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STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

ROBERT J. SUNDBERG
COMMISSIONER

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF FISH & WILDLIFE PROTECTION

P. O. BOX 6188, ANNEX
ANCHORAGE, ALASKA 99502

February 28, 1983

Clark Engel, Master Guide
4129 Lana Court
Anchorage, Alaska 99504

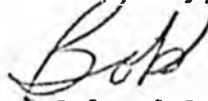
Dear Clark:

During the past few years the guiding industry through the Guide Board has made substantial improvements in cleaning up the industry and improving the image of guiding in Alaska. The Guide Board distribution of exclusive guide areas and it's thorough investigations of accusations made against members of the guiding industry have gone a long way to improving the guiding business in Alaska.

With over 1,100 licensed guides, ranging from Master Guides to Assistants it takes a well coordinated effort to ensure that the same standards are applied by the guiding industry throughout the state. The industry has an impact upon tourism and upon the image of the state of Alaska through the sportsmen that it caters to. This Board has helped standardize the practices and procedures through which the guides have operated thereby giving the guiding industry in Alaska a good image on the outside. From a law enforcement standpoint, during the past few years we have seen a steady decline in the number of guide related violations. In fact, in FY-82 of the commercial users of the resource, the guiding industry had one of the lowest of violation rates of any in the state. I think this speaks highly on the industry and this trend should be continued. Guiding has a role in Alaska and how big that role will be will depend entirely upon the activities and the image of the industry.

Clark, this isn't much but I hope this will give you and your members some idea of how I felt the industry has progressed and the usefulness of the Board during my few years of association with them.

Sincerely,



Colonel Robert J. Stickles
Director

RJS/rt

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: HB 273
 Title: "Guide Licensing & Control Board"
 Sponsor: House Resources
 Requestor: House Resources

II. FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: F&WP
 BRU, Program of Subprogram(s) Affected: Fish and Wildlife Protection

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO C FSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis No fiscal impact anticipated

Prepared By: Paul A. Conger Phone: 464-4338
 Division: Administrative Services Date: 3/21/83
 Approved by Commissioner: [Signature] Date: 3/21/83
 Department: Public Safety

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

STATE OF ALASKA
FISCAL NOTE

Revision Date March , 1983

I. REQUEST

Bill/Resolution No.: HB 273
 Title: An Act continuing the Guide Licensing
 Sponsor: Resources Committee & Control Bd.
 Requestor: _____

II. FISCAL DETAIL

Agency Affected: Commerce & Econ. Development
 Program Category Affected: Public Protection
 BRU, Program of Subprogram(s) Affected: Licensing Boards

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	18.0	19.0				
CAPITAL						
REVENUE	* 38.8					

FUNDING: (Thousands of Dollars)

GENERAL FUND	18.0	19.0				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Harry D. Treaner, Director
 Division: Occupational Licensing

Phone: 465-2534

Date: 3-22-83

Approved by Commissioner: Richard A. Lyon
 Department: Commerce & Economic Development

Date: 3/22/83

Distribution:

- Original to Legislative Finance
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- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

HB 273: FISCAL NOTE ANALYSIS

Expenditures are those funds allocated for board per diem and travel only, under the division's budget - Licensing Boards component.

Additional expenditures in support of the board are allocated through the Administrative component of the division's budget. The licensing examiner assigned to the Guide Board serves two other licensing boards in addition to the Guide Licensing and Control Board.

The legislation, as written, will not add a fiscal impact.

Funding for the board has been included in the FY '84 request.

HB 273 "An Act continuing the Guide Licensing and Control Board, and authorizing the board to license marine mammal guides."

SHORT SECTIONAL ANALYSIS

Section 1 simply extends the sunset date on the board from June 30, 1982 to June 30, 1986. The board was extended last year in SB 834, but the bill was vetoed by the Governor because it contained certain unrelated language regarding the validity of regulations promulgated by the administration. Governor Hammond saw the additional section as an invasion of the separation of powers provision of the Constitution.

Technically, the board sunsetted at the end of the last fiscal year, and is now in its wind-down year. Unless the legislature extends its life, it will completely cease to function on June 30.

Section 2 would allow the Guide Licensing and Control Board to take on marine mammal guiding, for which it has already adopted the necessary regulations. It is anticipated that at some point in the next few years the state will regain management authority over marine mammals from the federal government, and it would be helpful to have in place the necessary statutes and regulations to manage the guiding industry on those species.

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

Cross references. — As to constitutionality of ch. 102, SLA 1970, see notes to AS 09.55.536 and Alas. Const., art. II, § 14.

Chapter 03. Termination, Continuation and Reestablishment of Regulatory Boards.

Section	Section
10. Termination dates for regulatory boards	20. Procedures governing termination, transition and continuation

Cross references. — As to review of the activities of agencies, boards and commissions, see AS 44.66.010 et seq.

Sec. 08.03.010. Termination dates for regulatory boards. (a) Boards listed in this subsection have a termination date of June 30, 1979:

- (1) Repealed by § 3 ch 36 SLA 1980.
- (2) Repealed by § 3 ch 40 SLA 1980.
- (3) Repealed by § 3 ch 87 SLA 1980.
- (4) Repealed by § 3 ch 74 SLA 1979.
- (5) Repealed by § 3 ch 39 SLA 1980.
- (6) Repealed by § 3 ch 37 SLA 1980.
- (7) Repealed by § 3 ch 38 SLA 1980.
- (8) Repealed by § 3 ch 41 SLA 1980.
- (9) Repealed by § 3 ch 67 SLA 1980.
- (10) Repealed by § 2 ch 43 SLA 1980.
- (11) Repealed by § 3 ch 42 SLA 1980.

(b) Boards listed in this subsection have a termination date of June 30, 1980:

- (1) Repealed by § 15 ch 82 SLA 1980.
- (2) Repealed by § 5 ch 159 SLA 1980.
- (3) Collection Agency Board (AS 08.24.011) (obsolete);
- (4) Repealed by § 5 ch 159 SLA 1980.
- (5) Repealed by § 11 ch 71 SLA 1980.
- (6) Repealed by § 7 ch 72 SLA 1980.
- (7) Repealed by § 2 ch 63 SLA 1981.
- (8) Repealed by § 8 ch 143 SLA 1980.
- (9) Repealed by § 42 ch 167 SLA 1980.
- (10) Repealed by § 2 ch 153 SLA 1980.
- (11) Repealed by § 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, 1986.

(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 (obsolete).

(14) Board of Electrical Examiners (AS 08.40.010) — June 30, 1986.

(15) State Board of Registration for Architects, Engineers, and Land Surveyors (AS 08.45.011) — June 30, 1984.

(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, 1986.

(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 § 3 ch 74 SLA 1979.

(e) Repealed by § 3 ch 74 SLA 1979; (§ 2 ch 149 SLA 1977, am §§ 1, 3 ch 74 SLA 1979; am §§ 1, 3 ch 36 SLA 1980; am §§ 1, 3 ch 37 SLA 1980; am §§ 1, 3 ch 38 SLA 1980; am §§ 1, 3 ch 39 SLA 1980; am §§ 1, 3 ch 40 SLA 1980; am §§ 1, 3 ch 41 SLA 1980; am §§ 1, 3 ch 42 SLA 1980; am §§ 1, 2 ch 43 SLA 1980; am §§ 1, 3 ch 67 SLA 1980; am §§ 10, 11 ch 71 SLA 1980; am §§ 6, 7 ch 72 SLA 1980; am §§ 2, 15 ch 82 SLA 1980; am §§ 1, 3 ch 87 SLA 1980; am §§ 7, 8 ch 143 SLA 1980; am §§ 1, 2 ch 153 SLA 1980; am §§ 2, 5 ch 159 SLA 1980; am §§ 41, 42 ch 167 SLA 1980; am §§ 1, 13 ch 52 SLA 1981; am §§ 1, 2 ch 53 SLA 1981; am § 1 ch 28 SLA 1982; am § 1 ch 60 SLA 1982; am § 1 ch 96 SLA 1982)

Revisor's notes. — Subsection (c) was renumbered by the revisor of statutes pursuant to AS 01.05.031 to conform to a logical arrangement of the subject matter.

Cross references. — For present provisions covering the subject matter of subsection (c) as it read prior to the 1979 amendment and of former subsections (d) and (e), see AS 08.03.020.

