

Linda Hay

From: Alitakrat@aol.com
Sent: Friday, March 22, 2013 7:30 AM
To: Linda Hay
Subject: HB 158

Sec. 38,05.023. Big game transporter concession program.

(a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.

(b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

Please relay these sentiment to the HRC

This is GROSS

Please be reminded that hunting in Alaska is a privilege granted to all who qualify for a license and tag and we are free to hunt where we choose regardless of how many others choose to hunt there.

A big game Transporter service is just a transportation service, just like any other taxi service. A hunter tells a Transporter where to go and when to pick up and that's it.

To try to limit Transporter activities to exclusive areas and client numbers is a gross intrusion into free enterprise and free choice.

STOP IT

Rick Metzger

DBA:

Alpine Cove Cabins and Transporting

Linda Hay

From: Mike Quinn <mhq@gci.net>
Sent: Thursday, March 21, 2013 5:53 PM
To: Linda Hay
Subject: HB 158

Ms. Hay, I would like to voice my opposition to any restriction of free trade in this state. Restricting businesses that provide transportation to hunters is NOT the way to go. It is the job of the BoG to limit hunter numbers. Not the Dept. of F&G thru manipulating transporters!!

Mike Quinn
934 Vide Way
Fairbanks, Ak. 99712

Linda Hay

From: Hugh Clark <alaskadh01@gmail.com>
Sent: Thursday, March 21, 2013 5:08 PM
To: Linda Hay

Linda

WE need to really think this over... I oppose this bill as many other Alaksa hunters might.

Hugh Clark

Background: Have been following and commenting on a bill now in the legislature, HB 158, which is in House Resources now, which would give DNR authority to implement and oversee a Guide Concession Program (GCP). Our org has been opposing this GCP for various reasons that I won't go into now.

This GCP was pushed from the get-go by the Alaska Professional Hunters Assn. (APHA). And during hearings there have been quite a lot of APHA members testifying in favor of this bill, in favor for the GCP, and alluding that the problems of overcrowding and conflicts that the GCP ostensibly seeks to curb by limiting guides (and thus the # of total clients) is also very much about no limits on transporters and air taxis and the number of hunters (mostly residents btw) they fly out. **And that something should also be done to limit that group of hunters if guides were to be limited.**

I was asked by one legislative office to comment about this issue of air taxis and transporters, if it was a "significant" part of the "overcrowding" issues brought up by so many guides. I explained that, first off, not all air-taxis are "transporters." Neither are they required to be a licensed transporter just because they fly out hunters. And that many air-taxis that fly out hunters choose not to be licensed transporters, because there is no benefit, only added fees and paperwork. And that the Big Game Commercial Services Board had sought a way to force all air-taxis that fly out hunters to become transporters, under the belief that then that Board could limit all those businesses, to no avail. And even if they could have forced all air-taxis to become transporters, the Dept of Law has still concluded that it would be illegal to impose limits on fly-out access for hunters. So while, yes, surely some overcrowding can happen via no limits on the # of hunters who can be flown out, if you think about it, it is the state of Alaska that sells unlimited hunting licenses, and the Board of Game that sets seasons and bag limits, draw hunts or open hunts, CUAs, and only the BOG can legally limit hunter access, per se, via a CUA or a draw hunt scenario.

Anyway, such a big brouhaha was made over this air taxi/transporter issue by so many guides that the House Resources committee inserted committee substitute language yesterday, and here we get to the crux of this post. Here is the newly inserted amendment to

the bill:

Sec. 38,05.023. Big game transporter concession program.

(a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.

(b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

I hope it is crystal clear to everyone reading this what that above language means! **Your access** could be blocked by a program that all along was supposed to be about solving the issue of unlimited guides and their unlimited clients.

