

5
SB

102

102
TO: SEN. WILLIAM SUMNER
SEN. W.E. BRADLEY

FROM: KENNETH OWSICHEK 243-5899
P.O. BOX 6301, ANCHORAGE, AK 99502

THIS IS TO STATE THAT I FULLY SUPPORT THE EFFORT TO REPEAL THE PRESENT GUIDE LAW. I AM A GUIDE WITH A \$400,000 INVESTMENT FOR MY GUIDING OPERATION. I RECEIVE NO GUIDE AREA DISPIE MY INVESTMENT, EXPERIENCE IN THE AREA AND DEPENDENCE ON GUIDING FOR A LIVING. I HAVE ALSO BEEN THREATENED BY THE BOARD WITH DISCIPLINARY ACTION FOR CHARGES AGAINST ME THAT WERE COMPLETELY DISMISSED IN A JURY TRIAL. I BELIEVE THE GUIDE BOARD IS ACTING BEYOND ITS PROPER FUNCTION. THEY HAVE BECOME AN ARM OF THE ATTORNEY GENERAL'S OFFICE AND THEIR SYSTEM OF ASSIGNING EXCLUSIVE GUIDE AREAS HAS BEEN HAPHAZARD, UNJUST AND ILLEGAL. I WILL SEND YOU A LETTER WITH DETAILS SUPPORTING MY VIEW. THANK YOU. EOM

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE: 503-8442

JUNEAU, ALASKA 99902

1979 FEB 26 PM 12 57

02033 ANCHORAGE ALASKA 27 02-26 955A AST

PMS SENATOR W E BRADLEY

JUNEAU AK

1066

DEAR SENATOR,

AS A LICENSED ALASKAN ASSISTANT GUIDE, I SUPPORT THE REPEAL OF
PRESENT GUIDE LAW.

ALAN L JONES, LICENSE NBR 1110006

1317 WEST NORTHERN LIGHTS BLVD SUITE 9

ANCHORAGE AK 99503

TELEGRAM

02125 POM IDA CHUGIAK ALASKA 15 02-26 359P AST

PMS SEN W E BRADLEY

JUN

1 FAVOR REPEAL OF THE PRESENT GUIDE LAW.

DON SISSON BOX 707 CHUGIAK ALASKA 99567

DICK RICE
P. O. Box 10
Palmer, Ak. 99645

February 22, 1979

Dear Senator Bradley,

Regarding the effort to repeal the present guide law (limited guiding areas and license control by Guide board), I hope you will vote for and enlist support for the repeal of this law and the return of the previous method of regulating the guiding industry. At present nearly 80% of the guides in Alaska are in favor of the repeal of this arbitrary and restrictive law, including many of them who have drawn some benefit from it. Personally, I've been severely limited in my ability to make a living these past 3 years, because I've no area to limit in, though I've been guiding in the Wrangells and Chugach ranges for 15 years and am licensed for all 8 units in South Central Alaska.

Sincerely hope you and your fellow Senators will repeal the unfair guide law, and return things to normal as they were in 74.

Sincerely,



Dick Rice, Reg. Guide

DR/lr

February 22, 1979

Sen. W. E. Bradley
Pouch V
Capitol Building
Juneau, AK 99811


Dear Sen. Bradley:

I understand that you are presently discussing matters pertaining to the Guide Law. The purpose of this letter is to voice my full support of the repeal of this law.

I have been an active registered guide since 1962, but because of arbitrary and unfair regulations promulgated by the Guide Licensing & Control Board, I find myself without any area in which to guide. This is in spite of the fact that I am registered in Units 6 through 17.

In my opinion, the whole concept of allocating guide areas was ill conceived, badly timed, and expertly blundered. The same could be said for placing licensing and control in the hands of this Board. We were, I'm sorry to say, much better off as a profession when these functions were handled by the Department of Fish & Game.

