JAN 16 1985

June 19, 1984

The Honorable Joe L. Hayes
Speaker of the House
Alaska State House of Representatives
Pouch V
Juneau, Alaska 99811

Re: CSHB 546(Res) am S
(An Act relating to the
obstruction or
hindrance of lawful
hunting, fishing, or
trapping.)

Dear Representative Hayes:

Under the authority granted in art. II, sec. 15, of the Alaska Constitution, I have vetoed CSHB 546(Res) am S -- a bill that would have made it a misdemeanor for a person "to perform an act with the intent to obstruct or hinder hunting, fishing, or trapping engaged in lawfully by another person." As you may recall, I vetoed a similar bill (2d SCS CSHB 163(Jud)) last year.

I have decided to veto this legislation for the following reasons:

First, an amendment to the bill made on the House floor (the insertion of the language "possessing a valid State of Alaska license or permit" which appears on page 1, lines 13 -- 14, of the final bill) creates both a potential constitutional problem and a public policy problem.

The amendment was made to ensure that a person who obstructs the capture of orca whales in Alaskan waters by Sea World could not be prosecuted under this law. The overall result of this amendment is that if a person obstructs a hunter holding a valid state license or permit, that person can be prosecuted under this law, whereas, if a person obstructs a hunter who is lawfully hunting with only a federal permit, (this includes orca capture, as well as any other kind of hunting, fishing, or trapping requiring a federal permit only) that person is

exempt from prosecution. Such disparate treatment of similar offenders, with no apparent rational basis for the distinction, raises an equal protection question under the constitution.

On a policy basis, I question the wisdom of granting -- just because we want to specifically exempt from prosecution those who might attempt to obstruct the capture of orca whales -- blanket immunity to persons who obstruct hunters, fishermen, and trappers who are hunting, fishing, or trapping lawfully without a state license or permit. This provision should be given more thoughtful consideration.

Secondly, it may be difficult to effectively prosecute an offender under the bill. The new law would not apply to obstruction or hindrance that is "incidental" to a person's lawful use of public or private land or water. This exception was included so that hunting activities would not be given a clear priority over other lawful outdoor activities such as camping, hiking, birdwatching, etc. Although adding this provision serves a laudable purpose, especially since last year's bill included no recognition of the validity of such competing uses, this language is likely to make it more difficult to prosecute some cases. That is, it may be difficult to prove that obstructive acts were deliberate as opposed to being the incidental result of another person's lawful use of the land.

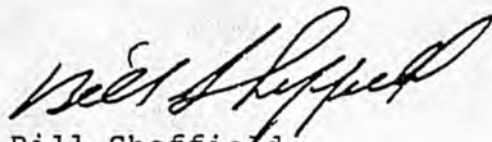
Thirdly, there have apparently been no verified reports in Alaska of the types of "sabotage" tactics that the proponents of this bill seek to prohibit. I am not convinced of the need to establish a new crime prohibiting conduct that has yet to occur in this state.

Fourthly, as I stated in last year's veto letter, existing criminal statutes provide adequate coverage for physical interference with lawful hunting and fishing. In particular, the crimes of assault, criminal mischief, and harassment provide criminal penalties similar to those imposed under this bill.

Finally, creating such a crime in the Alaska statutes gives the impression that Alaska seeks to give hunting, fishing and trapping of wildlife, (whether it be for sport, commercial purposes, or subsistence use) priority over efforts to protect and preserve wildlife. Despite the fact that I myself have participated in sport hunting and fishing, I do not believe that it is appropriate to make such a strong statement in our laws.

For these reasons, I have vetoed this bill.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Sheffield".

Bill Sheffield
Governor

STATE OF ALASKA
THE LEGISLATURE

POUCHY - STATE CAPITOL
JUNEAU ALASKA 99811
907-488-800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

November 20, 1984

SUBJECT: Draft bill reintroducing HB
546, An Act relating to the
obstruction or hindrance of
lawful hunting, fishing or
trapping. (WO 14-0063)

TO: Rep. Richard Shultz

FROM: George Edwards
Legislative Counsel

The draft bill for reintroduction of HB 546 from last session has been completed with some modifications I wish to point out. The modifications are responsive to objections set out in the Governor's veto letter of June 19, 1984.

The initial objection went to language in section (a) which limited the protected group to persons holding valid Alaska licenses. The constitutional argument against this language is compelling and my reaction has been to eliminate the suspect phrase.

Thus, where the former version read:

"(a) a person may not perform an act with the intent to obstruct or hinder hunting, fishing, or trapping engaged in lawfully by another person possessing a valid State of Alaska license or permit or exempted from license requirements under AS 16.05.044,"

the current draft reads:

"(a) a person may not perform an act with the intent to obstruct or hinder hunting, fishing, or trapping engaged in lawfully by another person."

The Governor's other objection which can be responded to in the proposed legislation is the interpretation of section (d) which formerly read:

Representative Shultz
Page 2
November 20, 1984

"This section does not apply to obstruction or hindrance that is incidental to the lawful use of public or private land or water."

If this section was incorporated to protect commercial fishermen who may inadvertently hinder other fishermen in the ordinary course of their work, it appears to be unnecessary. The affirmative defenses cover such a situation as well as others in which legitimate rights conflict. Thus, I have simply deleted the original section (d).

The only other substantive change occurs in Sec. 16.05.927 (formerly 926) where "costs for" has been inserted before "special equipment and supplies."

If you have questions or further suggestions, please don't hesitate to contact me.

GE:mkr
Enclosure
017:M1

AN ACT RELATING TO THE OBSTRUCTION OR HINDRANCE OF LAWFUL HUNTING,
FISHING, OR TRAPPING.

PRIME SPONSOR: SHULTZ
CO-SPONSORS: MARROU, TAYLOR, BOUCHER

CURRENT STATUS: (S) RES

DATE		PAGE	ACTION
01/14/85	(H)	20	READ THE FIRST TIME - REFERRAL(S)
04/22/85	(H)	1017	JUD RPT 3DP 1DNP 2NR
04/22/85	(H)	1017	2 ZERO FISCAL NOTES
01/22/86	(H)	1843	RES RPT 6DP 3NR
01/28/86	(H)		RULES TO CALENDAR 1/29/86
01/29/86	(H)	1916	2 UPDATED ZERO FISCAL NOTES FROM RES
01/29/86	(H)	1924	READ THE SECOND TIME
01/29/86	(H)	1924	ADVANCED TO THIRD READING UNAN CONSENT
01/29/86	(H)	1924	READ THE THIRD TIME HB 31
01/29/86	(H)	1924	PASSED Y28 N12

HB 31

MEASURE HISTORY

PAGE 02 OF 02

DATE		PAGE	ACTION
01/29/86	(H)	1925	WALLIS NOTICE OF RECONSIDERATION
01/31/86	(H)	1946	RECONSIDERATION TAKEN UP UNAN CONSENT
01/31/86	(H)	1946	HELD IN THIRD READING TO CALENDAR 2/3
02/03/86	(H)	1963	READ THE THIRD TIME HB 31
02/03/86	(H)	1963	RETURN TO 2ND FOR AM FLD Y14 N25 X1
02/03/86	(H)	1964	PASSED ON RECONSIDERATION Y31 N8 X1
02/03/86	(H)	1969	TRANSMITTED TO (S)
02/04/86	(S)	1721	READ THE FIRST TIME - REFERRAL(S) RESOURCES JUDICIARY RULES

Original sponsors: Shultz, Marrou,
Taylor and Boucher

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 31 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the obstruction or hindrance of
7 lawful hunting, fishing, or trapping."

