



November 7, 2019

An Agenda Change Request (ACR 5) has been submitted to the Alaska Board of Game requesting to change 5 AAC 92.012 Licenses and tags, and 5 AAC 92.990 Definitions. The proponent is asking the board to make it clear in hunts that require big game tags, that the big game tags must be paid for and issued to hunters prior to taking big game animals.

With respect to the board's Agenda Change Request (ACR) acceptance criteria (5 AAC 92.005):

- A) The department is unaware of any error in regulation.
- B) Existing regulations do not explicitly state big game tags must be previously purchased prior to attempting to take game.
- C) The request does not address a biological concern.
- D) The request does not address a reduction in reasonable opportunity for customary and traditional wildlife uses.
- E) The request does not address harvest of a resource.

The department recommends the board accept this ACR to clarify existing regulations that require big game tags for some hunts. This request is primarily an enforcement issue: the regulations as written allow for residents and nonresidents to be treated differently, which was not the intent when the board created the regulations. While most hunters generally recognize tags must be purchased prior to hunting big game requiring a tag, there are some that purchase a tag after-the-fact, and the current regulations cannot prevent that. Addressing this request will provide an enforcement tool and affirm regulations apply to all hunters.

The next regularly scheduled Statewide board meeting is during winter/spring of 2020/2021. The board has not previously considered this topic and the regulations need to be updated to reflect recent court action in *Kinmon v. State of Alaska*.

If the board accepts this ACR, the department recommends the proposal come before the board at its March 2020 meeting in Fairbanks where there are other proposals with statewide implications.

Sincerely,

A handwritten signature in blue ink that reads "Eddie Grasser".

Eddie Grasser  
Director  
Division of Wildlife Conservation