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Alaska State Legislature

SENATE Resources Committee

Official Business

BETTYE FAHRENKAMP, Chairman
VIC FISCHER, Vice-Chairman
BRAD BRADLEY
DICK ELIASON
DON GILMAN
BOB MULCAHY
ARLISS STURGULEWSKI

MEMBERS PRESENT

Senator Fahrenkamp
Senator Fischer
Senator Bradley
Senator Mulcahy
Senator Sturgulewski

POUCH V
STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

March 29, 1982
1:35 p.m.

Beltz Room
211 - Capitol

Hearing:

SB 877 Relating to the staff of the Citizens' Advisory Commission on Federal areas in Alaska and providing for an effective date.
SB 834 Continuing the existence of the Guide Licensing and Control Board.
SB 840 Making a special appropriation for payment as a grant to the City of Cordova for a feasibility study of the Bering River coal field port and transportation system.

SB 877

Senator Fahrenkamp stated that SB 877 was necessary to assure that staff employees of the Citizens' Advisory Commission are exempt from the State service.

Senator Mulcahy moved SB 877 with individual recommendations.

SB 834

Mark Jensen, Chairman, State Guide Board, stated that the Board, consisting of three guides and four public members, was established in 1973. Jensen endorses SB 834, and although he endorses the idea of a review of Board action every few years, he feels that the sunset provision is not in the best interest of the State or the Board, as it creates "unnecessary upheaval."

Senator Sturgulewski referred to the audit report, and its recommendation that several changes be made in the Board's operation.

Jensen feels the Board has covered the major recommendations made in the audit.

Harry Traeger, Director, Division of Occupational Licensing, Department of Commerce and Economic Development, stated that the Code Revision Commission has Title 8 under consideration, and that the Administration will insist changes be made to satisfy the shortcomings outlined in the audit.

Senator Mulcahy moved SB 834 with individual recommendations.

SB 840

Edgar Blatchford, Chairman of the Board, Chugach Natives, Inc., spoke in support of SB 840, stating that the coal in the Bering River area is of high quality, and that the amount of money already invested by Chugach Natives is proof of their commitment to the project. They are requesting a one-time appropriation to study alternative sites for the port, the transportation system, and the financial and economic aspects of the project.

Carl Propes, Director of Lands and Natural Resources, Chugach Natives, Inc., stated that this appropriation is a proper role for the State, as a transportation system would cross State lands, and the port may be sited on State lands. Lack of State funding will probably delay the project at least a year. Carl emphasized that any State appropriation would not be interpreted as a commitment for further funding. He also stated that any funds appropriated will go to the City of Cordova, and the studies will be put out for competitive bid.

Senator Fischer expressed concern over how the State could recoup its investment, and brought up the issue of a severance tax.

Phil Holdsworth, COAL, expressed support for SB 840, stating that the Bering River coal field has real potential. He emphasized that coal is a marginal industry in Alaska, and that imposing a severance tax on the gross product may be enough to kill the industry. Coal operators would instead favor a tax based on net income. Holdsworth explained that Bering River had not been developed sooner, because it is a geologically complex area, unlike other coal deposits in Alaska which have thick beds and are strippable. The Bering River coal is of a much higher quality, and has a market in Korea.

Senator Mulcahy moved SB 840 with individual recommendations.

The meeting was adjourned at 2:40 p.m.

SB834

A FOLLOW-UP REVIEW OF THE
GUIDE LICENSING AND CONTROL BOARD
(Originally Released July 17, 1979)

December 21, 1981

Audit Control Number
08-012-0023-R

Commissioner, Department of
Commerce and Economic Development

Charles R. Webber

Commissioner, Department of
Public Safety

William R. Nix

Commissioner, Department of
Revenue

Thomas K. Williams

Members of the
Guide Licensing and Control Board

Chairman
Member
Member
Member
Member
Member
Member

Marcus F. Jensen
Clark Engle
H. Glen Glenzer
Norman G. Sutcliff
Donald Harris
William G. Stroecker
Herbert C. Wiese

STATE OF ALASKA

AUDIT DIVISION
POUCH W—ALASKA OFFICE BUILDING

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

JUNEAU, ALASKA 99811


December 30, 1981

Members of the
Legislative Budget and Audit Committee:

In accordance with the provisions of Title 24 of the Alaska
Statutes, the attached report is submitted for your review.

A FOLLOW-UP REVIEW OF THE
GUIDE LICENSING AND CONTROL BOARD
(Originally Released July 17, 1979)

December 21, 1981



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

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PURPOSE OF THE REVIEW

In accordance with the provisions of Alaska Statutes 24.20.271(1) and 44.66.050 (sunset legislation), a follow-up review of the Guide Licensing and Control Board was conducted to determine whether the recommendations presented in our report entitled, A Performance Review of the Guide Licensing and Control Board, July 17, 1979, have been implemented, and, if not, whether those recommendations are still pertinent.