Truly this boggles the mind. I urge everyone to write or call House Resources asap and oppose this bill so it doesn't pass out of committee tomorrow. Here is the contact info for House Resources committee aide, which is easiest way to get comments to the whole committee:

Linda Hay
House Resources Committee Aide
Representative Eric Feige
House Resources Co-Chair
State Capitol Room 126
907-465-3715 - Direct
907-321-1249 - Cell
linda.hay@akleg.gov

Here is the link to the bill as it now stands:

<http://www.legis.state.ak.us/basis/g...=28&docid=4198>

Mark Richards

www.alaskabackcountryhunters.org

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Thanks
Hugh

Linda Hay

From: don duncan <apgs@gci.net>
Sent: Thursday, March 21, 2013 4:37 PM
To: Rep. Eric Feige
Cc: Rep. Paul Seaton; Rep. Chris Tuck; Rep. Peggy Wilson; Rep. Dan Saddler; Rep. Mike Hawker; Rep. Craig Johnson; Rep. Kurt Olson
Subject: HB 158 comments on amendments
Categories: Linda

Dear House Resource Committee Members;

Thank you for the amendments and the opportunity to comment this Friday.

I listened to the amendments and comments and questions the committee made on Wed.

The following is advice and comments concerning the amendments and DNR's GCP.

Concerning the maximum number of Guide Use Areas: In the BGCSB Statutes Sec. 08.54.750 (b) (1) A guide may only register for 3 guide use areas. There are some very restrictive circumstances where a guide could get more than 3 but it is because F&G asks, or another adjacent GUA will go un-used or for predator control. So under the BGCSB statutes it does not matter who owns the land. Please note that if you stay with your amendment it probably would prevent a guide from using unused land or participating in predator control if those special circumstance are not listed here in this amendment. Judicial will have a problem with competing and conflicting Statutes. Further below; I will discuss the difference between a Guide Use Area and a Concession Area as it may make a big difference how you word this amendment.

Concerning the addition of transporters: Thank you for adding them to the program. That is the first step. However it will have limited effect. I have been arguing for 8+ years that transporters must be regulated and part of any concession plan if it is to be based on the concerns used to promote the need for a GCP. At the BGCSB's first meeting Dec. 2005, Board member Dick Rorher stated emphatically that "We will never regulate transporters because they will simply become air taxis." He could be right. But the fact is; the BGCSB has never attempted to establish Transporter Use Areas to begin with. And they never had the authority to restrict them to Transporter Use Areas. DNR has refused to create any kind of restrictions on transporters or air taxis. Now DNR at least admits they can and have promised to do so. Two problems here that need addressing. First; by federal law, we may not be able to restrict where air taxis go, who or how many they take, but; DNR can restrict where they land and how many they drop off on State land or water. DNR may need additional Statutory support or they may be able to simply change what is "Generally Allowed". Secondly; If Mr. Rorher is correct the legislature may need to create a Statute that requires any commercial enterprise that transports hunters to have a transporter license and be subject to the Guide and Transporter Concession Program if DNR can not regulate them as mentioned above. I am not so sure "All the big air taxi businesses are already

transporters." but we need to close that loop hole for this whole deal to work. And the wording does need to say 'DNR SHALL REGULATE'. "May Regulate" means it will never happen. That is just reality.

While it is good to hear that transporter will eventually be regulated one year after the GCP is implemented. Forgive me, but I do not believe it. The fact is; guides have lost every single battle they started with air taxis and transporters. But let us say it is true and will happen. My concern is that the current DNR GCP allows you to apply for 3 areas, or say you get an area and then F&G or DNR allows basically a lot of transported hunters to go to that area. My point is that we guides, would be bidding on an area not knowing what kind of transported competition is going to bring in the near future. That is not fair to the guides. But it is clear that all forms of hunter transportation services must be regulated as a transporter whether they are by air, marine, horse back, 4 wheeler, etc...

It was indicated that now F&G would be involved and allocations/ GUA would be evaluated and made on an area by area basis. To be effective, it must be area by area or use area by use area or concession by concession. Thank GOD! Finally! A program being based on facts, real numbers and historical use; based on something identifiable and defensible. Now read this closely: Assuming residents have priority and can be restricted little if any, then the allocations will eventually be between guides and transporters in all varieties and concerning the non-resident clients only. It was also indicated that it would take some good deal of time for F&G to finally get on board and began generating real numbers in the GCP allocation process. It only makes sense that we do this allocation business all at once. There is no reason F&G should do this twice, once for guides and once for transporters. Get the cards on the table for guides and transporters and do it once and do it right. Make the allocations between us and implement the program all at once.

