HB

183

(FILE 2)

Stocky

Part 1

House Resources Committee Hearings

Guides & Outfitters

October 1987

House Bill 183

Senate Bill 191

TABLE OF CONTENTS

House Resources Committee
Guides & Outfitters
October 1987
House Bill 183
(Senate Bill 191)

Part 1

1 House Bill 183
Senate Bill 191

11 AS 08.54 - The Guide Law as Enacted by SB 294 in 1986

111 Performance Report - Guide Licensing & Control Board - 11/86

1V Position Paper - Department of Public Safety

V Position Paper - Division of Occupational Licensing

V1 AG's Opinions on the Issue of Residency & Licenses

Part 11

V11 Selected Articles

V111 Letters of Support

1X Letters of Opposition

X Other Letters

Guides & Outfitters

1

House Bill 183

Senate Bill 191

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: HB 183
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to the provision of goods or services to hunters."

Agency Affected: PUBLIC SAFETY
BRU: Fish & Wildlife Protection

Sponsor: Rep. Herrmann
Requestor: House Resources

Components: Enforcement

RECEIVED FEB - 4 1988

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

JWR 2/2/88

Prepared by: Captain Conrad Seibel, Operations Commander
Division: Fish & Wildlife Protection
Phone: 269-5509
Date: 1-28-88

Approved by Commissioner: Dale O Hoffbeck
Agency: PUBLIC SAFETY
Date: 2-2-88

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

page ____ of ____

(b

191

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CS for SB 191 (3rd R...
PUBLISH DATE: (SENATE) 3/14/88

FISCAL NOTE

REQUEST:

Revision Date: 3/11/88
Title: An act relating to the Guide Board and Establishing a Task Force on Guiding
Sponsor: Coghill & Faiks
Requestor:

Agency Affected: Fish and Game
BRU: Game
Components:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This analysis includes personal services costs to prepare for and participate in 3 meeting of the Guide Task Force in Anchorage per year and 3 teleconferences. These costs will be borne by existing personnel; no additional costs anticipated.

Prepared by: Donald E. McKnight
Phone: 465-4190
Division: Game
Date: 3/11/88

Approved by Commissioner: Norman Albert
Date: 3/11/88
Agency: Fish and Game

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

190

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSSB 141 (3d Res)
PUBLISH DATE: (SENATE) 3/14/88

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: CSSB 141 (3d Res)
An Act relating to the Guide Board...
Sponsor: Senate Resources
Requestor: Senator Coghill

Agency Affected: Legislative Affairs
BRU: Legislative Council

Components: Council and Subcommittees

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	7.3	0	0	0	0
CONTRACTUAL	0	2.0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	9.3	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	9.3	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL	0	9.3	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The Task Force on Guiding and Game is established under the jurisdiction of the Legislative Council Committee. The Task Force is composed of eleven members, three from the Executive Branch, four legislators from the Legislative Branch, and four public members appointed by the Governor.

Prepared by: Pamela Stoops, Manager — Phone: 465-3850
Division: Administrative Services — Date: 03/11/88

Approved by: Warren Endicott, Executive Director — Date: 03/11/88
Agency: Legislative Affairs Agency

Distribution (by preparer):
- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Guides & Outfitters

11

AS 08.54

The Guide Law as Enacted by SB 294 in 1986

LAWS OF ALASKA

1986

Source

HCS CSSB 294(Res) am H

Chapter No.

71

AN ACT

Relating to guiding; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 3, 1986
Actual Effective Date: July 1, 1986

Chapter 71

AN ACT

Relating to guiding; and providing for an effective date.

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* Section 1. AS 08.01.010(14) is amended to read:

(14) Guide [LICENSING AND CONTROL] Board (AS 08.54.010);

* Sec. 2. AS 08.03.010(c)(20) is amended to read:

(20) Guide [LICENSING AND CONTROL] Board (AS 08.54.010 - June 30, 1988 [1986].

* Sec. 3. AS 08.54.010 is amended to read:

ARTICLE 1. GUIDE [LICENSING AND CONTROL] BOARD.

Sec. 08.54.010. CREATION AND MEMBERSHIP OF BOARD. For the purposes of licensing and regulating the activities of guides in the interest of the state's wildlife resources there [THERE] is created the Guide [LICENSING AND CONTROL] Board consisting of seven members. No more than three members of the board shall hold or have held a registered, master, or class A assistent guide license. The other members must [SHALL] have a general knowledge of the game resources of the state and may not have a vested interest in the guiding industry. A minimum of 10 years residence in the state is required for all members of the board. For administrative purposes, the board is in the Department of Commerce and Economic Development.

* Sec. 4. AS 08.54.020 is amended to read:

Sec. 08.54.020. APPOINTMENT AND TERM OF OFFICE. The members of the board shall be appointed by the governor and confirmed by the

legislature for staggered terms of three years or until their successors are appointed. [INITIAL TERMS ARE AS FOLLOWS: THREE MEMBERS FOR ONE YEAR, TWO MEMBERS FOR TWO YEARS, AND TWO MEMBERS FOR THREE YEARS.] A member may be removed at the pleasure of the governor.

* Sec. 5. AS 08.54 is amended by adding a new section to read:

Sec. 08.54.035. QUORUM; VOTING REQUIREMENT. Four members of the board constitute a quorum for the transaction of business, for the performance of a duty, and for the exercise of any power under this chapter. The board may not adopt a regulation, revoke, suspend, or deny renewal of a license, or assign, modify, or revoke a restricted guide area unless the action is approved by a vote of a majority of the full membership of the board.

* Sec. 6. AS 08.54.040(a) is amended to read:

(a) Except as provided in AS 08.54.045, the board shall

(1) prepare, grade and administer examinations, which may include oral examinations of applicants who demonstrate limited ability to read or write the English language;

(2) determine [AND PASS ON] qualifications of applicants for licenses and authorize the issuance of licenses to those who qualify;

(3) establish guide performance standards and regulate activity;

(4) compile, maintain and publish an annual [A GUIDE] register of master and registered guides who have not been convicted of a violation of a [FEDERAL OR] state [SPORT FISH,] game [,] or guiding statute or regulation; a guide listed in the register whose license is revoked or suspended shall be removed from the register while the guide's license is revoked or suspended;

(5) [COMPILE, MAINTAIN AND PUBLISH A RECORD OF REGISTERED

OR MASTER GUIDES WHO HAVE COMPLETED A CONTRACT HUNT IN ANY OF THREE YEARS IMMEDIATELY PRECEDING THE PUBLISHING OF THE RECORD;

(6)] prohibit guiding activities which are unsportsmanlike, unethical, unsafe, against principles of conservation, degrading to the guiding profession, or which adversely affect the natural resources;

(6) [(7)] after a hearing, revoke, suspend or deny renewal of a license in accordance with AS 08.54.200;

(7) [(8)] establish a quota of licensed operating guides who may operate within designated geographical game units or subunits of the state and provide for an equitable, [AND] reasonable, and consistent procedure for limiting the number of guides to that quota; preference may [SHALL] be given to qualified available and willing licensed guides who reside within the designated game unit or subunit;

(8) meet at least twice annually, once in Anchorage and once in another municipality.

* Sec. 7. AS 08.54.045 is repealed and reenacted to read:

Sec. 08.54.045. SPECIAL GUIDE LICENSE. The board may issue a special guide license to a person who applies to conduct a guided hunt for a specific species of marine mammal in a specifically designated area if the applicant

(1) is 21 years of age or older;

(2) has, for at least 10 years, resided and hunted in the area of the state in which the applicant is to guide;

(3) is able to perform the duties of a special guide;

(4) has demonstrated knowledge of the following areas to an extent and degree satisfactory to the board:

(A) fish and game laws and regulations;

(B) relevant characteristics of the specific species

to be hunted;

(C) field preparation of trophies;

(D) care of game meat;

(E) use of guiding gear;

(F) firearm safety;

(G) practical first aid;

(H) booking and contracting hunts;

(5) has not been convicted of a game or guiding law violation during the previous five years;

(6) has not been convicted of a crime involving moral turpitude.

* Sec. 8. AS 08.54.110 is amended to read:

Sec. 08.54.110. QUALIFICATIONS FOR REGISTERED GUIDE LICENSE. A person is entitled to be licensed as a registered guide if the person

(1) is 21 years of age or older [MORE];

(2) [Repealed

(3)] has practical field experience in the handling of firearms, hunting, judging trophies, field preparation of trophies, first aid and photography;

(3) [(4)] is familiar with the terrain and transportation problems in the district for which the license is requested;

(4) [(5)] has passed the qualification examination prepared and administered by the board;

(5) [(6)] has demonstrated to the board sufficient standards of competence and ethical conduct and has not been convicted of a crime involving moral turpitude;

(6) [(7)] has legally hunted in the state during any [FOR ALL OR PART OF EACH OF] five years in a manner directly contributing to the person's experience and competency as a guide;

(7) [(8)] has been licensed as and performed the services of an assistant guide in the state for a part of each of three years, or has guided in the state for a part of each of three years under a special guide license issued under AS 08.54.045;

(8) [(9)] submits a written recommendation to the board from a registered guide for whom the applicant has worked or from two registered guides; however, the requirements of this paragraph do not apply to a person who has guided under a special guide license for three years;

(9) [(10)] is capable of performing the essential [PHYSICAL] duties associated with guiding [ACTIVITIES];

(10) [(11)] has been favorably recommended in writing by two hunters that the person has guided or assisted in guiding during each year of the person's three years as an assistant guide, whose recommendations have been solicited by the board from a list provided by the applicant [;

(12) MEETS ADDITIONAL QUALIFICATIONS WHICH THE BOARD MAY REQUIRE].

* Sec. 9. AS 08.54.110 is amended by adding a new subsection to read:

(b) The commissioner of commerce and economic development may order that an applicant for an initial license under this section be allowed to take the license examination or be issued the license if, after reviewing a petition filed by the applicant, the commissioner finds that

(1) the board denied the applicant an opportunity to take the license examination, or refused to approve issuance of the license;

(2) the board's denial or refusal has been upheld by a final administrative order, and the order has not been appealed to the

superior court under AS 44.62.560;

(3) the board's denial or refusal was based on

(A) an error of fact by the board;

(B) the applicant's failure of the license examination due to faulty or unfair examination questions or procedures; or

(C) an erroneous or false statement in a recommendation submitted under (a)(8) of this section;

(4) the applicant is otherwise qualified to take the examination or to be issued the license; and

(5) sustaining the board's denial or refusal would work a substantial injustice on the applicant.

* Sec. 10. AS 08.54 is amended by adding a new section to read:

Sec. 08.54.141. PRIVILEGES AND LIMITATIONS OF ASSISTANT GUIDE LICENSE. An assistant guide

(1) may not contract to conduct a guided hunt; and

(2) shall be employed and supervised by a registered or master guide at all times while the assistant guide is in the field on guided hunts.

* Sec. 11. AS 08.54.170 is amended to read:

Sec. 08.54.170. LICENSE FEES. (a) The Department of Commerce and Economic Development shall set license fees under AS 08.01.065 for each of the following:

(1) master guide;

(2) registered guide;

(3) class A assistant guide;

(4) assistant guide;

(5) <u>special guide</u> [TRANSPORTER].

(b) The license fee for a master guide, registered guide, <u>special guide,</u> class-A assistant guide, or assistant guide license is in

addition to the fee required for a hunting license.

* Sec. 12. AS 08.54 is amended by adding a new section to read:

Sec. 08.54.186. REGISTERED GUIDE EXAMINATION. The board shall administer the qualification examination required under AS 08.54.110 at least twice a year. An examination may not be given within 90 days after the previous exam. At least once every other year the board shall give the examination at a location other than Anchorage.

* Sec. 13. AS 08.54.190 is amended by adding a new subsection to read:

(d) A master guide, registered guide, special guide, class-A assistant guide, or assistant guide license expires biennially, on a date set by the Department of Commerce and Economic Development.

* Sec. 14. AS 08.54 is amended by adding a new section to read:

Sec. 08.54.195. RESTRICTED GUIDE AREAS. (a) Under AS 08.54.-040(a)(7), the board may establish and assign restricted guide areas for master guides or registered guides. The board shall adopt regulations that establish uniform and consistent criteria, including a point system, to be used by the board when it establishes and assigns a restricted guide area.

(b) The board shall consider the following factors before it assigns a restricted guide area:

(1) the extent to which the guide who has applied for the area has guided in the game management unit in which the area is located;

(2) the extent to which the guide occupied and invested in the area;

(3) the effects, including the economic effect, on other guides that would result from creation of the area;

(4) big game populations in the area;

(5) the land ownership status of the area; and

(6) other relevant facts or circumstances.

(c) The board may adopt regulations limiting the number of clients with which a guide may contract for hunts in a restricted guide area used by more than one guide.

(d) Unless the board determines after a public hearing that it is not in the public interest to do so, the board may transfer a restricted guide area to a person qualified for assignment who has been recommended by the guide to whom the area is assigned, or by a person authorized to represent the guide, if the recommendation is made

(1) after five years have elapsed from the date of the assignment of the guide area; or

(2) during the first five years after the date of assignment and the guide has died or suffered a major disability, as defined by the board.

(e) A guide may not sell or lease a restricted guide area. A guide may sell or otherwise transfer a lodge, camp, or other lawful improvement to property located in a restricted guide area. Sales price may not exceed fair market value.

* Sec. 15. AS 08.54.200(a) is repealed and reenacted to read:

(a) The board shall hold a hearing to determine whether a licensee should be disciplined within a reasonable time after (1) complaints concerning a licensee's guiding activities are filed with the board by three or more of the licensee's clients from separate parties; (2) a complaint concerning a guide's conduct during a life-threatening situation is filed with the board; or (3) a licensee has been convicted of a violation of a federal or state hunting or guiding statute or regulation. The board may hold a hearing to determine whether disciplinary action is necessary if a complaint concerning a

licensee's guiding activities is filed with the board by a client of the licensee.

* Sec. 16. AS 08.54.200(b) is amended to read:

(b) After a hearing, the board may revoke, suspend, or deny renewal of a license, and may withdraw a licensee's restricted guide area assignment, if the board finds that the licensee

(1) engaged in unethical activity, unsafe activity, or activity that [WHICH] adversely affects the natural resources of the state when the [SUCH] activity is related [UNRELATED] to the [LEGAL AND LEGITIMATE] purposes of the contract hunt; or

(2) violated a provision of a federal or state [SPORT FISH,] game or guide statute or regulation.

* Sec. 17. AS 08.54.200(c) is amended to read:

(c) After a hearing, the board shall revoke a license and shall withdraw a licensee's restricted guide area assignment if the board finds that the licensee

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

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

(3) during the five years immediately preceding the hearing has been convicted of a violation [TWO VIOLATIONS] of a federal or state statute or regulation prohibiting

(A) waste of a wild food animal;

(B) hunting on the same day airborne;

(C) hunting during a closed hunting season; or

(D) hunting in an area closed by federal regulation; or

(4) during the five years immediately preceding the

hearing, has been convicted of two violations of a state statute or regulation prohibiting hunting in a restricted area not assigned to the licensee and without proper written permission [SPORT FISH, GAME OR GUIDE STATUTES OR REGULATIONS].

* Sec. 18. AS 08.54.200(d) is repealed and reenacted to read:

(d) A person who is disciplined under this section may not engage in a guiding activity during the period of license revocation or disciplinary action. A person licensed under this chapter may not hire as a guide a person whose guide license is suspended or revoked under this section. A guide whose license is suspended or revoked may not guide in the employ of a person licensed under this chapter.

* Sec. 19. AS 08.54.200 is amended by adding new subsections to read:

(f) If a certified copy of a judgment of conviction of a guide for an offense described under (c)(3) of this section, or for each of two offenses under (c)(4) of this section, is filed with the board, the board shall immediately suspend the guide's license. The suspension may be ordered even if the conviction resulted from a plea of nolo contendere or if the conviction is under appeal. The order remains in effect until after the final disposition of the disciplinary proceeding under this section.

(g) A certified copy of a judgment of conviction of a guide for an offense is conclusive evidence of the commission of that offense in a disciplinary proceeding instituted against the guide under this section based on that conviction.

(h) Within 30 days after a hearing under this section, the board shall notify the complainant of the results of the hearing, including written reasons justifying a decision not to take disciplinary action. If the board decides not to hold a discretionary hearing, the board shall give the complainant written notice of its reasons within 30

days after making the decision.

(i) In this section "two violations of a state statute or regulation" means two violations of a single statute or a single regulation, or violations of two statutes or two regulations, or one violation of a statute and one violation of a regulation.

* Sec. 20. AS 08.54.210(a) is repealed and reenacted to read:

(a) It is unlawful for

(1) a master guide, registered guide, special guide, class A assistant guide, or assistant guide to fail to timely report to the Department of Public Safety, division of fish and wildlife protection, and in no event later than 30 days, a violation of a state fish, game, or guiding statute or regulation that the guide reasonably believes was committed by a client or an employee of the guide;

(2) a guide to commit or aid the commission of a violation of this chapter or of a state game or guiding statute or regulation or to permit the commission of a violation that the guide knows or reasonably believes is being or will be committed without attempting to prevent it, short of using force, and without reporting it;

(3) a person to guide without having a current valid guide license and resident hunting license in actual possession;

(4) a person to advertise as or represent to be a guide without holding a current valid guide license;

(5) a guide to intentionally obstruct or hinder or attempt to obstruct or hinder lawful hunting engaged in by a person who is not a client of the guide;

(6) a person to guide without being validly licensed as a guide under this chapter and as a resident hunter under AS 16;

(7) an assistant guide to contract to conduct a guided hunt;

(8) an assistant guide to be in the field on a guided hunt except while employed and supervised by a registered or master guide.

* Sec. 21. AS 08.54.210(b) is amended to read:

(b) A person who violates (a)(1) - (5) [(6)] of this section is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both, and the person's license may be revoked for a period up to five years. However, a person who engages in guiding [OR TRANSPORTING] activity during the period for which the person's license is suspended or revoked under this chapter, or who violates (a)(6) - (8) of this section, is guilty of a felony punishable, upon conviction, by a fine of not more than $5,000 and by imprisonment for not less than one year nor more than three years. In addition to punishment for a felony, all guns, fishing tackle, boats, aircraft, automobiles or other vehicles, camping gear and other equipment and paraphernalia used in, or in aid of, guiding [OR TRANSPORTING] activity engaged in during the period of suspension or revocation may [SHALL] be seized [CONFISCATED] by persons authorized to enforce this chapter and may be forfeited to the state as provided under AS 16.05.195 [. A PERSON WHO VIOLATES (a)(7) OF THIS SECTION, UPON CONVICTION, IS SUBJECT TO THE SAME LICENSE REVOCATION PROVISION AS FOR A VIOLATION OF (a)(1) - (6) OF THIS SECTION AND, IN ADDITION, IS PUNISHABLE BY A FINE OF NOT MORE THAN $5,000, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH.]

* Sec. 22. AS 08.54 is amended by adding a new section to art. 3 to read:

Sec. 08.54.230. RECORDS OF GUIDED HUNTS. The Department of Commerce and Economic Development shall collect and maintain records of hunts conducted by guides. The department shall make the records

available to state and federal agencies charged with the enforcement of statutes and regulations relating to guiding or game if requested for enforcement purposes. For all other purposes, the records are confidential and are not subject to inspection or copying under AS 09.25.110 - 09.25.121.

* Sec. 23. AS 08.54.240 is amended to read:

Sec. 08.54.240. DEFINITIONS. In this chapter

(1) "big game" means brown bear, grizzly bear, polar bear, caribou, moose, black bear, bison, Sitka blacktail deer, elk, mountain goat, musk-ox, wolf, wolverine, mountain or Dall sheep, and walrus;

(2) "board" means the Guide [LICENSING AND CONTROL] Board;

(3) [(2)] "guide" [, "GUIDES"] or "guiding" means accompanying or directing a hunter in the field, personally or through an assistant, for compensation or with the intent or an agreement to receive compensation, while the hunter or the person accompanying or directing the hunter spots, stalks, pursues, tracks, kills, or attempts to kill big game; in this paragraph, "in the field" does not include being present in a boat with living quarters or at a lodge or base camp [ASSISTING ANOTHER PERSON TO TAKE GAME WITH THE INTENT OF RECEIVING MONETARY OR MATERIAL REMUNERATION FOR THE SERVICES, BY ACCOMPANYING AND DIRECTING THAT PERSON PERSONALLY OR THROUGH A LICENSED ASSISTANT GUIDE FOR THE DURATION OF A HUNT, AND NOT SOLELY FOR THE PURPOSE OF PROVIDING TRANSPORTATION SERVICES];

(4) [(3)] "resident" has the meaning given in AS 16.05.940 [MEANS A PERSON WHO

(A) MAINTAINS A PLACE OF RESIDENCE WITHIN THE STATE;

(B) REPEALED

(C) SHOWS BY ALL ATTENDING CIRCUMSTANCES THE INTENTION TO PERMANENTLY RESIDE IN THIS STATE];

(5) [(4)] "restricted guide area" is a geographical area of the state the boundaries of which are determined by the board, and in which guided hunts may be conducted only by the guides to whom the area is assigned under AS 08.54.195 ["TRANSPORTING" OR THE "ACTIVITY OF TRANSPORTING" MEANS CONVEYING A PERSON BY ANY LAWFUL MEANS TO AN AREA FOR REMUNERATION OR MATERIAL BENEFIT IN EXCESS OF NORMAL OPERATING COSTS, WHEN THE PRIMARY PURPOSE OF THE PERSON BEING CONVEYED IS THE TAKING OF BIG GAME AND THE ASSOCIATED REMOVING OF BIG GAME MEAT AND PARTS OF BIG GAME AFTER BIG GAME HAS BEEN TAKEN; BIG GAME AS USED IN THIS PARAGRAPH MEANS GAME WHICH, IF TAKEN BY A NONRESIDENT, WOULD REQUIRE A BIG GAME TAG];

(6) [(5)] "unethical activity" means

(A) deception or misrepresentation [IN ANY DEGREE] involving prospective or actual clients either before, during, or following a contract hunt, including misrepresentation through private or public advertising of the type, duration, cost or conditions of the contract hunt [HUNTS];

(B) [MISREPRESENTATION EITHER THROUGH PRIVATE COMMUNICATION OR PUBLIC ADVERTISING OF THE NATURE, TYPE, DURATION, COST, OR OTHER CONDITIONS OF CONTRACT HUNTS;

(C)] making a guaranty that a species or certain number of species of game will be taken on a contract hunt;

(C) engaging in unsafe or unsportsmanlike activities that are detrimental to the game resources of the state, as defined by regulations of the board, including violations of state hunting or guiding statutes or regulations; or

(D) accepting a deposit for guiding services without providing before the hunt a signed contract to provide the services.

* Sec. 24. AS 16.05.407(a) is amended to read:

(a) It is unlawful for a nonresident to hunt, pursue or take brown bear, grizzly bear, polar bear, or sheep in this state, unless personally accompanied by

(1) a person who is licensed as a master guide, registered guide, class-A assistant guide or assistant guide by the Guide [LICENSING AND CONTROL] Board; or

(2) a resident over 19 years of age who is

(A) the spouse of the nonresident; or

(B) is related to the nonresident, within and including the second degree of kindred, by marriage or blood.

* Sec. 25. AS 16.05.407(d) is amended to read:

(d) A nonresident who violates (a) [OR (c)] of this section, or who fails to furnish an affidavit under (b) of this section, is guilty of a misdemeanor and upon conviction is punishable by imprisonment for not more than one year, or by a fine of not more than $5,000, or by both.

* Sec. 26. AS 39.50.200(b) is amended by adding a new paragraph to read:

(43) the Guide Board.

* Sec. 27. AS 08.54.040(b), 08.54.142 - 08.54.146, 08.54.185; AS 16.05.340(e) and 16.05.407(c) are repealed.

* Sec. 28. This Act takes effect July 1, 1986.

Guides & Outfitters

111

Performance Report on the Guide Licensing And Control Board - Nov. 1985

A PERFORMANCE REPORT ON THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT GUIDE LICENSING AND CONTROL BOARD

November 21, 1985

Audit Control Number

08-1253-86-R

Commissioner, Department of Commerce and Economic Development	Loren H. Lounsbury
Deputy Commissioners, Department of Commerce and Economic Development	Terry Elder Greg Baker

Members of the
Guide Licensing and Control Board

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Member	Edward J. Shavings, Sr.
Member	Douglas Pope
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Member	Ralph G. Fenner
Member	James Harrower

STATE OF ALASKA

AUDIT DIVISION
POUCH W
JUNEAU, ALASKA 99811

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

November 22, 1985

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Titles 24 and 44 of the Alaska Statutes (sunset legislation), the attached report is submitted for your review.

A PERFORMANCE REPORT ON THE
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
GUIDE LICENSING AND CONTROL BOARD

November 21, 1985

Audit Control Number

08-1253-86-R

Gerald L. Wilkerson

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

TABLE OF CONTENTS

	Page
Purpose and Scope of the Report	1
Organization and Function	3
Report Conclusion	5
Findings and Recommendations	7
Analysis of Public Need	15
Appendixes:	
A. Guide Licensing and Control Board Revenues Compared with Expenditures	21
B. Guide Licensing and Control Board Examination Statistics	23
C. Guide Licensing and Control Board Administrative Statistics	24
Agency Response:	
Department of Commerce and Economic Development	25
Guide Licensing and Control Board	27

PURPOSE AND SCOPE OF THE REPORT

Purpose

In accordance with the intent of Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Guide Licensing and Control Board for the past four fiscal years. Our examination was conducted to determine if the Board has been operating in an efficient and effective manner.

Legislative intent requires consideration of this report during legislative oversight hearings to determine whether the Guide Licensing and Control Board should be reestablished. The law now specifies that the Board will terminate June 30, 1986 and will have one year from that date to conclude its affairs.

Scope

The major areas of our examination were the licensing, examination, administration, complaint, and affirmative action functions of the Board. We reviewed and evaluated the following:

1. Applicable statutes and regulations.

2. Interviews with the license examiners.

3. Tests of files and documents of licensees.

4. Complaints filed with the Division of Occupational Licensing, Human Rights Commission, Equal Employment Opportunity Office, Attorney General's Office, and the Ombudsman Office.

5. Discussions with Board members.

6. Minutes of Board meetings and Division correspondence files.

7. Attorney General Opinions applicable to professional boards.

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ORGANIZATION AND FUNCTION

The Guide Licensing and Control Board was established by the 1973 Legislature and succeeded the Board of Fish and Game, Department of Fish and Game, which previously had 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. The Division assists the Board in the performance of their duties by providing administrative, licensure, and investigative support.

By law, a nonresident may not hunt, pursue, or take brown bear, grizzly bear, polar bear, or sheep in Alaska unless personally accompanied by a licensed master, registered, or assistant guide. Nonresidents hunting with an Alaskan relative are exempt from this requirement. The Guide Licensing and Control Board was appointed in part to protect these nonresident hunters from incompetent individuals holding themselves out to be qualified Alaskan 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.

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REPORT CONCLUSION

Policy Issues

This report 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 report but require legislative consideration. In debating these issues, the oversight committees should take into consideration the findings and recommendations presented in this report so the potential impact of policy changes can be evaluated.

Report Conclusion

In our opinion, the Guide Licensing and Control Board should be reestablished. The regulation and licensing of qualified guides is necessary to protect the public's health, safety, and welfare. The Board provides this service by establishing minimum qualification and experience requirements that provide reasonable assurance that persons licensed are both capable of safely conducting guided hunts and familiar with their prospective guiding areas. Assurance that those licensed act in a competent manner is also provided by active investigation of complaints and revocation or suspension of licenses where appropriate.

However, the following findings describe areas where weaknesses or conflicts exist. We have made recommendations which, if implemented, will improve the efficiency and effectiveness of the Board.

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FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Guide Licensing and Control Board (GLCB) should develop a prioritized set of criteria to use in assigning both exclusive and joint-use guiding areas (EGAs).

Alaska Statute 08.54.040(a)(8) allows GLCB to:

> Establish a quota of licensed operating guides who may operate within designated geographical units or subunits of the state and provide for an equitable and reasonable procedure for limiting the number of guides to that quota; preference shall be given to qualified available guides who reside within the designated game unit or subunit.

GLCB has implemented this provision through the establishment of both exclusive and joint-use guide areas (EGAs), which limit the number of guides who can conduct hunts in various regions of the State. The GLCB's authority to assign EGAs is supported by an April 1977 Attorney General memorandum which determined that GLCB's regulations and activities implementing exclusive guiding areas were within their statutory powers.

This limitation on the practice of guiding ostensibly provides public benefits by providing for better game management; promotion and enforcement of ethical guiding practices; enhancing the "wilderness" aspect of big game hunting experience by separating guided hunting parties; and allows for the separation of non-compatible forms of hunting. The limits are also designed to provide for a greater degree of safety to the guided hunter by allowing guides to become familiar with the terrain and seasonal weather conditions of their assigned area.

GLCB does not act consistently when considering the assignment of exclusive and joint-use guiding areas. The criteria on which any given area assignment decision is made varies from decision to decision. Additionally, GLCB often does not adequately document the basis on which they make their assignments. We found inconsistencies and contradictions in the way that GLCB applied the following criteria when awarding EGAs:

1. Game Management Information - GLCB does not consistently review game management information in their area assignment decisions. What game information they do consider usually is second hand and anecdotal, provided by applicants or current users (see Recommendation No. 2).

2. Demonstration of Experience - When applying for an EGA, applicants must demonstrate that they have had guiding experience in the applicable game unit. Guides demonstrate their experience through the submittal to GLCB of a Statement of Financial Remuneration (SFR) for each guided hunt. SFRs list the names of hunters, guides assisting in the hunt, game units hunted, and the type of game taken.

   Under the Board's regulations, SFRs are the primary evidence of a guide's activity and familiarity with the game unit involved. However, we found instances where the Board awarded EGAs to guides with no SFRs in the appropriate game unit, while denying other EGA applicants because they had no SFRs on file demonstrating their experience or activity.

3. Transfers of guiding areas - GLCB has been essentially approving transfers of guiding areas with little or no consideration of any other criteria such as game management, objections of joint users, or experience of the guide receiving the transferred area (see Recommendation No. 3).

This inconsistency on the part of GLCB in its decision-making, along with the lack of proper documentation of its rationale, ultimately results in a loss of effective control over the activities and policy of the guiding industry.

During the past four years, hearing officers have repeatedly found Board decisions to be arbitrary and capricious with little or no support. In effect, the Board has abdicated much of its control over area assignments through its inconsistent application of criteria. Hearing officer decisions are beginning to effectively replace GLCB in setting quotas for guides. Essentially, GLCB has not fully met its statutory responsibility to adopt an equitable and reasonable procedure for the assignment of guide areas.

We believe GLCB's responsibility would be better met by identifying pertinent criteria to be used in area assignment decisions, assigning some priorities to those criteria, and applying them consistently.

Recommendation No. 2

GLCB should improve methods of obtaining game management information from independent sources, such as the Alaska Department of Fish and Game (ADFG).

One of the primary justifications for the whole concept of EGAs is to enhance overall management of the public's game resources. Guides are awarded exclusive or joint-use areas so that they have a long-term interest in managing the game

in their EGA. GLCB has adopted regulations [12 AAC 38.053(d)(1)] that require it to consider an area's ability "... to sustain an additional guided hunting operation, in terms of game populations, terrain, methods of hunting, and use by other guides and hunters."

As stated in Recommendation No. 1, we found that GLCB rarely considers independent information regarding game populations and management concerns when assigning EGAs. GLCB relies on information provided by applicants and guides operating in the region under consideration. Certainly, the assessment of an active registered guide is important and should be considered. However, whether coming from an applicant or current user, it must be recognized that the guide has a vested interest in how the information is presented and interpreted.

Oftentimes, information presented to the Board is conflicting, depending on the desire of the guide. New applicants for areas claim game is plentiful, and the area is underutilized. Current users, on the other hand, emphasize game scarcity and hunting pressures.

If GLCB established better, more formal communications with ADFG they would better meet their regulatory and statutory obligation to enhance the management of the State's game resources. ADFG information may be no better than that of guides; however, it is more independent and more objectively developed. ADFG is charged with management of the State's game resources, and guided, non-resident hunters take up to an estimated 40% of the game in the State. We believe GLCB should attempt to improve communications and coordination with ADFG while taking steps to include their assessment of game populations and hunting pressures when considering assignment of EGAs.

Recommendation No. 3

GLCB should take more responsibility for area assignments by repealing regulations that allow a guide to designate to whom his EGA be reassigned.

Registered and master guides may each have a maximum of three EGAs. Typically, when a guide wishes to retire or perhaps become eligible for another, different EGA, he is allowed to turn back an existing EGA to the Board and designate the recipient of this reassignment. GLCB regulations currently allow, but do not necessarily require, this practice.

We found that these designated transfers override all other area assignment criteria. Essentially, GLCB has been automatically approving transfers of EGAs regardless of game management considerations, demonstration of experience

in the area by the transferee, and over the objections of affected joint users. Whereas GLCB evaluates, albeit inconsistently, regular area assignments, our review indicated they gave transfers much less scrutiny.

We believe that this lack of scrutiny encourages the practice of guides selling their EGAs to other guides in violation of GLCB regulations. With the Board giving little review to transfers, they greatly increase the potential of EGAs being awarded based solely on economic consideration; i.e., can the designated recipient afford to buy the area from its holder? This potential abuse is contrary to GLCB's statutory responsibility of establishing quotas for guide areas in an equitable and reasonable manner. We feel that all qualified guides for the area should receive equal chance at receiving an EGA, regardless of their ability to "buy" the rights from the previous holder.

By not adequately reviewing transfers of guide areas, the GLCB is missing an opportunity to achieve one of its stated policy goals. In the Board's FY 85 annual report, they state one of their policy objectives is to not allow additional joint use in areas that already have enough guides operating.

We feel that it would be better if the EGAs were surrendered to the Board; the Board review pertinent and prioritized criteria to determine if the region would support one or more additional guide operations; then consider all applications for the area under a equitable and reasonable method of allocation. Such a method could take into consideration unique qualifications such as a son or daughter who had worked as an assistant to their father, or perhaps a registered guide, who had "apprenticed" in the region under the surrendering EGA holder and accordingly, is more knowledgeable of the area than other applicants. By following such a procedure the Board would promote compliance with its own regulation restricting the transfer of guiding area permits.

Recommendation No. 4

GLCB should adopt procedures to improve the administration of the oral portion of the registered guide examination.

The oral portion of the registered guide examination is arbitrary and inconsistent in content and grading. This is because the examination content and grading guidelines are left to the discretion of the individual examiners.

To qualify for licensure as a registered guide, an applicant must successfully pass the registered guide examination. This examination, which is prepared and administered by GLCB, is composed of two parts, a written and an oral section. Passage of the examination requires the applicant to obtain a score of 80% on both sections.

GLCB procedures require the oral portion of the registered guide examination to be administered by three examiners, consisting of a Board member and two master guides. Questions asked by the examiners are based on an oral exam sheet, which does not limit examiners to specific questions nor does it provide predetermined question grading values.

This allows individual examiners to emphasize whatever subject areas they wish in the questioning of applicants. Despite the lack of specific grading criteria on which to base examination scores, instances were noted in which applicants narrowly failed exams by combined examiner scores as high as 79%.

The inconsistency of exam content and grading is demonstrated by the following example. In February 1985, an applicant failed the oral portion of the examination. The reason for failure noted by the examiners was that the applicant needed more hunting experience in the field. Examiners recommended the applicant obtain specific area experience along with spring, late fall, and winter experience. One month later, the applicant took the oral examination again, and was passed by an examination committee made up of three different examiners.

GLCB appears to have demonstrated its own doubts regarding the validity of oral examination results. GLCB's regulation 12 AAC 38.010(c), states the failure to achieve a passing score on either section of the examination constitutes failure of the entire examination. However, on several occasions, after having been petitioned by applicants who passed the written portion of the exam while failing the oral portion, the Board waived the requirement that the written portion of the examination be retaken.

The lack of specific guidelines dictating the objective administration of the oral portion of the registered guide examination has resulted in inconsistent content and grading between individual examinations. The likelihood of exam passage is as much affected by who the examiners are and their individual judgement as it is by the knowledge and competence of the applicant.

Structured guidelines governing the administration of the oral portion of the registered guide examination should be implemented by GLCB. These guidelines need to provide examiners with specific directions as to examination questions to be asked and their assigned grading values. If implemented, structured guidelines will provide a more objective means of administering the examination. This will provide the Board with more of a fair and consistent test of applicant competence.

Recommendation No. 5

GLCB should seek both statutory and regulatory changes in order to improve the protection of the public from unethical guiding practices.

One of the primary purposes of licensing and regulating guides is to protect the public from unethical guiding practices. We identified regulations and statutes that serve to block effective consumer protection action on the part of GLCB and serves to protect guides at the expense of the public. We recommend that GLCB enhance its consumer protection responsibilities by taking the following actions:

A. Pursue amendment of statutes that limit GLCB's authority to discipline guides for unethical activity.

B. Adopt regulations and/or recommend legislation to require guides to post performance bonds.

Statutory Constraints to Effective Disciplinary Action

Alaska Statute 08.54.200(a)(1) does not allow the Board to consider complaints of unethical or incompetent guiding practices until receiving complaints from "... three or more clients [hunters] of separate [hunting] parties."

In the course of our review we found four instances where guides had two allegations of unethical guiding activity, as defined by GLCB's regulations, but still had not been brought before the Board for review. Law enforcement officials told us that the statute requiring three separate complaints was particularly onerous for effective resolution of consumer complaints. Law enforcement officials are put in the position of consumer ombudsman, trying to mediate and negotiate settlements of hunter-and-guide or guide-and-guide disputes.

GLCB's effectiveness and visibility would be enhanced if all allegations regarding unethical guide practices was brought to it for review on a case-by-case basis. It appears that the intent of the statute was to keep down the number of frivolous and unfounded complaints against guides. Other professional licensing boards listen to, and sort through, all cases and complaints, no matter how trivial, as a means of keeping apprised of the conduct of their licensees. We recommend that GLCB begin doing the same.

Bonding of Guides

Almost all hunters who use guiding services are non-residents, a large number from outside of the United States. As a result, when disputes arise between guides and hunters it is often very difficult and expensive for the complaining

hunter to seek legal remedies or implement administrative action. This difficulty is compounded by the three complaint requirement of the statutes discussed previously.

In the course of our review, we noted four cases where a non-resident hunter and guide were disputing the refundability of a deposit. One example, two out-of-state hunters sent in deposits of $2,500 six months in advance of a hunt. Just prior to their departure for Alaska, the guide notified them that he would have to cancel their hunt. He offered to apply their deposits to a hunt the next year, but the hunters decided they wanted a refund. The guide did not respond to requests, and due to the statutory three complaint requirement, law enforcement officials were not able to bring the dispute before GLCB. The two hunters retained a Fairbanks attorney to pursue legal remedies, but soon abandoned the effort due to costs of litigation.

We recommend that GLCB pursue the necessary statutory and regulatory changes that would implement a mandatory requirement that guides post performance bonds. Performance bonds would allow hunters with legitimate grievances and claims against guides an easier, less expensive alternative in obtaining settlement of their claims. Guiding is a large industry in the State. It is important that GLCB do all it can to maintain the integrity of the guiding industry and uphold the reputation of the Alaskan guides with hunters outside of the State. The Board should recognize the unique type of consumer for guide services and take steps to adequately protect the interest of the out-of-state hunter/consumer.

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ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive, but to address those areas we were able to cover during our review.

I. The extent to which the board, commission, or program has operated in the public interest.

A. The Board has adopted regulations defining unethical conduct which clarify and strengthen the professional's responsibility to the public.

B. The Board does not consistently review the Department of Fish and Game game management information prior to assignment or transfer of an exclusive guiding area (EGA) (see Recommendation No. 1).

II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.

A. Regulation 12 AAC 38.054(b) allows an EGA permit holder to designate the qualified guide to whom he wishes to transfer his guide area. These transfers often take precedence over other guide area assignment criteria such as joint user objections, experience in the game unit, or game management considerations (see Recommendation No. 3).

B. Alaska Statute 08.54.200(a)(1) does not allow the Board to consider complaints of unethical or incompetent guiding practices until receiving complaints from three or more clients of separate parties regardless of the potential magnitude of the unethical act (see Recommendation No. 5).

III. The extent to which the board, commission, or agency has recommended statutory changes which are generally of benefit to the public interest.

A. Senate Bill No. 294, which was introduced in April 1985 by the Resources Committee, contains the following items which should enhance public protection if ratified:

1. An amendment to AS 08.54.010 would increase game management considerations in regulating guide activities (see Recommendation No. 2).

2. An amendment to AS 08.54.040 and a proposed new section (AS 08.54.195) would require consistency in procedures used in allocating EGAs (see Recommendation No. 1).

3. New sections would require those guides that contract with more than one client at a time (an outfitter) to maintain a surety bond of $5,000 (see Recommendation No. 5).

4. The bill would require closer supervision over assistant guides while in the field.

5. Unethical activities would be amended to include unsafe or unsportsmanlike actions that are detrimental to the game resources of the State.

6. Statutes dictating qualifications for, and restrictions on, transporters would be repealed. Many of the services now being provided by transporters would be subject to the proposed outfitter statutes contained in this bill.

B. Additional portions of SB 294 which do not appear to us to be in the public's best interest are as follows:

1. Current law limits the number of Board members that have guide licenses to no more than three of the seven members. SB 294's amendment of AS 08.54.010 would require that at least three Board members be active guides. This amendment would increase the potential for expanding the number of industry members on the Board at the expense of public participation.

2. Currently, AS 08.54.200(a)(1) does not allow the Board to consider complaints of unethical or incompetent guiding practices until receiving complaints from three or more hunters of separate parties. SB 294 contains an amendment of this statute which would require that these complaints be received within five years prior to the hearing date. This would compound those problems outlined in Recommendation No. 5.

3. Currently, AS 08.54.210(a)(6) makes it unlawful for a master or registered guide to employ or supervise more than three assistant guides at the same time.

   SB 294 would repeal this statute and could allow a master or registered guide to employ more assistants than they are capable of effectively supervising. The experience and professional judgement of the master or registered guide may not be available to clients when needed.

   Alaska Statute 08.54.141 of this bill also provides that assistant guides shall be supervised at all times while in the field on guided hunts. The potential problem noted above will depend on enactment of this new section and on the Board's interpretation of the term "supervised."

4. Enactment of amendments to AS 08.54.200(c)(3) may unnecessarily restrict those hunting statutes or regulations upon which the Board can take disciplinary action.

IV. <u>The extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided</u>.

A. The public is invited to attend Board meetings and to give their input about the workings of the Board. Notices of meetings are advertised in at least five newspapers throughout the State. In addition, guides are notified by registered mail of meetings that might affect them.

B. Publication of meeting information does not always precede the meeting by a reasonable time period. We found that the public was given less than a one week notice for two of the last eleven Board meetings.

C. Teleconference meetings are not being noticed publicly. This limits public input at those meetings and may legally jeopardize Board decisions and actions.

V. <u>The extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions</u>.

A. As stated under IV, the public is invited, by published notices in newspapers, to attend Board meetings to give their input about Board regulations or submit written testimony.

B. Those problems noted in IV B and C above also represent potential problems in this public need area.

VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the Office of the Ombudsman have been processed and resolved.

A. Since July 1983, ten complaints have been filed with the Ombudsman's Office concerning Board activity. Only one of these complaints, alleging improper denial of a registered guide license, was found to be justified.

B. Since August 1984, 19 complaints against guides have been submitted to the Department of Commerce and Economic Development, Division of Occupational Licensing for investigation. These cases appear to have been investigated in a reasonable fashion and are pending Board action or court rulings.

C. As mentioned in III above and in Recommendation No. 5, AS 08.54.200(a)(1) does not allow the Board to consider complaints of unethical or incompetent guiding practices until receiving complaints from three or more hunters of separate parties.

VII. The extent to which a board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.

A. As of September 1985, 46 master guides and 361 registered guides were licensed in Alaska. These individuals were required to pass both a written and an oral exam, as well as obtaining practical experience in the field, prior to licensure.

B. The oral portion of the registered guide examination is arbitrary and inconsistent in content and grading. This is because the examination content and grading guidelines are left to the discretion of the individual examiners (see Recommendation No. 4).

VIII. The extent to which State personnel practices, including affirmative action requirements, have been complied with by the board, commission, or agency to its own activities and the area of activity or interest.

A. The Board established 12 AAC 38.010(c) whereby an applicant for licensure 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.

B. Regulations also provide that when assigning guide area permits,

> the board will give preference to qualifying guides whose permanent residence is within the district in which the area is located.

IX. The extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the agency, board, or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the previous section, Findings and Recommendations.

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APPENDIX A

GUIDE LICENSING AND CONTROL BOARD
REVENUES COMPARED WITH EXPENDITURES
June 30, 1985
(UNAUDITED)
(Note 1)

	FY 83	FY 84	85
Revenues (Schedule 1, Note 2,	$46,000	$53,735	$83,673
Expenditures (Note 3)	21,663	13,483	11,777
Excess of Revenues over Expenditures	$24,337	$40,252	$76,901

Schedule 1
Types of Revenues
(Note 4)

Revenues	Amount	Collection Time
Master Guide License	$150	Biennially
Registered Guide License	150	Biennially
Class-A Assistant Guide License	30	Biennially
Assistant Guide License	20	Biennially
Transporter License	10	Biennially
Application For A Guide Examination	25	With Application

Note 1

This revenue/expenditure comparison was prepared from available reports prepared by Occupational Licensing personnel. The records were not audited by us and, accordingly, we do not express an opinion on the Board's Revenues Compared with Expenditures.

Note 2

Revenue amounts reported do not include revenue obtained from the sale of game tags or hunting licenses. They only include revenue obtained from fees required to obtain and/or renew guide licenses.

Note 3

Expenditures consist of direct costs resulting from Board activities. These include miscellaneous contractual, travel, and per diem costs incurred by Board members and the Board's licensing examiner. The amounts do not include the administrative expenditures of the Division of Occupational Licensing such as employee salaries or the expenditures made to other departments such as the Department of Law, which assist the boards and the Division.

Note 4

Amounts reflected are those established by statute for FY 85. Chapter 37, SLA 1985 provides that the Department of Commerce and Economic Development shall set license fees effective upon adoption of said regulations.

APPENDIX B

GUIDE LICENSING AND CONTROL BOARD EXAMINATION STATISTICS

Number of Examinations Given in FY 1984-1985 (Note 1)

Fiscal Year	Written Exam		Oral Exam		Total
	Passes	Fails	Passes	Fails	
1984	22	13	26	7	41
1985	19	9	17	4	30

Note 1

Licensure as a registered guide requires a passing score on both a written and oral examination. Licensure as a master guide requires a passing score on an oral examination only. Licensure as assistant guides and transporters does not require examination.

APPENDIX C

GUIDE LICENSING AND CONTROL BOARD
ADMINISTRATIVE STATISTICS
September 30, 1985

Currently Licensed

Master Guides	46
Registered Guides	361
Class-A Assistant Guides	139
Assistant Guides	829
Transporters	141

Board Meetings Between July 1, 1983 and June 30, 1985

July 17-22, 1983

October 25-26, 1983

December 7-13, 1983

March 12-17, 1984

December 13-14, 1984

February 9-17, 1985

March 18-19, 1985

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

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

December 23, 1985

RECEIVED
DEC 24 1985
LEGISLATIVE AUDIT

Mr. Gerald L. Wilkerson
Legislative Auditor
Legislative Audit Division
Pouch W
Juneau, AK 99811

Dear Mr. Wilkerson:

Re: Preliminary Audit Findings
Guide Licensing and Control Board

Thank you for the opportunity to comment on your preliminary audit report on the Guide Licensing and Control Board.

Our position remains the same from previous correspondence in that, we concur with your findings and recommendations, and also support continuation of the board. We once again offer the following comments regarding your recommendations:

In reference to recommendation #1, it is important to note that many of the actions or decisions made by the Guide Licensing and Control Board were made upon advice and support of counsel from the Department of Law. This is done especially in relation to your finding that hearing officer decisions are replacing that of the Guide Licensing and Control Board where setting quotas for guides are concerned. However, we believe the board has demonstrated an honest effort to act accordingly within the parameters of what they perceived to be correct, based on legal advice.

Regarding recommendation #4, this matter was brought to the attention of the board by staff of the Division of Occupational Licensing during previous board meetings. Although the board did acknowledge the need to address this issue, no time was given to address the oral examination for registered guides.

08-HBLH

We strongly support your suggestions in recommendation #5 and feel that, although performance bonds posted by master and registered guides may not be entirely adequate to rectify all complaints, it would certainly allow some means of restitution for injured parties from receiving unethical services.

Thank you once again for the opportunity to comment on your findings and for your cooperation.

Sincerely,

Loren H. Lounsbury
Commissioner

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The Legislature
Budget and Audit Committee
Jim Griffin, Auditor

DEC 19 1985

LEGISLATIVE
AUDIT

Recommendation #1

The Guide Licensing and Control Board (GLCB) uses the Statements of Financial Remunerations as proof of use and emperience in areas when assigning Exclusive Guide Areas (EGA). There have been discrepancies in the paste, the last year the GLCB have been adhereing closely to the critera of using SFRs. The GLCB seeks biological and Fish & Game surveys when they are available. This cannot always be done. Some areas Fish & Game haven't run surveys or recent surveys. Most of the time, the GLCB dosen't know which areas will be before them until the applicant comes before the GLCB with his application. This dosen't allow enough time to obtain the information. In cases that are held over and coming before the GLCB at a later date do allow time for soliciting biological information from the Fish & Game biologist located in the area involved. I have solicited Fish & Game information in several cases that are coming before r the GLCB this next meeting in December 1985.
I hope to get a regulation passed that requires an applicant applying for an EGA to obtain this information from the Fish & Game for presentation to the GLCB.
Along these lines there also should be a regulation requiring the same critera for a transfer be the same as a new applicant. That is to show proof of experience in the area as would a new applicant. And going farther, an applicant for a transfer from an EGA holder to himself show proof of working with the EGA holder for a certain time. One or two years. Co-signing SFRS could be used as proof as well as additional proof, either in EGAS or joint use areas.

Recommendation #2

Regulation (12 AAC 38.053 (f) (1) applies mostly to applications for joint use areas and EGAs being applied for by more than one guide. The proposal to pass a regulation requiring the applicant to obtain Fish & Game biological information on the area applied for will help in this area.

Recommendation #3

I do not agree that an EGA holder should have to surrender his EGA to the GLCB and not have the opportunity to transfer the EGA to a guide of his choice with the approval of the GLCB.
There are many cases where an EGA holder has farmed his area, carefully not to over harvest, so has improved both game populations and size of the animals in the area. To enhance game populations and sportsmen enjoyment is one purpose of the GLCB.
Financial investments should also be considered in transfers, land, buildings and equipment related to guiding in the area.
A guide who has spent many years building up an area with improvements to game populations should certainly have something to say about who's care the area's comes under. Son, Daughter, apprentice or guide who is well qualified to guide in the area.

The GLCB has a policy not to issue a new applicant an area in joint use. In other words filing over an area that is already in joint use, or use by only one EGA holder. The GLCB is working to eliminate as much joint use as possible. This can only be done through natural attrition. The GLCB cannot choose two permit holders out of six joint users and pull their permits without due cause. I do think, and it has been the GLCB;s policy the last two years. A Ega holder is convicted of some violation that merits revoking his area that is in joint use with others, that area will not be reassigned ..
Where the area is extemely large and dosen't have many joint users some leeway should apply to a new applicant. The guide losing the area should not have a say one way or the other.in the matter. However, in cases such as this very careful scrutiny in all critera must be made. One thing along these lines. At one time the intent of GLCB to review and reassess all EGAS. Considering size, utilization and condition of game populations. This was never done, primarily because time and budget restrictions wouldn't allow it.

Recommendation #4

Oral guide examinations;

There are inconsistencies in administering oral tests. The purpose of the oral test is to determine the applicat's practical field experience and knowledge of game habits, size and the area he is being tested for. Most of this is impossible to determine with a tightly held oral tests with set questions and answers. The examiner should have some flexibility but should not be allowed to wonder far afield and asking impertinent questions. There should also be a standard time for the test, say 1 or 1½ hours. One problem that keeps cropping up is first aid. I propose that an applicant be required to have passed a first aid course with in the year prior to taking the guide exam.
The GLCB has been trying to upgrade this portion of the guide test. Here again, the increasing number af applications for testing each meeting is also increasing the work load of the GLCB.

Recommendation #5

There should be some changes in Statute 08.54.200 (A) (1). The change should give the GLCB some flexibility on guide complaints. Taking in consideration of theseverity of the complaint. Endangering life, flagrant game violations,and unethical practices, etc.
The GLCB does have a guiding ethics regulation (12AAC 38.130) The complaint are slowly being corrected since the adminstration was consolidated in the Department of Commerce, Division of Occupational Licensing. The GLCB investigator is investigating all compliants that come in now.

We are trying to get a section in the new guide bill, (Senate Bill #294) to satisfy the change mentioned above. Bonding is already addressed in S294.
The bill also creates an outfitter's license and repeals the transporters license. This should help to alleviate the wide spread unlicensed guiding. These unlicensed guides are a big factor in guiding complaints.

The bill also goes into more detail on what guiding is. Enforcement people say the present bill dosen't explain guiding enough for them to make a case on unlicensed guiding. The new bill should give them the tools they need to enforce that section.

The GLCB would like to conduct more work on all these programs and others as well.

It is very important to the guidin industry that the GLCB not be sun setted. If the guide bill is not extended or a new bill passed, the guiding industry will be plunged into a chaos that it could never recover from. Just about everyone with a super cub or 185 will become instant guides creating an impossible situation for game populations and sportsmen safety.

In addition to recomendation #4.
At this last GLCB meeting we appointed 3 master guides and a registered guide to study the oral test and make up a new one that would standardize the test. These men will all have an educational background.

Comments Regarding Interim Letter #1
Sunset review 1984

Recommendation # 1.

I agree with all of Mr. McNutt's comments. In addition I might add. There have been a number of meetings to establish a point for awarding and transfering guiding areas. The suggested method that had the most merit was to award points for criteria relateing to use of the area, financial investment in the area, residence alternate areas, etc. I would suggest that those who did so much work on this system be contacted and a system be finalized and approved. This will eliminate most of the criticism related to transfers.

Recommendation # 2.

Agree with Mr. McNutt.

Recommendation #3.

I completely agree with Mr. McNutt's comments and would like to add emphasis here. The assigned area concept will do more to elevate the quality of guiding in Alaska than any change in years. It gives the area holders a responsibility toward the area and game. Now through leases from the state and permits from the federal government, it will be possible for guides to build permanent structures in many areas. The guides will continue to increase their investments in areas. As the investment both in time and monetary increases so does the guides financial responsibility increase. After working for years to build a high quality operation it seems only just that upon retirement the permit holder would be able to choose his successor, who in nearly every case would be the most qualfied person for the tranfer no matter what seletion criteria were used. There have been abuses of this in the past as there were some transactions that seemed to be merely real estate sales. The GLCB is aware of this and is taking a firm stance against real estate dealers,. It would seem that guiding like any other business would allow a successful and ambitious business man to build some value into his business so that when it came time for retirement he would have something to sell. Because the guiding business envolves land and resources that belong to the public, the burden of responsibility upon the area permit holder is great. aside from his investment in property and equipment the value lies in his concessionary right to the area and it's wildlife. If he has treated these right with regard and respect and obeyed all covenents both moral and legal it seems only right that he should be able to sell this right to another qualified individual of his Choosing. This would allow him to maximize the return for his investment.