Very truly yours,


Lee Browning
2907 W. 34th Avenue
Anchorage, Alaska
99503

BRUNNER

OF ALASKA

6950 CRAWFORD DRIVE

ANCHORAGE, ALASKA 99502

TELEPHONE (907) 243-2284

HIGHEST PRICES PAID FOR RAW FURS • QUALITY TANNED ALASKAN FURS • THOPHY QUALITY WOLF & WOLVERINES
WE BOOK HUNTING, FISHING AND WILDERNESS EXCURSIONS IN ALASKA

LOUIE K. BRUNNER
Lt. Col. Ret.

February 23, 1979

Senator W. E. Bradley
Pouch V
Capitol Building
Juneau, Alaska 99811

Dear Brad:

It has been some time since I have had the opportunity to set down and talk with you. Next time you have a chance drop by and see us. We are out of the taxidermy business but are still involved in Alaska raw furs.

The purpose of my letter is to urge you and your colleagues to give serious consideration to Mr. Ron Hayes' proposal to do away with the present guide law. In my position I have the opportunity to talk to guides, sportsmen and other interested personnel on a daily basis. I attend most of the guide board meetings and many of the fish and game board meetings. I have participated with the APHA and have donated considerable time and money to assist them in their efforts.

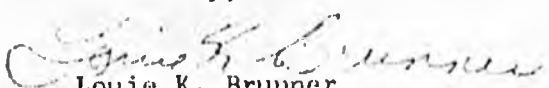
During the many years you and I have been in Alaska we have watched the guide hassle and it continues to get worse. The distribution of guide areas in the state is so complex and unfair that it has caused far more problems than it has resolved.

The loss of respect for the Alaskan Guides by the American Sportsman in the last few years is primarily due to the haggling presently going on in the guide board.

Let's clean up the guide business by putting it in the Alaskan Court system where it belongs! Let's do away with "dual jeopardy"--where the guide is tried by the courts and then again by the guide board. This would also do away with the unfairness caused by assigning guide areas. Remember--D-2 will amplify all the problems the guide board has been causing.

You are to be congratulated on the fine job you are doing in Juneau. Keep up the good work.

Sincerely,


Louie K. Brunner

(907) 344-1457

SAMSAL GUIDE & FLYING SERVICE

LLOYD E. SAMSAL, OWNER

REGISTERED GUIDE & OUTFITTERS

2733 West 100th Avenue

Anchorage, Alaska 99502

February 23, 1979

Dear Senator W. E. Bradley:

I am an old time Alaska guide. I am writing to you to let you know I favor the repeal of the present guide law.

Sincerely,

Lloyd E. Samsal
2733 West 100th Ave
Anchorage, Alaska
99502.



Alaska

Professional Hunters Association, Inc.

P. O. BOX 4-1932
ANCHORAGE, ALASKA 99509

Phone (907) 243-3977
or (907) 262-4678

March 5, 1979

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WAYNE HANS

Kodiak

BUD HELMRICKS

Eastern Arctic

KEITH KOONZ

Arctic Coast

ED SHAVINGS, Sr.

Southwestern

Senator Brad Bradley, Chairman
Senate Commerce Committee
Pouch V.
Juneau, Alaska 99811

Dear Brad:

Thank you for sending me a copy of Senate Bill 102.

The Alaska Professional Hunters Ass. has long felt a step in this direction was needed badly. You have our complete support on this bill.

We were happy you introduced Senate Bill 101 also. This one was needed as well as the above. If we can be of any help in either of these let us know.

I can't think of any other group that would be interested in this legislation.

I understand some of the legislators are under the impression Mr. Tom Biss still represents APHA. This is not true, that arrangement was terminated Feb. 7, 1979. Would appreciate it if you would make a note of that for your Commerce Committee.

We certainly appreciate your work on our behalf with the above legislation.