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

9 * Section 1. AS 16.05 is amended by adding new sections to read:

10 Sec. 16.05.926. OBSTRUCTION OR HINDRANCE OF LAWFUL HUNTING,
11 FISHING, OR TRAPPING. (a) Except as provided in (d) of this section,
12 a person may not perform an act with the intent to obstruct or hinder
13 hunting, ~~v~~fishing, or trapping engaged in lawfully by another person.
14 For purposes of this subsection, "lawfully" means

15 (1) in accordance with AS 16, regulations adopted under
16 AS 16, and applicable federal statutes and regulations; and

17 (2) with the permission of the private landowner if the
18 hunting, fishing, or trapping is engaged in on private land.

19 (b) A peace officer who has probable cause to believe that a
20 person has violated this section may order the person to desist. The
21 officer may cite or arrest the person upon refusal to desist.

22 (c) In a prosecution under this section, it is an affirmative
23 defense that the person

24 (1) had a right to obstruct or hinder the hunting, fishing
25 or trapping, or

26 (2) reasonably believed that the person had the right to
27 obstruct or hinder the hunting, fishing or trapping.

28 → (d) This section does not apply to a commercial fisherman while
29 engaged in a customary ^{and otherwise legal} practice recognized in the commercial fishing

This section added

1 industry.

2 ↑
3 (e) A person who violates this section is guilty of a misdemean-
4 or punishable by a fine of not more than \$500 or imprisonment for not
5 more than 30 days or both.

6 Sec. 16.05.927. CIVIL REMEDIES. (a) A person aggrieved by
7 conduct in violation of AS 16.05.926 or threatened with such conduct
8 may petition a superior court to enjoin the respondent from engaging
9 in such conduct.

10 (b) A person aggrieved by a violation of AS 16.05.926 is en-
11 titled to recover general damages and special damages, including
12 license and permit fees, travel costs, guide fees, costs for special
13 equipment and supplies, and other related expenses.

14 (c) A court may award punitive damages in addition to the dam-
15 ages set out in (b) of this section.
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Alaska State Legislature

HOUSE OF REPRESENTATIVES
COMMITTEE ON RESOURCES

POUCH V
JUNEAU, ALASKA 99811
(907) 465-3715

Overview HB 31

TO: HOUSE RESOURCES MEMBERS DATE: January 21, 1986
FROM: Representative Dick Shultz (As requested by
Representative John Sund)

HB 31 is not a new bill in that the concept has been around for some three years.

The rationale of HB 31 is very simple, however the political solution is more complex. Basically it boils down to two points of view.

1. Animal protectionist groups believe they should have the legal right to harass hunters, fishermen or their quarry in the name of conservation.
2. Hunters and fishermen feel this is an infringement on their rights to conduct a legally sanctioned activity.

Other states (see packet) have opted to protect hunters and fishermen in their activities and as a result have fashioned legislation to address conflicts that may occur in the field.

HB 31 is based on the review and input from several of these states and is designed to protect both the hunter and the fisherman as well as others enjoying the out of doors from intentional harassment designed to frustrate their activities.

The penalties involved are commensurate with those established by other states and a defense is provided for those who have a right to disturb field activities or reasonably believed they had the right to create a disruption or disturbance.

If one will take the time to read the growing sources of information provided to those who wish to harass hunters the necessity of this legislation will become more obvious.

When such activity takes place in Alaska it may cost an individual many thousands of dollars and ruin the trip of a lifetime. With this type of loss the potential for violence in the field is greatly increased. It is the intention of the sponsor through the legal relief available via HB 31 to provide a better alternative when such altercations arise.

HUNTING IS A DIRTY BUSINESS

Excerpts from an article by Bil Gilbert

Stories about hunters shooting cows, goats, poodles, Volkswagens and people are part of the folklore, but unfortunately they are frequently true. One fall I foolishly ventured out with three small children into our overgrown pasture. Suddenly there was the report of a gun, the zinging of slugs passing through the underbrush a foot or so over our heads. One satisfaction of the whole scary incident was proving that at least a bird watcher was hardy enough to run down a 17-year old hunter. I took the gun away from the boy and took him to his father, who was 'sporting' nearby. The old man mildly admonished the boy and lectured me sternly about letting "unmarked" children wander about our own posted field.

Beyond the fact that sports hunters are, as a rule, disreputable, the most obvious complaint against them is that they are destructive of wildlife. Several species — the passenger pigeon, heath hen, Eskimo curlew — were simply hunted into extinction. Many more — buffalo, antelope, grizzly bear, wolf, mountain lion, eagle, certain waterfowl — now barely survive.

Wildlife officials usually admit that without wardens, the sport gunners would probably come close to wiping out all game and a variety of other species.

The most irksome aspect of all this is that, unlike bridge players, Boy Scouts, pool hustlers or any other sporting group, hunters are more or less public wards. I, you, we are required to subsidize hunters with our taxes and set aside large chunks of our increasingly scarce wild lands and wildlife for their use. Somewhere in the neighborhood of 25,000 public wildlife "conservation" workers, state and federal, consume upwards of a half-billion dollars a year mostly to make it easier and quicker for gunners to kill animals. No other sports comes anywhere close to being so pampered and coddled.

Take, for example, the National Wildlife Refuge system operated by the Department of the Interior. Some 29 million acres of public land (2 million more than are in the National Park system) are set aside for wildlife refuges. Much of this land is managed and maintained for the primary benefit of waterfowl gunners. Hunters point out that they buy duck stamps and assert that this money pays for the refuge system. The truth is that in 1976 the annual refuge budget was about \$30 million, and the annual income from duck stamps was \$5 million. In other words, about 85 percent of the refuge money comes from general tax revenues. Today the situation is even worse. So far as I know, there are no state game agencies that do not need appropriations which issue from people who do not hunt at all.



Hunters attempt to justify this obvious inequity by explaining that the work of state and federal wildlife agencies benefits all wildlife. It is claimed that state and federal hunting lands also serve as a sanctuary for many nongame birds and mammals. They do sometimes, but it is largely accidental. For example, Michigan is contemplating creating about a half-million acres of new deer habitat. This will involve bulldozing the land, turning it into deer-browse scrub. Some other species will find the scrub hospitable, but the variety of wildlife that can use the land will decline. From the standpoint of the nature watcher, these acres will be about as attractive as a housing development in preconstruction stages.

An obvious solution to many of these inconsistencies and inequities is to remove the financial — and thus political — stranglehold that hunters and many public wildlife men believe they have on wildlife agencies. The crucial need is for all the operating funds for wildlife agencies to be appropriated from general revenues. Freed from the bondage of hunters' money, state and federal wildlife agencies should be required to initiate research programs which would benefit all fauna, not just those creatures that hunters shoot. There is no reason why some public refuges could not be left for the pleasure of photographers and those who simply enjoy seeing and contemplating the ways of species not classified as human.