ORGANIZATION AND FUNCTION

The Guide Licensing and Control Board was established by the 1973 Session Laws of Alaska and succeeds the Board of Fish and Game, Department of Fish and Game, which previously regulated the guiding industry. The seven member Board is appointed by the Governor with confirmation by the Legislature and is restricted to having no more than three members as licensed guides. Board members serve staggered terms of three years or until their successors are appointed.

The Board is organized under the Department of Commerce and Economic Development, Division of Occupational Licensing. Two budgeted positions, a Guide Investigator and Administrative Assistant, in the Department of Public Safety, Division of Fish and Wildlife Protection, have been provided to assist in the licensure and investigations of guides.

The function of the Board is primarily regulatory, mandated by AS 08.54.040. Accordingly, the Board has the capacity to administer examinations; determine qualifications of guides; establish performance standards and regulate activities; maintain guide registers; prohibit harmful guiding activities; conduct hearings regarding licensure; and establish quotas of guides for specified geographical areas (exclusive guiding areas). The Board, through the assignment of exclusive guiding areas, limits hunting pressure by guides within a specific geographical area.

In addition, the Board licenses "transporters". A licensed "transporter" is a person who transports hunters for hire.

REPORT CONCLUSION

Policy Issues

This review contains policy issues raised as a result of our evaluation of various Board practices. The final policy decisions affecting these practices are not within the scope of this review but require legislative consideration. In debating these issues, the legislative oversight committees should consider the findings and alternatives presented in this report in reaching their decision.

Report Conclusion

In our opinion, the Guide Licensing and Control Board should be continued. For the following reasons, we believe the regulation and licensing of guides is needed to protect the public's health, safety and welfare:

- A. This profession involves contracting for hunting game that could result in severe physical harm if practiced by incompetent persons. Potential harmful results include injury or death to the hunter due to neglect or carelessness on the part of the guide.
- B. Other users of game resources, such as the general public and subsistence hunter, can be directly or indirectly affected by guiding activities. For example, overhunting by guides in an area not only depletes the game resources available to the general public but also adversely affects the subsistence hunters in that area.
- C. In order to protect the public without unduly restricting individual rights, AS 16.05.407(a) exempts Alaskan residents from requiring the services of a guide.

While the reasons above indicate that the Board should continue to license and regulate guides, certain changes need to be implemented in order for the Board to more effectively serve the public.

The Board agrees that the transfer of the guides licensing function to the Department of Public Safety would enhance public convenience and be cost efficient. The Board believes legislation should be submitted seeking such a transfer (see Prior Audit Recommendation No. 1).

The Board has proposed changes to the statutes in response to two of our prior audit recommendations. However, the statute changes have not passed and a continued effort will be necessary to provide clear, relevant and workable statutes (see Prior Audit Recommendations No. 2 and No. 3).

The Department of Revenue has developed forms and procedures to collect and account for revenues from guides as required by statute. However, a continued effort will be required to improve the efficiency and accuracy of the reporting system (see Prior Audit Recommendation No. 4).

The Board is in the process of establishing a formal set of specific objectives and related measurement criteria so that its performance can be evaluated (see Prior Audit Recommendation No. 5).

PRIOR AUDIT RECOMMENDATIONS

Prior Audit Recommendation No. 1

The Guide Licensing and Control Board should seek legislation to have the guide licensing function transferred to the Department of Public Safety.

Staff support for the Guide Licensing and Control Board is currently being provided by two departments: the Department of Commerce and Economic Development (DCED), Division of Occupational Licensing (OL) and the Department of Public Safety (DPS), Division of Fish and Wildlife Protection (F&WP).

Applications for guide licenses are required to be sent to DCED by Alaska Statute 08.01.060. A licensing examiner in the Division of Occupational Licensing (OL) in Juneau receives the application and fees and, upon authorization from the Board, issues the license. The licensing examiner also provides other administrative and clerical support to the Board. In addition, the licensing examiner maintains files on each individual licensee, and copies of the material in the files are sent to the Division of Fish and Wildlife Protection in Anchorage.

The Division of Fish and Wildlife Protection, Investigation Section in Anchorage has two budgeted positions, a Guide Investigator and an Administrative Assistant, assigned to provide assistance in the licensure and investigation of guides. F&WP is also responsible for the enforcement of guide related statutes and regulations. In addition, F&WP maintains current and complete history files on all licensed guides as well as maintaining files on all the exclusive/joint use guiding areas.

Personnel in both OL and F&WP have stated that the licensing and investigative services provided to the Guide Licensing and Control Board should be consolidated within one agency. OL personnel have stated that public convenience and staff availability would be enhanced by the consolidated effort. F&WP personnel believe that the licensing function as well as enforcement would be enhanced by consolidation of the two functions. A reduction in operating costs should result to OL, based on the reduced workload of the licensing examiner, who estimates that she spends approximately 2/3 of her time on Guide Board related matters.

Legislative Audit's Current Position

The Board agrees that the transfer of the guide licensing function to the Department of Public Safety would enhance public convenience and be cost efficient. The Board believes that legislation will soon be submitted seeking such a transfer.