Sincerely,

Ray McNutt

Introduced: 2/1/79
Referred: Commerce

1 IN THE SENATE

BY BRADLEY

2 SENATE BILL NO. 102

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the grounds for disciplining a
7 licensed guide."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 08.54.200(a)(1) is amended to read:

10 (1) complaints concerning the licensee have been filed with
11 the board from three or more clients of separate parties within a con-
12 tinuous five-year period; or *Proof of game*

13 *Violation by conviction.*

14 *I have ben a guide for*
15 *26 years - now I buy a*
16 *licene and have no place to*
17 *hunt, I was not given*
18 *a territory to hunt*

19 *Randy Vought*

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Introduced: 2/1/79
Referred: Commerce

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11 the board from three or more clients of separate parties within a con-
12 tinuous five-year period; or

13 *above Regulation more*
14 *stringent than applied to doctors*
15 *or any other professional*
16 *group I know of.*
17 *Lee Hancock*
18 *Box 955 - Anchorage 99510*

19 *Most Non-Resident Moose & Caribou*
20 *hunters not handled by Registered*
21 *guides, including Europeans.*
22 *They are set out by Air Taxi's*
23 *and others who may have a*
24 *Transporters License.*
25 *Lee Hancock*
26

27

28

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TELEGRAM

RCR ALASKA COMMUNICATIONS, INC.

ANCHORAGE ALASKA 99510

02084 POM ANCHORAGE ALASKA 15 02-23 314P AST

PMS SEN W E BRADLEY

JUN

I SUPPORT REPEAL OF THE PRESENT GUIDE LAW.

ROCKY KEEN

PO BOX 1605

ANCHORAGE AK 99510

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE 33446

JUNEAU, ALASKA 99802

* 02137 NL ANCHORAGE ALASKA 50 02-22 613P AST

PMS SENATOR W E BRAD BRADLEY

JUN

I AM HIGHLY IN FAVOR OF THE REPEAL OF THE PRESENT GUIDE LAW, IN
REGARD TO A CORRESPONDENCE WITH MR RON HAYES AND MR TIM ENWRIGHT.
BOTH REGISTERED GUIDES AND WE WANT THIS GUIDE LAW THROWN OUT.

W S BILL RICE, REGISTERED GUIDE

TIM ENWRIGHT, REGISTERED GUIDE

TELEGRAM

FOR ALL INFORMATION SEE

02129 NL ANCHORAGE ALASKA 50 02-22 350P AST

PMS SEN W E BRADLEY

JUN

SIR, AS AN ALASKAN REGISTERED GUIDE I SUPPORT REPEAL OF
THE PRESENT GUIDE LAW, FORCING GUIDES TO HUNT IN EXCLUSIVE
AREAS.

DENNIS C OWENS

BOX 361

MOOSE PASS, AK 99631

February 27, 1979

Dear Senator Bradley,

I hope you will vote to repeal the present Guide law, which limits guiding areas and gives license control to the Guide board, and return the guiding industry to jurisdiction of the ADF & G where it belongs, as it was until a few years ago. In a recent poll of Alaskan guides, 142 voted for repeal of this law, 43 against. Hope you'll support us in our fight to get rid of this restrictive Guide law and we'll all be able to make a decent living.

Respectfully,

Charles A. Edmonds, Reg. Guide

Charles A. Edmonds

CE/lr

March 2, 1979

Senator William Summer,

Dear Sir,

I am writing you to voice my opinion.

I strongly urge you to vote to repeal the present
guide law. My judge license was suspended for
two years even though I had a jury trial and
was proved not guilty. Yet the board has the
power to revoke licenses independent of the court
system.

Again I urge you to vote for repeal.

Sincerely
Tom U Zimmerman Jr.

SB 102

Mark Miller

Feb. 27 1979

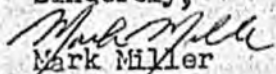
Senator W.E. Bradley
Pouch V, Capitol Building
Juneau, Ak. 99811

Dear Mr. Bradley,

The present guide board is not fulfilling it's job to the general guiding public. I think the guide area law should be thrown out and a more capable group of persons reduce it if the area thing is necessary. The fish and Game did a better job. Now as it stands, there are a few guides with large areas while others like myself have nothing. For two years I hunted on my own and make a good salary of under \$20,000.00. Now I don't have an area and for the last two years I had to stretch a major part of my income. Others have been granted areas so large they can still make \$100,000. plus and have room to expand.

Something must be done or all the state has succeeded in doing "again" is supporting another group of lucky people while the profession lays stagnant to those like myself who where fairly new in the area. I hope you can do something.

