

PROPOSAL 66

5 AAC 92.050(a)(4)(I). Required permit hunt conditions and procedures.

Clarify the Unit 13 Tier I subsistence caribou permit condition that members of a household may not hunt caribou or moose in any other state hunts in other locations as follows:

Add words: “any member of the household obtaining a Unit 13 Tier I subsistence permit in a regulatory year for caribou may not hunt caribou or moose in any **State** authorized hunt in any other location in the state during that regulatory year.”

What is the issue you would like the board to address and why? Clarify regulation. Existing ambiguity in regulatory wording leads to a lack of agreement and understanding of the regulations.

Currently a regulatory condition of Unit 13 Tier I subsistence caribou permit states: “any member of the household obtaining a Unit 13 Tier I subsistence permit in a regulatory year for caribou may not hunt caribou or moose in any other location in the state during that regulatory year.”

This has been interpreted to include limitations on federal subsistence hunts. In the federal subsistence hunt qualified rural residents can hunt moose and caribou in Units 11, 12 and 13. So if a federally qualified rural resident gets a Tier I state caribou tag, there is a question as to if that federally qualified rural resident could participate in a federal subsistence moose hunt in a different unit in which they qualify.

As the Board of Game regulatory authority covers state authorized hunts, there seems to be questionable legal validity for the state to place limits on federal subsistence hunt opportunities for which they have no legal control.

This interpretation leads to confusion, may create the legal liability for future lawsuits, and seems arbitrary in nature.

Simply adding the words: in any state authorized hunt.... would clarify this issue.

PROPOSED BY: Copper Basin Advisory Committee (EG-F19-158)