Concession VS Guide Use Area: In some cases they are in fact the same. In others it is not the same. DNR's GCP is addressing State lands only but the GUA boundaries can include State Park, Native or Federal lands and they can have their own concessions. So it would be possible for one guide to have 1 guide use area, but 3+ concessions from the different landowners in that GUA. The wording between GUA and concession area makes a big difference. Just so you know. I think it would be prudent to change each Federal concession into its own Guide Use Area.

One person that testified before you and more than one of the strong GCP supporters are in exactly that same situation. They want the unrestricted guides that use State lands adjacent to their Federal exclusive concession area restricted or eliminated. They want it all. And the GCP is the only hope they have to get it all. The personal problem I have is that these areas are frequently in highly desirable and highly profitable areas of State land. And under DNR's GCP many supporting guides will get these areas for next to nothing. And that is why I say that the GCP must include some form of monetary bid to acknowledge that some areas are in fact much more valuable than others.

There are 2 important points to make at this time. Since it will take time, probably a year or more for F&G to come on board with recommendations and allocations, we should first identify these "problem" or highly contested areas first and deal with them first. And 2, if we do that, then we will also have time to construct real transporter regulations and Statutes. One way to make it fair to all guides regardless of business size and other factors is to identify some of the best sheep, goat, and brown bear areas particularly the ones that had a drawing permit put in place because they were too popular/crowded. And make one or more of those prime areas for each species open to any and all guides OR their

clients under a "premium" drawing permit system with the following rules. A guide or his client can only draw one premium permit / year/ species and the permit does not have to be in the guides chosen GUAs That is to say, the 3 guide use area rule is waived for the "premium" permit. This eliminates the all or nothing attitude and spreads the opportunity fairly. Personally, I do not want to guide sheep or goat hunters for a living, but I would like to occasionally take a preferred client. There is no chance for that under the DNR's GCP.

While these proposed amendments can make some positive changes, I still have grave concerns if HB 158 passes because it does not fix the majority of problems in DNR's GCP. I predict that near 50% of the guide businesses, especially the smaller ones, will not even attempt to file an application because it will take months to fill one out. For example. DNR wants 3 copies and everything scanned onto a disc. Finding and copying and scanning the information will take months. Forget that DNR asks for irrelevant information and information no sane guide would ever have or keep. It all sounds good until you face reality and logistics.

And the bottom line is that if HB 158 passes, I do not trust DNR to fix what is broken because they obviously think it is a good program. And they think that because they have no clue about guiding or running a guide business and they chose to not involve guides in the program development. Fact.

On that note, I would like to thank Rep. Wilson for the comment to the effect that if there are no problems, don't fix it. That is what we have been saying for years. A few local problems with vocal guides should not and does not mandate a Statewide solution. Try fixing the few problem areas first before we put guides out of business for no good reason.

Sincerely;

Smokey Don Duncan Master Guide #136 who has operated exclusively on State Lands my whole career. (Since 1990)

299 Alvin St. Fairbanks AK 99712

907-457-8318

Linda Hay

From: faeo@mtaonline.net
Sent: Thursday, March 21, 2013 12:35 PM
To: House Resources
Subject: HB 158 Public Testimony

If the goal is protect our resources (wildlife), not including all hunters (resident and non-resident) is not going to accomplish the goal with an accurate accounting. Any hunter that is taken into the field needs to be accounted for by the concession plan, including guides, air taxi operators, transporters, horses, boats, atv's etc. Potentially there will be the same number of hunters, under HB 158 there will be just less guides, unless you implement this process for everyone at the same time, not just guides.

All this concession plan is going to do is cost the State more money and does NOT address the make believe problem as written.