Prior Audit Recommendation No. 2

The Guide Licensing and Control Board should seek legislation to have the "transporter laws" repealed.

The purpose of the "transporter laws" [Alaska Statutes 08.54.142, 08.54.144, 08.54.146 and 08.54.170(c)] is to protect the safety of the citizens of the State and better manage and protect the State's resources by licensing persons who transport hunters for hire so that reasonable standards and guidelines would be met and activities affecting the State's game resources would be more accurately monitored and assessed.

In our opinion, the "transporter laws" are not needed to protect the safety of the public or manage the game resources.

Personnel in the Department of Public Safety, Division of Fish and Wildlife Protection, consider the "transporter laws" confusing and difficult to enforce. In addition, we found the information and reports that transporters are required to file are not being used and are not needed to manage the game resources of the State. Furthermore, air transporters' flying safety qualifications and aircraft safety are regulated by the Federal Aviation Administration.

Legislative Audit's Current Position

The Board has submitted legislation providing that the transporter laws be repealed. The above mentioned statutes are addressed in House Bill 199.

Prior Audit Recommendation No. 3

The Board should continue its efforts to make the statutes more clear, relevant and workable.

Over the past several years the Board has been adopting regulations to make the statutes more clear, relevant and workable. However, we noted several statutes which need further consideration. For example:

- A. AS 08.54.142, 08.54.144, 08.54.146 and 08.54.170(c). As discussed in Recommendation No. 2, the Board should seek legislation to have the "transporter laws" repealed.
- B. AS 08.54.190(a) requires an annual renewal of guide licenses. This conflicts with AS 08.01.100(a) which requires biennial renewal of occupational licenses. It also creates additional administrative effort for both the Division of Occupational Licensing and the licensee, with no demonstrable benefit to the public.
- C. AS 08.54.110(6) pertaining to moral turpitude is considered to be vague and should be repealed as the regulation (12 AAC 38.180) defining unethical activity provides sufficient public protection in this area.
- D. AS 08.54.200(c)(3) is considered to be unduly restrictive because it requires the Board to revoke a guide's license upon two convictions of Federal or State sport fish, game or guide violations regardless of how minor the violations may have been or how long ago they may have occurred.
- E. AS 08.54.130(2) requiring a Class A assistant guide to be under the supervision of a registered or master guide is considered vague. The term "supervision" should be clarified to indicate exactly what constitutes supervision during the conduct of a hunt.

Legislative Audit's Current Position

As a result of the Board's effort, a majority of the statutes listed in the prior audit recommendations are being addressed in pending legislation. However, AS 08.54.110(6) was not addressed and AS 08.54.190(a) was not revised as intended. AS 08.54.190(a) should be revised to require biennial renewal.

We again recommend that the Board should continue its efforts to make the statutes more clear, relevant and workable.

Prior Audit Recommendation No. 4

The Department of Revenue should collect fees from guides as required by statute.

Alaska Statute 16.05.340(e) effective January 1, 1977, requires licensed master and registered guides to pay a fee in the following amounts for each caribou, sheep, moose, brown or polar bear taken on a guided hunt over a specified number:

1. Over 5 up to a total of 10 per season - \$20;
2. Over 10 up to a total of 25 per season - \$100;
3. Over 25 per season - \$500.

Executive Order No. 17 requires the Department of Revenue to collect and account for all revenues incidental to the regulation and management of Alaska's fish and game resources. The Department has not developed forms and procedures necessary to collect and account for revenue under AS 16.05.340(e).

Legislative Audit's Current Position

The Department of Revenue has developed forms and procedures to collect and account for revenue from guides as required by statute. However, these forms and procedures do not guarantee that all appropriate totals are being reported by the guides. Currently, the Department does not have an efficient means of performing cross checks and follow-up procedures for unreturned forms or forms that are improperly filled out.

We recommend that the Department continue their effort to improve the efficiency and accuracy of the reporting system.

Prior Audit Recommendation No. 5

The Board should establish formal goals, objectives and quantifiable measures which should be included in the Division of Occupational Licensing's (OL's) budget document.

Objectives describe what an agency or Board is seeking to accomplish during a specific year. Well formulated objectives are capable of measurement and should include numerical targets so that actual accomplishments can be compared with stated targets. Without goals and objectives, the Board's performance cannot be adequately evaluated and analyzed.

OL establishes its own budget goals and objectives. The budget documents do not include any goals or measures for individual boards. Without the Board's goals and measures being identified or measured, neither the Governor's Office nor the Legislature can evaluate the Board's performance.

Legislative Audit's Current Position

The Board is in the process of establishing a formal set of specific objectives and related measurement criteria so that its performance can be evaluated. The Division of Occupational Licensing has informed the Board of the need for well formulated objectives to provide a basis for judging the Board's accomplishments.

We again recommend that the Board establish formal goals, objectives and quantifiable measures to be included in the budget documents.