Sincerely,


Mark Miller



Official Business

Alaska State Legislature

Senate

Committee on Commerce

March 1, 1979

Pouch V
State Capitol
Juneau, Alaska 99811

Tom

Mr. ~~Thomas~~ V. Zimmerman
SRA Box 60726-A
Fairbanks, Alaska 99701

Dear Mr. Zimmerman:

Enclosed is Senate Bill 102 relating to grounds for disciplining a licensed guide.

I would appreciate receiving any comments you may have pertaining to this bill. If you know of other agencies that have an interest in this legislation, please let me know so that I may get the benefits of comments from all knowledgeable and interested parties.

In consideration of a productive and expeditious session, I request that your comments be returned to the Senate Commerce Committee within 10 days.

Sincerely,

Brad

Brad Bradley
State Senator
Chairman
Senate Commerce Committee

WEB:jp
Encl

*I am opposed to any further government interference
i.e. laws, regulations etc on the guiding industry. I feel the present
law is abused from what it was intended for. Any additional
legislation means red tape, red tape and all things associated.
Sincerely Tom V. Zimmerman Jr.*

Sec. 08.54.190. Expiration and renewal. (a) A master guide, registered guide, class-A assistant guide, assistant guide or transporter license expires on December 31, following issuance.

(b) No license may be issued to a class-A assistant guide or assistant guide who has failed to renew his license for two consecutive years unless he again meets the qualifications for initial issuance of the license.

(c) A master or registered guide who fails to renew a license is not required to requalify under § 100(2) or § 110(8) of this chapter, respectively. (§ 1 ch 17 SLA 1973; am § 12 ch 127 SLA 1974; am § 4 ch 106 SLA 1976)

Effect of amendments. — The 1974 amendment substituted "class-A assistant guide" for "class-A guide" in subsection (b).

The 1976 amendment substituted "assistant guide or transporter license" for "or assistant guide license" in subsection (a) and added "following issuance" to the end of that subsection.

Editor's note. — Section 10, ch. 106, SLA 1976, provides: "Nothing in this Act gives a person licensed as a transporter a right as an air carrier which he does not otherwise hold under law."

Legislative committee report. — For report on ch. 127, SLA 1974 (SCSHB 817 am S), see 1974 House Journal, p. 657.

Sec. 08.54.200. Grounds for disciplining a licensee. (a) The board shall hold a hearing to determine if disciplinary action is necessary if

(1) complaints concerning the licensee have been filed with the board from three or more clients of separate parties; or

(2) a licensee has been charged with a violation of federal or state sport fish, game or guide statutes or regulations; or

(3) a licensee has been convicted of a violation of federal or state sport fish, game or guide statute or regulation.

(b) After a hearing, the board may revoke, suspend, or deny renewal of a license if the board finds that the licensee

(1) engaged in unethical activity, unsafe activity, or activity which adversely affects the natural resources of the state when such activity is unrelated to the legal and legitimate purposes of the contract hunt; or

(2) violated a provision of a federal or state sport fish, game or guide statute or regulation.

(c) After a hearing, the board shall revoke a license if the board finds that the licensee

(1) does not meet the qualifications specified by statute or regulation for the class of license held;

(2) is incompetent as a master guide, registered guide, class-A assistant guide, or assistant guide;

(3) has been convicted of two violations of federal or state sport fish, game or guide statutes or regulations.

(d) No person who is disciplined under this section may engage in any guiding or transporting activity during the period of license revocation

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

SUPPORT BUILDING
JUNEAU, ALASKA 99801

Chris, OK

March 5, 1979

The Honorable Brad Bradley
Chairman, Senate Commerce
Committee
Alaska State Legislature
Pouch V, State Capitol
Juneau, Alaska 99811

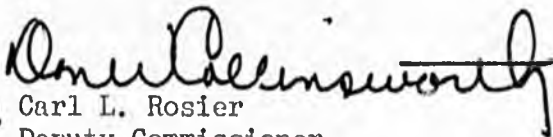
Dear Senator Bradley:

Your letter of February 19, regarding Department comments and a fiscal note on SB 102 was not received in our office until February 27, thus our written response is somewhat tardy. I did discuss this matter with one of your staff members on February 28, and indicated that a letter would be forthcoming.