Recommendation #4.
The GLCB commented on this in addition to Mr. McNutt's comments and covered it quite thoroughly.

Recommendation # 5.
Agree with Mr. McNutt.

These comments were made by James Harrower, member GLCB.

Guides & Outfitters

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Position Paper - Department of Public Safety

MAR 26 1987

BILL NO: HB 183 DATE: 3/23/87

TITLE: "An Act relating to the provision of goods or services to hunters."

CONTACT: Capt. James Nutgrass
Acting Director

[redacted] an act amending the definition of big game guiding.

DEPARTMENT OF PUBLIC SAFETY

The passage of the amendments to AS 08.54.210 and AS 08.54.240 will give the Department of Public Safety an important enforcement tool to investigate and prosecute cases against unlicensed guides in Alaska. The amendments should reduce the number of unlicensed guiding activities, which will allow us to better utilize our manpower to monitor other resource problems in Alaska. The amendments will further allow our uniformed officers to better enforce the laws pertaining to guiding in Alaska. Finally, these amendments strengthen the guide bill, making it more enforceable when dealing with unlicensed guiding activities. The penalty for unlicensed guiding in Alaska is a felony with a penalty of one (1) to three (3) years in prison and a fine of up to $5,000.00. In sum, the passage of the amendments will aid our Department in carrying out its responsibilities: The enforcement of state laws and the protection of the fish and wildlife resources in the State of Alaska.

The following amendments to this legislation are proposed:

(Page 1, lines 24 and 25)

(4) A person to advertise as, or represent to be, or act as a guide or outfitter without holding a current valid registered or master guide license.

Justification: The advertising or representing to be a guide many times occurs in the lower 48 states. However, if a person "acts" as a guide, this would most likely occur within the State of Alaska, and within the criminal jurisdiction of the State of Alaska.

By adding Master or Registered guide to this section, this eliminates the ability of validly licensed assistant guides to represent themselves as outfitters or guides. We have determined that a substantial number of outfitters operating illegally in Alaska are, in fact, licensed assistant guides.

(Page 2, line 11 and 12)

Recommended amendment to the penalty provision of AS 08.54.210(9)(A) to: In the field does not include being present in a boat with living quarters or at a permanent lodge or a lawfully established cabin that the parties have a lawful right to be using.

Justification: Many residents of Alaska suffer trespass damages by persons utilizing cabins without permission. This amendment would close the loophole that a party could use to avoid prosecution under AS 08.54.210(6) by requiring a person to use only cabins that they have a legal right to be in rather than base camps that can be easily created.

Addition to AS 08.54.210(b)(1-5) Penalty Provisions

(Page 2; lines 17-21)

Recommend increasing the penalty provisions for violations of AS 08.54.210 (b)(1-5) to Standard Class A misdemeanor penalties which are a fine of not more than $5,000.00 and imprisonment for a period of up to one year, or by both.

Justification: A $1,000.00 maximum fine and imprisonment of up to six months currently allowed is not substantial enough to provide a deterrent, as judges are reluctant to imposed jail time for these cases.

(Page 2; line 23-26)

Recommend amending to the penalty provision of AS 08.54.210(10). We recommend amending the penalty provision of AS 08.54.210(9) to a Class A misdemeanor.

Justification: Standard Class A misdemeanor punishment should be sufficient to deter "clients" from engaging in this practice.

William R. Nix
Acting Commissioner

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: HB 183
Publish Date:

REQUEST
Revision Date:
Title: "An Act relating to the provision of goods or services to hunters."
Sponsor: Rep. Herrmann
Requestor: House Resources

Agency Affected: Public Safety
BRU: Fish & Wildlife Protection

Components: Enforcement

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING:: (Thousands of Dollars)

GENERAL FUNDS		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Kyle Weaver
Phone: 269-5539
Division: Fish & Wildlife Protection
Date: 3/23/87

Approved by Commissioner: William R. Nax
Date: 3/24/87
Agency: Public Safety

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

Guides & Outfitters

V

Position Paper - Division of Occupational Licensing

APR 2 . . .

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

P. O. BOX D
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2534

April 22, 1987

Dear Legislator:

At the Guide Board meeting held in Fairbanks, Alaska on April 11-14, 1987, the board unanimously adopted the following resolution and requested that the resolution be copied to each member of the Legislature:

> "The Guide Board wishes to go on record as supporting Senate Bill 191."

SB 191: An Act relating to guide licensing fees; amending the definition of big game guiding; prohibiting compensation of an unlicensed person for guiding; and prohibiting a person not licensed as a guide from advertising as or representing to be an outfitter.

Sincerely,

DIVISION OF OCCUPATIONAL
LICENSING

5836W42287a

Guides & Outfitters

V1

AG's Opinions on the Issue of Residency & Licenses

Steve Cowper, Governor

REPLY TO:

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☐ POUCH K · STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3600

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

December 8, 1986

The Honorable Jim Duncan
Alaska State Legislature
P. O. Box V
Juneau, Alaska 99811

Re: Hunting guide area residency requirements
A.G. No. 661-87-0259

Dear Representative Duncan:

Your request of December 2, 1986, to the Acting Attorney General for "an opinion concerning the current guide licensing law and a constitutional question about residency requirements" has been referred to me.

As you are no doubt aware, in 1986 the legislature reimposed a residency requirement on professional guiding activities in Alaska. (A similar requirement had been repealed in 1983, following an Attorney General's opinion that the requirement was most likely unconstitutional.) As amended by sec. 20, ch. 71, SLA 1986, the relevant section reads:

> Sec. 08.54.210. Unlawful acts. (a) It is unlawful for
>
> . . . .
>
> (3) a person to guide without having a current valid guide license and resident hunting license in actual possession;
>
> . . . .
>
> (6) a person to guide without being validly licensed as a guide under this chapter and as a resident hunter under AS 16 . . . .

On September 29, 1986, in response to a request from the director of the Division of Occupational Licensing, Department of Commerce and Economic Development, the Attorney General issued a formal opinion concerning the residency requirement imposed by AS 08.54.210(a). A copy of the opinion is attached to this letter. The gist of the Attorney General's opinion is that the state cannot discriminate against nonresidents in its regulation of the guiding

profession. That is, the opportunity to professionally guide hunts in Alaska must be the same for residents of Alaska and for residents of other states. The analysis supporting this opinion is equally applicable to the state's assignment of restricted guide areas to individual guides (see AS 08.54.195). The opinion does not, however, make any pronouncement as to the validity of AS 08.54.040(a)(7), which states:

> Sec. 08.54.040. Powers and duties. (a) Except as provided in AS 08.54.045, the board shall
>
> . . . .
>
> (7) establish a quota of licensed operating guides who may operate within designated geographical game units or subunits of the state and provide for an equitable, reasonable, and consistent procedure for limiting the number of guides to that quota; preference may be given to qualified available and willing licensed guides who reside within the designated game unit or subunit . . . .

(emphasis added.) The distinction in AS 08.54.040(a)(7) is significantly different from the distinction drawn in AS 08.54.210(a). AS 08.54.040(a)(7) distinguishes not between residents and nonresidents of the state, but rather between a resident applicant for a restricted area and applicants who do not reside in the applied for area. The 1986 amendments (sec. 6, ch. 71, SLA 1986) changed the language of this section from "preference shall be given" to "preference may be given." Again, the September 29, 1986, Attorney General's opinion expresses no view as to the validity of this provision.

I believe that the September 29, 1986, formal opinion of the Attorney General answers your questions. If you have further questions which are not answered by the opinion, feel free to contact me.

Sincerely,

RONALD W. LORENSEN
ACTING ATTORNEY GENERAL

By. Michael G. Hotchkin
Michael G. Hotchkin
Assistant Attorney General

MGH/ma

enclosure

BILL SHEFFIELD, GOVERNOR

REPLY TO:

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DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

September 29, 1986

Kathy Marshall, Director
Department of Commerce
and Economic Development
Division of Occupational Licensing
P.O. Box D
Juneau, AK 99811

Re: Resident hunting license
requirement for guides;
AS 08.54.210(a)(3), (a)(6)
Our File: 661-87-0063

Dear Ms. Marshall:

In your memorandum dated July 22, 1986, you asked several questions concerning AS 08.54.210(a)(3) and (a)(6). You asked, first, if the cited sections prohibit a currently licensed registered guide, master guide, class-A assistant guide, or assistant guide from continuing to work as a guide in Alaska if the guide does not possess a resident hunting license. Second, you asked whether the division of occupational licensing must reject new guide license applications filed by persons who do not possess resident hunting licenses. Finally, you asked our opinion regarding the constitutionality of the requirement imposed by AS 08.54.210(a)(3) and (a)(6) that a person must possess a resident hunting license in order to guide in Alaska.

Only your third question need be answered. The short answer to that question, which has been provided to you by

memorandum dated August 8, 1986, is that the residency requirement imposed by AS 08.54.210(a)(3) and (a)(6) is unconstitutional as applied to currently licensed or prospective guides in any of the listed guide categories. Your department need not and should not implement or enforce the requirement that a guide must possess a resident hunting license. The relevant sections should be read as if the word "resident" did not appear. Thus, the requirements that a guide be validly licensed as a hunter under AS 16, and have a current (resident or nonresident) hunting license in actual possession while guiding, are valid and should be enforced.

BACKGROUND

The qualifications for a person to receive a master guide license are found at AS 08.54.100, for a registered guide license at AS 08.54.110, for a class-A assistant guide license at AS 08.54.120, and for an assistant guide license at AS 08.54.140. Before July 1983, an applicant for any of these licenses was required by statute to be a resident of the State of Alaska. "Resident" was defined in AS 08.54.240(3) to mean "a person who maintains a place of residence within the state; has not claimed residency in another state for the immediately preceding 12 months; [and] shows by all attending circumstances that his intent is to make this state his permanent residence."

In 1982, following the Alaska Supreme Court's decision in Noll v. Alaska Bar Association, 649 P.2d 241 (Alaska 1982), the Alaska Attorney General opined that "it is highly likely" that a court would find each of the above-referenced residency requirements unconstitutional. 1982 Inf. Op. Att'y Gen. (Dec 3; 366-357-83). The next year, the legislature repealed each of the guide license residency requirements. Sec. 19, ch. 68, SLA 1983, p. 10, l. 25.

Unlike the repealed residency requirements, AS 08.54.210(a)(3) and (a)(6), which were enacted in 1986 (sec. 20, ch. 71, SLA 1986), do not impose a residency requirement per se on a license applicant. Instead, they require an already licensed guide to possess a resident hunting license in order to act as a guide. Such a license may be obtained only by a person who has maintained a permanent place of abode and a voting residence in the state for 12 consecutive months. See AS 16.05.940(19), "resident" defined. Thus the new provisions, like the repealed provisions, effectively restrict the guiding profession in Alaska to Alaska residents of at least 12 months' duration.

LEGAL ANALYSIS

A. Constitutionality

State-imposed requirements that use residency status to differentiate between classes of persons wishing to pursue an occupation in a state are subject to challenge under several constitutional provisions. For present purposes, only article IV, section 2, clause 1, of the United States Constitution (the "privileges and immunities clause"), need be considered. This clause, which states, "The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states," was "intended to create a national economic union." Supreme Court of New Hampshire v. Piper, 470 U.S. 274, 280, 105 S.Ct. 1272, 1276 (1985). According to the United States Supreme Court, "the pursuit of a common calling is one of the most fundamental of those privileges protected by the Clause." Piper, 470 U.S. at 280, n.9, 105 S.Ct. at 1277, n.9 (quoting United Building & Construction Trades Council v. Mayor & Council of Camden, 465 U.S. 208, 219 (1984)). The Court has stated that "one of the privileges which the Clause guarantees to citizens of State A is that of doing business in State B on terms of substantial equality with the citizens of that State." Piper, 470 U.S. at 280, 105 S.Ct. at 1276 (quoting Toomer v. Witsell, 334 U.S. 385, 396 (1948)).

Review of a residency requirement under the privileges and immunities clause proceeds in three steps. First, in order for the clause to be implicated, it must be established that the residency requirement infringes a protected privilege of a citizen of another state. Once such infringement is established, the rationale for the discrimination against the nonresident is examined to determine whether there is a substantial justification for it, beyond the mere fact that the person who is discriminated against is a citizen of another state. Finally, if such justification exists, the residency requirement is examined to determine whether it bears a substantial relationship to the particular "evil" posed by the nonresident. A residency requirement which does not pass each of the latter two steps violates the privileges and immunities clause and is constitutionally impermissible. Noll v. Alaska Bar Association, 649 P.2d 241 (Alaska 1982).

Applying the first step of this test to the statute in question, it is clear that the ability to act as a commercial hunting guide is a privilege which is protected under the privileges and immunities clause. The Alaska Supreme Court, in recognizing the practice of law as a protected privilege, noted that privileges protected under the clause include "common callings . . . ordinary livelihoods . . . [and] professional

pursuits." Shelev v. Alaska Bar Association, 620 P.2d 640, 643 (Alaska 1980). "Guiding" is defined at AS 08.54.240(3) to mean "accompanying or directing a hunter . . . for compensation or with the intent or an agreement to receive compensation . . . ." Hunting guides in Alaska generally make their living from their guiding activities. The activity of commercial guiding is, therefore, a protected privilege. Of course, AS 08.54.210(a), which prohibits a nonresident from commercially guiding in Alaska, impinges upon the nonresident's exercise of that privilege.

The next two steps in privileges and immunities clause analysis are closely related to each other. The first requires a determination of whether there is a "substantial justification" for the discrimination against nonresidents. No such justification can exist absent a showing that nonresidents are "a peculiar source of the evil" which the state's action is meant to remedy. Noll, 649 P.2d at 243. The final step requires a determination of whether the discrimination bears a "substantial relationship" to the state's objective. No such relationship exists if the state could accomplish its objective (i.e., elimination of the "evil" posed by nonresidents) through a less restrictive means than the discrimination imposed against nonresidents. Piper, 470 U.S. at 284, 105 S.Ct. at 1279.

These latter two steps pose more difficult questions than the first step, as neither the statute nor the legislative history behind sec. 20, ch. 71, SLA 1986, disclose the legislature's reasons for imposing the residency requirement on guides. The several obvious reasons which may be postulated are examined below. None of the postulated reasons survives scrutiny under the privileges and immunities clause test.

One possible justification for the residency requirement involves the safety of hunters, and is based on the presumption that resident guides are more likely to be familiar with the terrain, hunting conditions, and species likely to be encountered in the field than are nonresidents. This justification was raised by the State of Wyoming when it attempted to defend a similar guide residency requirement from a privileges and immunities clause challenge. Powell v. Daily, 712 P.2d 356 (Wyo. 1986). The Powell court held the justification to be insufficient, finding that it failed both steps of the privileges and immunities test. First, it is not a "substantial" justification, because nonresidents are not a peculiar source of the evil of incompetent or unsafe guides. The Powell court noted:

> [Mere] residence in this state does not make a competent guide. If the State's position were to be upheld, a person born and raised in New York City who moved to Cheyenne over a year ago could qualify for a guiding license, while Mr. Powell, who has hunted and fished in Idaho, Montana and

> Wyoming for 30 years, cannot qualify because he makes his home in Idaho Falls. The State cannot seriously contend that merely living in Cheyenne for a year makes a prospective guide a better safety risk when guiding hunters in the rugged wilderness areas of our state.

Powell, 712 P.2d at 361. This statement applies equally to the situation in Alaska. This justification fails the final step of the test as well, because the state could guard against incompetent or unsafe guides through less restrictive means than discrimination against nonresidents. In fact, it already does so by requiring each applicant for a registered guide license to pass both written and oral examinations, which test the applicant's knowledge not only of general guiding and hunting matters, but also of the particular terrain and conditions in which the prospective guide is applying to operate. 12 AAC 38.010.

Another justification for the discrimination might be that residents are more likely to know and abide by local laws and regulations than are nonresidents. This justification, too, fails for the reasons discussed above.

Finally, the discrimination might be justified if the state had some definite need to control or police the guiding industry which required that its practitioners be physically located within the confines of the state. The present record, however, discloses no such unique need, nor any greater administrative need to control or police the commercial guiding industry

than the need to control or police the commercial fishing industry or any other industry in which both residents and nonresidents of Alaska participate. 1/

Based on the information available to us, we conclude that the discrimination against nonresidents under AS 08.54.210(a)(3) and (a)(6) cannot be justified, and that the residency requirement imposed by those paragraphs on persons wishing to commercially guide in Alaska violates article IV, section 2, of the United States Constitution. We note that the only courts that have considered this or a similar issue have reached the same conclusion. Powell v. Daily, 712 P.2d. 383 (Wyo. 1986) (residency requirement for applicants for guide license held unconstitutional); Godfrey v. Montana State Fish and Game Commission, 631 P.2d. 1265 (Mont. 1981) (residency requirement for applicants for outfitter license held unconstitutional).

B. Severability

Our conclusion that the residency requirements of AS 08.54.210(a)(3) and (a)(6) are unconstitutional raises the

---

1/ One other possible rationale, protection of resident guides from competition by nonresidents, is not a valid justification for discrimination against nonresidents, as "[t]he Privileges and Immunities Clause was designed primarily to prevent such economic protectionism." Piper, 470 U.S. at 285, n.18, 105 S.Ct. at 1279, n.18.

issue of whether the requirements are severable from the remaining portions of AS 08.54.210(a). AS 08.54 does not contain an express "savings clause," specifying that any provision found to be invalid is to be severed from the rest of the Act. The general savings clause set forth in AS 01.10.030, however, is applicable. This statute provides as follows:

> CONSTITUTIONALITY AND SEVERABILITY. Any law heretofore or hereafter enacted by the Alaska legislature which lacks a severability clause shall be construed as though it contained the clause in the following language, "If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of this Act and the application to other persons or circumstances shall not be affected thereby."

The purpose of this statute is to "preserve to as great an extent as possible all valid portions of enactments by the Alaska State Legislature." Lynden Transport, Inc. v. State, 532 P.2d 700, 711 (Alaska 1975). As the court noted in Lynden, however, a general severability clause creates only a weak presumption in favor of severability. Lyden, 532 P.2d at 712-713.

The test the court announced in Lynden for determining the severability of a statutory provision is as follows: "A provision will not be deemed severable 'unless it appears both that, standing alone, legal effect can be given to it and that the legislature intended the provision to stand, in case others

included in the act and held bad should fall.'" Lynden, 688 P.2d at 713 (quoting Dorchy v. Kansas, 264 U.S. 286, 290 (1924)).

As to the first issue, it is apparent that if the residency requirements are stricken the relevant paragraphs can still be given complete legal effect. After striking the residency requirements, the subsection would read, in pertinent part:

> Sec. 08.54.210. UNLAWFUL ACTS. It is unlawful for
>
> . . . .
>
> (3) a person to guide without having a current valid guide license and . . . hunting license in actual possession;
>
> . . . .
>
> (6) a person to guide without being validly licensed as a guide under this chapter and as a . . . hunter under AS 16[.]

The next issue is whether the legislature intended the remainder of the two paragraphs to stand, absent the residency requirements. It is self-evident that the legislature's intent to prohibit persons from guiding without first obtaining a guide license, which they must carry in their possession while guiding, is completely separate from the residency requirement. The guide license requirements are, therefore, severable from the residency requirements, and should be enforced. The only remaining question is whether the legislature intended to require guides to be licensed as hunters, regardless of the residency requirement. The

conclude that the legislature did so intend, for the following reason. In enacting AS 08.54.210(a)(3) and (a)(6), the legislature imposed requirements that guides be (a) residents of Alaska, and (b) licensed as hunters. Had the legislature intended by this provision to require only that guides be residents of Alaska, it would have said so, and not also required guides to obtain and carry hunting licenses with them while guiding. 2/

CONCLUSION

We have concluded that a court would find AS 08.54.210(a)(3) and (a)(6) to be unconstitutional, insofar as these paragraphs require a commercial hunting guide to be a resident of Alaska, because they unjustifiably discriminate against citizens of other states. Your agency should not implement or enforce the residence requirement provisions of this statute.

We have also concluded that the residency provisions of the paragraphs are severable from the remainder of the statute. You should, therefore, implement and enforce AS 08.54.210(a) as if the word "resident" did not appear therein.

2/ Further evidence of the legislature's intent to require guides to be licensed as hunters may be found at AS 08.54.100(1) and 08.54.110(2) and 12 AAC 08.100(11).

If you have any questions or comments about this opinion, please do not hesitate to contact us.

Sincerely,

Harold M. Brown
Attorney General

Michael G. Hotchkin
Assistant Attorney General

HMB/MGH/ma

cc: Colonel Robert N. Henderson, Department of Public Safety
Herb Soil, Department of Law
Dennis D. Kelso, Department of Fish and Game
Ray McNutt, Chairman, Guide Board

MEMORANDUM State of Alaska

TO: Sgt. Robert Boutang
Division of Fish & Wildlife Protection
Department of Public Safety

DATE: July 29, 1986

FILE NO: 661-87-0055

TELEPHONE NO:

FROM: Harold M. Brown
Attorney General

By: Sarah Elizabeth McCracken SEM
Assistant Attorney General
Natural Resources-Anchorage

SUBJECT: Interpretation of guide statutes and regulations under ch. 71, SLA 1986

Your request of July 22, 1986 raised several questions regarding interpretation of the new guide law, ch. 71, SLA 1986, and guide board regulations under this new regime.

Your first inquiry was whether Fish and Wildlife Protection officers should be directed to enforce AS 08.54.210(a)(3), which makes it unlawful, inter alia, for a person to guide without having a resident hunting license in possession. The term "resident" is defined in AS 08.54.240(4) and AS 16.05.940(19) to mean residency for 12 consecutive months.

You should be aware that Richard Long, Chief Investigator for the Department of Commerce and Economic Development, division of occupational licensing, has already requested a written Attorney General's opinion on the question of the constitutionality of the residency requirement in the new guide law. That request is pending, and an opinion will probably not be issued before your meeting on July 30. I am enclosing, however, a copy of the bill review letter from the Attorney General to the Governor regarding HCS CSSB 294 (Res) am H, the bill enacted as ch. 71, 1986. Page five of that letter discusses briefly the residency requirement in section 20, and notes that durational residency requirements for obtaining vocational or professional licenses have previously been held invalid, and that a court is unlikely to uphold the provision. Unless there is a strong record demonstrating a legitimate state need to impose a durational residency requirement, it is unlikely that a charge of violating AS 08.54.210(a)(3), with respect to the resident hunting license, would result in a conviction. Although our formal response to Richard Long's request is being drafted by another attorney and is not yet available, it is unlikely that the opinion will recommend enforcement of this provision.

Your second question related to criminal sanctions for violations of guide regulations. As explained on page five of

the attached bill review letter, section 20 of the bill (now AS 08.54.210(a)(2)) makes it clear that it is unlawful (a misdemeanor) for a guide to commit a violation of a guide statute or a guide regulation. Therefore, for example, a guide could be charged under AS 08.54.210 and 12 AAC 38.060 for failing to file or have in camp a statement of financial remuneration, and could be charged with violating 12 AAC 38.070 (responsibility of guide to his client), about which you specifically inquired.

You also asked whether a guide could be charged criminally with guiding in another guide's exclusive guide area. The answer to that question is also yes. The express terms of AS 08.54.210(a)(2) apply to a violation of a guide regulation, and this intent is further clarified by the reference in AS 08.54.200(c)(4) to a "conviction for hunting in a restricted area not assigned to the licensee without proper written permission." (Emphasis added).

You also inquired about the requirement in 12 AAC 38.090 that 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." This regulation is not affected by the changes in ch. 71, SLA 1986, although the regulation is made somewhat more clear by the new definition of "guide" or "guiding" in AS 08.54.240(3). The new definition provides:

> (3) "guide" or "guiding" means accompanying or directing a hunter in the field, personally or through an assistant, for compensation or with the intent or an agreement to receive compensation, while the hunter or the person accompanying or directing the hunter spots, stalks, pursues, tracks, kills, or attempts to kill big game; in this paragraph, "in the field" does not include being present in a boat with living quarters or at a lodge or base camp;

There is no specific definition of the term "in the field" in the statute or in guide board regulations, but the new statute does clarify that "in the field" does not include being present "in a boat with living quarters or at a lodge or base camp." If "in the field" does not include being at a lodge or base camp, it must mean being in the hunting area, including being at a spike camp or actually stalking game. Because there is no special legal meaning attached to the term "in the field" (other than that now clarified in ch. 71, SLA 1986), the term should be interpreted consistent with its common dictionary

meaning. See State v. Debenham Electric Supply Co., 612 P.2d 1001, 1002 (Alaska 1980) (unless words have acquired special meaning by statute or case law they are to be construed in accordance with common usage); see also AS 01.10.040. For a general definition of "field" in the context of hunting, see Webster's Third New International Dictionary 845 (1971 ed.) In short, the term "in the field" should be interpreted in accordance with its common usage in the context of the specific facts of each case. If you have questions about a specific case, please contact this office or the District Attorney's Office.

Finally, you asked how the new guide bill affects outfitters or people who simply transport hunters or game for hire. Section 27 of ch. 71, SLA 1986 repeals AS 08.54.142--AS 08.54.146, the statutes governing tranporters. Accordingly, it is now no longer necessary for a person who merely transports hunters or game to obtain a transporter's license or file a report. Similarly, a person who, for example, rents hunting equipment (tents, vehicles, etc.) and perhaps also provides transportation to a lodge or base camp, but who does not accompany a hunter on the hunt (in the field), is not required to obtain a guide's license. The new definition of "guiding" in AS 08.54.240(3) is somewhat different from the former definition, but still only applies to a person who, for compensation, accompanies or directs a hunter in the field "while the hunter spots, stalks, pursues, tracks, kills, or attempts to kill big game." For a discussion of the meaning of "guiding" that is based on the former AS 08.54.240(2) but which remains valid under the amended language, see 1977 Inf. Op. Att'y Gen. (Sept. 26; Meacham), copy attached.

If you have additional questions, please let us know.

SEM/jmo
Encl:

cc: Capt. James Nutgrass
Col. Red Henderson

A PERFORMANCE REPORT ON THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT GUIDE BOARD

December 11, 1987

Audit Control Number

08-1305-88-R

Commissioner, Department of Commerce and Economic Development	J. Anthony Smith
Deputy Commissioners, Department of Commerce and Economic Development	John Williams

Members of the Guide Board

Chairman	Ray McNutt
Member	Edward J. Shavings, Sr.
Member	Ben Ballenger
Member	Charles Weir
Member	Stanley Frost
Member	Edward Gamble, Sr.
Member	Arthur Clark

STATE OF ALASKA

DIVISION OF LEGISLATIVE AUDIT

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

AUDIT DIVISION
P.O. BOX W
JUNEAU, ALASKA 99811-3300

December 18, 1987

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Titles 24 and 44 of the Alaska Statutes (sunset legislation), the attached report is submitted for your review.

A PERFORMANCE REPORT ON THE
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
GUIDE BOARD

December 11, 1987

Audit Control Number

08-1305-88-R

Randy S. Welker

Randy S. Welker, CPA
Acting Legislative Auditor
Division of Legislative Audit

TABLE OF CONTENTS

	Page
Purpose and Scope of the Report	1
Organization and Function	3
Report Conclusion	5
Findings and Recommendations	7
Analysis of Public Need	15
Appendixes:	
A. Guide Board, Schedule of Revenues Compared with Expenditures	20
B. Guide Board, Schedule of Estimated Revenues Compared with Budgeted Expenditures	21
C. Guide Board, Examination Statistics	23
D. Guide Board, Administrative Statistics	24
Agency Responses:	
Department of Commerce and Economic Development	25
Guide Board Chairman	33
Legislative Audit's Additional Comments	37

PURPOSE AND SCOPE OF THE REPORT

Purpose

In accordance with the intent of Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Guide Board for the past four fiscal years. Our examination was conducted to determine if the Board has been operating in an efficient and effective manner.

Legislative intent requires consideration of this report during legislative oversight hearings to determine whether the Guide Board should be reestablished. The law now specifies that the Board will terminate June 30, 1988 and will have one year from that date to conclude its affairs.

Scope

The major areas of our examination were the licensing, examination, administration, complaint, and affirmative action functions of the Board. We reviewed and evaluated the following:

1. Applicable statutes and regulations.

2. Interviews with the license examiners.

3. Tests of files and documents of licensees.

4. Complaints filed with the Division of Occupational Licensing, Human Rights Commission, Equal Employment Opportunity Office, Attorney General's Office, and the Ombudsman Office.

5. Discussions with Board members.

6. Discussions with licensed guides.

7. Minutes of Board meetings and Division correspondence files.

8. Attorney General Opinions applicable to professional boards.

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ORGANIZATION AND FUNCTION

The Guide Board was established by the 1973 Legislature and succeeded the Board of Fish and Game, Department of Fish and Game, which previously had 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. The Division assists the Board in the performance of their duties by providing administrative, licensure, and investigative support.

By law, a nonresident may not hunt, pursue, or take brown bear, grizzly bear, polar bear, or sheep in Alaska unless personally accompanied by a licensed master, registered, or assistant guide. Nonresidents hunting with an Alaskan relative are exempt from this requirement. The Guide Board was appointed in part to protect these nonresident hunters from incompetent individuals holding themselves out to be qualified Alaskan guides.

The function of the Board is primarily regulatory, as 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.

It is this last practice and function of the Board which is the most controversial. The Board's method and policy of assigning exclusive guide areas has become an increasingly contentious procedure. The Board has adopted a policy of eliminating previously allowed joint-use areas and is gradually trying to reestablish exclusive guide areas.

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REPORT CONCLUSION

In our opinion, the Guide Board should be reestablished. The regulation and licensing of qualified guides is necessary to protect the public's health, safety, and welfare. The Board provides this service by establishing minimum qualification and experience requirements that provide reasonable assurance that persons licensed are both capable of safely conducting guided hunts and familiar with their prospective guiding areas.

However, we also recommend that the Legislature limit the reestablishment period of the Guide Board to a two year period. The Board's current policy regarding the assignment (see Recommendation No. 1) and transfer of guiding areas (see Prior Audit Recommendation No. 3) along with the pending suit before the Alaska Supreme Court challenging the legal basis of area assignments all involve significant public policy issues.

Resolution of these issues, particularly an adverse ruling in the Supreme Court case, will have an extensive effect on the operations of the Guide Board. We believe that it would be good public policy for the Legislature to limit any statutory extension of the Board to June 30, 1990 in order to provide for formal legislative reevaluation of the Board and its operations within the next two years.

(Intentionally left blank)

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Guide Board should discontinue its blanket policy of eliminating joint-use guiding areas.

Joint-use areas, as the name implies, allow more than one guide to conduct or authorize guided hunts in a given geographical area. In contrast, exclusive guide areas are geographic regions assigned by the Board to one individual. Only that individual may legally conduct or authorize guided hunts in the assigned area. Over the past two years the Guide Board has adopted a policy of eliminating previously approved joint-use areas and encouraging the assignment of only exclusive guide areas.

Such a policy unduly restricts entry into the guiding profession without offering any substantial public benefit. The policy primarily serves the interests of established guides who have previously received exclusive areas. The Board indicated that the primary reason for adopting this policy is to lessen hunting pressure on game resources throughout the State.

The Board adopted this policy without consulting the Division of Game within the Department of Fish and Game (DFG) for that agency's assessment of game populations. The Division reported to us that game populations statewide have generally been stable over the past 5 to 7 years. Even though there may be some justification for having strictly exclusive guide areas in some regions of the State, adoption of a blanket policy on a statewide basis, especially without independent consultation with DFG, is not warranted.

We do not believe that game management is the primary responsibility of the Board. If it were, provisions should be made to place it in an executive branch agency that also has such responsibilities. As part of the Division of Occupational Licensing, its primary purpose is the licensing and regulation of qualified individuals to conduct guided hunts.

Effect of the Policy - Limiting Entry

This policy, in effect, establishes a two-tiered licensing system. Becoming registered is only the first step to becoming an independent, practicing professional guide. An individual must also obtain a viable exclusive guide area in which to conduct business. Essentially, an individual can be licensed but is not allowed to guide in various areas designated as exclusive to other guides.

The implementation of the exclusive area policy; adoption of regulations allowing each guide to have up to three exclusive guiding areas; and the routine approval of guide designated transfers of assigned guiding areas (see discussion in Prior Audit Recommendation 3); all serve to restrict entry into the guiding profession. Such regulations and practices suggest that the Board may be more interested in the protection and development of the proprietary interests of established guides rather than promoting equitable access to the profession for all qualified individuals.

We do not question the Board's legal authority for implementing the exclusive guide area concept, although at the time of this report a lawsuit is pending before the State Supreme Court challenging the Board's authority on this issue. Over the past ten years, the Attorney General has repeatedly stated that assignment of exclusive guide areas is within the Board's statutory authority.

However, the Board should use its authority to the extent necessary to promote hunter safety and consumer protection. Using its authority to restrict effective entry into the profession is not in the best interests of the public. Continued use and even expansion of joint-use guiding areas encourages more competition in the guiding profession and allows an increased number of qualified guides access to viable hunting areas within the State.

Prior Audit Recommendations

In our previous review, "A Performance Report on the Department of Commerce and Economic Development, Guide Licensing and Control Board, November 21, 1985," we reported five recommendations. Many of the issues discussed in these prior recommendations still exist although almost all of them have been addressed to some degree by the Board.

Prior Audit Recommendation No. 1

The Guide Board should develop a prioritized set of criteria to use in assigning both exclusive and joint-use guiding areas.

In our previous report we stated that the Board did not act consistently when they considered the assignment of exclusive and joint-use guiding areas. The criteria on which any given area assignment was made varied from decision-to-decision. We also noted that the Board often did not adequately document the basis on which they made assignment decisions.

This inconsistency on the part of the Board in its decision-making, along with the lack of proper documentation of its rationale, resulted in the loss of effective control over

the activities and policy of the guiding industry. We felt that the Board's responsibility would be better met if it would identify pertinent criteria to be used in area assignment decisions, assign some priorities to the criteria, and apply them consistently.

Legislative Audit's Current Position

Alaska Statute 08.54.040(a)(7) was amended in 1986 and now requires that the Board "provide for an equitable, reasonable, and consistent procedure for limiting the number of guides [in an assigned area]." (Emphasis added.) Additionally, AS 08.54.195 (a) was added and directs the Board to "adopt regulations that establish uniform and consistent criteria, including a point system, to be used by the board when it establishes and assigns a restricted guide area."

The Guide Board is currently in the process of implementing this prior recommendation and meeting its statutory responsibility to adopt regulations that provide for uniform and consistent area assignment criteria. A proposed point system is currently being considered by the Board in conjunction with the Division of Occupational Licensing's regulations specialist.

Prior Audit Recommendation No. 2

The Board should improve methods of obtaining game management information from independent sources, such as the Alaska Department of Fish and Game (ADFG).

One of the primary justifications for the whole concept of exclusive guiding areas is the enhancement of the overall management of the public's game resources. Guides are awarded exclusive or joint-use areas so that they have a long-term interest in managing the game in their area. The Board has adopted regulations [12 AAC 38.053(d)(1)] that require it to consider an area's ability "... to sustain an additional guided hunting operation, in terms of game populations, terrain, methods of hunting, and use by other guides and hunters."

In our prior audit, we stated that the Board rarely considered independent information regarding game populations and management concerns when assigning areas. The Board relied on information provided by applicants and guides operating in the region under consideration. Although we recognized that the assessment of game populations by an active registered guide was an important consideration, we felt that in many instances it had to be understood that the guide offering such information often had a vested interest in how the information was presented and interpreted.

We recommended that the Board establish better, more formal communications with ADFG in order to better meet their regulatory and statutory obligation to enhance the management of the State's game resources. We encouraged the Board to improve communications and coordination with ADFG and take steps to include that agency's assessment of game populations and hunting pressures when considering assignment of guiding areas.

Legislative Audit's Current Position

There has been some improvement by the Board in the use of independent game information from ADFG when making its decisions regarding assignment of guide areas. However, as stated previously, the Board's policy of encouraging the creation of only exclusive guide areas has resulted in making many of the concerns behind this prior recommendation irrelevant. Use of independent game information for specific regions of the State no longer appears to be a significant factor in the Board's decision-making process.

Prior Audit Recommendation No. 3

The Board should take more responsibility for area assignments by repealing regulations that allow a guide to designate to whom their area be reassigned.

Registered and master guides may each have a maximum of three guide areas. Typically, when a guide wishes to retire or perhaps become eligible for another, different guide area, he or she is allowed to turn back an existing area assignment to the Board and designate the recipient of the reassignment. Board regulations allow for, but do not necessarily require, this practice.

In our prior audit we found that these designated transfers overrode all other area assignment criteria. Essentially, the Board automatically approved transfers of guiding areas regardless of game management considerations, demonstration of experience in the area by the transfer recipient, and over the objections of affected joint-users. Whereas, the Board evaluated, albeit inconsistently, regular area assignments, our prior audit indicated they gave transfers much less scrutiny.

This lack of scrutiny encouraged the practice of guides selling their assigned areas to other guides in violation of Board regulations. With the Board giving little review to transfers, they greatly increase the potential of area assignments being awarded based solely on economic considerations. This potential abuse is contrary to the Board's statutory responsibility of establishing quotas for guide areas in an equitable and reasonable manner. All qualified guides for an area should receive equal chance at receiving an area assignment regardless of their ability to buy the rights from the previous holder.

It would be a better administrative practice if area assignments were surrendered to the Board; the Board reviewed pertinent and prioritized criteria to determine if the region would support one or more additional guide operations; and then consider all applications for the area under an equitable and reasonable method of allocation. By following such a procedure the Board would promote compliance with its own regulations restricting the transfer of guiding area permits.

Legislative Audit's Current Position

The Board continues to automatically approve almost all transfers of area assignments regardless of game management considerations, demonstration of experience, and over the objections of affected joint-users. On several occasions the Board approved the transfer of assigned joint-use areas contrary to the Board's own stated policy of eliminating joint-use area assignments.

The Board often approves transfers to individuals who would not qualify to receive the assignment had they been an original applicant for the area. We reviewed 19 transfers approved by the Board over the past two years. In 8 of those 19 transfers (42%) the approved recipient did not have any documented guiding experience in the transferred area. Had the individual been an original applicant for the assignment, he or she would have been required to have at least 2 years of documented guiding experience in the applied for area.

We again recommend that the Board evaluate transfers of area assignments as they would original area assignments. Such an evaluation would enable all qualified guides a more equal opportunity to receive an assigned area.

Prior Audit Recommendation No. 4

The Board should adopt procedures to improve the administration of the oral portion of the registered guide examination.

To qualify for licensure as a registered guide, an applicant must successfully pass the registered guide examination. This examination, which is prepared and administered by the Board, is composed of two parts, a written and an oral section. Passage of the examination requires the applicant to obtain a score of 80% on both sections.

The Board procedures require that the oral portion of the registered guide examination be administered by three examiners, consisting of a Board member and two master guides. In our prior report, we stated that the oral portion of the examination was arbitrary and inconsistent in its content and grading. This was due to the practice of allowing examiners to use their individual discretion in determining examination content and grading guidelines.

We noted that the lack of specific guidelines to dictate the objective administration of the oral examination resulted in inconsistent content and grading between individual examinations. The likelihood of exam passage was as much affected by who the examiners were and their individual judgement as it was by the knowledge and competence of the applicant.

We recommended that the Board adopt structured guidelines for the administration of the oral examination. Any such guidelines needed to provide examiners with specific directions as to examination questions to be asked and their assigned grading values.

Legislative Audit's Current Position

The Board has substantially improved administration of the oral portion of the guide examination. The examination score sheet has been redesigned and now includes predetermined categories and assigned grade values. In addition, all oral examinations are tape-recorded which allows objective review of the questions and responses in instances where an applicant may appeal the scoring or content of his or her questions and responses. These changes in the oral examination process has provided the Board with fairer and more consistent administration of the oral examination.

Recommendation No. 5

The Board should seek both statutory and regulatory changes in order to improve the protection of the public from unethical guiding practices.

One of the primary purposes of licensing and regulating guides is to protect the public from unethical guiding practices. In our prior report, we identified regulations and statutes that serve to block effective consumer protection action on the part of the Board and serves to protect guides at the expense of the public. We recommended that the Board enhance its consumer protection responsibilities by taking the following actions:

A. Pursue amendment of statutes that limit the Board's authority to discipline guides for unethical activity.

B. Adopt regulations and/or recommend legislation to require guides to post licensing/payment bonds.

Statutory Constraints to Effective Disciplinary Action

Alaska Statute 08.54.200(a)(1) does not allow the Board to consider complaints of unethical or incompetent guiding practices until receiving complaints from "... three or more clients [hunters] of separate [hunting] parties."

The Board's effectiveness and visibility would be enhanced if all allegations regarding unethical guide practices was brought to it for review on a case-by-case basis. It appears that the intent of the statute was to keep down the number of frivolous and unfounded complaints against guides. Other professional licensing boards listen to, and sort through, all cases and complaints, no matter how trivial, as a means of keeping apprised of the conduct of their licensees. We recommended that the Board follow the same practice.

Bonding of Guides

Almost all hunters who use guiding services are nonresidents; a large number from outside of the United States. As a result, when disputes arise between guides and hunters it is often very difficult and expensive for the complaining hunter to seek legal remedies or implement effective administrative action. This difficulty is compounded by the three complaint requirement of the statutes discussed previously.

We recommended that the Board pursue the necessary statutory and regulatory changes that would implement a mandatory requirement that guides post a licensing or payment bond with the Division of Occupational Licensing. Such a bond would allow hunters, and perhaps even employees of the guides, with legitimate grievances and claims against guides an easier, less expensive alternative in obtaining settlement of their claims.

Guiding is a significant industry in the State. It is important that the Board do all it can to maintain the integrity of the guiding industry and uphold the reputation of the Alaskan guides with hunters outside of the State. The Board should recognize the unique type of consumer for guide services and take steps to adequately protect the interest of the out-of-state hunter/consumer.

Legislative Audit's Current Position

Neither of the two parts of this prior report recommendation have been implemented. The same abuses and conditions which led to our previous recommendation still exist. Currently, the Division of Occupational Licensing has three guides who have two complaints each pending against them, but whose cases are being held back from formal report to the Board until another complaint is received. In addition, the Attorney General's Consumer Protection Office is involved with a legal complaint against a guide for receiving money for a contracted hunt without providing services.

Subsequent Comment

The Department of Commerce and Economic Development, Division of Occupational Licensing indicate in their response to this report that current market conditions have made it extremely difficult to obtain bonding in Alaska. Cost of bonding may be so prohibitive that, if required, it would represent another barrier to entry to the guiding profession. (See the agency's response to our report, pages 30-31 and our final statement on page 37 for further discussion of the issues currently involved in obtaining bonding.)

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive, but to address those areas we were able to cover during our review.

I. The extent to which the Board, commission, or program has operated in the public interest.

A. The Board is unduly restricting entry by adopting a policy of gradually eliminating all joint-use guide areas (see Recommendation No. 1).

B. The Board has adopted regulations defining unethical conduct which clarify and strengthen the guide's responsibility to the public.

C. The Board has adopted the Alaska Professional Hunters Association (APHA) first aid training course as a requirement for new applicants prior to receiving a license.

II. The extent to which the operation of the Board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.

A. Regulation 12 AAC 38.054(b) allows an EGA permit holder to designate the qualified guide to whom he wishes to transfer his guide area. These transfers often take precedence over other guide area assignment criteria such as joint-user objections, experience in the game unit, or game management considerations (see Prior Audit Recommendation No. 3).

B. Alaska Statute 08.54.200(a)(1) does not allow the Board to consider complaints of unethical or incompetent guiding practices until receiving complaints from three or more clients of separate parties (see Prior Audit Recommendation No. 5).

C. The Board does not consistently review the Department of Fish and Game game management information prior to assignment or transfer of an exclusive guiding area (EGA) (see Prior Audit Recommendations No. 1-3).

III. The extent to which the board, commission, or agency has recommended statutory changes which are generally of benefit to the public interest.

A. At the time this report was being prepared, two pieces of legislation affecting guides and the Guides Board, Senate Bill No. 191 (SB 191) and House Bill 183 (HB 183), were pending before the Legislature. The Guides Board informally supports both pieces of legislation. Although subject to revision, they both would generally require:

1. Larger fees (three times as high) for nonresident guides than resident guides.

2. A broader statutory definition of what would constitute guiding. SB 191 would define guiding as:

> being present with, or providing an established camp for, a big game hunter in the field, personally or through an assistant, for compensation or with the intent or an agreement to receive compensation; "guide" or "guiding" does not include accompanying or being present with a hunter (a) in a boat with living quarters; (b) at a permanent lodge or structure; or (c) while providing transportation to or from the field, if the persons providing the transportation and the persons being transported do not stalk, pursue, track, kill, or attempt to kill big game.

3. In a position paper on HB 183 the Department of Public Safety (DPS) states that passage of such legislation would provide the agency with:

> an important enforcement tool to investigate and prosecute cases against unlicensed guides in Alaska. [HB 183] should reduce the number of unlicensed guiding activities which will allow us to better utilize our manpower to monitor other resource problems in Alaska. [HB 183] will further allow our uniformed officers to better enforce the laws pertaining to guiding in Alaska. Finally, [HB 183] strengthens the guide bill, making it more enforceable when dealing

with unlicensed guiding activities.... In sum, the passage of the amendments will aid [D.F.G.] in carrying out its responsibilities: The enforcement of state laws and the protection of the fish and wildlife resources in the State of Alaska.

IV. The extent to which the Board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

A. The public is invited to attend Board meetings and to give their input about the workings of the Board. Notices of meetings are advertised in at least five newspapers throughout the State. In addition, guides are notified by registered mail of meetings that might affect them.

B. Teleconference meetings are not being noticed publicly. This limits public input at those meetings and may legally jeopardize Board decisions and actions.

V. The extent to which the Board, commission, or agency has encouraged public participation in the making of its regulations and decisions.

A. As stated under IV, the public is invited, by published notices in newspapers, to attend Board meetings to give their input about Board regulations or submit written testimony.

B. The problem noted in IV. B. above also represents potential problems in this public need area.

VI. The efficiency with which public inquiries or complaints regarding the activities of the Board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the Office of the Ombudsman have been processed and resolved.

A. Since January 1986, nine complaints have been filed with the Ombudsman's Office concerning Board activity. Two of these complaints, (1) alleging guide examination scoring is arbitrary and inconsistent and (2) alleging board's decision to reduce guide area is unfair, are pending administrative proceeding.

B. Since July 1985, 54 complaints against guides have been submitted to the Department of Commerce and Economic Development, Division of Occupational Licensing for investigation. Thirty-three of these cases have been closed, thirteen are currently in administrative hearing proceedings and nine are still pending investigation. Investigations appear to have been conducted in a reasonable fashion.

C. As mentioned in III above and in Recommendation No. 5, AS 08.54.200(a)(1) does not allow the Board to consider complaints of unethical or incompetent guiding practices until receiving complaints from three or more hunters of separate parties.

VII. The extent to which a Board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.

A. As of October 1987, 51 master guides and 348 registered guides were licensed in Alaska. These individuals were required to pass both a written and an oral exam, as well as obtaining practical experience in the field, prior to licensure.

VIII. The extent to which State personnel practices, including affirmative action requirements, have been complied with by the Board, commission, or agency to its own activities and the area of activity of interest.

A. The Board established 12 AAC 38.010(c) whereby an applicant for licensure 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.

B. Regulations also provide that when assigning guide area permits,

> the board will give preference to qualifying guides whose permanent residence is within the district in which the area is located.

IX. The extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the agency, board, or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the previous section, Findings and Recommendations.

APPENDIX A

GUIDE BOARD
SCHEDULE OF REVENUES COMPARED WITH EXPENDITURES
For Fiscal Year 1987
(UNAUDITED)
(Note 1)

	FY 87
Revenues (Note 2)	$153,442
Expenditures (Note 3)	133,205
Excess of Revenues over Expenditures	$ 20,237

Note 1

The Schedule of Revenues Compared with Expenditures was prepared from available records and discussions with the Division of Occupational Licensing (DOL) personnel. The records were not audited by us and, accordingly, we do not express an opinion on the Board's Schedule of Revenues Compared with Expenditures.

Note 2

Revenue amounts reported do not include revenue obtained from the sale of game tags or hunting licenses. They only include revenue obtained from fees required to obtain and/or renew guide licenses.

Note 3

Expenditures consist of direct costs resulting from board member activities, (i.e., travel and per diem) and an allocation of direct and indirect costs of DOL. The procedures used by DOL for their allocation were not reviewed by us, and we express no opinion regarding their reasonableness. It should be noted, that represented expenditures do not include expenses incurred by other Departments or other divisions of the Department of Commerce and Economic Development in assisting the Board.

APPENDIX B

GUIDE BOARD
SCHEDULE OF ESTIMATED REVENUES
COMPARED WITH BUDGETED EXPENDITURES
For Fiscal Year 1988
(UNAUDITED)
(Note 1)

Average Revenue (Note 2)	$ 77,675
Less: Expenditures (Note 3)	148,469
Excess of Expenditures over Revenues	$(70,794)

Schedule 1
Types of Revenues

Revenues	Amount	Collection Time
Master Guide License	$240	Biennially
Registered Guide License	240	Biennially
Class-A Assistant Guide License	50	Biennially
Assistant Guide License	50	Biennially
Transporter License	50	Biennially
Application Fee	30	
Examination Fee	25	

Note 1

The Division of Occupational Licensing (DOL) prepared the above Schedule of Estimated Revenues Compared with Budgeted Expenditures. The schedule is included for informational purposes only and has not been audited by us. Accordingly, we do not express an opinion on the Board's Schedule of Estimated Revenues Compared with Budgeted Expenditures.

Note 2

Revenues were estimated based upon the current licensing fees (see Schedule 1) and projected license renewals and application fees for fiscal years 1988 through 1991. Because of a downward trend in Alaska's economy, the projection for revenues includes a factor representing 20% to 30% decline in the number of licensed professionals.

Note 3

Expenditures consist of direct costs associated with Board member activities (i.e., travel and per diem) and an allocation of direct and indirect costs of DOL. It should be noted that represented expenditures do not include expenses incurred by other Departments or other divisions of the Department of Commerce and Economic Development in assisting the Board. Expenditures for the Board represent an allocation of budgeted expenditures for all Boards in the Department for FY 88.

Note 4

The schedule represents the licensing fees currently in effect. Fees were raised in November 1986 in response to legislative intent to make the Boards more self-supporting.

APPENDIX C

GUIDE BOARD
EXAMINATION STATISTICS

Number of Examinations Given in FY 1984-1985 (Note 1)

Fiscal Year	Written Exam		Oral Exam	
	Passes	Fails	Passes	Fails
1985	22	13	26	7
1986	13	16	18	1
1987	16	24	17	0

Note 1

Licensure as a registered guide requires a passing score on both a written and oral examination. Licensure as a master guide requires a passing score on an oral examination only. Licensure as assistant guides and transporters does not require examination.

APPENDIX D

GUIDE BOARD
ADMINISTRATIVE STATISTICS
September 30, 1987

Currently Licensed

Master Guides	51
Registered Guides	348
Class-A Assistant Guides	140
Assistant Guides	854

Board Meetings Between July 1, 1985 and June 30, 1987

December 2-7, 1985

April 7-11, 1986

December 6-13, 1986

April 11-17, 1987

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

P.O. BOX D
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2500

January 20, 1988

RECEIVED
JAN 26 1988
LEGISLATIVE AUDIT

Mr. Randy Welker
Acting Legislative Auditor
Division of Legislative Audit
Budget and Audit Committee
P.O. Box W
Juneau, AK 99811

Dear Mr. Welker:

This letter is written in response to the Budget and Audit Committee's (hereinafter "Committee") report of its sunset performance review of the Guide Board (hereinafter "Board"). Below is the Department of Commerce and Economic Development's (hereinafter "Department") comments on the Committee's findings and recommendations.

Recommendation No. 1

The Committee has found that "over the past two years, the Guide Board has adopted a policy of eliminating previously approved joint-use areas and encouraging the assignment of only exclusive guide areas." As a result, the Committee recommends that the Guide Board "discontinue its policy of eliminating joint-use guiding areas." After careful consideration. the Department finds that the Committee's recommendation is overbroad. The issues raised by this recommendation are very complicated, and solutions are not readily apparent. In the final analysis, it is our opinion that the very painful and muddled processes that are evident at the meetings of the Guide Board are an accurate reflection of the difficulty in finding any wholly acceptable public solutions to the issues surrounding the assignment of joint-use or restricted guide areas.

For instance, while the Guide Board is created for "the purposes of licensing and regulating the activities of guides in the interest of the state's wildlife resources" (see AS 08.54.010; emphasis added), and while the audit report states that the Committee found the Board adopted this policy without consulting the Division of Game, it is also well known that the Division of Game, for whatever reason(s), is most reluctant to become involved in providing the Guide Board with necessary data. Currently, the Division of Game is under no specific requirement to provide the Board with accurate or pertinent data regarding game populations.

The issue, however, is not simply game "populations," but also the size and quality of the game within each area. While Alaskans most frequently are hunting for subsistence or personal use, with "trophy-sized" game not a prerequisite to a successful hunt, being able to offer large trophy animals is relatively more important to guides whose clients are paying thousands of dollars to come to Alaska from Europe, Asia, and the "Lower 48" for the big game hunt.

Before the Department can reasonably assess the validity of the recommendation that the Guide Board discontinue its policy of eliminating joint-use guiding areas, the Department believes the Legislature must consider the nature of the agency it has created and the concept of requiring nonresidents and nonresident aliens who wish to "hunt, pursue or take" big game to be accompanied by a licensed guide (see AS 16.05.407 and AS 16.05.408).

As recently as 1986, the Legislature saw fit to formalize Alaska's guiding system by specifically providing for the establishment and assignment of "restricted" (or exclusive) guide areas (see Chapter 71, SLA 1986). It seems somewhat contrary to legislative intent to have the Legislature specifically provide for the establishment of restricted guide areas in one year and the Guide Board to be criticized in practically the next year for establishing such areas.

This is not to say that the Department does not appreciate the concerns which have given rise to the Committee's recommendation. Indeed, the Department is particularly sensitive to allegations that the Guide Board is, as suggested, "more interested in the protection and development of the proprietary interests of established guides rather than promoting equitable access to the profession for all qualified individuals." However, the recommendation also seems somehow "too easy." It has not taken into account the ultimate issue: despite Alaska's size, there is not -- and will never be -- sufficient hunting areas or big game animals in those areas to give every registered guide joint-use -- let alone exclusive use -- of an area.