Hunters are so firmly entrenched in our wildlife bureaucracy that only a concerted, aggressive campaign will flush them. A philosophical basis for this campaign might be the realization that despite a lot of pious, self-congratulatory propaganda, hunters are generally a destructive, dangerous lot, who have made a mess of our wildlife. ■

HUNTING SEASON IS HERE

Get Out Your Hip Boots and Make Life Difficult For the Weekend Woodsman

American hunters will be shouldering their rifles and shotguns within the next few months, marching off to their annual offensive against wildlife. This legion, which is generally better equipped than the entire German armies of the Second World War, will take a bloody toll before the season ends. They will kill deer and rabbits, ducks, dogs, cats, a few children, and even a few of themselves. How about calling a meeting of a few friends to plan for this hunting season? Here are a few ways you can strike out against the hunt:

1. Encourage neighbors with acreage to post their land. Let them know that hunters cause more damage than wild animals.
2. Many areas have hunting restricted to a specified number of hunters with permits. The permits are usually awarded by a simple lottery selection. Apply for these permits yourself; you may win one and deny a hunter his kill.
3. Get into the woods the day before hunting season. Try to drive wildlife away. Stroll about with a loud radio or a dog on a leash to make wildlife wary of humans.
4. Rotten eggs or cow dung can be rubbed into the floor and walls of hunting blinds to make hunters uncomfortable. Uncomfortable hunters are irritable, and are more likely to miss.
5. Placing deer repellent (available at many feed and hardware stores) along deer routes will encourage the deer to move away and leave the hunter with a route devoid of the species. Scoop up a bag of human hair from a local barber shop and put handfuls of it in little bags about 2 or 3 feet from the ground, along the deer track. The deer will soon get the message that there are humans in the area and will drift away.
6. If hunters use dogs in your area, try to get hold of a female dog in heat and lead her, on a leash, through



"Okay! Now don't move, Andy! Here comes Mom!"

an area that is heavily hunted. Male dogs in the hunter's pack will "get wind" of the female and lose their enthusiasm for chasing rabbits or other hunted animals.

7. If you have a portable tape recorder, buy a cassette recording of wolf howls. Play this in the woods a few times in the days before hunting season.
8. Buy large, old stuffed animal toys at a local thrift shop or make your own. Set these around commonly hunted areas. Hunters often don't take the time to check if an animal is real! Better to have a hole in a cotton rabbit than a real one—and the noise of the gun going off may scare away other wildlife. ■

Excerpted from Friends of Animals "Tips for Hunt Saboteurs"

COMMITTEE TO ABOLISH SPORT HUNTING

Called "One of the Most Dangerous and Aggressive Organizations in the U.S." by the National Rifle Association

C.A.S.H. has

- ★ Won an epic battle to keep hunters out of 52,000 acre Harriman State Park in New York
- ★ Filed a lawsuit to stop hunting at Riley Creek State Park in Pennsylvania
- ★ Defeated the U.S. Department of Interior's ban on anti-hunting demonstrations at Great Swamp Refuge, New Jersey

Specializing only in the fight against "sport" hunting, C.A.S.H. can continue working for wildlife only because people like you care.

\$20 provides a 1-year membership. Contributions of any size are gratefully accepted and immediately put to use. Write us:

The Committee to Abolish Sport Hunting
Box 43, White Plains, New York 10605
or call: 212/428-7523

ARE YOU REALLY THAT HUNGRY?



PETA Director, Ingrid Newkirk, with a chicken rescued from a slaughterhouse.

Today, chickens (and most farm animals) are raised in such cramped quarters that they cannot even turn around. Some are unable to lie down and must try to rest on the backs of other animals.

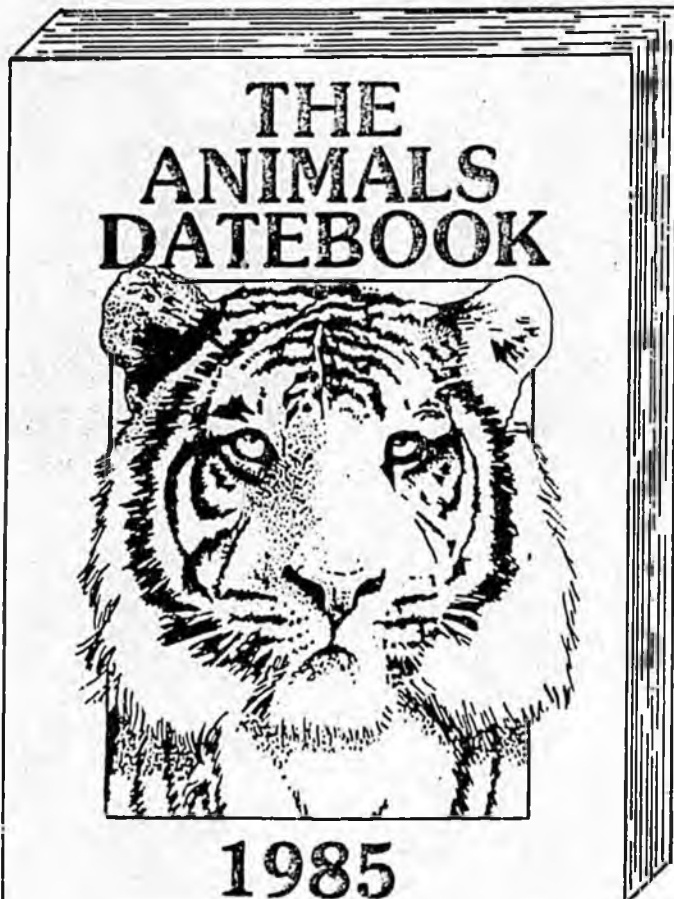
Chickens in egg production can never stretch a wing. They live indoors on slanted wire, 5 to 7 hens to a cage slightly larger than a record album cover. Layers and broilers have their beaks burnt off with a red-hot iron to prevent the cannibalism that results from overcrowding and stress.

At the meat inspection line the bodies spin by so fast there is less than 3 seconds for inspectors to check the entire carcass. Cancerous tumors are simply cut out with a handknife, if detected, and the rest of the carcass is sold at the meat counter.

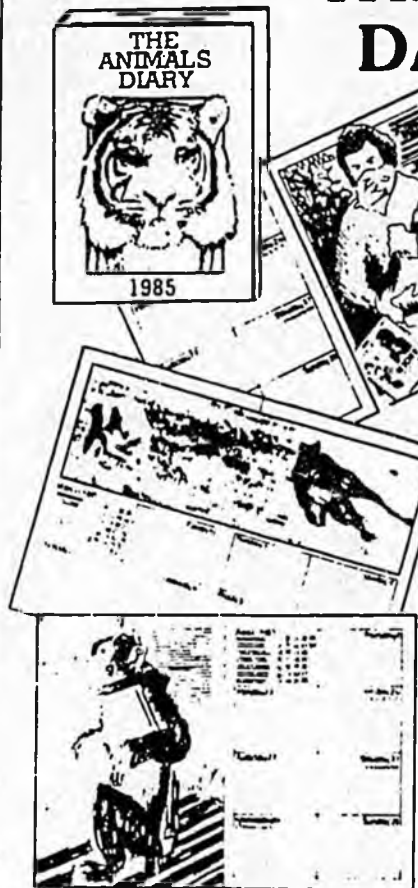
Almost 100 of the drugs and pesticides used in animal feed leave residues. According to the New England Journal of Medicine, many of these chemical additives are known carcinogens or linked to birth defects, even death, in humans.

You can do something. You can vote with your consumer dollars every time you do your marketing or order a meal. Vote 'no' to cruelty and 'yes' to life—yours and the animals'. ■

THE ANIMALS DATEBOOK 1985



EXCLUSIVE
Imported to US from England \$6, Air Mail
delivery included.