The Department of Fish and Game does not plan to comment on SB 102 as we have essentially nothing to do with the administration of the State's guiding industry. This authority is vested in the Department of Commerce and Mr. Don Hostak administers the program. I believe that he will be commenting on the bill and would be the best source for preparation of a fiscal note.

If we can be of assistance to you on other matters, please feel free to contact our office.

Sincerely,

for 

Carl L. Rosier
Deputy Commissioner
Program Management

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONER

POUCH N - JUNEAU 99811

February 27, 1979

Honorable Brad Bradley
Chairman, Senate Commerce
Committee
Pouch V
Juneau, Alaska 99811

RE: SB 102

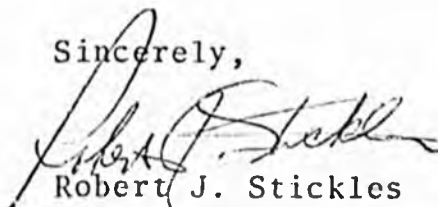
Dear Senator Bradley:

The Department of Public Safety supports SB 102. This bill does not alter current practices and in effect, would have little impact on current procedures. Complaints that are over five years old are not considered reasonably admissible in court and consequently not used.

You may want to contact the Department of Fish and Game, as it appears they will have an interest in the bill. There will not be a fiscal impact on this Department regardless of whether the bill passes or not.

I will be happy to meet with you at your convenience to answer any questions you may have.

Sincerely,



Robert J. Stickles
Acting Deputy Commissioner
Department of Public Safety

RJS/l sb



Alaska

Professional Hunters Association, Inc.

P. O. BOX 4-1932
ANCHORAGE, ALASKA 99509

February 22, 1979

Phone (907) 243-3977
or (907) 262-4678

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Kodiak
BUD HELMRICKS
Eastern Arctic
KEITH KOONZ
Arctic Coast
ED SHAVINGS, Sr.
Southwestern

W. E. Bradley
Pouch V
Juneau, Alaska 99811

Dear Mr. Bradley:

The Alaska Professional Hunters Association is deeply concerned about the current move underway to remove the Guide Law from Alaska Statutes.

We would appreciate your considering the following points in behalf of retaining the Guide Law.

- A. It could be people are short sighted in their desire to throw out the guide law. Under the guide Licensing and Control Board it is known in what areas each guide is working. If we have no guide law everyone a plane, boat, snowmachine, horses etc. will be taking out hunt. Certainly there will be no respect to areas or who has been there traditionally, be they native or non-native
- B. It could not be at a worse time to rid ourselves of the guide law. That, in our opinion, would give the environmentalist the very thing they need to further restrict more land in order to keep the land and wildlife resources from being raped by uncontrolled hunting pressure by this one act. Secretary Andrus and Representative Morris Udall have already used these type tactics in their effort to gain more locked up land.
- C. The Alaska Game Board is meeting in April and, should they believe the guide law had a chance of being thrown out, it would greatly increase the possibility of them closing more areas to sport hunting or putting all big game under a permit system. By supporting a move to throw out the guide law, you will be killing the guiding industry as well as drastically curtailing the opportunity for resident sport hunting and working directly in the anti-hunting forces' hands.

Page 2

- D. Some may feel they will benefit by the removal of the guide law, those who have lost their license or didnot qualify for an exclusive guide area. This is very short sighted, perhaps they can for a period of a year. However, a year down the road, the guidin industry will die and that will effect all Alaskans.

We urge to support the Alaska Professional Hunters Association's position on this vital issue. The enclosed "Open Letter" will give you more detailed description of the above points and some others.

Mr. Tom Biss has not represented APHA as a lobbyist since February 7, 1979.

Respectfully,



Ray McNutt,
President, APHA

Encl:

RM/km



Alaska

Professional Hunters Association, Inc.