Alaska must realize that big game <u>is</u> a limited resource. A report that states there has been a stable game population statewide for the past five years does not describe -- by <u>guide</u> area -- the impact over the past years in the number, size, and quality of the big game animals found in that area.

The established guiding system creates specific guide areas across the state. A resident hunter, however, may hunt in any area of the state, irrespective of what guide or guides may also have been assigned that area. In addition, "outfitters," unlike Alaska's guides, are not limited to taking clients to particular regions of the state. An outfitter can transport clients anywhere, allow those individuals to hunt in an area until the number, size, or quality of the game coming out seems to be depleted, then move on to other areas which, perhaps, have not been over-hunted. It is important to realize that a guide can conduct hunts only in his or her assigned area(s), and is at the mercy, if you will, of resident hunters and outfitters.

The Department believes that a variety of special and public interests are presently fighting over a limited public resource that generates lucrative business through the provision of wilderness hunting (with outfitters) or guiding experiences. The pressures on the Guide Board have never been higher than right now. In its defense, the Guide Board has never received adequate support from the executive branch, having been avoided by Fish and Game, abandoned by Public Safety, seriously neglected by Commerce and Economic Development, and alternately ignored or criticized by the Department of Law. On the other hand, it is probably equally true that, until very recently, the Guide Board (and the guiding industry) would not have wanted and would have probably attempted to reject any proffered consistent, active administrative oversight of its activities.

The continued implementation of restricted or "exclusive" guide areas has brought the rather fragile guiding industry to a crisis point, with its flaws now being highlighted and focused on by its frustrated critics. But the fact remains, having created the Guide Board and statutorily agreed to regulate the guiding industry, the results of that decision are complex and the recent legislation recognizing the Board's creation of restricted areas only further complicates the matter. The legislation requires the promulgation in regulation of a "point system to be used by the board when it establishes and assigns a restricted guide area" [see AS 08.54.195(a)]. The legislation also establishes criteria that the Board must consider before it may assign a restricted area. These conditions, however, only further indicate that the Legislature recognizes that both resource and economic factors [see AS 08.54.195(b)(2), (3), (4), (5) and (e)] play an important part in determining the viability of the guiding industry.

Therefore, while the Committee's report finds that the Guide Board's actions to encourage the assignment of restricted areas serve to "unduly restrict entry into the guiding profession," the Guide Board can point to AS 08.54.195 as requiring the Board to weigh economic factors in deciding on the "quota of licensed operating guides who may operate within designated geographical game units" [AS 08.54.040(a)(2)]. This language would seem to recognize that the Guide Board may well have to limit the number of guides with assigned areas. We read this to mean, so long as the Board is guided by regulations creating a point system that will provide applicants with protection from subjective or arbitrary Board decisions, that the Guide Board may well limit the number of registered guides holding areas through the assignment of restricted guide areas.

The Department believes the Committee is right to find serious fault with the Guide Board for the Board's failure to develop regulations establishing area quotas and the point system, but we suggest the Committee should hesitate to fault the Board for attempting to solve what the guiding industry sees as an increasingly difficult situation (i.e., the increasing pressure on the big game resource) when the Legislature recently formalized the Board's authority to meet this problem through restricting area assignments.

As you note, the constitutionality of the guide area concept is currently before the court. In the meantime, so long as the Legislature believes the well-being of a guide's economic interest in an area is an important factor in setting quotas for a particular guide area, then the Department is hard put to unqualifiedly support the Committee's broad recommendation that the Guide Board simply "discontinue" the elimination of joint-use guiding areas.

The Department believes, before it can support such a recommendation, that more research needs to be done and regulations need to be put into place establishing proper assessment criteria for guide area assignments, whether joint-use or restricted. There may well be justification for some restricted areas, and there may well be justification for either opening up some presently restricted areas or adding additional users to current joint-use areas. The Department presently has no way of objectively or independently evaluating either the petitions brought before the Board or the validity of the current area assignments.

Until the Division of Occupational Licensing can provide the level of administrative support truly necessary to assist the Guide Board in reaching more objective evaluations, the experience and testimony of Board members and guides who appear before the Board should continue to

be relied upon. It is, after all, the job the statute gives the Board to do. The fact that the executive branch has, up until now, failed to provide the necessary support to the Board to professionalize its activities and decision-making process is no reason to suddenly tie its hands.

Prior Audit Recommendation No. 1

As stated above, the Department concurs in the Committee's recommendation that the Board place in regulation its criteria for establishing guide area quotas. Such regulations are currently being developed. It is expected that this project will be both time-consuming and very controversial. We hope the Board will complete this project by the end of 1988. We believe the Board appreciates the serious need for these guidelines and will work hard to put a quota and point system in place by year's end. The staff of the Division of Occupational Licensing will work closely with the Board in developing these regulations.

Prior Audit Recommendation No. 2

The Department concurs with the recommendation that the Board "improve" its methods of obtaining game management information from independent sources, including the Alaska Department of Fish and Game. However, as you are aware, the Division of Game is most reluctant to become actively involved in this area of game regulation. If the Board is to "improve," then we believe that there must be more than the anticipation of cooperation by executive branch agencies on the part of the Legislature. One possible solution would be statutory language mandating the provision of game management data from Fish and Game to the Guide Board. The data should be made available in ways that are useful to the Board and in a time frame that will meet the Guide Board's needs. The presence of game biologist expertise at Board meetings would also be more than helpful; it would assist in professionalizing Board decisions.

Prior Audit Recommendation No. 3

The Department concurs with the recommendation that the Board prohibit the transfer of an area from one guide to another. The Department fully supports your belief that all qualified guides should receive an equal chance at receiving an area assignment, as long as some mechanism is created that guarantees the guide relinquishing an area adequate compensation for the lawful property improvements he or she made while holding the area.

The current system is no doubt in place because the guide relinquishing an area certainly does not intend to simply walk away from what is, in many cases, tens of thousands of dollars in improvements in the area, leaving it for the next lucky guide who comes along. The statute says that a guide "may sell or otherwise transfer a lodge, camp or other lawful improvement to property located in a restricted guide area. Sales price may not exceed fair market value" [AS 08.54.195(e)]. If the Board could create a system wherein all applicants for a relinquished area were required to post proof an an ability to compensate the former guide for any improvements at fair market value, then all applicants could be considered equally and the area awarded according to the established criteria.

One matter that deserves further discussion, however, concerns the transfer of a guide area to a guide's heir. The guiding industry very much supports transfer to an heir. Whether the Legislature would condone such a practice should be made clear in statute. Otherwise, the Department would most likely continue to believe that all transfers should be prohibited.

Prior Audit Recommendation No. 4

We are pleased by the Committee's finding in this recommendation that the Board has done much to improve the oral examination of the Guide Board. The Department will continue to work with the Guide Board to improve the quality and objectivity of the guide exam.

Prior Audit Recommendation No. 5

The Department concurs with the recommendation that the Board pursue an amendment to AS 18.54, eliminating the need to receive three separate complaints before the Board can pursue an investigation against a guide for unethical or incompetent practices. We would support such action by the Legislature in the bill which reestablishes the Guide Board.

The recommendation that the Board pursue the posting of a performance bond by guides is more difficult to evaluate. On its face, the Department understands the Committee's reasons for seeking such bonding, and concur with the suggestion that such a practice might well provide a more efficient, less expensive claim settlement process. However, the Division of Occupational Licensing's experience with contractor bonding has also led us to recognize that the impact of a bonding requirement on the guiding industry might be very severe.

As you are no doubt aware, the current economic situation in Alaska has made it extremely difficult to get bonding. It is possible, but current bonding companies often require the provision of unencumbered assets totalling in excess of $100,000 for a $10,000 bond. The current poor bonding market in Alaska has effectively eliminated some persons from the contractor industry because they cannot meet the requirements imposed by the bonding companies. This would, no doubt, have the same affect in the guiding industry.

This might also mean that guides who are holding little used areas might relinquish the areas rather than meet the bonding requirement, which would be all to the good, as it would free up areas for guides without areas who are seriously interested in guiding. At the same time, the bonding requirement might discourage or keep out some younger, less well-established guides who do not have adequate assets or resources, the very same guides for whom the Committee is interested in providing better access to the system. (This problem is partially countered in the construction area by allowing a contractor to make a cash deposit in the amount of the bond, but often a cash deposit is difficult for the smaller contractor to make.)

The Department appreciates this recommendation by the Committee and believes it certainly deserves consideration, but its potential impact on guides should probably be more thoroughly evaluated prior to any formal action by either the Board (through regulations) or the Legislature (through legislation) to require bonding of guides.

Final Comments

The Department is committed to improving the workings of the Guide Board. We have identified the following as areas where we believe immediate improvements are necessary:

1. the general administrative support provided by the Division of Occupational Licensing;

2. better technical data from the Division of Game;

3. the Board's maps of the guide areas and assignments; and

4. guide area application or guide area transfer procedures.

In conjunction with the guiding industry, the Department will be approaching the Legislature for funding to provide more adequate staffing to the Board and for some form of computerized mapping of the guide areas. In the meantime, we are in the process of temporarily transferring the Guide Board's licensing examiner to Juneau so that that position will have the benefit of additional staff assistance and supervisory support while the Department attempts to more adequately support the difficult work of the Guide Board.

This audit has been another mechanism utilized by us to assist the Department in proper administration of the guide statutes and in helping the Guide Board to review its role. We have appreciated its independent evaluation of the Guide Board's performance.

Sincerely,

Kathy Marshall for

J. Anthony Smith
Commissioner

JAS/mst:1074m
011988b
cc: All Members of the Guide Board

STEVE COWPER, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

7TH FLOOR FRONTIER BLDG.
3601 C STREET, SUITE 722
ANCHORAGE, ALASKA 99503
PHONE: (907) 561-2878

RECEIVED
FEB - 5 1988
LEGISLATIVE AUDIT

February 2, 1988

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

ATTN: Jim Griffin

Recommendation #1

The Guide Board did not adopt a blanket policy of eliminating all joint use guide area permits.
The guide Board did adopt a policy to eliminate joint use guide area permits as much as possible and in situations that involve small overlaps of bounderies. The board will grant trnasfers to an heir of a guide or to another guide who inherits aguide's are permit. In just about all cases when this occurs, the guide inheriting the permit has worked for the guide holding the area for a number of years. This criteria is applied to a retiring guide. In these cases as well as regular transfers small overlaps small overlaps are eliminated as much as possible. This is the area that brings the critcisms of the board not acting in a consistant manner on reassigning guide area permits. In most cases each transfer is different.

The board has on numerous cases asked the Departmentof Fish & Game for biological information with limited success. We do ask the applicant for a transfer or a new assignment to get this information if they can. This also isn't always possible because the board dosen't know what areas at to be involved in a given meeting. As Chairman I have asked our Director, Randall Burns, to see what could be done to releive this situation.

While game management is not the primary resposibilty of the guide board, it is in the critera of issuing guide area permits. 12AAC 38.210 (b) (2) addresses that, not only in the area involved but also adjoining areas.

Regarding the effect of the policy being a limited entry. The situation probably would be better if it was on a limited entry scale such as commercial Fisheries. Both industries involves renewal resources that belong to evryone. Limited entry for the guiding industry would make the guide board's job much easier.

STEVE COWPER, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

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Mr. Gerald L. Wilkerson;

We have in the neighborhood of 400 registered and Master Guides and we are licensing around 10 to 15 twice per year. There is just not the clientele or suitable areas available for that number of guides. Federal withdrawals sure haven't helped the situation. Even though we have that demand on areas there are still some open and can be used by any registered guide. Granted, these aren't the best areas for guiding operations but they are a start. I do admit that there are some guides who hold very large areas. I beleive these should be looked at closely and should they not be utilized to their potential, divided to make room for some of the younger guides to get into the guiding business. This was a stated policy of the previous board after they had covered the state with assignments. This never happened with the previous board. The work load that this was never attempted. I have wanted to do this ever since I have been a member of the board. Budget and time has precluded that happenning. I beleive if a value was put on a guiding area permit, we would see guides applying for what they actully need for a realistic use of the area. I realize this will have to be accomplished through the legislature.

Recommendation #2

As mentioned above, I have asked our Director to address this issue.

Recommendation #3

I still do not agree that an area holder should surrender his guide area to the board when he wishes to transfer whether he be retiring getting out because of health or what ever reason. There is no other business that a man can't sell or give it to whoever he wants to. While our statues and regulations do not allow selling an area permit they do allow for a guide to sell his improvements that supported his guide area permit. The assigned area permit has done more to elevate the quality of the guiding industry in Alaska than anything thats taken place in the past. The responsibility it gives to the permit holder for the game resource, prompts a guide to upgrade their business and increase his investments in the area he has. As investments in both time and monatary increases so does the guides financial responsibilty increase. After years working to build a high quality business it is only right that upon retirement the permit holder be able to choose his successor. This in just about all cases is the most qualified person for the transfer no matter what selection criteria is used. There have been abuses of this in the past as there were transfers that seemed to be nothing

STEVE COWPER, GOVERNOR

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more than real estate sales. The Guide Board is aware of this situation and is taking a firm stance against these kind of dealings.
If your recommendation is adotpted, assigning areas regardless of their ability to buy the rights of the previous holder, Since it is illegal to buy the rights of the holder, I assume that this would take in the previous holder's improvemnts. Should this be implemented, it could mean a man working to improve the area both resource and manatary wise could lose evrything he worked for.
I do agree that in some cases people that weren't as well qualified as others have gotten area permits through transfers. I would like to see a regulation put in that the transferee be required to work with the permit holder a certain number of years to qualify for the transfer. I think this should be for at least two years, would prefer longer.

Recommendation #4

The current oral examination is as fair as an oral examination can be. The oral portion of the examination is the most important of the two parts.

Recommendation #5

The guide board did address this issue during the last guide bill (294) passage to no avail. We also tried to get an outfitter section included. Both were deleted by the legislature. We are faced with getting another bill through the legislature this session. So far none has been introduced to my knowledge. We plan to push for each individual complaint to come before the board for a hearing. I beleive this will alleviate the need for bonding guides.

We also need to pursue Senate bill 191 regarding outfitters & unlicensed guiding. This unregulated activity is causing a lot of the complaints against the guiding industry as well as a detriment to the game resources of the state. The resource being the more important. This is one reason the guide board has to limit the guides operating in some areas of the state. The well populated area around King Salmon with moose and caribou is one as well as some areas on the north slope.

One other thought. I don't beleive a time limit should be put on the life of the guide board. Changes takes time and some regulations as long as two years.

(Intentionally left blank)

STATE OF ALASKA

AUDIT DIVISION
P.O. BOX W
JUNEAU, ALASKA 99811-3300

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

January 29, 1988

Members of the Legislative Budget
and Audit Committee:

We have reviewed the Department of Commerce and Economic Development, Division of Occupational Licensing's response to our preliminary report. Our comments regarding the response follows:

Prior Audit Recommendation No. 5

As pointed out in the Division of Occupational Licensing (DOL's) response, it currently does appear that our prior audit recommendation regarding the bonding of guides is problematical. DOL indicates in their response that imposition of a bonding requirement may have a very severe impact on individuals both in the guiding industry and those trying to enter the profession. One of our primary concerns when evaluating the performance of any professional licensing board is the degree to which the board provides equitable and fair entry into the regulated profession.

Certainly, given DOL's experience in this area with other professions and their assessment of the current market situation for obtaining bonding, their comments regarding the advisability of requiring bonds are well-founded. If current market conditions are so severe that obtaining performance bonding would have an adverse impact on individuals trying to enter or stay in the guiding profession, thus serve to limit competition in the industry, then we concur with DOL's assessment.

Randy S. Welker, CPA
Acting Legislative Auditor
Division of Legislative Audit

Alaska State Legislature

Senate Resources Committee

Sen. John B. (Jack) Coghill, Chairman
Sen. Paul Fischer, Vice-Chairman
Sen. Lloyd Jones
Sen. Arliss Sturgulewski
Sen. Jim Duncan
Sen. Fred Zharoff
Sen. Dick Eliason

Box V
Juneau, Alaska 99811
(907) 465-4907

Senate Letter of Intent
CSSB 191 (Res) 3rd

It is the intent of the Legislature that the task force, set up under the provisions of SB 191, have full investigative powers to research and make recommendations concerning the following issues.

Under the Alaska Constitution all fish and game resources are the common property of the people, managed by the state in trust for their use. How does the taking of Alaskan big game by nonresidents and aliens conform with the needs of Alaskan hunters?

Who can provide commercial hunting services in the field? Shall guides have exclusive control over all hunting services in the field? What role shall outfitters and air taxi operators play in the provision of commercial hunting services?

If outfitters can provide certain hunting services in the field, how should these services be regulated?

The Alaska Supreme Court will soon decide Owsichek vs. the State of Alaska dealing with the constitutionality of restricted guide areas. The task force shall analyze this decision and recommend methods of accommodating the court's decision. If the court finds that the restricted guide areas are unconstitutional, what are the alternatives and how do outfitters and air taxi operators fit into any new schemes for the commercial take of big game.

The task force shall work closely with the Department of Fish and Game to create a linkage between the commercial take of big game and game management.

The Legislative Budget and Audit Committee completed audits of the Guide Board in 1985 and 1987. The task force shall review the audits and recommend what provisions shall be implemented. Specifically the task force shall analyze if the guide board is functioning at a level that ensures that the present allocation system is fair and is following the Administrative Procedures Act. The task force shall also analyze the joint use concept and supporting agreements between guides in joint use areas as to whether these agreements are in the best interest of the state and commercial users. The task force shall also investigate whether there shall be one consistent policy for determining guide areas so that all areas are treated equally.

Sectional Analysis of HB 183
An Act relating to the provision of certain goods or services to hunters in the field
by Representative Adelheid Herrmann

Section 1:*

Section 1 makes it unlawful for anyone but a licensed guide to be compensated for providing camping equipment, vehicles, or personal services to a hunter or a hunting party while that hunter or hunting party is in the field.

Consistent with the current statute AS 08.54.240 (3), this section also clarifies that "in the field" does not refer to being present in a boat with living quarters, or being at a lodge or base camp.

Section 1 also makes it unlawful for a hunter to compensate anyone but a licensed guide to perform the services of a licensed guide.

*This bill has only one section.

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Shacky

Part 11

House Resources Committee Hearings

Guides & Outfitters

October 1987

House Bill 183

Senate Bill 191

TABLE OF CONTENTS

House Resources Committee
Guides & Outfitters
October 1987
House Bill 183
(Senate Bill 191)

Part 1

1 House Bill 183
Senate Bill 191

11 AS 08.54 - The Guide Law as Enacted by SB 294 in 1986

111 Performance Report - Guide Licensing & Control Board - 11/86

1V Position Paper - Department of Public Safety

V Position Paper - Division of Occupational Licensing

V1 AG's Opinions on the Issue of Residency & Licenses

Part 11

V11 Selected Articles

V111 Letters of Support

1X Letters of Opposition

X Other Letters

Guides & Outfitters

V11

Selected Articles

Hunting: Economic Expenditures

When the price of oil started to plummet in 1986, no part of the state's economy was left unscathed. With the advent of a new administration and recognition of greatly reduced oil revenues, economic diversity became the rallying cry. Governor Cowper called for Alaskans to roll up their sleeves and go to work, using their perspiration and imagination to find new sources to fuel Alaska's economic fire.

Many have turned to other natural resource dependent industries like timber, mining, and tourism. Mining—like oil—is a nonrenewable resource. While timber harvesting is a renewable use of the resource, this use can have adverse effects on other resources. On the other hand, much has been said of the tourism industry and the contribution it can make to the state's economy. Few people in the state are likely to oppose developing the tourism industry in general—an industry that is clean, renewable, and can produce a good return on investments. To say that tourism in Alaska is dependent on native wildlife and scenery is an understatement. The Division of Tourism, Department of Commerce and Economic Development, has conducted surveys of tourists and found that wildlife and scenic attraction are the two most important reasons people cite for visiting the state. Because of this increased interest in tourism and its dependency on wildlife, ADF&G has begun the difficult and important task of trying to determine the economic benefits of wildlife not only to tourists, but, more importantly, to Alaskans.

In 1984, in cooperation with the Division of Habitat and with the help of the U.S. Forest Service and the Commercial Fisheries Entry Commission, the Division of Game started to sample moose and goat hunters in southeast Alaska. In 1985, they expanded the survey to include deer hunters.

There were two major questions we wanted to answer:

1. What economic expenditures are related to hunting?
2. What economic benefit is generated by sport hunting?

You might ask, "Aren't they the same thing?" Well, sometimes yes. Broadly defined, expenditures are a benefit to Alaskans when nonresidents bring cash into the state, but no one would suggest that we should make hunting as expensive for Alaskans as possible.



Bob Wood

Wildlife *economic expenditures* answers the question, "What is the economic activity generated in the economy by the use of wildlife resources?" *Economic benefit* of wildlife is the answer to the question, "What is the net social benefit from the use of wildlife?" As you can see, these are not entirely separate concepts but can answer different questions. Economic expenditures are not necessarily a social benefit; where expenditures might

Estimated Economic Expenditures ($) per Day and per Trip
(for Goat, Moose, and Deer Hunters in Southeast Alaska, 1985)

	Goat		Moose		Deer	
Community	Avg. Per Day	Avg. Per Trip	Avg. Per Day	Avg. Per Trip	Avg. Per Day	Avg. Per Trip
Juneau/Douglas	279	721	189	678	253	492
Ketchikan	206	630	166	767	148	389
Petersburg	244	450	237	728	148	363
Sitka	216	614	405	900	201	325
Non-residents	807	2504	589	2351	358	1486
Region-wide	354	1006	196	677	120	263

nd Benefits in Southeast Alaska

by Michael Thomas

benefit one group, they are a cost to another group. It all depends on one's point of view.

How much value do you place on a hunting experience? Not an easy question to answer. Considering economic benefit, one can easily see such a general idea as value of wildlife to a hunter could be very hard to define at best. Economists have tried to understand benefits by first defining the category of wildlife use and then, secondly, the type of economic benefit.





Use of wildlife can be initially broken into two separate categories, consumptive and nonconsumptive. Consumptive use of wildlife generally includes all activities that result in the removal of the animal, such as hunting or trapping. Nonconsumptive use of wildlife is the rather broad category of uses that do not result in the removal of wildlife, such as animal viewing and photography.

Within each of these two major uses of wildlife, economists have identified several types of economic benefits. The first and most commonly considered are utilization benefits. These are the benefits associated with the actual use of wildlife, in the case of hunting, the value of the meat and the enjoyment of the hunt. For the nonconsumptive user this could be the pleasure he or she gains from a first viewing of a bald eagle or brown bear sow and cub.

In addition to utilization benefits of wildlife, there are options benefits—knowing that animals will be there to either hunt or view at some future date. Existence benefits—just knowing that there is a place for free roaming wildlife—have considerable worth to many people, especially outside the state. If one considers the national recognition that Alaska has as one of the last truly wild places in North America, and adds up the existence benefit of every citizen from the other 49 states, this value could, conceivably, be very high. For example, if every citizen felt that on the average it was worth $.50 per year to him or her to know that there were wild pristine places in Alaska where wildlife was allowed to roam free from the influence of man, that potential existence benefit to society would be over $100 million per year. For the purposes of our survey, however, we considered looking at only the utilization benefits associated with the consumptive nature of hunting. Other benefits were far beyond the scope of our expertise and resources. They would include, but not be limited to, cultural, scientific, and bequest, or willingness to pay for providing wildlife for future generations.

Economic benefits are nice, but how much REAL money is spent by hunters in southeast Alaska? These are economic expenditures and are important to know because they help economists track where money is spent in the economy. This helps decision makers assess the impact of a management decision that changes hunting patterns. As an example, if a resource decision will reduce the number of goat hunters, it is useful to know what sectors of the economy will be affected by the decision—both adversely and beneficially.

When we analyzed our surveys, we found some rather startling statistics. From our economic expenditure questions we found that hunters in southeast Alaska spend large sums of money while sport hunting. (See Table 1.) In 1985, mountain goat hunters spent in excess of $600,000 in the Southeast economy, over $350 per day of hunting. Moose hunters spent over $800,000 in total or nearly $200 per day of hunting. Deer hunters, while spending the lower sum of $120 per day, spent over $4.5 million in the Southeast economy. Collectively, these three species generated nearly $6 million in expenditures in 1985. With increased participation over the years, this amount is certainly higher today.

Additionally, new income was generated to the state whenever nonresidents spent money in Southeast while hunting. It was estimated that collectively nonresident hunting for moose, goat, and deer generated roughly $300,000 in new revenue for southeast Alaskans in 1985. Of this amount, over half was from goat hunting. Alaskan business should have seen the majority of this income in the form of increased demand for food and lodging, air charters, and general supplies.

What do these figures mean? Economic expenditures help decision makers arrive at more informed decisions by showing them where money flows in the economy. We can see that a fairly tidy sum of nearly $300,000 is brought into the state each year by nonresident people who hunt deer, moose, and goat in southeast Alaska. Over $5.5 million is spent by resident hunters annually while hunting these three species. While these surveys did not measure indirect or induced benefits of hunting expenditures, one might expect this amount to be an additional $3.5 million annually. This figure was derived by using commonly used multipliers provided by the Alaska Department of Labor.

When one considers brown and black bear hunting, and the related guiding fees, along with trapping, these dollar figures could easily jump by 50 percent. When one then looks at all the major game hunting across the entire state, the expenditure amounts could jump again by a factor of 10.

(Continued on page 21.)

Hunting

(Continued from page 17.)



John Schoen

Our survey considered only hunting, or consumptive use, of wildlife. Wildlife viewing and other forms of nonconsumptive use of wildlife, because of their complexity, have been completely ignored at this time. Many economists feel that viewing wildlife could actually lead to more expenditures than hunting.

Economic expenditures is only what is actually spent on the activity, not the net social value placed on it. We have not completed evaluation of net social benefits for southeast Alaska goat, moose and deer hunters, but should have a rough estimate by spring 1988.

Ideally, policy and decision makers will consider the economic benefits resulting from the use of wildlife when they make decisions that affect this resource. Unfortunately, resource economics is not advanced enough at present to give us all the answers on economic benefits, yet many more tools exist today than ever before, providing managers a better estimate of the economic benefits resulting from the use of wildlife.

If hunting is so expensive, why do people do it? That has been the basic question posed by "hunting widows" for years. Of course that question is not one ADF&G can address. The department, however, is very interested in expenditure patterns and, even more importantly, net social benefits created by wildlife use, of which a part can be expressed in dollars and cents. Obviously, people think hunting is worth at least the money they spend out of their pocket.

As economists get closer to understanding the full economic benefits of wildlife, our political leaders will have the challenge of helping the people of Alaska, and the rest of the nation, enjoy these benefits to their utmost. In the future, decision makers will have the addition of economic criteria to aid them in managing our natural resources. These additional economic criteria should help society find the resource use patterns that allow for the greatest net social benefit.

While our surveys have answered only simple questions concerning money spent by hunters in southeast Alaska and may help look at one small part of wildlife economic benefits, this is the first piece in an enormous jigsaw puzzle. Already both state and federal agencies are preparing to work with some of the foremost economists in the country to look at the more difficult questions, such as existence economic benefits and nonconsumptive use.

One day we may fully understand economic benefits of wildlife. Until then, next time you or a friend go hunting, don't worry about how much you spend, but be aware that you are contributing to the local economy. The value you gain from your hunting trip is real and probably greater than you think.

Michael Thomas is a biometrician with the Division of Game, ADF&G, Juneau. Final Technical reports for goat, moose, and deer hunter economic surveys are available upon request.

Alaskan Animals

(Continued from page 23.)

Answers to Alaskan Animals word search puzzle found on page 23.

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DAILY NEWS 4-20-87

Four charged with illegal guiding

The Associated Press

Four Anchorage men have been indicted for illegal guiding activities and a fifth has pleaded no contest to a related charge, the Alaska State Troopers said Friday.

James Baum, 44, was indicted this week on 24 counts for allegedly illegally guiding two undercover police officers and two unlicensed hunters from Australia.

A grizzly bear, three caribou, a moose and a deer were taken on the illegal hunts last fall, the troopers said.

Two aircraft, a Piper Supercub and a Cessna 180 on floats, were seized, along with several rifles and big-game trophies, the troopers said.

In a related case, Steven Hart, 26, pleaded no contest to possession and transportation of illegally taken game. Troopers said the charges stemmed from a hunt that Hart participated in with one of Baum's Australian clients.

In a separate case, Jake Gaudet, 35, Keith Mattison, 35 and David Somers, 34, were charged with guiding without a license and possession of illegally taken game. Gaudet owns Jake's Alaska Wilderness Outfitters. Mattison and Somers were his employees.

Times 4/25/87

Dentists indicted on four felony counts of illegal hunting, transporting

KENAI (AP) — Dentists from Kenai and North Pole have been indicted by a federal grand jury for a variety of illegal hunting activities.

Jerry DeFoor and Errol Remsing are charged with four felony counts of illegally taking and transporting wildlife. Each charge carries a maximum penalty of five years in jail and a $250,000 fine.

According to the U.S. Attorney Steve Cooper in Fairbanks, Remsing is accused of conspiring with DeFoor to hunt by illegal means, out of season, in closed areas and of illegally transport wildlife.

In addition to conspiracy, DeFoor is charged with three counts of hunting unlawfully in Canada and transporting the animal parts illegally into the United States

Remsing also is charged with 17 other felony and misdemeanor counts based on the acts in the alleged conspiracy.

According to Cooper, the illegal activity took place in the Arctic National Wildlife Refuge, Yukon Flats, the Noatak National Preserve and other parts of Alaska and Canada closed to hunting.

The indictments are based on "sting" operation set up by undercover U.S. Fish and Wildlife Service agents.



Letter From the President

by Phil Driver

How long can Alaska's high quality game resource withstand the ever-mounting pressure of present-day mass hunting, supported by mechanically efficient and dependable transportation?

There are several factors which when combined, will bring this loss of quality more surely. The quality I refer to is the older trophy animal, which we as guides select for our clients. A subjective truth in trophy hunting is "you can have your cake and eat it too."

What are the factors that adversely affect trophy game populations? Obviously overhunting is the cause that brings it about. It takes a long time to grow trophy-sized animals.

The State Constitution mandates maximum sustained yield. In practice this has been translated to mean, Maximum Sustained Harvest, which does not lend itself to the viability of a trophy age class of animals. The latest word we have been hearing is BIOMASS. If the biomass is there and the game resource sustains itself, all is well. Not so, I believe the quality of the mass has to be considered. A sustained cross section of all age section of all age groups that make up this mass is a justifiable concern.

The loss of large areas in Alaska for recreational hunting by Federal closure, added to congestion in the areas that were left open.

The reluctance to address the use of engine or motor-powered conveyance, to more easily pursue game, is another real concern. I do not see much difference, say between an aircraft or a snow machine the same day it has been used for transportation in pursuit of game.

The use of powered mechanical convenience is certainly necessary to transport individuals into back country, for access to the hunting and for speedy transfer of meat from the field. Which, in itself, will produce more salvageable meat for the table. Common sense and a conservative mind tell us we do not have game populations that will stand unlimited hunting. That is the reason we have seasons, bag limits and restrictions, on methods and means. Unfortunately, I do not believe the people we have representing Alaska in Juneau, as Senators and Representatives, have one care in the world about the general well being of the State's game populations, or realize its importance

Alaska's game resource is important in several ways. The trophy game of Alaska has since Territorial days been a drawing card for new money, to be left here by the non-resident hunter who comes here to hunt. These hunters paid hard cash for their licenses, tags and the services of guides; who were licensed even at that time.

The licensing in Territorial days was administered by the U.S. Fish and Wildlife Service. Not only were the guides licensed to guide, but were also sworn in as game wardens. Mark Jensen, a past chairman of the first Alaska Guide Board, shared this point of interest by sending me a copy of the original document he received, way back when, accompanying his numbered bronze badge and authorization as a Territorial Game Warden.

In this present day and age Alaska's trophy game continues to draw outside money and provides the income for the long standing profession of the Licensed Guide.

Compounding the age-old use of wild game as meat on the table is the recent emphasize placed on the subsistence use of the resource, by a particular socio-political group, here in Alaska.

It is apparent, that with some of the subsistence users, there is a definite effort to dramatize need of particular game populations, by over use, to prove a point.

The latest uncontrolled pressure on the wild game resource, is the drop off outfitter operation. This type of operation has virtually exploded in the last three years. Typically the drop off outfitter has one to several multi-seated aircraft flying out hunters as fast as he can. No control or handle by the state whatsoever on this type of operation.

Unfortunately, as I stated earlier our legislatures and the Alaska Board of Game seemingly are unaware or could care less, about the consequences of this latest unprecedented pressure is having on the big game animals. Many of these self-proclaimed outfitters are not even residents of the State of Alaska. In all fairness to the powers to be, my accusation of uncaring may be to harsh a judgement, but most certainly they are unaware.

Some of these drop off round-trip would-be hunters to the field and back for as little as $400.00 per head, from the prearranged pick-up point. It takes a whole lot of $400.00 hunters to add up enough to make this type of operation pay. This is where the problem of the drop off operator lies,. VOLUME, volume is the only way to make it pay. The quality of game drops quickly when there are many more hunters than there are trophy animals. Not one of these type hunters wants to go home empty handed. However, when by overhunting an area, which a licensed guide has cared for, to maintain quality, the outfitter picks up and moves to some place else.

If you are one of the drop off consumers, who gets in on the first or maybe even the second year of the bulk drop off operation, you may luck out and get a nice trophy, but I'll guarantee you in short order it's over.

The guide who is restricted to operate in a specified area and has farmed it conservatively to maintain an on going trophy population, is left holding the bag. Unfortunately, our short sighted Legislators as well as all consumers will be in the same boat with the professional guide in one significant way, for there will be no quality resource left for anyone.

It takes a long time for a trophy game population, once depleted, to turn around. A for-instance is the Alaska Peninsula Moose population and the Nelchina Caribou herd. There are many more examples, this is just two of them.

It is not too late to address this oversight and conserve the one renewable resource that has always provided Alaska with hard cash and food on the table. We CAN maintain the high quality trophy wildlife Alaska has always been known for.

Sincerely,

Phil Driver

Illegal Commercial Operations Affecting the Alaska Professional Guide

by Robert Boutang
Alaska Department of Public Safety
Fish and Wildlife Protection
Statewide Investigations

In 1973 the Guide Licensing and Control Board was formulated as the regulatory body for the guiding industry. In the mid 1960's to the mid 1970's, drastic regulation changes in seasons, bag limits and methods of taking game had a direct impact on many of the guiding operations.

These ten years of regulation changes had the most direct impact on the guiding industry. During these ten years, the brown bear season on the Alaska Peninsula was cut from nine months per year to four weeks every two years. The use of aircraft was also severely limited by regulation. It was understandable with the numerous statute and regulation changes that did occur in such a short period of time, that some guides found it difficult at best to adapt their guiding operations to meet the changing times. What were legal methods of hunting one day were all of a sudden illegal the next.

In many cases, however, some guides did operate as though there were no restrictions on the methods and means of taking big game. We did, in fact, have guides who operated with little fear of being apprehended in the commission of a crime.

In 1972, one of the enforcement priorities established within the Division of Fish and Wildlife Protection was the illegal guides who persisted in continually taking big game animals unlawfully.

Through the efforts of the Guide Licensing and Control Board in establishing standards, regulations and exclusive and joint use areas, in conjunction with a concerted enforcement effort taken by the Division of Fish and Wildlife Protection in the 1970's, we have seen a dramatic decline of the flagrant illegal guide operations.

The State of Alaska can take pride in the fact that we now have a professional guiding industry that provides an outstanding service to a clientele from all over the world and the revenue that is generated from the guiding industry is one that benefits many people and businesses inside the State of Alaska.

Today, we face a new problem that concerns and affects the professional Alaskan guides, the public and State of Alaska. This concern is the unlicensed individuals who are in fact booking clients and acting as guides. It is now known that there is more illegal unlicensed guiding activity than anyone thought existed.

This is one concept of illegal guiding which virtually has never before been worked by Alaska Fish and Wildlife Protection. The Investigative section of Fish and Wildlife Protection is now developing intelligence regarding this problem. The Division has established unlicensed guiding operations as one of our main enforcement priorities.

We found some of these so-called outfitters (unlicensed guides), who provided drop-off type hunts, were actually going so far as to personally accompany the clients in the field; calling in

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moose, using aircraft to drive and herd animals and using radio communications to aid and take animals.

Once such unlicensed guide showed a client (undercover hunter) a check which was two times the amount of a regular hunt and he said, "This is what I get for my hunts and I produce more record book animals than anyone in Alaska and I don't even have a guide license."

Another unlicensed guide, who recently pled guilty, took a client (undercover hunter) in Game Management Unit 9, Katmai National Park, during the off season and killed a brown bear the same day he was airborne. He also tried to solicit our hunter into getting him more clients. This is the type of people we are dealing with; they have no respect for the legal guides or the resources.

This year our Investigative section investigated two outfitters (unlicensed guides) who took approximately 40-50 moose each in a two-year period. That is putting a serious dent in someone's exclusive guiding area and in Alaska's moose population. These illegal non-licensed guides are going into honest hard-working professional guides' areas and stealing the resources and giving hunting and the professional guides, through the publicity, a bad name. The licensed guides, hunters, the general




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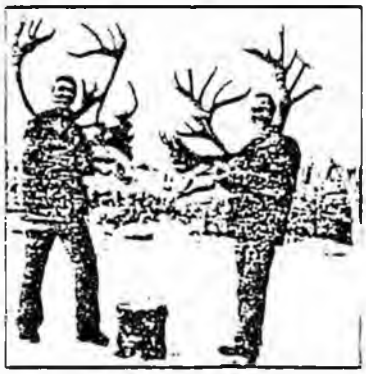
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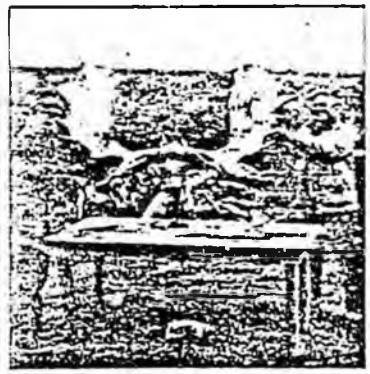


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Record Class Spring Grizzly taken by John Macal[illegible] Murrysville, Pennsylvania 1985

public and the wildlife are all the victims.

These types of illegal operations have a direct effect on the licensed professional guide whereas the licensed guide must adhere to statutes and regulations which affect his operations.

While we do have the problem of unlicensed guides in Alaska, we first have to identify the people involved. To do this, we need all the help we can get from the Guide Board, professional guides and the concerned citizens.

In addition, it is extremely important that the Guide Board, professional guides, concerned public, and our Division continue to mutually cooperate in identifying individuals who are unlicensed and are acting in the capacity of licensed guides.

The unlicensed guides do not have to follow any laws. They are not bound by restrictions or ethics and in many cases, they have a total disregard for the resources and other guides. They take game anytime and place and use any methods they want to.

Only through the continuing cooperation of all of us working together can we hope to reduce the illegal unlicensed guiding operations that exist in the State of Alaska.

New Life Sustaining Members

Charter Life Sustaining membership's final issuance was December 31, 1984. However, another classification was created which is referred to as Life Sustaining membership offered for $250.00 instead of the $200.00 Charter Life Sustaining offer. The following person has joined as a **Life Sustaining** member:

Charles Folkman of Oconomowoc, Wisconsin

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Alaska Department of Public Safety
PRESS RELEASE

RELEASE #1

On April 16, 1987, an Anchorage Grand Jury returned true bill indictments against John "Jake" Gaudet, age 35, Keith Mattison, age 35, and David Somers, age 34, all of Anchorage. Gaudet is the owner of Jake's Alaska Wilderness Outfitters, a big game hunting outfitter service in Anchorage. Mattison and Somers were employees of Guadet. The men were charged with Guiding Without a License, and Possession of Illegally-Taken Game. The violations occurred during caribou and moose hunts near McGrath and King Salmon in August and September of 1986. Trial was set for May 18, 1987 in Superior Court in Anchorage.

RELEASE #2

On 4/23/87 in Anchorage District Court, Barry R. Stafford age 36 and Greggory C. Synner age 28, both of Wasilla entered pleas of no contest to the charges of attempting to guide without a license. The charges stemmed from an investigation conducted by troopers of the Statewide Investigation Section of the Division of Fish and Wildlife Protection in Anchorage. An undercover trooper was guided on a caribou and grizzly bear hunt by the two men operating S & S Outfitters near Cantwell, during last fall's hunting season. The two men were each sentenced to serve six months in prison, pay restitution to the state of $800.00 and lost hunting privileges for three years. 120 days of the prison sentence was suspended on the condition that they successfully serve three years of probation.

RELEASE #3

On April 16, 1987, an Anchorage Grand Jury returned true bill indictments in a 24 count complaint against James L. Baum, age 44 of Anchorage, for illegal game and guiding violations. The violations occurred during a three month period in the fall of 1986. Baum was charged with illegal guiding of two undercover police officers, and two unlicensed hunters from Australia. A grizzly bear, three caribou, a moose and a blacktail deer were killed during the violations. Two aircraft, a Piper Supercub and a float-equipped Cessna 180, along with several rifles and animal tropies were seized during the investigation.

In a related case, on April 15, 1987, Steven Hart, age 26 of Anchorage, entered a plea of no contest to the charges of possession and transportation of illegally-taken game. The charges stemmed from a hunt that Hart participated on with one of Baum's Australian clients. Sentencing for Hart was set for May 13, 1987. Trail for Baum was scheduled for June 1987 in Superior Court in Anchorage.

Guides & Outfitters

VIII

Letters of Support

TO: All members of the Alaska State Senate and House of Representatives

RE: The Alaska Guide Law

The Guide Law evolved over a 20 year period to protect the big game resources of the State, and to control our industry to insure that non-resident guests are safely and properly accomodated. The 'restricted guide area' concept evolved as a workable solution controlling guiding activities, meeting not only the above criteria, but to also provide mechanism for licensing and granting areas to new guides.

To radify an unintended loophole in the existing system which has allowed unlicensed guides to circumvent the requirements and responsibilities set forth in the current guide law, defeats the very premise upon which the legislature acted upon in the first place.

Nothing in the existing law, nor in the proposed legislation below, in any way prohibits a person from providing transportation services for any species of big game to residents of Alaska.

Four (4) principle concepts which the Alaska Professional Hunters Association (APHA), and the following members of the guiding industry support include:

(1) Extension of the Guide License and Control Board and Existing Guide Law for four years before the next sunset review.
(2) Non-resident hunters for moose should be required to have the services of a licensed Master or Registered Guide, before being allowed to hunt moose in Alaska.
(3) The term "outfitter" may be used only by a licensed Master or Registered Guide for the purposes of advertising or promoting big game hunting services in Alaska.
(4) Adoption of the defination of guide as proposed in the February 26, 1988 version of SB 191 (3rd Resources) which defines guiding as follows:

"guide" or "guiding" means accompanying or being present with. or providing a camp or personal service for, a big game hunter in the field, presonally or through an assistant, for compensation or with the intent or an agreement to receive compensation; "guide" or "guiding" does not include accompanying or being present with a hunter

(A) in a boat with living quarters
(B) at a lawfully established cabin or permanent lodge; or
(C) while providing transportation to or from the field, if the persons providing transportation and the person being transported do not stalk, pursue, track, kill, or attempt to kill big game.

We, the undersigned, support these four principles:

Name	Address	Phone	Guide Lic. No.	Years in Business
* Jim Hammower	Jim Hammower		049	20+
	13030 Jaeui Dr	Anc Ak	99515	
* John Harkey	John Harkey		AA1501	9
	Box 517	Kenai Park, Ak	99755	(ASSISTANT GUIDE)

We, the undersigned, support these four principles:

Name	Address	Phone	Guide Lic. No.	Years in Business
* Ed Grasser		907-745-3772	AA465	8
Ed Grasser	Box 1350	Palmer, AK		32-45
* Tom Jesiolowski		907-243-8049	AA566	8
Tom Jesiolowski	2421 Highgate	Anch AK 99502		
* TERRY ADLAM		907-688-1569	A559	17
Terry Adlam	BOX 70592	CHUGIAK AK 99567		
* DAVE LEONARD		907-283-4010	AA795	13
Dave Leonard	BOX 1426	KENAI AK 99611		
* Marlin Grasser	(907) 745-3772	AA27	4(	
Marlin Grasser	Box 1350	Palmer, AK.	9964	5
* Terry Riley	P.O. Box 107	TALKEETNA	ALASKA	99676
Reg. #404	13 years			13
* Scott Oman	Box 1333	Juneau Alaska	99802	
	(ASSISTANT)	AA 2301		4 years
* RICHARD A. ROHRER	B. 2219	KODIAK AK	99615	12 years
Richard A Rohrer	Reg Guide			
* Michael J Lutzen	Reg Guide	Anch AK		8 years
7351 Duffenda ct	Anch. AK	99507		
* Gary Pahl	HC0-3-Box 8422	Palmer	AK	99645
	907-745-7610	AA528		7 yrs
* Jack Coates (past president, Dallas Safari Club)				
4536 N. Versailles, Dallas, Tx 75205				
Robert H Kelley	2715 HAGUE AVE SW			
	WYOMING	MICHIGAN	49509	7 years.

TO: All members of the Alaska State Senate and House of Representatives

RE: The Alaska Guide Law

The Guide Law evolved over a 20 year period to protect the big game resources of the State, and to control our industry to insure that non-resident guests are safely and properly accomodated. The 'restricted guide area' concept evolved as a workable solution controlling guiding activities, meeting not only the above criteria, but to also provide mechanism for licensing and granting areas to *new* guides.

To ratify an unintended loophole in the existing system which has allowed unlicensed guides to circumvent the requirements and responsibilities set forth in the current guide law, defeats the very premise upon which the legislature acted upon in the first place.

Nothing in the existing law, nor in the proposed legislation below, in any way prohibits a person from providing transportation services for any species of big game to residents of Alaska.

Four (4) principle concepts which the Alaska Professional Hunters Association (APHA), and the following members of the guiding industry support include:

(1) Extension of the Guide License and Control Board and Existing Guide Law for four years before the next sunset review.
(2) Non-resident hunters for moose should be required to have the services of a licensed Master or Registered Guide, before being allowed to hunt moose in Alaska.
(3) The term "outfitter" may be used only by a licensed Master or Registered Guide for the purposes of advertising or promoting big game hunting services in Alaska.
(4) Adoption of the defination of guide as proposed in the February 26, 1988 version of SB 191 (3rd Resources) which defines guiding as follows:

"guide" or "guiding" means accompanying or being present with -- providing a

Name	Address	Phone	Guide Lic. No.	Years in Business
* [illegible]	[illegible]		[illegible]	
Michael E. Morrison	Box 168 King Salmon AK		professional Fishing Guide	
* [illegible]				
Joe Klutsch	Box 313 King Salmon AK		Registered Guide # AA 481	14 years
* Lynn M. Castle (Asst)	P.O. Box 517, Denali Park, Alaska 99701			
(907) 345-1160			Master Guide 039	26 years in business
* CHARLES HUTTMANN	P.O. BOX 1045 KODIAK, ALASKA 99615			
Charles Huttmann			REG. GUIDE	15 YEARS IN BUSINESS

We, the undersigned, support these four principles:

Name	Address	Phone	Guide Lic. No.	Years in Business
* Kelly V—	POBox 610742 Chug. AK 70		Hrig 10	
Dennis Tennen	12800 Ridgewood	345-0986	Lic # 206	30
* Michael Norman	Robert Chambers	319 W. 5th Ave		
Michael C. Norman		Anchorage, Alaska 9950		
* Michael L. Pe	307-527-7453	RR 2 Box	Wyoming Outfitters	
			Post Office Box	
* Charlie Striker Guide & Outfitter		Box 354. (Alberta)	Wildwood Alta. T0E 2M0	
* Mark Sandland MARK SANDLAND	3942 COSMOS DR.	99517 ANCH. AK.	907-248-1452	
* BRENT LOWE	12441 Stor Burst Rd	AA539 ANCHORAGE AK 99516	907-345-6399	
* Jeff Hirsch	Box 2661	Palmer, AK 99645	907 745 1747	
* Geoffrey Engl	2900 Boniface #607	ANCH, AK 995		
907-333-5214				
* Urban G. Rehor	1001 Lakeview Terrace	456 6967 Fbks AK 99701		
Phillip E DRIVER	1306 E 26th Av.	ANCHORAGE AK 995		
* Pres APHA	MASTER Guide. 63		19 yrs	
Mary Frances Dewhurst	Reg. Guide 409	10 years	Box 313 Fort A Yukon	Alaska
* Charles Loescher	P.O. Box 872809-231.			
WASILLA AK 99687 - Guide 5 years				
Norm Hamblen	200 W. 34th Ave. Suite 430			
Anchorage Alaska - 9503				

We, the undersigned, support these four principles:

Name	Address	Phone	Guide Lic. No.	Years in Business
* Kay Snowdon		907-262-4678	0038	5L
Box 10	Sterling, AK			
* Mark Colli	P.O.B. 112434	Anch. AK		
Jim Eisenbraun	POB 66 Gustavus	697-2252	61	23
* Howard W. Pollock, 1091 Connecticut Ave NW, Wash. DC 20036 (Former Congressman for Alaska; former President of NRA)				
* Rocky Ken	4001 Box 6316	Phoenix AZ	376	6 25
Phil Alward	201-327 8970	Wilderness Exp.		
* Jerry C. Halliday	907 424-3346	Box 608 Cordova, Alaska		
Rocky Mogck	907-373-2785	Box 785 Kodiak AK		
* Dennis W. Zack	P.O.B. 1848	Homer AK 99603	AA510	
Eagle River	907-243-1067	AA-575	6 yrs	2820 Lexington Dr Anch. AK 995
* [illegible]	P.O. Box 112449 Anch. AK. 907-345-2862	AA 53	23 yrs.	
George Palmer	Box 887, Palmer	24 years		
* Kevin DeLaney	5221 E 98th Ave Anch. AK 99516	#598	4 yrs	
[illegible]	Box 1333 Juneau AK 717-586-9171	AA421-AA449	12 yrs.	
* [illegible]	129F St Anchorage AK		10 yrs	
907-272-1225				
* Richard A. Hurtubise	P.O. Box 24-0163		#446	14 yrs
Anch. AK 99524	907-243-7766			
Lance Williamson	907-782-3411		AA #569	8
[illegible]	243-[illegible]	[illegible]		2[illegible]
Chuck Winkler	243-1649 & 326			16

RECEIVED MAR 11 1988

Alaska State Legislature

SENATOR KEN FANNING
P.O. BOX 80929
COLLEGE, ALASKA 99708

P.O. BOX V—STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3880

Senate

M E M O R A N D U M

TO: Representative Adelheid Hermann

FROM: Senator Ken Fanning KF

DATE: March 8, 1988

SUBJ: HB 183, HB 331, HB 451, SB 191 - Guiding & "Outfitting"

Attached for your information is a letter from Gerald Pahl, a guide who worked his way up through the ranks under Master Guide Clark Engle. Gary doesn't pretend to be an orator, but he has experience and strong feelings concerning this legislation. I'd appreciate it if you'd take the time to read his comments.

Enclosures

March 8, 1988

Rep. Ben Grussendorf
Speaker of the House
P.O. Box V
Juneau, Alaska 99811

Dear Representative Grussendorf,

I would like to express the utmost need to have SB 191 passed. There are a lot of people and wildlife that will be affected by this legislation, both directly and indirectly.

If this bill does not pass then I and a lot of other residents of Alaska feel that our wildlife can and will be affected.

For one, the Guide Bill is a must. Our wildlife resource has been on an increase in most areas, and I think a lot has to do with our Guide Board, which governs the guiding industry by giving each guide an area to manage. This area is his livelihood and he has, and will manage it to protect his means of making a living to have a future.

Number two, if SB 191 does not pass, then it will open an interstate highway into the taking of animals by abundance. This will open a door for the unlicensed Guide, better known as the "Outfitter", who has no means of being regulated. There has been a system set up, and from the past references, it looks like it works. Let's make anyone who would like to be part of the Guiding industry join in and climb the ladder of apprenticeship, like all past guides have done. This is a profession, and I think it should be treated as such. If we are going to make up new licenses and areas (which have already been assigned to guides) and give them to "outfitters", then at this time I would like to confront the state to please give me, Gerald A. Pahl, a license to practice medicine in the state of Alaska. But I don't want to go to school or do an internship, I just want to be a doctor. I might lose a few patients the first few years, for not having professional training in the field of medicine. But then again, the "Outfitter" might only lose a few also, due to his lack of training in the field of guiding and the environments of animals and weather in Alaska. The choice is yours - please make the right one.

For the first time in a decade, I think I see a change of heart with the Alaskan resident sportsmen and the guiding industry. It's starting to work, with the two working together.

A lot of voices have spoken regarding the resident not wanting the "outfitter" who runs vast quantities of hunters at a lower price. The only thing accomplished here is the animal population decreases and they, the wildlife, are the only ones that suffer, except the resident hunter, who goes hunting in his favorite valley and finds the "Outfitter" with 20 caribou hunters in his old campsite.

Another point is that, let's take a look back at the last couple years and see where the game violations have been concentrated. Fish and Wildlife protection, I am sure, will agree it's been more the unguided hunter or fishermen. I believe the industry of guiding has been regulated in a good manner and has been cleaned up. Please - let's keep the system that works; it's a must to the conservation of our wildlife and consumer sportsmen.

As the man I trained under said: "The guiding industry is a profession, and they damn well can treat us like professionals." Quote from Clark Engle, Master Guide. I didn't know who he was talking about, when he said <u>they</u>, but I think it had something to do with politics.

After looking at all sides of this issue, I am sure you'll find that SB 191 must be passed. It's a system that works! The Guiding Industry!

Ask your neighbor sportsmen or conservationist which he would rather have - the professional Guide with three hunters in the area he hunts, or the "Outfitter" with 20 unmanaged hunters in the area he hunts. The picture has already been painted by the problems of the past few years.

Pass SB 191 - it's the one thing we have left that is regulated and managed and controlled to protect the wildlife resource and the consumer sportsmen.

A concerned Alaska Resident and Professional Guide.

Sincerely,

Gerald A. Pahl

Gerald A. Pahl
Registered Guide, AA528

The attachments referenced are included in the section on "outfitter" ads.

NORTHWARD Bound
Stony River Lodge
Jim Harrower
MASTER GUIDE

13830 JARVI DR.
ANCHORAGE, AK. 99515
907 - 345-2891

State of Alaska
Office of the Governor
Juneau, Alaska

February 18, 1988

RE:GUIDING - GUIDE BILL - GUIDE BOARD

Dear Governor Cowper,

I am writing you as a director of the Alaska Professional Hunters Assoc., a past member of the Guide Board, as well as a Master Guide with over twenty years of alaskan guiding. I grew up in the industry and have developed some fairly specific ideas.

I will apoligize at the onset for the length of this letter and will divide it into sections to facilitate fragmented reading. I will give an overview of our profession, it's problems, and some suggested solutions in hope that under your administration constructive changes can be implemented that will benefit our profession, the public interest, and the wildlife resources of the state.