The first Animal Rights Datebook shows animal exploitation and liberation in photos, drawings and cartoons — many produced especially for the book. Each double-page spread shows one week of the year plus an illustration, and the datebook includes a resource section with Animal First Aid, Legal Advice, and Cruelty-Free Cosmetics.

128 pages (8¼x5½") with laminated cover. Datebooks are traditional Christmas presents — give your friends something to think about all next year...

Order early; limited numbers: PETA, Box 42516, Washington, DC 20015.

Give Great Gifts that Support Animal Rights



BOOKS

- **Animal Liberation**
By Peter Singer. This finest book on animal rights ever written. \$4
- **The Cookbook for People Who Love Animals**
Delightful and delicious animal-free recipes. A must for your home. \$9
- **Animal Factories**
A horrifying, factual account of modern intensive farming methods. \$8.
- **The Naked Empress**
Learn how drug companies and others gain from animal research and how we all lose. \$10
- **Slaughter of the Innocent**
Graphic descriptions of how animals suffer in laboratories and the industry that makes it happen. \$4
- **The Farm Cookbook**
Great recipes from a peaceful community of craftspeople, artists (and cooks!). \$7
- **Dr. Rat**
By author of E.T. William Kotzwinkle. A scathing, witty novel with a hard liberationist message. \$4

BUTTONS

- **Animal Liberation**
3 for \$2
- **Animal Liberation—Human Liberation**
3 for \$2
- **Meat is Murder**
3 for \$2

STICKERS

- **Liberate Laboratory Animals**
Bumper sticker. \$1.50
- **Anti-Meat Stickers for Meat Packages**
25 for \$1
- **Love Animals, Don't Eat Them**
- **Respect Animals, Don't Eat Them**
Bumper sticker. \$1
- **CANCELLED**
The perfect sticker for events that abuse animals. \$1
- **Meat is Murder**
Window decal. \$1

POSTCARDS

- **Hugging Infant Monkeys**
4 for \$1
- **Buddy Chimps**
5 for \$1

T-SHIRTS

- **Peaceful Rabbit**
People for the Ethical Treatment of Animals' own. Rainbow effect on a background of lilac, blue, beige, pink or yellow. \$9
Also: Sweatshirt \$15
Tote bag \$8
- **Meat's No Treat for Those You Eat**
Famous crying pig in a sandwich shirt. Blue or beige. \$6
- **Animals Are Not Ours To Eat, Wear or Experiment On**
Gray, Blue, Yellow or Red. \$7
- **The Animal Liberation Front Wants You**
"Gorilla/guerilla". Black on beige, red or blue. \$6
- **Meat is Murder**
Cow's face on a plate with knife and fork. Silver/gray, beige, or blue. \$8
Specify size (S/M/L/XL) and color when ordering shirts.

POSTER

- **This is Vivisection**
Ideal for booths, walls, and stores. \$3

Please send order to: PETA, P.O. Box 42516, Washington, D.C. 20015.

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

ITEM	SIZE (S/M/L)	COLOR	PRICE	QUANTITY	TOTAL

TOTAL ENCLOSED: _____

Defenders of Wildlife

1244 19th Street, N.W. • Washington, D.C. 20036

NRA/ILA
LIBRARY

DATE ~~SEP 05 1984~~
2

Brace yourself.

What I have to tell you in this letter is going to shock you.

The National Rifle Association has just filed a lawsuit that could open most National Parks to hunting and trapping.

This is an absolute outrage. There's no other way I can describe it.

Dear Friend,

For over 100 years America's national parks have been an example of enlightened environmental policy to the rest of the world. And integral to our model park system is the principle that wildlife is allowed to live free and unmolested in the parks.

All this will change if the NRA wins its suit.

The National Rifle Association -- the wealthy lobbying organization for gun enthusiasts and gun manufacturers -- will have all the money it needs to pursue its insidious lawsuit.

But we can stop them if we take decisive action right now.

That's why I am writing you this urgent letter. If ever there was a pivotal case where we should stand up for wildlife, this is it.

I am asking you to send Defenders of Wildlife a gift of \$20 today to help save our national parks from the hunting and killing of the NRA. Maybe you can afford \$35 or \$50? Whatever you can send, please do it today. We have no time to lose.

Hunting in the National Parks would not only threaten the wildlife but also endanger other visitors. Trapping could have a devastating impact on endangered species. Rare river otters, cougars, and even bald eagles have been killed in traps set for other animals.

The National Rifle Association suit cites Park Service regulations for eleven areas within the National Park System. But the suit actually takes aim at a very basic policy by which hunting is prohibited in the National Park System except in the few cases where Congress has specifically allowed it.

The National Rifle Association would turn this 100-year-old principle

upside down: if they win, only a specific act of Congress could prohibit bunting and trapping in a National Park.

It is hard to believe that a selfish few would attempt such an attack on the fundamental character of our National Parks. The National Rifle Association wants to raid our national wildlife treasures to provide trophies and pelts for a handful of hunters and trappers.

The American people don't want this outrage. Americans have steadfastly supported the hunting ban in the National Parks.

Defenders of Wildlife is committed to stopping this attack on the wildlife of our National Parks, by intervening in the suit. We have pledged our all-out participation in a coalition of five environmental groups who will cooperate in defending the parks against the NRA.

To meet the unexpected costs of defending our national parks, we need your emergency contribution of \$20, \$50, or \$35 today.

When you support Defenders of Wildlife, you will join the distinguished company of concerned citizens from all walks of life who make up our membership.

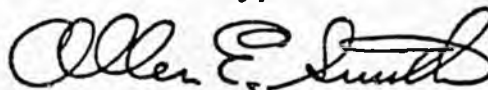
Furthermore, membership in Defenders of Wildlife entitles you to receive Defenders magazine, bringing you a vivid and illuminating look at wildlife in America. In each issue of Defenders, you'll see the threatened, the nearly extinct ... and the species that are recovering thanks to the work of Defenders of Wildlife and allied groups. Clear, insightful articles cast new light on the complex issues of wildlife conservation.

But most important, by joining Defenders of Wildlife, you'll be giving your support to one of America's most aggressive conservation organizations, now taking the lead in defending the wildlife of our National Parks.

Do we need hunting in Zion National Park? Do we want trapping in the Assateague National Seashore? Do we want rifle-shots echoing through the Grand Canyon? Should hikers have to fear a stray bullet in Everglades National Park? The National Rifle Association lawsuit threatens all these parks and 20 more where Congress has not specifically outlawed hunting and trapping.

Please send your emergency contribution today.

Sincerely,



Allen E. Smith
President

PS: Defenders of Wildlife doesn't have the opulent funding and high-paid legal staff of the National Rifle Association. But we do have the support of the vast majority of Americans who want to save our National Park wildlife. Can we count on your generous contribution today?

A copy of the last financial report filed with the New York Department of State may be obtained by writing to New York State, Department of State, Office of Charities Registration, Albany, N.Y. 12231 or Defenders of Wildlife.

\$10 is the minimum membership contribution and entitles the member to 6 issues of *Defenders* magazine.

Defenders of Wildlife

NRA/ILA
LIBRARY
DATE 20 1982

Dear Friend,

A young bobcat, not more than 6 months old, searches through the snowy drifts for her evening meal. One misplaced step--- and she screams in agony--- her paw is caught in the steel jaws of a leghold trap.

Once the heavy steel jaws slam shut, her efforts to escape are futile. Every panic-stricken attempt merely tears the flesh of her leg or paw. The trap may even crush or break the bone.