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

POUCH D
JUNEAU, ALASKA 99811
PHONE: (907) 465-2534

January 18, 1982

RECEIVED

JAN 19 1982

LEGISLATIVE
AUDIT

Mr. Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

Dear Mr. Wilkerson:

I would like to reply to your letter of January 15 concerning the audit of the Guide Licensing & Control Board.

Recommendation No. 1, Page 5, proposes to transfer the function of our board to the Department of Public Safety. At the last meeting our board voted unanimously to support this transfer if we had the concurrence of the board of the Alaska Professional Hunters Association. It is my understanding that the APHA board has met with the Department of Public Safety, and concurred in this transfer. Further action now will have to come from the Legislature.

Recommendation No. 2, Page 6, the Guide Board has continually supported repeal of the transporter law. We hope this is included in guide legislation this session.

Recommendation No. 3, Page 6, Nos. A, B, C and D on Page 7, should be addressed in the guide legislation of H.B. 199, this session. We have supported changes in all the above items.

Concerning "E," Page 7, which deals with supervision of Class A guides, the board members have discussed this item a number of times and could not come up with any improved wording. In the discussions it was pointed out that the master or registered guide signing client contracts is responsible for the action of his guides in the field. It was thought that being overrestrictive in wording would hinder normal operations and not really be of any benefit. I would recommend this objection be cancelled.

January 18, 1982

If the Legislature acts on the above items, I am confident that corrections will be made in those listed above.

Recommendation 4, Page 7, I feel that the collection of funds by the Department of Revenue is strictly that department's problem. In my opinion, the requirement is not a good one as it just penalizes a few guides and does not raise any amount of money.

Recommendation No. 5, Page 8, the board should establish formal goals, objectives and quantifiable measures....I am very much in favor of our board being checked and rated as to performance. To establish prior goals and then be rated as to accomplishment is very difficult in our case. The board's yearly objectives and goals are very consistent except in extreme cases. These goals include giving guide tests, ruling on petitions from guides, which include a variety of things, ruling on applications by guides for areas and transfer of areas. Sitting as a jury on violations is also one of our yearly duties. The scope of this workload is not known by the board until we listen and we act on them.

Our guide board is probably different than other state boards because it works on a one-to-one basis with over 300 registered guides and over 500 assistant guides. As chairman I have been on the board since 1973 and have never missed a meeting. Our board is a very hard working board and I want everyone to know it. To give our board some accurate performance rating I would recommend that your audit department get answers to some of the following questions I pose:

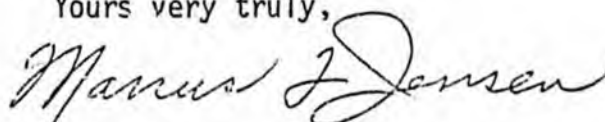
1. Is our mail answered promptly?
2. Does the board attendance show that they start at 8:30 a.m. and work a full day?
3. Does the board work evenings to expedite its workload?
4. Is the yearly workload kept current?
5. Is the board acting responsibly and consistently in judging violation cases?
6. Does the board have the respect of the heads of departments, i.e., Fish & Games Protection (and staff), Director of the Division of Occupational Licensing and staff, Governor's Office and staff, legal staff?
6. Have transcripts of meetings been checked to determine workload?
7. Does the board meet and act on emergencies?

January 18, 1982

As chairman I would like to point out that all board members have been very willing to put in extra hours when problems must be solved. Just recently the federal government passed a marine mammal bill setting forth standards for the State to meet in event of a transfer to the state. I have submitted letters to you indicating the action the board took to handle this unexpected workload and problem. I think somewhere in this audit this should be mentioned. If the board had not moved on this in the middle of the summer it would have been impossible for us to have had the meeting set up and the input from interested parties whereby guiding standards for the Arctic could have been developed. Just yesterday I was called upon by the legal staff of the State Department of Fish and Game to give them a copy of our proposed regulations, as they were needed as part of their overall marine mammal program that must be submitted to the federal government. If we had waited until now to address this problem, we would have been a year behind time.

I trust my answers to your questions will clear up the various points, but will be glad to discuss any of the above with you at your convenience.

Yours very truly,



Marcus F. Jensen, Chairman
Guide Licensing & Control Board

MFJ/cw#25K1

STATE OF ALASKA

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH D

JUNEAU, ALASKA 99811

Phone: 465-2500

February 1, 1982

RECEIVED
FEB 02 1982

LEGISLATIVE
AUDIT

Mr. Gerald Wilkerson, Director
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811-3100

Dear Mr. Wilkerson:

Thank you for the opportunity to comment on your December 21, 1981, Follow-Up Audit of the Guide Licensing and Control Board. I am pleased to concur with your conclusions that guide licensing is necessary and desirable and that the Guide Licensing and Control Board should be continued.

Before addressing the audit's specific recommendations, I would like to comment on the Board's excellent performance in the recent past. The Board has aggressively and effectively addressed problems resulting from the federal D-2 land withdrawals and the imminent transfer of administrative responsibility for the Marine Mammal Protection Act.