Can you explain how HB 158 accomplishes the goal of protecting our resource (wildlife) OR is HB 158 a waste of tax payer money, while putting several Alaskan small businesses out of business. Once again, Alaska is not open to a competitive business.

John Faero

License 1057

907 376 0374

Linda Hay

From: Alaska Backcountry Hunters & Anglers <kandik@starband.net>
Sent: Thursday, March 21, 2013 12:00 PM
To: Linda Hay
Subject: HB 158 CS version - further comments for the Committee

Hi Linda,

Not sure if the committee is still accepting comments on the CS version, but if so would you please get this to the committee, thanks,
Mark

To: House Resources Committee
Re: HB 158 CS amendments

Dear House Resources Committee,

Alaska Backcountry Hunters & Anglers (AK BHA) continue to **oppose** HB 158.

And with all due respect, we are appalled at committee substitute language that would potentially limit resident hunter access in some areas by seeking to limit air taxis and transporters that provide the needed air transportation so many resident hunters depend upon. The Dept of Law has already weighed in to the Big Game Commercial Services Board and informed them that it is not legal for them to limit air taxis or transporters. Neither would it be legal for DNR to do so. So we are unsure as to why this amendment was added.

Beyond that, air taxis and transporters and whatever significance they may contribute to overall "overcrowding" in the field, were never associated with the problems the Guide Concession Program sought to alleviate, which mostly centered around dall sheep hunting and sheep populations. As APHA stated, unlimited guides, and thus their unlimited nonresident sheep hunter clients, were causing "biological harm" to sheep populations in some areas, which then led to restrictive drawing hunts for all, resident and nonresident. Attempting to now limit resident sheep hunters, or any other resident hunters, because of well known problems in the guide industry, by giving DNR authority to determine what constitutes "crowding," and the authority to then limit the number of air taxis and transporters who primarily fly out resident hunters, is a slap in the face to all resident hunters this legislature should be looking out for, and only serves to undermine just what thw GCP and this bill is now really all about.

We continue urge you not to vote this bill out of committee in any form.

Respectfully,
Mark Richards
AK BHA co-chair

Linda Hay

From: Dave Korpi <dkwarthog@yahoo.com>
Sent: Thursday, March 21, 2013 11:50 AM
To: Linda Hay
Subject: I OPPOSE HB 158

I am strongly opposed to HB 158. Allowing APHA and the guides to control access to this state's hunting resources by locking out residents from transportation to the backcountry is a slap in the face to all of us. It is shady and underhanded.

Thanks

Dave Korpi
Willow, AK
99688

Linda Hay

From: Minnie & Brad Dennison <dennison@ptialaska.net>
Sent: Thursday, March 21, 2013 10:17 AM
To: Rep. Mia Costello; Rep. Eric Feige; Rep. Alan Austerman; Rep. Bob Herron; Rep. Charisse Millett
Cc: Rep. Bill Stoltze; Rep. Bob Lynn; Rep. Bryce Edgmon; Rep. Cathy Munoz; Rep. Chris Tuck; Rep. Craig Johnson; Representative Dan Saddler; Rep. David Guttenberg; Rep. Gabrielle LeDoux; Rep. Geran Tarr; Rep. Kurt Olson; Rep. Lance Pruitt; Rep. Les Gara; Rep. Lindsey Holmes; Representative Mark Neuman; Rep. Max Gruenberg; Rep. Neal Foster; Rep. Paul Seaton; Rep. Peggy Wilson; Representative Scott Kawasaki; Rep. Steve Thompson; Rep. Tammie Wilson; Rep. Wes Keller; Rep. Jonathan Kreiss-Tomkins; Rep. Mike Hawker; Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Bert Stedman; Sen. Peter Micciche; Sen. Click Bishop; Senator Leslie McGuire; Sen. Anna Fairclough; Sen. Hollis French
Subject: Fw: House bill 158

Legislators,

Dale Adams asked me to forward this letter to you regarding HB 158.