P. O. BOX 4-1932
ANCHORAGE, ALASKA 99509

Phone (907) 243-3977
or (907) 262-4678

February, 1979

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WAYNE HANS
Kodiak
BUD HELMRICKS
Eastern Arctic
KEITH KOONZ
Arctic Coast
ED SHAVINGS, Sr.
Southwestern

An Open Letter to the Guiding Industry-

Fellow guides, throwing out the Guide Law will not turn the calendar back to the days when we could take our clients into any area open for hunting. Nor will it solve the problem caused by the Antiquities Act closures, dwindling wildlife resources, or the irrational associated with this recent subsistence issue. To the contrary, it will only hasten restrictions and wreck havoc with what chance we have to survive in the guiding industry. These are pretty strong words to those of us who lost a substantial portion of our Exclusive Guide Area(s) to Carter's actions, but truth none-the-less.

I'd like to attempt to explain why I make the above statement. The most obvious argument to such statements is that "if the Guide Law is thrown out, and the Exclusive Guide Areas with it, then those of us who lost areas will be able to hunt anywhere we want to and therefore remain in business. I'll not argue that this may be true for this coming fall season, and I've thought of it myself as I lost a substantial portion of my fall area to the McKinley Extensions-BUT it's a damn short-sighted point of view if we look ahead about fourteen months to the Spring, 1980 meetings of the Game Board.

Suppose we throw out the Guide Law, or at least the Exclusive Area concept. Then this fall we all hustle our clients into the open areas; and it won't be just a few clients, but as many hunters as each of us feels we can handle 'cause this may be the last chance we have to make a buck in this business. And besides, it will be easy to book hunters this year because the word's out that permits may be darn hard to get next year. It doesn't take much imagination to see what happens next! But let's follow things on through.....

This fall, when sheep hunters all over Alaska are restricted to hunting about half the areas they've had in the past, we guides would be right there with them, in greater force than ever before because our areas have also been reduced and we have no place else to hunt.

Competition for airstrips, areas to hunt, and trophies would be at an unprecedented high level, and resultant conflicts between guides and residents would sky-rocket. Not only would every resident sportsman in the State raise hell about guides that did this, and guides that did that, but even more devastating for the guides who hope to remain in business, or retire with some self-respect, would be our success rates as compared to the resident harvest figures. At the same time the resident harvest will drop by an estimated 40 to 80 percent (depending upon whether we go to a full curlew law or not), it is conceivable that by overbooking hustling, and just plain out-hunting we could approach or even surpass last fall's harvest. But any way we cut it, we would be considerably more successful than the resident hunter.

"So, what's so bad about this?"

I don't think any of us are so naive that we can expect the State and its residents to accept their cut in the harvest unless our non-resident clients are cut just as much in proportion, or even more, now that the crunch is on. And this is no idle observation, for speculation of the very speculation of the very situation I've described has been discussed between both the Department and the Board of Game and representatives of your Guide Association. All we, as an industry, have to do to cut our own throats and destroy any hope we have to head off lottery permit systems on sheep and bears is to sweep the available harvest this fall. If this happens and the non-resident harvest isn't correspondingly reduced along with the resident harvest in 1979 we are going to see so damn many anti-guide, anti-non-resident, pro-regional and discriminatory proposals from the public, Department of Fish and Game, Administration (we may see these anyway) and even the Game Board, that even if the 1980 Game Regulations don't put us all out of business the legislative and regional game boards will! Before ANY of us jumps on the band wagon to throw out the Exclusive Guide Areas we had better take a long hard look at the consequences; and at the motives of those proposing such action.

Most of us received a letter from Ron Hayes advocating that we join the Natives in their efforts to throw out the Guide Law. I doubt that many of us will disagree with some of Ron's reasons, but I sure take exception to his reasoning that they'll cooperate with us in the future. Bull----! If we haven't learned yet about cooperation with groups like AFN, RuralCap and the National Park Service during this D-2 battle then we damn well deserve what would happen to us if the Guide Law were thrown out at this time. I don't care what we do, those Regional Corporations are going to try and stop us every way they can, and the ONLY cooperation we'll get as guides if the Regional Board concept goes, is the cooperation we BUY with our knowledge and expertise in booking clients and managing hunts. I'll not deny that many as any guide in business- but for the next couple years, and until the Regional Corporations realize that clients won't book with them or their people without going through guys like us who have the contacts and reputation, we aren't going to be able to even slow down this anti-white-guide movement that's been building along the coast ever since the Marine Mammal Act was passed in 1972 (and even before), much less expect any cooperation that's not forced upon them. There are admitted

exceptions, but in my experience with dog-team polar bear hunting, walrus and muskox, I've long since learned that "exceptions" have to live in the village too, and it's going to take time before the "exceptions" are in the majority and any degree of cooperation can be achieved.