Past administrations have had little recognition of our industry. Recent surveys done on the sport fishing industry indicate some staggering revenues coming into the state. Past studies on sport hunting have also been very impressive and the two industries combined must unquestionably be the anchors of Alaska's tourist industry. Even those who do not come here to hunt and fish are greatly influenced by the knowledge that they could if they wished. These industries depend upon renewable resources, and consequently properly controlled and managed, have an infinite life. They are of extreem importance to Alaska. Most of the dollars turned stay in Alaska. These are alaskan business through and through!

GUIDING:

Early contemporary guiding in Alaska was primarily done by airplane. The guides while being colorful characters and great individualists were virtually unregulated, and many lived nomadic existences, with little responsibility toward resource management. They could be likened to the early buffalo hunters of the American West.

As populations grew and resource use became more competitive, management and control became essential. Some of the old time guides were slow to accept the new laws and concepts so consequently were quickly labeled "bandits". The publics negative immage of guiding has still not fully recovered.

Some of our problems are internal and self generated, these are being addressed and can hopefully be resolved. Most of our problems stem from the evolution of our current restrictive area system as it has matured and developed.

The Guide Board was established in 1973, and the restrictive area concept conceived in 1974. Both have aroused considerable controversy. Recent audits of the Board and it's actions have been critical and the current conflict between legal guiding and illegal outfitting have raised further questions.

Both the CONCEPT and the SYSTEM are GOOD. The legal guiding profession should welcome this opportunity to resolve some of these problems and misunderstandings.

In over a decade of constant snipeing and criticism no one has suggested a better system. The opponents would like to see it abolished and things revert back to where they were twenty years ago. This would create complete chaos and the wildlife resources would suffer.

In the following pages you will find four seperate sections. Some general comments regarding current guiding issues; major problems that have been called to the attention of the Guide Board and some comments in response; some complaints that have been voiced by resident Alaskans; and finally a section on suggested solutions.

Again I apoligize for all the words. These issues are of extreem importance, and I bring them to your attention with the hope that you will have a better perspective in the weeks to come when your influence and support will be so valuable in achieving a resolution to their long standing issues.

Sincerely,

Jim Harrower

cc. Senate Standing Committees
Sturgulewski, Arliss
Binkley, Johne
Halford, Rick
Fischer, Paul
Kerttula, Jalmar
Kelly, Tim
Coghill, Jack

SUGGESTIONS AND SOLUTIONS

PART 1.

PROBLEMS-REAL - PERCEIVED and RESPONSE

1. Closed System - opponents have stated that the system is impossible for new guides to enter and establish themselves in.
   RESPONSE - This is often said and is simply not true, as many young guides are being issued and exchanging into areas at every meeting of the guide board.

2. Testing is unfair and designed to keep people out of the system.
   RESPONSE - The tests are comprehensive and difficult. They have been reviewed on several occasions by the Board in an effort to established consistancy and fairness. They may be difficult but many people pass them the first time. An interesting fact is that a higher percentage pass on the first time than those who take it more than once. Many Boards suffer the same criticism and if standards are kept high and exams difficult there will be failures!

3. CRONYISM and FAVORITISM:
   RESPONSE - When the system was first implemented, substantial value was placed upon the testimony of the various guides to establish the presence of others in areas of past use. This was the only way use and occupancy could be verified. It obviously gave an advantage to well known and popular guides over those who were not so visible. The industry must admit to some irregularities at this time. However, as the process proceeded the Board members became more and more sensitive to preceived conflicts, and often stepped down on issues that could even be remotely construed as conflicts of interest.Guides who are better prepared, have done their homework and meet the criteria and qualifications will always prevail over those who don't, or who make outlandish rediculous requests and demands. Favoritism has nothing to do with it!

4. INCONSISTANT BOARD DECISIONS & ACTIONS:
   RESPONSE - See solutions PART 2.
   Funding, resulting in the presence of legal council, improved record keeping, presence of biologists and land use experts when advisable, would go a long way toward correcting this. An absolute cut and dried policy is not possible for Board decisions as most must be made on a case by case basis.

5. TRANSFER CRITERIA & use of a CONSISTANT FORMULA:
   RESPONSE - Transfers have been highly criticized and the Board has been directed to develop a formula to be used, both to issue new areas, and to transfer old ones. Again the transfers must be considered on a case by case basis, but a formula that considers such factors as past use, investment, other areas available, recommendation of previous area holder, impact on the resourse, land ownership, ect. has been developed.

6. CONSISTANCY in TRANSFERRING JOINT USE:
   response - The Board has long felt that the joint use of areas had created many problems and has developed a policy to attempt to eliminate or reduce joint use whenever practical. However, there are times that for a variety of reasons, joint use is in everyones best interest. Of all Board activities to demand absolute consistancy of, this is the most difficult. There are constant factors that must be considered, but joint use areas have the greatest potential for unique and different criteria to be envolved. A specific formula will not fit all situations. In this case we really need a Board, one that will consider the merits of each situation on an individual basis, and absolute consistancy is not even desireable.

PART 1. cont.

7.SOUTHEAST ALASKA:

Nearly as much time has been spent by the Board attempting to meet the unique needs of the guides who operate in Southeast Alaska, as has been spent on the remainder of the state.

I have no solution to offer and I sympathize with the Board in their attempts to resolve this on going conflict. An important consideration here is that , matters would be made immensley worse by removing current policies governing guides. The Board has an unenviable job here.

8.LOST MAPS & TAMPERING WITH FILES:
RESPONSE - Many maps have been lost and guides have complained that area boundries have been changed on their file maps. The Board now has a specific policy that no one has access , even to their own maps, and files without an employee of the Board being present. This is a very firm policy! Also, see SOLUTIONS - PART 2. regarding maps.

9.COMMENT REGARDING BOARD PROBLEMS:
RESPONSE - Most criticism has come from individuals who have not received what they wanted, or felt they had coming from the system. In nearly <u>every</u> instance they either did not meet the qualifications that apply to EVERYONE, or they wanted special consideration at someone elses expense. Rarely did they make an effort to investigate the rules or stipulations, as they applied to them, and then were personally offended when they didn't get what they wanted. Most of the current complainers are in this group.

PART 2.

SOLUTIONS:

1. First the GUIDING INDUSTRY should be recognized by the State Administration for what it is! A leading economic industry with virtually an unlimited life. Also, the Guiding Industry must accept the responsibility of improving it's own public image.

2. Funding $$$ - Many of the problems of the industry and most that have been identified by the audit committees, result from lack of administrative support. The guide board is made up of Governor appointee's. These public members should not be any more responsible for record keeping, than a jury is responsible for transcribing and recording court proceedings!

THE BOARD NEEDS THE FOLLOWING:

1. Adequate personnel to keep proper records, to disseminate information , to send notices, and to coordinate and prepare for board meetings, disciplinary hearings, and etc.

2. Adequate transcribing and recording system. Many hours have been wasted trying to reconstruct testimony of previous board meeting and decisions.

3. A system for properly recording and storing the boundries of all guide areas in the State. Information must be put on microfilm similar to land records and be protected from loss or tampering. This single item would be very costly and time consuming initially, but the long term savings in board time would not only save a great deal of money, but would answer many of the audit questions.

4. (VERY IMPORTANT) An office in Anchorage - Records of the industry must be made available to the guides. New guides who are interested in acquiring areas must have access to the records in order to adequately investigate possibilities.

5. Legal council available at all meetings. A.G's office represented. Many hours have been wasted, and many situations have deteriorated into time consuming problems as the board has struggled with legalities. It would help solve inconsistancy problems pointed out by the Audit Committee.

6. Need to amend statute or existing laws realative to sale of guide areas. It has now been generally agreed by the drafters of the existing laws that some provision for the sale of all, or parts of guide areas as approved by the Board should be permitted. The Boards policy to attempt to reduce joint use in areas where ever practical would be much more readily implemented if a system were available that would allow guides currently in joint use to influence the non interested or non user to withdraw for some type of consideration. Also, it is practical that a guide that has put considerable time and care into his area and enhanced it's value through sound resource management should be able to sell it along with whatever tangible improvements he has acquired. The current five year holding provision, and the need for board approval of the transfer would prevent abuse of this provision. A man's investment in his business simply has to have some recoverable value when he decides to withdraw.

PART 3.

SOME COMPLAINTS BY RESIDENTS:

1. Non-residents more successful - this is a factful statistic, and should be no suprise as most registered guides are good at their work. Of interest is the fact that even though this is true, the residents take much more game in numbers of animals. Also, it is worth noteing that revenues to the State from non-resident hunts far exceed those of residents.

2. Guides have chased resident hunters out of areas, or make it uncomfortable for them. This has and does happen, and is certainally not right. It is difficult and exasperating when a guide has done a lot of work, to clear a strip, and put up a camp, to have a redident or residents land and pitch a camp on the other end of the newly built strip. Mutual respect is essential here, the guides must remember that the resident has equal access to both the game and the country, and it is against the law to block off an airstrip.

3. Non residents can not save the meat! It is against the law for the guide not to salvage the meat.

4. Guides hunting same day airborne.. Again it is against the law and recent examples of large fines, loss of licenses, and confiscation of aircraft should be enough to keep anyone from doing it.

PART 4. GENERAL COMMENTS:

RESTRICTED AREAS BENEFICIAL TO ALL:

The restricted area system and the recent provision to allow licensed guides to lease land from the State for a lodge, ot headquarter site has encouraged many to invest heavily in improvements, buildings, and equipment. This results in a much more responsible attitude, and a more professional and busuness like approach.

It has encouraged expansion of their business to include non-consumptive persuits. The restriction to areas has caused each area holder to become management oriented, to achieve a controlled sustained harvest, and to follow the letter of the law.

The area concept is only eleven years old in most units, and the land lease provision has been available for less than two years. The entire system is in it's infancy, and understandably has some problems associated with it. The guiding industry was at first skeptical, with some of the guides resisting the confinement and control. But as it evolves it becomes more apparent each year that it is working. The guides have accepted the increased responsibility and the game resources of the State have become their personal concern. Any other system that has been suggested would result in extensive abuse of the resources.

COOPERATION WITH PROTECTION:

In most situations the licensed guiding industry now works closely with and enjoys a mutually respectful relationship with the Protection Division of Fish and Game. Their common interest is protection of the resource.

SB 191

As this letter indicates the guiding industry in Alaska has progressed a great deal in the last decade. Much thought emotion and experience has gone into this process. The current system, while not perfect, is the best that it ever has been, and has a great potential to improve when the current problems are addressed and resolved. The current guide laws being administered by the Guide Licensing and Control Board adequately address the commercial guiding industry in Alaska. There are provisions for those interested in entering the industry. It does take time and effort. The "OUTFITTER" issue has become a problem both because of illegal activities in the field, as well as the time and consideration it has taken to address the legalities of the issue. Since the commercial use of our big game resources are adequately covered by existing laws. There simply isn't room or a logical reason for another group to utilize the same resource with different control criteria.

SPORT FISH GUIDE BILL:

The commercial sport fishing and lodge business is growing each year. Some extreemly professional and well run lodges and programs are in operation. However, Alaskans current economic woes are influencing people to go into other areas of activity, and sport fish guiding has seen a great increase in the past two years.

The Alaska Professional Sport Fish Association is concerned that such sustained growth will eventually begin to impact the quality of fishing that now exists.

PART 4.

A Sport Fish Guide Bill has been considered. It is inevitable that some form of control and reportability will be necessary to sustain the present quality of fishing.

A bill or set of statutes to regulate this industry has become necessary. Although in most aspects the fishing differs so widely from hunting, enough similarities exist that the drafters of a sport fish guide bill may use our current sport hunting guide bill as a basis to begin.

Since fishing will be following so closely the evolution of our hunting system, it is even more imperative that we spend some time now to develop the best guide lines possible.

AAA Alaskan Outfitters Inc.

P.O. Box 110-774, Anchorage, Alaska 99511-0774

Phone: (907) 243-1067 or 345-0399

RECEIVED FEB - 8 1988

February 3, 1988

House Resource Committee
Alaska State Legislature
P. O. Box V(MS3100)
Juneau, AK 99811

Dear Chairman and Committee Members:

Re: H.B. 183

Request your support of H.B. 183 so we Alaskans can stop unlicensed guides from selling Alaska at a cut-rate price. This bill will help maintain current game populations for all Alaskans to enjoy and will also bring more money into the State for a longer period of time. In the years ahead, Alaska must get the most out of its resources. We cannot afford to deplete the fish and game resources by over harvesting to make a quick buck.

At the present time, we have approximately 500 unlicensed guides, calling themselves outfitters to get around the Alaska Guide statutes. All of these individuals except the ones that have had their licenses revoked or suspended (there are quite a few), have the opportunity to become guides and continue to pursue the guiding business.

Years ago, before the creation of the Guide Board and assigned areas, we had the same problem we are facing today. Too many guides were concentrating in one area and were over harvesting the animals.

Fish and Game personnel along with several concerned guides devised a plan to assign guides areas in order to eliminate over harvesting. This plan, not without problems, has worked very well and is controlled by the Guide Licensing and Control Board.

When a guide is assigned an area, he farms it to maintain good animal populations. If he doesn't, his business fails, the State gets a bad name from clients that feel they have been ripped off and in addition, the State loses money because the hunter doesn't return.

The State receives approximately $50 million from hunters in Alaska with guided, out-of-state hunters leaving the most money in our State.

Many of the unlicensed guides are non-residents who are looking for a quick buck.

It's easy to figure the money received by the State from hunting. Guides charge twice to four times as much for their services. That's why we can maintain the game population and bring more money into the State.

Alaska needs your help now. The State has a REgulatory Board so let's make the outfitters use it.

Support H.B. 183

Sincerely,

Roger D. Morris
Registered Guide AA-575



RECEIVED FEB 11 1988

Feb. 2, 1988

The Honorable Jack Coghill
Alaska State Senate
Box V
Juneau, Ak. 99811

Dear Senator Coghill:

Although I know you are already acutely aware that we have a crisis brewing in game management here in Alaska, I thought I would drop you a line to let you know there are many of us who still are looking for some legislative relief.

The unlicensed guide or "outfitter"problem is escalating. This past year in game management unit 9C, the moose hunting season for general sport hunters and non-resident hunters was drastically shortened. The justification cited by division of game officials was increased pressure on the resource by outfitters.

It is my feeling that some corrective measure must be accomplished this legislative session. In crafting the solution, it should be kept in mind that "outfitters" are currently operating outside of any laws or regulations. That there are many licensed guides who have abided by the stipulations set forth in statute who will be treated unfairly by the legislature if the solution continues to allow outfitters to operate in the present manner. And last of all, but most important, the resource will suffer if comprehensive and equitable regulations are not instituted.

I know this is a controversial issue, but something must be done and it must be done this session.

Thank you for your time and consideration on this matter.

Sincerely Yours,

Ed Grasser

cc: Senate Resources
House Resouces

Box 1350 Palmer, AK 99645 (907) 745-3772

RECEIVED FEB 12 1988

January 29, 1988
LLoyd Harvey
304 - 9th Avenue South
Cranbrook, B.C. V1C 2M5

Mr. John Coghill
Alaska State Legislature
P.O. Box VMS - 3100
Juneau, Alaska 99811

Dear Mr. Coghill,

In August of 1987 I hunted sheep and caribou with guide Don Troutman and had a successful and quality hunt with this guide.

It is unfortunate however that a good operator who, I must say, really tries to control and regulate the quality and quantity of the animals he harvests, must suffer at the hands of illegal Outfitters who come into his area and with **total disregard of laws and regulations**, commence to kill any animals that come their way with no thought to the future.

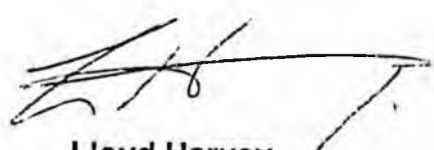
Mr. Troutman harvests his animals with thoughts of next year and the year after. Illegal Outfitters only worry about the present.

I suggest to you Mr. Coghill, you look into and pass some kind of legislation to completely eliminate illegal Outfitting and let legal guides do the job they were intended for, that is - **THE GUIDING OF NON-RESIDENT HUNTERS!**

At this time until Alaska does something to stop illegal Outfitters from hunting registered guides areas myself and two partners will not be back to hunt. Please note between the three of us including the cost of the hunt, hotels, plane fares, and other incidentals we spent in excess of **thirty thousand dollars.** There are many more of us hunters out here who feel the same way.

I would appreciate a reply on what you are trying to do to solve this problem.

Yours Truly,



Lloyd Harvey

cc:
Richard Eliason
Bettye Fahrenkamp
Ken Fanning
Adelheid Herrman

RECEIVED FEB - 2 1988

Alaska State Legislature
P.O. Box [illegible] (MS 3100)
Juneau, Alaska 99811

1 February 1988

Representative Jeanette Herrmann:

Enclosed is a copy of a letter I sent to Senator Jim G. Gamill. Our interest for Alaska natural resources should be equal. Support SB 191.

Thank you,

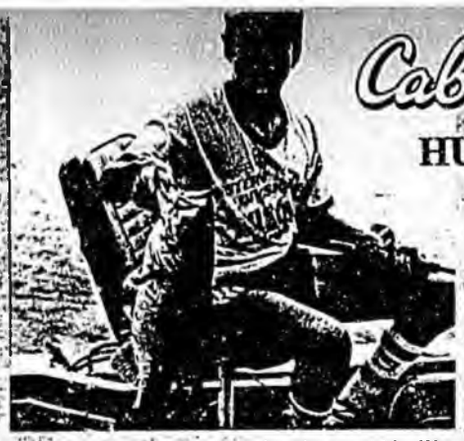
Joe J Mirabella
P.O. Box 58815
North Pole, Ak 99705

CC: To All Alaskan Legislators.

P.S. A page from CAMELA's catalog is enclosed.

Cabela's® OUTDOOR ADVENTURES

HUNTING AND FISHING TRI



"Thanks Cabela's. My dad and I had a great trip. We caught six big bass in one day, I caught two 6 pounders. It was first class all the way."
Mark Barre – Age 14

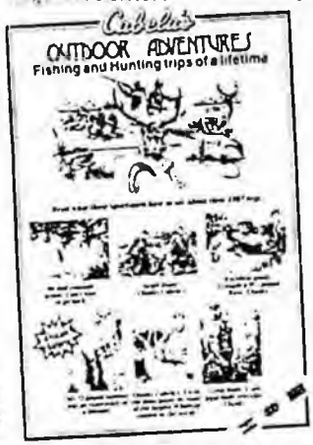


"Thanks for all the good advice for our trip. Best enjoyment of a lifetime. Worth every penny invested."
Neil Whitcher



"Our Canadian trip was fantastic. Here is a photo of my 20 pound Pike. We had constant action and I can't wait to go back. Thanks for all the help."

FAMILY VACATIONS



FREE TRIP CATALOG

The new Cabela's Outdoor Adventures 32 page catalog, with many new hunting and fishing trips, including *African Safaris*, is yours free when you order. Add order number AJ-01498-000 (price free) to any merchandise order placed by phone or mail. To order separately, write: Cabela's Outdoor Adventures, Dept. 100, 812 13th Avenue, Sidney, Nebraska 69160. ORDER TODAY.

FISHING IN ALASKA



"What a hunt; I took my largest Whitetail Buck ever of your trips. It was everything you said it would b more. I have never seen so many Mule Deer Bucks 26-30 inch class either. I am looking forward to planni 1988 hunting schedule with you."

REMOTE CANADIAN FLY-IN LAKES



"Thanks for making my first hunting trip to Alaska a success. As you can see in the photo, I am thrilled with my 60 inch bull, taken on an unguided hunt."
Tom Rosdail.

WHITETAIL AND MULE DEER HUNTS

ALASKA HUNTS











Visit Our New Kearney Showroom

See full mounted elk, sheep, goat, bear, deer, mountain lion and much more. Over 50 record class mule deer and whitetail shoulder mounts. Unbelievable collection of trophy big game mounts from all over North America. Magnificent fresh and saltwater fish display. Giant aquarium. Our new showroom store and shipping facility, located on East Hwy 30 in Kearney, Nebraska, opened in November 1987. Don't miss the "Out Back", packed with values on items no longer in our catalog.

Store Hours —
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(1-800-237-4444)

Cabela's Home Office and Showroom

The Cabela's catalog "comes alive" in our showroom store. You'll find most everything here that's in the catalog. We have a huge display of mounted trophy big game animals and fish, located throughout the store for your interest and enjoyment. While you're "trolling" for those Cabela's bargains, don't overlook our Bargain basement, where you will find some very special prices on items we no longer list in our current catalogs. We are conveniently located just off Interstate 80 in Sidney, Nebraska. Our friendly staff will be glad to help you, with personal attention to your fishing and hunting needs.



Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Alaska 99811

1 February 1988

Senator John B. (Jack) Coghill:

As a concerned resident of the State of Alaska. The legislators should protect our natural resources from non residents hunting unguided in ALASKA.

I just came across a CABELA'S catalog, of which I'm sure you have ordered some fine winter clothing. In that catalog, they are advertising an ALASKAN hunt (unguided). I think this is an outrage! All big game animals should be guided by Alaskan guides or be an Alaskan resident. When are we going to stop the wholesale of our natural resources. I support the Alaskan guides and the Department of Fish and Game in wanting SB 191 approved.

I'm not a guide or outfitter, but do you want to see non residents who were dropped off on a "chance of a lifetime hunt" with only the bare essentials, then walking up to 5 miles away, shoot a moose, then find out this moose is not worth the 5 miles back to camp. The hunter was setup on a no win situation. The Alaskan resident will suffer from the unthinking outfitter who is looking out for themselves.

Thank you,

Joe J Mirabella

Joe J Mirabella
P.O. Box 56315
North Pole, AK 99705

CC: To all Alaskan Legislators.

P.S. A page from CABELA'S catalog is enclosed.

RECEIVED FEB 26 1988

P. O. Box 670071
Chugiak, Ak. 99567
February 22, 1988

Ms. Adelheid Herrmann
Alaska State Legislature
P.O. Box V (MS3100)
Juneau, Ak. 99811

Dear Ms. Herrmann,

Our precious wildlife resources are being raped by a group illegally guiding hunters who are calling themselves outfitters. In the past three to five years this activity has exploded into a major problem.

The fate of the wildlife resource in this case, rests entirely upon the laws that you pass regarding these illegal outfitters.

Persons who didn't have the ambition to become licensed guides found a loophole, and so many operations have started that they seriously threaten our valuable wildlife resources.

The illegal outfitters mode of operation is generally to wholesale Alaska resources. To make their operation pay they need to sell alot of game. One illegal outfitter on Ugashik Lake took more than 30 caribou hunters last fall.

Most of the illegal outfitters are borderline guiding to outright guiding hunters, which is a felony, but they are still operating.

Since there are no controls, they usually go into one area, wipe out the game and move on. Several illegal outfitters even use this as a selling point when selling their hunts.

Several illegal outfitters are not even residents of Alaska.

A licensed registered guide is limited to his area of operation so it would be foolish for him not to be a good steward of the game resources. However, he is at the mercy of the outfitters who move in and out of guide areas wiping out the game population.

You are going to hear cries that we are putting illegal outfitters out of business. Absolutely every last one of these illegal outfitters knew they were walking a very gray, thin line between legal and illegal. Everyone knew they were testing the law to the limit.

We should not have let them make such a fool out of our system to this point, and we must pass a tough law to protect the resources ethics and order of our State now.

This is a serious problem. You are the one that can make the difference. I urge you to support S.B. 191, EXCLUDING SECTION 11. Every resident of this State will benefit from properly controlled game harvest.

Sincerely,

Dennis Hamms

Dennis Hamms
Alaska Master Guide

P.S. Feel free to call me if you need more specific information.

RECEIVED MAR - 1 198

GUS & FRENCHY LAMOUREUX
P.O. Box 4-444 • ANCHORAGE, ALASKA 99509 • FRENCHY, 248-4971 • GUS, 248-3012 • (AREA CODE 907)

February 26, 1983

Rep. Adelheid Herrmann
P. O. Box V
Juneau, Alaska 99811

Dear Rep. Herrmann:

I am enclosing the Cabala's catalog I mentioned to your very nice legal aide Ms. Greenberg (hope I spelled her name right). If she truly represents you she seems very concerned over the pending Guide and Outfitter Bills and it speaks well for you. I sure wish that all the legislators were as concerned as you seem to be. I know that it will be a bag of worms if the Outfitter classification is admitted to licensing.

I am enclosing a copy of the letter I wrote to each and every legislator my concern is that great. I only hope that it will carry some weight.

I thank you for your concern and only wish that you were in my district so I could cast my vote for you.

Sincerely,

Frenchy Lamoureux

FL:ll

GUS & FRENCHY LAMOUREUX

P.O. Box 4-444 • ANCHORAGE, ALASKA 99509 • FRENCHY, 248-4971 • GUS, 248-3012 • (AREA CODE 907)

February 26, 1988

Rep. Adelheid Herrmann
P. O. Box Y
Juneau, Alaska 99811

Dear Legislator:

The pending legislation concerning the Outfitters and Guide bills prompts me to write another letter to you.

I am enclosing a copy of advertising from Cabalas a Sporting Goods supplier advertising Alaska hunting trips. The increase in the number of trips they are offering for the 1988 hunting year is substantial over what they offered in 1987. Dunn's another sporting goods supplier in Grand Junction, Tennessee is offering much the same. These people receive 15% for each trip they book. The Outdoor magazines have blossomed this year with many new ads all promising a bonanza in Alaska's land of hunting plenty.

I have been a guide since 1952 and have seen what can happen when there are no laws to restrict. When the guide law was thrown out many years ago as being illegal in certain areas, every Alaskan with a tarp and a Coleman stove and a few friends Stateside was suddenly in the guiding business--it was a mess until they put in a legal guiding system. The use of aircraft for hunting purposes had a high impact also until made illegal. Unfortunately some are still using them and many of the outfitters fall in this category.

My career as a guide is nearly over and my main concern is not so much for the profession but for the protection of Alaska's game. I have spent two-thirds of my life in Alaska and will never leave. I love the wilderness and the game and if it means an end to the guiding profession in order to protect it --so be it. My Alaska born son Gus is now in the profession following so to speak in my footsteps, his values concerning the protection of the game resource are the same as mine.

I understand that the "outfitter classification" is being actively considered as a viable occupation for licensing purposes. Considering the very large number that have suddenly appeared the impact on Alaska's game in 1988 if they are licensed legally will be staggering. If you allow this profession to come into existence and the resulting damage they will do becomes a problem, how will you legislate them out of existence once you legislate them in? I think the long term picture should be considered. If anyone with a tent can become an outfitter, what is the hunting situation going to be twenty years from now? Our own State population is going to

grow in the interim so you could be opening "Pandora's Box" by legislating this group into existence.

The Guiding industry is like our fishing industry, "A limited entry into hunting". In order to preserve our game it has to continue.

It is my understanding that the Sportsmen's shows in the lower 48 are flooded with outfitters promising guaranteed hunts. Believe me there is some big money behind some of them and they will flood every pot hole in Alaska with hunters in 1988. I guarantee that if the outfitters are allowed in with their cheap hunts we will only have subsistence hunting next year. There will be no moose or caribou left for even a resident to hunt.

I beg you to use your legislative power wisely in dealing with this issue as it is going to have long term results--drastic results if the outfitters come into existence.

Sincerely,

Franchy Lamoureux

FL:ll

GUS & FRENCHY LAMOUREUX

P.O. Box ~~1111~~ 90-444 • ANCHORAGE, ALASKA 99509 • FRENCHY, 248-4971 • GUS, 248-3012 • (AREA CODE 907)

Senator Arliss Sturgulewski
2957 Sheldon Jackson
Anch., AK 99508

10-27-87

Dear Senator Arliss Sturgulewski,

I am writing you concerning HB 183 and SB 191, bills presently before you relating to guides and outfitters.

I have been a guide here in Alaska since Territorial days and have seen many changes in the guiding profession as well as in the game populations in our state over the years. At the present time a loop-hole in the law has allowed a very large number of both in-state and out-of-state " fast buck operators" to move in and guide mostly non-residents on cut-rate hunts. The state had a well functioning system with Guide Areas until these fast-buck operators moved in. Now, the outfitters are claiming rights that really never existed nor were intended to be in existence. In any profession, be it bankers, lawyers, doctors, hairdressers etc., the state has applied laws to regulate and control each activity to prevent abuses. By the same token, the guide area system was inaugurated to prvent abuse: abuse to animals, abuse of laws governing the take of animals, abuse of native and resedence subsistence rights and over hunting in general.

The claim by some registered guides that areas are not there for them is erroneous; most guides not having an area would like to go into the guiding business with no more investment than a few tents. In any business that has functioned for any period of time there is a learning period and then money comes into play. This does not seem unfair practice since most guides have invested a lifetime in their businesses. They farm their guide areas so that when they do sell, their improvments that the guide is buying is getting one heck of a deal. A built-in business that will be on-going for as long as the guide purchaser wants it to be. In my particular case, my 33-year-old son Gus, born here in Alaska is taking over my guiding business since I am not able to guide any more due to health reasons. This is as it should be, since he has worked with me since age fifteen to build the business and is considered an excellant guide by all who hire him.

I realize that there is pressure to recognize this group of fast-buck outfitters and if the legislature does I think it is fair to say it is going to cost MONEY to regulate them. They are completely unlicensed and governed by no laws-- a far cry from what the licensed guides must endure. I would bet even money that very little of the many of dollars being paid to these people is finding its way into icome tax returns. The contracts a guide must sign are used for audit purposes by the IRS and I speak from personal knowledge.

I fell the few Alaska Residents involved in this outfitter practice can remedy their position by becoming guides and as for the non-resident outfitter, I for one don't care and feel Alaska Legislators should feel the same.

I propose----and I discussed this with one of Mrs. Hermann's legal aides at the hearing and he felt it would be constitutional that the state require a non-resident to hire a guide for all species of Alaska game. Aliens are already required to do so. The Justification: Protection from over harvest of the game of Alaska. If such a law is not adopted we will be on a permit system for every species of game within two years. The game populations cannot stand the pressure of the outfitted hunt. It was bad this year and will be worse next year if this practice is allowed to go on unchecked.

We had two outfitters operate in our small Alaska Peninsula area this fall in addition to my son and me. This area cannot stand this kind of pressure on a sustained basis.

I hope that you will consider my thoughts when SB 191 and HB 183 are brought before you, and please keep me informed as to the progress on these bills.

Very truly yours,

Frenchy Lamoureux

FL:ll

Cabela's

OUTDOOR ADVENTURES

Fishing and Hunting trips of a lifetime

Introducing African Safari's



Read what these customers have to say about their 1987 trip...



What a hunt it was everything you said and more.



Super Hunt! Thanks Cabela's



Thanks for all the great advice



My 72 pound Salmon was an experience of a lifetime.



This was my second hunt with Cabela's and they just get better.



1st class all the way. I caught 2 over 6 lbs.

VISA

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AMERICAN EXPRESS

Unguided Alaskan



Tom Gowin, a Cabela's employee, took the largest bull of 1987 on our unguided hunts. It scored 432 2/8 Boone and Crockett points. It will rank about 70th on the all time records list.



We have had several husband and wife teams on our unguided hunts also. Bob Nowak and his wife each took a bull Caribou, he and his wife stated, "it was a lot of fun and a great experience."



The early season hunters did well too. Kevin Bores, Cabela's customer took this exceptional bull still in velvet. Kevin states, "This is the place to go for a reasonably priced hunt for real big bulls."



"Cabela's unguided Alaskan hunts are great and rewarding. I would recommend these hunts to anyone with some outdoor experience." Steve Schuster, Hunting Product Specialist, W.L. Gore Co.

Unguided caribou hunts are fun, an excellent value and very successful. Most hunters take large bulls and our success is close to 100%.



Thanks for making my first hunting trip to Alaska so successful. I was thrilled with my 6' inch bull moose." Tom Rosdail



More horns from successful hunters on our unguided hunts

Our unguided Moose and Moose/Caribou hunts in Alaska proved very successful in the fall of 1987 for our hunters. These hunters were excellent outdoorsmen and it boosted our success higher than ever before. The Moose averaged close to 50" with the largest being a 67" possible Boone and Crockett qualifier. The different unguided hunts we are offering are listed below:

6 day drop off Caribou/Black Bear hunt- $895
6 day drop off Moose/Black Bear hunt- $1,095
9 day drop off Moose/Caribou/Black Bear hunt- $1,575

Included: Round trip flight from Anchorage to base camp (approximately 200 miles from Anchorage), flight in and out of hunting area, at least one landing check flight, the option for one move to another hunting area (more than one move will cost $120 per hunter per move), transportation of meat, horns and cape back to Anchorage. Hunters on this hunt will be responsible for their own camping equipment and food. White gas and meat boxes may be purchased at the base camp for a nominal fee. Extra days in the field will be $25 per hunter per day. Meals and lodging at the base camp will be $75 per hunter per day if you wish to come out of the field early.



6 day totally outfitted Caribou/Black Bear- $1,095
6 day totally outfitted Moose/Black Bear- $1,395
9 day totally outfitted Moose/Caribou/Black Bear- $1,895

Included: The same flight arrangments apply to these hunts as do the drop off hunts, however, the extra days in the field will be $50. All food and camping equipment included (except sleeping bag). A complete list of all camping equipment and food will be sent to all parties confirming hunting dates. A 50% deposit is required to confirm dates.

Unguided Archery Caribou Hunts

Our Archery hunters now have an advantage over many bow hunters in Alaska. We realize they need more time and a perfect situation to make a stalk. For this reason we are offering hunts out of Anchorage and King Salmon, Alaska for 9 days to areas only accessable by small planes on tundra tires. These will be offered two ways like our rifle hunts; outfitted and do-it-yourself. These hunts will be very remote and the gear must be kept very light because of the small aircraft. Rates:

9 day, drop off hunt out of Anchorage- $1,075
9 day, drop off hunt out of King Salmon- $950
9 day, outfitted hunt out of Anchorage- $1,395
9 day, outfitted hunt out of King Salmon- $1,275

Rifle hunters wanting this longer, more remote hunt may also book this trip.

RECEIVED MAR 13 1988

March 14, 1988

Representative Adelheid Herrmann
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Alaska 99811

Subject: Senate Bill 191
The Alaska Guide Law

Dear Representative Herrmann:

I urge your support of SB 191 which more clearly defines the role of outfitters and transporters.

As an 20 year resident of Alaska, my family and I enjoy hunting in the great Alaska outdoors. We enjoy the freedom allowed to resident hunters. My concern is that our limited game source can not withstand the new hunting pressure by outside Alaskans who are recently operating without registered Alaska Guides. The new group of outfitters and transporters are operating as guides, without the responsibilities and control mandated by Alaska laws to our licensed guides. This new group offers inexpensive hunts to non-residents and can take these hunters to any part of Alaska, whereas licensed guides hunt only designated areas and responsibly manage the game resource in their guide areas. Our moose population especially, can not sustain the added new pressure of outfitters.

Resident hunters have co-existed with licensed guides for many years. This balance can continue to work well if we do not allow the non-licensed outfitters and transporters to continue to take our limited game resource.

I urge you to support legislation that controls licensed guiding and strictly limits unlicensed and new commercial use of Alaskan game by transporters and outfitters.

Your support will assure that our children will have the same hunting opportunities in Alaska that we have enjoyed.

Respectfully yours,

Jim Jansen
15149 Lakeridge Drive
Eagle River, Alaska 99577

JJ:am

Curt Deans
P.O. Box 771967
Eagle River, AK. 99577

LEGISLATIVE TESTIMONY TO SB 191
2/20/88

~~This is Curt Deans, I [illegible] Eagle River.~~

I have been actively guiding in Alaska each year since 1977 for other guides, as I do not have a guide area permit myself. During this time I have followed all guide board statues and regulations patiently, in hopes of having my own area one day.

It has been very hard for me to stand back and watch these unlicensed guides call themselves outfitters, and do the same things, the State of Alaska has licensed myself to do. The guides must farm their areas to ensure their game populations and their livelyhoods. These outfitters (unlicensed guides) are not regulated at all, they are not only over hunting areas, and then moving to a different spot and over hunting again, but they are stealing game from the local Alaskan resident, because when populations became low enough, subsistance will have preference over both sport and commercial hunting. Unfortunately this will hinder a residents hunting opportunities, and most importantly the wildlife resource itself.

In closing I point your attention to Chapter 54 Sec. 08.54.040 subsection 5, of the Guide Board Statutes which states, (the board shall prohibit guiding activities which are unsportsmenlike, unethical, unsafe against principles of conservation, degrading to the guiding profession, or which adversely effect the natural resources) and I want to emphasize the last sentence of the paragraph, (<u>which adversely effect the natural resources.</u>)

I ask you to please not make us licensed guides feel like we've been cheated out of our years of app[illegible]ceship and hard work by giving the outfitters, (unlicensed guides). [illegible]eparate class of commercial operation.

Guiding and Outfitting should be, by law, synonymous and if these guys want to guide and outfit they should have to come up through the existing framework of the guide law, like the licensed guides have done.—

After all, should anyone be allowed to fish commercially without a permit by calling himself a catcher rather than commercial fisherman.

~~Thank you,~~

~~Curtis R. Deans~~

~~Curt Deans~~

From Listening to and participating in the teliconference on 2/20/89 there was strong argument that the Outfitters (Unlicensed guides) were taking the segment of people that wanted a cheaper priced hunt and that the licensed guides couldnt handle all these people.

I want to make it clear to you that its not that the guides can't handle them, its the resour- itself that cannot take this kind of pressure.

I support the (CS FOR SENATE BIll NO. 191) with the exclusion of sec. 11 and urge you to pass this bill as it will be a great step towards future wildlife management itself.

Sincerely,
Curt Deans
Registered Guide

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: NANCY NEEL
TITLE:
ADDRESS: PO BOX 876606
CITY: WASILLA ZIP: 99687
PHONE: 376-5252
BILL NO: SB 191
SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: ITS AFTER EXTENSIVE PUBLIC TESTIMONY CONCERNING SB 191 I FEEL ITS TIME YOU MOVE TO HAVE THIS BILL PASSED. PLEASE LET ME KNOW WHY SB 191 IS S ILL IN SENATE RESOURCE. PLEASE RESPOND.

POMID: 141316?5
DATE: 03/01/88
TIME: 13:16:55
LIONAME: MAT-SU LIO

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	SWACKHAMMER	TAYLOR	SZYMANSKI
	ULMER	WALLIS	UEHLING
	ZAWACKI		ZHAROFF

O RESPONSE REQUIRED

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: WAYNE KUBAT
TITLE:
ADDRESS: PO BOX 874867
CITY: WASILLA ZIP: 99687
PHONE: 376-9568
BILL NO: SB 191
SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: I KNOW OF AN OPERATION PLANNING 50 OUTFITTED NON-RESIDENT MOOSE HUNTS IN A SMALL PORTION OF UNIT 16 THIS FALL. PLEASE GET SB 191 MOVING NOW. MAKE IT EFFECTIVE ENOUGH TO PROTECT OUR GAME RESOURCE FROM UNREGULATED OVER HARVEST BY UNETHICAL COMMERCIAL USERS IN TIME FOR THIS FALL. PLEASE ACT SOON.

POMID: 14131930
DATE: 03/04/88
TIME: 13:19:30
LIONAME: MAT-SU LIO

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	PHILLIPS	POURCHOT	KERTTULA
	RIEGER	SHULTZ	RODEY
	SPRINGER	SUND	STURGULEWSKI
	SWACKHAMMER	TAYLOR	SZYMANSKI
	ULMER	WALLIS	UEHLING
	ZAWACKI		ZHAROFF

NO RESPONSE REQUIRED

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: BETTINA LEE
TITLE:
ADDRESS: POB 211853
CITY: ANCHORAGE ZIP: 99521
PHONE: 346-2393
BILL NO: SB 191
SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: I AM CONCERNED CITIZEN REGARDING SB 191. BASICALLY I AM EAGER TO SEE HE PASSING OF THIS BILL WITH THE EXCEPTION OF SEC 11. THIS CIRCUMVENTS THE LICENSING PROCEDURE THAT HAS BEEN IN EFFECT FOR 20 YRS. PLEASE REPLY

POMID: 14111236
DATE: 02/22/88
TIME: 11:12:36
LIONAME: MAT-SU LIO

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MILLER	NAVARRE
PEARCE	PETTYJOHN
PHILLIPS	POURCHOT
RIEGER	SHULTZ
SPRINGER	SUND
SHACKHAMMER	TAYLOR
ULMER	WALLIS
ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: DAVE NEEL
TITLE:
ADDRESS: 3400 SAMS DRIVE
CITY: WASILLA ZIP: 99687
PHONE: 376-7955
BILL NO: SB 191
SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: I WOULD LIKE TO SUPPORT SB191. WE ARE IN NEED OF SOME KIND OF CONTRO OF COMMERCIAL TAKE OF OUR GAME ANIMALS. SB191 SHOULD GIVE STATE OF ALASKA THE TYPE OF LAW NEEDED TO REGULATE GUIDES AND OUTFITTERS.

POMID: 14123630
DATE: 02/01/88
TIME: 12:36:30
LIONAME: MAT-SU LIO

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ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

NO RESPONSE REQUIRED

PUBLIC OPINION MESSAGE

?: REPRESENTATIVE HERRMANN

E: JIM METHANY
E:
S: BOX 40015 PARKS HWY
Y: CLEAR ZIP: 99704
E: 582-2354
D: SB 191
T: OUTFITTING IN THE FIELD; GUIDE LICENSE
E: SB 191 I'D LIKE TO SEE IT PASSED TO IMPROVE THE MANAGEMENT OF PEOPLE W
SPORT HUNTERS. HEPETOFORE THEY HAVE CALLING THEMSELVES OUTFITTERS AND PER
GUIDE SERVICES WITHOUT BEING PROPERLY LICENSED. THE PASSAGE OF THIS BILL
ELP ALLEVIATE SERIOUS ADVERSE IMPACT ON THE TAKING OF MOOSE.

ID: 00113534
TE: 02/11/88
E: 11:35:34
E: JUNEAU LIO

ES: REPRESENTATIVES REPRESENTATIVES SENATORS

ADAMS	BARNES	ABOOD
BOUCHER	BOYER	BINKLEY
BROWN	CATO	COGHILL
COLLINS	COTTEN	DUNCAN
DAVIDSON	DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FRANK	FURNACE	FAIKS
GOLL	GRUENBERG	FANNING
GRUSSENDORF	HANLEY	FISCHER
HOFFMAN	HUDSON	HALFORD
KOPONEN	LARSON	HENSLEY
MARTIN	MENARD	JONES
MILLER	NAVARRE	JOSEPHSON
PEARCE	PETTYJOHN	KELLY
PHILLIPS	POURCHOT	KERTTULA
RIEGER	SHULTZ	RODEY
SPRINGER	SUND	STURGULEWSKI
SHACKLEMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: NANCY NEEL
TITLE:
ADDRESS: PO BOX 876606
CITY: WASILLA ZIP: 99687
PHONE: 373-5252
BILL NO: SB 191
SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: I SUPPORT SB191.THE INDUSTRY IN ALASKA MUCH LIKE COMMERCIAL FISHING HAS BEEN WELL REGULATED IN PAST. BOTH LIMITED ENTRY FISHING AND EXCLUSIVE GUIDE AREA CONCEPT HAVE WORKED WELL TO CONTROL HARVEST OF OUR RESOURCES. UNREGULATED OUTFITTING CAN NO LONGER BE TOLERATED NOR CAN OUR RESOURCES STAND THE INCREASED PRESSURE.

POMID: 14153744
DATE: 02/01/88
TIME: 15:37:44
LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

ADAMS	BARNES	ABOOD
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MILLER	NAVARRE	JOSEPHSON
PEARCE	PETTYJOHN	KELLY
PHILLIPS	POURCHOT	KERTTULA
RIEGER	SHULTZ	RODEY
SPRINGER	SUND	STURGULEWSKI
SHACKLEMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

NO RESPONSE REQUIRED

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: TOM HUNDLEY
TITLE: GUIDE
ADDRESS: POB 2772
CITY: PALMER ZIP: 99645
PHONE: 745-2084
BILL NO: SB 191
SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: PLEASE SUPPORT SB 191. THIS BILL IS INTENDED TO PROTECT THE BIG GAME RESOURCES OF THE STATE OF ALASKA FROM OVERHARVEST BY UNREGULATED PERSONS ACTING IN THE CAPACITY GUIDES. THE LEGISLATURE CREATED GUIDE LAWS 20 YEARS AGO. PLEASE DON'T NEGLECT US.

POMID: 14103218
DATE: 02/22/88
TIME: 10:32:18
LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

ADAMS	BARNES	ABOOD
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BROWN	CATO	COGHILL
COLLINS	COTTEN	DUNCAN
DAVIDSON	DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FRANK	FURNACE	FAIKS
GOLL	GRUENBERG	FANNING
GRUSSENDORF	HANLEY	FISCHER
HOFFMAN	HUDSON	HALFORD
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MILLER	NAVARRE	JOSEPHSON
PEARCE	PETTYJOHN	KELLY
PHILLIPS	POURCHOT	KERTTULA
RIEGER	SHULTZ	RODEY
SPRINGER	SUND	STURGULEWSKI
SWACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

RECEIVED FEB 22 1988

DEAR: REPRESENTATIVE HERRMANN

NAME: BARRY SCOTT MILEUR
TITLE: GUIDE
ADDRESS: POB 2661
CITY: PALMER ZIP: 99645
PHONE: 745-1747
BILL NO: SB 191
SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: IM IN FAVOR OF SB 191, BUT I DON'T SUPPORT SEC 11 BECAUSE IT CIRCUMVENTS THE LICENSING PROCEDURE THAT HAS BEEN IN PLACE FOR 20 YRS. I'M IN FAVOR OF SEC 9A BECAUSE IT WILL HELP THE MOOSE WILDLIFE POPULATIO OF ALASKA. I APPROVE OF EXCLUSIVE GUIDE AREAS. I FEEL THEY ARE BENEFICIAL TO WILDLIFE. PLEASE REPLY

POMID: 14105910
DATE: 02/22/88
TIME: 10:59:10
LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

ADAMS	BARNES	ABOOD
BOUCHER	BOYER	BINKLEY
BROWN	CATO	COGHILL
COLLINS	COTTEN	DUNCAN
DAVIDSON	DAVIS	ELIASON
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FRANK	FURNACE	FAIKS
GOLL	GRUENBERG	FANNING
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SPRINGER	SUND	STURGULEWSKI
SWACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

DATE: April 29, 1987

TO: Alaska State Legislature

FROM: Alaska Professional Hunters Association

SUBJECT: APHA Policy on SB 191 and HB 183

It has come to our attention that perhaps some confusion has been created by ourselves and some of our members as to what our position is and who our spokespersons are on legislation affecting the guide industry in Alaska. We would like to offer the following information to clarify our position.

Since many persons in the guide profession are out of town during much of the legislative session due to occupational demands, it is difficult for us to have a single spokesperson. However, in all matters affecting the industry it is our position that any one of the Board of Directors should be recognized as being our official spokesperson. The members of the Board are as follows:

Phil Driver	President
Ed Grasser	Vice President
Brent Jones	Secretary/Treasurer
Jim Harrower	Director
Kelly Vrem	Director
Rich Guthrie	Director
Ken Fanning	Director

Currently, we are supporting legislation in both the House (HB 183) and the Senate (SB 191) which will help close some loopholes and allow legitimate guides and also suppliers of non-field related services and goods to operate, while closing down illegitimate "guides" operating as outfitters.

Overall, we have a policy of supporting any legislation or regulations which would promote good sound conservation, sportsman like conduct in the field, hunting by means of <u>fair chase,</u> ethical business conduct and prevention of illegal or unsportsmanlike practices by anyone engaged in the sport of hunting, fishing or photography.

We sincerely hope this information will help clarify our position and who our appointed spokespersons are. If you have any questions, we would be happy to answer them or assist you by providing any information necessary to the performance of your tasks.

ALASKA PROFESSIONAL HUNTERS ASSOCIATION
POB 91932
301 E 77TH AVE
ANCHORAGE, ALASKA 99509-1932

PHONE (907) 522-3221

APR 17 1987

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: GARY POGANY
TITLE:
ADDRESS: BOX 323
CITY: EAGLE RIVER ZIP: 99577
PHONE: 696-2390
BILL NO:
SUBJECT: GUIDES/OUTFITTERS HB 183 AND SB 191
MESSAGE: I ATTENDED 7 SPORT SHOWS IN THE LOWER 48. THERE WERE NUMEROUS BOOK: LOW PRICE ALASKA HUNTS, TELLING PEOPLE NOT TO HUNT WITH REGISTERED GUIDES BECAUSE THEY ARE LIMITED TO AREAS. ALSO TELLING PEOPLE WE CAN GO ANYWHERE. JUST TIP PACKERS.

POMID: 03154824
DATE: 04/16/87
TIME: 15:48:24
LIONAME: ANCHORAGE LIO

COPIES:

REPRES.NTATIVES	SENATORS
COTTEN	HALFORD
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HOFFMAN	DUNCAN
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PEARCE	FISCHER
SHULTZ	JONES
SPRINGER	STURGULEWSKI
SUND	ZHaROFF

MAR 1 3 1987

Mystic Lake Lodge - Alaska Trophy Hunts

Master Guide George Palmer
Registered Guide Marty Palmer

Box 878
Palmer, Alaska 99645
(907) 745-3168

Representative, Adelheid Hartmann
P.O. Box U
Juneau, AK 99811

March 11, 1987

Dear Senator;

I have just received information concerning a proposed bill that is intended to curtail or control the rapidly expanding un-licensed, and often illegal big game guiding in this state. This is an issue that many of us have tried to get the legislature to address in the past, but with absolutly no success. For some reason the legislature thought this to be a political hot potato that they best leave alone for the h--- sake.

We are now reaching a very critical point on this issue, as more and more people, and companies come into this state for the sole purpose of setting up volume hunting and/or sport fishing business in Alaska. Last fall The Biologist at Cordova was forced to close mt. goat hunting by emergency order, in game management unit 6 because of an over harvest in some isolated areas in Prince William Sound. That over harvest was due entirely to the so called outfitters, and airtaxi operators that are trying to make big bucks doing a volume business. Luckily their activities are thus far limited to areas that are easily accessible to float planes, and to a lesser extent, wheel planes and boats. As they deplete the goat populations in the easily accessable areas, they will no doubt expand into the rest of the goat habitat, cleaning it out as they go.

If you listen to the fish and game biologists, the field personnel with Fish and Wildlife Protection, licensed hunting guides, and legitimate Alaskan fishing lodge operators, they will all tell you, this is a serious problem throughout Alaska on most species NOW.

During my travels this winter, I attended some commercial sport shows in the south 48, and what I saw at those shows puts the fish and wildlife in this state in deep trouble, and makes the licensed Alaskan guides a threatened species. Many of the tour's and businesses that are promoting Alaska hunting and fishing trips at those shows were NOT Alaskan entities. For instance, of the 22 "Alaskan" booths that were at the sport show in Denver, Colo., in Feb. 87, at least 12 were from outside Alaska, but actually conducting trips here. In addition, there were a number of booths from other states that were also selling trips to Alaska.

Examples of what some of the tour's were selling included 5 day moose or bear bow hunts for parties of four or more deep @ for example, $2,000 per person. The operator told me that they had booked over 200 people for that so far, and they were still selling them. Another outfit was selling 7 day moose and bear bow hunts for $2,000.00 per person, the fee included license and tags, and transportation from Denver, Colo., to the Alaska Peninsula and return. Considering the cost of license and moose and

Mystic Lake Lodge - Alaska Trophy Hunts

Master Guide George Palmer
Registered Guide Marty Palmer

Box 878
Palmer, Alaska 99645
(907) 745-3168

tenbow tags at $600.00, and the air fare from Denver to King Salmon has to be in access of $700.00, that leaves about $540.00 for the entire hunt. Boat and bear hunts were also offered at a cost of $450.00 per person. Alaska sport fishing was also highly visable at the shows, and although honest Alaskans probably dominated, there were some origin of the operations from outside the state representing themselves as "Alaskan Outfitters". One such organization bragged that they would book over 250 people for their out rate Alaskan - ening trips. In addition to the fact that these outfits are selling our resources down the tube, almost none of the monies generated remain in Alaska, in fact in some instances none of the monies ever get to Alaska.

This isn't to say that all the volume operators in this field are out of state. There are a number of in state air taxi operators, river boat operators and others that are selling cheap hunting and fishing trips and attempting to make big bucks doing a volume business. In the normal contemporary market place this type of competition is considered healthy by our society. " The free enterprise system" has been the argument in the past used by those that oppose any restrictions or controls in these areas.

However these resources, although renewable, are finite. If the current trend is allowed to continue unchecked, the outstanding wild life resources which belong to all the people of this state, will be seriously depleted. Only the state legislature has the power or ability to solve this problem. I only hope, for the sake of the wildlife of this country and the people who use and enjoy our wild heritage, that the current legislature and governor has the foresight and guts to make the hard decissions that are necessary. Our fish and wild life represents a very valuable resource to the people of this state, and to allow anyone to wholesale these resources away is absolutly absurd.

Sincerely,

George Palmer

George Palmer

c.c. Jan Faiks, Senate President
Senator, Jack Coghill
Senator, Tom Zaymanski
Senator, Palmer Pertulla
Representative, Sam Cotten
Representative, Curtis Menard

MAR 24 1987

Mr. Greenberg

Nice talking to you yesterday, I do sincerly [redacted], and want to thankyou for taking the time to consider my ideas.

As I said yesterday, I believe this [redacted] the irresponsible and illegal hunting operations have caused in rural alaska.

[redacted] by so called spot hunters, that is taking place in many areas.

It is a fact that wanton waste of edible game meat is illegal in our state, however the latitude in the regulations is such that with a lame excuse and the testimony of an accomplis a person may waste all the meat taken on a hunt and keep only what they desire, usually the trophy (antlers, horns - etc.).

Due to the large area of Alaska, it hardly makes sense for most people to go meat hunting in a remote area, that is people who are not local to a given area. The logistics are such that by the time a hunter leaves - say anch - goes to western alaska - shoots a moose - packs the meat - charters it to a local airport ships it back to anch - and then ships it home - to the lower 48, or wherever - that this meat turns out to be very expensive, as well as a lot of -

work. Because of this it becomes quite a burden for most sport hunters to get the meat from their trophy animals out of the field. The obvious easy way out of course is to waste the meat, and save only the trophy.

I know that this scenario is encouraged by most irresponsible hunting operations, and air charter business as they offer a single price for a hunt, and the added expense and effort of retrieving tons of meat is not a welcome factor in their operations.

Under SEC. 08.54.210 (1-2) it is illegal for any guide not to report a violation he knows or reasonably believes was committed by a client or another employee. - Or to aid or permit a violation he knows or reasonably believes is being or will be comitted.

This is a good law, as it makes the people making money off the resource, responsible to that resource.

Unfortunately this law applies only to guides. It should apply to anyone making their money from hunters and the hunting business, or for that matter to anyone.