Effect of amendments. — The 1979 amendment repealed paragraph (4) of subsection (a), which read "Board of Nursing (AS 08.68.010)," renumbered subsection (c), and repealed subsections (d) and (e), which read "The termination, dissolution, continuation or reestablishment of a regulatory board shall be governed by the legislative oversight procedures of AS

for shipping to its destination for the purpose of human consumption. If the meat is delivered to a person other than the person who took the animal, a signed and dated statement or receipt stating the kind and quantity of meat received in approximate pounds or named portions of the carcass must be obtained from the recipient and presented upon request to any officer authorized to enforce this chapter. (Eff. 6/28/74, Reg. 50)

Authority: AS 08.54.050

12 AAC 38.120. COOPERATION WITH OFFICIALS. Failure on the part of a guide to assist the Departments of Fish and Game and Public Safety in determining the truth of any statements reported in accordance with 12 AAC 38.030 - 12 AAC 38.180 is considered a violation of ethical conduct. (Eff. 6/28/74, Reg. 50)

Authority: AS 08.54.050

12 AAC 38.130. REQUIREMENT FOR AN ASSISTANT GUIDE LICENSE. Repealed 5/12/79.

12 AAC 38.140. REQUIREMENTS FOR A REGISTERED GUIDE LICENSE. In addition to the requirements of AS 08.54.110, to be qualified for a registered guide license, a person must

(1) demonstrate to the board that he has spent 90 days in the field acting as an assistant guide as certified by the master or registered guides who employed him;

(2) not have violated a federal or state sport fish, game or guide statute or regulation or engaged in unethical activity, unsafe activity or activity which adversely affects the natural resources of the state for the preceding five years. (Eff. 6/28/74, Reg. 50)

Authority: AS 08.54.050
AS 08.54.110(12)

12 AAC 38.150. REQUIREMENTS FOR A MASTER GUIDE. In addition to the requirements of AS 08.54.100, to be qualified for a master guide license a person must have acted as a registered guide for 12 consecutive years. (Eff. 6/28/74, Reg. 50)

Authority: AS 08.54.050
AS 08.54.100(5)

12 AAC 38.155. REQUIREMENTS FOR MARINE MAMMAL GUIDE LICENSE. (a) To help provide economic opportunity for residents of rural coastal Alaska who engage in subsistence uses of marine mammals, the board will, in its discretion, issue a marine mammal guide license to an applicant who meets the following criteria:

(1) is at least 21 years old;

(2) has legally hunted marine mammals during each of at least 10 years, in a manner directly contributing to his experience and competency as a marine mammal guide;

(3) is physically able to perform the services of a marine mammal guide;

(4) demonstrates to the board sufficient standards of competence and ethical conduct and has not been convicted of a crime of moral turpitude;

(5) passes a qualification examination approved by the board and administered by the board or its agent, which covers the following areas:

(A) fishing, hunting, and guiding regulations;

(B) relevant characteristics of marine mammals;

(C) relevant characteristics of the ice, ocean, currents, and weather;

(D) field preparation of trophies;

(E) care of meat;

(F) firearms safety;

(G) practical first aid;

(H) photography; and

(I) booking and contracting guided hunts.

(b) A marine mammal guide will be authorized only to contract for and conduct guided hunts for species of marine mammals and in geographic areas of the state designated by the board.

(c) No marine mammal guide may contract for, or guide, more than two hunters in the field on any one hunt.

(d) A marine mammal guide must comply with AS 08.54 and 12 AAC 38. (Eff. 10/15/82, Reg. 84)

Authority: AS 08.54.040(a) and (b)
AS 08.54.050

12 AAC 38.156. REQUIREMENTS FOR ASSISTANT MARINE MAMMAL GUIDE LICENSE. (a) To help provide economic opportunity for residents of rural coastal Alaska who engage in subsistence uses of marine mammals, the board will, in its discretion, issue an assistant marine mammal guide license to an applicant who meets the following criteria:

- (1) is at least 19 years old;
- (2) has legally hunted marine mammals during each of at least seven years, in a manner directly contributing to his experience and competency as an assistant marine mammal guide;
- (3) is physically able to perform the duties of an assistant marine mammal guide; and
- (4) demonstrates to the board sufficient standards of competence and ethical conduct and has not been convicted of a crime of moral turpitude.

(b) No assistant marine mammal guide may

- (1) book or contract for a guided marine mammal hunt;
- (2) conduct a guided hunt for marine mammals; or
- (3) guide for a marine mammal, unless under the immediate supervision of a licensed marine mammal guide. (Eff. 10/15/82, Reg. 84)

Authority: AS 08.54.040(a) and (b)
AS 08.54.050

12 AAC 38.160. IMPROPER CERTIFICATION. No master or registered guide may improperly certify that a person has met the qualifications for a guide license. (Eff. 6/28/74, Reg. 50)

Authority: AS 08.54.050

12 AAC 38.170. IMPROPER REPORTING. No guide may knowingly falsify any information required to be set out on any form required by the Alaska Department of Fish and Game or the Guide Licensing and Control Board. (Eff. 6/28/74, Reg. 50)

Authority: AS 08.54.050

12 AAC 38.175. EMPLOYMENT AND SUPERVISION OF ASSISTANTS. A registered or master guide may employ an unlimited number of registered, master, or class A guides to assist in his guiding operation; a registered or master guide may employ or have under his supervision an unlimited number of employees and helpers who hold assistant guide licenses, but not more than three employees may act in the capacity of, or be employed as, assistant guides at the same time by the same registered or master guide. No assistant guide employed or acting in a capacity other than as assistant guide may count any period of such other employment toward qualification for a registered, master or class A guide license. (Eff. 6/15/80, Reg. 74)

Authority: AS 08.54.210(a)(6)
AS 08.54.050
AS 08.54:040(a)(2)

12 AAC 38.180. GUIDING ETHICS. Unethical activity includes, but is not limited to

- (1) not fully cooperating with state and federal wildlife officials or not abiding by and advising clients and personnel of all applicable conservation and game laws and regulations or condoning their violation;
- (2) misrepresenting or not clearly defining rates, accommodations and services to prospective clients prior to booking and acceptance of deposit, or otherwise misleading prospective clients through false or fictitious advertising;
- (3) being unwilling or incapable of making financial restitution to a client for any breach of

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
POSITION PAPER


HB 273: "An Act continuing the Guide Licensing and Control Board, and authorizing the board to license marine mammal guides; and providing for an effective date."

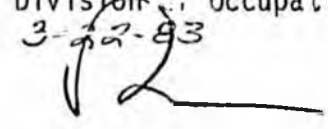
The Department of Commerce and Economic Development supports the continuation of the Guide Licensing and Control Board and the addition of licensing and regulating functions for marine mammal guides to the board.

In 1982, legislation to continue the board was passed by the Legislature and was subsequently vetoed by the Governor. The veto was due to language that "violated the constitutional separation-of-powers doctrine and determined to violate Article III, sections 1, 16 and 24 of the Alaska Constitution by infringing upon the inherent authority of the Guide Board to adopt interpretative regulations to execute AS 08.54." (Letter from Governor Hammond to Senate President Jalmar Kerttula, dated June 24, 1982.) This language is not in SB 138.

The board has responsibly addressed issues that concern licensed professional guides and the protection of resources. Two major issues which involved the board were land withdrawals under D2 and their effects on the guiding industry, and the preparation of a licensing program in anticipation of the Federal Government returning marine mammal protection and management to State jurisdiction. A marine mammal guide licensing program, including an examination (both oral and written), has been formulated and administered on a trial basis. The board held meetings in Western Alaska, and worked with Native representatives from the Arctic villages to establish the program.

The Alaska Professional Hunters Association also supports continuation of the Guide Licensing and Control Board.


Harry D. Seager, Director
Division of Occupational Licensing
3-22-83


Richard A. Lyon, Commissioner
Department of Commerce and
Economic Development

3/22/83

GUIDE LICENSING AND CONTROL BOARD STATISTICS

I. NUMBER OF CURRENT LICENSEES BY TYPE OF LICENSE - 12/31/82

Assistant Guide		666
Class A Assistant Guide		122
Registered Guide		346
Master Guide		41
	Subtotal	<u>1,175</u>
Transporter		75
	Total	<u>1,250</u>

II. HEARINGS FOR LICENSE VIOLATIONS AND AREA NONUSE (FY '82)

	<u>Lic.</u>	<u>Area</u>
Pending	4	17
Opened	6	44
Held	9	49
Completed	8	46
	5 Revoked	
	1 Suspended	
	1 Denied	
	1 Approved	
	<u>8</u>	

III. NUMBER OF LICENSES ISSUED BY FISCAL YEAR BY TYPE OF LICENSE

<u>YEAR</u>	<u>MASTER</u>	<u>REGISTERED</u>	<u>CLASS A</u>	<u>ASSISTANT</u>	<u>TRANSPORTER</u>
1973	11	397*	126*	735*	---
1974	17	*	*	*	---
1975	1	*	*	*	---
1976	3	11	40	202	---
1977	4	18	23	109	6**
1978	4	18	18	112	47
1979	2	18	9	135	24
1980	2	16	12	151	15
1981	2	21	11	123	32
1982	<u>1</u>	<u>26</u>	<u>6</u>	<u>124</u>	<u>26</u>
TOTALS	47	525	245	1,691	150

* Figures for 1973-5 merged

** Licensing of transporters began in FY '77

IV. EXCLUSIVE AREAS

There are 466 exclusive areas statewide.

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF FISH & WILDLIFE PROTECTION

BILL SHEFFIELD, GOVERNOR

ROBERT J. SUNDBERG
COMMISSIONER

P. O. BOX 6188, ANNEX
ANCHORAGE, ALASKA 99502

February 4, 1983

Paul Conger
Legislative Aide
Department of Public Safety
450 Whittier Street
Juneau, Alaska 99801

Dear Paul:

This is in response to the request by the House Resource Committee for information on the hunting and fishing guides in the State of Alaska.

