

PROPOSAL 8

5 AAC 85.015. Hunting seasons and bag limits for black bear.

Rescind the guide requirement for nonresidents hunting black bear in the Southeast Region as follows:

Rescind the must-be-guided requirement for black bear for nonresident U.S. citizens in Region I (Southeast).

**What is the issue you would like the board to address and why?
Must-be-guided requirement for nonresidents hunting black bear.**

Alaska’s must-be-guided law (AS 16.05.407) was enacted based on the rationale that nonresident U.S. citizen hunters needed assistance in judging legality of animals, protections when hunting certain dangerous game such as brown/grizzly bear, or when hunting in dangerous terrain for Dall sheep or mountain goat.

The legislature never intended for the Board of Game to create new must-be-guided species beyond brown bear, Dall sheep, and mountain goat without legislative approval.

But the Board of Game has done just that with black bear in Region I, using “conservation” concerns for black bears to create a new must-be-guided species for nonresidents.

As long as a nonresident hires a licensed guide to hunt black bear in Region I, he or she is granted unlimited opportunity under this new system. But if a nonresident is hunting without a guide, he or she must first draw a permit from a limited allocation.

Instead of equally limiting all nonresident black bear hunters because of conservation concerns, the Board of Game essentially granted yet another state-sponsored subsidy to guides. This is akin to saying there are too many cars on Southeast Alaska roads, but instead of fairly limiting all cars, Toyotas are guaranteed access at all times whereas all other car brands are limited in when they could be on the road. Such a scheme surely helps Toyota dealers, but this is not how the free market system is supposed to work.

There was never an allowance either to allow nonresidents hunting with a resident relative within second degree of kindred to hunt without being required to apply for a draw permit, further going against the intent of the must-be-guided law that allows a resident Alaskan to act as an (unpaid) guide. Alaskans who wanted to hunt black bear with their nonresident relative were denied that opportunity unless the nonresident relative first drew a draw permit.

When there are conservation concerns for any species that center around nonresident harvests, the solution should always be to limit nonresident harvest across the board, equally. The Board of Game should not use the must-be-guided statute as a game management tool, nor be in the business of giving a preference to, or limiting opportunity for, specific nonresident hunters who hunt on their own, with a registered guide, or with a resident relative within second degree of kindred.

PROPOSED BY: Resident Hunters of Alaska

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