



State of Alaska

Department of Public Safety

Division of Alaska Wildlife Troopers

Sean Parnell, Governor
Joseph A. Masters, Commissioner

February 15th, 2011

Chairman Judkins
Alaska Board of Game
P.O. Box 115526
Juneau Ak, 99811-5526

Dear Chairman Judkins:

The following comments give a brief description of the position that the Department of Public Safety, Division of Alaska Wildlife Troopers has on the proposals that are up for consideration at the March region two 2011, Alaska Board of Game meetings.

In general, when the board considers seasons and or bag limit changes, the Alaska Wildlife Troopers request that every effort possible be made to align the season dates and bag limits with adjacent game management units and/or sub units. This is mainly due to enforceability of multiple seasons in multiple locations as well as consistency of the regulations for the public. When the board considers proposals having to do with allocation or biological concerns, AWT is generally neutral in position.

AWT recognizes that regulations are developed by the Alaska Boards of Fish and Game through the public process to support management plans. Further, all management plans rely upon public compliance with regulations to achieve success. Enforcement is a crucial element needed to ensure long-term compliance with regulations by the public. The Alaska Wildlife Troopers request the board recognize that the division has limited resources and man power and any new regulation scheme or area restrictions may place an additional burden on AWT.

Comments on specific proposals AWT favors or opposes are included in this letter.

Thank you for your time.

Bernard Chastain

Lieutenant, Alaska Wildlife Troopers
Anchorage Headquarters

Proposal Analysis-

Proposal 216: AWT recommends ADOPT

This is a Department of Public Safety proposal that addresses a public safety concern. Attracting Dall sheep to the edge of the roadway for the purpose of photography and viewing should be limited. The board has previously addressed similar situations with other species. In addition, this area of the Seward Highway is a Highway Safety Corridor and Troopers routinely deal with fatal vehicle crashes, pedestrians in the road way and cars that come to a complete stop in the roadway which create a traffic hazard.

Proposal 217: AWT recommends ADOPT

This is a Department of Public Safety proposal that addresses a concern with falsifying harvest records. The Alaska Department of Fish and Game requires certain reports and permits be filled out concerning harvest data and hunt information for management purposes. It is imperative that this data be accurate.

Proposal 218: AWT recommends ADOPT

This is a Department of Public Safety proposal that adds two additional statutes to the illegal possession regulation. By adding these statutes to the regulation, AWT would be able to deal with animals taken under criminal trespass and in situations where they were taken under misconduct weapons. In order for these animals to be subject to seizure under these circumstances, AWT would need to meet minimum burdens in criminal court.

Proposal 219: AWT recommends ADOPT

This is a Department of Public Safety proposal that would prohibit someone from altering Dall sheep horns before they had been sealed. This proposal would not penalize someone for possessing an otherwise legal sheep that had been damaged in a fall, but rather it would provide a tool to AWT to deal with someone who had altered an illegal sheep to make it appear legal by breaking or cutting a portion of both horns off. As the regulation is currently written, someone could present Dall sheep horns for sealing cut up into pieces. This is not the purpose of the regulation nor is it valuable to ADF&G for biological reasons.

Proposal 220: AWT recommends AMEND and ADOPT

This is a Department of Public Safety proposal that would give authority to the Department of Public Safety for inspection of limited items in a licensed taxidermy business. While the original proposal suggests “free and unobstructed access”, AWT would like to clarify what it is asking the board to do in this situation.

AWT requests that three things be addressed in this proposal. First, AWT requests that a new regulation be created that requires a licensed taxidermist to keep a log of animals that they receive and animals that they ship out. This log would be created by Public Safety and/or

ADF&G and would have a very limited scope. Second, AWT would like the board to grant authority to inspect designated sealing paperwork and associated items (seals etc...). AWT believes that we already have this authority, but we would like the board to clarify this in regulation. Finally, if the board grants public safety the authority to create and inspect the log and sealing records, we must also have the authority to inspect the animals or parts of animals in the taxidermist's possession. The purpose of the inspection of the animals would be to verify that the log sheet matches the animals in possession.

