

Senator Michael Dunleavy
Chairman Senate Labor and Commerce Committee
State Capitol Room 510
Juneau AK, 9980
(907) 465-6011

Subject: SB 190

March 17, 2014

Dear Senator Dunleavy,

My primary concern is with (b) of Sec. 08.54.635. The wording of this section empowers a guide-outfitter or class-A assistant to create an "instant" guide. Understanding that (b) of Sec. 08.54.635 states this "power" can only be exercised if the "...licensed registered guide-outfitter or a class-A assistant guide is physically present...", the scenario of a guide having two hunters in the field then placing one client with the "freshly minted" packer turned guide while he takes the other hunter within the prescribed distance is possible. Guide and one client in one location - packer and other client in another location within a distance defined by the Big Game Commercial Services Board.

The "loop-hole" created by (b) of this committee substitute is of even greater concern when the following is considered:

1. The Legislature has mandated that non-resident hunters be accompanied by an individual licensed by the State to perform guiding services when hunting certain species. **However, the supporting regulatory structure does not require the individual doing the actual guiding have ever hunted the animal for which the non-resident is being guided.**
2. The Big Game Commercial Services Board, after two plus years of committee meetings, defined the possible area of "supervision" (*pages 3&4*) illustrated in fig.1 (*page 2*). Though the revision facilitates certain guiding practices it did nothing to asuage some of the serious training issues facing the guiding profession. **(Note: A review of the sheep harvest data, for the years 2006-2010, indicated the monetary value of guided non-resident sheep hunts resulting in the harvest of sub-legal sheep, exceeded ONE MILLION DOLLARS.)**

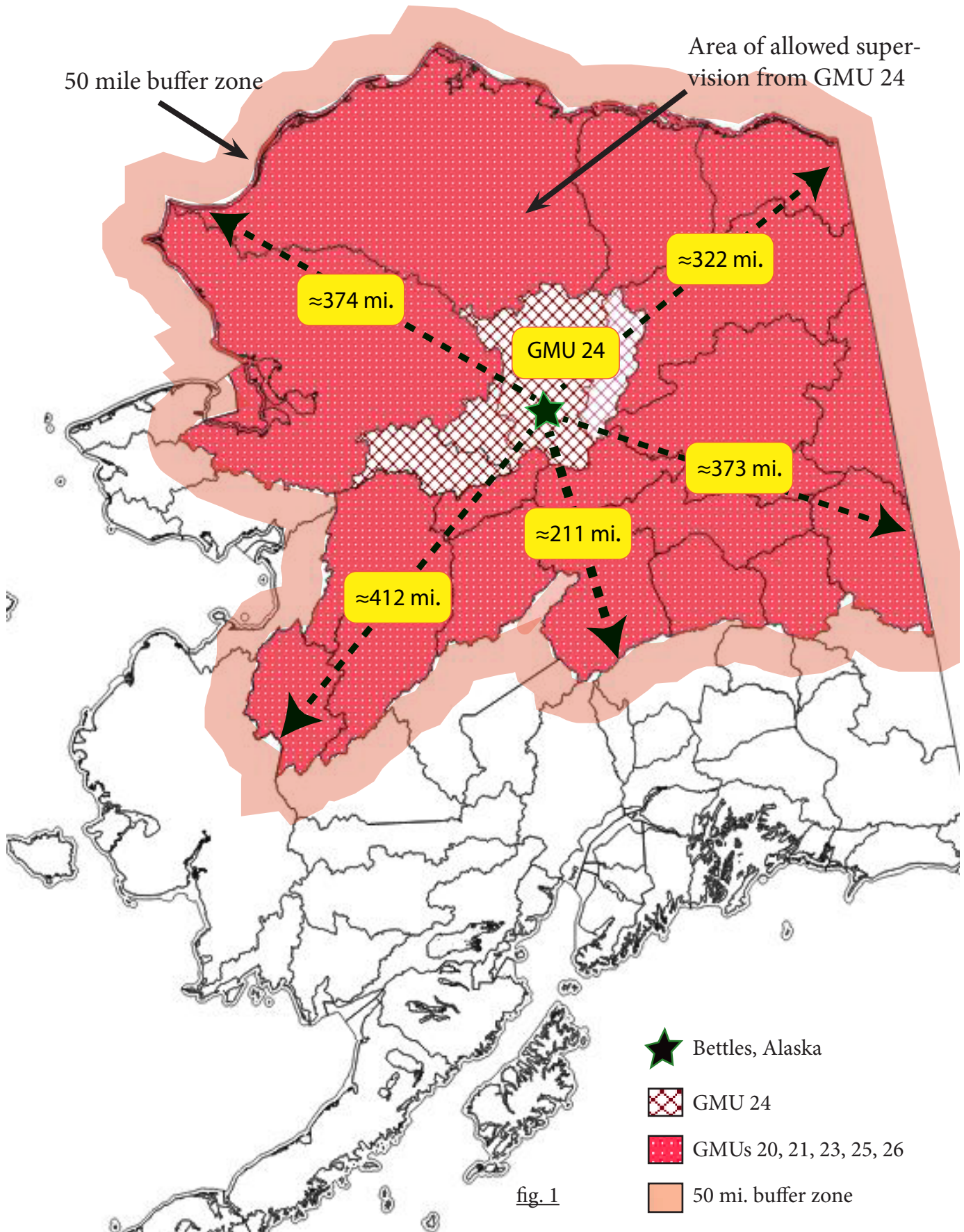
The major concerns with section (b) could be addressed in part by:

- replace the term "designate" with phrasology that will permit participation with "direct supervision", but disallow directing activities requiring a guide license of any class;
- clearly define "direct supervision" in legislation;
- maintain legislative oversight.

Senator Dunleavy and members of the Labor and Commerce Committee, thank you for taking the time to review these comments regarding the CS for SB190.

Joe Want
907-750-4736
wantj43@gmail.com

Potential Area of Supervision
as modified in 12 AAC 75.240



Chapter 75. Big Game Commercial Services Board.

12 AAC 75.240 is amended by adding a new subsection to read:

(i) For purposes of the requirement in AS 08.54.610(e) for supervision of a contracted hunt, and in addition to the requirements of this section, the contracting registered guide-outfitter may plan, direct, and monitor a contracted hunt

(1) while in the field and present in

(A) the same game management unit in which the contracted hunt is taking place;

(B) a game management unit adjacent to and sharing a common border with the unit in which the contracted hunt is taking place; or

(C) a location that is no further than 50 miles from the nearest boundary of an area or unit described in (A) ^{or} (B) of this paragraph; and

(2) if performing those activities, while in the field and present in a location listed in (1) of this subsection, is practicable; for purposes of this paragraph, planning, directing, and monitoring the contracted hunt is not practicable if the contracting registered guide-outfitter cannot communicate in person, communicate personally by telephone, or communicate personally by radio with the assistant guide, class-A assistant guide, or registered guide-outfitter involved in the contracted hunt. (Eff. 12/25/96, Register 140; am 4/6/2001, Register 158; am/readopt 7/30/2006, Register 179; am 6/2/2011, Register 198; am 12/2/2012, Register 204; am 3/19/2014, Register 209)

Authority:	AS 08.54.600	AS 08.54.620	AS 08.54.710
	AS 08.54.610	AS 08.54.630	

JU2012200873

ORDER CERTIFYING THE CHANGES TO REGULATIONS
OF THE BIG GAME COMMERCIAL SERVICES BOARD

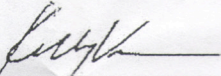
The attached one page of regulations, dealing with supervision, is hereby certified to be a correct copy of the regulation changes that the Big Game Commercial Services Board adopted at its December 3-5, 2013 meeting, under the authority of AS 08.54.600, AS 08.54.610, AS 08.54.620, AS 08.54.630, and AS 08.54.710 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Big Game Commercial Services Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

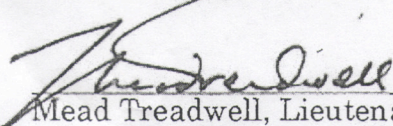
DATE: 12-27-13
Anchorage, Alaska



Kelly Vrem, Chairman
Big Game Commercial Services Board

FILING CERTIFICATION

I, Mead Treadwell, Lieutenant Governor for the State of Alaska, certify that on February 17, 2014 at 5:50pm., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.



Mead Treadwell, Lieutenant Governor