I believe that the previously quoted regulation should be applied to anyone responsible for transporting hunters, or their take, or anyone receiving ~~such~~ trophies or meat.

I also believe that the laws governing wanton waste should be tightened. The commonly used excuse is that, "the weather ruined the meat" - or "the bears

got it". Far too often such reasons are used only as an excuse to leave meat in the feild. For some reason - hunters seldom have these problems with their trophies.

The best way to prevent unwanted loss of meat while hunting is to remove it immediatly from the feild. As soon as a big game animal is taken, care and removle from the feild should take immediate priority.

Such a regulation is already in effect for several northern units, in respect to caribou, I believe it should be a state wide regulation in respect to all big game edible meat.

Therefore I propose the following regulations:

* ① Based on the wording of SEC 08. 54. 210 (1&2) of the guide law.

- It shall be unlawful for any person or persons to transport or receive any big game animals or parts thereof that the person knows or reasonably believes, has been taken, transported or possessed in violation of State statutes, without trying to prevent such violation, short of using force, and without reporting it as soon as possible to State fish & game. Or to aid in the commision of such a violation.

② Based on - 5 AAC 92.220 - C / Salvage of Game meat, furs and hides. P6 9 - Alaska Game Regs N027

"5) - The edible meat from all big game animals taken in the State shall be immediately removed from the feild. -

I believe that these regulations are neccesary to prevent the further waste of an important resource in the state of Alaska. The importance of game meat to subsistence lifestyles and local personal use is of deep concern to most alaskans and its waste can no longer be tolerated.

I believe that these amendments will strengthen the bill - as opposition to such a responsible point of view - would not be well regarded by most people. However - I trust your jindjement on this. Rather than jeporadize the entire bill, I would as soon see these regulations wait. But I do believe they are extremely important.

Again, thankyou for your time and consideration. If there is anything I can do to assist you — please let me know.

I sincerly appreciate everything you Mr. Hermann and the other sponsors have done for hunting and the game resource of our State - Thankyou

Sincerly
Patrick Kennedy

MIDNIGHT SUN LODGE
KIVILINA ALASKA
99750

TRIDENT RADIO SER
ANCH - 345-1160
CALL SIGN WCZ 8

FISHING HUNTING PHOTOGRAPHY

Katmai Guide Service

JOE KLUTSCH
REGISTERED GUIDE
P. O. BOX 313, KING SALMON, ALASKA 99613

MEMBER

January 10, 1987

Dear Adelheid,

Thanks for allowing the time to hear about the current effort being made to eliminate the deluge of "outfitters" who are threatening Alaska's game resources. This situation has gone beyond the point of being a problem. It's an over used word these days, but for the future of quality game populations, it's a crisis.

After the meeting with Senators Faiks, [redacted] and Coghill, we felt like some progress was reached at educating these people about the problem. Faiks and [redacted] listened closely as the chairman of the guide board, several other guide board members, and Fish and Game protection officers Botang, Nutgrass, and Dumico explained how quickly "outfitters" set up operations all over the state. These people have chosen to circumvent the guide license and control system. They are not bound by an area system and they have no professional standards. The guide system was from its very inception aimed at controlling commercial use of the resource. Coghill is the snag. He immediately wanted to know what we were willing to give to accomodate or "grandfather" outfitters" many of whom are his constituants. I wanted to remind him that he has more guides in his district than outfitters but that wouldn't have helped our cause. Faiks reminded us that it would only take one vote to can our effort. The problem I see with Coghills approach is that the sanctioning outfitters ingnores the problem and in fact compounds it. Phil Driver felt Coghill didn't give a damn about game resources either that or he just doesn't know about the net effect these kind of operators can have.

Enclosed is the specific wording we would like to see in a bill. Much of it is based on a current guide - outfitter law (Montana) which has withstood legal tests. If any "compromises" are made concerning outfitting, I would hope they could be made in a way that requires these people be incorporated within the present guide license and control system. There simply isn't room for another class of commercial operator in Alaska. This will be sticky but I trust something can be worked out.

I'll be in touch with you after my return from several hunting conventions outside. Thanks so much for working on this legislation.

Sincerely,

Joe

EGEGIK VILLAGE COUNCIL

Box 29
Egegik, Alaska 99579
(907)233-2231

Representative
Adelheid Herman
Box 63
Naknek, Alaska 99633

RE: Hunting in Game Unit 9-E

Dear Rep. Herman:

The people of Egegik are concerned about the number of outfitters being issued permits to bring hunters into the Alaska Peninsula Wildlife Refuge. The Refuge has been a traditional source of meat for our village until recent years. Now the large number of outfitters which are not licensed by the State or controled in any way, are flooding the area with hunters. TheseOutfitters are not under any State Law: they are not air taxi operators or registered guides. The result has been that the game is being killed by people who have resident hunting licenes but are really residents of other states and they often leave meat to rot. There are so many the Wildlife Pretection Officer cannot check them all. Outfitters called "Wildderness Experiences" set eight hunters from Maryland out on the King Salmon River. They arrive at Egegik with eight sets of antlers and little if any meat. People who normally hunt their winter meat from this village went hungry last winter. It appears that with the excess of Caribou Hunters and lack of moose due to over hunting by outside hunters, the same thing will happen this winter. We would appreciate an answer to this letter telling us what you can do to change this situation and what you think you can do to limit the number of hunters in this area.

Sincerely yours

Richard E. Deigh
President

RE:jw

GUS & FRENCHY LAMOUREUX
P.O. Box 90444 • ANCHORAGE, ALASKA 99509 • FRENCHY, 248-4971 GUS, 248-3012 • (AREA CODE 907)

October 2, 1986

Rep. Adelheid Herrmann
House Resources Committee
1024 West 6th Avenue
Anchorage, Alaska 99501

Dear Rep. Herrmann:

I suppose this is an exercise in futility but one never knows until one tries and try we must.

My son and I are long time guides in the Ugashik Lakes area of your district and this past fall we encountered a problem that has been plaguing other guides for some time. The mass invasion of the "Outfitter" and his bargain hunting client who are mostly non-residents in both cases. It is apparently something no one can do anything about as the "rapists" do not qualify as guides and can hunt anywhere and are not bound by the laws legitimate guides are.

A solution must be forthcoming and with subsistence laws looming larger and larger each year it does not seem fair that legitimate guides with guide area investment should see their investment and future existence threatened by "Out-of-State fly-by-nighter-rapists", and that is just what these "Outfitters" are. They don't care if tomorrow comes gamewise, the only thing that matters is the "fast buck" today.

With this attitude in mind I would like to request a change in the existing law. Require <u>all</u> non-residents to hire a registered guide with the exception of non-resident Military and relative guided hunts. Do not allow any more non-residents to come up here and hunt where they please without benefit of registered guide.

These people are a threat in many areas of the State as they come up and hunt areas where game is now in lessened supply. In the Interior residents see these people come up pulling their trailers loaded down with freezers, RVs and supplies they bought out-of-State and in these areas they are in conflict with resident hunters who are just trying to fill their own freezer. At least on a guided hunt these non-residents are usually not in conflict with residents as guides utilize the more inaccessible areas. Non-residents hunting on their own leave very little in the way of revenue in the State. The Game resource is worth money to the State and should be managed to see that the utmost dollar amount for each game head is realized. If the "Outfitter" is going to be allowed to continue then my son and I will cease to be guides as we cannot protect our guide area from the over-hunting that will occur and may as well become outfitters ourselves and join the club and rape the country.

Most of these outfitters are "Out-of-State" operators and spend their winter months lining up people at Sportsman's clubs and shows. They offer a cut-rate trip for lesser money than is offered by the guide. The Guide maintains permanent camps, employs guides (in our case Native), pays insurance and property tax and thus has a higher overhead. Let's face it--if a person can afford to even consider an Alaskan hunt he can afford the going rate for a guided hunt.

The legality of such a law has already been tested in Wyoming so it should pose no problem as to being constituional.

I realize you represent people of an area where I cannot vote but really the future of your area should be your concern and I ask you to please consider introducing legislation to put a stop to the practice of "Outfitters". I know that Fish and W ildlife would be among the first to champion this legislation as well as all the guides in Alaska. Please believe that Guides must be game conservationists if we aren't we'll be out of business.

Sincerely,

Frenchy Lamoureux

FL:ll

Frenchy Lamoureux

Darrell Farmen
12800 Ridgewood Rd.
Anchorage, Alaska 99516

March 25, 1987

Senate Resources Committee
Att: Chairman Jack Coghill

Dear Chairman Coghill:

This letter is written in support of S.B. 191. It is my opinion that this bill is an important piece of legislation protecting the stability of our wildlife resources and it should be passed as soon as possible.

As a guide, licensed since 1960, I have seen what unlimited demands upon a limited wildlife resource can do. We have limited the number of guides and restricted the areas in which they may operate. This has enhanced a concern for wildlife species because it is now difficult for a guide to change areas.

By neglecting to regulate outfitters we have allowed a proliferation of demands upon big game species which the resource cannot absorb. Certain areas of the state are impacted to the degree that local residents are deeply concerned about the ability of certain species to maintain adequate numbers. It now appears that there are more outfitters than active guides.

In all fairness there are areas where the outfitters operation does not exist due to access problems or because they haven't found the areas. Once highly impacted areas cease to provide an adequate supply of animals the outfitter just moves to another area. Therefore, it is imperative to make restrictions apply statewide. Since there are no restrictions upon outfitters, mobility is very easy.

In closing, I urge the passage of S.B. 191. The well being of our big game species warrants the support of every Senate member.

Sincerely,

Darrell Farmen

Paul Reynolds
5530 South Tahiti Loop
Anchorage, Alaska 99507

March 25, 1987

Senate Resources Committee
Att: Chairman Jack Coghill

Dear Chairman Coghill:

This letter is in concern of Senate Bill 191. I am in total support of this bill. My main concern is the wildlife resource of the state. With no restrictions on the "outfitter" areas of the state are getting hit hard, which will result in a poor future for this resource. For this reason we must restrict the outfitter state wide.

Thank you for your time.

Sincerely,

Paul Reynolds



DICK GUNLOGSON

Master Guide and Outfitter

BOX 193
WILLOW, ALASKA 99688
TELEPHONE (907) 495-6434



March 26, 1987

Senator Jack Coghill
Senate Resources Committee
Pouch V
Juneau, AK 99811

Dear Senator Coghill:

Let me thank you and your committee for recognizing the importance of, and need for, the legislation contained [redacted]

I am a Master Guide and have been actively involved in Outfitting and Guiding in Alaska for 25 years. In just the last five years I have witnessed the rapid growth of a practice that poses the greatest threat of abuse to our wildlife resources of any that I have seen since Statehood. This is the unlicensed, unregulated so called "outfitter".

Lack of regulation in the 1960's and early 1970's led to the abuse of wildlife resourses which was largely, and, to a large extent justifiably, laid at the feet of the Guiding Industry. The Guide Licensing and Control Board was created and through its efforts and the cooperation of the Guides themselves, the Industry was cleaned up. Areas were assigned and Licensed Guides became game managers, cooperating with Fish and Game people and Protection people to protect the resources they depended on for their livelihood. Licensed Alaskan Outfitter/Guides are now recognized throughout the world for their high ethical and fair chase standards. Those who could not, or would not, conform to these new standards were weeded out one by one.

Comes now then, through a monsterous loophole in our regulations, the unlicensed, unregulated, so called "outfitter". If some of these "outfitters" should turn out to be the same ones weeded out of the Guiding Industry for illegal and/or unethical activity it should hardly come as a surprise. Certainly it is not hard to see that it would be more convenient (and more profitable) to operate with virtually no regulations or licensing requirements, no ethical standards and no responsibility for the wildlife resouces within any given area - compared to the highly regulated standards a Licensed Outfitter/Guide must adhere to.



DICK GUNLOGSON

Master Guide and Outfitter

BOX 193
WILLOW, ALASKA 99688
TELEPHONE (907) 495-6434



Many of the unlicensed "outfitters" operating in Alaska are non-residents. They move large numbers of hunters into the State for short periods of time, come virtually self-contained and leave little or no revenue in the State for their passing. Solicitation of "outfitted" hunts in Alaska is openly, brazenly and aggressively being practiced at major sport shows in the south 48. Through clever and deceptive wording in advertising many or most hunters are led to believe they are arranging a hunt with a legitimate Licensed Outfitter/Guide, who is responsible to the State of Alaska for his conduct in the field.

Now, while it is true that these unlicensed "outfitters" pose a threat to legitimate Licensed Outfitter/Guides, the threat clearly does not end there. Since sheep and brown/grizzly bear hunting in Alaska requires that the hunter be accompanied by a Licensed Guide, the unlicensed "outfitters" focus their attention on the animals where a guide is not required. Moose and caribou are the heaviest hit species with black bear and goat victimized to a lesser degree. The net result is that SUBSISTENCE HUNTERS AND RESIDENT HUNTERS are going to be the most heavily impacted. Reports of a single unlicensed "outfitter" taking 30 or more moose from an area - and some taking more than twice that many caribou are definitely founded on more than campfire smoke!

The bottom line is that licensing and regulation are absolutely necessary when commercial exploitation of wildlife resources is taking place. The State regulates the Guide Industry for this reason, the individual hunter is regulated with season and bag limits, the salmon and herring resources are regulated by Permits. It is now time to plug the loophole the unlicensed and unregulated "outfitter" is using to abuse our wildlife resources. I am sure that future hunters, subsistence, resident and non-resident alike will join me in thanking you for your attention to this problem.

Respectfully yours,

Dick Gunlogson

Hunt **ALASKAN** *Big Game*



ALASKA TROPHY HUNTING AND FISHING

MEL GILLIS
Registered Guide
& Outfitter

P. O. Box 220247
Anchorage, Alaska 99522-0247
Phone (907) 344-8589

(907) 344-8589

MAR 30 1987



3-25-87

Senator Jack Coghill
Chairman of the Senate
Resource Committee

Dear Chairman Coghill:

[redacted]

This bill addresses the definition of Big game Guiding & Prohibiting compensation of un-licensed person for guiding. I urge you to pass this legislation as quickly as possible for the stability of Alaskan Wildlife resources on the State.

We need this bill passed to stop the Unlicensed guides (outfitters) from operating in the State of Alaska.

The unlicensed guides (outfitters) in the State of Alaska are not regulated by or responsible to any Agency or Anyone in the state. Unlicensed guides (outfitters) take as many Animals as they want, kill out small packets of Animals + move to other parts of the state. When they have the animals slaughtered from one area they are free to move to another + repeat the process

There are over 300 Known outfitters (unlicensed guides)



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operating in the state + many more that are not even known about. Many of these people are not Alaskan residents. Fish + Wildlife protection estimates that about 50% of the (unlicensed guides (outfitters) are Non Residents.

The (unlicensed guides) operate on large volume of hunters + low-prices causing Overharvesting.

Many of the unlicensed guides bring their workforce up with them from the lower 48

An example of overharvest by an outfitter/unlicensed guides is: I took ten moose in one of my guide areas last year + figure resident hunters 4 to 6 moose. A unlicensed guide took between 35 + 40 moose hunters in this area. This is going on over the entire state of Alaska the wildlife cannot take this kind of pressure.

Many of the Non-Resident hunters believe they are going on a legal hunt with licensed guides because of the way unlicensed guides are advertising in the lower 48. Outfitters in the lower 48 are the same as Reg. guides are in Alaska. Everyone thinks



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the term guide & outfitter is one in the same.

The guiding profession in the state of Alaska is open to anyone who meets the requirement which are 1. Be a resident of the state

2. Serve a 3 year apprenticeship
3. Pass a written & Oral test given by the guide licensing & control board.

There are guide areas coming up at every guide board meeting.

By examining the guide register you will find that there are many guides in rural Alaska.

Guiding was the 7th largest industry in the state & is not subsidized by any state or federal programs and will be a viable industry for many yrs. if handled right.

In closing I would like to say that the Wildlife is a renewable resource, and should be handled as such. Senate Bill 191 will help stop the unlawful slaughter of big game animals. I have enclosed copies of a few articles for your information

Sincerely
Mel Gillis

cc Senator Zharoff, Fisher, Duncan, Sharpless, Jones, Ellison, Pierce, Aloud

APR 0 3 1987

3/30/86
Adelheid Herrmann
House of Representatives
Box V, Mail Stop:3100
Juneau, Alaska 99811

RE[redacted]nd important reasons for the bills passage.

[redacted]

In ref. to HB , dealing with the amendment to the Alaska Guide Bill, one of the major problems with understanding the purposes of the bill, is the confusion in peoples minds over the terms used, especially how the term Outfitter is currently being misinterpreted in the State of Alaska.

Hunting like any other business has it's own structure and nomenclature.

However, the terms applicable to professional hunting have a more restrictive and more universally accepted definition, than perhaps any other profession, due to the scope of its clientele and involvement.

With the exception of Alaska, in North America the word outfitter is recognized as meaning the person who owns and runs a legitimate professional hunting operation. In all places, but Alaska, where hunting is a viable business this definition is written into law.

It is universally understood in the hunting world and legally mandated in all important hunting areas that the term "outfitter" is applied to the person who must meet licensing requirements, who is entitled to the legitimate hunting privileges mandated by the states and provinces and are the people responsible to the resource in their areas, and are the people held accountable for any violations of laws or restrictions by their clients or employees.

Outside of Alaska, the term guide is accepted as meaning a person in emplo, of an outfitter, usually unlicensed and not required to meet any particular standards or qualifications under the law.

Anyone involved with hunting understands this definitive relationship, including the governmental and regulatory agencies of the states and provinces involved, that is except Alaska.

The only exception is Alaska. In Alaska the term Guide is applied to the person qualified under the law and is therefore held responsible for the clients actions and well-being. Registered and Master guides are the people who must meet licensing requirements, are entitled to the professional hunting privilege mandated by the state, are subject to the restrictions of those

privileges, and are the people held accountable for violations of laws or ethics by their clients or employees.

It is the guides who must be concerned with the resources in their areas.

In Alaska the term "Outfitter" is a misnomer and means absolutely nothing. Due to this switch of terms in our state and the resulting confusion among hunters, many unqualified, unlicensed people have used the term "Outfitter" as a play on words, to lure clients and set up illegitimate and irresponsible hunting operations in Alaska.

These so called "outfitters" are designating themselves with a term that under accepted usage they in no way deserve.

It is impossible for people from anywhere else to understand this relationship and is very hard to explain, as it makes no sense.

The Conditions created by their confusion however, have become disastrous to Alaska's hunting and the resources involved.

Sincerely,

Patrick R. Kennedy

Patrick R. Kennedy
Registered Guide

P.O. Box 771896
Eagle River, Ak. 99577

Phone 907-696-2484

10 24 Con. 6th
Comm 16 & Ltr. 6th
215

P.O. Box 670071
Chugiak, Alaska
99567

Alaska Trophy Safaris

WITH

Dennis Harms

MASTER GUIDE

MAR 26 1987



Letter stating outfitting illegal.....

Legislative Affairs Offices



Arliss Sturgeluski, Senate Resources all
Coghill, Senate Resources

Adeline Herman, House Resources all

March 26, 1987

This letter concerns illegal guiding of hunters under a loophole called outfitting.



The past three to five years this activity has exploded into a major problem.

Persons who didn't have the ambition to become licensed guides found a loophole, and so many operations have started that seriously threaten our valuable wildlife resources.



The outfitters mode of operation is generally to wholesale Alaska resources. To make their operation pay they need to sell a lot of game. One outfitter on Ugashik Lake took more than 30 caribou hunters last fall, and the licensed guide there only took a half-dozen or so.

Most of the outfitters are borderline guiding to outright guiding hunters, which is a felony, but they are still operating.





Since there are no controls, they usually go into one area, wipe out the game and move on. Several outfitters even use this as a selling point when selling their hunts.

Several outfitters are not even residents of Alaska.

A licensed registered guide is limited to his area of operation so it would be foolish for him not to be a good steward of the game resources.

You are going to hear cries that we are putting outfitters out of business. Absolutely every last one of them knew they were walking a very gray, thin line between legal and illegal. Everyone knew they were testing the law to the limit.

We should not have let them make such a fool out of our system to this point, and we must pass a tough law to protect the resources ethics and order of our state now.

Sincerely,

Dennis Harms
Alaska Master Guide

Ed Grasser 745-3772

ALASKA PROF. HUNTER'S ASSOC.
TESTIMONY ON SB 191 BEFORE THE SENATE RESOURCES COMMITTEE
3/27/87

MR. CHAIRMAN, DISTINQUISHED MEMBERS OF THE COMMITTEE, WE WOULD LIKE TO TAKE THIS OPPORTUNITY TO EXPRESS OUR APPRECIATION FOR YOUR EFFORTS ON THIS PIECE OF LEGISLATION AND FOR PROVIDING US THIS OPPORTUNITY TO RELATE OUR CONCERNS TO YOU.

THE RESOURCE PROBLEM

THE PRIMARY REASON FOR CONCERN RELATIVE TO THE "ILLICIT OUTFITTING" OF BIG GAME HUNTS IN ALASKA TODAY IS UNNECESSARY & NEGATIVE IMPACTS ON BIG GAME POPULATIONS, PRIMARILY MOOSE & CARIBOU WITHIN THE STATE. UNREGULATED COMMERCIAL HARVEST OF OUR PUBLIC GAME RESOURCES IS AN UNACCEPTABLE SITUATION.

IN MANY SPECIFIC LOCATIONS THROUGHOUT ALASKA THIS UNREGULATED COMMERCIAL HARVEST HAS REACHED EPIDEMIC PROPORTIONS AND IS RAISING HAVOC WITH OUR VALUABLE BIG GAME POPULATIONS; AND THEREFORE WITH BOTH SUBSISTENCE & RECREATIONAL HARVEST PATTERNS. THE RECENT AND CONTINUING INCREASE IN THIS COMMERCIAL HARVEST HAS BEEN WELL DOCUMENTED AT TODAY'S HEARING.

THERE ARE SOME WHO SUGGEST THAT SUCH HARVEST IS & OUGHT TO CONTINUE TO BE SOLELY THE PURVIEW OF OUR FISH & GAME MANAGEMENT SYSTEM. SEASONS AND BAG LIMITS SHOULD SIMPLY BE CUT IN AREAS WHERE THE POPULATIONS DECREASE TO UNACCEPTABLE LEVELS. SUCH RECOMMENDATIONS ARE IN OUR OPINION A PRESCRIPTION FOR CRISIS HINDSIGHT MANAGEMENT, ALLOWING CONTINUATION OF AN UNREGULATED COMMERCIAL HARVEST OF OUR PRECIOUS WILDLIFE RESOURCES IS THE HEIGHT

OF MANAGEMENT FOLLY AND INDICATES A DISREGARD FOR BOTH THE RESOURCE AND MANAGEMENT. WE KNOW WE HAVE A PROBLEM ONE WHICH IS DECIMATING SPECIFIC UNGULATE POPULATIONS, ONE WHICH IS CAUSING CURTAILMENT OF OPEN SEASONS TO THE DETRIMENT OF SUBSISTENCE AND RECREATIONAL HARVESTS. THE POTENTIAL FOR ABUSE IN THE IMMEDIATE FUTURE (THIS YEAR) IS FRIGHTENING AND IN THE NEAR TERM CATASTROPHIC. THE NEGATIVE IMPACTS ON OUR WILDLIFE AND THOSE WHO DEPEND ON THEM FOR FOOD, FOR A LIVLIHOOD AND FOR ENJOYMENT IS OF PARAMOUNT CONCERN TO ALL OF US.

JUST AS THOSE WHO PROMOTE AND FACILITATE THIS EXCESSIVE HARVEST MUST BEGIN TO SHOULDER THE RESPONSIBILITY FOR THEIR ACTIONS, SO MUST WE WHO ARE FAMILIAR WITH THIS SITUATION AND WHO ARE CONCERNED WITH WILDLIFE POPULATION LEVELS TAKE THE LEAD IN PREVENTING IT. WE'VE GOT A RUNAWAY LOCOMOTIVE FUELED BY NEWLY DISCOVERED LOOPHOLES AND SEMANTICAL DIATRIBE WHICH THREATENS AN IMPORTANT RESOURCE BASE. WE MUST FACE IT HEAD ON. COMMERCIAL OPERATORS, BE THEY GUIDES OUTFITTERS, QUASI-GUIDES, OR OUTFITTERS, ETC. MUST ALL BE MADE EQUALLY RESPONSIBLE FOR THEIR ACTIONS AND THE ACTIONS OF THEIR CLIENTS.

OUTFITTER SEMANTIC PROBLEM

A SEPARATE POINT WHICH WE WOULD LIKE TO TRY TO CLARIFY FOR THE COMMITTEE RELATES THE THE DIFFERENT CONCEPTS OF WHAT A GUIDE OR AN OUTFITTER IS. HERE IN ALASKA, THE FELLOW WE CALL A REGISTERED OR MASTER GUIDE, THE ONE WHO MEETS VARIOUS STRINGENT LICENSING REQUIREMENTS, WHO CONTRACTS HUNTS, WHO IS REGULATED BY THE APPROPRIATE STATE AGENCIES, IS ELSEWHERE IN NORTH AMERICA AND THE WORLD KNOWN AS, AND IS LICENSED AS AN OUTFITTER. WE HAVE PRESENTED TO THE COMMITTEE FOR YOUR INFORMATION, EVIDENCE OF THIS WITH AN EXAMPLE OF THE

TYPICAL BADGE ISSUED TO EACH GUIDE AT NATIONAL HUNTING CONVENTIONS AND A BOOKING CONTRACT ISSUED BY AN INTERNATIONAL HUNTING CONSULTANT. AS YOU WILL NOTICE, BOTH REFER TO AN ALASKAN REGISTERED GUIDE NOT AS A GUIDE, BUT AS AN OUTFITTER. THE RESULT OFTHIS CONFUSION OF COURSE IS THAT CLIENTS ARE LURED INTO THINKING OF THOSE WHO ADVERTISE AS OUTFITTERS IN ALASKA ARE REGISTERED GUIDES, WHEN IN FACT, OUTFITTERS ARE NOT LICENSED OR REGULATED IN ANY MEANINGFUL WAY IN OUR STATE. THE LEGISLATION BEFORE YOU WOULD HELP END THIS CONFUSION.

AN OPEN PROFESSION

SEVERAL ADDITIONAL MISCONCEPTIONS SEEM TO PERSIST REGARDING THE GUIDE LAWS AND THE GUIDING INDUSTRY IN ALASKA. SOME SEEM TO THINK OURS IS A "CLOSED" INDUSTRY, NOTHING COULD BE FURTHER FROM THE TRUTH. OURS IS ONE OF THE MOST OPEN AND AVAILABLE PROFESSIONS OF THE PROFESSIONS UNDER DEPARTMENT OF COMMERCE JURISDICTION. OUR APPRENTICESHIP PERIOD IS MERELY THREE MONTHS, CONSIDERABLY LESS THAN DOCTORS, CHIROPRACTORS, TEACHERS, ELECTRICIANS AND A MYRIAD OF OTHER PROFESSIONS. WHILE PASSAGE OF A STRINGENTLY WRITTEN AND ORAL EXAMINATION IS REQUIRED, NO EDUCATIONAL LEVEL SUCH AS IS REQUIRED IN MANY OTHER PROFESSIONS IS ESTABLISHED. THE GUIDE LICENSING AND CONTROL BOARD GIVES EXAMS TWICE A YEAR AND WHILE THEY ARE COMPREHENSIVE, THEY ARE NO MORE SO THAN EXAMS FOR LAWYERS, PHYSICIANS, OR A MYRIAD OF OTHER WELL ESTABLISHED TRADES. THESE QUALIFICATIONS ARE MINIMAL AND A SMALL PRICE TO PAY TO INSURE HIGH PROFESSIONAL STANDARDS IN ALASKA'S GUIDING INDUSTRY.

ONCE HAVING RECEIVED A REGISTERED GUIDE LICENSE, AN INDIVIDUAL CAN WORK FOR OTHER REGISTERED OR MASTER GUIDES OR HE OR SHE CAN BEGIN AN INDEPENDENT BUSINESS. SOME CRY THERE ARE NO AVAILABLE AREAS; HOWEVER THIS IS FAR FROM

TRUE. THERE ARE MANY OPEN AREAS IN THE STATE AT THIS TIME WHERE ANY REGISTERED OR MASTER GUIDE MAY GUIDE OR CONTRACT HUNTS, AREAS NOT YET TAKEN. ADDITIONALLY, A QUICK REVIEW OF THE MINUTES OF THE LAST 4 GUIDE BOARD MEETINGS SHOWS THAT OVER 30 NEW GUIDES HAVE BEEN LICENSED AND 40 NEW AREA ASSIGNMENTS OR TRANSFERS HAVE TAKEN PLACE. FURTHERMORE, 38 ADDITIONAL AREAS HAVE BEEN OPENED UP AND ARE AVAILABLE....AT NO COST!!!! WE ARE NOT AWARE OF MANY VOCATIONS THAT CAN PROMISE OR OFFER SUCH REASONABLE ENTRY.

IN ADDITION TO THE OPEN AREAS THAT CAN BE OPERATED IN BY QUALIFIED GUIDES FOR NO INITIAL CAPITAL OUTLAY, MANY GUIDES' BUSINESSES, SOME WITH PRIVATE LAND AND LODGES AND CABINS AND OTHERS WITH EQUIPMENT AND ESTABLISHED CAMPS ARE FOR SALE. THE AREAS ARE IN ALL CASES UNDER THE PURVIEW OF THE STATE. ANYONE SERIOUSLY DESIRING TO TO BECOME A GUIDE, WILLING TO WORK AT IT AND RUN A LEGITIMATE PROFESSIONAL BUSINESS CAN DO SO WITH A VERY REASONABLE INVESTMENT OF TIME AND MONEY.

IMPACT ON LEGITIMATE "OUTFITTERS"

AN ADDITIONAL MISCONCEPTION SEEMS TO EXIST OVER THE IMPACTS THE LEGISLATION BEFORE YOU WILL HAVE ON LEGITIMATE OUTFITTERS. FROM SOME OF THE COMMENTS ON THE SUBJECT TO DATE, SOME WOULD HAVE YOU BELIEVE SB 191 PROHIBITS BREATHING. AGAIN, NOTHING COULD BE FURTHER FROM THE TRUTH. MOST OUTFITTERS JUST DON'T WANT ANY LEGISLATION WHICH MAY TO LEAD TO REGULATION OF THEIR BUSINESS. IN OUR JUDGEMENT THIS WOULD SEEM TO INDICATE A LACK OF DESIRE TO BE HELD RESPONSIBLE FOR THEIR ACTIONS WHICH ARE INCREASINGLY DETERIORATING B G GAME RESOURCES IMPORTANT TO MANY OTHER ALASKANS.

THIS LEGISLATION HAS UNDERGONE A NEAR RECORD NUMBER OF

DRAFT ALTERATIONS AND ANALYSISES PRIOR TO ITS EVEN BEING INTRODUCED. YOUR COMMITTEE AND STAFF, ALONG WITH OTHER LEGISLATORS, STAFF MEMBERS AND LEGISLATIVE DRAFTERS ARE TO BE COMMENDED FOR THEIR CONSCIENTIOUS EFFORTS TO CRAFT A BALANCED AND LEGALLY ARTICULATED SIMPLY MODIFICATION TO EXISTING STATUTES. THIS LEGISLATION WILL (1) PROTECT OUR RESOURCES (2) HELP ELIMINATE DOUBLE STANDARDS OF RESOURCE REGULATORY RESPONSIBILITY (3) INSURE EQUITABLE SOLUTIONS TO A COMPLEX PROBLEM AND (4) CONTINUE TO ALLOW LEGITIMATE TRANSPORTERS AND PROVIDERS OF GEAR AND EQUIPMENT TO OPERATE. IT WILL CONTINUE TO ALLOW LEGITIMATE AIR TAXI OPERATORS, CHARTER BOAT OPERATORS AND PROVIDERS OF GEAR, TRANSPORTATION AND SUPPLIES FOR DROP-HUNTS TO DO BUSINESS.

WHILE THIS LEGISLATION WILL NOT SATISFY EVERYONE, IT WILL IN OUR OPINION GO A LONG WAY TOWARD ALLEVIATING WHAT HAS BECOME A MANAGEMENT CRISIS OF OUR VALUABLE GAME RESOURCES. IT WILL ALLOW LEGITIMATE OPERATORS TO CONTINUE TO DO BUSINESS, IT WILL INSURE THE PRESENCE OF MUCH NEEDED RESOURCES FOR SUBSISTENCE AND RECREATION AND IT WILL ALLOW INDIVIDUALS TO CHOOSE FROM A VARIETY OF LEGITIMATELY OPERATED BUSINESS ONE WHICH WILL MOST SUIT THEIR NEEDS AND BUDGET.

WE SUPPORT THE LEGISLATION BEFORE YOU, SB 191, AND THE AMENDMENTS WE'VE SEEN WHICH WOULD HELP CLARIFY THE FOLLOWING POINTS.

(1) MAKE ADVERTISING TO BE AN OUTFITTER ILLEGAL WITHOUT A VALID CURRENT REGISTERED OR MASTER GUIDES LICENSE.

(2) INCLUDE ALL MODES OF TRANSPORTATION NOT JUST VEHICLES.

(3) CLARIFYING USE OF PERMANENT CABINS TO BE LAWFUL AND LEGALLY ESTABLISHED.

WE URGE YOU TO EXPEDITE THE PASSAGE OF THIS CRUCIAL LEGISLATION. WE ARE GRATEFUL YOU RECOGNIZE THE EMERGENCY

NATURE OF THIS SITUATION AND APPRECIATE THE TIME YOU'VE PUT IN ON THIS BILL. WE IN THE ALASKA PROFESSIONAL HUNTERS ASSOCIATION WOULD BE PLEASED TO ANSWER ANY QUESTIONS OR FURTHER CLARIFY ANY POINTS OR ASSIST YOU IN ANYWAY WE CAN. ONCE AGAIN, THANK YOU FOR YOUR EFFORTS AND FOR LISTENING TO OUR CONCERNS.

FISHING HUNTING PHOTOGRAPHY

Katmai Guide Service

JOE KLUTSCH
REGISTERED GUIDE
P. O. BOX 313 · KING SALMON, ALASKA 99613

MEMBER

January 4, 1987

Dear Adelheid,

I'm writing to ask your help in dealing with a problem threatening game resources throughout the State. During the last 5 years there has been a proliferation of "outfitters" engaging in commercial hunting. Unlike guides who are licensed by the State, assigned specific areas and limited in number within each game management unit, these operators are bound by no area restrictions or professional certification at all. A majority of these operators are nonresidents who have discovered the loop hole in the guide law which allows them to book hunters, provide camps and personel (packers, cooks, boatmen etc.) and in effect povide all the services of a guide.

Outfitters generally "sell themselves to that segment of the hunting public that is looking for a bargain. They sell cheap hunts which requires they do a much larger volume of hunts. In that they are not bound by area restrictions, they are able to hunt out any given area and move on to greener pastures. Guiding was the first licensed profession in the territory of Alaska. Under State hood, a guide law has evolved that requires a person spend a minimum of 7 to 10 years of his life to become a licensed Registered guide and to become an area permit holder. The idea behind the evolution of this law was to limit the extent of commercial hunting of big game resources and set professional standards and regulations by which a guide must abide. The system has not been without its faults over the years but it has been refined and improved to a point that commercial hunting activities can be regulated efectively at least as far as guiding is concerned. "Outfitting" is as yet an un defined activity in terms of regulation and statute.

Demands on all resources through out the State have increased greatly in recent years. Allocation of fish and game resources becomes more complicated every year. With subsistance needs to be met, and legitimate allocations to nonresidents to be met, there is simply no room for another catagory of commercial operator engaging in big game hunting. As I stated in one of our conversations, allowing "outfitting" outside of the present system of guide licensing and control is the same as allowing 120 foot seiners to operate in Bristol Bay because they engaged in commercial "catching" instead of fishing and thereby require no permit to sell their catch.

Unfortunately, it is the resource that suffers first and then the legitimate right of all user groups is jeopardized.

ADFG Protection division and Game division are well aware of this problem and have shown considerable intrest in working with the guiding industry to find a solution to this problem.

The wording to the following proposed amendment to the current guide law was worked out in Anchorage with the help of Fish and Game Protection people. It would fall under section 08.54.210. UNLAWFUL ACTS

(9) a person to outfit hunters or to provide outfitter service as defined in this chapter personally or through assistants to persons or hunting parties without being validly licensed as a Registered or Master Guide under this chapter.

For the sake of the big game resource and then for the benefit of your consituents as well as all other people who might utilize big game in Alaska, I am urging you to prefile this proposed amendment to the current guide law. As chairman of the House Resources Committee, and as a person who I know to be sensitive and knowledgable on Alaska's resource issues, I feel you can be instrumental in solving the problem we are faced with.

I will work for you in any way possible to see to it this proposed amendment can be passed.

Sincerely,

Alaska
Professional Hunters Association, Inc.
P.O. Box 441 • Talkeetna, Alaska 99676 • (907) 733-2688

MAY 1 1987

April 29, 1987

Adelheid Herrmann
Ak State Legislature
Pob V (Ms 3100)
Juneau, Ak 99811

Dear Adelheid

Alaska is facing a crisis, the long term effects of which may be as undesirable as the present problems we find ourselves in with declining oil revenues. Our precious wildlife resources are being plundered by illegitimate "guides", passing themselves off as [redacted]

Twenty years ago, Alaska's valuable wildlife species were being similarly threatened by some members of the professional guiding industry. Because of weak regulations and our inability to field a sufficient number of protection officers, some individuals took advantage of the situation and WHOLESALED Alaska' wildlife. The problem was eventually brought under control by stricter regulations regarding the take of game animals and the guide industry itself. Guides are no longer allowed to mass harvest in one area then move on to the next. Furthermore, many regulations were put into effect to make individual guides more responsible for their conduct in the field, as well as the conduct of their assistants and clients.

Recently, some individuals have discovered loopholes in statutes which allows them to circumvent the law and operate as "outfitters." This situation has escalated in the last couple of years, putting terrific strains on wildlife populations in specific areas. If these illegitimate "guides" are allowed to continue, more wildlife populations will almost certainly be threatened and resident Alaskans will soon be faced with more and more restricted hunting seasons and permit hunts.

Alaska's wildlife populations bring millions of dollars into our economy from a variety of sources. Thousands of tourists come to view them, sportsmen pursue them on hunting excursions and many rural Alaskans depend on them as a factor in their economic survival. Allowing these illegitimate "guides" to continue to deplete our limited wildlife resources will have definite long term negative impacts, not just on the resource base itself, but also on our economy.

Shortly after statehood, a licensed, regulated guide industry was created. A presumption must be made here, that early government leaders in Alaska felt a well regulated guide industry would be in the best interest of Alaskans and our wildlife populations. In a certain sense, commercial guiding is no different than commercial fishing. Both have become somewhat limited entry occupations;

Alaska
Professional Hunters Association, Inc.
P.O. Box 441 • Talkeetna, Alaska 99676 • (907) 733-2688

however, I seriuosly doubt quasi-commercial fisherman would be allowed to exist. The question is why do we consider allowing illegitimate "guides?" It just does not make good sense. We have a limited resource which must be protected for everyone's benefit. We already have a state sanctioned system allowing for commercialization in that resource base. It is not a closed system as some would have you believe. Anyone with the desire to enter the guiding profession may do so, they only have to meet the rather simple qualifications. With that in mind, the loopholes allowing these illegitimate, unregulated "outfitters" to exist should be eliminated. In the best interest of the resource and the economy of Alaska, it is a decision which should be made in the near future.

Thank you for your time and any consideration you can give this important subject.

Please note our new address: POB 91932, Anchorage, Alaska 99509, and phone number is 907-522-3221.

Sincerely

Ed Grasser
Vice President
Eg/Lfs

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: KEITH KLEMME
TITLE:
ADDRESS: 6630 E. 10TH
CITY: ANCHORAGE ZIP: 99504
PHONE: 337-2216
BILL NO:
SUBJECT: STATE INCOME TAX
MESSAGE: I'M AGAINST A STATE TAX, TRY CUTTING BUDGET. LEAVE PERMANENT FU[illegible]
ALONE. THE STATE CAN CUT WASTE.

POMID: 03124506
DATE: 04/15/87
TIME: 12:45:06
LIONAME: ANCHORAGE LIO

COPIES:

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ADAMS	BARNES	ABOOD
BOUCHER	BOYER	BENNETT
BROWN	CATO	BINKLEY
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DAVIDSON	DAVIS	DUNCAN
DONLEY	ELLIS	ELIASON
FRANK	FURNACE	FAHRENKAMP
GOLL	GRUENBERG	FAIKS
GRUSSENDORF	HANLEY	FISCHER
HOFFMAN	HUDSON	HALFORD
KOPONEN	LARSON	HENSLEY
MARTIN	MENARD	JONES
MILLER	NAVARRE	JOSEPHSON
PEARCE	PETTYJOHN	KELLY
PHILLIPS	POURCHOT	KERTTULA
RIEGER	SHULTZ	RODEY
SPRINGER	SUND	STURGULEWSKI
SWACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAWACKI		ZHAROFF

- X - NO RESPONSE REQUIRED

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: WAYNE KUBAT
TITLE:
ADDRESS: PO BOX 874867
CITY: WASILLA ZIP: 99687
PHONE: 376-9568
BILL NO: HB 183
SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: I SUPPORT YOUR BILL AND HOPE YOU PASS IT SOON. OTHERWISE ALASKA HUNTING WILL END UP BEING BY PERMIT ONLY.

FOMID: 14125911
DATE: 04/15/87
TIME: 12:59:11
LIONAME: MAT-SU LIO

COPIES: REPRESENTATIVES

COTTEN
DAVIDSON
HOFFMAN
NAVARRE
PEARCE
SHULTZ
SPRINGER
SUMO

- X - NO RESPONSE REQUIRED

Alaska Chapter
Foundation for North American Wild Sheep
P.O. Box 110-774 ☐ Anchorage, Alaska 99511 ☐ Phone 243-1067

April 30, 1987

Dear Honorable Ms. Herrmann,

The Foundation For North American Wild Sheep, Alaska Chapter requests your support to pass into law the bills known as [redacted] Specifically we are concerned with AS 08.54.240. We feel strongly that Alaska is facing another crisis in game management. Illegitimate guides, passing themselves off as outfitters, have discovered a loophole in the State Statutes which circumvents the laws which govern the guiding industry and the principles of good game management.

Twenty years ago a similar problem existed where Alaska's wildlife species were threatened by members of the professional hunting industry. Some individuals took advantage of weaknesses in the regulations and enforcement procedures to rapidly deplete some wildlife populations. Better regulations have provided for a more responsible industry and better game management, for the benefit of all users whether consumptive or non-consumptive.

Now the problem arises again where illegitimate guides, under the guise of "outfitters," are again miss-using the resource. The attached newspaper clippings and press releases are examples of the extent of this problem. Continuing unchecked, these types of outfitters can put a tremendous strain on the wildlife populations in our state. This can only result in more restrictive seasons and increased numbers of permit hunts. All this to the detriment of both resident and non-resident hunters. In addition, lowered game populations restrict the ability of the non-consumptive user to view the game. All together this means decreased income to the state from it's valuable game resources.

The Foundation For North American Wild Sheep, Alaska Chapter represents 360 members statewide and several thousand nationwide. Members are both consumptive and non-consumptive. We are joining in the fight to ensure the loopholes are closed that are allowing these illegitimate outfitters to operate. Although, at the present time all guided non-residents must employ the services of a licensed registered or master guide operation to hunt sheep, we feel the current situation creates a dangerous precedent to the future of sheep management. In addition, we feel obligated to speak out for sound game management for all species in Alaska.

At the present time, according to the Alaska Dept. of Public Safety, there are over 300 documented illegal outfitters operating without a guide license. If each of these outfitters are taking out 20 hunters, it takes only a little addition to figure out that the resource is being abused. It is also important to note that these hunters are competing with resident hunters and legitimate guide operations. However, unlike a guide operation which is restricted to a specific area, these illegal outfitters can clean an area of the game resources and then move on to somewhere else. The enclosed news releases were provided by the Alaska Dept. of Public Safety. According to the DPS there are more indictments coming. Therefore, we solicite your support in closing this loophole.

Sincerely,

Daniel R. Schwarz

Daniel R. Schwarz
President

MAY - 7 1987

Anchorage, Alaska
May 5,1987

Adelheid Herrmann
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Alaska 99811

Dear Adelheid,

Please pass Senate ~~Bill 91 or House Bill 183~~ or a combination thereof, because;

1) The 300 outfitters operating last year are endangering our wildlife resource. They do not hesitate to overhunt an area since conservation is of no concern to them. They decimate an area and move on.

2) The 300 outfitters operating last year consistently break our Fish and Game Regulations. Examples: non-residents hunters paying for less expensive resident licenses and trophy tags, killing of illegal game by hunters who have not been informed by their outfitter who is not legally required to do so, and hunters flagarantly violating our wanton waste laws.

3) The 300 outfitters could become legal Registered guides under our current laws and then they would be responsible for conservation and upholding our Fish and Game Regulations. That is why we passed the law in 1960 to get rid of all the Get-Rich-Quick Outfitters who had a Super Cub and a tent. Registered guides were then - and are now - a reliable means of marketing our surplus renewable big game resource.

I am especially concerned about the village of Egegik on the Alaska Peninsula. I live there six months each summer. The people are harmed when outfitters turn hunters loose to float the near-by rivers. They arrive at Egegik with many antlers and no meat. This re-occurred over and over again last fall much to the dismay of the local people.

Secondly, I am concerned about hunters dropped off in an overhunted area. I have been professionally guiding in Alaska for almost thirty years and have a reputation for maintaining a good game population in my guide areas. Several guides I know are now operating as outfitters because they can go anywhere and are not responsible for keeping the game laws or conservation.

Please pass some form of these bills as the wildlife can't stand the amount of hunting pressure and mis-use it is getting from indiscriminate outfitting. These outfitters are not part of the balance established to utilize the renewable game harvest. If this situation continues, we will loose our reputation as a big game hunters paradise, our subsistence opportunities for villagers and our chance for resident hunters to enjoy the great hunting that many of them came to Alaska to enjoy.

Sincerely,

Mary

Mary Oldham, Registered Guide
Box 220343
Anchorage, Alaska 99522-0343

MAY - 6 1987

May 4, 1987

Senator Paul Fischer
Alaska State Legislature
P.O. box V (3100)
Juneau, Alaska 99811

Dear Sirs:

I am writing with regard to [redacted] which addresses outfitting in the field.

Presently, at this time, the State of Alaska doesn't define what an outfitter is. Nor does the State require anything other than a business license to conduct this kind of activity.

Last year the requirements and licenses for a transporter were repealed in the State of Alaska.

I am a Registered Guide in this State and have been for six years. I went through 5 years of residency, 3 years of field work, as an assistant guide, met all the other criteria established by the state and, finally passed an extremely difficult exam before I was privileged to hold a Registered Guide License.

At this moment, the Game Resources of Alaska face an extremely important decision regarding their existance in notable numbers.

The resource belongs to everyone but, <u>everyone</u> must try to manage it properly.

I currently have two "Restricted Guide Areas" in G.M.U's 23 & 26. I have to take limited numbers of hunters in order to maintain good, healthy game populations. To over harvest these areas myself would be to exemplify total disrespect for the game resource, not to mention putting myself out of the guiding business.

A person who operates a "Drop Off Type Commercial Hunting Operation", usually calls himself an outfitter. First off, he is <u>Free</u> to <u>Operate</u> wherever he wants, taking as many hunters as he chooses. Secondly, since the state doesn't clarify his business, it is extremely easy for him to step around the law and run "guided" hunts by unlicensed personnel. Often times this happens with such frequency that sheep, grizzly & brown bears start being harvested by non residents with their <u>unlicensed guides</u>. The problem gets more involved, since they've violated the law, they must sneak the hides, horns, etc., out of the state without being noticed. This can easily be done in their baggage. Meanwhile, the State of Alaska, Dept. of Fish and Game is being circumvented and their harvest reports are thrown out of kilter. This creates a bad situation which is snowballing and growing larger all the time. The state spends a lot of money and time doing aerial population surveys and after speaking with Dept. of Fish and Game personnel, I can see they are quite frustrated that their methods for harvest reports are being bypassed on a high volume basis and throwing their population estimates off. Not to mention a waste of hard work and money.

Alaska State Legislature
May 4, 1987

If the game resource is to survive in harvestable populations for the future, something must be done now! The problem will not cure itself. We must work together on this situation before it is too late.

House Bill 183 and Senate bill 191 might not be the perfect answer, however they can be rewritten and modified in 1988 if necessary. Unfortunately devasted game populations will not be changed in such a short time, it takes many years of management and conservation.

Thank you all for your time.

Sincerely,

Dave Leonard
Registered Guide

cc: Sam Cotten, Alasks State Legislature
Jan Faiks, Alaska State Legislature
C.E. Swackhammer, Alaska State Legislature
Adelheid Herrmann, Alaska State Legislature
Ben Grussendorf, Alaska State Legislature
Mike Navarre, Alaska State Legislature

Rep. Hermanson-
Joe Ketsh tells me you
are very supportive & will
help us get SB191 back on track.
been pretty well gutted in the Senate
Thank you - Pete Buist

APR 3 0 1987

Peter R. Buist
Box 1561
Fairbanks, Alaska 99707

I appreciate the entire Legislature's attention and concern to the resource depletion problems caused by our lack of a statutory definition of "outfitter" in this state. Hopefully, SB 191 in some form will have passed the Senate and be moving through the House by the time you receive this letter. It is rewarding to me to see the bill moving well and to see guides, sportsmen, natives and environmentalists all supporting the same piece of legislation. I think it bodes well for passage!

I have enclosed some information which may prove helpful in your continued support for the legislation. Included are some advertisements and brochures as well as some lists of the numbers and types of operations that we are talking about.

The Fish and Wildlife Troopers tell me that they now estimate that there are more "outfitters" than registered and master guides combined in Alaska! Their best guess is that 35-40% of these "outfitters" are not Alaska residents. My observations are the same, but I should add that many of the out-of-state operations are much larger and take proportionately more game. There are plenty of horror stories about the impact of these types on the meat supply for rural villages. There are some economic horror stories about the impact of registered guides trying to hunt in the limited areas assigned to them by the state while the "outfitters" clean out area after area. Suffice it to say, it is a terrific drain on a lot of wildlife populations.

There are at least four somewhat weak arguments that some "outfitters" are making to try to weaken this legislation.

1."The Legislature will put many small Alaskan businesses out of business and take away many people's livelihoods." There may be a few Alaskans for whom "outfitting" is their only income, but it's apparently a tiny fraction of the total number. If, for example, it takes a $50,000 a year gross to make your living at the commercial use of game, and further, a guide charges $5000 as an average hunt price and an "outfitter" charges $500, we then see that the "outfitter" needs to take 100 clients while the guide takes only 10. This translates to <u>10 times</u> the amount of pressure on the resource.

2. "There are a lot of small businesses, some not even involved in catering to hunters, that have the word 'outfitter' in their business name. They should not have to bear the cost of changing their names." I submit that the protection of our wildlife resources is more important in this case. If we <u>do not</u> limit the use of the term "outfitter" to licensed persons, we leave a huge loophole for the abuse of the resources and we defeat the purpose of the legislation. The term "outfitter" is used extensively across North America (except Alaska!) to mean a

person who contracts with hunters, fishermen or other outdoor users to provide transportation, shelter and groceries for outdoor expeditions. Every western state (except Alaska) and all western Canadian provinces now statutorily define "outfitter" and regulate them accordingly. The term is universally understood; it is misconstrued only in Alaska, predominantly by those wanting to circumvent the guide laws. You can correct that.

3. "The reason registered guides back the legislation is because they want more clients." Obviously I can't speak for all guides, but as a guide myself, I have all the business I need. The reason I support the legislation as a guide is that unregulated commercial use of wildlife in competition to my use in my assigned guide area may soon mean I won't be able to take any clients, much less the 5 to 10 I guide annually now. I can only hunt in the area assigned to me by the Guide Licensing and Control Board. Unlike an "outfitter" I can't just pick up and move when the game gets scarce. If I were to drop my guide license and become an "outfitter" I would be free to operate in any part of the state.

4. "Outfitters are being blamed unfairly for game violations." While not all "outfitters" are violators, apparently a great percentage of them are. There have been a myriad of arrests in the last year as the problem has grown. What is more important though is that many "outfitters" are causing resource depletion problems and it is currently legal! That's why we need the new legislation.

The Registered and Master Guides of Alaska are highly regulated and restricted as to where they may operate. They are assigned restricted guide areas by the Guide Board. They are required to apprentice at their trade and are ridgidly tested and examined before licensing. If they commit one game violation, they may have their license revoked by the Board. They are legally liable for any violations committed by their assistant guides and their clients. "Outfitters" are not even defined, much less regulated.

I hope that the legislature will be able to put an end to this inequity and the resultant drain on our important wildlife resources.

Sincerely,

Pete Buist

Pete Buist

Guides & Outfitters

lX

Letters of Opposition

Rcvd in Legislature 2/15/88

WHO WE ARE
AND
WHAT WE ARE DOING

The Alaska Outfitters Association, Inc. (AOA) was incorporated in the state of Alaska in November, 1987 by a group of concerned businessmen. This group started in 1986 with a handfull of informed individuals and is rapidly becoming a focal point for both residents and nonresidents of Alaska who are tired of being legislated and harassed out of their hunting rights and businesses by the Alaska Professional Hunters Association, of the Alaska guiding industry.

The AOA is composed of concerned citizens of Alaska and the lower 48 states, outfitters, transporters, registered and assistant Alaskan guides, booking agents and other tourist related concerns. This rapidly growing organization is dedicated to preserving the Alaska hunting rights of all U.S. citizens, to promoting the maximum sustained yield of Alaska's big game and to a well balanced and well regulated outfitting and guiding industry in Alaska. The AOA believes that a monopoly on big game hunting services by Alaska's registered guides will result in a totally corrupt and unconstitutional commercial use of this resource.

The AOA is committed to using any legally and financially available means to achieve the realization of a well licensed and regulated outfitter/transporter industry. This realization will give the state of Alaska automatic checks and balances within the commercial consumptive user groups of the big game resource with no cost to the state. This realization will also give every interested hunter in the United States the opportunity to decide for himself what type of Alaskan hunt is best for him, and will insure the annual flow of tourist dollars brought into Alaska by outfitter/transporters.

The AOA would like your support. If you have any questions about the AOA, contact the AOA at the address listed below or call (907) 376-0502.

Wayne Walters is the spokesperson and lobbiest for the Alaska Outfitters Association, Inc. and Nick Pierskalla is the president. These two individuals are the only two authorized to represent the AOA.

