

PROPOSAL 241

5 AAC 92.057. Special provisions for Dall sheep and mountain goat drawing permit hunts.

5 AAC 92.061. Special provisions for brown bear drawing permit hunts.

5 AAC 92.069. Special provisions for moose and caribou drawing permit hunts.

Remove allocations between guided and nonguided nonresident hunters as follows:

Amend the various draw permit regulations under 5 AAC 92.057, 92.061, and 92.069 for all current must-be-guided species and must-be-guided species hunts so that there is no distinction or differing allocations among nonresident hunters. Draw permit allocations among all nonresident hunters are equal and all nonresident hunters, whether required to hire a guide or hunting with the second degree of kindred relative have an equal chance to draw a permit by lottery.

What is the issue you would like the board to address and why?

All nonresident draw permits should be equally available to all nonresidents, whether hunting with a guide or a resident relative within second degree of kindred.

There are several nonresident draw permit hunts in the state where currently the Board of Game has instituted differing allocations to nonresidents hunting with a registered guide and those hunting with a resident relative within second degree of kindred.

When the 5th Alaska legislative session in 1967 considered a new law requiring all nonresident U.S. citizens and nonresident aliens to hire a guide when hunting certain species, there was a lot of contention over the initial draft of the bill (SB 51) to require nonresident U.S. citizens with family living in Alaska to hire a guide. Many legislators at the time felt that nonresidents with family members living in the state should be able to hunt those species with their resident relative(s). And so the first draft of the bill was amended as it went through committee hearings, and the law as it stands today states:

AS 16.05.407. Nonresident Hunting Big Game Animals Must Be Accompanied.

(a) It is unlawful for a nonresident to hunt, pursue, or take brown bear, grizzly bear, mountain goat, or sheep in this state, unless personally accompanied by

(1) a person who is licensed as

(A) a registered guide-outfitter or a master guide-outfitter under AS 08.54 and who is providing big game hunting services to the nonresident under a contract with the nonresident; or

(B) a class-A assistant guide or an assistant guide under AS 08.54 and who is employed by a registered guide-outfitter or a master guide-outfitter who has a contract to provide big game hunting services to the nonresident; or

(2) a resident over 19 years of age who is

(A) the spouse of the nonresident; or

(B) related to the nonresident, within and including the second degree of kindred, by marriage or blood.

This law as passed was clear that all nonresident U.S. citizens were equal in terms of whether they had to hire a guide or not for certain species. But over time as more draw-only hunts were created for nonresident hunters, the guide industry complained to the Board of Game that too many nonresidents with family members living in the state were receiving permits over those who were required to hire a guide, and successfully advocated for the board to make distinctions among nonresident hunters from other states in order to secure more permits for those required to hire a guide.

So in many cases we now have several draw permit hunts across the state that differentiate between nonresident hunters and allocate a specific percentage of permits to nonresidents who are required to hire a guide, and those who hunt with a relative within second degree of kindred. In Unit 8, not only are the nonresident second degree of kindred brown bear draw permits but a fraction of those allocated to nonresident must-be-guided hunters, but those nonresident second degree of kindred permits are in the resident pool of tags. In Units 12, 13C, and 20D in the Tok Management area, the Dall sheep draw permits are split equally among the must-be-guided and second degree of kindred nonresident hunters. The board even went beyond the intent of the legislature by instituting their own must-be-guided species hunts for moose and in one such case (DM 809/810/811) separated out the draw permits by allocating 50% of the available permits to nonresidents, and out of those allocated 70% to the nonresident hunter who is now required to hire a guide.

Yet for other hunts, like the Delta Controlled Use Area sheep hunts, there are no distinctions between the nonresident hunter allocation. All nonresidents are equal and have equal chance to draw a permit, as the law intended.

PROPOSED BY: Resident Hunters of Alaska

(HQ-F21-013)