For the bobcat, a slow, torturous death from loss of blood, gangrene, starvation or exposure is almost certain.

If the bobcat survives until the trapper checks his lines she will most likely be clubbed or choked to death.

Horriying? Yes. But this is exactly how America's vanishing bobcats are being killed to supply the European "fun fur" market. And with the price of a bobcat skin up to \$650 in some areas you can expect record kills this year.

The soaring demand "to be fashionable" has all but driven bobcats to the brink of extinction in many states. Already, bobcats are gone, or require full protection in 12 states.

Just imagine, it takes the fur from ten bobcats to make a single coat.

But bobcats aren't the only animals to suffer. Over 15,000,000 wild animals and many thousands of dogs and cats will be victims of the barbaric leghold trap this year alone!

Frequently, the traps intended for a particular animal often kill non-target wildlife. Countless hawks, owls, raccoons, badgers, and even rare and endangered species like bald eagles are often killed or maimed by these non-selective traps.

And as many areas of the country become more populated, many household pets are caught in leghold traps. This year

tens-of-thousands of dogs and cats will die or be severely injured by leghold traps.

Yet those who trap for fun and profit continue to slaughter innocent animals at an alarming rate.

Most people are not aware that trapping has increased drastically to supply the current "fur boom". They are also unaware that trapping is widely abused, wasteful, and inhumane.

But Defenders of Wildlife is working hard to change all this. We are making people more aware of these horrible abuses of America's last remaining wild animals. And with your help, our relentless campaign to ban the cruel and destructive use of the leghold trap will be even more effective.

As you can see, we've taken on no small task. The forces against us are powerful and determined. And that's why--- more than ever before--- we need your help and support as a member of Defenders of Wildlife.

When you join Defenders, you become an important member of a special group of caring people who are concerned about the fate of America's precious wildlife.

And you will have the personal satisfaction of knowing that your dues will be used to save wildlife, not only for ourselves, but for our children and their children who will applaud your foresight.

Frankly, we're very proud of our reputation as America's most active, effective, and hard-hitting wildlife protection group. Here in Washington, and across the country through our Field Representatives in key states, Defenders voices your concern on wildlife abuses.

Defenders of Wildlife is not bashful when the lives of wild animals are at stake. Through lawsuits in Federal court Defenders has fought to save wolves, sea turtles, bobcats, and preserve wildlife refuges.

And we have taken other legal actions to protect eagles, manatees, coyotes, foxes, kangaroos and other wild animals.

Since 1925 Defenders has fought to save and protect defenseless animals. With the strong support of members like you, we were able to stop aerial hunting of wolves in Alaska--- temporarily halt the export of bobcat pelts--- defeat Congressional attempts to weaken the Marine Mammal Protection Act--- eliminate the killing of coyote pups in their dens--- and win major reforms in the Government's Predator Control Program.

But all this is not enough if we want a safe future for our remaining wild animals. We must expand the crusade against

senseless and inhumane use of leghold traps and the other cruelties inflicted on helpless animals.

So if you care about bobcats and America's other vanishing and threatened wildlife please join Defenders of Wildlife today.

I'm counting on you to accept this invitation to become a member of Defenders of Wildlife. When you accept, I will start your subscription to Defenders--- the magazine that celebrates the wonder of wild places and wild animals.

The first thing you're sure to notice about Defenders is the truly distinctive quality of the articles and wildlife illustrations produced by our brilliant writers and contributing artists.

And as a bonus: Each issue of Defenders brings you a handsome, full-color, wildlife poster. . . or a special educational supplement focusing on a specific animal or issue of concern to members.

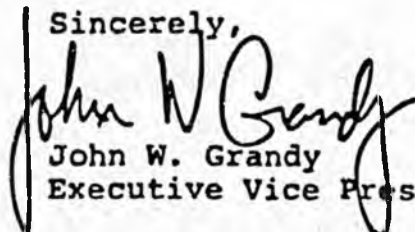
Of course there are other reasons for joining Defenders of Wildlife--- like our timely Action Alerts on critical issues in your area--- special member's discounts on beautiful books and gift items--- wildlife travel opportunities--- and you will also receive a membership card and window decal to proclaim to others your commitment to save wildlife.

But the most important reason of all for joining Defenders of Wildlife is the pride and personal satisfaction you will get from knowing that your support is making a positive difference in the crusade to protect wildlife.

Please fill out and return the enclosed membership reservation card. Full membership in Defenders of Wildlife, with all it's benefits, costs you just \$15 for one year. Or you can enjoy a family membership for \$20.

I doubt you'll find a better value, or the chance to do so much to preserve our wild heritage. Please act now. We need you as a Defender.

Sincerely,


John W. Grandy
Executive Vice President

P.S. Together, we can be the voice for these defenseless animals. So please--- while you're thinking about it--- Return the membership form in the enclosed postage-paid envelope and join Defenders today.

JWG:aa

Thank you. 

What's in a Name?

BY E. B. MANN

A recent news item reminds me that of the dozens of conservation-oriented organizations begging us for support, few hunters really know which are for us and which are against us. Their names do not tell us. Friends of Animals is an appealing name, but their official statement of their aims and purposes includes these words: "Sports hunting is neither sport nor hunting. It is a base activity comparable to shooting fish in a barrel. . . . Destroyers of wildlife must, in turn, be destroyed—preferably by legal process." But one of the more notorious—and silly—proponents of anti-hunting disdains legal process, proposing instead a "Hunt the Hunters Club" whose members should shoot each other!

The Society for Animal Rights has changed its name to the International Society for Animal Rights; a broadening of scope, but with no change of objectives. The Society has been, in the words of the news writer, "a vocal opponent of any form of hunting. In fact, its philosophy seems to be one of forced vegetarianism for everyone." The announced strategy of the newly named Society is "to gain control of the various state fish and wildlife departments"—departments financed by hunting and fishing license fees and by the excise taxes paid for hunting and fishing equipment!

Space prevents naming and evaluating all of the groups operating in this category, but here are a few whose attitudes have been publicly stated:

Some of the names are confusing, perhaps deliberately so. The American Humane Association "opposes trophy hunting, but supports the biological necessity of population control through hunting when population and habitat conditions warrant." Not an all-out endorsement, but better than the verdict of The Humane Society of the United States, which is "...unalterably opposed to the cruelties that are an unavoidable component of most hunting as it is conducted today." Notice the similarity of each of their names, and the

difference in policy.

The Wildlife Legislative Fund of America states that it "... helps sportsmen... defend themselves against anti-hunting fanatics." They claim credit for the voting in South Dakota which legalized dove hunting in that state. The National Rifle Association says of them that "they and the Wildlife Conservation Fund of America, their companion organization, help to protect the rights of every American to hunt, fish, and trap." We can use all the help of that kind we can get!

The National Audubon Society position "... has never been opposed to hunting... done ethically and in accordance with laws and regulations designed to prevent depletion of wildlife resources. . . . Our objective is wildlife and environmental conservation, not the promotion of hunting... but this does not make us anti-hunting." Again, approval with reservations, but far from the condemnation of hunting that many people (including some of their own members) attribute to them.