In regards to fishing guides we have numerous individuals who provide charter and commercial fishing trips throughout the state, however, there is only one area within the state that has specific regulations relating to sport fishing guides, and that is on the Kenai River, located on the Kenai Peninsula. I am enclosing a copy of the codification of Register 82, 5 AAC 56.036, Kenai River Guiding Requirements. The sport fish guides on the Kenai River are required to maintain logs and provide information on their trips, however, reporting of monetary remuneration is not required.

It is estimated that a guided sport fish trip on the Kenai River costs approximately \$80.00 to \$100.00 per person.

The following information pertains to the sport fish guides who registered with the Department of Fish and Game in 1982, the first year of the regulation being in effect.

- 207 Sport fish guides who registered and were issued log books
- 43 Did not actually fish - no logs
- 56 Sport fish guides who took 50 or more clients
- 125 Separate sport fish guide business, with one or more guides employed
- 179 Boats registered by guides

There were approximately 24,880 man days of sport fishing efforts by the guides and clients on the Kenai River in 1982.

It is a requirement for game guides to submit a statement of financial remuneration report that does reflect the name of the client(s) who was/were guided. Enclosed is a blank statement of a financial remuneration form that shows the required information that must be submitted on all guided hunts.

There is no requirement that a guide must show the amount of monetary remuneration received from a client for the guide service provided.

There is a space provided on the form that the guide must mark to indicate if financial remuneration was or was not received from a client.

We have the following classification and numbers of guides in the state of Alaska as of this date.

Master Guides	41
Registered Guides	346
Class A Assistant Guides	122
Assistant Guides	666

In 1981 there were approximately 1120 non-resident clients and 350 non-resident alien clients who were provided guide service.

In 1980 there were a combined total of 1600 non-resident and non-resident alien clients provided with guide service. We have not had an opportunity to compile the number of clients receiving guide service for 1982.

The following information is an estimated high and low cost that a guide charges for the animal hunted by a client.

Sheep	\$4,500 to \$5,500
Moose	\$3,000 to \$4,000
Caribou	\$1,500 to \$2,500
Black Bear	\$1,500 to \$2,500
Brown Bear	\$5,000 to \$9,000

There are some guides who will charge a client a lesser overall price for a combination hunt as when compared to a single animal hunt. For more information on prices we suggest contacting the Alaska Professional Hunters Association.

Paul Conger

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February 4, 1983

If we can be of further assistance to you on this matter, please let us know.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. R. Nutgrass".

Captain James R. Nutgrass
Operations Commander

JRN/rt
Attachment

A M E N D M E N T

Offered in the HOUSE

By Fuller

TO: HB 273

Page 1, after line 16, insert:

"* Sec. 3. AS 16.05.408(a) is amended to read:

(a) It is a class A misdemeanor for a nonresident alien to hunt, pursue, or take walrus unless personally accompanied by a licensed marine mammal guide, or a big game animal as defined by the Board of Game unless personally accompanied by a [PERSON WHO IS] licensed [AS A] master guide, registered guide, or class-A assistant guide under AS 08.54."

Renumber remaining section.

FROM MARC JENSEN

SENATE BILL 138 EXTENDS THE GUIDE LICENSING & CONTROL BOARD FOR ANOTHER" FOUR YEARS. I WOULD URGE ITS PASSAGE FOR THE FOLLOWING REASONS: TESTIMONY BEFORE OUR SENATE COMMITTEE SHOWED THE PROFESSION IS A VERY VIABLE INDUSTRY GENERATING \$20 MILLION INTO THE ECONOMY. IN MANY RESPECTS, IT IS A FACTOR OF THE TOURIST TRADE. THE HUNTER CLIENT SPENDS MONEY FOR TRAVEL, HOTEL, SPECIAL GIFTS, AND STATE LICENSES AND GAME TAGS. THE NON-RESIDENT LICENSE MONEY IS USED ON A 4 TO 1 MATCHING PROGRAM UNDER THE FEDERAL PITTMAN-ROBINSON ACT. THE MONEY HAS FUNDED 80 TO 90% OF STATE PROGRAMS.

THE GUIDE BOARD HAS BEEN INEXISTENCE FOR TEN YEARS. IT HAS ACCOMPLISHED MANY THINGS. IT HAS DEVELOPED A HIGH STANDARD OF PERFORMANCE. IN DOING SO IT HAS REVOKED OVER 25 GUIDE LICENSES. MANY OF THESE WERE SOME OF THE BIG OPERATORS IN THE STATE. THE INDUSTRY HAS BECOME VERY CONSERVATION MINDED AND HAS WORKED CLOSELY WITH BOTH THE DEPARTMENT OF GAME AND THE FISH AND WILDLIFE PROTECTION.

THE BOARD HAS ESTABLISHED ORDER BY HAVING BOUNDARIES IN WHICH THE GUIDE MUST WORK. THIS HAS ELIMINATED CONFLICT IN THE FIELD.

THE BOARD HAS HELD HEARINGS AND WORKED CLOSELY WITH THE WALRUS COMMISSION TO DEVELOP REGULATIONS FOR LICENSING MARINE MAMMAL GUIDES. THE STATE IS IN THE PROCESS OF TAKING OVER MANAGEMENT AND WHEN THIS HAPPENS IT WILL BE A BIG HELP IN SUPPLEMENTING THE ARCTIC ECONOMY.

TESTIMONY WAS RECEIVED FROM NEW AND YOUNG GUIDES, THAT THE PROGRAM IS WORKING AND THEY HAVE AN OPPORTUNITY TO WORK INTO THE SYSTEM.

I URGE THE PASSAGE OF S.B. 138.



GUIDED TOURS FOR
WALRUS - MUSK OX
SPORT FISHING
PHOTOGRAPHY ADVENTURES

Nunivak Island Guide Service

Ed J. Shavings, Sr.
Registered Alaskan Guide

ASSISTANT GUIDES

Chuck Shavings

Tom G. Amos

P.O. BOX 31

MEKORYUK, ALASKA 99630

March 17, 1983



MEMBER
A.P.H.A. - NRA
S.C.I.

Associates
L & S OUTFITTERS

Rep. Ringstead, Co-Chairman
House of Resource Committee
Pouch V
Juneau, Alaska 99811

Dear Rep. Ringstead:

This is to let you know that I am fully supporting Guide Bill 138 in the House.

I would like to see continuation of the Guide Board in the State we live in today as with out Guide Board, guiding in Alaska will not function right.

Being Arctic representative I have been working hard to get Sea Mammal Guides started in coastal areas for walrus and Polar bear hunting.

There are many Ivory carvers in coastal areas, but there are good hunters who needs to be licensed to become Sea Mammal Guides.

Sincerely yours,

Edward J. Shavings, Sr.
Edward J. Shavings, Sr.

Arctic Representative for
Alaska Professional Hunter's Association

CHAPTER 7
GUIDE LICENSING

Article

1. Examinations (12 AAC 38.010)
2. Guide Register (12 AAC 38.020)
3. General Provisions
(12 AAC 38.030-12 AAC 38.190)

ARTICLE 1.
EXAMINATIONS

Section

10. Examinations

12 AAC 38.010. EXAMINATIONS. (a) The application for a guide examination must be made at least five months before the examination date on a form provided by the board. The application for examination shall include a listing of all hunters the applicant has guided or assisted in guiding during his apprenticeship and a letter of recommendation from any registered or master guide for whom he has worked.

(b) Guide examinations will be administered by the board or its authorized representatives at times and places as announced by the board.

(c) The registered guide examination will consist of a written and an oral portion; successful completion of the written portion is a prerequisite to eligibility to take the oral portion. The registered guide examination will be designed to reveal the qualifications of the candidate to engage in guiding in the district of his choice; however, an applicant who, because of a language barrier, is unable to read and competently understand the English language may be excused from taking the written examination, and may be issued a license based on successful completion of the oral portion of the examination and demonstration of his capabilities and experience. Failure to achieve a passing score of at least 80 percent on either the written or oral portion of the examination constitutes a failure of the entire examination. A candidate receiving a failing score is not eligible to be re-examined for six months from the date of the last examination, and must retake both the written and oral portions of the examination (unless excused from the written portion as provided in this subsection).

(d) A person contesting the results of any portion of the registered guide examination shall direct his appeal and the grounds for it in writing to the Chairman, Guide Licensing and Control Board, Department of Commerce and Economic Development, Division of Occupational Licensing, Pouch D, Juneau, Alaska 99811, within 15 days after written notice was personally served or mailed to the applicant. (Eff. 6/26/74, Reg. 50; am 6/15/80, Reg. 74; am 3/28/82, Reg. 81)

Authority: AS 08.54.040(1) and (2)
AS 08.54.050
AS 08.54.110(5)

ARTICLE 2.
GUIDE REGISTER

Section

20. Guide register

12 AAC 38.020. GUIDE REGISTER. (a) On December 31 of the register year, the names of all persons holding a master guide or registered guide license shall be entered by the board, on a register maintained by the board and shall be published for distribution to the public.

