

SENATE BILL NO. 97

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Introduced: 2/12/25

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing a big game guide concession area permit program on land in the**
2 **state; relating to the duties of the Big Game Commercial Services Board, the Board of**
3 **Game, the Department of Fish and Game, and the Department of Natural Resources;**
4 **requiring the Board of Game to establish an initial big game guide concession area; and**
5 **providing for an effective date."**

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 * **Section 1.** AS 08.54.600(a) is amended by adding a new paragraph to read:

8 (10) coordinate and consult with the Board of Game and the
9 Department of Natural Resources to fulfill the duties of each under AS 16.05.263 and
10 AS 38.05.021.

11 * **Sec. 2.** AS 16.05 is amended by adding a new section to read:

12 **Sec. 16.05.263. Establishment of big game guide concession areas.** (a) The
13 Board of Game shall consider and approve or disapprove a proposal to establish a big

1 game guide concession area that would be administered by the Department of Natural
 2 Resources under AS 38.05.021 in a single game management unit or subunit. The
 3 board may only establish a big game guide concession area by approving a proposal
 4 submitted under this section to do so. A big game guide may conduct a hunt in a
 5 concession area established under this section only if the guide holds a big game guide
 6 concession area permit issued under AS 38.05.021.

7 (b) A person may submit a proposal to the Board of Game for the
 8 establishment of a big game guide concession area. After providing 15 days' public
 9 notice, the board may consider the proposal at the board's next regular meeting in the
 10 region where the big game guide concession area is proposed.

11 (c) After taking public comment, the Board of Game, in consultation with the
 12 Department of Fish and Game, the Department of Natural Resources, and the Big
 13 Game Commercial Services Board established under AS 08.54.591, may approve a
 14 proposal to establish a big game guide concession area if the board determines that
 15 establishing the area

16 (1) supports the conservation and management of the state's land and
 17 big game resources;

18 (2) aids in the enforcement of state statutes and regulations relating to
 19 guided hunts for big game; and

20 (3) is in the public interest.

21 (d) If the Board of Game approves the establishment of a big game guide
 22 concession area under this section, the board shall determine the number of full big
 23 game guide concession area permits and limited big game guide concession area
 24 permits that the Department of Natural Resources shall make available under
 25 AS 38.05.021. To determine the number of full big game guide concession area
 26 permits and limited big game guide concession area permits that should be issued for a
 27 big game guide concession area and the specific authorizations that should attach to
 28 each concession permit authorized for the area, the Board of Game

29 (1) may establish advisory boards composed of representatives of the
 30 state departments and boards listed in (c) of this section who are familiar with the area
 31 and interested members of the public to assist the board in making the determination;

(2) may not

(A) combine more than three existing guide use areas into a single big game guide concession area;

(B) establish more than one big game guide concession area in a single guide use area.

(e) In this section,

(1) "full big game guide concession area permit" has the meaning given in AS 38.05.021(j);

(2) "game management unit" has the meaning given in AS 08.54.790;

(3) "guide use area" has the meaning given in AS 08.54.750(g);

(4) "limited big game guide concession area permit" has the meaning given in AS 38.05.021(j).

* **Sec. 3.** AS 38.05 is amended by adding a new section to read:

Sec. 38.05.021. Big game guide concession area permit program. (a) The commissioner shall implement a big game guide concession area permit program to limit the number of individuals authorized to conduct big game guiding on land in the state where the Board of Game has approved the establishment of a big game guide concession area under AS 16.05.263.

(b) The commissioner shall administer the big game guide concession area permit program to

(1) encourage conservation of the state's land and wildlife resources;

(2) provide a superior hunting experience to individuals who retain big game guiding services by limiting the number of guided hunts occurring in the same area;

(3) reduce user conflicts between big game guides and between big game guides and other users of land in the state;

(4) ensure a responsible, professional, and economically healthy big game guide guiding industry in the state; and

(5) incentivize long-term planning and the conservation of natural resources by big game guides.

(c) The department shall issue full big game guide concession area and limited

big game guide concession area permits for a big game guide concession area established by the Board of Game under AS 16.05.263 in an open, public, and competitive process. The department shall establish permit standards and scoring criteria, but may not provide that a permit be issued based on the highest bid amount. A big game guide may not hold more than three concession permits at a time for state land issued under this subsection and is subject to the requirements of AS 08.54.750. A concession permit issued under this subsection is valid for 10 years from the date issued. A concession permit issued under this subsection may not be extended or renewed without the same open and competitive process provided by the department for the issuance of a concession permit under this subsection.

(d) The commissioner, in consultation with the Big Game Commercial Services Board established under AS 08.54.591, the Board of Game, and the Department of Fish and Game, shall adopt regulations necessary to establish and administer the big game guide concession area permit program, including regulations relating to

(1) the qualifications for a full big game guide concession area permit or a limited big game guide concession area permit;

(2) the process for issuing full big game guide concession area permits and limited big game guide concession area permits and the scope and authorizations provided by each permit;

(3) the determination and collection of reasonable concession permit fees; in determining reasonable concession permit fees, the commissioner shall consider the following:

(A) fees paid by big game guides holding similar concession permits in other jurisdictions;

(B) the number and type of concession permits issued for a big game guide concession area.

