

# ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

## SPONSOR STATEMENT

*HB 117 – Municipal regulation of trapping*

Trapping is part of Alaska’s heritage, but, practiced imprudently, it can injure people and pets.

The best way to help ensure safety is *not* by imposing a one-size-fits-all statewide statute, but rather by allowing municipalities to craft rules that fit their particular lands and people. Legal opinions vary on whether municipalities already have authority to regulate trapping, so HB 201 dispels any confusion by explicitly authorizing them to do so.

In 1982, Alaska’s Attorney General’s opined that municipalities cannot *directly* regulate game but may enact ordinances with an “incidental effect” on game.

Fifteen Alaska municipalities already regulate trapping. Their ordinances range from prohibitions on trapping domestic animals—which arguably is already illegal under the state’s cruelty to animals statute—to prohibiting trapping throughout their entire jurisdiction, which arguably is direct regulation of game.

Thus, the purpose of House Bill 201 is to remove legal uncertainty about whether existing or future municipal safe trapping ordinances are direct regulations or merely have incidental effect.

The bill clarifies by re-affirming the Alaska Dept. of Fish and Game’s authority to manage game, and by specifically authorizing municipalities to limit trapping in limited ways for specific purposes in particular places where injury is likely to occur. The bill allows for exemptions, for example: trapping to prevent the spread of disease.

I urge you to support this legislation. Please feel free to contact my staff, Tom Atkinson, at 465-6873 if you have any questions.