(b) All guides shall advise the board of their current address and all changes of address. (Eff. 6/28/74, Reg. 50; am 2/25/77, Reg. 61)

Authority: AS 08.54.040(a)(4) and (5)
AS 08.54.050

ARTICLE 3.
GENERAL PROVISIONS

Section

30. Licenses
40. Restriction to districts
50. (Repealed)
51. Guiding area permits
52. Use of a guiding area assigned to another guide
53. Application and qualification for guiding area permit
54. Reassignment of guiding area permit
55. Death or mental incapacity of guiding area permit holder
56. Changes to guiding area permits
57. Minimum use of guiding area
58. Grounds for revocation or suspension of a guiding area permit
60. Statement of financial remuneration
70. Responsibility of guide to his client

- 80. Survival gear
- 90. Presence of guide required
- 100. Taking of game by guides
- 110. Transporting meat
- 120. Cooperation with officials
- 130. (Repealed)
- 140. Requirements for a registered guide license
- 150. Requirements for a master guide
- 155. Requirements for marine mammal guide license
- 156. Requirements for assistant marine mammal guide license
- 160. Improper certification
- 170. Improper reporting
- 175. Employment and supervision of assistants
- 180. Guiding ethics
- 190. Definitions

12 AAC 38.030. LICENSES. (a) A person must purchase his registered guide license within one year of passing the guiding examination or his eligibility lapses

(b) An application for a guide license shall be made to the Division of Occupational Licensing, Department of Commerce, Pouch D, Juneau, Alaska 99811. (Eff. 6/28/74, Reg. 50)
Authority: AS 08.54.050

12 AAC 38.040. RESTRICTION TO DISTRICTS. (a) A guide may conduct guiding activities only in districts for which he is certified.

(b) Twenty-six guide districts are established and defined as being identical to those areas described as game management units by the Board of Fish and Game in 5 AAC 90.010, as of January 1, 1974, with the addition of the following subdistrict:

(1) repealed 6/15/80;

(2) repealed 6/6/79;

(3) 27 - Arctic Coastal, consisting of all land, including islands, and waters within the jurisdiction of the State of Alaska extending seaward from a point one mile inland from the mean high tide line north of 58° North latitude, beginning at the mouth of the King Salmon River near Egegik and extending northward-

around the western and northern Alaska coastline to the eastern boundary of District 26. This district is designated for the hunting of marine mammals exclusively. "Marine mammals" means those mammals identified by the Alaska Board of Game as marine mammals.

(c) A guide licensed under AS 08.54 as of June 28, 1974 is restricted to certification to guide in those districts for which he was certified on that date. A guide licensed or entitled to renewal under AS 08.54 as of April 11, 1980 and certified in Districts 18, 18A, 22, 23, or 26 is hereby certified for Unit 27.

(d) Except as provided in (c) above, no guide may be certified for more than three districts, in addition to District 27.

(e) A master guide or registered guide may serve as a class A assistant guide in districts for which he is not certified.

(f) Notwithstanding any provision of this section, a guide may petition the board for a transfer of certification to another district if he demonstrates to the satisfaction of the board

(1) that he will incur substantial hardship if a transfer is not permitted as evidenced by

(A) substantial land withdrawals from hunting within his district;

(B) significant reclassifications of land within his district;

(C) depletion of game as evidenced by actions of the Department of Fish and Game; or

(D) other demonstrations of hardship; and

(2) that he is qualified to guide in the district to which he wishes to be transferred. (Eff. 6/28/74, Reg. 50; am 2/25/77, Reg. 61; am 6/6/79, Reg. 70; am 6/15/80, Reg. 74; am 3/28/82, Reg. 81)

Authority: AS 08.54.040(a)(3) and (6)
AS 08.54.050

12 AAC 38.050. REGISTRATION OF MAIN CAMP. Repealed 5/12/78.

12 AAC 38.051. GUIDING AREA PERMITS.
(a) Guiding area permits will be issued by the board to guides qualifying under 12 AAC 38.053 and 12 AAC 38.054 for exclusive or joint use of a specified area in order to limit the number of guides allowed to guide for big game animals in that area.

(b) The board will determine the size, boundaries and number of guiding areas assigned to a master or registered guide and is not limited by number or boundaries of guide districts that may be included. In determining the size and boundaries of a guiding area, the board will consider, but is not limited to, the following criteria:

(1) size and boundaries applied for by the guide applicant;

(2) abundance and distribution of game populations in the area and adjacent areas that may be affected, and the ability of these populations to sustain guiding pressures;

(3) historical or customary methods of hunting big game in the area such as hunting on foot, on horseback, with aircraft, or by other means;

(4) value and location of applicant's investments in the area;

(5) likely impact of the applicant's guiding business on other guides in joint use or in adjacent areas;

(6) applicant's past use of and experience in the area;

(7) applicant's local residency;

(8) availability of alternative areas and applicant's dependence on guiding in the requested area;

(9) effect of hunting and land use regulations in that area.

(c) Each guiding area will be assigned a unique identification code.

(d) Notwithstanding any other provisions of this section, no new exclusive guiding area permits will be issued for District 27, as defined in 12 AAC 38.040(a)(3); however, this subsection does not affect valid existing guiding area permits issued for Nunivak Island before March 1, 1981.

(e) An applicant who is aggrieved by a board decision regarding the size or boundaries of a guiding area is entitled to a hearing under AS 44.62.370 to review the board's action; a hearing must be requested within 15 days after the guide receives written notice of the board's action. (Eff. 5/12/78, Reg. 66; am 6/27/81, Reg. 78)

Authority: AS 08.54.040(a)(3),(6) and (8)
AS 08.54.050

12 AAC 38.052. USE OF GUIDING AREA ASSIGNED TO ANOTHER GUIDE. (a) No guide may contract for or conduct a guided big game hunt in an exclusive guiding area not assigned to him by the board without first obtaining written permission from the guide to whom the guiding area is assigned.

(b) No guide may conduct a guided big game hunt in a joint-use guiding area not assigned to him by the board without first obtaining written permission from each joint-use permit holder.

(c) As used in this section, the "written permission" must include the following information:

(1) dates for which the permission is valid;

(2) species and number of big game animals to be hunted;

(3) date permission is signed and signature of each person holding a permit for the area.

(d) The written permission required in (a) and (b) of this section must be approved as provided in (c) of this section and at all times during the hunt a copy must be on the person of the guide conducting the big game hunt or in the base camp from which the hunt is conducted, and be on the person of each employee of each master or registered guide operating in the guide area.

(e) No guide may lease or rent a guide to another guide for monetary or material gain. The only lawful reasons for allowing use of another's area are the following:

(1) the guide seeking to grant permission to another is unable to conduct a contracted hunt due to physical or mental incapacity;

(2) a state or federal law or regulation adopted not more than nine months before the date of proposed use has closed or otherwise restricted hunting in the guiding area of the guide seeking use of another's area, making guiding in his own area infeasible; or

(3) migration or movement of caribou out of a guide's own area necessitates guiding in another's area.

(f) Each guide who gives written permission to another to use his exclusive or joint-use guiding area, may be held equally responsible with the guide receiving the permission, in a hearing before the board for revocation of the permit, for any violations in or misuse of the guiding area committed during the time authorized in the written permission. (Eff. 5/12/78, Reg. 66; am 10/11/81, Reg. 80; am 10/15/82, Reg. 84)

Authority: AS 08.54.040(a)
AS 08.54.050

12 AAC 38.053. APPLICATION AND QUALIFICATION FOR GUIDING AREA PERMIT.

(a) An applicant for initial issuance of a guiding area permit must, at the time of application and at the time the application is reviewed by the board, be a registered or master guide in good standing and must be certified in the district or districts in which the applied-for guiding area is located. If civil or criminal charges for violation of a state or federal sport fish, game, or guiding law or regulation are pending against a guide at the time the board is to review the application, the board may defer action on the application until conclusion of the civil or criminal action.

(b) In order to be considered, an applicant must submit to the board, on or before the published deadline, an application which describes the proposed geographic boundaries of the guiding area being applied for and a 1:250,000 scale map showing the proposed boundaries.

(c) Each application must include satisfactory documentation of the applicant's past use, occupancy, or financial investment in the guiding area applied for. The application may include other relevant information if it is substantiated by satisfactory documentation.

(d) The board will, in its discretion, issue a permanent guiding area permit to a qualified applicant who can substantiate his use, occupancy, or financial investment in the guiding area for at least three of the five years immediately preceding the published deadline for filing the application for that particular unit. The board will, in its discretion, issue a temporary guiding area permit to a qualified applicant who can substantiate his use, occupancy or financial investment in the guiding area for at least two of the five years immediately preceding the published deadline for filing the application for that particular unit. In determining whether to issue a guiding area permit, the board will give preference to qualifying guides whose permanent residence is within the district in which the area is located and will consider criteria including the following:

(1) ability of the area to sustain an additional guided hunting operation, in terms of game populations, terrain, methods of hunting, and use by other guides or hunters; and

(2) amount of investments in the applied-for area, and length of use in the district.

(e) The holder of a temporary guiding area permit may apply for a permanent permit after one additional year of use, in the temporary guiding area.

(f) The board will not issue to a master or registered guide more than three exclusive or joint-use guide area permits, either on a temporary or permanent basis.