Brad Dennison
Sitka

----- Original Message -----

From: [Dale Adams](#)
To: [Brad Dennison](#)
Sent: Tuesday, March 19, 2013 8:23 AM
Subject: House bill 158

Brad,

Do you have the names and e-mail addresses of the representatives for House Bill 158? If so, I would like to send this to them. Thanks.

To the honorable representatives working on house bill 158:

I am a master guide, license #168 from Sitka, I have a Forest Service permit to guide hunts on the Tongass national forest here in S.E, 100% of my income is from guiding. The State of Alaska needs a guide concession program on state land to get control of too many guides operating on top of one another on state land. I like to sheep hunt with my boys up north but with guides on top of each other on state land in the alaska range we feel our best option is to hunt in the federally managed Brooks Range. This makes it very expensive because of the distance needed to fly to the Brooks range.

Also, many of my bear hunting clients while on a hunt ask for a recommendation as to a good sheep hunt in Alaska. I have to tell them to make sure they are not on State land if they want a good hunt. We can do better than this. A concession program also makes guides with a concession more responsible and more ethical as they look more towards managing the guide area versus a rape and move on scenario. At the same time it builds viable businesses.

Thank you for your attention.

Dale Adams, Sitka

Linda Hay

From: MC <mccrary907@gmail.com>
Sent: Thursday, March 21, 2013 9:58 AM
To: Rep. Eric Feige
Subject: HB158 comments for the record 3/21/13
Attachments: HR com. HB158csU.pdf

Dear Representative Feige,

I am sure you are accustomed to dealing with complicated subject matter and long letters.

The attached document represents comments for the record relative to HB158 generally and CS version U.

It would be appreciated if you are able to find the time to read my letter. It will take 15 minutes to read. I am sorry about that.

Respectfully,

Mike McCray

Mike McCrary
March 20, 2013

Re HB 158 CS version U

Dear House Resources Committee Members:

Mr. Spaker, Chairman of the Board of Game said on the first day of hearings on this Bill:

"The problem is not too many guides. The problem is too many hunters."

Mr. Spraker did not in any way express or even imply the problem is too many transporters or air taxi's providing hunters access to public lands.

So, what is the source of "too many hunters"?

The source of too many hunters is the ADF&G policy and practices of the unlimited sale of hunting licenses.

Language matters

What is an Air Carrier? What is an Air Operator? What is an air taxi? What is a transporter?

For the purposes here, differences between the conduct of Air Carriers and Air Operators is irrelevant.

"Air taxi's" and/or "transporters" words amount to slang...very informal language used to describe a commercial flight service business that in this case, hauls hunters.

Of course slang is acceptable language when used socially...but in statute and law not so much.

Most understand the governing authority related to the conduct of commercial flight services is the exclusive domain of federal law and the Department of Transportation.

The FAA does not use slang; "air taxi" or "transporter" language, in it's authorities that incorporate commercial flight standards.

Regardless of the what language used the point here is that before an air "transporter" is "licensed" through the regulations found under the Big Game Commercial Services Boards authority....the entity making the application can only qualify for the license if there is evidence that the entity is recognized and authorized by the FAA as either an Air Carrier or an Air Operator.

There are no legally recognizable "air taxi" or "air transporter" entities.

So, a "Transporter license" issued by the SOA's Department of Commerce does not, and in fact can not authorize commercial transportation of cargo or people by air.

There are no SOA "transporter" knowledge based tests or practical tests standards. For boat or air "transporters".

A Transporter license is not an "occupational" license.

A Transporter license is not a "business" license.

A Transporter license authorizes no economic activity.

A Transporter license is not transferable.

An air operator; "Certificate" holder, is not required by SOA statute or regulation or by FAA statute or regulation to hold a pilot license of any type.

There are no limits to the numbers of transporter licensees that could be issued by the SOA...except by the total number of Air Carrier and Air Operator Certificates issued by the FAA nation wide.

Basically, an entity holding an Air Carrier or Air Operator Certificate makes an application to Occupational Licensing, pays a fee and gets a meaningless license. Meaningless to the operator, the SOA, the FAA and the public.