The Fund for Animals minces no words in its condemnation of all hunting. "Hunting," they tell us, "is not a true sport, for the simple reason that there is nothing sporting about shooting defenseless animals with a high-powered rifle. Hunters have helped wipe out numerous species of once-abundant wildlife, including the now-extinct auk, the heath hen, the passenger pigeon, the badlands bighorn, and others." The truth is, of course, that hunting was never more than marginally involved in the depletion of any of these species, and then only before today's hunter-invoked and hunter-subsidized conservation programs and hunting regulations (bag limits, seasonal hunting, etc.) were invented. Nor does the Fund for Animals mention the revival of the wild turkey, antelope, elk, and other wildlife populations brought about and paid for by hunters.

Named for and originally principally concerned with the ecology and natural resources of the Sierra Nevada, the

Sierra Club has expanded its interests to national and even worldwide problems. In its official statement, the Sierra Club denies opposition to "sports hunting outside appropriate sanctuaries such as national parks, provided it is regulated," but clouds that denial with the belief that hunting, at best, "checks unrestricted propagation of [game] species that used to be controlled far better by natural predators which, too often, have been tragically destroyed. Wildlife policy should not revolve about hunting. Wild animals should not be valued in terms of whether they serve as targets. . . . Regulated sports hunting may have a place for those who choose to pursue it, but there are more pressing concerns."

In sharp contrast with the (to say the least) meager support of hunting expressed by the Sierra Club are the vigorously pro-hunting sentiments expressed by the International Association of Fish and Wildlife Agencies. "Hunting," they say, "is a major source of outdoor recreation. Participation in it is increasing annually. Not only is it a major form of recreation, but it is an absolute necessity for the proper management and future well-being of many wildlife populations. It is our aim, in connection with other state, national, international, and private agencies involved in conserving natural resources, to provide the public with an accurate portrayal of the role of the hunter and hunting in America, counteracting the anti-hunting sentiment being created by some anti-hunting groups."

Two of the best and most effective friends of hunters and hunting in America today are the National Rifle Association and the National Shooting Sports Foundation. The NRA position is clearly stated as follows: "Hunting is in complete accord with the moral tenets of man. Hunting is dominant among American traditions and has contributed substantially to our sound national character. Its future is a primary concern of the NRA."

The National Shooting Sports Foun-

Fund for Animals

dation was created "to foster active participation in the shooting sports and to finance the conservation of both game and non-game wildlife. Over recent years, such support has amounted to some five billion dollars!

"No game species has ever been endangered to the point of extinction by sport hunting alone. On the contrary, numerous species have been returned to healthy numbers through hunter-sponsored, hunter-financed habitat management.

"The future of hunting and the future of habitat capable of sustaining abundant wildlife depend in large measure on the time, effort, and money that each of us is willing to put back into our sport.

"Dedicated hunters are the backbone of the many efforts designed to introduce young people to hunting and the shooting sports. Without volunteer service, many such programs could not exist. There is something every hunter can do to help insure the future of hunting and of quality wildlife habitat. If you are not already involved, now is a good time to start."

Many state wildlife agencies offer publications and advice as to how and with whom hunters can support the pro-hunting programs. The NRA club in your community will also welcome your inquiry and your support.

These are only a few of the many groups working for and against hunters and hunting. If your state fish and game agency or your local shooting clubs cannot give you the information you need, write the National Shooting Sports Foundation, Dept. FS, 1075 Post Rd., Riverside, Conn. 06878, or the National Rifle Association, Dept. FS, 1600 Rhode Island Ave., Washington, D. C. 20036, for further information. And in this election year, ask also about the positions taken by state and federal candidates regarding hunting and gun controls. Your vote and the influence you can exert with your neighbors can be, this year, a vital factor in the election of people who will help us defend our endangered tradition.

FIELD & STREAM APRIL 1984

Many groups are interested in shooting and hunting
Some would like to end both sports tomorrow.

Attachment 3D

friends of animals, inc.

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TIPS FOR HUNT SABOTEURS

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Fourteen million Americans will be shouldering their rifles and shotguns within the next few months, marching off to their annual offensive against our wildlife. These legions, which are more numerous, and generally better equipped than the entire Nazi armies of the Second World War, will take a bloody toll before the season ends. They will kill deer and rabbits, ducks, dogs, cats, a few children, and even a few hunters.

It is time for friends of animals to start organizing a defense that will serve to at least temper the wanton destruction. There are many ways that a friend of animals can become a forest partisan on behalf of our wildlife, and we offer here a few suggestions that range in effort, depending upon a person's abilities and commitment:

1. Deny the hunter the land to hunt on. Much hunting is done on private lands. To protect these animals, encourage your neighbors, especially those who own large tracts such as farms and ranches, to post their land and forbid hunting. Try to convince them that hunters invariably cause more damage to agriculture than the wild animals do.

2. Many areas have hunting restricted to a specified number of hunters who have special permits. Commonly, these permits allow the hunter to use a particular blind or hunt less common species, such as bear. Apply for these permits yourself. The permits are usually awarded by a simple lottery selection. If you're lucky, you'll win a permit and deny a hunter his kill.

3. Get into the woods yourself the day before the hunting season. If you're familiar with the most commonly hunted areas, try to drive wildlife away. A stroll through the forest with a nice loud radio and a dog on a leash, will serve to make wildlife more wary of humans. This is particularly important for younger animals that have not yet had the traumatizing experience of being hunted.

4. Certain substances, such as rotten eggs, when rubbed into hunting blinds, make these enclosures even more uncomfortable for the hunters. Uncomfortable hunters are irritable, and are also poorer shots. Plastering the floor of a hunting blind with cow dung is another good idea.

5. If you're familiar with wildlife habits in your neighborhood, try to encourage them to break these habits shortly before hunting season. For instance, many hunters like to stalk along deer tracks which are pretty well defined to a good woodsman. Placing deer repellent (available at many feed and hardware stores) along these tracks will encourage the deer to move away and leave the hunter with a route devoid of the species. If you want to save money, just scoop up a bag of human hair from a local barber shop and hang handfuls of it in little bags about two or three feet from the ground, along the deer track. The deer will soon get the message that there are humans in the area and will drift away.

6. If there is much hunting with dogs in your area, try to get hold of a female dog in heat and lead her, on a leash, through an area that is heavily hunted. Male dogs in the hunter's pack will "get wind" of the female and lose their enthusiasm for chasing rabbits or deer.

7. Hunters frequently like to ambush their prey by setting out food and then hiding in blinds. Commonly, bushels of apples are set out a few days before hunting season to encourage deer to browse in this area. When hunting season comes, the hunter merely comes to the site, climbs into a blind, and waits for the deer to come to him. To disrupt this, there are two alternatives. First, remove all apple piles immediately on finding them during the days preceding hunting season. Second, if there are just too many apples to carry away, give them a good spraying with deer repellent and spread barber shop hair clippings all over the area.

8. Encourage your municipality to pass an ordinance that bans, in the interest of public safety, the use of all weapons within its limits. Rifles, shotguns, bows and arrows have been known to kill people too.

9. If you have a portable tape recorder, get a cassette recording of wolf howls. Play this in the woods a few times in the days before hunting season. It will make wildlife wary.

10. Try to develop strong anti-hunting sentiment in your community by writing letters to the editor of your local newspapers, meeting with neighbors, getting on talk shows. Creating public awareness of the problem is a vital point. Let your neighbors know that the law recognizes wildlife as belonging to all people, and they are not the exclusive property of hunters until after they have been murdered.