(g) In this section, "use" means conducting guided hunts as a registered or master guide in the district in which the applied-for area is located, as evidenced by statements of financial remuneration submitted to the board under 12 AAC 38.060(b). (Eff. 5/12/78, Reg. 66; am 10/15/82, Reg. 84)

Authority: AS 08.54.040(a)
AS 08.54.050

12 AAC 38.054. REASSIGNMENT OF GUIDING AREA PERMIT. (a) Guiding area permits are not transferable by the permit holder. The board will, in its discretion, reassign a guiding area permit

(1) upon the death of the permit holder or upon a judicial determination that the permit holder is mentally incompetent;

(2) upon revocation or suspension of a guiding area permit;

(3) if the permit holder voluntarily relinquishes the guiding area permit; and

(4) upon application for reassignment.

(b) Under (a)(4) of this section, a permit holder may apply to the board for reassignment of his or her guiding area permit to a designated master or registered guide; the application must be made jointly by the permit holder and the designated master or registered guide. Approval of the reassignment will be given only upon a finding by the board, after notice and opportunity for a hearing, that the designated registered or master guide is qualified to guide in the area, is certified in the district or districts in which the applied-for guiding area is located, and that the reassignment is consistent with the public interest. The board will consider the designated master or registered guide's past use, occupancy, or financial investment in the guiding area and other relevant and reliable information in determining whether the designated master or registered guide is qualified.

(c) Except as otherwise provided in this chapter, an applicant for a guiding area permit which is to be reassigned must meet the requirements of 12 AAC 38.053(a) and make application in the manner prescribed for initial issuance of a guiding area permit.

(d) If an applicant cannot establish past use of the guiding area to be transferred or is not certified in the district or districts in which the guiding area is located, the board will consider experience and current use in another area of similar terrain if the applicant can establish to the satisfaction of the board that he or she is competent because of other relevant factors to conduct guiding activities in the guiding area.

(e) The board will consider the recommendations of the prior holder of the guiding area permit to be reassigned and will, in areas of joint use, consider the recommendations of the other holders of permits for the guiding area.

(f) When an area has been revoked or suspended under (a)(2) of this section, the area is closed to all guided hunting until it is reassigned. (Eff. 5/12/78, Reg. 66; am 10/15/82, Reg. 84)

Authority: AS 08.54.040(a)
AS 08.54.050

12 AAC 38.055. DEATH OR MENTAL INCAPACITY OF GUIDING AREA PERMIT HOLDER. (a) Upon the death of a holder of a

guiding area permit, the board will, in its discretion, grant a waiver, for a time specified by the board, of the requirements of 12 AAC 38.057 if application is made by the estate within 90 days after death. Failure to make application within 90 days is considered a voluntary relinquishment of the permit. At any time during the period of the waiver, an heir may apply to the board for a reassignment of the permit to a person designated by the heir.

(b) Upon a judicial determination that a guiding area permit holder is mentally incompetent, the board will, in its discretion, grant a waiver, for a time specified by the board, of the requirements of 12 AAC 38.057 if application is made by the permit holder's guardian within 90 days after a judicial determination of the permit holder's mental incompetency. Failure to make application

within 90 days is considered a voluntary relinquishment of the permit. At any time during the period of the waiver the guardian may apply to the board for a reassignment of the permit to a person designated by the guardian. (Eff. 5/12/78, Reg. 66)

Authority: AS 08.54.040(a)(3),(6) and (8)
AS 08.54.050

12 AAC 38.056. CHANGES TO GUIDING AREA PERMITS. (a) Petitions for amendments to guide area permits will be accepted for all guide districts and will be reviewed at a regularly scheduled meeting of the board. Petitions are limited to the following amendments:

(1) reassignment of a guiding area permit;

(2) changes within the boundaries of a guide area assigned to the petitioner including reducing permit area size, clarifying boundaries, and creating exclusive guiding areas in areas already assigned in joint use, as provided in (d) of this section; however, no petitions will be accepted seeking expansion of guiding permit area size.

(b) The board will give each petitioner reasonable notice of the date and place of the meeting during which his petition is scheduled for review. No petition will be heard by the board unless the petitioner, or a person authorized by him in writing to appear in his behalf, personally appears at the scheduled time.

(c) When a petition concerns a joint-use guiding area permit, the board will send each joint-use permit holder a copy of the petition and reasonable notice of the date and place of the meeting at which the petition is scheduled to be heard; each joint-use permit holder may appear before the board and present testimony relevant to the petition.

(d) The board will, in its discretion, issue an exclusive guiding area permit for an area or portion of an area already granted in joint use only upon a finding that

(1) all other affected guides in joint-use agree to the change; or

(2) creation of an exclusive guiding area is

required by changes in game populations, hunting regulations, weather patterns, or land use laws or regulations, and other guides in joint use of the area will not be detrimentally affected by the change; in determining whether other guides may be detrimentally affected, the board will consider projected loss of hunting clients, revenue, investments, access and other similar concerns.

(e) A guide aggrieved by a board decision under this section is entitled to an administrative hearing to review the decision in accordance with AS 44.52.370. The guide must request such a hearing within 15 days after receipt of a notice from the board of the board's action. (Eff. 5/12/78, Reg. 66; am 6/16/80, Reg. 74; am 6/27/81, Reg. 78)

Authority: AS 08.54.040(a)(3),(6) and (8)
AS 08.54.050

12 AAC 38.057. MINIMUM USE OF GUIDING AREA. Each holder of a guiding area permit must conduct at least two contracted hunts within two consecutive calendar years within the guiding area as evidenced by statements of financial remuneration filed in accordance with 12 AAC 38.060. If, in any calendar year, the holder of a guiding area permit fails to conduct a guided hunt in that guiding area, he must submit to the Department of Public Safety, Fish and Wildlife Protection Division, Records Section, P.O. Box 6188 Annex, Anchorage, Alaska 99502, by January 31 of the following calendar year, a written statement explaining his failure to use the area. Failure to conduct at least two guided hunts within two consecutive calendar years in the guiding area as required by this section constitutes grounds for revocation of the guiding area permit unless the permit holder can demonstrate to the satisfaction of the board that circumstances beyond his control precluded conducting the required hunts. (Eff. 5/12/78, Reg. 66; am 6/27/81, Reg. 78)

Authority: AS 08.54.040(a)(3),(6) and (8)
AS 08.54.050

12 AAC 38.058. GROUNDS FOR REVOCATION OR SUSPENSION OF A GUIDING AREA PERMIT. The board will, in its discretion, revoke or suspend a guiding area permit or permits if the permit holder

(1) violates a federal or state sport fish, game or guiding statute or regulation, which violation occurred while guiding;

(2) has his guide license revoked or suspended or is denied renewal of a license for violation of a federal or state sport fish or game or guiding statute or regulation other than for nonpayment of current license fees;

(3) is found by the board to have misused a guiding area. (Eff. 5/12/78, Reg. 66)

Authority: AS 08.54.040(a)(3),(6) and (8)
AS 08.54.050

12 AAC 38.060. STATEMENT OF FINANCIAL REMUNERATION. (a) Before hunting with his or her client, a guide shall complete or have completed a statement of financial remuneration in triplicate on a form provided by the board for this purpose and shall state

(1) that he received financial or material remuneration for his services;

(2) the dates of the contract hunt;

(3) the species to be hunted for;

(4) the legal signature of the guide and his client;

(5) the typed or printed name and address of the guide and his client;

(6) the guiding area permit unique identifying code assigned under 12 AAC 38.051(c).

(b) The original of the statement required in (a) of this section shall be sent to the Department of Public Safety, Division of Fish and Wildlife Protection, Records Section, P.O. Box 6188 Annex, Anchorage, Alaska 99502, within 21 days after completion of the hunt.

(c) The guide is responsible for furnishing one copy of the statement to his client.

(d) One copy of the statement shall be filed in camp for the duration of the hunt and thereafter at the guide's regular place of business for four years, and shall be produced for inspection upon request by an agent of the Department of Public Safety. (Eff. 6/28/74, Reg. 50; am 5/12/78, Reg. 66)

Authority: AS 08.54.050

12 AAC 38.070. RESPONSIBILITY OF GUIDE TO HIS CLIENT. (a) It is the responsibility of a guide to ascertain that a client has a proper license and appropriate tags and harvest reports, in his possession, for the big game species being hunted before hunting. The guide is responsible for attaching appropriate tags to any game taken by his client and is responsible for having all game sealed or marked as required by Alaska Department of Fish and Game regulations.

(b) A guide shall take every reasonable measure to assure the safety and comfort of his clients. He is responsible for having available the following:

(1) adequate first aid supplies;

(2) sufficient food to provide for emergencies that might render the party immobile;

(3) shelter which is normally considered satisfactory and comfortable under field conditions;

(4) transportation or communications or arrangements to obtain them without hardship or unreasonable delay. (Eff. 6/28/74, Reg. 50)
Authority: AS 08.54.050

12 AAC 38.080. SURVIVAL GEAR. A guide is responsible for assuring that each aircraft operated by him, and used in any phase of a hunt conducted by him, carries survival gear as required by AS 02.35.110. (Eff. 6/28/74, Reg. 50)

Authority: AS 08.54.050

12 AAC 38.090. PRESENCE OF GUIDE REQUIRED. A master, registered or class A assistant guide must be in the field and participating in the conduct of the guided hunt whenever assistant guides are guiding. (Eff. 6/28/74, Reg. 50; am 11/2/75, Reg. 56)

Authority: AS 08.54.050

12 AAC 38.100. TAKING OF GAME BY GUIDES. (a) No guide may take big game animals or marine mammals while acting as a guide, except in cases of actual emergency when a bear or other animal is attacking or when a bear or other animal is about to escape after being wounded. It is then the duty of the guide to take such actions as he considers necessary.