What it boils down to is this. If the Guide Law were thrown out today, the guides don't have the clout necessary in Juneau to get another guide law established that would not be regional in nature. Fellows, you know as well as I do, if we are ever forced to operate under regional guide laws you had better move to the villages and get yourself adopted....it's simple as that. There will be no home in Anchorage, and guide area in Unit 9; we'll be guiding in our own backyard, or not at all.

There are several more considerations too. Those of us that lost areas to the new Monuments have an excellent chance of receiving compensation for our losses a couple years down the road when D-2 is settled and we can begin instigating class action and individual condemnation suits against the Federal Government. But these condemnation suits will only hold water IF our Exclusive Guide Area concept is effective. If the Exclusive Area concept is thrown out, or if the Board continues to accept filings on top of existing Exclusive Guide Areas, even the dumbest government attorney will be able to successfully challenge our position by simply pointing out that the Exclusive Guide Areas do not, in fact, protect and insure our businesses. And if they do not protect our businesses, then they were worthless at the time of the Antiquities Act and no compensation is justified. If, on the other hand, we can successfully demonstrate, as an industry, that the Exclusive Guide Areas are what holds the industry together and makes the system work (look at Kodiak—that system could never work without Exclusive areas, and it's being used as a model to help shape future permit systems), then we have every reason to expect to win these suits.

A last major consideration is the current situation with D-2 legislation in Washington. As an industry we have had considerable impact in the D-2 issue, as evidenced by the House version of HR-39 which gave guides grandfather rights for up to 25 years in certain National Parks created by that Act. During the past several months your Association and others have been working to expand this influence but our efforts can only succeed if we present a unified and responsible 'front'. If we are in-fighting over areas and guide laws—and even the basic concept on which the industry survives, it won't take our enemies long to sense our confusion and make us look like a bunch of greedy, savage entrepreneurs back in Washington.

Yet I'm not suggesting that we sit back and do nothing. Ron's letter points out two basic areas of conflict between the existing system and the industry; the issue of double jeopardy by Guide Board action after being found Not-guilty in a court of law, and the issues are controversial, but I'd like to think that they can be best handled within the industry rather than to throw them out on the floor of the legislature along with the entire Guide Law.

The Guide License and Control Board just appointed an Advisory

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Committee consisting of Association representatives, non-affiliated guide members, a representative of the A.G. 's office and a Guide Board member which presumably will be able to voice these conflicts to the Board and suggest corrective measures. Following the December meeting such suggestions might well have been hooted, but I think those of you who attended the Jan/Feß meetings came away with a different feeling. Guide Board member Chuck Keim said it best when he stated to those in attendance that one of the Board's primary functions in the future would be to stand as yet another bulwark between the ethical guide who is trying to make a living, and the Governmental (agencies) who would like to take this right away from him without just cause .

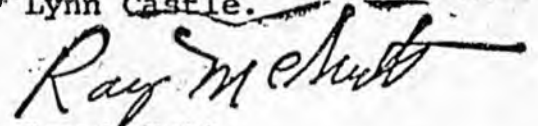
In another action the Board voted unanimously to adopt a resolution not to hear or act upon any case against a guide for Federal trespass violation.

I sure don't know all the answers, but it's kind've like being an American- I don't like everything that goes on, but it's still the best game in town and worth fighting for. Let's keep our Guide Law, let's fight to make certain any special guiding privileges extended to coastal residents for marine mammals come under jurisdiction of our existing Guide Board, and let's support the Advisory Committee and get our beefs before the Board, not before the public and our enemies in Juneau and Washington.

Thank you,

Lynn Castle, APHA Director

The Board of Directors of Alaska Professional Hunters Association has endorsed the open letter written by Lynn Castle.



Ray McNutt
President, APHA