If for some reason Occupational Licensing revoked or suspended a "Transporter License" there is no state authority to prevent the holder of an FAA Certificate from continuing to carry hunters for hire.

So it's probably important to understand when considering any version of HB158 that not only is a "Transporter License" meaningless it is not required to transport hunters and their game.

And in most cases an Air Carrier "Certificate" or Air Operator "Certificate" is transferable and without approval by the FAA.

So, why do some Air Carriers' or Air Operators' voluntarily sign up for a "Transporter License" and other Air Carriers or Air Operators decline to 'sign up' for a "Transporter License"?

The license cost's the Air Operator a few hundred dollars annually. And, the license obligates the entity; transporter, to fill out BGCSB forms with what amounts to redundant information [the SOA gets the same if not more and better information directly from all hunters harvest report cards] that the "transporter" is required to keep for (4) four years.

The facts are there is no value in in air operator Transporter licenses. There is no public value and there is no economic value to a "Transporter License". Operating an 'air taxi' is all as much about mitigating risk and limiting liabilities as economic interest could be. And, there is just about enough regulation for an air taxi to comply with. So, that is primary reason some Air Carriers and Air Operators decline to volunteer to sign up for a Transporter License.

I'm guessing now, but it seems probable most Air Carriers and Air Operators who subject themselves to the Transporter Licensing have been led to believe law requires them to have the "license". I know many Troopers believed at one time that it was required an operator have the license if transporting hunters and/or big game.

So...all things considered, it is not much of a surprise legislators are confused and easily misled when it comes to all that is swirls around DNR's proposed program.

Like me, there are many people hoping this committee will take the time necessary to understand just how twisted DNR's and the Alaska Professional Hunters 'fix' is before even thinking about moving this Bill out of the committee.

Anyway, the back story.

The "transporter licensing" scheme does not go back far in Alaska history and it is appropriate to mention it was not until just a few years ago that boat based operators got drug into the mix. And, as has been pointed out before the committee that outfits that use horses, wheelers, dog teams etc to transport hunters and big game are not regulated. Why?

"Transporter Licensing" was the brain child of the guide board

The guides board believed transporter licensing of air operators would be in their best interest. A tool that might enable 'guides' to limit the numbers of resident hunters going into the field by commercial air service providers putting limits on what an air operator could do by intimidating operators through ambiguous legislation through authority of the guide board was not a concept that came into being for any good reason. Like wildlife conservation.

Another short sighted benefit of inventing a Transporter License; sold by guides to previous legislatures, was that the licensing of "transporters" would be a means to defray the cost of increasing guide "licensing fees" which was...and is....necessary to pay the direct operating cost of the guide's governing board. *(The current guide licensing board is predicted by Legislative Audit to be to be in debt to the State \$800,000.00 by 2014.)*

There are a number of good reasons why 'transporter licensing' has not worked out for guides to limit competition and increase their licensing board revenues.

Likely the most relevant and fundamental reason transporter licensing has not worked out; and will never work to limit competition for guides, is because of the annual....unlimited sale of hunting licenses by ADFG.

There are two reasons 'transporter licensing' has not worked out to increase revenues.

One reason is there will never be enough Air Operators to absorb; through licensing fees, the guide boards continued and annual deficit spending.

The main reason is the guide board went in the hole 100's of thousand's of dollars in the last 5 years is from requiring the Department of Commerce to input all the redundant data collected annually in the field on guide "hunt records" and "transporter forms" into a database. The guide boards database is so unreliable that is entirely useless for enforcement purposes or for any type of legitimate data mining that might have been helpful for conservation and management purposes.

- *It is notable that just this week the Lt Governor signed into law the repeal of the requirement guide "hunt records" and "transporter records" be submitted to the Department of Commerce for the purpose uploading the data on these forms into an electronic data base. In other words, hunt records and transporter records...after spending hundreds of thousands of dollars including legislative and administrative time and effort that goes along with revising the special interest regulations and guide statutes....has been abandoned.*

Yet, the guide board continues to deny it's obligation to increase it's occupational licensing fees and continues its chronic behavior of tweaking regulations and statutes with the intention of continuing the un-limiting of the commercial hunt guide industry.