AWT realizes that most taxidermists operate within the legal requirements and would not ever consider working with an illegal hunter to launder animals from the state. AWT also realizes that there are documented cases in the past, and currently under investigation, that clearly show that this problem exists. Taxidermists operate with very little regulation and direction on the state side. While the regulations that govern how they operate are slim, they make their living off animals and fish which are heavily regulated and prized in the state for their economic and subsistence status. AWT asks the board to consider this when deliberating this proposal.

AWT offers several case examples for clarification;

An Anchorage Taxidermist was a secondary target of a game investigation. During the search warrant service at the taxidermy business, AWT discovered four unsealed Brown Bears, more than 30 unsealed or unaccounted for black bears, multiple exotic animals that he was not allowed to possess, migratory waterfowl that did not have any information about who it belonged to and several other violations.

A Kodiak taxidermist was kicked out of his business location for not paying rent. His freezers were unplugged and put outside. Multiple animals went to waste. AWT received multiple calls from the public complaining about not getting their animals back. AWT discovered that the taxidermist did not have any identification on the animals and did not know who they belonged to.

An unlicensed Craig taxidermist who was acting as an expeditor was fleshing and mounting black bears. AWT and ADF&G received multiple calls from irate hunters from all over the United States complaining that they did not receive their bears at all, they received their bear but the hair was slipping or rotten or they received a bear but it was not the bear they shot. A multi-agency investigation revealed over 40 mishandled black bears and 6 unsealed black bears. During the investigation, it was extremely difficult and in some cases impossible, to determine which bears belonged to which hunter.

An Anchorage taxidermist was served a search warrant during an investigation. During the service of the warrant AWT determined that he had sealed multiple (over 50) animals in the previous six months while he was so intoxicated that he could not remember sealing them at all. Multiple mistakes were found on the sealing records.

AWT has conducted investigations into allegations that taxidermists were sending animals or parts of animals out of state to a location where the selling of these items was legal. Tracking these animals once they leave the state is very difficult.

These examples are provided to demonstrate that this is a real problem. As the enforcement arm for these regulations, AWT needs regulations that hold people accountable. It is clearly in the states best interest to make sure cases like these mentioned above do not happen again. While the majority of the liability for these examples lies with the taxidermist, the state licenses them and expects that they operate professionally within the industry and thus bears some liability in regulating their operation. The overall goal with this regulation would be to protect the consumer while establishing basic regulations for the industry.

AWT recommends similar language to the following:

(a) A person licensed as a taxidermist in the state that tans, mounts, processes or any other treatment or preparation of game or any part of game or a trophy, for monetary gain, including the receiving of the game or parts of game for such purposes shall maintain an accurate and detailed record on a log provided by the department that specifies all game that is acquired, possessed or stored for taxidermy purposes. Such record shall include at least the following:

- 1) The date, name and address of the person from whom each specimen was received.
- 2) The hunting license number of the person who took the animal.
- 3) A description of each specimen or the description of the part received.
- 4) The date, name and address of the person to whom each processed specimen is delivered.

(b) Immediate recording: Upon receiving a specimen or part thereof, the information required in (a) shall be immediately recorded.

(c) The log required in (a) shall be retained for a period of five years.

(d) Items subject to inspection: In addition to the requirements identified under (a) of this section, the following items are subject to inspection under (e);

1) If the Taxidermist or their employees are a designated sealers for the Department of Fish and Game, the paperwork and associated sealing documentation is subject to inspection.

2) Game or parts of game acquired, possessed or stored for taxidermy purposes is subject to inspection for purposes of verifying (a-c) of this section.

(e) Inspection shall be reasonable: Department of Public Safety is authorized to conduct inspections for compliance with this section during normal business hours or between 9 a.m. to 5 p.m.