APPROVED BY ALASKA OUTFITTERS ASSOCIATION, STEERING COMM. 2/7/88

1) Outfitter/transporter board

a) State outfitter/transporter board composed of 3 or 5 total members, 2 nonvested members and 1 outfitter/transporter member, or 3 nonvested members and 2 outfitter/transporter members

2) New license classifications

a) outfitter/transporter

3) Outfitter/transporter licensing criteria

a) Alaska business license

b) three consecutive years of valid alaska hunting license

c) must be 19 years of age & a U.S. citizen

d) no game violations in the past three years, subject to board discretion.

e) does not have a guide license currently revoked or suspended for game violations, subject to board discretion.

f) must have first aid or CPR knowledge

g) pay licensing fee of $_____ for a resident and $_____ for a nonresident

h) comply with state & federal laws & outfitter/transporter code of ethics (code of ethics to be established by board)

4) outfitter/hunter contracts

a) all hunts must be contracted prior to the hunt

b) contracts or contract contents will be established by the board

c) contracts must be submitted to the state within 60 days of season completion

d) contracts must be submitted to receive license for next licensing period

5) all kills must be reported by the hunter on an expanded harvest ticket or other means established by the state

a) expanded harvest ticket must have space for name of public transporter, outfitter/transporter or guide

b) must be signed by outfitter/transporter

c) must be mailed in by hunter

d) must include space for game taken with archery equipment

6) outfitter/transporter license classifications

a) class #1 outfitter/transporter

b) class #2 outfitter/transporter

7) class #1 outfitter/transporter is

any person or corporation that had an Alaska business license for hunting or recreational or transportation or lodging services before 1988 and has invoices, or contracts, or other proof of providing outfitter/transporter services before 1988 will be grandfathered in as a class #1 outfitter/transporter and will be able to conduct class #1 outfitter/transporter services unless future resource management edicts otherwise.

8) a class #1 outfitter/transporter & his employees may personally supply and engage in the following services or activities for hunters for compensation

a) supply personal services for hunting not limited to providing saddle and pack animals, vehicles, airplanes, boats, snowmachines, dog teams, or any conveyance that is legal to hunt, capture or kill any game animal

b) pack trips for hunter transportation to or from temporary or permanent camps

c) river trips for hunters, using temporary or permanent camps

d) provide logistics planning, food or food services, lodging, camping equipment or any other related equipment, transportation, meat/trophy packing and care, and other duties for hunters from temporary or permanent camp locations

e) meat/trophy packing services for hunters may be supplied under the following conditions

1) the animal is tagged, harvest ticket notched and filled out before outfitter/transporter begins packing

f) all class #2 outfitter/transporter services & activities

g) any outfitter/transporter employee must have an ID card with a photo of himself, signed by the outfitter/transporter employer

9) class #2 outfitter/transporter is

any person or corporation that did not have an Alaska business license for hunting or recreational or transportation or lodging services before 1988

10) a class #2 outfitter/transporter or his employees may personally supply and engage in the following services for big game hunters for compensation

a) transportation to or from a legally established camp

b) lodging, food service and other camp duties

c) meat/trophy packing as prescribed for class #1 license

d) transportation of hunters meat/trophies from the camp to a public transportation service

e) same employee ID requirements as prescribed for class #1

11) misc. licensing information

a) licenses may be conveyed

b) a license may be revoked for a conviction of same day airborn or wanton waste or hunting during a closed hunting season or hunting in an area closed by federal regulation, subject to boards discretion.

c) the board will have the option to temporarily retire any revoked license for resource protection purposes only and to re-issue the license

12) definition of outfitter/transporter

a) a person who supplies or engages in planning hunts, or transportation to or from a hunting camp, or who packs meat or trophies, or who provides camps or lodging, or food and food services or camp duties, or other duties or any person or corperation that supplies equipment and transportation for hunters for compensation.

13) unlawful acts. it is unlawful for

a) an outfitter/transporter to assist or accompany a hunter for compensation while the hunter is in the process of stalking, pursuing, judging, attempting to kill or killing big game.

b) a paying client of an outfitter/transporter to stalk, pursue, judge, track, attempt to kill or kill big game in the presence of an outfitter/transporter

c) an outfitter/transporter to fail to timely report to the department of public safety, division of fish and wildlife protection, and in no event no later than 30 days, a violation of state game, or outfitter/transporter statute or regulation that the outfitter/transporter reasonably believes was committed by a client or an employee of the outfitter/transporter.

d) an outfitter/transporter, to commit or aid the commission of a violation of state game or outfitter/transporter statute or regulation or to permit the commission of a violation that the outfitter/transporter knows or reasonably believes is being or will be committed without attempting to prevent it, short of using force, and without reporting it

e) a person or a registered guide out of his guide area to engage in outfitter/transporter services without having a current valid outfitter/transporter license and a valid Alaska hunting license in actual possession

f) a person to advertise as or represent to be an outfitter/transporter without holding a current valid outfitter/transporter license

g) an outfitter/transporter to intentionally obstruct or hinder or attempt to obstruct or hinder lawful hunting engaged in by a person who is not a client of the outfitter/transporter

h) a person to conduct or engage in outfitter/transporter services without being validly licensed as an outfitter/transporter and a resident or nonresident hunter or while his outfitter/transporter or guide license is under suspension or after his license has been revoked

14) a person who violates 12a-12g is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than $1000 or by imprisonment for not more than one year, or by both and a person's license may be revoked for up to five years. a person who violates 12h is guilty of a felony and upon conviction is punishable by a fine of not more than $5000 or by imprisonment for no less than one year or more than three years. in addition to the felony charge all equipment and paraphernalia used while engaging in the unlawful act or acts may be forfeited to the state.

LEGISLATIVE INTENT:
Outfitter/transporter licensing system should be funded solely by outfitter/transporter license fees.

ALASKA OUTFITTERS ASSOCIATION, INC.
LEGISLATION PROPOSALS
November 15, 1987

1. An individual may not stalk, pursue, attempt to kill, or kill big game in the presence of an outfitter or his representative, while compensating the outfitter or his representative.

2. Definition of outfitter: A person who transports personnel and equipment to and from the hunt site, who packs meat or trophies, who provides permanent or temporary camps or lodging, food or food service and all camp duties.

(a). Must have a current Alaska business license and an Alaska outfitters license. A resident outfitters license will cost $250.00, a non-resident outfitters license will cost $1500.00.

(b). A resident must hold a valid Alaska hunting license, a non-resident must have 3 consecutive years of valid Alaska hunting license.

(c). Must be 19 years of age and a United States citizen, and must also abide by all State and Federal Laws and may not have a Fish and Game violation for a minimum of 3 years.

3. Definition of compensation: to pay any individual in any form of currency or barter an amount equal to one-half the cost, not the value, of the trip.

4. Definition of, in the presence of: In a vehicle, boat, on horse back, or involved in any form of transportation that is under the direct supervision of an outfitter or his representive, or within one-quarter mile of the afore mentioned transportation, or structure, permanent or temporary, supplied by an outfitter or his representative.

5. A guide may conduct guiding activities for grizzly, brown bear and dall sheep only in districts for which he is certified. A guide may conduct guiding activities for other than grizzly, brown bear and dall sheep, anywhere in the state of Alaska as long as he remains in compliance with all State and Federal statutes.

(a). An assistant guide no longer needs to be under the direct supervision of a registered guide. An assistant guide need only be employed by a registered guide and have in possession an employment contract signed by himself and the employer. The employer must also have a copy of this contract in his records.

6. Definition of guide: guide or guiding means assisting a hunter personally or through an assistant to judge the quality of big game animals and to stalk, pursue, attempt to kill or kill big game.

person employed by the State of Alaska Department of Fish ame, or the Department of Public Safety, may not at the same hold any type of big game guide or assistant guide license, r will he utilize State time or resources to spot, stalk, pursue, attempt to kill, or kill big game for himself or anyone else. Blatant conflicts of interest against one party or organization will be grounds for dismissal.

8. Definition of transporter: Conducting only the service of supplying transportation to and from the hunt area, no other service may be provided under this license (same resident and non-resident requirements as for outfitter licensing).

9. Guides, outfitters and transporters must contract with all guests or clients prior to the hunt. The contract must describe the services to be supplied (State will define content of contracts). Contracts will be turned into the State within 60 days of hunt completion, must be turned in to receive next years licenses.

10. First offense for guiding, outfitting or transporting without a license or contract in possession is to be a misdemeanor unless the license has been suspended or revoked for previous fish and game violations, in this case it will be treated as a second offense with a felony charge. For a felony conviction, only equipment used in the committing of the crime may be confiscated and the family vehicle is exempt from confiscation.

RECEIVED MAR - 1 1988

Feb. 22, 1987

To Whomever this may Concern:

I am writing to you so that I may express my opinion on the outlawing of outfitters of Alaska. I, for one, am very strongly against it. Many of the hunters I know, as well as myself, could never afford to hunt Alaskan Big Game if it weren't for the outfitters. They only charge one-third the cost of a hunt that the licensed guides do & they do the same thing, if not more, for the hunters than the guides do.

Eliminating the outfitters could mean that the Alaskan economy could somewhat suffer. I know of people whose husbands go to Alaska to hunt, & they go at the same time & tour Alaska while their husbands are hunting. Take notice of how many outfitters would be out of that extra income that they do readily depend on.

The Bill would not only affect the outfitters, it would also affect the non-resident people who want to hunt. These people can afford the outfitters fee. What they can't afford is the licensed guides fee. So doing away with the outfitters won't mean an increased business for the licensed guides because

most people cannot afford to pay out that much money.

As long as the non-resident people approve of the outfitters, why not just leave them alone? They aren't hurting anyone & they're certainly not a nuisance to the state of Alaska and it's probably because of them that Alaska's economy is growing & will keep on growing as long as the outfitters are allowed to stay.

Thank you for reading my letter of support to keep the outfitters.

Sincerely Yours,

Michael J. Park

M. Park
5120 TR 395
Glenmont, Ohio
44628

RECEIVED JAN 21 1988

January 16, 1988

Dear Ms. Herrmann,

I am writing you concerning House Bill 331. Most of the bill I have no objection to, however I'm extremely upset by Sec. 9 What this says, in a nutshell, is that a nonresident must have a guide to hunt most big game other than a caribou.

This definitly would be of benifit to guides, to many more people, however, I feel it would be both unfair and wrong. Presently, a guide is required by nonresidents to hunt grizzly/brown bears and Dall sheep, unless they are accompanied by resident relatives. Not unreasonable considering the potential danger of big bears or hunting sheep in the glaciers.

The safety factor is not a reasonable excuse for requiring a guide for the rest of these animals. If it were, residents should need guides too. The reasoning of course is money, and the only real benefactors, the guides. As it stands now, guides get a great share of nonresident hunters anyway, regardless of species. What they're shooting for is a monopoly.

People being hurt by this new law, other than the nonresidents themselves, are air taxi operators, innkeepers, nearly anyone else involved in the tourist trade, and the state itself. More restrictions mean a lot less visitors, and the hunters spend a lot of money in the state; including $260 to over $1000 in license fees. And hundreds if not thousands of residents are going to be very upset if their nonresident dad or brother won't ever be able to hunt with them again. I respect the guides and their profession, but please don't vote them a monopoly at everyone else's expense!! I think it would be wrong and politicaily unwise. The guides may have a loud voice, but they're not the majority.

Sincerely,

Bruce L. Nelson

3605 Arctic Blvd #2328

Anchorage, AK 99503

RECEIVED JAN 12 1988

January 4, 1988

Dear Adelheid Herrman

Re: "Outfitting" and Illegal Guiding in Alaska

The most recent reports from Alaska Dept. of Fish and Game show that unlicensed, unregulated and predominately out of state "outfitters" now outnumber Alaska's current Registered Guides. A long established, highly respected and economically important Alaskan profession is severerly endangered and more importantly so are Alaska's Big Game resources.

Alaskan registered guides are highly trained, licensed and regulated by the state. They must manage the game wisely in the small areas that they are assigned if they are to stay in business. They are legally responsible for the safety and conduct of both their clients and employees. They also pay the state a tax, often several thousand dollars yearly, for the animals they harvest.

In direct competition for the same resources are over 300 non-Alaska resident and over 100 resident "outfitters". The term "outfitter" is undefined in current regulations so they operate where they want with no responsibilities to game populations, their clients, workers or the state.

This past fall in my own small exclusive guide area outside of King Salmon I had at least four "outfitters" operating within my area. I witnessed the following violations by these same "outfitters".

1. 4 cases of wanton waste - taking only the horns of moose
2. 2 cases of same day airborne hunting
3. 2 cases of illegal tresspass in private cabins
4. 1 case of killing an illegal (too small) moose
5. 2 cases of leaving a trashy camp
6. 2 cases of shooting fur bearers out of season

As Alaska's Guide regulations require, I reported these cases to Fish and Wildlife protection.

Alaska's big game resources cannot support this type of pressure and Alaska's Registered Guides cannot continue to operate with unregulated competition. Protection is needed immediately and I urge you to pass some sort of regulation this year.

Sincerely,

Phil Shoemaker

Phil Shoemaker
Registered Guide
P O Box 876110
Wasilla, AK 99687

Outstanding Alaskan

12-30-87

RECEIVED JAN 12 1988

West Alaskan Outfitters, Inc.
P. O. Box 963
Soldotna, Alaska 99669-0463
(907)-262-7409

Dear Senators and Representatives:

We would like you to consider our letter and what message it delivers when you either vote or reconstruct House Bill 183 and Senate Bill 191, concerning Outfitters.

We have been an Outfitter for 3 years. Outfitting brings alot of money into the State of Alaska.

Enclosed with this letter is a breakdown of approximately how much money the hunters that we outfitted in 1987 spent in the State of Alaska. Also there is a breakdown on how we spent the fee money we received from our clients. We spent 95% of our fee money in the State of Alaska. We only bought a few aircraft repair parts outside of Alaska, because they had to be mail ordered.

We know that the Alaska Big Game Guides are strictly against outfitting and Outfitters, but we feel, the Big Game Guides will not be hurt by our services, since the law reads that all non-resident hunters need a Registered Guide for all sheep and brown-grizzly bear hunts, which is the most sought after trophy.

We feel if they cut the outfitting completely out, most non-residents that come to Alaska for a moose or caribou cannot afford the services of a guide. This year probably 95% of our hunters would never have came if they would have had to pay guiding fees.

Here are a few of our ideas that we think would work without hindering guides:

Since we started outfitting hunters we have found that most of the hunters want to have the services of a cook-packer in camp. I found this has worked out better because alot of hunters from outside don't realize how harsh the weather in Alaska can be.

We believe that the Guide and Outfitter can sit down and work out an agreement, and the Outfitter can be regulated by some of these means.

1. Quota on the number of hunters
2. Register the camps in the area
3. Liability insurance
4. Define the difference between Air taxi and an Outfitter
5. A person in camp as a cook and packer
6. Have an Alaska Outfitters license
7. Have contracts with hunters

These are just a few ideas for legislation proposals.

We strongly believe that regulated Outfitters, can work along with the Guides and not deplete the game population, but yet help bring alot of money into our hurting economy, providing jobs and income to alot of Alaska residents.

Yours truly,

William M. Slemp

Susan K. Slemp

West Alaskan Outfitters, Inc.
William M. Slemp, President
Susan K. Slemp, Secretary/Treas.

WEST ALASKAN OUTFITTERS, INC.

CLIENTS SPENT

South Central Air	$1584.00
Alaska State Fish and Game tags & Licenses	$8310.00
Restaurants	$1800.00
Motels-Anchorage and Soldotna	$ 420.00
Foto Quick	$ 300.00
Bars	$$$$$.$$
Sporting Goods Stores (approximately)	$ 300.00
Gifts to take home	$500.00 +

WEST ALASKAN OUTFITTERS, INC. SPENT

Supplies	$ 543.00
Car Insurance	$ 266.00
Advertising	$ 108.00
Airplane Gas	$2418.00
Aircraft Repair Expense	$1677.00
Auto Expense	$1992.00
Bank Charges	$ 3.00
Commissions	$1750.00
Freight and Postage Expense	$ 128.00
Groceries	$1049.00
Interest	$ 307.00
Lease and Rent Expense	$ 721.00
Misc. Fuels and Lubricants	$ 199.00
Misc. Expense	$ 128.00
Office Supplies	$ 5.00
Prof. and Legal	$ 241.00
Telephone Expense	$ 299.00
Chartered Air Service	$4190.00
Contract Wages	$1500.00
Various Equipment	$3103.00

These total to almost $34,000.00

RECEIVED FEB 16 1988

February 12, 1988

To Whom It May Concern:

Subject: House Bill 183, Senate Bill 191, & House Bill 331

I have lived, hunted, and owned a outfitting/transporting business in Alaska for many years. My lively hood is being threatened, by these proposed bills, because of guides who want to monopolize the hunting industry in Alaska.

If these bills become law it will not only ruin my lively hood it will also stop the cash flow that this industry brings to Alaska, because not many non-residents will be able to afford a guide.

Sincerely,

Pamela Lucy
POB 141646
Anch Ak 99514

House of Representatives
Standing Committee - Resources
Room 124 - Capitol

RECEIVED JAN 27 1988

Jan 16, 1988

I am an Alaskan Outfitter. It has come to my attention that there are groups pushing for legislation that would severely limit or end my economic livelihood. Outfitters are as important to the economic recovery and stability as the Guide are professionally.

Any legislation that would put me out of business would be a travesty. The State does not regulate outfitters and consequently any problems arising from this need to be looked at.

Guides and Outfitters are in competition but, although they both supply similar groups, Guides are over-booked. Guides have people waiting 4-6 years for a specific hunt. Outfitters supply camps and material to the fisherman, hunter and rafter/canoeman without this booking problem. Guides are concerned about their "security." But, Guides have Sheep and Brown Bear area exclusively. Now they

are lobbying for all game & fish exclusively. Outfitters dont guide. They transport and serve camps. The hunters, fishermen and other user groups have the right to a safe environment to hunt and fish under prsent regulations. Outfitters have been present in Alaska as a group as long as Guides and the business of Outfitting has a right to exist.

Many of us as outfitters live in the Bush our only livelihood that available is outfitting. We dont have access to the Jobs in the cities. We have a lifestyle that is unique to Alaska. To end our lifestyle with regulations impossible to live with would be a travesty. There are acceptable methods of regulation. Lets work to find them.

Sincerely,
Jimmy M. Hone

RE: Burning Daylight Outfitters
P.O. Box 530
Talkeetna, Alaska 99676

RECEIVED FEB - 2 1988

January 29, 1988

Don Shearing
#1 Singletree Lane
Rolling Hills Estates,
CA 90274

Senate House Resource Committee
P.O. Box V
Juneau, AK 99811

Dear Senate Resource Committee,

I am opposed to House Bill 331. I love to hunt in Alaska and I like to hunt game by myself and not have a guide hunt for "ME".

I prefer outfitters. They set up the hunt and make sure all goes well and are also half the cost of a guide making it affordable for people of lesser means to hunt Alaska safely.

Don't make Alaska a place where only the wealthy can afford to go. Outfitters fill a gap with affordable expertise.

I urge you to vote "no" on this bill.

Sincerely,

Don Shearing

RECEIVED FEB 22 1983

Mr. Herrmann,

This is in reference to House Bills # 163 - # 331 and Senate Bill # 191.

I refer hunters to outfitters in Alaska who offer good and reasonable Moose, Caribou and other game hunts. These bills will do away with the outfitters and a valuable Alaskan resource, the Non-Resident hunter.

Why should we refer hunters to Alaska Guides for $4,000.00 Moose hunts if British Columbia Guides offer the same for the same price and are alot closer. Outfitters of Alaska draw alot of non residents to Alaska that would otherwise not come. Please, I don't see why this is necessary!

and like hunting and fishing in your fine state. I hope your not going to tell me and hundreds of other non-residents not to come back to Alaska.

Thanks for your time.

David Plott

DANIEL R. COLE
RD 1 BOX 338 RESERVOIR RD
SAEGERTOWN, PA 16433

RECEIVED FEB 25 1988

[redacted]

RECEIVED FEB 23 1988

DAVID L. LAZER
MASTER GUIDE
AND OUTFITTER
Hunting — Fishing — Photography



LAZER'S GUIDE SERVICE
STAR ROUTE A, BOX 6877
PALMER, ALASKA 99645
907—745-4504

2-19-88

Dear Adelaid,

I have worked in the guiding business in Alaska since 1969. I have never had a violation. Approx ½ of my income is from guiding and ½ from outfitting.

The guide board and a handful of exclusive use, big money guides are trying to monopolize Alaska's big game hunting by house bills # 183, 331 and senate bill 191. They are trying to monopolize their special use areas so they can airplane hunt again, in privatecy.

The guide board is very much like the Teamsters during the pipeline era. Only a handful of people make decisions and laws. This effects 400 guides livelyhoods, yet we have no vote. If you aren't on the board or big money guide or in their clique they won't listen to you. Also, and this is very important, I don't dare speak out against them because sometime I may be before the board. So for that reason alone the board is a very effective dictatorship.

I went before the board in Dec. 87, when they came out of their close door meeting they were very against me, yet I don't know why, is this America? The guide board is very corrupt, yet myself and others cannot speak out for fear of reprisal.

Few people can afford 5-$10,000.00 guided hunts but may can afford 1-$2,000.00 unguided trips, I book hunts, I know! If these bills are past it will truly become a rich mans hunt. I think the Outfitter has a very real place in Alaska economy. I am glad to see the start of Alaska Outfitters Assoc.

America is a great nation because of free enterprise not monopolization. Please vote against these bills and clean house in the guide board or eliminate it! Thankyou, Sincerely D. L. Lazer

SEXTON

CHEVROLET • CADILLAC • SUBARU • JEEP • EAGLE

S. ROANE ST. P.O. BOX 729
HARRIMAN, TN 37748 (615) 882-0833
KNOXVILLE 546-2329 • OAK RIDGE - 482-7094

February 24, 1988

Mr. Adelheid Herrmann
Alaska State Legislature
P.O. Box V (MS3100)
Juneau, Alaska 99811

Dear Mr. Herrmann:

I am writing in reference to House Bill Nos. 183 and 331 and Senate Bill 191 that were recently introduced.

I have reviewed the language of the respective bills and would like to voice my opposition. I have hunted big game in Wyoming, Colorado and Alaska since 1971. I have hunted in Alaska on two occasions with an outfitter who exclusively handles archery hunters. On each occasion I spent approximately $4,000 in Alaska. I was accompanied by four non-resident hunter's who because of their experience did not want to utilize a guide. We hunted Caribou and Moose on both hunts. Our group pumped over $30,000 into Alaska's economy. We chose not to use a guide for many reasons.

We enjoy finding and selecting our game. There is a great deal of satisfaction in earning the game yourself. Our group is perfectly capable of dressing and transporting our game and, in fact, enjoy the challenge of a do it yourself environment.

I am a businessman operating three new car dealerships. My time is very limited and, therefore I have used outfitters to select hunting areas, provide lodging and meals, arrange transportation and generally familiarize our group with hunting areas in Alaska.

We love Alaska and the challenge it represents to our hunting skills. We have researched the cost of hunting with guides versus outfitters and have chosen outfitters to allow a greater frequency of visits to Alaska. We are planning another hunt in 1989 with an outfitter. However, we will not be going to Alaska if these bills force us, as non-residents, to use a guide.

Personally, I view these bills as an attempt by guides to monolopize an industry that is vital to Alaska's economy.

Our country was founded by various people who chose to live differently than their forefathers. This is a great country we live in but we don't need more restrictions of choice.

Thanking you in advance for your consideration.

Sincerely,

SEXTON CHEVROLET-CADILLAC, INC.

F. WILLIAM RODGERS, PRESIDENT
FWR:arn

March 9, 1988

Adelheid Herrmann
Alaska State Legislature
P.O. BOX V (MS3100)
Juneau, Alaska 99811

RECEIVED MAR 11 1988

I am very disturbed to hear about the impending legislation concerning the future hunting rights of non-residents of Alaska. Specifically House Bill No. 183 and 331, and Senate Bill No. 191. These Bills would effectively prevent most U.S. citizens from ever hunting in Alaska by requiring them to pay for guide services. They will also put every outfitter in the state out of business.

The effects of these Bills, if they should pass, will be devastating to the local economy of many Alaskan towns. This will be evident by the absence of hunting tourist'spending money for air charter service, motels, car rentals, meals in restraunts, tips, souvenirs, hunting and fishing licenses, game tags and other monies spent while there. If these hunters were to hire the assistance of an outfitter, you can increase the loss to the economy.

In our organization alone, the Treasure Valley Bowhunters, there are many of us who love to hunt Alaska on our own. We accept the challenge to research hunting areas, pilot references and local game biologist to find an area to hunt. Sometimes we prefer to use an outfitter. But if we had to hunt with a guide, we would never be able to afford the trip. It is much less expensive to book a guide in Canada where the success rate is much higher.

As an example of just how much money our club alone has added to the economy of Alaska I have a few figuires from this past year. Two persons went to the Alaskan Peninsula to hunt for moose and caribou. They hired an outfitter at a cost of $2800. apiece, not including round trip airfare, motel costs and licenses. Another member took three friends to Ketchikan to hunt for goats and each of them spent over $1600. Not one of these persons would pay for a guide to hunt. Their success was very good on their own.

The wildlife of all the states belongs to all Americans regardless of where they may reside. We have all paid our fair share of excise tax on our hunting and fishing gear to help pay for wildlife management. These funds are distributed equally to all states to support this endeaver. To allow the Alaska Professional Hunters Association to have a monopoly on this most valuable resource is an insult to the Pittman-Robertson Act. and the U.S. Fish and Wildlife service.

I ask that you review these Bills before the Alaskan legislature now and make reccomendations that will prevent this injustce to ever occur. Alaska is the last chance many of us will ever have to see America as it was. Please do not let it slip away from us.

I would welcome any and all correspondence you may wish to send to me.

Sincerely,

Treasure Valley Bowhunters
C/O SEC/TREAS Timothy J. Conrads
7427 Snohomish Way
Boise, Idaho 83709

JUDGE'S CHAMBERS

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

299 EAST BROWARD BOULEVARD

FORT LAUDERDALE, FLORIDA 33301

NORMAN C. ROETTGER, JR.

JUDGE

RECEIVED MAR 15 1988

Personal and Unofficial

March 8, 1988

Honorable Adelheid Herrmann
Alaska State Legislature
P. O. Box V (MS3100)
Juneau, Alaska 99811

Dear Senator Herrmann:

I have been to Alaska five times to visit/hunt and, obviously, am deeply impressed not only with Alaska but its citizens.

Some of my trips to Alaska have just been to visit friends, but two of them were to hunt, although they were several years ago. I can't afford to come on a guided hunt these days.

However, I would like to be able to come hunt moose or caribou, either by a drop camp or with an Alaska friend who has his own plane. I'm not sure what the legislation is about to require non-residents to have a professional guide, but I certainly hope it does not prevent a non-resident from either flying to Alaska and utilizing an outfitter who can set up the hunter in a drop camp, or hunting with an Alaska friend, or even driving the Alaska Highway from the lower 48 and hunting moose or black bear in the state forests or national forests.

However, if the legislation would curtail such non-resident hunting, I simply know that I shall come to Alaska less in the future than I had planned because I do plan to come back to hunt out of a drop camp for a caribou and I want to come back another time to hunt with a friend for a moose. And lastly, I've always wanted to drive the Highway and possibly hunt while on the trip.

I won't even comment on the suspect nature of the constitutionality, especially where national forests are concerned.

As for the safety aspect, I've taken a goat by myself, and a sheep without a guide, so if the professional hunters are putting up that kind of an argument, I think it doesn't hold water--especially as to moose, caribou, or black bear.

I hope I haven't rambled so long you've lost interest. Thanks for your attention.

Sincerely,

Norman C. Roettger, Jr.

NCR:wp

* DISTRIBUTE TO ALL MEMBERS OF SENATE AND HOUSE

RECEIVED FEB 17 1988

February 11, 1988

TO WHOM IT MAY CONCERN:

I understand that the guides of Alaska have proposed a new law that would outlaw outfitters and another law that would require guides for all non-residents hunting Alaskan big game. Presently there are three ways for non-residents to hunt in Alaska: guided, outfitted or on their own and flown in by an air taxi.

Guided hunts are fine for those prople that can afford to pay the high price required to hunt this way. Unfortunatly most hunters can not afford these prices, and I am one of them.

I hunted moose in Alaska through an outfitter in 1985 and came home with a trophy animal and very satisfied with my hunt. I needed an outfitter for these reasons. Outfitters commonly provide guidance, instructions, scheduling, locating game, equipment rentals such as camping equipment, or transportation (horse, tracked vehicles, boats, airplanes, etc.), drop camps, food and other services. They might transport hunters into and out of the hunting area but can not and do not accompany hunters during the hunt as required by a guide. Outfitters leave trophy judgement and the actual pursuit and killing of game up to the individual hunter.

The following list are reasons why I and Alaska should not want these new laws passed.

1. I am planning a trip to Alaska in 1990 to hunt and can not afford a guide.
2. I want the satisfaction of finding and selecting my own game. I want to feel that I earned my game.
3. I need the services of a outfitter without the price tag of a guide.
4. I prefer to have drop camps set up that I can use.
5. I love Alaska and could not enjoy it without outfitters.
6. Game populations do not need to be controlled by the guide board or by guides; they are controlled well through the Alaska Dept. of Fish and Game. Each should do what he gets paid for.
7. I contributed over $2,000.00 in 1985 to the Alaskan economy through an outfitter. If these laws pass I will not come to Alaska in 1990 to hunt as I have planned because I can not afford a guide and do not want one.

I wonder how many other hunters feel this way and what impact this will have on Alaska and its economy?

A CONCERNED SPORTSMAN,

Richard Reine

Richard Reine
621 Laurel St.
Reedsburg WI 53959

P.S. I would appreciate your reply.

February 11, 1988

RECEIVED

To whom it may concern:

I hear the Guides of Alaska have proposed 2 new laws. 1) Outlaw Outfitters 2) Requier Non-Resident to hire a Guide for big game.

I am writing this letter because it concerns the future of my hunting trips to Alaska. I have booked a moose float trip thru an outfitter, for 1989. This trip offers instructions, equipment rental such as camping gear, rafts, drop camps along with Air Taxi services. The outfitter has sent me a very very good outlined instructions on saftey, bear avoidance, dressing & boning of game and rules of the Alaska Fist & Game Dept.

My self and my hunting partner are each contributing $2,500.00, plus into ths Alaska econamy, thru an outfitter. If the law is passed to require a guide, I cann't afford this hunt in 1989.

I need the services of an outfitter without the price tag of a Guide because of the satisfaction one gets when finding, persuit and trophy judgement is left up to the individual hunter. I love the Alaska wildness and could not enjoy it without an Outfitter.

Also I don't think game population and management needs to be controlled by the Guide Board or By Guides. They are handled well thru the Alaska Dept. of Fish & Game each sould do what he is paid for.

I have talked to other hunter from Wisconsin who have dreams of Non-Guided Alaskan hunting trips. But the Laws in question will crush their dreams and deprive the Alaska economy from Non-Resident hunter's money

There is nothing wrong with Guides if one can afford them.

I read a lot of hunting magzines and to me it looks like most states need and want money to help with the Fish & Games Department. I hope Alaska will turn down BOTH LAWS, so ALL Non-Resident hunters may continue to hunt.

Thank You for your time !
Very Concerned
Thomas Schlough

Thomas Schlough
S1367 Heidrich RD
LaValle, Wi 53941
608-985-8160

P.S. would you distribute Letter To all members of Senate and House.
Thank you.

12-30-87

West Alaskan Outfitters, Inc.
P. O. Box 963
Soldotna, Alaska 99669

Dear Senators and Representatives:

We would like you to consider our letter and what message it delivers when you either vote or reconstruct House Bill 183 and Senate Bill 191, concerning Outfitters.

We have been an Outfitter for 3 years. Outfitting brings alot of money into the State of Alaska.

Enclosed with this letter is a breakdown of approximately how much money the hunters that we outfitted in 1987 spent in the State of Alaska. Also there is a breakdown on how we spent the fee money we received from our clients. We spent 95% of our fee money in the State of Alaska. We only bought a few aircraft repair parts outside of Alaska, because they had to be mail ordered.

We know that the Alaska Big Game Guides are strictly against outfitting and Outfitters, but we feel, the Big Game Guides will not be hurt by our services, since the law reads that all non-resident hunters need a Registered Guide for all sheep and brown-grizzly bear hunts, which is the most sought after trophy.

We feel if they cut the outfitting completely out, most non-residents that come to Alaska for a moose or caribou cannot afford the services of a guide. This year probably 95% of our hunters would never have came if they would have had to pay guiding fees.

Here are a few of our ideas that we think would work without hindering guides:

Since we started outfitting hunters we have found that most of the hunters want to have the services of a cook-packer in camp. I found this has worked out better because alot of hunters from outside don't realize how harsh the weather in Alaska can be.

We believe that the Guide and Outfitter can sit down and work out an agreement, and the Outfitter can be regulated by some of these means.

1. Quota on the number of hunters
2. Register the camps in the area
3. Liability insurance
4. Define the difference between Air taxi and an Outfitter
5. A person in camp as a cook and packer
6. Have an Alaska Outfitters license
7. Have contracts with hunters

These are just a few ideas for legislation proposals.

We strongly believe that regulated Outfitters, can work along with the Guides and not deplete the game population, but yet help bring alot of money into our hurting economy, providing jobs and income to alot of Alaska residents.

Yours truly,

William M Slemp

Susan K Slemp

West Alaskan Outfitters, Inc.
William M. Slemp, President
Susan K. Slemp, Secretary/Treas.

WEST ALASKAN OUTFITTERS, INC.

CLIENTS SPENT

South Central Air	$1584.00
Alaska State Fish and Game tags & Licenses	$8310.00
Restaurants	$1800.00
Motels-Anchorage and Soldotna	$ 420.00
Foto Quick	$ 300.00
Bars	$$$$$.$$
Sporting Goods Stores (approximately)	$ 300.00
Gifts to take home	$500.00 +

WEST ALASKAN OUTFITTERS, INC. SPENT

Supplies	$ 543.00
Car Insurance	$ 266.00
Advertising	$ 108.00
Airplane Gas	$2418.00
Aircraft Repair Expense	$1677.00
Auto Expense	$1992.00
Bank Charges	$ 3.00
Commissions	$1750.00
Freight and Postage Expense	$ 128.00
Groceries	$1049.00
Interest	$ 307.00
Lease and Rent Expense	$ 721.00
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Office Supplies	$ 5.00
Prof. and Legal	$ 241.00
Telephone Expense	$ 299.00
Chartered Air Service	$4190.00
Contract Wages	$1500.00
Various Equipment	$3103.00

These total to almost $34,000.00

House R

February 10, 1988

Representative C. E. Swackhammer
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Alaska 99811

Dear Representative Swackhammer,

I am writing in regards to pending legislation pertainir outfitters. I haven't been able to obtain copies of the lative bills but understand they are similar to last yea

As an outfitter I am very concerned. There is a definit control measures but, as written last year, the new regu have put me out of business.

Our game resource is not in jeopardy from local outfitte est danger seems to be from the non-resident who passes an Alaska guide.

The following is what I believe should be required of an

1. Should be licensed by the State.

2. Should carry at least $300,000 liability insura

3. Should see that his customers abide by all Alas laws. Especially those pertaining to wanton wa

4. Should be required to make harvest reports to t of Fish and Game.

5. Should be limited on the number of hunters he c the field at one time.

6. Should be a resident of Alaska. I realize ther a problem with this but would like to see it tr

7. Should have at least one person in camp to see above are complied with. This is where the gui but I believe it to be the only way an outfitte made responsible for the actions of his custome

Any legislation that would require non-residents to have all big game hunting, would not only cost the state a lo from licenses and tags, but the loss of all the money sp activities. There is no way the guides can handle all o residents and residents that would like to hunt in Alask

Thank you for your attention.

Sincerely,

Meryl Wolford

Meryl W. Wolford
Box 513
Homer, Alaska 99603



L&L OUTFITTERS

Jack Lechner

P.O. Box 1616
Kodiak, Alaska, 99615
(907) 486-5851



OCTOBER 12, 1987

REPRESENTATIVE CLIFF DAVIDSON
STATE OF ALASKA
HOUSE OF REPRESENTATIVES
KODIAK, ALASKA

DEAR CLIFF,

BEFORE MAKING ANY MORE COMMENTS IN REGARDS TO HOUSE BILL 183 AND SENATE BILL 191, I WOULD LIKE TO DESCRIBE THE SCOPE OF L & L OUTFITTERS BUSINESS OPERATION. L & L OUTFITTERS IS A FULLY CERTIFIED AIR CHARTER SERVICE (FAA OPERATING CERTIFICATE # AL-496) PREVIOUS TO THE DEREGULATION OF STATE AIR TAXI OPERATORS, L & L OUTFITTERS HELD A STATE OF ALASKA AIR COMMERCE CERTIFICATE AND A GUIDE LICENCING AND CONTROL BOARD TRANSPORTER LICENCE. THE BUSINESS OPERATES UNDER PART 135 FAA REQUIREMENTS AND HOLDS A VALID ALASKA AIR COMMERCE CERTIFICATE. OBVIOUSLY REMAINING IN FULL OPERATIONAL COMPLIANCE ENTAILS CONSIDERABLE EFFORT AND COST TO CONDUCT BUSINESS.

L & L OUTFITTERS BUSINESS WAS IN PART BASED ON PROVIDING A COMFORTABLE AND SAFE CAMPS FOR HUNTERS, FISHERMAN, PHOTOGRAPHERS AND SIGHTSEEING PARTIES, THAT CLIENTS COULD BE TRANSPORTED TO AND ALLOW THE SAFETY LEVEL FOR THEIR FIELD EXPERIENCE, THAT HAD LONG BEEN NEEDED FOR THE SOMETIMES SEVERE WEATHER CONDITIONS OF KODIAK ISLAND. IT WAS A SERVICE THAT WAS A DESIRABLE ALTERNATIVE TO DROPPING OF A PARTY ON A BEACH OR OTHER LOCATIONS WITH MINIMAL GEAR AS AN EXCLUSIVE AIR TAXI OPERATION. AS A RESIDENT OF KODIAK ISLAND FOR OVER 25 YEARS, IT WAS A SERVICE THAT I PERSONALLY WOULD LIKE TO HAVE BEEN ABLE TO OBTAIN. THE OPERATION OF THESE CAMPS OBVIOUSLY RESULTED IN AIR CHARTER BUSINESS THAT I COULD DEPEND UPON FROM YEAR TO YEAR. THESE CAMPS HAVE BASICALLY EXISTED IN THE SAME LOCATIONS, SINCE THEY ARE LOCATED ON MY OWN PRIVATE LAND THAT I PURCHASED, KODIAK BOROUGH LEASED PROPERTY, STATE LAND USE PERMITS AND THE ONE LOCATION PER OUTFITTER ALLOWED BY THE KODIAK REFUGE ON FEDERAL LANDS. ALL OF THIS HAS REQUIRED CONSIDERABLE INVESTMENT AND EFFORT. OBVIOUSLY I AM ALSO CONCERNED ABOUT THE FUTURE OF THE RESOURCES, QUALITY OF EXPERIENCE AND MAINTAINING THE HABITAT OF THESE AREAS.

ALONG WITH AVAILABLE AIR CHARTER ACTIVITIES THE FOLLOWING SERVICES HAVE BEEN A SIGNIFICANT PORTION OF MY TOTAL BUSINESS ACTIVITIES:

1. SPORT FISH GUIDING (I HOLD A SPORT FISH GUIDE PERMIT AND ASSIGNED AREA FOR THE KODIAK REFUGE)
2. PHOTOGRAPHY GUIDING (I HOLD A CURRENT PHOTOGRAPHY GUIDE PERMIT FOR THE KODIAK REFUGE)
3. GENERAL SIGHSEEING GUIDING (IN CONJUNCTION WITH AIR CHARTER THIS HAS BEEN AN INCREASING SOURCE OF REVENUE)
4. SMALL GAME GUIDING (LIMITED, BUT HAS POTENTIAL FUTURE PROSPECTS)

UPON THE INITIAL DEVELOPMENT OF THIS BUSINESS, THE TERM OF OUTFITTING SEEMED TO BE A LOGICAL BUSINESS NAME AND AT THE TIME WAS LIMITLY AVAILABLE IN KODIAK. APPARENTLY THE TERM IS INTERPETED DIFFERENTLY BY MANY PEOPLE, AT LEAST RECENTLY. WEBSTERS DICTIONARY SIMPLY SAYS ONE WHO OUTFITS, WHICH WOULD SEEM TO APPLY TO WHAT IS CONSIDERED OUTFITTING IN MY TERMS, BY PROVIDING A CAMP FACILITY AND NECESSARY FIELD EQUIPMENT IN A FIELD LOCATION FOR RENTAL TO CLIENTS.

THE ESTABLISHING OF DEFINITIONS OF TERMS BY THE STATE OF ALASKA IS ESSENTIAL BEFORE YOU CAN DEVELOP RULES AND REGULATIONS IN RESPECT TO GUIDING AND OUTFITTING. YOU FURTHER HAVE TO DEFINE THE VARIOUS TYPES OF GUIDING AND OUTFITTING:

1. BIG GAME GUIDING
2. SMALL GAME GUIDING
3. PHOTOGRAPHY GUIDING
4. SPORT FISH GUIDING
5. GENERAL SIGHSEEING GUIDING

1. OUTFITTING BY TEMPORARY CAMP ON PUBLIC LANDS
2. OUTFITTING BY PRIVATE CABIN OR FACILITY
3. OUTFITTING BY VESSEL
4. OUTFITTING BY SUPPLYING THE CAMP EQUIPMENT.
5. OUTFITTING BY AN AIR TAXI OPERATOR SUPPLYING THE CAMP EQUIPMENT OR CLIENT SUPPLYING EQUIPMENT AND BEING TRANSPORTED TO THE-LOCATION.

FROM WHAT I HAVE READ AND FROM WHAT I HAVE HEARD RECENTLY BY THE NEWS MEDIA, I HAVE CAME TO THE CONCLUSION THAT VERY FEW PEOPLE REALLY UNDERSTAND THE TOTAL ISSUE. THE RESOURCE UTILIZATION IN KODIAK HAS GROWN BY LEAPS AND BOUNDS AND IF YOU HAVE LIVED HERE FOR VERY LONG, IT WAS OBIOUS TO THE DIRECTION IT WAS PROCEEDING. CURRENTLY DEER HUNTING CONTINUES TO BE THE MAJOR ATTRACTION, BUT MANY OF THE OTHER RESOURCE USES IS ON A STEADY INCREASE. LIBERAL BAG LIMITS FOR DEER BY THE DEPARTMENT OF FISH AND GAME TO FULLY UTILIZE THE AVAILABLE HARVESTABLE POPULATION AND THE STATUTES OF ALASKA THAT DOES NOT ALLOW QUALITY HUNTING AREAS TO BE ESTABLISHED HAS ENCOURAGED THE INFLUX OF RESIDENT USE OF KODIAK ISLAND. IT SEEMS CONFUSING TO ME FOR THE LEGISLATURE TO BE CONSIDERING QUALITY ON ONE HAND, BUT HAS A COMPLETE DIFFERENT POLICY ON THE OTHER. BOTH BIG GAME GUIDES AND OUTFITTERS FACE THE SAME PROBLEM OF INTENCE USE BY THE PUBLIC OF OUR RESOURCES. THE RESIDENTS OF ALASKA CERTAINLY HAVE THE RIGHT TO PARTICIPATE IN THE UTILIZATION AND HAVE TAKEN THE ADVANTAGE OF SEEKING AN AFFORDABLE MEANS TO MEANS TO ENJOY THE REASONS THEY LIVE IN THIS WONDERFUL STATE. AS A COMMERCIAL OUTFITTER OR GUIDE WE FACE THE SAME PROBLEM, THAT THE QUALITY OF EXPERIENCE WE WOULD LIKE TO OFFER IS NOT GOING TO BE AVAILABLE, SINCE ITS A SHARED RESOURCE WITH THE GENERAL PUBLIC, NOT SET ASIDE FOR SELECTED EXCLUSIVE USE.

I CAN ONLY SPEAK FOR THIS AREA, BUT IM SURE IT APPLIES TO OTHER AREAS. THE STATE OF ALASKA HAS CREATED SITUATIONS THAT HAS LIBERALIZED RAPID EXPANSION OF COMMERCIAL UTILIZATION OF OUR FISH AND GAME RESOURCES. THE DEREGULATION OF AIR COMMERCE IN THE STATE OF ALASKA, BY ABOLISHING THE OF THE ALASKA TRANSPORTATION COMMISSION HAS HAD FAR REACHING EFFECTS. THE RAPID INCREASE IN COMMERCIAL OPERATORS AND OPERATORS OUTSIDE OF THE FAA COMMERCIAL OPERATING CERTIFICATE REQUIREMENTS HAS PLACED AN UNBELIEVABLE NEW ENTRY OF COMMERCIAL UTILIZATION OF OUR NATURAL RESOURCES. IN ORDER TO COMPETE IN THE NEW INDUSTRY STANTARDS, THE OPERATORS MUST FIND ALTERNATE MEANS TO SURVIVE IN A FAILING INDUSTRY. THEY NOT ONLY HAVE TO COMPETE AGAINST THE INCREASED VOLUME OF AIR TAXI OPERATORS, BUT ALSO AGAINST THE NON REGULATED SEGMENT OF THE AIR INDUSTRY THAT FALLS OUTSIDE OF FAA OPERATING CERTIFICATES. AT LEAST IN KODIAK THE OPERATORS AND NON REGULATED OPERATORS HAVE MOVED INTO THE AREA OF TRANSPORTING HUNTERS AND FISHERMEN AS A MAJOR PORTION OF THEIR OPERATION. YOU HAVE TO REMEMBER THE LAWS THAT YOU HAD, WHICH ONLY ALLOWED AIR COMMERCE CERTIFICATE HOLDERS AND GUIDES TO TRANSPORT GAME ANIMALS, THE TWO GROUPS WERE MARRIED TOGETHER BY PAST STATUTES. DUE TO THE PRESENT ECONOMIC CONDITIONS THE AIR TAXI OPERATIONS DEPEND HEAVILY UPON THE RESOURCE UTILIZTION INDUSTRY IN ORDER TO STAY IN BUSINESS. ALL AIR TAXI OPERATORS IN KODIAK ARE INVOLVED IN PROVIDING HUNTING CAMPS AND TRANSPORTING. THEY NOT ONLY PROVIDE THE CAMPS, BUT IN AFFECT GUIDE THE HUNTERS AND FISHERMEN (SPORT) BY LOCATION OF GAME, RECOMMENDING HUNTING LOCATIONS, SPOTTING OF GAME, RENTING OF CAMP EQUIPMENT, AND IN SOME CASES PROVIDING A BOOKING SERVICE FOR CABINS, FLOATING CABINS, VESSELS AND ARRANGING TRANSPORTATION TO CLIENTS WITH PERSONAL CAMP GEAR TO PRIME HUNTING AREAS THAT THEY HAVE INVESTED NON REVENUE FLIGHT TIME TO LOCATE HUNTING AND FISHING LOCATIONS. WHEN ALL THIS FAILS THEY ARE WILLING TO ROTATE HUNTERS INTO HEAVY USE AREAS IN VOLUME TO SAVE THEIR ECONOMIC SITUATION FROM FAILING.

THERE IS NO ISSUE THAT CAN BE ADEQUATELY SOLVED OR HELPED TO BE IMPROVED BY ONLY LOOKING AT A SEGMENT OF THE PROBLEM. WHAT I HAVE SEEN AND THE COMMENTS THAT I HAVE READ IN RESPECT TO THESE BILL, IS AT BEST A BAND-AID TO A MAJOR PROBLEM OF QUALITY UTILIZATION OF THE STATE OF ALASKA WILDLIFE RESOURCES, WITH THE CONFLICTING LEGISLATIVE STATUTES THAT THE LEGISLATURE HAS PASSED OR ALLOWED TO BE NON REGULATED.

I HAVE MAXIMIZED THE COMPLIANCE OF MY BUSINESS SINCE THE INTIAL START AND HAVE RESPECTED THE AREAS THAT GUIDES (BIG GAME) HAVE EXCLUSIVE RIGHTS TO COMMERCIALLY OPERATE. I OPERATE WITH PROBABLY A HIGHER OVERHEAD COST TO MEET THESE COMPLIANCES THAN ANY BIG GAME GUIDE HAS TO CONFRONT. I TAKE GREAT SATISFACTION THAT I OPERATE IN THIS MANNER AND VERY DISTURBED THAT A BUSINESS NAME THAT I HAPPENED TO PICK WHEN I STARTED THIS BUSINESS WAS GOOD SOUNDING WORD THAT YOU FOUND IN WEBSTERS DICTIONARY.

THE LEGITMATE OUTFITTERS AND THE BIG GAME GUIDES FACE THE SAME RESOURCE QUALITY PROBLEMS AND ARE BEING PITTED AGAINST EACH OTHER FOR SOMETHING THAT EACH HAD NO CONTROL. I CAN ONLY HOPE THAT THE LEGISLATURE ADDRESS THE ENTIRE PROBLEM AND WILL NOT REACT IN A KNEE JERK MANNER. TAKE THE TIME TO EVALUATE WAS IS IN THE BEST INTEREST OF ALASKA, NOT JUST TO A HIGHLY ORGANIZED LOBBY GROUP, NO MATTER WHO THEY MAY BE.

THIS IS AN ECONOMIC ISSUE FOR ALL CONCERNED AND YOU SHOULDN'T LET MOTHERHOOD STATEMENTS HIDE THE REAL ISSUE. BIG GAME GUIDES CHARGE HIGH FEES AND ITS A REAL ECONOMIC ISSUE TO THE LONG TERM RESIDENTS OF THIS STATE THAT HAVE FOUND ALTERNATE MEANS TO PARTICIPATE IN RESOURCE UTILIZATION.

I CAN ONLY TRY TO FULLY EXPLAIN THE BUSINESS THAT I OPERATE AND HOW IT OPERATES. I INVESTEL MY MONEY INTO THIS IN GOOD FAITH THAT AND WOULD HOPE TO HAVE MY INVESTMENT PROTECTED ON A FAIR BASIS. I CAN UNDERSTAND THE FEELINGS OF THE GUIDE INDUSTRY, I CAN UNDERSTAND THE POSITION OF THE AIR TAXI OPERATOR, BUT ALSO UNDERSTAND THE DESIRE OF THE ALASKA RESIDENT TO BE ABLE TO SEEK A SERVICE FOR A HIGHER QUALITY RESOURCE EXPERIENCE AT A PRICE THAT IS AFFORDABLE . THE COMPLIANCE WITH THE LAW IN RESPECT TO ALL COMMERCIAL PARTICIPANTS IS AN ISSUE AND ALL PHASES OF THE INDUSTRY HAS HAD ITS PROBLEMS. THE PAST HISTORY OF THE GUIDE INDUSTRY HAS A ROUGH HISTORY AND I AM SURE THE SAME PEOPLE WILL EXIST IN THE OUTFITTING, WHEN IT COMES TO A HIGH VALUE OPERATION WERE LARGE FEES ARE INVOLED IN PRODUCING RESULTS.

SINCERELY,

Jack

JACK LECHNER

I SHOULD PROBABLY REVIEW THE CLIENTS THAT I PROVIDE SERVICE TO IN RESPECT TO OUTFITTING. THESE PEOPLE ARE ALMOST EXCLUSIVELY RESIDENTS OF ALASKA AND PRIMARILY FROM HOMER AND KENAI (APPROXIMATELY 70%). THE REST ARE FROM PRIMARILY KODIAK AND ANCHORAGE. DURING 1986 I PROVIDED A HUNTING CAMP FOR 99 HUNTERS, OF WHICH 98 WERE RESIDENTS OF THE STATE AND A HIGH MAJORITY HAVE BEEN HUNTING AT KODIAK FOR MANY YEARS. THEIR MAIN CONCERN WAS TO BE ABLE TO HUNT FROM A CAMP FACILITY THAT PROVIDES GREATER PROTECTION FROM ADVERSE WEATHER AT A COST THATS AND ALTERNATIVE TO INCREASED AIRCRAFT CHARTERS TO MOVE ADEQUATE CAMP GEAR TO A FIELD LOCATION.



L&L OUTFITTERS



Jack Lechner

P.O. Box 1616
Kodiak, Alaska, 99615
(907) 486-5851

* FAA COMMERCIAL OPERATING CERTIFICATE # ANC AL-496
* ALASKA AIR CARRIERS CERTIFICATE

GENERAL SERVICE

L & L OUTFITTERS AND SPECIALIZED AIR SERVICE, PROVIDES A SERVICE FOR SINGLE PASSENGER AIRCRAFT CHARTER FOR RESOURCE SURVEYS, AERIAL PHOTOGRAPHY, ONE PERSON GUIDED SPORT FISHING, PHOTOGRAPHY AND SIGHTSEEING TRIPS, WITH REMOTE CAMP LOCATIONS IN MORE DIFFICULT TO ACCESS AREAS.

AIR CHARTER

AIRCRAFT AVAILABLE: L & L OUTFITTERS HAS AVAILABLE A PIPER PA-18 "150" SUPERCUB ON FLOATS FROM APRIL 1 UNTIL APPROXIMATELY NOVEMBER 1. THE REMAINDER OF THE SEASON THE SUPERCUB WILL BE AVAILABLE ON OVERSIZED TIRES. THE SUPERCUB IS A SINGLE PASSENGER AIRCRAFT, WITH PREFORMANCE CAPABILITIES TO GAIN ACCESS TO THE MORE DIFFICULT LOCATIONS. THE SUPERCUB CHARTER RATE IS $100.00 PER FLIGHT HOUR.

DAY RATES: PILOT GUIDED DAY TRIPS ARE AVAILABLE FOR SINGLE PASSENGER CLIENTS, FOR SIGHTSEEING, PHOTOGRAPHY AND FISHING AT THE RATE OF $500.00 PER DAY, WHICH INCLUDES FOUR HOURS OF FLIGHT TIME AND $250.00 PER HALF DAY, INCLUDING TWO HOURS OF FLIGHT TIME.

SPECIALIZED AIR SERVICE

* AERIAL RESOURCE SURVEYS: THE PIPER PA-18 SUPERCUB PROVIDES AN EXCELLENT AIRCRAFT FOR THIS TYPE OF AIRCRAFT CHARTER.

* AERIAL PHOTOGRAPHY: THE SUPERCUB PROVIDES AN IDEAL AIRCRAFT FOR TAKING ONE PERSON CLIENTS INTO AREAS FOR AERIAL GAME PHOTOGRAPHY, COMBINED WITH STOPS AT DIFFICULT TO ACCESS POINTS FOR SCENIC AND WILDLIFE PHOTOGRAPHY, AS WELL AS GENERAL SIGHTSEEING, WITH A KNOWLEDGABLE PILOT/GUIDE OF KODIAK ISLANDS RESOURCES, HABITAT AND GEOGRAPHIC CONDITIONS.

* DAY TRIPS: L & L OUTFITTERS PROVIDES A SPECIAL SERVICE FOR THE SINGLE PERSON CLIENT, PROVIDING THE SINGLE PERSON AN OPPORTUNITY TO FISH IN PRIME REMOTE AREAS, COMBINED WITH THE OPPORTUNITY FOR WILDLIFE PHOTOGRAPHY AND GENERAL SIGHTSEEING.