(b) It is unlawful for a master guide, registered guide, class A assistant guide or assistant guide guiding a hunter for walrus to take or assist in taking any walrus other than the animal taken by the client he is guiding; however, one crewman other than the guide may take one single cow walrus and its calf if this taking does not exceed the bag limit as prescribed by regulations of the Board of Game. (Eff. 6/28/74, Reg. 50; am 6/12/77, Reg. 62)

Authority: AS 08.54.050

12 AAC 38.110. TRANSPORTING MEAT. A guide is responsible for transporting the meat of big game animals, except bear, wolves, and wolverine, taken by his client from the site of the kill to its destination or to a common carrier

contract by the guide or his employees, owing to no fault of the client;

(4) not advising clients of game population to the best of the guide's ability based on past performances in hunting areas and advising him of his chances of encountering the species he desires in the time allotted;

(5) making "guarantees" as to the success of a hunt or the number of pieces of game to be collected;

(6) not maintaining and providing stock, mechanical equipment, gear, food supplies and facilities to a quality and condition to provide services equal to or better than described in the guide's advertising, correspondence, verbal declaration or contractual agreements;

(7) not maintaining a neat, orderly and sanitary camp at all times, or not providing reasonably well-prepared, palatable and balanced camp meals for clients and personnel in keeping with the conditions of the hunt;

(8) contracting for more hunts or for more hunters at any one time than the guide or his employees can adequately facilitate rendering services for;

(9) hiring guides that are improperly licensed, or ill trained in the arts of woodsmanship, judging trophies, cooking, first aid, photography, firearms, trophy preparation and caring for clients;

(10) failing, while guiding a client, to take all precautions if an animal is wounded;

(11) failing to use every means at his disposal to bag any wounded animal while it is in danger of escaping, or if in a serious emergency, human life or well-being is endangered;

(12) filling a client's game tag or bag limit;

(13) failing, barring unforeseen conditions, to properly prepare, according to generally accepted procedures, all antlers, horn, hides and capes to be delivered to the taxidermist or to the client at the conclusion of a hunt in a satisfactory and unspoiled condition;

(14) failing to endeavor to salvage all meats of trophies taken by his client, in accordance with existing state law;

(15) promoting hunting or the taking of trophies by means other than fair chase: specifically, the pursuit of a trophy in an illegal or unsportsmanlike manner, by herding, driving or chasing of animals with the use of any mechanically powered equipment;

(16) failing to practice sound wildlife conservation or failing to create an awareness of conservation needs and practices during his associations with the public. (Eff. 6/28/74, Reg. 50)

Authority: AS 08.54.040(6)
AS 08.54.050

12 AAC 38.190. DEFINITIONS. Unless otherwise indicated, in this chapter

(1) "competence" means a professional standard of conduct which satisfactorily implements, under field conditions, the knowledge and qualifications of a guide;

(2) "transport" means shipping, carrying, importing, exporting, or receiving or delivering for shipment, carriage or export;

(3) "board" means the Alaska Guide Licensing and Control Board. (Eff. 6/28/74, Reg. 50)

Authority: AS 08.54.050

CHAPTER 40. STATE MEDICAL BOARD

Article

1. Licensing
(12 AAC 40.010-12 AAC 40.050)
2. Abortions
(12 AAC 40.060-12 AAC 40.140)
3. Continuing Medical Education
(12 AAC 40.200-12 AAC 40.220)
4. Mobile Intensive Care Paramedics
(12 AAC 40.300-12 AAC 40.390)
5. Physician Assistants
(12 AAC 40.400-12 AAC 40.490)
6. General Provisions
(12 AAC 40.970-12 AAC 40.990)

ARTICLE 1. LICENSING

Section

10. License by endorsement
20. License by examination
30. Re-examination fees
40. Recognized hospital
50. Biographical data required

12 AAC 40.010. LICENSE BY ENDORSEMENT. An applicant for license by endorsement shall submit evidence satisfactory to the board that he has passed an examination in the medical and basic science subjects. (Eff. 12/20/70, Reg. 36)

Authority: AS 08.64.250

12 AAC 40.020. LICENSE BY EXAMINATION. (a) The written examination will be the FLEX examination administered in Alaska.

(b) The oral examination required under AS 08.64.220 will be given in conjunction with the written examination.

(c) An applicant for license by examination must attain a FLEX weighted average of not less than 75 percent on his examination. (Eff. 12/20/70, Reg. 36; am 8/29/73, Reg. 17)

Authority: AS 08.64.100
AS 08.64.220

12 AAC 40.030. RE-EXAMINATION FEES. The following fees will be charged for re-examination where applicable:

GUIDE AREAS - What are they and how do they work?

It is ironic that the guide area concept which has proven so beneficial both within the guiding industry and to the State's wildlife management authorities as a management tool, can yet remain so misunderstood by the public. Apparently much of the confusion has resulted from the misnomer "exclusive" guide area, because from the public's point of view there is nothing exclusive about guide area assignments whatsoever.

To the contrary, guiding area assignments affect only licensed guides as a management tool existing solely within the confines of statute (and related regulatory) authority of Title 8 - an act relating to guides, as established by the Alaska Legislature about 1970.

Guiding in Alaska has endured quite a tumultuous history. Following WWII light aircraft opened Alaska's vast back country and a highly mobile guiding industry evolved. By the 1960's however, it became apparent that aircraft hunting had become too efficient, and both the public and resource managers demanded such practices be stopped. As result, the late 1960's was one of reform on the Alaskan hunting scene and many laws and regulations were passed to effect this reform. Within the guide industry, mobility, which previously had been the the aircraft guide's greatest asset, allowing him to jump from one hot spot to another, was severely restricted.

Unless an ethic of responsible management of one's own guiding activity was established, and established quickly, guiding would soon have received so much bad press that the industry would not have survived. The old days of being able to hunt out one drainage and go the the next were gone, and the newly established Guide License and Control Board was faced not only with trying to find solution to the problem, but to provide leadership to an ailing industry. From testimony received from within the industry a plan was formulated and by the mid-1970's the board had roughed out a plan of designating exclusively or joint-use (in case of extreme conflict) guide areas for each operating guide who could show past use of his area. Understandably such a turnabout from the freewheeling approach of former years has had its share of problems, but by the late 1970's the job was accomplished and only few, relatively minor problems were left to clean up. Two of the biggest included revocation of those areas which were not being used, thus making these areas available to new guides and to guides displaced by d-2 legislation; and licensing of coastal residents for the taking of Marine Mammals 'if and when' the State regained management authority of these species. Both these problems have been solved.

The concept of assigning each guide his own area and limiting his activity to that area has proven very beneficial to all concerned. Guides no longer skip about the country without regard to the public and other guides, but must become part of a responsible management scheme for their own areas... or risk the chance of being put out of business for their excesses. Today guides are getting along better and better with both Fish and Game, as well as the Protection Division of Public Safety as result, and while there is still room for improvement of course, are becoming a more responsible user group than ever before.

MARINE MAMMAL GUIDING PERMITS

Sec. 08.54.045. Guiding Permit

That two guide classifications for marine mammals be established, those being "Marine Mammal Guide Permit" and "Assistant Marine Mammal Guide Permit." Marine mammals include those so designated by the Alaska Department of Fish and Game (walrus, polar bear, beluga whale, ribbon seal, sea lion, spotted seal, bearded seal, ringed seal and sea otter).

1. Application and Examinations for Marine Mammal Guide

- A. Application for a Guide Permit for Marine Mammal must be made at least five months before the examination date on a form provided by the Guide Board. The application shall include a list of those guided hunts the applicant has participated in during his apprenticeship. (A special provision shall be made for the initial application and examination under these provisions to allow for application prior to _____ to be completed without a designated waiting period.)
- B. Applications and examinations may be administered by authorized representatives of the Guide Board.
- C. Marine Mammal Guide Permits and Marine Mammal Assistant Guide Permit examinations will be administered orally, using a point system required. An applicant who fails the examination may not be reexamined for a period of six (6) months.

2. Qualifications for MMGP

- A. Is 21 years of age or more.
- B. Is a resident of the area of the state in which he is to guide.
- C. Has legally hunted in the state for all or part of each of ten years in a manner directly contributing to his experience and competency as a guide; and has been a recognized boat captain three years.
- D. Is physically able to perform the services of a guide.
- E. Has demonstrated to the board sufficient standards of competence and ethical conduct and has not been convicted of a crime involving moral turpitude.
- F. Has surpassed the qualification examination prepared and administered by the board or its agent(s), to include knowledge of the following:
 1. fish and game laws and regulations (add guiding regulations);
 2. relevant characteristics of the specific species of marine mammals to be hunted;
 3. relevant characteristics of the ice, ocean currents, and weather of the area in which the applicant is to guide;
 4. field preparation of trophies;
 5. care of meat;
 6. firearm safety;
 7. practical first aid;
 8. photography; and
 9. booking and contracting.