The Board held extensive hearings on the displacement of guides as a result of D-2 land withdrawals. The members conducted a detailed review of assigned exclusive and joint area usage. Areas of nonuse were identified. As a result, 12 previously licensed guides were able to transfer to other areas and 16 new guides were able to have areas.

In anticipation of Marine Mammal Protection Act responsibilities the Board has moved quickly to develop an effective system of licensing for arctic area residents interested in professional marine mammal hunt guiding. With the assistance of the Division of Occupational Licensing the Board secured the necessary monies from the Office of the Governor to have a meeting in Nome on November 28, 1981, to get the local feedback necessary to develop workable regulations and procedures. Assisted in these efforts by Representative Fuller, the Alaska Professional Hunters Association, the Alaska Eskimo Walrus Commission, Kawerak, Inc., the Division of Occupational Licensing, the Department of Law, the Office of the Governor, local officials and Eskimo marine mammal subsistence hunters, the Board has developed a special guide permit system for Arctic Alaska, including draft regulations, special application forms and requirements for licensure.

These efforts are continuing as the Board is focusing on local training needs and on the development of an oral exam for non-English speaking Alaska Natives.

The Board has also distinguished itself in more routine matters. The Board is recognized by the Division of Occupational Licensing as one of the hardest working licensure boards in the State. Their regular meetings often extend into the evening well beyond the scheduled eight hours. Their meetings also show better participation by the general public and the regulated industry than any other licensing board.

Board members have made themselves available to the Legislature as a resource on HB 199 and have worked on an ongoing basis with the Board of Game in the Department of Fish and Game.

The Board's recent record of disciplinary hearings is also worthy of special note. In FY '81 the Board took 35 license violations through the hearing process. Twenty-five of those cases have been totally completed with disciplinary actions taken where indicated.

With the appointment of Ed Shavings of Mekoryuk, the Board assisted in securing its first Native member from Western Alaska.

The following comments address the specific recommendations made in the audit report:

PRIOR AUDIT RECOMMENDATION NO. 1: The Guide Licensing and Control Board should seek legislation to have the guide licensing function transferred to the Department of Public Safety.

Comment: Although the Department of Commerce and Economic Development has enjoyed providing staff support to the Board in the past, and would welcome the opportunity to do so in the future, the Department has no objection to the transfer of full staff responsibilities to the Department of Public Safety.

The Department is concerned that the only substantive information provided in the report to support such a transfer is inaccurate and misleading. The audit report incorrectly indicates that license examiner "spends approximately 2/3 of her time on Guide Board related matters." In the fall of 1978 the auditor was told that the licensing examiner was spending 2/3 of her time on the Guide Board because it was renewal time and because the Guide Board meets frequently in the fall and winter and does not meet in the spring and summer when most guides are working. The auditor was told that over a year period the Guide Board occupied about 1/3 of the license examiner's time then.

At present, the Guide Licensing and Control Board occupies about 1/3 of the examiner's time over a year's period. It is still true that during the winter months and the renewal period a greater proportion of time is spent on the Guide Board. Under the present distribution of workload the License Examiner who staffs with the Guide Board also is responsible for the licensing of Marine Pilots, Concert Promoters, Geologists, Collection Agencies and Collection Agency Operators.

If the license examiner position were transferred with the licensing function to the Department of Public Safety, the other licensing responsibilities could not be redistributed among the existing staff without a significant decrease in service to the public and support to the other licensing boards. Last year the Division of Occupational Licensing was forced to absorb part of the workload of the examiner that was transferred out under similar circumstances with the establishment of the Real Estate Commission.

The Department of Commerce and Economic Development supports any move that enhances public convenience and results in greater cost efficiencies. But the audit report presents no evidence that these would be the results; and, in fact, the opposite will occur if such a move results in a loss of the position from the Division of Occupational Licensing.

PRIOR AUDIT RECOMMENDATION NO. 2: The Guide Licensing and Control Board should seek legislation to have the transporter laws repealed.

Comment: The Department and the Guide Board concur with this recommendation. The department supports the elimination of transporter licensing reflected in HB 199 which is presently under consideration in the Legislature.

PRIOR AUDIT RECOMMENDATION NO. 3: The Board should continue its efforts to make the statutes more clear, relevant and workable.

Comment: The Department concurs with this recommendation. As noted in the audit report, substantial progress is being made in this area.

PRIOR AUDIT RECOMMENDATION NO. 4: The Department of Revenue should collect fees from guides as required.

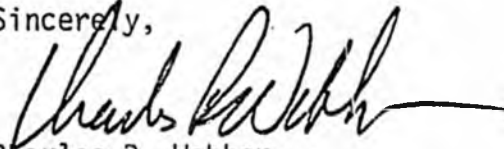
Comment: The Department of Commerce and Economic Development has no objection to this recommendation.

PRIOR AUDIT RECOMMENDATION NO. 5: The Board should establish formal goals, objectives and quantifiable measures which should be included in the Division of Occupational Licensing's (O.L.'s) budget document.