Air carriers are not concerned; economically speaking, with "why" a person needs access to public lands.

In other words, it is irrelevant to an Air Operator whether the person requesting commercial air service is wanting access to hunt, float a river, base camp, hike, mountain climb, build a cabin, photograph nature etc.

The economic interest of an Air Operator; in this matter, is unlimited public access and transportation. Not the activity of the person requesting transportation.

Nothing related to HB158 can change the law of the land

Every single time the ADFG sells a hunting license any downstream economic opportunity that comes from the sale of that license exists; as it should, equally for a guide as it does for an Air Operator. In this case, that equal footing is the essence of the common use clause.

Owsichuk vs State made it very clear. Guides; for that matter Air Operators, are not entitled to any special, exclusive privilege or grant of public resources. Not land. Not wildlife.

Unfortunate as it might be for commercial hunting guides, the sale of hunting licenses to residents out numbers the sale of hunting licenses to non resident seeking the commercial services of a guide. It has always been that way. It will always be that way.

And especially in times of resource shortages, resident hunters are entitled a priority to the available public resources. This includes wildlife and unlimited access.

An Air Operators right to advertise it's transportation services is a right and is protected by commercial free speech.

What a commercial air carrier charges for service and where a commercial air carrier chooses to provide it's services is protected by laws of commerce. *Air carriers were de-regulated about 1972*

The continued practice and policy of the ADFG of selling hunting licenses in an unlimited fashion does not provide the foundation and constitute a rational basis to implement a scheme that limits guides and/or Air Operator's from providing commercial services to individuals ADFG sold hunting license to.

The continued practice and policy of the ADFG of selling hunting licenses in an unlimited fashion likewise can not serve to justify any back door limits on the numbers of hunters in the field and reduce competition between guided hunters and non guided hunters through the establishment of exclusive use areas and; more likely than not, an such imposed limits would be judged as an arbitrary and capricious act.

HB158 CS version U essentially is beyond the pale. I realize it's because the committee has not yet concluded how twisted things are that are put before them with regard to DNR's proposed 'plan'. None the less, version U puts on the table a scheme to limit air carriers ability to provide commercial flight services to non guided hunters (essentially residents) that rely exclusively on commercial air carriers yet imposes no limits on licensed hunters who use 'private' aircraft to access the same public land. Why?

Most resident hunters don't have their own airplanes and rely on commercial air service to provide them the access to public lands. Is the fact that most hunters do not have their own airplane a justifiable reason to discriminate against them?

Is a hunting license sold to a resident with an airplane somehow legally different than one sold to a resident with an airplane?

Can any citizen's right to access public lands to "hunt"; when ADFG continues the practice and policy to sell licenses in an unlimited manner, somehow be limited because

Linda Hay

From: Roger & Karen Morris <klrdmo@gci.net>
Sent: Thursday, March 21, 2013 2:16 PM
To: Rep. Mia Costello; Rep. Craig Johnson; Rep. Mike Hawker; Rep. Kurt Olson; Rep. Bob Lynn; Rep. Eric Feige; Rep. Les Gara; Sen. Lesil McGuire; Sen. Fred Dyson
Subject: Pass HB 158

Dear Sirs,

I am writing to you for your support of HB 158. My name is Roger D. Morris. I am a retired Master Guide. I had a guide area before they were declared unconstitutional in 1988. I had areas on Federal lands and State lands. The federal agency's have since all made managements plans that control and limit guide use. The State did not. I watched the game populations on Federal lands increase for use by residents and non-residents. I watched the game populations on State lands decrease as the number of guides increased to numbers which affected the quality of hunts for residents and non-residents alike. In one of the areas that I guided in on State land it went from 3 guides to 40 guides. This must be stopped.

For my protection as a resident hunter you must support and pass HB 158. Thank you.