REMOTE CAMPS

(HUNTING, FISHING, PHOTOGRPAHY, AND SIGHTSEEING)

L & L OUTFITTERS REMOTE CAMPS ARE METAL DOME BUILDINGS. THIS TYPE OF BUILDING PROVIDES AN EXCELLENT SHELTER FOR A PORTABLE TYPE CAMP AND IS WELL SUITED FOR THE SOMETIMES WINDY AND RAINY CONDITIONS OF KODIAK ISLAND.

THE 165 SQUARE FOOT METAL SHELTERS HAVE A WOOD FLOOR AND ARE EQUIPED WITH TABLE, CHAIRS, AMPLE COOK GEAR, PROPANE CAMP STOVE, WOOD STOVE, COLEMAN LANTERN AND OTHER NECESSARY CAMP GEAR. THE CLIENTS NEED TO BRING THEIR OWN SLEEPING BAG, NECESSARY FOOD AND RECREATIONAL EQUIPMENT.

THIS SERVICE PROVIDES A MORE INDEPENTENT APPROACH TO A KODIAK ISLAND EXPERIENCE FOR SIGHTWEEING, FISHING, HUNTING AND PHOTOGPAHY AT A REASONABLE COST.

FROM AUGUST THROUGH DECEMBER, L&L OUTFITTERS WILL HAVE AVAILABLE FOR DEER HUNTING, AT LEAST FOUR CAMPS AT VARIOUS LOCATIONS. TWO PERSON PARTIES AND PAST CLIENTS ARE GIVEN PREFERENCE FOR SCEDULING, IN ORDER TO MAINTAIN THE HIGHEST POSSIBLE HUNTING QUALITY THROUGHOUT THE SEASON. THESE CAMPS ARE LOCATED IN AS REMOTE LOCATIONS POSSIBLE, THE RAPIDLY INCREASING HUNTING CONCENTRATIONS.

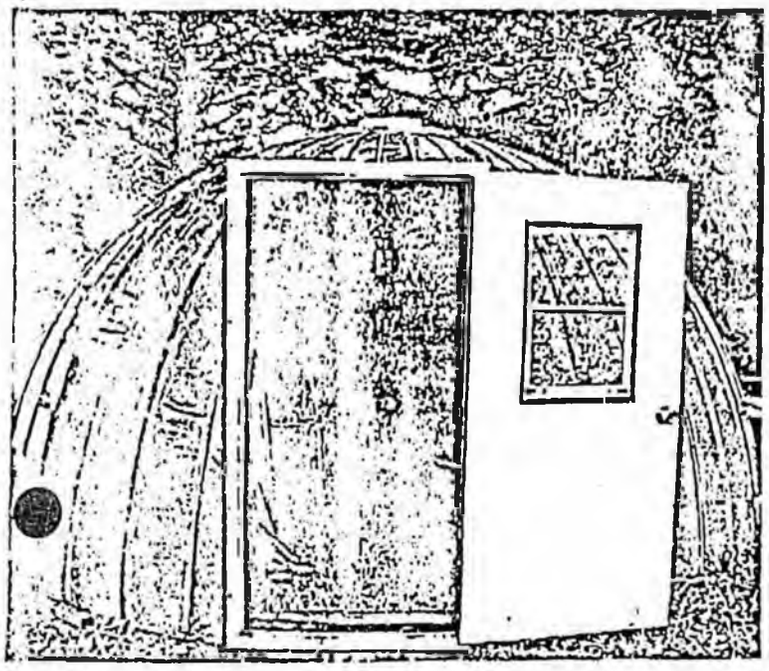
CAMP RATES

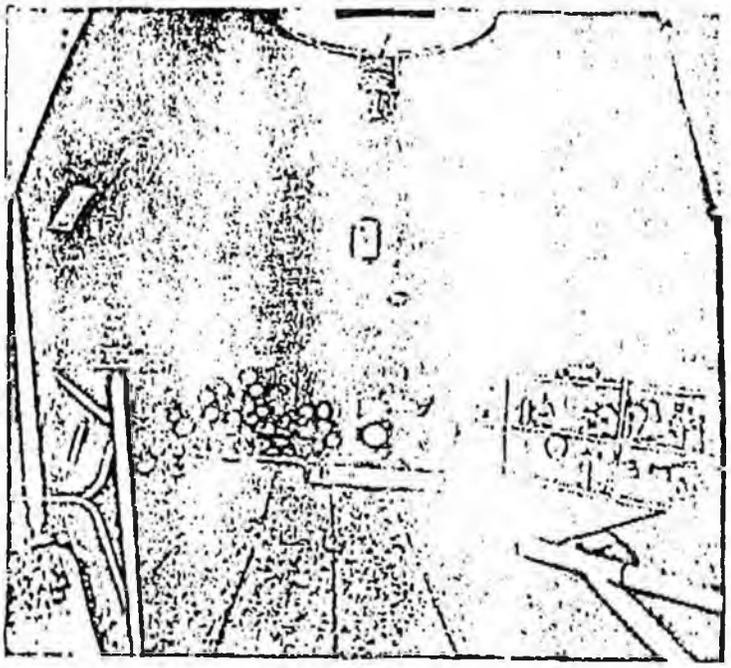
JUNE 1 THROUGH SEPTEMBER 14: $50.00 CAMP FEE FOR EACH USE PERIOD.

SEPT. 15 THROUGH DECEMBER 31: $50.00 PER DAY CHARGE FOR PARTY.

TRANSPORTATION COSTS

TRANSPORTATION TO CAMPS DEPEND UPON LOCATION OF CAMP. GENERALLY THE CAMPS ARE LOCATED IN DIFFICULT ACCESS AREAS, REQUIRING COMPANY AIRCRAFT FOR ACCESS, OR PERIODS OF THE YEAR THAT MORE SPECIALIZED EQUIPMENT IS REQUIRED TO INSURE SERVICE. SINCE THE CAMPS SUPPLEMENT L&L AIR CHARTER, COMPANY AIRCRAFT IS UTILIZED TO THE GREATEST EXTENT POSSIBLE. TRANSPORTATION COSTS FOR A PARTY OF TWO WILL BE APPROXIMATELY $300.00 TO $400.00. HUNTERS THAT HAVE HIGH SUCCESS, MAY REQUIRE AN ADDITIONAL FREIGHT TRIP.





October 5, 1987

Representative Adelheid Hermann
Co-chair House Resources
Box 63
Naknek, Alaska 99633

Dear Representative:

In your consideration of HB 183 and the senate companion bill SB 191; I would like to you to review my concerns. I have lived in this state for 19 years, and worked my way through college as an assistant hunting guide for Dennis and Chris Branham at Hayes River Lodge. I am also a private pilot. I do not guide actively anymore, and only hunt for my personal use (sport, trophy, and meat). I sometimes fly in with family and friends, and sometimes use air charters. I refuse to hunt near other camps and I refuse to be harassed out of an area. I have no problem with working a little extra to bring all of the meat or to end a hunt without an animal if I only want a trophy. I support fair chase hunting as opposed to "guaranteed hunts" provided to many non-residents willing to pay any amount to unscrupulous guides.

1. My solution to solve the dispute between air charters, outfitters, and guides is to set up a niche for each group. I propose that all non-residents be required to have a guide at all times for any trophy animal (currently limited to only grizzlies and dall sheep). This will allow guides a future in this state. Air charters and outfitters would be able to handle local hunters only. A guide could not be an outfitter or air charter when also guiding since this is would be a conflict of interest and a disservice to local residents unwilling to pay for a guided hunt. Then outfitters and air charters would be limited to specific areas just like guides. This will separate locals from non-residents. It may reduce hunting conflicts in heavily hunted areas. Of course, private citizens not paying either a guide, air charter, or outfitter could go anywhere in the state.

The sections defining what a outfitter can and cannot do are appropriate. There are true outfitters who arrange for travel, equipment, etc. without guiding. Their legitimate business should not be prohibited.

2. Section number five of the bill should be strengthened to prohibit any interference by a guide towards any other residents of this state. The penalty for this act should be a one year suspension of the guide's license for the first offense. It should be easier to prove these offenses occur since many times the act is in the bush without other third party witnesses or any evidence besides a hunter's testimony.

I have personally been involved in hunts where guides have obstructed or interfered with my hunt even though I was not near their camps but only in their "exclusive hunting area". If a resident owns a plane, he or she should be able to land on public property without harassment from guides. Local hunters work, live, pay taxes in this state; and they deserve better use of publicly controlled lands. Local residents in urban areas have already been limited in use of public resources legislatively in the allocation of fish and game to commercial and subsistence interests.

3. If a master guide no longer receives any different status than a registered guide, why should the state maintain a distinction? A Class A assistant guide is no different than an assistant guide and this distinction could be eliminated for all practical purposes. I feel that all assistant guides should go through an apprenticeship as a packer for one year and pass a test to verify their skills in first aid, skinning, care of meat, orientating, etc. rather than merely have two recommendations from guides who already have a shortage of qualified assistant guides.

Sincerely,

Bob Doyle
1900 Porcupine Trail
Wasilla Alaska 99687

CC: District 16 Representatives
District E Senators

Official Business

Alaska State Legislature

House of Representatives

REPRESENTATIVE
RAMONA L. BARNES
DISTRICT 14

ANCHORAGE
2230 PAXSON
ANCHORAGE, ALASKA 99504
(907) 337-7904

BOX V
JUNEAU, ALASKA 99811
(907) 465-3438

M E M O R A N D U M

TO: Representative Adelheid Hermann

FROM: Representative Ramona L. Barnes

DATE: October 14, 1987

SUBJECT: Outfitters

Attached is a copy of a letter from a constituent who is concerned about the possible changes in laws governing outfitters and guides. The letter is self-explanatory, and I believe it makes some valid points.

The constituent has requested that the letter be entered as part of the record and considered as testimony in the hearing being conducted. A personal appearance may not be possible for the constituent today.

Thank you for your attention.

579

Representative Ramona Barnes

Thank you for keeping me apprised of HB 183 and SB 191. As you know I have a corporation, SKS Outfitters, Inc., which has been in existence since 1973. It would seem, if the pending legislation is passed, that I will have to, at a minimum, change my business name.

We have been primarily a fishing lodge operation and licensed air taxi with some limited hunting. We first hunted in the days when you could fly and shoot the same day -- how times have changed. Even back then we were careful not to over-use any area s it made good sense not to take all the fish or game from around our lodges. In retrospect I almost wish I had been greedier because some did it anyway and I would have made more money. We viewed with alarm ever increasing activity around us and over harvesting did occur. Hunting guides have used this as a reason to gain for themselves (bit by bit) limited entry into a resource that, I believe, belongs to all of us.

First, they gained exclusive rights to guide Brown bear and Sheep hunters. These species were, claimed the guides, dangerous to hunt in the case of bear, and resided in a dangerous place for the sheep. The first piece of the pie was theirs. Then they asked for, and got, exclusive areas. Rationale: guides would be good shepherds in their own areas and, therefore, Alaska would have good game management. Slice number two was a large slice! Next came the alien hunter law. Now longer would aliens be allowed to hunt any specie without the services of a registered guide. We fought this one in the courts but lost. The third piece was safely on their plates. Now guides are asking for all hunters, Alaskan, American, all hunters who need any assistance. The pie is nearly gone and big game guides have swallowed it all.

I do not dispute claims of explotation. I know there are many unscrupulous operators who rape and run. When we started in 1973 we were the only lodge on Lake Creek. Now the operations are "TNC" too numerous to count. Some of them are typical fly-by-night but others are legitimate business persons trying to make a living in a very competitive world. While I deplore each new operation I defend their right to operate. I do not believe anyone should have special privileges becasue they were thier first or that free enterprise should be limited.

We have recently sold our large lodge and air taxi service and retain a small lodge in a more remote area. However, because of changes in the hunting laws (we were exclusively outfitting for alien hunters) our business is so severely

restricted we can no longer make a profit. We did not operate Martana this season and conducted limited fishing "outfitting" at our several out camps.

I urge you to speak out against HB 183 and SB 191 as it is presently drafted. 1) there is nothing wrong with the word Outfitters as we use the term. 2) legitimate lodges are going to be allowed to house and feed hunters but cannot offer any equipment for "spike camps", etc. No hunter is going to travel thousands of miles, bring all his equipment with him and then spend part of his time in a lodge.

If this legislation is to pass I request you work for a clause to 'grandfather' our rights to continue operations. I further ask that you explore the possibility of granting long-time operators who have hundreds of thousands of dollars invested, an exclusive area right near their permanent structures. Give us the right to hire a registered guide to conduct our hunts. As the law now reads we cannot hire a guide to work with us for hunting. The unit where Martana is located has three guides. Two of them take two or three hunters per season and to my knowledge the third guide has never guided there. None of them will co-operate with us because they can make more money doing it themselves. After all, isn't that the reason they got the exclusive areas? I know there are guides (those without exclusive areas) who would co-operate with us if the law allowed us an exclusive area right. In the past we worked with registered guides for alien bear hunters but with the advent of exclusive areas big game guides had "exclusive" rights and co-operation ceased.

Ramona, you have heard my sad tales all to often as I am slowly being squeezed out of the tourist business in which I have invested several hundred thousand dollars. I ask once again --HELP!!!

Sincerely,

Toni

Toni Salmeier
SKS Outfitters, Inc.

STAFFORD M. SMITH
P.O. BOX 14561
BATON ROUGE, LA 70898
504-928-0240

RECEIVED FEB 19 1988

Honorable Adelheid Herrmann
Alaska State Legislature
P. O. Box V (3100)
Juneau, Alaska 99811

February 16, 1988

Dear Mr. Herrmann,

I am strongly opposed to Alaska House Bill 183, 3-16-87; Senate Bill 191, 5-1-87 and House Bill 331, 1-11-88 all of which effectively require a non-resident to use a licensed guide to hunt in Alaska.

I have made six hunting trips to Alaska in the last seven years. Each time my friends and spent over $10,000 for hunting licenses and tags, hotels, bush pilots, taxi's, groceries, meals in resturants and hunting equipment and supplies. Only once did we use a guide. Every other time we used outfitter/bush pilots to assist us in making our hunts.

If we are required to use a guide for every hunt in Alaska, the cost will reach the point where it will be just as economical to hunt in Canada, Europe, South America and Africa. Right now we spend a lot of money each year in Alaska because it offers the best hunting for the cost. If our hunts in Alaska start to cost as much as those in the more exotic places, I am sure we will have to give up big game hunting each year and go only every two or three years. Then we will start hunting the more exotic places if the over all costs are the same or less than in Alaska.

While I appreciate there are some circumstances where there is a need for a guide(and in fact I have used a guide myself on several occasions) I prefer to set up my trip myself, locate the game myself and judge the quality of the trophy myself. This way I feel I made the hunt. When I have used a guide, I end up feeling it was the guide's hunt and I was simply the shooter.

Even though I am not a resident of Alaska, my federal tax dollars support much of the resources which make hunting possible in Alaska for residents as well as for non-residents. My personal purchase of anywhere from $400 to $1,500 in Alaskan hunting licenses and tags goes directly into the Alaskan hunting economy. The other $1,500 to $2,500 I personally spend goes into other segments of the Alaskan economy.

In summary, if the cost of a guide is added to all my hunting in Alaska, I will probably end up spending very little, if any, in Alaska in the future as hunts in Canada, Europe, South America and Africa will become more attractive.

I sincerely hope you do not support these bills which I am sure will have an adverse effect on the hunting economy and the over-all economy of Alaska. If you find there are very strong reasons, of which I am not aware, to require non-residents to use guides in Alaska, then I urge you to put some very low limits on the prices they can charge. I feel that if a group is effectively granted a monopoly, then their rates should be regulated, just as with utilities.

Very truly yours,

Stafford M. Smith

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: DAN BRADY
TITLE:
ADDRESS: PO BOX 129
CITY: ESTER ZIP: 99725
PHONE: 479-3660
BILL NO: HB 331
SUBJECT: BIG GAME GUIDING
MESSAGE: I OPPOSE HB 331 AS WRITTEN. IT UNFAIRLY RESTRICTS OUT-OF-STATE RELATIVES HUNTING VACATIONS. I ALSO BELIEVE IT RESTRICTS OUT-OF-STATE FRIENDS HUNTING VACATIONS. I SUPPORT THE GUIDE'S CONCERNS VERSUS THE OUTFITTERS; HOWEVER, I DO NOT LIKE THIS SOLUTION TO THE PROBLEM IN THE FORM OF THIS BILL AS IT IS WRITTEN. EOM/MJO

POMID: 07153924
DATE: 01/29/88
TIME: 15:39:24
LIONAME: FAIRBANKS LIO

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	SUND	
	BOYER	
	DAVIS	
	FRANK	
	KOPONEN	
	MILLER	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: DEAN W. CUMMINGS, JR.
TITLE: DELTA FISH AND GAME ADVISORY COMMITTEE
ADDRESS: P.O. BOX 737
CITY: DELTA JCT. ZIP: 99737
PHONE: 895-4619
BILL NO:
SUBJECT: HB 331 AND HB 451 - GUIDES AND OUTFITTERS
MESSAGE: WE STRONGLY OPPOSE ANY BILLS THAT ADD CARIBOU AND MOOSE TO THE BIG GAME WHICH REQUIRE A NONRESIDENT HUNTER TO BE ACCOMPANIED BY A GUIDE. WE FEEL THE GUIDE/OUTFITTER CONFLICT CAN BE SETTLED WITHOUT FURTHER REGULATING OF NON-RESIDENT HUNTERS, THUS LOSING THOUSANDS OF DOLLARS IN LICENCE AND TAG FEES.

POMID: 02093032
DATE: 02/25/88
TIME: 09:30:32
LIONAME: DELTA JUNCTION LIO

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	ULMER	WALLIS	UEHLING
	ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: DON QUARBERG
TITLE:
ADDRESS: P.O. BOX 349
CITY: DELTA JCT. ZIP: 99737
PHONE: 895-4215
BILL NO: HB 451
SUBJECT: GUIDES FOR NONRESIDENT HUNTERS
MESSAGE: THERE IS NO REASON TO REQUIRE A NONRESIDENT TO HIRE A GUIDE FOR MOOSE OR CARIBOU. NEITHER REQUIRE UNUSUAL JUDGEMENT BY THE HUNTER. NEITHER OCCUPY UNDULY HAZARDOUS TERRAIN. NONRESIDENT HUNTERS BRING TOURISM DOLLARS TO ALASKA TO OUR WILDLIFE PROGRAMS. LETS NOT PRICE THEM OUT OF ALASKA. VOTE AGAINST THIS BILL!

POMID: 02090652
DATE: 02/26/88
TIME: 09:06:52
LIONAME: DELTA JUNCTION LIO

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ADAMS	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: RONALD W. STEWART
TITLE:
ADDRESS: P.O. BOX 51
CITY: DELTA JCT. ZIP: 99737
PHONE: 895-4085
BILL NO:
SUBJECT: HB 451 & 331 - GUIDES VS. OUTFITTERS BILLS
MESSAGE: I STRONGLY OPPOSE ANY BILLS THAT ADD CARIBOU AND MOOSE TO THE BIG GA WHICH REQUIRE A NONRESIDENT HUNTER TO BE ACCOMPANIED BY A GUIDE. I FEEL THE GUIDE-OUTFITTER CONFLICT CAN BE SETTLED WITHOUT FURTHER REGULATING NONRESIDENT HUNTERS AND THUS LOSING THOUSANDS OF DOLLARS IN LICENSE AND TAG FEES.

POMID: 02140531
DATE: 02/26/88
TIME: 14:05:31
LIONAME: DELTA JUNCTION LIO

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DONLEY	ELLIS	FAHRENKAMP
FRANK	FURNACE	FAIKS
GOLL	GRUENBERG	FANNING
GRUSSENDORF	HANLEY	FISCHER
HOFFMAN	HUDSON	HALFORD
KOPONEN	LARSON	HENSLEY
MARTIN	MENARD	JONES
MILLER	NAVARRE	JOSEPHSON
PEARCE	PETTYJOHN	KELLY
PHILLIPS	POURCHOT	KERTTULA
RIEGER	SHULTZ	RODEY
SPRINGER	SUND	STURGULEWSKI
SWACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAHACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: JAMES WELLNITZ
TITLE:
ADDRESS: BOX 58262
CITY: FAIRBANKS ZIP: 99711
PHONE: 488-9297
BILL NO: HB 331
SUBJECT: BIG GAME GUIDING
MESSAGE: NO ON HOUSE BILL 331. EOM/MJO

POMID: 07105841
DATE: 02/16/88
TIME: 10:58:41
LIONAME: FAIRBANKS LIO

COPIES:

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GOLL	GRUENBERG
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HOFFMAN	HUDSON
KOPONEN	LARSON
MARTIN	MENARD
MILLER	NAVARRE
PEARCE	PETTYJOHN
PHILLIPS	POURCHOT
RIEGER	SHULTZ
SPRINGER	SUND
SWACKHAMMER	TAYLOR
ULMER	WALLIS
ZAMACKI	

APR [illegible] 1987

QUINHAT LANDING MOTEL
P O BOX 410
KING SALMON, AK 99613

March 27, 1987

Arleneld Herrmann
P O Box 63
Naknek, AK 99633

Dear Representative Herrmann,

I would like to comment on [redacted] which was introduced into the House for the state of Iassa [illegible] partners and I are owners of a new Quinhat Landing motel in King Salmon, Alaska. We have no intention of being in the guiding business, per se. We do want to provide a range of activities for other people who may be interested in getting into the area and registered legal guides, etc. I am concerned about article ## on page 2, line " it seems to me that this is a rather broad sweeping statement when it applies to certain equipment " We have had a number of people inquire as to whether or not some equipment may be available so as not to have to fly from the Hotel, and in turn they would fly out with air taxi operators to hunt caribou, etc. It would seem to me that we would not be in the guiding business if we provided such equipment as part of a package which includes flying out or staying at our hotel. I'm wondering if provisions in the would preclude that kind of activity? I am all for the idea of limiting guiding to registered guides for those persons wants to have a guide and I am concerned that some of the language may inadvertently encroach on the concerned legal activities.

I hope you will consider these observations as you go through the process relative to this bill. Thank you for your attention to this matter.

Sincerely,

David A McGuire

David A. McGuire, M.D.

DAM:ss

I look forward to meeting you - Please stop by for a tour of the new hotel.

March 18, 1987

Rep. Kay Brown
Box V
Juneau, AK 99811

Dear Kay:

I'm writing to offer my thoughts and concerns on HB 183. This bill interests me because it could affect my chief means of livelihood.

For the past eight years, I've operated an outfitting/river floating service for nonresident archery hunters in Game Management Unit 19. I do not actually accompany the hunters, but merely provide the inflatable rafts, food, camping gear, etc. which allows them to conduct on-your-own type hunts in a remote area. The only access to this river is an airstrip which I literally built by hand with a pick and a shovel.

I take pride in running a clean operation which benefits me and other Alaskans while having little impact on the wildlife resource. I outfitted 14 hunters in 1985 and 15 hunters in 1986, and these hunters took only five moose and one black bear. I have no figures on tourist dollars spent by these hunters in Alaska, but I know they paid me $2500 each for my outfitting services. In turn, I paid air charter operators in Anchorage and McGrath $26,600 for flying services and more than $6,000 for equipment and food in Anchorage during that time.

The people of Stony River village benefitted too: four of the five successful moose hunters gave all or portions of their moose meat to residents of that community. All of my hunters have explicit instructions to deliver any unwanted meat to local residents - at my expense.

I have an investment of more than $50,000 in this operation, which includes rafts, all-terrain vehicles, tents, stoves, etc.

As mentioned, I do not personally accompany the hunters, nor do I allow them to hunt from my base camp. I am not a registered guide, nor do I wish to become one. I worked as an assistant guide back in 1969, but discovered that as a guide, I had to actively participate in the "kills" - something I've never enjoyed. However, I do enjoy outfitting a limited number of ethical hunters - hunters who value the wilderness experience as much or more than the kill - for unguided hunts.

I realize that some friction exists between guides and outfitters. Some of the resentment comes from guides who feel outfitters have not "paid their dues." However, there are some legitimate outfitters - and I am one - who certainly should not have to apologize for their activities. I have hunted Alaska each of the past 19 years and have taken many species of game, from Kodiak deer to Dall sheep, with homemade bows and arrows. I have written three Alaska outdoor/hunting books. I worked for nine years as an employee of the Alaska Department of Fish and Game. And I currently serve on the Alaska Board of Game, a thankless job if ever there was one.

This outfitting problem, as I see it, is two-fold: 1.) a few so-

called outfitters are accually accompanying hunters in the field and performing all the services of a registered guide; and 2.) a few of th outfitters are putting far too many people in the field. I know of one outfitter here in Anchorage - a state employee - who outfitted 52 moose hunters on the Innoko River last year and never left town. He simply tells the hunters where to go and sends the rafts and equipment out with them. Neither HB 183 nor SB 191 would restrict such a person, for in effect, he is simply "renting equipment."

I saw this problem coming several years ago, and I've given it a great deal of thought. I think I can offer a solution but it might take more work than simply writing a law which redefines guiding and outfitting.

In fact, I can offer two possible solutions: 1.) a graduated wildlife resource depletion tax; or 2.) the creation of a special board which would govern all commercial uses of the fish and wildlife resource.

At the present, a commercial user of the wildlife resource pays only $25 for an Alaska business license - which is utterly ridiculous when we consider that many commercial users gross several hundred thousand dollars each season.

I don't think it unreasonable to assess a guide or outfitter a tax for each animal taken by his clients, and I suggest that the amount should be equal to the amount of the client's big game tag - $300 for a moose or a caribou. Furthermore, if the tax level were graduated - a certain amount assessed for say, ten animals, and then doubled for the next ten - it would put the brakes on the "mass producers" - both guides and outfitters - who put the most strain on the wildlife resource.

The outfitter mentioned above reportedly charges only $600 for his float hunts - which explains why he has to outfit 52 moose hunters to make a profit! If he were assessed $300 for each moose (or $600 for each moose over 10 taken), he could not afford to run his cheapie operation. It should be noted that a guide - who charges more for his personalized services - could easily absorb this tax or pass it on to his client. The mass-producer outfitters could not stay in business.

This tax wouldn't place an unreasonable burden on the guide/outfitter who takes out only a dozen or so clients.

The second option - the creation of a commercial fish and wildlife resource board - is probably years down the road. But it is coming. The outdoor recreation business is just starting to boom in Alaska. There is room for everyone - hunting guide, outfitter, lodge owner and fishing guide - but controlling the activities will be impossible without a board which represents all types of commercial users.

Anyway, thanks for letting me share my thoughts on these important issues, Kay. I've always known you to be honest, even idealistic, and I believe you'll work for a bill which is fair to all of us.

Best regards,

Jay

Jay Massey P.O. Box 429, Girdwood, AK 99587
783-2129 (home)
or
349-3700 (temporary)

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE BROWN

NAME: DONA M. PFAFF
TITLE:
ADDRESS: 1600 W. 11TH, #29
CITY: ANCHORAGE ZIP: 99501
PHONE: 276-8280
BILL NO:
SUBJECT: GUIDING AND HUNTING/HB 183 AND SB 191
MESSAGE: EXPAND DEFINITION OF A HUNTING GUIDE TO ONE WHO ACCOMPANIES OR PROVIDE A CAMP, EQUIPMENT OR PERSONAL SERVICES. THESE PROPOSED LAWS RESTRICT MY CONSTITUTIONAL RIGHTS TO PURSE HAPPINESS, THE RIGHTS OF OTHER TO A MEANS OF LIVELIHOOD, AND STATE AND LOCAL INCOME. I OPPOSE.

POMID: 03123512
DATE: 03/31/87
TIME: 12:35:12
LIONAME: ANCHORAGE LIO

COPIES:

REPRESENTATIVES	REPRESENTATIVES	SENATORS
BARNES	BOUCHER	ABOOD
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HANLEY	MARTIN	KELLY
PEARCE	PETTYJOHN	KERTTULA
PHILLIPS	POURCHOT	RODEY
RIEGER	ZAWACKI	STURGULEWSKI
DAVIDSON	HERRMANN	SZYMANSKI
HOFFMAN	NAVARRE	UEHLING
SHULTZ	SPRINGER	COGHILL
SUND		DUNCAN
		ELIASON
		FISCHER
		JONES
		ZHAROFF

____ NO RESPONSE REQUIRED

APR 0 1 1987

Box 524
Soldotna, Alaska 99669
March 28, 1987

Representative Adelheid Herrmann
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Representative Herrmann:

[redacted] has come to my attention. I am asking that you [redacted] this bill when it comes to a vote on the Senate floor.

If passed, outfitters would be virtually eliminated unless they work for a registered guide. It seems to me that most Alaskan residents who like to hunt should be able to contract for transportation and camps. Whether or not that transportation be by boat, plane, or horses--that is all the Alaskan hunter needs; not the experience or high cost of a registered guide. With the permit system like it is, resident hunters cannot plan ahead, nor can they all afford to be able to outfit themselves, should they be lucky enough to draw a permit.

Is the idea behind this bill to stop a few who illegally transport hunters to sites? Or is it to provide a few registered guides with a monopoly? It seems that you would be hurting many who for years have legally transported and outfitted resident hunters.

We have lived on the Peninsula for 18 years and have always enjoyed hunting and invested in horses, gear, and camping equipment so that we could enjoy Alaska's beautiful wilderness. Now I would like an opportunity to start an Outfitting business. If passed SB191 would also hurt many licensed outfitters who now make their living from those who cannot afford, nor find it necessary to purchase their own transportation and camping gear. I do not think it fair for them to have to contract for an expensive guide.

Again, please help to defeat SB 191.

Sincerely,

Bruce McGuiness

Bruce McGuiness

4-14-87

(1)

Representative Kay Brown & Representative Johnnie Ellis
P.O. Box V, Juneau, Ak. 99811

I feel compelled to write this letter in hopes that you can help rectify another sad situation. The Senate has passed Senate Bill #191 in regard to prohibiting hunting "outfitters" in Alaska, unless they possess a "Guides" license. The House Bill #183 contains nearly the same language as the Senate bill and is no doubt going to eliminate all "Outfitters" for hunting in this state, if passed.

Please do not pass this bill! Outfitters provide a much needed vocation in our fine state. Their charges to set up a camp and provide transportation to that camp are considerably less than guides charge. There are a whole lot of people in this state that cannot afford (nor perhaps even want) the services of a guide. Many hunters want only the access to a camp to hunt from and then go out on their own from that camp or Why should they have to pay $500 to a $1000 a day to have a guide with them (when they don't even want one) on a hunting float trip?

The way this bill is worded, if I take some friends of mine hunting, provide a boat & some camping gear and they pay me to offset my costs, this is compensation for which I could be fined up to $5000, 1 to 3 yrs in jail plus the loss of all my

gear! This is a sad state of affairs and could possibly happen to you under the right circumstances!

I agree that the guides have a problem in some areas with illegal guides infringing on their designated areas. This should be approached in a manner of law other than the carte Blanche elimination of Outfitters. In every "bad guide or outfitter" there are probably 99 others who are decent law abiding citizens and providers of very good transportation and camp facilities. The outfitters have rules already that they must follow or run the risk of fines, jail & impoundment if they don't follow the rule of the laws.

Do not eliminate outfitters with the passage of House Bill # 183. Please contact and conduct a hearing with all the outfitters in the State. All of them have business licenses (or should have) and I feel their input will help create a reasonable set of laws that they and the guides can live with. To take away the livelihood of respectable outfitters and remove this reasonable hunting opportunity from a lot of us in-state, not-rich hunters would be another gross injustice to bear. (Most out-of-state hunters are already required to have a guide)

Please relate my position to the rest of the House members)

Thank You,

Charles T. Jackson
3612 E. 18th Avenue
Anchorage, Ak 99508

MAR 27 1987

KENAI FAMILY MEDICAL CLINIC
CHARLES ESSEX, M.D., AAFP JOHN STANDEFER, PA-C
& ASSOCIATES

March 24, 1987

Hon. Adelheid Herrman
Hon. Sam Colten
Chairmen, House Resources Committee
P.O. Box V
Juneau, Alaska 99811

RE: S.B. 191

Sirs:

I think it is unreasonable to preclude the outfitter from being present in the camp he has provided for his hunters if working for guide service is the overall role of different matter and should be illegal as specified.

There are small outfitters who do run the camp, cook for the hunters, etc., and the bill as written would take away their livelihood. The intent it seems, is to preventing unregistered guides from charging for guide services, not to prevent the outfitter from visiting, socializing, or working about the camp. The bill should be written that way.

Thank you for your consideration.

Sincerely,

Charles P. Essex M.D.

Charles P. Essex, M.D.

CPE/dmc

pc: Rep. Mike Navarre
Sen. Paul Fischer

11077 Kenai Spur Hwy. Frontage Road • Kenai, Alaska 99611 • (907) 283-4200



L&L OUTFITTERS

Jack Lechner

P.O. Box 1616
Kodiak, Alaska, 99615
(907) 486-5851



APR 1 1987

REPRESENTATIVE CLIFF DAVIDSON
STATE OF ALASKA
HOUSE OF REPRESENTATIVES
BOX V, JUNEAU, ALASKA 99811

DEAR CLIFF,

SORRY FOR THE delay in answering YOUR letter, BUT HAVE been working 12-14 HOURS A DAY GETTING MY AIRplane annual INSPECTION done and THE BOAT Ready for THE HERRING Season. Still don't have my Gear done, because of delay of THE shipments of web from Japan. Ordered THE web last November, but THE NET Company haven't recieved Their order from Japan due to delays. To bad THE U.S. can't produce anyThing anymore. We are even at THE mercy of Japan, whether we <u>have web to fish WITH Now</u>.

To answer your letter; I cannot believe That a select group of people in Alaska have such a fanatic desire to control Resource UTILIZATION.

IF ANY LEGISLATION IS ADDRESSED IT SHOULD BE AIMED AT THE ENTIRE PROBLEM OF UNDEFINED GUIDING AND OUTFITTING IN THE STATE. THE CURRENT BIG GAME GUIDES DERIVED FROM ORIGINAL HIGH VALUE BROWN BEAR AND SHEEP HUNTS, AS TIME PASSED THEIR INTEREST WAS EXPANDED TO Big Game animals as Moose, Then Caribou, due TO INFLUX OF FOREIGN CLIENTS. At some point GUIDING INCLUDED Big Game animals. When deer were classified big game, They too fell under The resources inwhich Big Game Guides control. Certainly most Big Game Guides feel They should control all activities within The Guide area. IN KODIAK These were based on Brown Bear How do you expand Brown Bear Guide areas to include all commercial resource utilization of the Present Day. Kodiak Island & AFOGNAK Have been divided amoung approximately 20 Guides For Bear Hunting. THIS HAS Been a long established System. and should probably remain this way SINCE IT WAS The investment basis by many individuals. But how does this expand to other resource uses That have developed many over the past few years. It's a limited entry SYSTEM, That They want to expand to all resource uses, That have developed from the increased Resource use The past Few years.

A Sobsistence animal as deer should Never been CLASSIFIED AS Big Game to fall under the control of original Bear Guides.

You have to really look at how the Guiding industry operates in Kodiak. of the

approximately 20 Guides that have the entire Island divided into Guide areas (originally for Bear) There may be only 34 individuals that are from Kodiak. The rest are from other areas of the State that have exclusive use areas. In many cases the individual that has the Guide area never sets FOOT IN KODIAK, BUT CONTRACTS the HUNT and Sends an assistant Guide to KODIAK. I'LL ACCEPT THIS FOR BEAR, BUT NOT THE UTILIZATION OF THE OTHER RESOURCES. Except for the client that gets weather bound in KODIAK, most Never leave much in the community to ASSIST OUR LOCAL ECONOMY. Representative Herrmanns comment about an industry of outfitters largely from outside is apparently an accurate description of the Big Game Guiding industry. A High Percentage of the Guides I Know, Except for our Kodiak Guides mostly live much of their Time outside Alaska. The Person that Bought Vern Humbles Guide Area (Humble is a School Principal in Palmer) spends most of his time in New Hampshire working on building houses)

Its amazing that with all the deregulation of all other industries that Guiding is accepted as a highly regulated limited entry program.

I had an Alaska Air Commerce certificate that was deregulated out of existence, so now anybody with an Airplane can compete with me, as a part time business or write off on their taxes!

You could go on and on in respect to the Guiding Problem, But I should address the points that I've made before., But the Legislature wants to avoid the problem.

First, <u>the lack of definitions</u> of Guiding in Alaska has been the main problem. Also no real definition of outfitting has never been addressed. You have to define what your talking about before you can address the problems of <u>the entire resource use industry</u>

Legiscation to enhance restriction of Big Game commercial operations, Docsn't serve this purpose, except to work towards total control. The Big Game Guides are opposed to Definitions ~~[illegible]~~ that define the other resource uses. Guiding is more than Big Game Guides Contracting hunts. Other areas such as:

1. Photography Guiding
2. Sightseeing Guiding
3. Fish Guiding.
4. Guiding for small game (duck-hunting etc)

There is no real definition of outfitting By the State. Vessel Trips, Private cabins rented and Base Camps are considered outfitting. I'm the only operator I believe on Kodiak that outfits with temporary camps for hunters, photographers, fishermen and sightseeing.

The Refuge which is most of Kodiak Island is limited to 17 outfitters By the Federal Govt. Recent Kodiak Mirror Addresses this subject. Each outfitter can only operate in his Assigned Area for the year and

Cannot be within 1 mile of the other outfitting camp. They have outfitting highly regulated, but doesn't solve the problem. The outfitter can only have a camp in one location for 14 days, then he has to move the camp one mile for the next 14 days. Air Taxi operators are not restricted as individuals transporting themselves, so the situation assists that like myself I'm restricted to operate only in the Spiridon Peninsula and no place else on the Island and have to move my camp every 14 days. General Public use placed in locations by Air Taxi operators are unrestricted. Last season I had 8-10 camps surrounding my camp from this source for most of the season. During Oct.-November and early December, upwards to 150 Camps are Transported by Air Taxi operators.

Ugak Air - 10-15
Island Air - 30-40
Peninsula Air - 30-40
Sea Hawk - 20-30
L-L outfitters - 2

This # camps each day, with most camps rotating with new people on the basis of 4-6 day campsites.

Along with this is the local people that transport themselves and I would estimate at least 50 vessels with hunting parties

What does this mean?

1. That commercial outfitting & guiding is insignificant to the total utilization.
2. That for the last 3-4 years, the only real economy in the fall has been derived

FROM FALL HUNTING OPERATIONS, UNTIL RECENT development of some BOTTOMFISH INDUSTRY.

IT WOULD BE INTERESTING TO KNOW THE TOTAL IMPACT ON KODIAK, WITHOUT THIS INDUSTRY. WE ESTIMATED THAT WHEN THE ELK FELL DOWN THE CLIFF AND CLOSED THE SEASON IN THAT MANAGEMENT UNIT ON AFOGNAK LAST FALL, CAUSED THE INCOME TO AIR TRANSPORTATION operators OF APPROXIMATELY $40,000 WORTH OF BUSINESS. MY CLIENTS BUY THEIR GROCERIES IN KODIAK, MANY their foul weather gear, HOTEL ROOMS WAITING TO GO HUNTING, needed HUNTING supplies. TOTAL IT CREATES A TREMENDOUS IMPACT on the economy. I INTURN Purchase my supplies from LOCAL STORES, fuel & maintence for my aircraft from LOCAL vendors, JUST LIKE THE REST OF OUR LOCAL operators.

I BETTER end this, BUT ITS AN IMPORTANT BUSINESS FOR KODIAK.

LETS DEFINE Guiding OF ALL TYPES and OUTFITTING OF ALL TYPES, BEFORE WE DO ANYTHING else. I HAVE NO PROBLEMS WITH STANDARDS BEING EVOLVED OR BONDING OR LIABILITY INSURANCE REQUIREMENTS, BUT MAINLY I WOULD LIKE TO KNOW WHAT I AM!

Sincerely Jack

DEAR SENATORS,

CONCERNING BILL #183 (GUIDE DEFINITIONS)

I FEEL THE WORDING OF THIS BILL WOULD MAKE THE VIDEO-STILL PHOTOGRAPHY,AND CAMPING EQUIPMENT RENTAL SERVICE I PROVIDE FOR SPORTSMAN ILLEGAL.THIS WOULD SURELY PUT ME OUT OF BUSINESS.I DO BELIEVE SOMETHING NEEDS TO BE DONE TO STOP ILLIGAL GUIDING,AND OVER HUNTING DONE BY IMMOARL PEOPLE. MY SERVICE IS DESIGNED FOR PEOPLE WHO DO NOT NEED A GUIDING SERVICE TO TAKE THEM ON THERE TRIP,BUT WOULD LIKE TO HAVE THE NECESSARY CAMPING GEAR TO COMPLETE A CAMPING,HUNTING,OR FISHING TRIP,WITHOUT HAVING TO PURCHASE THE COSTLY EQUIPMENT FOR THEMSELVES AND FREIGHT IT FROM NORMALY LONG DISTANCES,TO BE USED ONLY ONCE IN MANY CASES.ALONG WITH THE EQUIPMENT RENTAL,MANY PEOPLE WANT TO HAVE THERE TRIP VIDEO TAPED,TO KEEP FOREVER,A VERY ENJOYABLE TIME.

I HAVE NO PRE-ARRANGED CAMP SITES,OR BASE CAMPS,AS MY CLIENTS CHOOSE THERE OWN.CAMPS ARE NOT USED OVER AND OVER,AS EACH CLIENT OR GROUP GOES IN DIFFERANT AREAS,OR UNITS. MY SERVICE IN THE FEILD,DOES NOT IN NO WAY GUIDE OR ASSIST IN THE TAKEING OF GAME,INSTEAD IT PROVIDES A RECORDING OF AN EXCITEING EVENT EXACTLY AS IT HAPPENS.I FEEL IT IS A SERVICE GREATLY APPRECIATED BY MANY ALASKAN VISITORS.YOU HAVING LIVED HERE, SHOULD UNDERSTAND WANTING SUCH.

I HAVE A RECREATION AND COMMERCIAL PHOTOGRAPHY BUSINESS LICENCE.I ALSO HAVE INSURANCE AND THE PROPER USERS PERMITS FOR THE AREAS THAT REQUIRE THEM.I LIVE IN ALASKA,AND CONTRIBUTE TO THE ALASKAN ECONOMY FROM REVENUES RECIEVED FROM THIS LIVELYHOOD.I HOPE YOU WILL ADMEND BILL # 183,TO ALLOW ME TO CONTINUE TO REMAIN IN OPERATION WITH MY BUSINESS.

THANK YOU

HUGH L.KRANK

ALASKA BUSH ADVENTURERES

610 W. 91st Ave

Anch. AK 99515

AK 99515

March 25, 1987

Dear Legislators,

There is a bill in the Senate, #191, and in the House, #183, that is a self-interest, resource monopolizing bill for the registered guides of Alaska and an enforcement simplification bill for Robert Boutang, Public Servant of the Fish and Wildlife Protection Division and self-appointed savior to the Alaskan professional guide (see his article enclosed).

Do any of you understand the impact this bill will have on the tourist economy of the state of Alaska, the number of jobs that will be lost? How many less; gallons of gas, car rentals, motel and hotel rooms, meals, watches, rings, fur coats, beverages, hunting and fishing licenses, hunting tags, hunting coats, pants, tents, canteens, stoves, guns, groceries and much more will not be sold each year in Alaska because of this bill. How much less operating time will air taxi's, boat charters and river guides have because of this bill.

These questions and many more must be answered before any bill of this nature is to be even slightly considered. It is a felony to guide without a license and SB 294, effective July 1, 1986, defines guiding (see enclosed copy). Isn't this enough to allow Fish & Game to arrest and prosecute violators? Do we need more legislation to protect the registered Alaskan guide, or are their problems as a group, found internallu.

Our free enterprise system operates on supply and demand. Outfitters, river guides, charter boats, air taxi's, wilderness lodges and camps supply a service that most guides do not. This service must be acceptable to their clientele or they would be out of business.

Who will assume liability for the out-of-state hunter that is injured on the coast or who has lost his raft in the sweepers on the river because the State of Alaska did not allow him the opportunity to purchase the services of a professional charter boat operator or river guide?

At a meeting of concerned citizens and tour operators held in Anchorage on March 24, 1987, we discussed this bill and its impact on our businesses and the impact on the revenues to the voters of Alaska. We concluded the impact to be too monstrous and dominoing to evaluate this impact without much time and effort.

This concerned group of citizens appeals to your best judgement and concern for your state voters at a time when ends do not meet, at a time when state and private sectors need all the financial stimulation legally available to continue life, liberty and the pursuit of happiness, and to pay their bills.

We appeal to all of our legislators to:

A.) Declare a minimum of a two year moratorium on all guide laws.

B.) Establish public hearings on all guide laws.

C.) Form a statewide board to manage all commercial Fish & Game user groups.

D.) Appoint public and private agencies to study and determine the financial impact of any law which will totally wipe-out the opportunity for an out-of-state American citizen to purchase only field support for his unguided hunt.

Thank you for taking the time to read this letter. I am sure that you share our concerns for our states people and economy and will act in the best interest of the people of the State of Alaska.

Sincerely,

Nick Pierskalla

Nick Pierskalla
P.O. Box 870834
Wasilla, AK 99687

P.S. Please respond as to your feelings and support for the four appeals outlined.

APR 13 1987

April 8, 1987

Pouch V
Juneau, AK 99811

Dear Legislator:

Please be advised that [redacted] throughout the State of Alaska. An outfitter, in my opinion, is defined as: an entity (person or company) who provides equipment and/or services to persons unfamiliar with the unique climate and conditions of the north.

The services that can be provided by the outfitters are limited and non-duplicable to the guiding services for various reasons. However, there are services which most guides will not provide that outfitters can provide, without violating Fish & Game regulations, that increase the safety and comfort of a non-resident's hunting and/or fishing trip. These services and trips do not only supplement the incomes of the outfitters, but also effect the tourism income, here in our great state. Many potential non-resident sportsmen cannot afford the higher prices charged by guides. Their decision to hunt and fish elsewhere would mean; 1) a substantial loss of licencing fees as well as other tourism income to the State, 2) lost jobs, and 3) lost advertising, as well as the complete waste of advertising dollars already spent on this season. Not to mention the value such tourism has in attracting individuals who may provide repeat income and even investment capital into Alaska.

By continuing to create more legislation on this issue, rather than upgrading the enforcement of the existing regulations, the issue becomes even more confused. I am assuming that these bills have been drafted, due to existing problems in the field. If this is a game management problem, shouldn't we let our friends at Alaska Dept. of Fish and Game handle it? Otherwise, the resources in the state are still available to all citizens of America on an equal basis. I feel the implementation of the above referenced bills will violate the personal rights of citizenship and free enterprise.

In conclusion, I would recommend:

1. that the bills be put on hold until the financial ramifications to the state, the tourism industry, and the individual can be studied, and

2. that public hearings be provided so that view points from all persons involved can be reviewed, and

3. that, after careful consideration, a plan be created and implemented over a period of time, so that guides, outfitters and the enforcement agencies can be educated accordingly, and adjustments can be made.

Your attention to this matter and to the opinions of your constituency is greatly appreciated.

Sincerely,

NORTHERN WILDERNESS ADVENTURES

Sid Richards - V.P.

ST RT D Box 9741
Palmer, Alaska
99645

PUBLIC OPINION MESSAGE MAR 27 1987

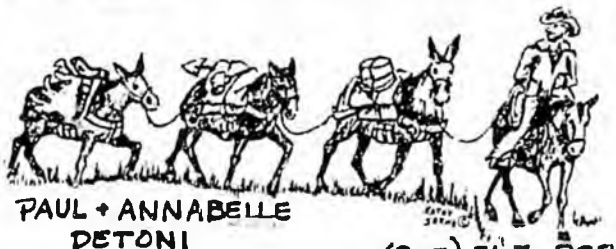
DEAR: REPRESENTATIVE HERRMANN

NAME: GLENN ALSWORTH SR.
TITLE:
ADDRESS: THE FARM
CITY: PORT ALSWORTH, ALASKA ZIP: 99653
PHONE: 781-2211
BILL NO: SB 191
SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: HB 183 - OUTFITTING IN THE FIELD; GUIDE LICENSE
1. DO NOT SUBMIT ANY LEGISLATION EFFECTING GUIDES OR OUTFITTERS UNTIL STATEWIDE BOARD EXISTS REPRESENTING ALL COMMERCIAL USERS. 2. NO LEGISLATION WITHOUT PUBLIC HEARINGS IN ALL AREAS EFFECTED. 3. NO LEGISLATION WITHOUT ECONOMIC AND RESOURCE IMPACT STUDIED AND EVALUATED. 4. DON'T ALLOW THESE BILLS ON THE FLOOR.

FCMID: 03144539
DATE: 03/26/87
TIME: 14:45:39
LICNAME: ANCHORAGE LIO
RESPOND: YES

COPIES:	REPRESENTATIVE	SENATORS
	COTTEN	HALFORD
		RODEY
		COGHILL
		DUNCAN
		ELIASON
		FISCHER
		JONES
		STURGULEWSKI
		ZHAROFF

SLACK WATER RANCH
DIVISION OF
PACKERS ROOST OUTFITTERS



PAUL + ANNABELLE
DETONI
(907) 567-3937
P.O. Box 238 NINILCHIK, ALASKA 99639

APR 15 1987

April 13 1987

I'm writing this letter in regard to SB191. I feel the restrictions on big game hunting have taken a turn for the worse. Not only do we have to follow a book of rules and regulations concerning big game hunting, but now they want to do away with outfitters that have less of an impact on big game then guides do. There is a great tendency for guides to take game of any size, when its their clients last day in the field. An outfitter, on the other hand, does not become as involved, for it is up to the hunter as to what he shoots.

To limit big game hunting to guides only would cut down on out of state licenses, not to mention place senseless restrictions on residents that hunt for the purpose of subsistence.

Alaska is having enough problems with the economy why pass a bill (SB191) that would ruin small businesses struggling to improve and expand the economy in our state.

Sincerely,

Annabelle Detoni

June 11,1987

Congressman John Sund
2504 2nd Avenue
Ketchikan, Alaska 99901

Dear Congressman Sund:
I am opposed to portions of House Bill 183. First, I believe that a registered guide should be a resident of the State and hold a resident hunting license. I was told the other day by a registered guide that it was the intent of the guide board to reduce the number of guides in southeast from 17 to 6 (I assume by attrition) and that while new licenses would be issued, no guide areas would be assigned. It will not do our struggling economy any good for these guides to be residing in Mexico or Hawaii. I am pleased that the House Bill does not change this requirement. Do not lose this in negotiations with Senate Bill 191

I am totally opposed to Sec. AS 08.54.210 UNLAWFUL ACTS. as admended by HB 183 I support the concept of simplification of regulations and fully support the Fish and Wildlife Protection Departments position to clarify these regulations to make thier job easier in catching and convicting outlaw guides, but all House Bill 183 would do as written is make the issue cloudier. It is not clear that Outfitters would not be able to "outfit" (provide camping equipment) to base camps, since base camps are not considered "in the field". If it is the intent of HB 183 to eliminate the outfitter from setting up and supplying base camps, then I strongly oppose this legislation. If that is not the intent, then it needs to be rewritten to spell out precisely what an outfitter can do or not do. Lets not eliminate the honest outfitters to make it easier to catch the crooked ones.

Furthermore, this bill should be expanded to repeal AS Section 08.54.110 (a)(7) (a)(8) and (a)(10).

Explanation: It is an continuing uphill battle for a person to become a registered guide. Repealing these sections will not lower the quality of the qualifications because the other 7 are pretty inclusive. If a person is qualified in sections (a)(1) through (a)(6) and (a)(9) and can demonstrate those qualifications to the Board, why burden him with 3 years as an assistant guide, which in reality is an apprenticeship. Apprenticeships should be encouraged but not required. Again, repealing these sections in no way lessens the Boards authority or judgement in licensing qualified applicants. What it would do is give folks like me with over 30 years of hunting experiance, 20 years of employment in the great outdoors, 11 of them in Alaska, who believe that they can demonstrate to the Board thier competence, ethical conduct, and moral turpitude without serving an apprenticeship.

Your support on these issues will be greatly appreciated.

Sincerly,
Dave Helmick Dave Helmick
Box 913
Petersburg, Alaska 99833

Jake's

ALASKA WILDERNESS OUTFITTERS

Offering Fishing, Hunting & Float Trips in WILD ALASKA

4-3-87

State House Representatives
Herrmann,Adams,Coto,Collins,
Hoffman, Koponen,Springer,
Wallis, Ulmer, Pearce, and Brown.

Dear House Representatives:

I feel I must voice my opinion on house bill # 183. Not only as a outfitter, but as a fifteen year Alaska resident and citizen of the United States.

Alaska state law only requires a hunter to hire the services of a registered licensed guide when hunting Dall Sheep, and BRN/Grizzly Bear.
This is very confusing to me and many others like me. Maybe you can explain why this law reads this way.and how it was established.
I beleive as long as the law reads this way, there is and will be a high demand for outfitters. I must point out that many longtime Alaska residents use my outfitting services. This bill will not only effect non residents, but Alaska residents as well.

Guided hunts are very expensive compared to unguided hunts. I feel that non resident citizens and Alaska residents have the right to make the choice between a guided or outfitted hunt.
I feel this bill will take away the opportunity and right for the average sportsmen to ever hunt in Alaska.
We are talking about a large loss of revenue to the State Of Alaska.

I feel this bill is one step away from establishing that no one,resident or non resident can hunt in Alaska with out a registered guide. If this happens, the State is in for all kinds of problems
Already more and more sportsmen are chooseing to hunt in Canada or elsewere.

I think the state should establish, along with the guide board, a board to regulate outfitters or allow the opportunity for more guides.
New beginning guides really don't have a chance today. There are no areas.
If a new guide wants to aquire the guideing rigths of another guide, it's going to cost hundreds of thousands of dollars.
I have personly checked into this. One guide said when I got my guide licenses I could take over his guide area for $200,000.00
How many young guides do you think could ever do this.
I know it is by law illegal for a guide to sell or lease his guide area, but it happens all the time. How is a young guide ever going to have a chance.

P.O. Box 104179 • Anchorage, AK 99510 • (907) 248-050[illegible]

Jake's

ALASKA WILDERNESS OUTFITTERS

Offering Fishing, Hunting & Float Trips in WILD ALASKA

4-3-87

Don't get me wrong ,I have nothing against registered guides. I hope to be one in the very near future.

I do not think the guide board was established to regulate the game populations. I think that is the job of the Fish & Game Department,through research and sound game management policies.
A good example, a guide might have a very large guide area, but he is only reguired to take two hunters per year to keep his guide rights to that area. On the other hand you have a guide with the same size area and he takes as many hunters as he can get. There for one area is unhunted and the other is overhunted.

I hope if nothing else, this letter will encourage you to do more research on the effects of this bill before you push it through the House.
Thank you for your concern in this matter.