11. Work on a project to get your State to pass a law that would require all hunters to carry written permission from the landowners of the places they hunt. This further curbs the hunter's battlegrounds because many farmers are reluctant to sign permits that would allow people to hunt on their lands. Also, much land is owned by summer residents, corporations, etc. that are nearly impossible to get hold of.

12. Approach your Congressperson and Senators with demands that hunting and trapping be prohibited on national wildlife refuges and all public land.

13. If you have any old, stuffed animal toys, set these around commonly hunted areas. Hunters often don't take the time to check if an animal is real. Better to have a hole in a cotton rabbit than a real one - and the noise of the gun going off might serve to scare away other wildlife.

14. We will be trying to put together a better activist's guide for next hunting season, so if you have any ideas or procedures you've found effective, please let us know. Mail them in to Bill Clark, Friends of Animals, 11 West 60th Street, New York, NY 10023.

Use your imagination. There are plenty of ways to frustrate the hunt, depending on your own abilities and enthusiasm. The main point here is to do something. By your work, you will be helping animals in two ways. First, you will be protecting them from the hunters and second, you will be letting the hunters know that friends of animals are in the woods. This serves to anger them, and angry hunters do not stalk so quietly, their aim is not so precise. Emotions can play heavily in the success of a hunt, and the most effective killers are cool and methodical. Disrupt!

Hunting— An American Tradition

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All hell finally broke loose at British Columbia's Spatsizi Wilderness Park. On August 3, 1981, after Greenpeace members harassed hunters relentlessly, a physical confrontation between hunting guides and the Greenpeace group occurred. According to outfitter Ray Collingwood, four Greenpeace members were involved in a fist fight with Collingwood and three of his guides. The environmentalists suffered severe facial injuries while the outfitter and guides emerged from the melee with sore knuckles.

Three Years Of Harassment End In Fist-Swinging Violence.

The altercation was predictable, though unfortunate. For the third year, the Greenpeace group tried to stop hunting in the provincial park by intimidating hunters and their wives, blocking horse trails by holding hands, and, in one case, by grabbing the wing strut of a bush plane with hunters inside as the craft was taxiing for takeoff.

The Greenpeace organization has long been known for its defense of whales and seals. The activist group relies on publicity and tries to appeal to the uninformed public by using polished media campaigns. Lies and innuendoes play a major role in their smear campaign.

The Greenpeace effort in Spatsizi is designed first to terminate hunting in the park, then British Columbia, and finally the rest of the world. Patrick Moore of Vancouver, B.C., is the leader of the group. Typically, Moore relies on misinformation and public ignorance to get his viewpoint across. In an interview with Wayne Cox of CKVU in Vancouver, Moore said of Spatsizi: "It (Spatsizi) was created in 1975 to preserve the Osborne caribou herd, which is B.C.'s only major caribou herd." Moore is wrong. British Columbia wildlife officials say the Osborne caribou is technically the woodland caribou and is found in large numbers from B.C. to Quebec. Moore also falsely stated that Spatsizi Park was the only northern B.C. park with caribou in it.

In the same interview, Moore said . . . "there are many moose and caribou shot up in the high alpine meadows in Spatsizi. The meat is not taken out."

Again Moore lied. Ray Collingwood said, "We've been bringing meat out ever since we've been outfitting, starting in 1969. At my own expense I've hauled meat to Iskut Indians for their winter food supply."

Cox asked Moore how he could possibly interrupt hunters in a 1.6-million-acre park. Moore answered, "Well, it's very easy to find them. It's almost all alpine meadow. There're no trees on most of it. So, they're right out in the open. They have to have a camp. You have to stay in a tent. So, it's extremely easy to find from aircraft."

Moore is dead wrong. I was in Spatsizi just a few days before the altercation. Much of the park is indeed forested. Collingwood's guides successfully outsmarted Greenpeace helicopters practically every day, and hunters were able to take the animals they had permits for. During the first few days of the British



Columbia's sheep season, Collingwood's hunters took three respectable Stone sheep that measured 38, 39, and 40 inches, despite so-called "successful" Greenpeace intervention. In fact, during the three-year Greenpeace campaign in the park, no hunts were stymied or thwarted, despite Moore's false statement to the contrary. He said, "they're not trophy hunting in Spatsizi because Greenpeace has occupied the park, and we're succeeding in keeping the people out of there this year, thankfully."

According to Collingwood, fewer than a dozen Greenpeace members come to the park, and they're woefully out of shape to follow hunters or even locate them. Their efforts to stop hunting and to prevent hunters from shooting at legal game have been entirely in vain.

Why did Greenpeace suddenly attack hunting, and why did they pick Spatsizi Park? One close observer said they were looking for another "cause" to raise money. Spatsizi itself has been a controversial issue since it was made a provincial park in 1975. The Order in Council spells out specific restrictions and regulations in the park, including one that states hunting and fishing will be allowed in the park on a sustained yield basis.

Spatsizi Park is entirely wilderness with no roads leading to it or through it. It is a superb big game hunting area. Many record animals have been taken there, including grizzlies, caribou, goats, sheep and moose. Collingwood is the only outfitter in the park, and most of his clients are American hunters. Only 30 or so nonresident hunters visit Spatsizi annually. Hunter harvest is minimal in the enormous 1.6-million-acre park, and many areas are not hunted at all. According to Collingwood, his hunter harvest level is about one percent of the total game population.

He guides only six nonresident sheep hunters each year.

Obviously, the Greenpeace opposition to hunting in Spatsizi appears to be based on a moral rather than biological issue. If the hardcore anti-hunting group was as concerned with game populations as they say they are, they should logically assist biological studies by contributing funds, but they haven't offered a dime. This is a typical posture of anti-hunter groups: Bob Henderson, Executive Director of the Western Guides and Outfitter's Association made up of 18 British Columbia and Yukon guides, said their organization contributed more than \$40,000 to caribou migration studies. He, Collingwood and other outfitters have donated their time and bush planes to help game studies conducted by Canadian wildlife agencies.

Greenpeace tactics in Spatsizi are typical of their standard operation. Perhaps the most highly activist environmental group in the world, Greenpeace members go to the scenes of their targets and physically try to interrupt or stymie activities. The group is best known for its bold efforts at stopping whaling and seal clubbing — even to the point of risking bodily harm. This is no loosely-knit organization of drug-using hippies who have nothing better to do, but a highly professional group of shrewd activists who will stop at nothing to achieve their goals.

Jim Haney, a wildlife graduate who manages Collingwood's Spatsizi operation, had an interesting thought on the subject. "Most of us are sympathetic to the 'Save The Whale' issue engineered by Greenpeace. After all, most of us are ignorant about whales, and for all we know, they are quickly being reduced to levels of extinction. But after seeing the Greenpeace effort in Spatsizi where they cleverly use the press to their advantage and broadcast lies and untruths, you wonder how valid their whale issue is. Worse than that, how many American hunters and their families are contributing to the whale funds, not knowing that their money might be going to finance expensive anti-hunting programs?"

When Greenpeace added Spatsizi hunting to their "hit list," they entered the park in 1979. Using expensive helicopters, they harassed Gary Zechel and his wife, Jo-Carole. Zechel, an engineer with Ford Motor Company in Detroit, reported incredible provocations by Greenpeace members. The environmentalists showed up when Zechel was hunting on horseback out of a spike camp. After they jeered and taunted the hunter, they locked hands, tried to stop Zechel from riding down the trail, and grabbed the horse's reins. Then they turned their attention to Jo-Carole. They hurled insults at her, ran close to her as animals would, and seemed to be demon-possessed. Jo-Carole finally broke down, ran into her tent sobbing, and refused to leave the tent for days. Throughout the ordeal, Zechel and his guide kept their cool. Their restraint seemed to drive the Greenpeace fanatics even wilder.