Comment: The Department of Commerce and Economic Development concurs with this recommendation. During FY '81 the Division of Occupational Licensing developed an annual report system to be used by all licensing boards to meet the planning, budgeting and reporting requirements under AS 37 and AS 08. This new procedure was based on in-house research and input from the Division of Budget and Management and the Code Revision Commission. Under this procedure each occupational licensing board will be required to submit one annual report by August. The report will cover the preceding fiscal year and will meet all the statutory planning requirements. The license examiners assigned to the boards are being trained to provide the necessary technical assistance to the boards to assure acceptable quality of the annual report document and basic usefulness of the process. If the Guide Licensing and Control Board remains in the Division of Occupational Licensing, it will participate in this uniform reporting system.

Thank you again for the opportunity to respond to the follow-up audit. If I can be of any assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles R. Webber", with a long horizontal flourish extending to the right.

Charles R. Webber
Commissioner

CRW/krb 1/1

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF REVENUE

STATE OFFICE BUILDING POUCH SA - JUNEAU 99811

February 2, 1982

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FEB 02 1982

LEGISLATIVE
AUDIT

Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

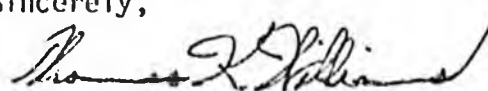
Dear Mr. Wilkerson:

This is written in response to the Preliminary Report entitled: "A Follow-up Review of the Guide Licensing and Control Board" which is dated December 21, 1981. Page 4 of the Report notes that "the Department of Revenue has developed forms and procedures to collect and account for revenue from guides as required by Statute."

However, on page 8, the Report "recommends that the Department continue their effort to improve the efficiency and accuracy of the reporting system." We agree with this recommendation. However, the Report also states on Page 8 that "Currently, the Department does not have an efficient means of performing cross checks and follow-up procedures for unreturned forms and forms that are improperly filled out." We disagree with this comment. The Departments of Public Safety and Fish and Game are contacted often to ascertain if they are applying field controls to Guides which would provide a basis for cross checking with the report content furnished by the guides. No field monitoring program has been established. As for follow-up, contact is attempted with guides who do not report promptly. Should this contact attempt fail, a hold is placed upon issuing the next year's Business License (and the guide is notified of this action) pending receipt and acceptance of the prior year report.

We believe that we are fully administering AS 16.05.340(e). Cross checking with field harvest information data will be applied should it become available.

Sincerely,



Thomas K. Williams
Commissioner
Phone (907)465-2300

TKW:PAW:11

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

AUDIT DIVISION
POUCH W—ALASKA OFFICE BUILDING

JUNEAU, ALASKA 99811

February 5, 1982

Members of the
Legislative Budget and Audit Committee:

We have reviewed the Department of Commerce and Economic Development's and the Department of Revenue's responses to our preliminary report. Our comments follow:

Prior Audit Recommendation No. 1

It is the position of Legislative Audit that transferring the guide licensing function to the Department of Public Safety would be cost efficient and more convenient for the public. The current system requires unnecessary duplication of effort by the Department of Commerce and Economic Development, Division of Occupational Licensing and the Department of Public Safety, Division of Fish and Wildlife Protection.

The Division of Fish and Wildlife Protection must obtain the guide licensing information to aide in the enforcement of the State laws and regulations governing guiding operations. Thus, it would be economical for them to perform the guide licensing function.

We concur that the current license examiner spends about one-third of her time on Guide Board related matters. Thus, if the license examiner position were transferred it would result in an increased workload for the Division's remaining staff.

Prior Audit Recommendation No. 4

We believe that the Department of Revenue is currently performing cross checks and follow-up procedures as efficiently as their current system will allow. Under the current system these procedures are performed manually and due to

time constraints some procedures cannot be performed. The Department is currently in the process of obtaining a computer system which will allow all procedures to be performed efficiently.



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

SENATE RESOURCES COMMITTEE
LEGISLATION CHECKLIST

BILL NUMBER SB 834

IDENTIFICATION:

BILL NAME: "An Act continuing the existence of the Guide Licensing and Control Board; and providing for an effective date."

SPONSOR(S): Resources

RELATED BILLS PENDING:

DATE INTRODUCED: 3/5/82

REFERRALS Resources

INITIAL RESEARCH:

INITIAL BILL SUMMARY COMPLETED

SUMMARY BY LEGAL DIVISION:
DEPT. OF LAW SUMMARY:

SPONSOR CONTACTED FOR BACKUP MATERIALS:

FISCAL NOTE:

AGENCY RESPONSE:

OTHER INTERESTED SENATORS OR REPS. NOTIFIED:

BACKGROUND RESEARCH:

SIMILAR BILLS INTRODUCED IN PREVIOUS LEGISLATURES:

RESPONSES FROM INTERESTED PERSONS AND/OR GROUPS:

OTHER STATE OR FEDERAL PRECEDENTS, REGULATIONS, LAWS:

HEARING PREPARATION:

CHAIRMAN BRIEFED:

DATE AND PLACE SET:

STAFF MEMO TO COMMITTEE:

TELECONFERENCE

BACKGROUND MATERIAL DISTRIBUTED

PSA/PRESS RELEASE

LIST OF WITNESSES:

SUGGESTED AMENDMENTS/CS DRAFTED:

Mark Jensen, Chairman - Jordan 9-745th 3-26-82
Commerce & Eco. Development (See Audit) Harry Trager Dir Occupational Licensing
Revenue (See Audit) [unclear]
Public Safety (See Audit)
3-26 Will testify from [unclear] [unclear]



Alaska State Legislature

SENATE Resources Committee

Official Business

BETTYE FAHRENKAMP, Chairman
VIC FISCHER, Vice-Chairman
BRAD BRADLEY
DICK ELIASON
DON GILMAN
BOB MULCAHY
ARLISS STURGULEWSKI

POUCH V
STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

TO: Senate Resources Committee
FROM: Senate Resources Committee Staff
RE: Committee Hearing, 3/29/82
DATE: March 26, 1982

Please find attached background information for Monday's hearing on the following two bills:

- SB 834 Continuing the existence of the Guide Licensing and Control Board.
- SB 840 Special appropriation for payment as a grant to the City of Cordova for a feasibility study of the Bering River coal field port and transportation system.

The hearing will be held at 1:30 p.m. in the Beltz Room.

LEGISLATION SUMMARY

SB 834: "An Act continuing the existence of the Guide Licensing and Control Board; and providing for an effective date."

Sec. 1: Amends existing law regarding the termination of regulatory boards, changing the termination date of the Guide Licensing and Control Board from June 30, 1982 to June 30, 1985.

Sec. 2: Immediate effective date.

SEARCH - QUERY
0000 '08.03.010'.CITATION.

AS08.03.010 DOCUMENT= 1 OF 1

HEADINGS TITLE 8.
BUSINESS AND PROFESSIONS.
CHAPTER 03.
TERMINATION, CONTINUATION AND REESTABLISHMENT OF REGULATORY BOARDS.

CITATION SEC. 08.03.010.

CATCH LINE

TERMINATION, CONTINUATION AND REESTABLISHMENT OF REGULATORY
BOARDS.

TEXT (A) BOARDS LISTED IN THIS SUBSECTION HAVE A TERMINATION DATE
OF JUNE 30, 1979:

- (1) REPEALED BY SEC. 3 CH 36 SLA 1980.
- (2) REPEALED BY SEC. 3 CH 40 SLA 1980.
- (3) REPEALED BY SEC. 3 CH 87 SLA 1980.
- (4) REPEALED BY SEC. 3 CH 74 SLA 1979.
- (5) REPEALED BY SEC. 3 CH 39 SLA 1980.
- (6) REPEALED BY SEC. 3 CH 37 SLA 1980.
- (7) REPEALED BY SEC. 3 CH 38 SLA 1980.
- (8) REPEALED BY SEC. 3 CH 41 SLA 1980.
- (9) REPEALED BY SEC. 3 CH 67 SLA 1980.
- (10) REPEALED BY SEC. 2 CH 43 SLA 1980.
- (11) REPEALED BY SEC. 3 CH 42 SLA 1980.

(B) BOARDS LISTED IN THIS SUBSECTION HAVE A TERMINATION DATE
OF JUNE 30, 1980:

- (1) REPEALED BY SEC. 15 CH 82 SLA 1980.
- (2) REPEALED BY SEC. 5 CH 159 SLA 1980.
- (3) COLLECTION AGENCY BOARD (AS 08.24.011);
- (4) REPEALED BY SEC. 5 CH 159 SLA 1980.
- (5) REPEALED BY SEC. 11 CH 71 SLA 1980.
- (6) REPEALED BY SEC. 7 CH 72 SLA 1980.
- (7) REPEALED BY SEC. 2 CH 53 SLA 1981.
- (8) REPEALED BY SEC. 8 CH 143 SLA 1980.
- (9) REPEALED BY SEC. 42 CH 167 SLA 1980.
- (10) REPEALED BY SEC. 2 CH 153 SLA 1980.
- (11) REPEALED BY SEC. 13 CH 52 SLA 1981.

(C) THE FOLLOWING BOARDS HAVE THE TERMINATION DATE PROVIDED
BY THIS SUBSECTION:

- (1) BOARD OF NURSING (AS 08.68.010) - JUNE 30, 1983.
- (2) BOARD OF CHIROPRACTIC EXAMINERS (AS 08.20.010) -
JUNE 30, 1984.
- (3) BOARD OF EXAMINERS IN OPTOMETRY (AS 08.72.010) -
JUNE 30, 1984.
- (4) BOARD OF PHARMACY (AS 08.80.010) - JUNE 30, 1984.
- (5) BOARD OF DISPENSING OPTICIANS (AS 08.71.010) JUNE
30, 1985.
- (6) BOARD OF DENTAL EXAMINERS (AS 08.36.010) JUNE 30,
1982.
- (7) BOARD OF VETERINARY EXAMINERS (AS 08.98.010) JUNE
30, 1985.
- (8) STATE PHYSICAL THERAPY BOARD (AS 08.84.010) JUNE
30, 1986.
- (9) BOARD OF NURSING HOME ADMINISTRATORS (AS 08.70.010)
- JUNE 30, 1986.