- A. Is 19 years of age or more.
- B. Is a resident of the area of the state of which he is to guide.
- C. Has legally hunted in the state for all or part of each of seven years in a manner directly contributing to his experience and competency as an assistant guide.
- D. Is physically able to perform the duties of an assistant marine mammal guide.
- E. Has been recommended in writing by a master, registered, or marine mammal guiding permit holder.

4. Privileges and Limitations of Marine Mammal Guides

A. Marine Mammal Permit Holder

- 1. may sign statements of remuneration;
- 2. shall be limited to two hunters in the field on any one hunt; and
- 3. shall be held responsible for those same responsibilities as a master or registered guide under similar conditions.

B. Assistant Marine Mammal Guide Permit Holder

- 1. may not contract hunts; and
- 2. may not conduct a hunt, and shall be under the immediate supervision of the marine mammal guide by whom he is employed and/or working with.

STATE OF ALASKA
Department of Commerce and Economic Development
Division of Occupational Licensing
Pouch D
Juneau, Alaska 99811-0800

MARINE MAMMAL GUIDE PERMIT APPLICATION

(for Department use only)

Issued by _____ at _____ date _____ License No. _____

op NEW MARINE MAMMAL ASSISTANT MARINE MAMMAL
op RENEWAL GUIDE PERMIT GUIDE PERMIT

\$25.00 \$10.00
op op

I, _____ of _____
(Print complete name) Mailing Address

_____ in accordance with the State of Alaska and the Guide Licensing and
City, State, Zip Code

Control Board hereby make application for the permit checked above, for the year ending December 31, 19____.

I have been a resident of Unit 27 in the State of Alaska for _____ years, and I have made my home in the state continuously since that time. (*See definition of resident below.)

I have a Marine Mammal or Assistant Marine Mammal Guide Permit No. _____

MY PHYSICAL CHARACTERISTICS ARE: Date of Birth _____ Height _____ Weight _____

Hair Color _____ Eye Color _____ Sex _____ Social Security Number _____

AS 08.01.100(b) requires a \$10.00 penalty fee be paid for renewal of a license which has remained lapsed more than 60 days.

I hereby certify under the penalty of perjury that the above information is true and correct to the best of my knowledge.

Signature of Applicant

FOR NEW APPLICANTS ONLY

Subscribed and sworn to before me at _____ this day of _____, 19____.

Notary Public in and for the State of Alaska
My commission expires: _____

"RESIDENT" means a person who maintains a place or residence within the state; has not claimed residency in another state for the immediately preceding 12 months; shows by all attending circumstances that his intent is to make this state his permanent residence.

APPLICATION FOR MARINE MAMMAL AND/OR ASSISTANT
GUIDE PERMIT TEST

Complete and return to the Department of Safety, Fish and Wildlife Protection, Box 6188, Annex, Anchorage,
Alaska 99502.

Name: _____ Date: _____
(type or print) (Last, First, M.I.)

Address: Mailing _____
Residence _____

Phone: _____ Social Security No. _____ D.O.B. _____

Physical Description:

Height: _____' _____" Weight: _____ lbs. Hair Color _____ Eye Color _____

List names, addresses, and dates of all registered guides and/or marine mammal guide permittees for whom you
have worked. (Use additional sheet if necessary.)

Have you been convicted of or charged with any fish, game or guiding violations within the past five years? If
yes, give details: _____

Pending _____ Completed _____

Are you a resident of Unit 27 area? op Yes op No How long _____

Are you a citizen of the United States? op Yes op No

Physical impairments: _____

Have you had any serious problems with any of the clients, registered guides, or Marine Mammal guide permit-
tees for whom you worked? If yes, submit details: _____

How many years have you hunted Unit 27 marine mammals? _____

How many years have you been recognized as a boat captain? _____

Submit along with this application recommendation(s) from registered and/or marine mammal guide permittees
for whom you have worked.

Submit any additional information that may help make a fair evaluation.

I, _____ swear that all claims and statements made herein are true and
that each question has been answered in its entirety.

Sworn to before me this _____ day of _____, 19 _____.

Signature

Notary Public in and for the State of Alaska
My commission expires: _____

CERTIFICATION OF APPRENTICESHIP
Guide Licensing and Control Board
Department of Commerce
Pouch D
Juneau, Alaska 99811

Should identify as Master, Registered Guide or Marine Mammal Permittee

I, _____ hereby certify that _____ (Applicant)
~~(AKA Guide Permittee)~~

has worked for me in the field on guided hunts for _____ number of days,
from _____, 19__ to _____ 19__, and to my personal knowledge has
had the following experience:

- 1. Experience in Unit 27 Yes No
- 2. Has trapped one or more big game animals Yes No
- 3. Has experience in care of meat Yes No
- 4. Has experience in care of trophies Yes No
- 5. Has knowledge of first aid Yes No
- 6. Has experience in care of firearms Yes No
- 7. Is familiar with Fish & Game and Guide regulations and statutes Yes No
- 8. List the species of big game animals applicant has personally taken:

(Signature of Guide)

(Signature of Applicant)

(Address)

(Address)

Subscribed and sworn before me at _____
this _____ day of _____, 19__.

Notary Public in and for the State of Alaska
My Commission expires _____

12 AAC 38.140. REQUIREMENTS FOR A REGISTERED GUIDE LICENSE. In addition to the requirements of AS 08.54.110 to be qualified for a registered guide license, a person must: (1) demonstrate to the board that he has spent 90 days in the field acting as an assistant guide as certified by the master or registered guide who employed him.

HB 273 "An Act continuing the Guide Licensing and Control Board, and authorizing the board to license marine mammal guides."

SHORT SECTIONAL ANALYSIS

Section 1 simply extends the sunset date on the board from June 30, 1982 to June 30, 1986. The board was extended last year in SB 834, but the bill was vetoed by the Governor because it contained certain unrelated language regarding the validity of regulations promulgated by the administration. Governor Hammond saw the additional section as an invasion of the separation of powers provision of the Constitution.

Technically, the board sunsetted at the end of the last fiscal year, and is now in its wind-down year. Unless the legislature extends its life, it will completely cease to function on June 30.

Section 2 would allow the Guide Licensing and Control Board to take on marine mammal guiding, for which it has already adopted the necessary regulations. It is anticipated that at some point in the next few years the state will regain management authority over marine mammals from the federal government, and it would be helpful to have in place the necessary statutes and regulations to manage the guiding industry on those species.

Editor's notes. — This section was reprinted by the revisor of statutes to remove personal pronouns in conformity with AS 01 05 031(c) and § 4, Chapter 58, SLA 1982.

Cross references. — As to constitutionality of ch. 102, SLA 1970, see notes to AS 09 65 636 and Alas. Const., art. II, § 14.

Chapter 03. Termination, Continuation and Reestablishment of Regulatory Boards.

Section	Section
10. Termination dates for regulatory boards	20. Procedures governing termination, transition and continuation

Cross references. — A full review of the activities of agencies, boards and commissions, see AS 44 66 010 et seq.

Sec. 08.03.010. Termination dates for regulatory boards. (a) Boards listed in this subsection have a termination date of June 30, 1979:

- (1) Repealed by § 3 ch 36 SLA 1980.
- (2) Repealed by § 3 ch 40 SLA 1980.
- (3) Repealed by § 3 ch 87 SLA 1980.
- (4) Repealed by § 3 ch 74 SLA 1979.
- (5) Repealed by § 3 ch 39 SLA 1980.
- (6) Repealed by § 3 ch 37 SLA 1980.
- (7) Repealed by § 3 ch 38 SLA 1980.
- (8) Repealed by § 3 ch 41 SLA 1980.
- (9) Repealed by § 3 ch 67 SLA 1980.
- (10) Repealed by § 2 ch 43 SLA 1980.
- (11) Repealed by § 3 ch 42 SLA 1980.

(b) Boards listed in this subsection have a termination date of June 30, 1980:

- (1) Repealed by § 15 ch 82 SLA 1980.
- (2) Repealed by § 5 ch 169 SLA 1980.
- (3) Collection Agency Board (AS 08 24 011) (obsolete);
- (4) Repealed by § 5 ch 169 SLA 1980.
- (5) Repealed by § 11 ch 71 SLA 1980.
- (6) Repealed by § 7 ch 72 SLA 1980.
- (7) Repealed by § 2 ch 53 SLA 1981.
- (8) Repealed by § 8 ch 143 SLA 1980.
- (9) Repealed by § 42 ch 167 SLA 1980.
- (10) Repealed by § 2 ch 153 SLA 1980.
- (11) Repealed by § 13 ch 62 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 30 010) — 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, 1986.

(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 (obsolete).

(14) Board of Electrical Examiners (AS 08 40 010) — June 30, 1986.

(15) State Board of Registration for Architects, Engineers, and Land Surveyors (AS 08 48 011) — June 30, 1984.

(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, 1986.

(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 § 3 ch 74 SLA 1979.