It Was Inevitable That Collingwood And His Guides Used Frontier Justice.

The following year was not so tranquil for Greenpeace in Spatsizi. This time they took on Darryl Hastings and Richard Mielke, two Michigan hunters. Members of the group walked into camp, stuck cameras in their faces — even when the hunters were in the outhouse — and screamed vulgar innuendoes about sex and guns. The harassment was incessant and continued every day. At one point, Mielke scoped a wolf near camp with an unloaded rifle, and he was physically jarred by a screaming Greenpeace fanatic. The antagonist, wearing expensive cameras, ended up in a lake. Later, several Greenpeace fanatics grabbed the wing strut of a Beaver aircraft as it taxied for takeoff. The enraged pilot, who was flying two Swedish hunters to another of Collingwood's camps, completed the flight, picked up an iron pipe to be used as an "equalizer" in a possible fight with the

Greenpeace who outnumbered him, and returned to the trouble area. He jumped out of the plane, and roughed up the individual who grabbed his plane. The Greenpeace member made no attempt to fight back as the pilot slapped him around, but kept his hands in his pockets all the time. Afterward, the pilot was urged to file a formal complaint against Greenpeace because it is a grievous offense — and highly illegal — to interfere with a moving aircraft, but the pilot figured he'd received satisfaction by scaring the wits out of the Greenpeace member.

After Mielke and Hastings left Spatsizi, (they took all the game animals they desired) and entered Vancouver Airport, they were again harassed by Greenpeace members who had alerted TV stations and reporters. The two hunters took refuge in a cocktail bar, but the demonstrators continued until the bartender finally drove them away.

So it was inevitable that Collingwood and his guides used frontier justice to deal with the Greenpeace fanatics in August of 1981. After the fight, in which the environmentalists were severely bloodied and battered by the swinging fists of Collingwood and his men, the Greenpeace effort was called off in Spatsizi. Their headquarters office said it was too dangerous for them to continue their offensive against Collingwood and hunters in the wilderness park.

"...A Greenpeace Member Fired A Flare Gun Close To A Guide's Face."

Ray Collingwood did not want to have a fight with Greenpeace. He avoided the confrontation for two years, and instructed his guides to ignore them. He politely requested Greenpeace groups to leave him and his clients alone, and he silently endured their taunting jeers. But Collingwood did not take their insults lightly. He fumed inside and tried legal means to stop the harassment. When I talked to Ray in his Smithers, B.C., office in late July, he told me he would try to get an injunction against the Greenpeace attacks. As it turned out, the anti-hunters not only harassed hunters, but also chased sheep all over the rugged mountains from aircraft. The final straw came when Greenpeace members incessantly attacked an Austrian hunter and his wife. When Collingwood heard the radio call for help, he landed his bush plane and confronted the fanatic group with three of his guides. The bloody fight began when a Greenpeace member fired a flare gun close to a guide's face.

After the battle, Collingwood filed a restraining order barring Greenpeace members from entering Spatsizi, but the legal battle is just starting. Greenpeace will no doubt enter into expensive court proceedings against Collingwood, since he is the only outfitter in Spatsizi. If they beat Collingwood and have hunting banned in Spatsizi, they'll gain a tremendous psychological advantage and continue their objective of eliminating hunting worldwide.

You can help. Write to the Hon. James Chabot, Minister of Lands, Parks, and Housing; Parliament Building, Victoria, British Columbia, Canada, V8V1X4. Mr. Chabot, who is responsible for provincial parks, has been supportive of hunting in Spatsizi. Tell him you appreciate his attitude and urge him to continue it.

The British Columbia Wildlife Federation is urging passage of a law preventing harassment of hunters. Write to Bill Otway, Executive Director of the organization and congratulate him. His address: B.C. Wildlife Federation; 5659-176th St.; Surrey, B.C., Canada, V3S4C5.

And finally, a note of appreciation to Ray Collingwood, who is about to fight in court for all of us, would be appropriate. Write him at P.O. Box 3070, Smithers, B.C., Canada, VOJ2N0.

Teaching Anti-Hunting

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A year or more ago a young student in Connecticut wrote a letter to me describing how a teacher of his was using the classroom as a place to preach against hunting. We ran that letter in the magazine and you readers were incensed. Just recently I have received more such letters from young students. We ran one of these letters from Jeff Caesar of Lansing, Michigan, in the letters column of the January 1984 issue. Jeff described how a teacher held him up to ridicule in front of his fellow students and made him "look like a murderer in front of my peers."

Since that time I have received another letter from Marty Sims of Lancaster, South Carolina. Marty says, "I am sorry to say that I also have a teacher who tries to influence her students on anti-hunting, so I wanted to let you know that this is one mind she won't change. I am 17 and an avid deer hunter, and no matter what she says she can't change my mind about guns and hunting. Every person has the right to keep and bear arms, and I will work to keep it that way."

I compliment Marty on his strong statement. He has the strength of his convictions and he won't be swayed by the powerful position being misused by the teacher. But what about those students whose minds are not made up either way or who don't have the personal strength to stand up to a teacher? They are the ones whose future opinions and lives are being shaped by teachers advocating anti-hunting ideas from a position in the classroom that cannot be argued with.

Anti-hunting sentiments have no more place being taught in the classroom than do political opinions. I would like to see what would happen to a teacher who said that either the Republicans or the Democrats were all no good. The law now says that not even prayers can be said in the classroom because of the danger of stepping on someone's rights. Opinions about hunting are exactly the same. Teachers should stick to teaching the lessons and not waste precious time preaching their personal opinions.

John Kraker, a sixth-grade teacher from Osakis, Minnesota, wrote and made an important point, which is that many teachers love to hunt and fish. This is something we should all keep in mind. He says, "Most teachers are professionals and try to give unbiased educations. If some people choose not to hunt that is fine but they should not deny anyone the right to hunt. Along with this I do not like being included with anti-hunters; most teachers are not anti-hunters."

What he says is true but the few teachers who use the classroom as a soapbox for their anti-hunting ideas are a serious problem. Year after year, class after class, each one pounds his or her anti-hunting theme into the heads of thousands of students. These teachers must be stopped. I fear the problem is greater than we realize and I welcome letters giving specific accounts of teachers preaching anti-hunting sentiments. I would like to measure just how big the problem is.

To those teachers whose minds are still open, I would urge them to read a column written by John C. Dunlap, a high school English teacher at the Lyndon Institute in Vermont. His article, "In Defense of Hunting," appeared in the March 7, 1983 issue of *Newsweek*. In it, Dunlap eloquently states what hunting means to him. And I would also ask teachers to read, "Four Legs Good, Two Legs Bad," written by Matt Cartmill, in the November 1983 issue of *Natural History*. Cartmill is a professor of anatomy and anthropology at Duke University. In his article Cartmill traces both the importance of hunting in the development of mankind and the history of the anti-hunting sentiment. I could quote many lines from this article, but there is a real danger in taking the author out of context.

So I will close by restating something Cartmill himself quoted in his article: "Whether we love hunting or hate it," wrote the ethologist Valerius Geist in 1975, "eulogize its blinding passion or condemn it, hunting was the force that shaped our bodies, molded our souls, and honed our minds."

Clare Conley

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