(e) Subject to the approval of the commissioner, a big game guide who holds a concession permit under this section may, during the term of the permit, transfer the concession permit to another individual qualified under regulations adopted under this section. In approving or disapproving the transfer of a permit, the commissioner shall

1 consider the circumstances of the proposed transfer and whether the transfer will
2 promote the principles listed in (b) of this section.

3 (f) The commissioner, in consultation with the Big Game Commercial
4 Services Board established under AS 08.54.591, the Board of Game, and the
5 Department of Fish and Game, may suspend or revoke a concession permit issued
6 under this section. If a permittee violates the terms of a concession permit issued under
7 this section, the commissioner may suspend or revoke the concession permit after
8 providing the permittee with written notice and an opportunity to be heard.

9 (g) The commissioner shall keep confidential information provided by the Big
10 Game Commercial Services Board under AS 08.54.680 or 08.54.760 and any
11 propriety information, confidential commercial information, or confidential financial
12 information used by the department in the course of approving or denying an
13 application for a big game guide concession area permit offered under this section.

14 (h) The commissioner is responsible for administration and enforcement of
15 this section and may delegate that authority as appropriate. The department may issue
16 a citation for a violation of this section or a regulation adopted under this section.

17 (i) In issuing a full big game guide concession area permit or limited big game
18 guide concession area permit under this section, the commissioner, in consultation
19 with the Big Game Commercial Services Board established under AS 08.54.591, the
20 Board of Game, the Department of Fish and Game, and private landowners who own
21 5,000 or more acres of land in the game management unit where a concession program
22 is established shall consider each applicant's professional history and reputation, in
23 addition to other applicable criteria in the process required by (c) of this section.

24 (j) In this section,

25 (1) "concession permit" means a permit granting a big game guide the
26 right to conduct commercial big game hunts on land within a geographic area defined
27 by the department;

28 (2) "full big game guide concession area permit" means a concession
29 permit made available by the department through a competitive process that limits the
30 number of clients that a permit holder may provide big game guided hunts to in the
31 area and limits the species the permit holder may provide guided hunts for in the

1 concession area;

2 (3) "limited big game guide concession area permit" means a
3 concession permit made available by the department through a random draw
4 application process that provides more restrictive limitations than a full big game
5 guide concession area permit on the number of clients that a permit holder may
6 provide big game guided hunts to in the area and limits the species the permit holder
7 may provide guided hunts for in the concession area.

8 * **Sec. 4.** AS 08.54.600(a)(9); AS 16.05.262; and AS 38.05.022 are repealed.

9 * **Sec. 5.** Sections 46 and 48, ch. 15, SLA 2024, are repealed.

10 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
11 read:

12 INITIAL BIG GAME GUIDE CONCESSION AREA AND PERMIT PROGRAM.

13 (a) Notwithstanding AS 16.05.263, added by sec. 2 of this Act, the Board of Game shall
14 establish the initial big game guide concession area under this section. In establishing the
15 initial concession area under this section, the Board of Game, after taking public comment
16 and in consultation with the Big Game Commercial Services Board established under
17 AS 08.54.591, the Department of Fish and Game, and the Department of Natural Resources,
18 shall identify and select a single game management unit or subunit that the Board of Game
19 determines would benefit most from the establishment of a big game guide concession area
20 permit program under AS 38.05.021, added by sec. 3 of this Act, in consideration of the
21 principles of AS 38.05.021(b), added by sec. 3 of this Act. The Board of Game shall
22 determine the number of full big game guide concession area permits and limited big game
23 guide concession area permits that the Department of Natural Resources shall make available
24 in the initial big game guide concession area established under this section and the specific
25 authorizations that should attach to each concession permit authorized under this subsection
26 for the area using the process provided in AS 16.05.263(d), added by sec. 2 of this Act.

27 (b) Notwithstanding the requirement in AS 38.05.021(a) and (c), added by sec. 3 of
28 this Act, that the Board of Game approve the establishment of the area under AS 16.05.263,
29 added by sec. 2 of this Act, the Department of Natural Resources shall establish and
30 administer a big game guide concession area permit program under AS 38.05.021, added by
31 sec. 3 of this Act, in the game management unit or subunit selected by the Board of Game

1 under (a) of this section.

2 (c) In this section,

3 (1) "concession permit" means a permit granting a big game guide the right to
4 conduct commercial big game hunts on land within the boundaries of the region selected by
5 the Board of Game under (a) of this section;

6 (2) "full big game guide concession area permit" has the meaning given in
7 AS 38.05.021(j);

8 (3) "game management unit" has the meaning given in AS 08.54.790;

9 (4) "limited big game guide concession area permit" has the meaning given in
10 AS 38.05.021(j).

11 * **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 TRANSITION. Notwithstanding the effective date of AS 16.05.263, added by sec. 2
14 of this Act, the Board of Game may only accept and consider a proposal to establish a big
15 game guide concession area under AS 16.05.263, added by sec. 2 of this Act, if

16 (1) the Board of Game has established the concession area required under sec.
17 2 of this Act; and

18 (2) the Department of Natural Resources has implemented and administered a
19 big game guide concession area permit program in the concession area established under sec.
20 2 of this Act for a period of at least three years, notwithstanding the requirement in
21 AS 38.05.021(a) and (c), added by sec. 3 of this Act, that the Board of Game approve the
22 establishment of the area under AS 16.05.263, added by sec. 2 of this Act.

23 * **Sec. 8.** This Act is retroactive to July 23, 2024.

24 * **Sec. 9.** This Act takes effect immediately under AS 01.10.070(c).