(e) Repealed by § 3 ch 74 SLA 1979; § 2 ch 149 SLA 1977; am §§ 1, 3 ch 74 SLA 1979; am §§ 1, 3 ch 36 SLA 1980; am §§ 1, 3 ch 37 SLA 1980; am §§ 1, 3 ch 38 SLA 1980; am §§ 1, 3 ch 39 SLA 1980; am §§ 1, 3 ch 40 SLA 1980; am §§ 1, 3 ch 41 SLA 1980; am §§ 1, 3 ch 42 SLA 1980; am §§ 1, 2 ch 43 SLA 1980; am §§ 1, 3 ch 67 SLA 1980; am §§ 10, 11 ch 71 SLA 1980; am §§ 6, 7 ch 72 SLA 1980; am §§ 2, 15 ch 82 SLA 1980; am §§ 1, 3 ch 87 SLA 1980; am §§ 7, 8 ch 143 SLA 1980; am §§ 1, 2 ch 153 SLA 1980; am §§ 2, 6 ch 169 SLA 1980; am §§ 41, 42 ch 167 SLA 1980; am §§ 1, 13 ch 62 SLA 1981; am §§ 1, 2 ch 53 SLA 1981; am § 1 ch 28 SLA 1982; am § 1 ch 60 SLA 1982; am § 1 ch 96 SLA 1982.

Editor's notes. — Subsection (e) was rearranged by the revisor of statutes pursuant to AS 01 05 031 to conform to a logical arrangement of the subject matter.

Cross references. — For present provisions covering the subject matter of subsection (c) as it read prior to the 1979 amendment and of former subsections (d) and (e), see AS 28 03 020.

Effect of amendments. — The 1979 amendment repealed paragraph (1) of subsection (a), which read "Board of Nursing (AS 08 68 010)," rewrote subsection (c), and repealed subsections (d) and (e), which read "The termination, dissolution, continuation or reestablishment of a regulatory board shall be governed by the legislative process and procedures of AS

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
POSITION PAPER


HB 273: "An Act continuing the Guide Licensing and Control Board, and authorizing the board to license marine mammal guides; and providing for an effective date."

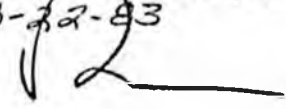
The Department of Commerce and Economic Development supports the continuation of the Guide Licensing and Control Board and the addition of licensing and regulating functions for marine mammal guides to the board.

In 1982, legislation to continue the board was passed by the Legislature and was subsequently vetoed by the Governor. The veto was due to language that "violated the constitutional separation-of-powers doctrine and determined to violate Article III, sections 1, 16 and 24 of the Alaska Constitution by infringing upon the inherent authority of the Guide Board to adopt interpretative regulations to execute AS 08.54." (Letter from Governor Hammond to Senate President Jalmar Kerttula, dated June 24, 1982.) This language is not in SB 138.

The board has responsibly addressed issues that concern licensed professional guides and the protection of resources. Two major issues which involved the board were land withdrawals under D2 and their effects on the guiding industry, and the preparation of a licensing program in anticipation of the Federal Government returning marine mammal protection and management to State jurisdiction. A marine mammal guide licensing program, including an examination (both oral and written), has been formulated and administered on a trial basis. The board held meetings in Western Alaska, and worked with Native representatives from the Arctic villages to establish the program.

The Alaska Professional Hunters Association also supports continuation of the Guide Licensing and Control Board.


Harry D. Treager, Director
Division of Occupational Licensing
3-22-83

 3/22/83
Richard A. Lyon, Commissioner
Department of Commerce and
Economic Development

STATE OF ALASKA
FISCAL NOTE

Revision Date March , 1983

I. REQUEST

Bill/Resolution No.: HB 273
 Title: An Act continuing the Guide Licensing
 Sponsor: Resources Committee & Cont. Bd.
 Requestor: _____

II. FISCAL DETAIL

Agency Affected: Commerce & Econ. Development
 Program Category Affected: Public Protection
 BRU, Program of Subprogram(s) Affected: Licensing Boards

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	18.0	19.0				
CAPITAL						
REVENUE	* 38.8					

FUNDING: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
GENERAL FUND	18.0	19.0				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Harry D. Treager, Director
 Division: Occupational Licensing

Phone: 465-2534

Date: 3-22-83

Approved by Commissioner: Richard A. Lyon
 Department: Commerce & Economic Development

Date: 3/22/83

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

HB 273: FISCAL NOTE ANALYSIS

Expenditures are those funds allocated for board per diem and travel only, under the division's budget - Licensing Boards component.

Additional expenditures in support of the board are allocated through the Administrative component of the division's budget. The licensing examiner assigned to the Guide Board serves two other licensing boards in addition to the Guide Licensing and Control Board.

The legislation, as written, will not add a fiscal impact.

Funding for the board has been included in the FY '84 request.

GUIDE LICENSING AND CONTROL BOARD STATISTICS

I. NUMBER OF CURRENT LICENSEES BY TYPE OF LICENSE - 12/31/82

Assistant Guide		666
Class A Assistant Guide		122
Registered Guide		346
Master Guide		41
	Subtotal	<u>1,175</u>
Transporter		75
	Total	<u>1,250</u>

II. HEARINGS FOR LICENSE VIOLATIONS AND AREA NONUSE (FY '82)

	<u>Lic.</u>	<u>Area</u>
Pending	4	17
Opened	6	44
Held	9	49
Completed	8	46
	5 Revoked	
	1 Suspended	
	1 Denied	
	1 Approved	
	<u>8</u>	

III. NUMBER OF LICENSES ISSUED BY FISCAL YEAR BY TYPE OF LICENSE

<u>YEAR</u>	<u>MASTER</u>	<u>REGISTERED</u>	<u>CLASS A</u>	<u>ASSISTANT</u>	<u>TRANSPORTER</u>
1973	11	397*	126*	735*	---
1974	17	*	*	*	---
1975	1	*	*	*	---
1976	3	11	40	202	---
1977	4	18	23	109	6**
1978	4	18	18	112	47
1979	2	18	9	135	24
1980	2	16	12	151	15
1981	2	21	11	123	32
1982	<u>1</u>	<u>26</u>	<u>6</u>	<u>124</u>	<u>26</u>
TOTALS	47	525	245	1,691	150

* Figures for 1973-4 merged

** Licensing of transporters began in FY '77

IV. EXCLUSIVE AREAS

There are 466 exclusive areas statewide.

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF FISH & WILDLIFE PROTECTION

BILL SHEFFIELD, GOVERNOR

ROBERT J. SUNDBERG
COMMISSIONER

P. O. BOX 6188, ANNEX
ANCHORAGE, ALASKA 99502

February 4, 1983

Paul Conger
Legislative Aide
Department of Public Safety
450 Whittier Street
Juneau, Alaska 99801

Dear Paul:

This is in response to the request by the House Resource Committee for information on the hunting and fishing guides in the State of Alaska.

In regards to fishing guides we have numerous individuals who provide charter and commercial fishing trips throughout the state, however, there is only one area within the state that has specific regulations relating to sport fishing guides, and that is on the Kenai River, located on the Kenai Peninsula. I am enclosing a copy of the codification of Register 82, 5 AAC 56.036, Kenai River Guiding Requirements. The sport fish guides on the Kenai River are required to maintain logs and provide information on their trips, however, reporting of monetary remuneration is not required.

It is estimated that a guided sport fish trip on the Kenai River costs approximately \$80.00 to \$100.00 per person.

The following information pertains to the sport fish guides who registered with the Department of Fish and Game in 1982, the first year of the regulation being in effect.

- 207 Sport fish guides who registered and were issued log books
- 43 Did not actually fish - no logs
- 56 Sport fish guides who took 50 or more clients
- 125 Separate sport fish guide business, with one or more guides employed
- 179 Boats registered by guides

There were approximately 24,880 man days of sport fishing efforts by the guides and clients on the Kenai River in 1982.

It is a requirement for game guides to submit a statement of financial remuneration report that does reflect the name of the client(s) who was/were guided. Enclosed is a blank statement of a financial remuneration form that shows the required information that must be submitted on all guided hunts.

There is no requirement that a guide must show the amount of monetary remuneration received from a client for the guide service provided.

There is a space provided on the form that the guide must mark to indicate if financial remuneration was or was not received from a client.

We have the following classification and numbers of guides in the state of Alaska as of this date.

Master Guides	41
Registered Guides	346
Class A Assistant Guides	122
Assistant Guides	666

In 1981 there were approximately 1120 non-resident clients and 350 non-resident alien clients who were provided guide service.

In 1980 there were a combined total of 1600 non-resident and non-resident alien clients provided with guide service. We have not had an opportunity to compile the number of clients receiving guide service for 1982.

The following information is an estimated high and low cost that a guide charges for the animal hunted by a client.

Sheep	\$4,500 to \$5,500
Moose	\$3,000 to \$4,000
Caribou	\$1,500 to \$2,500
Black Bear	\$1,500 to \$2,500
Brown Bear	\$5,000 to \$9,000

There are some guides who will charge a client a lesser overall price for a combination hunt as when compared to a single animal hunt. For more information on prices we suggest contacting the Alaska Professional Hunters Association.

Paul Conger

3

February 4, 1983

If we can be of further assistance to you on this matter, please let us know.

Sincerely,



Captain James R. Nutgrass
Operations Commander

JRN/rt
Attachment