Sincerely,

Roger D. Morris
Anchorage, AK
Retired Master Guide

Linda Hay

From: Stephen Stidham <stid2677@aol.com>
Sent: Thursday, March 21, 2013 2:05 PM
To: Linda Hay
Subject: HB 158

Miss Hay,,

I oppose this section of HB 158. Limits on resident hunter access is not acceptable.

Sec. 38,05.023. Big game transporter concession program.

(a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.

(b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

Stephen Stidham
North Pole Ak

Linda Hay

From: DAVE SENG <dseng@gci.net>
Sent: Thursday, March 21, 2013 12:26 PM
To: Linda Hay
Subject: HB 158

Sec. 38,05.023. Big game transporter concession program.

(a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.

(b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

If hunters, guides, or transporters need to be limited, they should be limited via the BOG by limiting the numbers of tags or limiting access.

This is crazy - my access as an Alaskan citizen & hunter could be blocked by a program that all along was supposed to be about solving the issue of unlimited guides and their unlimited clients.

Dave Seng

Juneau, Alaska

Linda Hay

From: Eric Lee <alaskaadventureservices@gmail.com>
Sent: Thursday, March 21, 2013 12:53 PM
To: Linda Hay
Subject: HB158

I believe hb158 is a classic case of unnecessary and unfair government intervention.

If there is overcrowding of hunters in areas then there are already means to limit that. The BOG could either limit the number of big game tags or limit access to that area.

If guides overcrowd an area then that would naturally correct itself via the free market. Hunters would not continue to do business with a guide who didn't provide a "quality experience". Why is it the government's business whether or not a consumer has a "quality experience" anyway?

The only thing hb158 does is allow those guides who have been around for a long time to keep competing guides out of thier market. The goverment interviening on behalf of a very select few is unfair and illegal.

Please don't let hb158 out of commitee.

Eric Lee
Houston, AK

Linda Hay

From: Lance Raymore <lraymore@gmail.com>
Sent: Thursday, March 21, 2013 12:13 PM
To: Linda Hay
Subject: HB 158 questions and comments

Ms. Hay,

I read this section of HP 158 today.

Sec. 38,05.023. Big game transporter concession program.

(a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.

(b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

This appears to say that there will be a limit imposed on transporters of big game hunters. As a resident big game hunter that occasionally uses an air service to access remote parts of Alaska I feel this would violate my rights under the state constitution.

Isn't HB 158 supposed to address the unlimited number of big game guides and unlimited number of guided hunters? Why am I, as an unguided resident big game hunter being targeted with this legislation?

If the State of Alaska wants to limit my access to game animals, then why do it through the transportation system? The Board of Game can develop many different ways to limit my access by designating areas as drawing permit only or controlled use areas that restrict motorized access.

The state provides unlimited over the counter harvest tickets, but wants to limit transporters to take hunters to those areas that have unlimited harvest tickets available. That makes no sense what's so ever.

Does "other persons" mean my buddy with his Super Cub? We go flying together and hunt remotely once in every few years. Does he as a private pilot have to apply for a concession license for us to go hunting in his plane? What about me and my river boat with a few friends going moose hunting? What happens when I loan my neighbor my canoe for his moose or caribou hunt? We are all "other persons" so this law would apply to us.

Lance Raymore

Linda Hay

From: Martin Rinke <MRinke@slb.com>
Sent: Thursday, March 21, 2013 12:03 PM
To: Linda Hay
Cc: Sen. Click Bishop
Subject: HB 158

I am opposed to HB 158 as it is being proposed. The commissioner should not have the power to grant concessions to transporters or limit the number of individuals that can provide transportation services. This amendment to HB 158 has nothing to do with the GCP.

(a) The commissioner may implement a concession program or otherwise limit the number of individuals who provide transportation services to big game hunters in the field.

(b) In implementing this section, the commissioner may gather relevant information from other state agencies, transporters licensed under AS 08.54, and other persons who provide transportation services to big game hunters.

Thank you

Marty Rinke