- (10) BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS (AS 08.86.010) - JUNE 30, 1982.
- (11) STATE MEDICAL BOARD (AS 08.64.010) - JUNE 30, 1983.
- (12) BOARD OF MARINE PILOTS (AS 08.62.010) - JUNE 30, 1983.
- (13) BOARD OF WELDING EXAMINERS (AS 08.99.010) JUNE 30, 1981.
- (14) BOARD OF ELECTRICAL EXAMINERS (AS 08.40.010) - JUNE 30, 1982.
- (15) STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS (AS 08.48.011) - JUNE 30, 1994.
- (16) BOARD OF BARBERS AND HAIRDRESSERS (AS 08.13.010) - JUNE 30, 1984.
- (17) BOARD OF PUBLIC ACCOUNTANCY (AS 08.04.010) JUNE 30, 1984.
- (18) REAL ESTATE COMMISSION (AS 08.88.011) - JUNE 30, 1982.
- (19) BOARD OF GOVERNORS OF THE ALASKA BAR ASSOCIATION (AS 08.08.040) - JUNE 30, 1985.
- (20) GUIDE LICENSING AND CONTROL BOARD (AS 08.54.010) - JUNE 30, 1982.
- (D) REPEALED BY SEC. 3 CH 74 SLA 1979.
- (E) REPEALED BY SEC. 3 CH 74 SLA 1979.

HISTORY

(SEC. 2 CH 149 SLA 1977; AM SECS. 1, 3 CH 74 SLA 1979; AM SECS. 1, 3 CH 36 SLA 1980; AM SECS. 1, 3 CH 37 SLA 1980; AM SECS. 1, 3 CH 38 SLA 1980; AM SECS. 1, 3 CH 39 SLA 1980; AM SECS. 1, 3 CH 40 SLA 1980; AM SECS. 1, 3 CH 41 SLA 1980; AM SECS. 1, 3 CH 42 SLA 1980; AM SECS. 1, 2 CH 43 SLA 1980; AM SECS. 1, 3 CH 67 SLA 1980; AM SECS. 10, 11 CH 71 SLA 1980; AM SECS. 6, 7 CH 72 SLA 1980; AM SECS. 2, 15 CH 82 SLA 1980; AM SECS. 1, 3 CH 87 SLA 1980; AM SECS. 7, 8 CH 143 SLA 1980; AM SECS. 1, 2 CH 153 SLA 1980; AM SECS. 2, 5 CH 159 SLA 1980; AM SECS. 41, 42 CH 167 SLA 1980; AM SECS. 1, 13 CH 52 SLA 1981; AM SECS. 1, 2 CH 53 SLA 1981)

R0601 * END OF DOCUMENTS IN LIST - ENTER RETURN OR ANOTHER COMMAND.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB 834 "An Act continuing the existence
 Title of the Guide Licensing and Control Board; et.al.
 Requested by Senate Resources Date 3-5-82

II. FISCAL DETAIL
 Agency Affected Department of Commerce & Economic Development
 Program Category Affected Public Protection
 BRU, Program, Or Subprogram(s) Affected Regulation & licensing of professions
 (Note: If more than one budget component is affected, separate line-item
 amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Funding for the Guide Licensing and Control Board is included in the FY 83 budget request.

IV. DATE March 16, 1982

PREPARED BY Marjorie Odland

AGENCY Division of Occupational Licensing

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

PHONE 465-2535

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB 834
 Title An Act Continuing the Existence of the Guide Licensing and Control Board
 Requested by the Resources Committee Date 3/15/82

II. FISCAL DETAIL
 Agency Affected Dept. of Public Safety
 Program Category Affected NRMEC
 ERU, Program, Or Subprogram(s) Affected Fish & Wildlife Protection
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						
	0	0	0	0	0	0

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						
	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE 3/15/82 PREPARED BY Colonel Robert J. Stickles
 AGENCY Dept. of Public Safety
 Original: Legislative Finance PHONE 269-5532
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

TO: Billy Berrier
Director
Legal Service

DATE: 3/3/83

FROM: Bettye Fahrenkamp
Chairman

RE: ~~Ensuring~~ the existence
of the Guide Licensing
and Control Board

A Attached is a draft ~~ensuring~~ the existence of the Guide
Licensing and Control Board.

I would appreciate you having this draft put into a final bill.
If you have any questions please contact Rasa King at 465-3834.
Please return the final bill to Senate Resources Committee, Room 211,
Capitol Building.

Attachment