Sincerely
John J Gaudet

CC:
Steve Cowper
Governor State Of Alaska
P.O Box A
Juneau, AK 99811-0101

Don Collinsworth
Commissioner
Dept. Fish & Game
P.O Box 3-2000
Juneau, AK. 99802

J. Anthony Smith
Commissioner
Dept. Commerce
P.O Box D
Juneau, AK. 99811

Albert P. Adams
P.O Box 333
Kotzebue, AK. 99752

Kay Brown
P.O Box 20-2661
Anchorage, AK. 99520

Bette Cato
P.O Box 775
Valdez, AK. 99686

Virginia M. Collins
2600 Denali, Suite 501
Anchorage, AK. 99503

Adelheid Herrmann
P.O Box 63
Naknek, Ak. 99633

Lyman F. Hoffman
P.O Box 703
Bethel, AK. 99559

Drue Pearce
4150 W. 98th Ave
Anchorage, AK. 99502

Heinrich Springer
P.O Box 352
Nome, Ak. 99762

Fran Ulmer
1700 Angus Way
Juneau, Ak. 99801

F. Kay Wallis
P.O Box 267
Fort Yukon, AK. 99740

P.O. Box 104179 • Anchorage, AK 99510 • (907) 248-0509

Guides & Outfitters

X

Other Letters

To: Rep. Adelheid Herman
Chairperson, Human Resource Commission
From: Dan Snyder, Jr.
Re: House Bill 183
Outfitters & Guides

First Of, I would like to say that I have a lot of respect for you and the committee for addressing a highly controversial issue. Personally, I am not in favor of either guides or outfitters, but if I had to choose between the lesser of two evils, I would lean more toward the guides because they or the hunters they service are easier to control.
In listening to the testimony of the guides who have been around for a long time, they realize the importance of maintaining the resources at manageable levels, especially to ensure that subsistence needs are sustained. Mainly because they know that if subsistence needs are not sustained, their livlihood may be threatened.
I would like to relate an incident that occurred to a group of us who were drying fish up the Noatak River, with a couple of hunters dropped off by an outfitter. For three days we kept passing a pup tent on a sand bar, every time we passed it we did not see anyone around the tent until

the third day, when one of the hunters came running out of the tent, waving for us to stop.
He told us that the outfitter had failed to pick him up at the pre-arranged place and date. First off, he was at the wrong place and when the pilot (outfitter) finally picked him up, the date for pick-up was off by three days. So for those three days we had to provide food and lodging for these two out-of-state hunters. These hunters did not know the country or the weather conditions experienced here. With the amount of rain we were getting when we picked them up, their camp would have been totally destroyed with high water and very strong currents if we had not taken them in.
It is instances like this with unguided hunters that need addressed.
In talking to Native hunters from Noatak, they have seen alot of pressure being placed on the hunting areas further up river. Because some areas are better hunting than others, the Noatak people hunt these areas because they are guaranteed a yield for winter food. Because these areas are good hunting areas, it is not hard for outfitters to find out about these areas and are now dropping off hunters

there. This is not to say that pressures from guided hunters are non-existant in these areas, there are. With this increased pressure, the subsistence hunters are starting to change their hunting pattern, which they shouldn't be. This should be the other way around where the hunters dropped off by outfitters and guided hunters patterns should be changed so that subsistence hunters would be provided a yield.
In some instances, I have been told that some subsistence hunters are coming back with nothing at all.
In closing, again I would like to reiterate that more controls need to be place on outfitters as well as guide to ensure that our resources are protected
Thank you.

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: DAVE NEEL
TITLE:
ADDRESS: PO BOX 190303
CITY: ANCHORAGE ZIP: 99519
PHONE: 376-7955
BILL NO: SB 191
SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: RECENT PUBLIC TESTIMONY CONCERNING SB 191 HAS MADE IT VERY CLEAR THAT THE MAJORITY OF ALASKANS SUPPORT THIS BILL. WHAT IS YOUR POSITION ON THIS BILL, AND WHAT ARE YOU DOING TO REACT TO THE PUBLIC'S RESPONSE? PLEASE RESPOND.

POMID: 03110154
DATE: 03/01/88
TIME: 11:01:54
LIONAME: ANCHORAGE LIO

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DAVIDSON	DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FRANK	FURNACE	FAIKS
GOLL	GRUENBERG	FANNING
GRUSSENDORF	HANLEY	FISCHER
HOFFMAN	HUDSON	HALFORD
KOPONEN	LARSON	HENSLEY
MARTIN	MENARD	JONES
MILLER	NAVARRE	JOSEPHSON
PEARCE	PETTYJOHN	KELLY
PHILLIPS	POURCHOT	KERTTULA
RIEGER	SHULTZ	RODEY
SPRINGER	SUND	STURGULEWSKI
STACKHAMMER	TAYLOR	SZYMANSKI
ULMER	WALLIS	UEHLING
ZAMACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: DAVID J. TILTON
TITLE:
ADDRESS: PO BOX 83770
CITY: FAIRBANKS ZIP: 99708
PHONE: 479-4777
BILL NO:
SUBJECT: GUIDING/OUTFITTER LEGISLATION
MESSAGE: I THINK THAT THE STATE OF ALASKA IS IRRESPONSIBLE WHEN THEY ISSUE A BUSINESS LICENSE FOR OUTFITTER'S SERVICES WITHOUT MORE SPECIFIC REQUIREMENTS AND LIABILITY INSURANCE ON THAT OUTFITTER'S TRANSPORTATION SOURCE. THEY TELL THEIR CLIENTS THEY ARE LICENSED BY THE STATE AND THE CLIENT ASSUMES THEY MEET CERTAIN MINIMUM REQUIREMENTS. THE OUTFITTER NEEDS TO PROVE FINANCIAL RESPONSIBILITY AS REQUIRED BY OTHER STATES. EOM/MJO

RECEIVED FEB 10 1988

POMID: 07135222
DATE: 02/09/88
TIME: 13:52:22
LIONAME: FAIRBANKS LIO

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DAVIDSON	STURGULEWSKI
HOFFMAN	ZHAROFF
NAVARRE	
PEARCE	
SHULTZ	
SPRINGER	
SUND	

APR 17 1987

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: GARY POGANY
TITLE:
ADDRESS: BOX 323
CITY: EAGLE RIVER ZIP: 99577
PHONE: 696-2390
BILL NO:
SUBJECT: GUIDES/OUTFITTERS HB 183 AND SB 191
MESSAGE: I ATTENDED 7 SPORT SHOWS IN THE LOWER 48. THERE WERE NUMEROUS BOOK LOW PRICE ALASKA HUNTS, TELLING PEOPLE NOT TO HUNT WITH REGISTERED GUIDES BECAUSE THEY ARE LIMITED TO AREAS. ALSO TELLING PEOPLE WE CAN GO ANYWHERE. JUST TIP PACKERS.

POMID: 03154824
DATE: 04/16/87
TIME: 15:48:24
LIONAME: ANCHORAGE LIO

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HOFFMAN	DUNCAN
NAVARRE	ELIASON
PEARCE	FISCHER
SHULTZ	JONES
SPRINGER	STURGULEWSKI
SUND	ZHAROFF

Shocky
FYI
AD

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: BETTY DUFFY
TITLE:
ADDRESS: 3903 GREENLINE
CITY: ANCHORAGE ZIP: 99517
PHONE: 561-6631
BILL NO:
SUBJECT: SB32/SB331/HB449/HB283, MISC
MESSAGE: I OPPOSE SB 32, SB 331, HB 449 AND SUPPORT HB 283. I FEEL

POMID: 03131613
DATE: 03/17/87
TIME: 13:16:13
LIONAME: ANCHORAGE LIO

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COLLINS	COTTEN	DUNCAN
DAVIDSON	DAVIS	ELIASON
DONLEY	ELLIS	FAIRBANKS
FRANK	FURNACE	FAHLS
GOLL	GRUENBERG	HANNING
GRUSSENDORF	HANLEY	FISCHER
HOFFMAN	HUDSON	HALFORD
KOPONEN	LARSON	HENSLEY
MARTIN	MENARD	JONES
MILLER	NAVARRE	JOSEPHSON
PEARCE	PETTYJOHN	KELLY
PHILLIPS	POVEROT	KERTTULA
RIEGER	SHULTZ	MODEY
SPRINGER	SUND	STURGULEWSKI
STACKHAMMER	TAYLOR	SZYMONSKI
ULMER	WALLIS	UDELHOVEN
ZAHACKI		ZHAROFF

To
Mr. Jerry Wilkerson, Legislative Auditor
Legislative Audit Divison
P.O. Box J
Juneau, AK. 99811-3300
From
Edd White-Cougar Reg. Guide
Box 3,558NC
Wolf Lake via Palmer
99645

Subject; Guide Bill legislative audit

Dear Mr. Wilkerson

I have been informed by Senator Stuzgulewski's office that your office will be conducting a legislative audit of the Guide Bill and the operation of the Guide Board. This is to take place before the sunset option date of June 1988. The board and APHA will present a new bill and lobby for its passage.

I have been guiding since 1975 and find the industry filled with illegal and unethical guiding practics. The board is the spokesman for The Good Ol Boys Club and strives to protect their own. Most guides are afraid to speak out as the board is very vindictive and powerful.

The APHA Alaska Professional Hunters Association is the Lobby group which attempts to insure passage of laws to continue present biased practices. Between the board and APHA the Good Ol Boys are well represented.

Please review my case and that of Mr. Ken Owsichek as examples. We will gove written permission if necessary. I am going to suggest you send an anonymous questionaire to each master, reg. and assistant guide asmin for their comments and suggestions.

I would like to meet with you or whoever will conduct this audit to present my allegations. I can provide documention for your review. I live in a very remote area and have been told the audit will take place in Oct. That is a bad time for me to travel due to freeze up. Could it be possible to meet in Sept. or during the guide board meetings in Dec? Would it be possible for someone from your office to be available during the guide board meetings at the same location to recieve testmony??

Kathy Marshell the director of Occup. Licensing stated at a recent board meeting that the Guide Board generates more appeals than all other boards. I don&t think the state can afford this expense; neither can the guides who must obtain attorneys to obtain justice. This is something the board counts on that a guide who is not well established can not afford an act. to oppose their unfair and biased decisions or fit a good ol boy.

Guiding is an industry which is relatively unknown to anyone outside the occupation. APHA has lobbied and contributed to directors that the guide industry is honest and fair. Nothing could be further from the truth.

The most unfair practice occurs in the restricted area concept. These areas are commonly bought and sold with the boards blessing and then transferred before the board in opposition to AS.34.195 sec.(e). To area is to be bought or sold only improvements may be sold for fair market value. A trespass and an airstrip hacked out on public land for 100,000 is totally unfair. I meant to say trespass cabin. I have personally been offered FIVE different remging in price from 20,000 to 200,000.

According to reg no. 12 AAC 30.052 areas cannot be rented or leased and a guide may only use as per sec. (e) (1) (2) (3). Rent of these areas is common.

I would like to see statutes passed to stop both these practices and makin it a crime. These laws were to protect game which is not being done.

The 86 legislature passed a statute mandating a point system for assign ment of areas. There is no point system as yet. If forced to have the point system the board will attempt to make financial investment the highest

points which means when you buy an area you have more investment than any one else. This point system should be fair and based on qualifications. Not breaking the law or who has the most money.

I believe the point system must be approved by the legislature rather than just the board.

The statutes and regs which the board has approved are full of loop holes which make it almost impossible to enforcee. These loopholes make it possible for the board to favor their friends.

I would like to see the composition of the board changed to include a f&w agent who would act as chairman, a f7g biologest, only 1 guide and intrested citizens with no vested intrests. At present the most powerful member of the board is Mr. Chuck Meier who sells guide insurance and plays favorites.

I don't expect you to believe me I ask that maseld and the board prove our sides.

The board and APHA claim this is an open profession with 38 areas open in the state. Untrue. There may be some areas open up north where the carbou migrate through and you couldn't make beans. At the last mesting a guide lost his area due to non-use because the natives in the area told him to stay out. Technically this is and open area but the natives are not going to welcome anyone else either. Please ask them to show you these open areas and biologest reports on game populations in them.

I believe I have covered some of the worst problems and will be looking forward to meeting with you to go through the rest.

I am encouraging some other guides to contact you with their problems.

The purpose of a regulated guiding industry is simple.

1. To protect the natural resources of the state; primarily the game.
2. To provide clients who use guides with competent, honest, ethical and honest guides.

The regulating agency should be completly fair in their operation This is not the case under the present system.

During a hearing on July 20, 87 Mrs Ken Lunch admitted under oath to selling an area and Mr. Rocky Keene admitted buying one. This may be public record; if it isn't I will give permission for you to obtain it.

The following guides have indicated they would like to be contacted.

Dick Carlson 562-4994
Ken Owsichek 243-5899
Mario Gerime 344-7464
Ralph Burnett 206-676-9551 or contact him through Rep. Robin Taylor
Jerry Porter Kenai Penn.
George Romero 562-0974

The guides addresses can be found in the guide register. I will also try to contact them.

Sincerly
Ted White-Lobster

P.S. (over)

P.S. from Karen (Eddie's wife) White Cougar

for a fair and workable and Enforceable system for game population protection - We suggest that all guide (and outfitters) hunts be put on a permit system (equal # of permits) for each species of game - This would Limit wholesale marketing of our Natural Resources & and allow time for our trophy - growth - as outsiders do not "meat" hunt - and yet trophys are rapidly becoming shamefully small - If a limit were put on #s & sizes, then it will not matter if both Reg. guides & outfitters enjoy the same privilages - and equally participate in professional hunting practices - The present - (and proposed) guide bill does not address this all important issue - And is unfortunately being clouded & neglected by the current power struggle between guides & outfitters. Game population protection can only be achieved thru an Enforceable & clear set of regulations designed to enhance our Natural Resources - and control human greed.

Your time & interest & Effort are genuinely appreciated and Encouraged.

If we do not protect what we "have" then we will have" nothing to protect

Very Sincerely Karen (Eddie's wife)
White Cougar

APR 0 6 1987

ALASCOM Telegram

02009 NL TDA TELLER ALASKA 108 03-30 1115A AST
PMS

HENRY SPRINGER, CHAIRMAN 01923
Box V
COMMUNITY & REGIONAL AFFAIRS COMMITTEE
JUNEAU AK 99811

APR 1 1987
Copy: Herman Cotten Resource Committee members

FOLLOWING MESSAGE SENT TO GOVERNOR STEVE COWPER THIS DATE:

[redacted] AND OUTFITTERS SEEKING TO CUT ALASKA UP LIKE A WEDDING CAKE AND DENY THE RANK AND FILE ALASKAN UNLIMITED ACCESS TO OUR FISH AND GAME RESOURCES. ALASKAN PEOPLE COLLECTIVELY ENJOY THEIR FREEDOM TO HUNT AND FISH UNTETHERED OTHER THAN BY ORDINARY HUNTING AND FISHING LICENSES AND NORMAL BOARD OF FISH AND GAME REGULATIONS. THERE MUST BE NO SHUT OUT OF THE RANK AND FILE ALASKAN TO ACCOMODATE A BUNCH OF PREDATOR GUIDES AND OUTFITTERS WHO WANT TO ESTABLISH CLOSED CORPORATIONS OF THE PEOPLES HUNTING AND FISHING AREAS TO THE EXCLUSION OF THE RANK AND FILE ALASKAN.

SINCERELY

P.R. BOB BLOIGETT
ALASKA STATE SENATOR RETIRED

MAY 20 1987

Alaska Hunting & Fishing Ventures
Box 815
Homer, Alaska 99603

May 14, 1987

C. E. Swackhammer
Representative
Box V
Juneau, Alaska 99811

Dear Representative Swackhammer,

Thank you for your answer to my testimony on Senate Bill 191 and House Bill 183.

I agree that we need some regulations on the outfitting industry. My concern is for the resource and this is the only sound argument made by the registered guides. Other than that their motives are ones of greed.

The guides are a relatively small group with a great deal of political clout. They would like to control the hunting in our state. My suggestion would be that they clean up their own act before they try to shut down the outfitters. It seems that whenever there is a major violation of our game laws a registered guide is involved. All of our more reputable guides are turning away clients so I don't know what their problem is.

My operation is mostly boat charters. All three of our captains hold Ocean Operators licenses. We had to spend 700 days on the water and pass a Coast Guard test so I feel we are qualified for our jobs. I also have a sizeable investment in boats and equipment.

Whatever legislation comes about, I hope we can protect the resource without putting me out of business.

Thank you for your attention.

Sincerely,

Meryl Wolford

cc: Representative Herrmann
Senator Faiks

FISHING TOUR RESERVATIONS

Reservations should be made as soon as possible, as we can only handle 12 people per week during our very limited fishing season from May 15th to August 15th.

A deposit of 40% is required to confirm a reservation. This deposit is refundable up to 90 days prior to your booking date or if your cancelled dates are later reserved by another party. The balance is due upon arrival.

HUNTING TOUR RESERVATIONS

Reservations should be made as soon as possible, as we are very limited to the number of groups for our spring and fall hunts. The deposit and refund policy are the same as the fishing tours.



INSTANT FUN

SPORT FISHING & HUNTING TOURS

OF ALASKA

248 Mound Street
Berlin, Wisconsin 54923
(414) 361-4878

Fishing Consultant - Les Coates
Hunting Consultant - Harold Dowell, Jr.

INSTANT FUN
SPORT FISHING & HUNTING TOURS
OF ALASKA

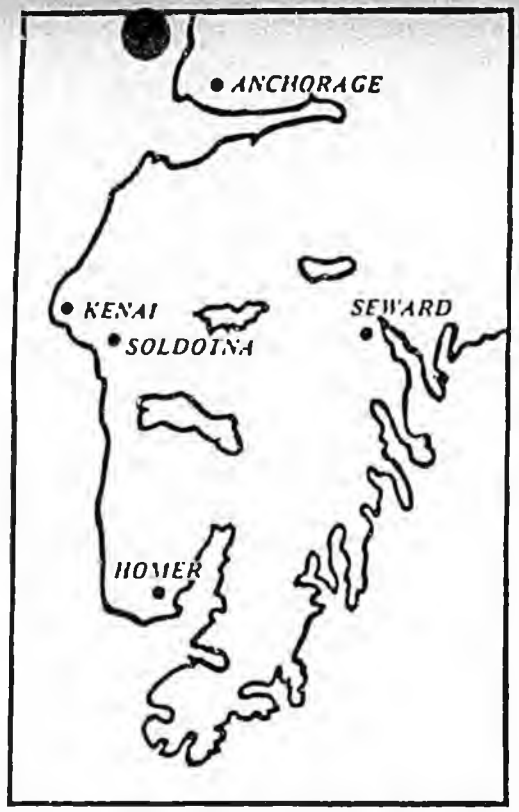
248 Mound Street
Berlin, Wisconsin 54923
(414) 361-4878

Fishing Consultant - Les Coates
Hunting Consultant - Harold Dowell, Jr.



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INSTANT FUN Sport Fishing and Hunting Tours of Alaska offers you the most fabulous fishing and hunting tours you can imagine...in the most fantastic part of the world!

THE LAST FRONTIER... ALASKA!

All fishing and hunting tours are fully outfitted, including lodging, meals, boats and equipment. You will be flying over some of the most fantastic scenery at the top of the world while on your way to the best trophy fishing and hunting you can fathom. Whether it be a hunting or a fishing tour, it will truly be a trip of a lifetime!



TROPHY HUNTING AT ITS BEST!

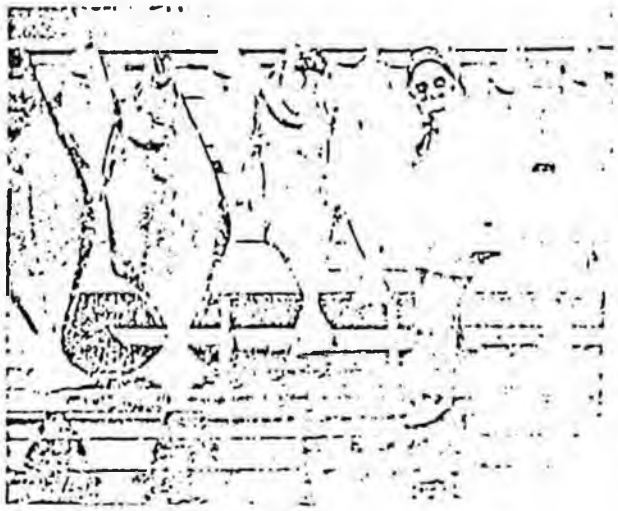
- Mountain Goats
- Caribou
- Black Bear
- Puddle & Diver Ducks





TROPHY FISHING AT ITS BEST!

- The largest King Salmon in the world! (95 pounds)
- The largest Halibut in the world! (Over 300 pounds)
- Silver Salmon (Coho)
- Artic Char
- Dolly Varden



INSTANT FUN HUNTING TOURS



CARIBOU HUNTS!

Your Caribou hunt will be a fly-in hunting tour of a lifetime! You will fly out of Homer, Alaska directly to our hunting grounds the day you arrive, which is a flight of approximately 200 miles. We will travel by float plane over the white snow-capped mountains and glaciers which provide some of the most breath-taking scenery in the world! Upon landing, you will be escorted to our comfortable tent camp

All meals will be supplied by your outfitter. He will also give you assistance with your kill and help in any other way possible. Look forward to hunting for record class Caribou for the next five days

Upon the completion of your sixth day, you will be flown back to Homer to return home.

MOOSE, BLACK BEAR, AND DUCK HUNTS

This is one of our most interesting hunts. It's here where we board our 27 foot jet boat and start our journey. It is very common to spot seals, sea otter, whales and porpoises while traveling the 25 miles to the river mouth. Then it's 10 exciting miles up the river to camp.

A comfortable camp, all food and help with game is furnished. Be prepared for seven days of real sport hunting 50 in. and larger Kenai bull moose, black bear and superb duck hunting. This is the hunt of a lifetime at affordable prices.





HUNTING TOUR RATES INCLUDE

CARIBOU

- Float Plane Travel
- Tent Camp
- Outfitter
- All food
- Help with all game

$2695.00 per person
Group of 6

MOOSE, BLACK BEAR, GOATS AND DUCKS

- Jet Boat
- Tent Camp
- Outfitter
- All food
- Help with all game

$3500.00 per person
Group of 4

NOT INCLUDED

- Sleeping Bags
- Personal Items
- Hunting Licenses
- Weapon
- Alcoholic Beverages

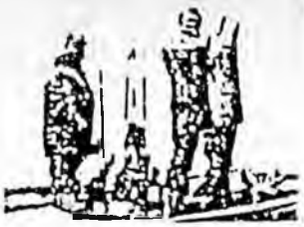


INSTANT FUN

SPORT FISHING & HUNTING TOURS

OF ALASKA

248 Mound Street, Berlin, Wisconsin 54923 • (414)361-4878
Fishing Consultant - Les Coates Hunting Consultant - Harold Dowell, Jr.











MOOSE HUNT INFORMATION

SEASON Sept. 1-20

HUNT DURATION- 7 days

INSTANT FUN FURNISHES-

A. Air fare round trip fron ~~Gaimon~~ Any Major city to Homer Ak. via Anch.

B. Jet boat travel from Homer to camp, round trip.

C. All camping equip., tents, cots, cooking gear etc.

D. All food and preparation of same.

E. Help boning, caping, and transporting game.

F Small boat and motor

G. Jet boat trans. of game to Homer Ak.

H. Van and driver for land trans. in homer.

Not furnished by instant Fun-

A. Hunting and Fishing Licenes

B. Sleeping Bag

D. Weapons or Fishing Gear

E. Personal clothing or gear

F. Meat Processing or freezing

G. Transportation of trophies or meat from Homer to Osh.

H. Rooms or meals before or after normal hunt dates.

COST

$3500.00- 50% at booking , balance payable before Aug. 1, 1988. 100% refund until May 1 1988. Refunds threafter based upon someone else booking date. 5% AK. sales tax.



INSTANT FUN

SPORT FISHING & HUNTING TOURS

OF ALASKA



248 Mound Street, Berlin, Wisconsin 54923 • (414)361-4878
Fishing Consultant - Les Coates Hunting Consultant - Harold Dowell, Jr.









Dear Friend,

I have just completed another successful year in Alaska. Many large trophies were taken in our 100% kill. One of the best parts of the outfitting business is all of the new friends I've made. I sure am looking forward to seeing them at the sport shows and rehashing all the good times.

This year I have made some changes to better serve my hunting friends. I am no longer furnishing guided hunts. I cannot feel comfortable with situations I have no control over. Sorry to say, I will not have Brown Bear or Dall Sheep hunts available.

I will have outfitted Caribou, Black Bear, Ducks and Geese and something new- trophy Moose. All of my hunts will again include round trip air fare, transportation to camp, all camp gear, food and it's preparation and help packing your game. All you furnish is your weapon, sleeping bag and license.

This moose hunt is really something special! You will be taken across the bay 25 miles and then up the river 10 miles. The ride alone will be a thrill you won't soon forget. Imagine going up a river that is sometimes only 6 inches deep in a 24 foot cabin cruiser Jet Boat at 30 to 40 M.P.H.! The hunt will be 7 days in length for Moose, Black Bear and Silver Salmon. If you're interested let me know soon. I only have room for 3 groups of 4 and one of those groups is already filled.

Last year at the Sports Show you were interested in going to Alaska this year for that dream trip. I am sending this letter to you now to give you the oppprtunity for preferred hunt dates. I will begin Sports Shows Jan. 9, so time is getting short. I will be at the following shows this year.

Cincinnati, Ohio	Jan. 9-17
St. Paul Minn.	Jan 19-24
Louisville, Ky.	Jan 23-31
Columbus, Ohio	Feb 6-14
Pittsburgh, PA.	Feb. 17-21
Indianapolis, Ind.	Feb 19-28
Toledo, Ohio	Mar. 3-6
Cleveland, Ohio	Mar. 11-20
Minneapolis, Mn.	Mar. 18-27

FEB 12 1983

See you there or call me!!!!!

Harold Dowell Jr.

Harold Dowell Jr.

Instant Fun-Sport Hunting and Fishing Tours of Alaska
118B Spring St.
Berlin, Wis. 54923
(414) 361-3599

HUNT ALASKA: Outfitted Alaskan hunts for Caribou Black Bear, Moose & Ducks. We furnish round trip airfare, float plane/jet boat, camp, food, cooking, help packing game. August 10 - October 1, $2695.00 and up. Instant Fun, Sport Fishing & Hunting Tours of Alaska, 118 Spring St., Berlin,, WI 54923; 414-361-3599. 1-8-1785

Alaska Page 211

1 JM

Alaska Adventure Planning

3605 Arctic Blvd. #2328, Anchorage, Alaska 99503
Phone: (907) 243-6374

January 14, 1988

FEB 13 1988

North Star Aviation
P.O. Box 193
Willow, Alaska 99688

Dear Sirs,

My name is Bruce Nelson, and I have started a new business called Alaska Adventure Planning. I will be planning all aspects of a self-guided trip in Alaska for hunters, fishermen, and other sportsmen. Most importantly I will be selecting a destination and booking any "bush flying".

Perhaps of most interest to flying services such as yourself is the fact that I am asking no commisions of any kind from you. My idea is to get an up-front fee from the client, thus assuring him that there is no bias on my part; I'm looking to find the best, safest, and most economical flying for them.

Hopefully this will work out well for all parties involved; I receive my fee, the hunter or fisherman gets a good trip planned, and the flying service gets "free advertising", and deals with people who are squared away on such things as what to pack, how to pack it, dealing with unavoidable flight delays, etc.

As time allows I would like to talk with you personally. In the meantime I would appreciate any brochures, rate schedules, or any other information you may already have printed up. Things I'd like to know are your experience, safety record, number and type of aircraft, capacity of each, float/gravel bar landing capabilities, areas you fly, packages you already have set up, (such as float trips), any outfitting you may do, past hunter/fisherman success, deposit policy, and insurance.

I'm advertising quite extensively in "Field and Stream", "Outdoor Life", "Petersen's Hunting", etc., and I hope to book about 300 people total this summer, so I could be sending quite a bit of business your way.

One other point I'd like to make that you're no doubt aware of, and that's House Bill 331. The part of most concern to us is obviously Sec. 9. which reads, in part:

"A nonresident may not hunt, pursue, or take a moose, black bear, brown bear, grizzly bear, polar bear, goat, or sheep in the state, unless personnally accompanied by a licensed master guide, registered guide, class A assistant guide, or assistant guide."

I don't know about you but that would be a heck of a blow to my business!! Not to mention friends and relatives planning hunts. I plan to let my opinion be heard and the more commotion raised, the better. First it has to go through the house resources committee, judiciary and finance committee, as well as the senate and house. However, I did want to bring it up.

Hope to be talking to you soon!

Sincerely,

Bruce L. "Buck" Nelson

Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Alaska 99811

1 February 1988

Senator John B. (Jack) Coghill:

As a concerned resident of the State of Alaska. The legislators should protect our natural resources from non residents hunting unguided in ALASKA.

I just came across a CABELA'S catalog, of which I'm sure you have ordered some fine winter clothing. In that catalog, they are advertising an ALASKAN hunt (unguided). I think this is an outrage! All big game animals should be guided by Alaskan guides or be an Alaskan resident. When are we going to stop the wholesale of our natural resources. I support the Alaskan guides and the Department of Fish and Game in wanting SB 191 approved.

I'm not a guide or outfitter, but do you want to see non residents who were dropped off on a "chance of a lifetime hunt" with only the bare essentials, then walking up to 5 miles away, shoot a moose, then find out this moose is not worth the 5 miles back to camp. The hunter was setup on a no win situation. The Alaskan resident will suffer from the unthinking outfitter who is looking out for themselves.

Thank you,

Joe J Mirabella

Joe J Mirabella
P.O. Box 56315
North Pole, AK 99705

CC: To all Alaskan Legislators.

P.S. A page from CABELA'S catalog is enclosed.

Cabela's®

HUNTING AND FISHING TRIPS



"Thanks Cabela's. My dad and I had a great trip. We caught six big bass in one day, I caught two 6 pounders. It was first class all the way."
Mark Barre – Age 14

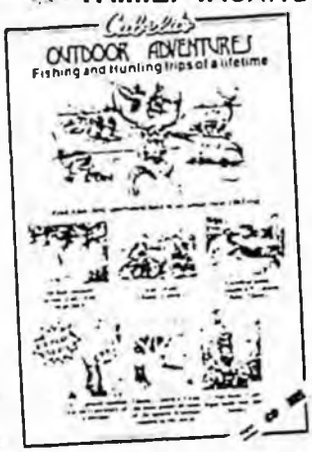


"Thanks for all the good advice for our trip. Best enjoyment of a lifetime. Worth every penny invested."
Neil Whitcher



"Our Canadian trip was fantastic. Here is a photo of my 20 pound Pike. We had constant action and I can't wait to go back. Thanks for all the help."

FAMILY VACATIONS



FREE TRIP CATALOG

The new Cabela's Outdoor Adventures 32 page catalog, with many new hunting and fishing trips, including *African Safaris*, is yours free when you order. Add order number AJ-01498-000 (price free) to any merchandise order placed by phone or mail. To order separately, write: Cabela's Outdoor Adventures, Dept. 100, 812 13th Avenue, Sidney, Nebraska 69160. ORDER TODAY.

FISHING IN ALASKA



"What a hunt; I took my largest Whitetail Buck ever on one of your trips. It was everything you said it would be and more. I have never seen so many Mule Deer Bucks in the 26-30 inch class either. I am looking forward to planning my 1988 hunting schedule with you."
D[illegible]

WHITETAIL AND MULE DEER HUNTS

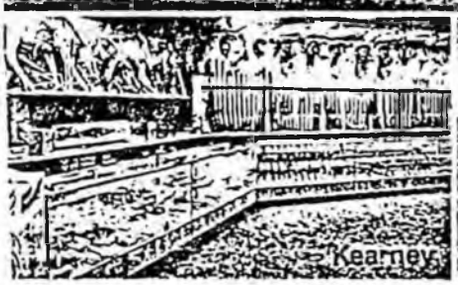
REMOTE CANADIAN FLY-IN LAKES

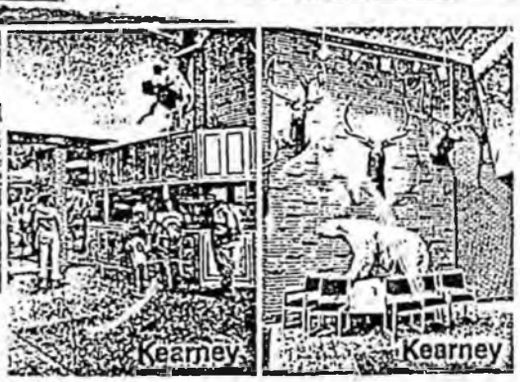


"Thanks for making my first hunting trip to Alaska a success. As you can see in the photo, I am thrilled with my 60 inch bull, taken on an unguided hunt."
Tom Rosdail.

ALASKA HUNTS









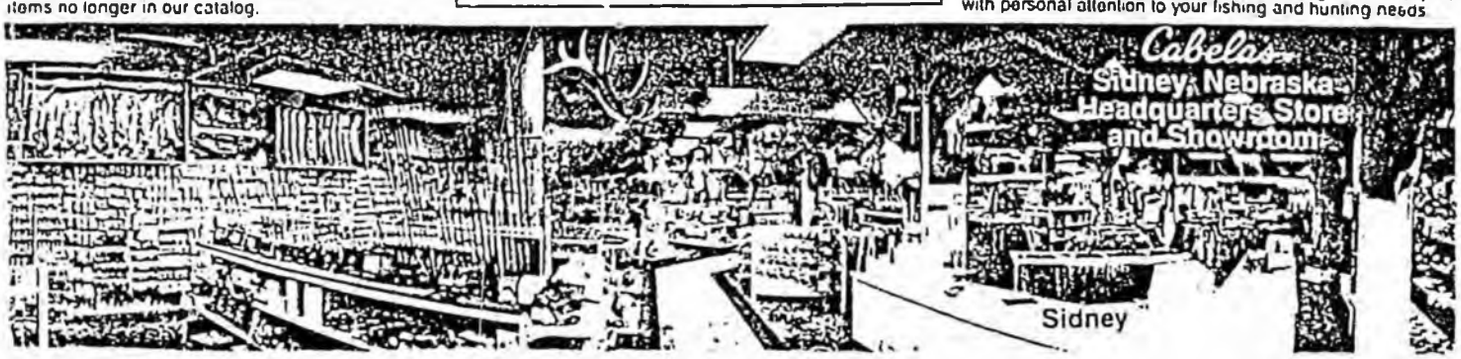
Visit Our New Kearney Showroom

See full mounted elk, sheep, goat, bear, deer, mountain lion and much more. Over 50 record class mule deer and whitetail shoulder mounts. Unbelievable collection of trophy big game mounts from all over North America. Magnificent fresh and saltwater fish display. Giant aquarium. Our new showroom store and shipping facility, located on East Hwy 30 in Kearney, Nebraska, opened in November 1987. Don't miss the "Out Back", packed with values on items no longer in our catalog.

Store Hours	—
Kearney (CST)	[illegible]
Sidney (MST)	[illegible]
(1-800-237-4444)	[illegible]

Cabela's Home Office and Showroom

The Cabela's catalog "comes alive" in our showroom store. You'll find most everything here that's in the catalog. We have a huge display of mounted trophy big game animals and fish, located throughout the store for your interest and enjoyment. While you're "trolling" for those Cabela's bargains, don't overlook our Bargain basement, where you will find some very special prices on items we no longer list in our current catalogs. We are conveniently located just off Interstate 80 in Sidney, Nebraska. Our friendly staff will be glad to help you, with personal attention to your fishing and hunting needs.



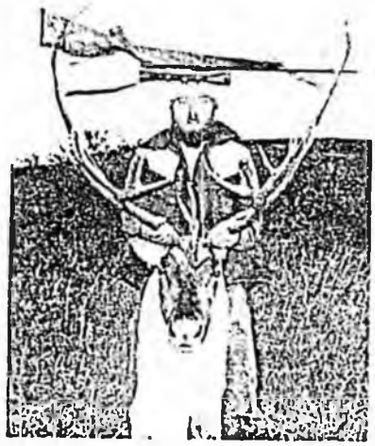
MOUNTAIN MESA Safaris

P.O. Box 15836
Colorado Springs, CO 80935
(303) 597-4062 After April, 1988 (719) 597-4062

Alaskan Hunting Camp



Jerry L. Snyder
Professional Hunter
Outfitter





About Our Camp!

We have been in the hunting business for over twenty years and what we have done is put together an Alaskan hunting opportunity at an affordable price.

You fly into King Salmon, Alaska, commercially and acquire your hunting licenses there. We pick you up in King Salmon and fly you into our bush camp which consists of comfortable tents with cots, a cook tent, and a staff of three to accommodate your needs. We furnish excellent cooked meals and take care of all camp chores so you can concentrate on hunting. Once you have made a kill, we will do all the caping, packing, and transportation of your meat and trophy back to King Salmon. Most of your hunting will be done on foot within comfortable walking distance from our camp or from river rafts at different locations along the river. We put you in the finest game areas available.

This is not a drop camp where you are left to fend for yourself in the Alaskan wilderness. This is not a guided hunt. What we provide is an inexpensive "middle of the road" hunt that offers the support you need to hunt this vast wilderness safely and successfully without all the high dollar add ons.

This is a ten day trip. Total cost is $3400.00, plus licenses, from King Salmon. Licenses available in Anchorage or King Salmon.

About the Outfitter

Jerry Snyder is a native of Colorado and has been in the hunting business for over 15 years. His articles on hunting techniques have appeared in Outdoor Life and numerous other publications.

Snyder has been on numerous guided hunts throughout the world which has enabled him to analyze guided hunts from both sides of the fence.

Jerry has been an avid sportsman all his life. Knowledge of the state and specific hunting areas matched with years of experience as a professional hunter will make your hunt with Mountain Mist Safaris all it should be.



Booking A Hunt

Due to the fact that we have been in business a lot of years, and have a lot of repeat clients, we fill up pretty early. It is recommended that you book a hunt as far in advance as possible to insure the dates and type of hunt that you want.

A 50% non-refundable deposit is required to book a hunt. In the event of cancellation, we will apply your deposit to a future hunt. The Alaskan hunt is an extremely limited hunt.



Don't forget your fishing pole!



Marc Naylar packing out client's caribou.

We also offer trophy whitetail deer hunts in the heart of "Muy Grande" country in south Texas, hunts for all of the exotics, and extremely exciting alligator hunts.

In Colorado, which is our headquarters, we hunt trophy buffalo as well as everything Colorado offers to hunt.

We are not a booking agent. All hunts are conducted by Mountain Mesa Safaris.

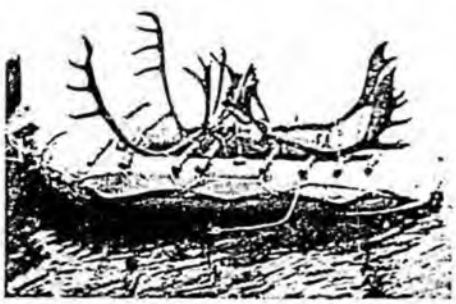
Mountain Mesa Safaris

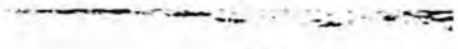
















"One picture says a thousand words."

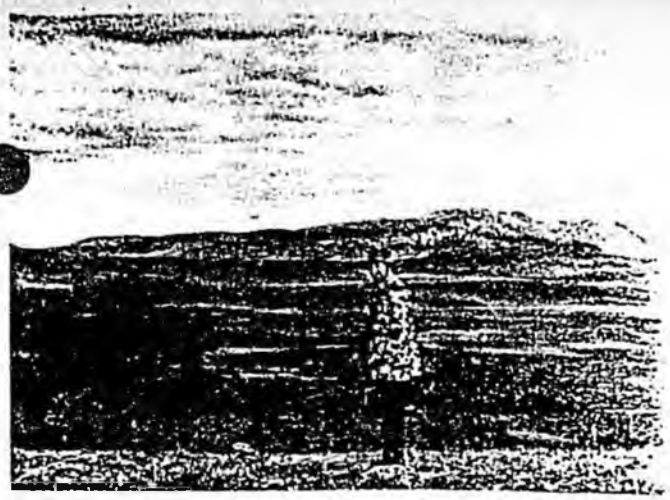
ALASKA BIG GAME HUNTS

Caribou - Waterfowl - Ptarmigan - Fishing



KING SALMON ADVENTURES

P.O. Box 294
Oak Creek, WI 53154
(414) 425-1838 • (414) 483-8870



The Alaska Peninsula is vast open country. From a good vantage point, game can be seen over a great distance. After your caribou is down, you can treat yourself to some excellent bird hunting, waterfowl and ptarmigan are usually in abundance. The fishing will vary depending on exact camp location.

We supply - Round trip charter airfare from King Salmon
- A comfortable camp in good game country
- A cook, all meals and camp personnel
- A recommended equipment list and general information

You supply - Your rifle and personal gear.
- Your hunting and fishing licenses

Our goal is to provide a quality hunt and ultimate Alaska experience at an affordable price.

1988 rates are $1500 per person
A $500 deposit will reserve your spot.

The Practical Alternative to a Costly Guided Hunt

We offer unguided hunts on the Alaska Peninsula for trophy caribou plus waterfowl, ptarmigan and fishing. This is not a drop camp, but a fully outfitted hunting camp complete with cook and camp crew. Our camps are remote and accessible only by float plane. To insure quality hunting, camp is limited to no more than 4 to 6 hunters at one time. Our hunting package features all the safety and convenience of an outfitted hunt without the high cost of a guided hunt. We will fly you from King Salmon into some of Alaska's finest caribou hunting. Our cook will serve you a good hardy meals and our crew will keep things running smoothly around camp.









Red Salmon	
Chum Salmon	
Silver Salmon	
Rainbow Trout	
Lake Trout	
Arctic Char	
Arctic Grayling	
Dolly Varden	
Pike	

···· = Available ——— = Peak Period

Home waters Naknek
Katmai National Park is o

Brett W. Hub
Professional Guide & O
246-4456
3061 East 42nd Avenue, Suite 703 • An
(907) 562-6470

Wildlife is abundant in our areas of operation. Brown Bear, Moose, Caribou, Wolf, Fox, Marten, Mink, and Otter are all native species and encounters are common. A quality camera and lots of film should be considered a necessity as the wildlife and scenic beauty of the area is unmatched. This coupled with Salmon runs numbering millions of fish makes for an outdoor enthusiasts' paradise.



We offer fully outfitted unguided hunts for Moose and Caribou. Our hunts are conducted from remote tent camps accessed by boat or air. All transportation, lodging, food and assistance with care of trophy meat is included. Our Moose hunting is done predominantly in conjunction with river floats. For Caribou, we use boat access mobile camps that enable us to intercept the migration of the King Salmon Herd numbering 60,000 animals. The abundance of game in our remote locations results in High Success and many Large Trophies.

September is "Prime Time" for the outdoorsman who wants to Hunt & Fish. Moose Season is open in conjunction with Caribou and the Trout, Grayling and Char are feeding heavily before the freeze.



In order to maintain the superb fisheries in the area we advocate a catch and release policy on all fish except the plentiful Salmon. Guests will be allowed to keep one Trophy fish per species for mounting, all others will be released unharmed.

Peak fishing times are dictated by the species you would like to concentrate on. This outline should aid in planning your trip.



SPECIES	JUNE	JULY	AUG	SEPT	OCT
King Salmon	....	————	....		
Pink Salmon		....	————	....	
Red Salmon		....	————	....	
Chum Salmon		....	————	....	
Silver Salmon			....	————	....
Rainbow Trout	————	....	....	————	————
Lake Trout	————	....	....	————	————
Arctic Char	————	..	....	————	————
Arctic Grayling	....	————	....	————	....
Dolly Varden	————	....	....	————	
Pike	....	————	....	....	————

.... = Available ———— = Peak Period



Bristol Bay Adventures



Adventures in the great land

• SPORTFISHING

King, Red, Pink, Silver and Chum Salmon
Trophy Rainbow • Northern Pike
Arctic Char • Grayling

• HUNTING

Moose & Caribou

• WILDLIFE PHOTOGRAPHY

Home waters Naknek drainage
Katmai National Park is our backyard

Brett W. Huber
Professional Guide & Outfitter
246-4450
3661 East 42nd Avenue, Suite 703 • Anchorage, AK 99508
(907) 562-0470

Thank you for your interest in Bristol Bay Adventures. Our lodge is located on King Salmon Creek, just above its confluence with the mighty Naknek River. Commercial airline service is to the town of King Salmon, (pop. 400) a short distance up river from the lodge and 250 air miles from Anchorage. King Salmon is considered the hub of Bristol Bay sportsfishing.

The Naknek Drainage, our "Home Waters" boasts all 6 species of Pacific Salmon, as well as trophy Rainbow Trout, Lake Trout, Arctic Char, Grayling, Dolly Varden and Pike. With the 50 mile course of the Naknek River, Naknek Lake stretching 60 miles long and 10 miles wide, and the numerous smaller streams draining into the lake we have hundreds of prime "fishing holes" available to us by boat.



Fishing the Naknek's world famous King Salmon run for Chinooks weighing 20 to 60 pounds as well as the late season Coho run is done primarily in the lower river. Accommodations will be in the main lodge and roomy powerful riverboats will be our transportation.

Wild trophy Rainbows like wild country. Our Rainbow Trout, Lake Trout, Arctic Char, Dolly Varden and Grayling fishing is concentrated in the upper drainage. These fishing areas range from 1 to 5 hours from the main lodge. To minimize travel time and maximize time spent fishing we utilize remote tent camps.



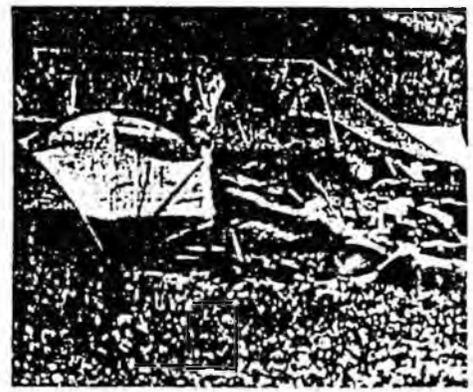
Our remote camps are designed to offer unparalleled comfort for your wilderness adventure. We use only the finest equipment featuring large canvas wall tents and bunks. These mobile camps insure us of the flexibility required to move with our migrating fish as well as offer an opportunity to "live" in the Alaskan "Bush" and experience first hand its adventure and splendor.



Float trips offer a unique insight to our wild Alaska. The tranquility of gliding along a pristine Alaskan river, the exhilaration of a drag screaming fish or a chance encounter with the Great Alaskan Brown Bear will be lifelong memories of your Alaskan Adventure.



We use a float plane to reach the remote river headwaters and specially designed 14 foot white water Achilles rafts for our journey downstream. As space is limited we use a "flycamp" set up with nylon tents and sleeping pads. These floats can be our most demanding yet rewarding adventures.



A great Alaskan caribou hunt

Gary Vuet
Outdoors Writer

They were told, more like warned, to sleep with their rifles. Kodiak bears had been known to come into camp.

They were also told to keep their meat 100 yards from camp and cook in a different tent. And for extra good measure, they were told to keep a shotgun close. They did — a police riot gun.

And above all, they were warned, watch out for those mosquitoes. On a calm day, they'll carry you away.

Gary Markofer and his wife, Pat, along with fellow Sacramentans Dennis Stroth and Bob Moore, recently returned from a caribou hunting expedition on the Naknek River in Alaska near Bristol Bay.

The four had done a lot of hunting. As a matter of fact, Pat had the largest elk recorded last year in the Sacramento Safari Club's (SSC) annual big-game contest. She bagged the big elk when the same four hunters went to British Columbia last year on an elk hunt.

But when it came to caribou, all four were neophytes. All they knew about hunting caribou was that Gary was the high bidder last year on a caribou hunt offered by SSC. All four of them then talked to the outfitter, Rich Dykema, who lives six months of the year in Rancho Cordova and the other six months on the Naknek River. They told him all they needed was a bush pilot to get them to the King Salmon on the Alaska peninsula to Naknek. They said they would do the rest.

When you consider their background in hunting caribou and remember the warnings from above, it's a little amazing they decided to go on the trip without a guide.

What's even more amazing is the fact they brought back eight caribou (two apiece), two of which will make Boone & Crockett's record book. Again, Pat had the biggest, 42 points with a 50-inch spread.

"We flew to Anchorage from Sacramento and then to King Salmon," said Gary Markofer, who had the second largest caribou, 36 points with a 50-inch spread. "Dykema picked us up there, drove us to a lodge where we changed our clothes, and then we got in a bush plane. We flew for 30 minutes and were dropped off on the Naknek in the tundra. We had our own gear and dehydrated food. We packed it up when we left Sacramento and didn't unpack it until we were out in the tundra."

This type of outing isn't all that unique. Markofer estimates that about 20 percent of the hunters who go to Alaska to hunt caribou do it without a guide. But how many of those people have never been caribou hunting? Generally, experienced hunters don't need guides, just a bush pilot to get them in and out. "I guess, maybe, we were a little unique," Markofer admitted.

But Markofer said there were no surprises. Although they did see one Kodiak bear when they were flying into Naknek, they didn't see any the seven days they were hunting.

The only two unsettling things — both of which they either expected or were warned about — were estimating the size of the caribou and the mosquitoes.

"We were after big horns," Markofer said. "But since we never hunted them before, it was difficult to judge which ones were big and which ones were big but not that big.



Special to Th

Pat Markofer packs out some huge horns from her record caribou.

"And the mosquitoes. You better hope the wind blows or they will carry you away. The caribou know that. They cover about 60 miles a day. They aren't migrating, just grazing and getting away from the mosquitoes. They always walk into the wind to keep the bugs out of their eyes. They can walk and feed faster than most people can run. I think they spend their whole lives walking."

During the first three days of the hunt, the four never spotted a caribou. But on the fourth day, they saw a herd of between 5,000 and 6,000. "All they were doing was walking up and down this valley," Markofer said. "We saw them in that spot for a couple of days, and then they were gone. Never saw a caribou again."

Since the four were dropped into literally thousands of square miles of wilderness, the ideal way to hunt caribou was to spot them in the plane. "Traditionally, they would do that, and then they couldn't start hunting them until 3 a.m. the next day," Markofer said. "But even then it is tough finding them because they are always on the move. And once you find them, it is tough staying up with them. To get one, you have to be l and we were very lucky."

Eight caribou, at an average of 450-500 po means the group had more than 1,500 pour meat. What do you do with 1,500 pounds of bou in the tundra of Alaska?

"The law in Alaska is that you have to brir complete caribou out," Markofer said. "We h backpack all the animals back to camp. We fortunate there because I don't think we h pack an animal more than four miles.

"But when it came time to ship the meat h it just wasn't feasible to send all the meat h The airlines charge $25 for the first carton carton carries 70 pounds), $40 for the secon ton, $100 for the third and $200 for the fourt shipped some home and donated the rest o meat to a church."

Once the Markofers arrived back in Sacra to, the transportation of the caribou — the — became a problem. "We had to ship the back air cargo," Markofer said. "They we large that we had to make two trips from th port to home, and I have a pretty big truck."

their fully-automatic military M16 and M14 counterparts. So what, doesn't a civilian jeep look like a military jeep and doesn't a civilian tent look like a military tent? True, but we have yet to hear of a National Coalition to Ban Jeeps or a Tent Control, Inc. While the "design" argument makes no sense to knowledgeable gun owners, it does have its appeal to edit- e gun N y spe f rifle i sem i his l pist 59 a Bere ing

American Hunter
April '87

Model Four, and much of the 740 series, and the Winchester Model 100—by calling these firearms "military assault weapons" and claiming "the only purpose of these guns is to kill people."

the last Congress, New Jersey Rep. Robert Torricelli introduced a bill to outlaw the possession of guns which could be "readily converted" to full-auto fire. To Torricelli, a military-style, semi-automatic pistol "has no purpose except to kill people. It's too inaccurate for target shooting, hunting or self-defense. This is an awesome close-range offensive weapon that is being used for contract murders and drug killings by criminal organizations."

Torricelli's newly injected "convertibility" test adds a new twist to shop-worn anti-gun arguments, though it is equally irrelevent and nonsensical. America's law-abiding gunsmiths won't convert semi-autos to full-auto—it is against the law. It is unlawful to convert semi-autos to full-auto, just as it is to convert full-sized rifles and shotguns to short-barrelled, short-stock versions. Yet

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drew, aimed, and released. He crashed out of sight and within seconds all was quiet. I waited as long as I could and calmly climbed down from my perch. My first step was normal but my second was a dead run! Enough self control!

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The next morning ag
following a blood trail. Th
and very spotty. If the blo
indication, the big bear did
hurt badly. A
over me—mc
out of blooc
knees follow
grass and mc
said, "I smel
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direction he
smell hit us
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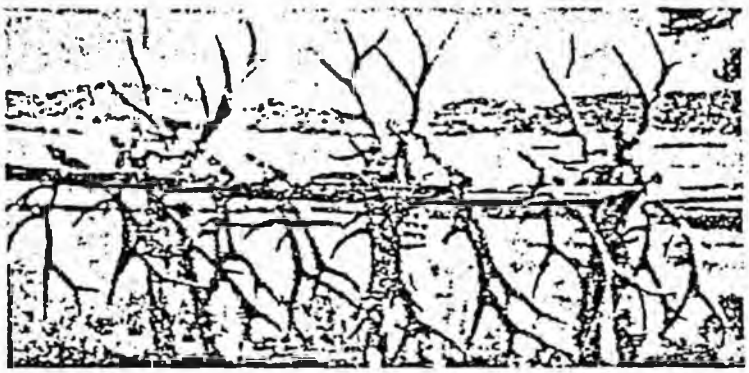
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UNITED STATES

ALASKA—Ric Martin of New Mexico recommends his guide Chuck McLaughlin of Vail, Colorado after a brown bear hunt in Alaska with Chuck. Dr. William Schmidt of Florida recommends guide Lee Todd of Soldotna as capable, though he did not bring home a Dall sheep from his hunt in the Wrangell Mountains.

COLORADO—Ric Martin of Jemez Springs, New Mexico gets a good recommendation from Ted Cohen of Pennsylvania after guiding Ted on a mule deer hunt.

FLORIDA—Wayne King, Jr. of Florida highly recommends the Corsican sheep and wild boar hunt at Lake Wales, offered by Carey Lightsey of the Lightsey Cattle Company.

NEVADA—Jerry Hughes and David Welch of Nevada Wilderness Trophy Hunts get hearty recommendation from Thornton Snider of California, after his mountain lion hunt at M Wilson. Snider says they have excel dogs and horses.

NEW MEXICO—Also for cou Ric Martin of North Country Outfit in Jemez Springs is rated "excelle the best," by Jim Longley of Albuq que after his successful hunt in Pecos Wilderness. On antelope M tin's outfit also comes highly rec mended by Bill and Ingrid Poole California, who hunted the Magdal Ranch, and by Karlheinz Bodd, says, "Ric Martin conducts an excel hunt. I'm booking again with hir 1982." Martin is nothing if not w rounded: he is also endorsed by D Lott of Texas and Paul Rocheste Albuquerque, who hunted elk with on the Baca Grant; Rochester took b bear and turkey as well. Allen and C DeVries of Michigan report good tu hunts with Ric, too.

CANADA

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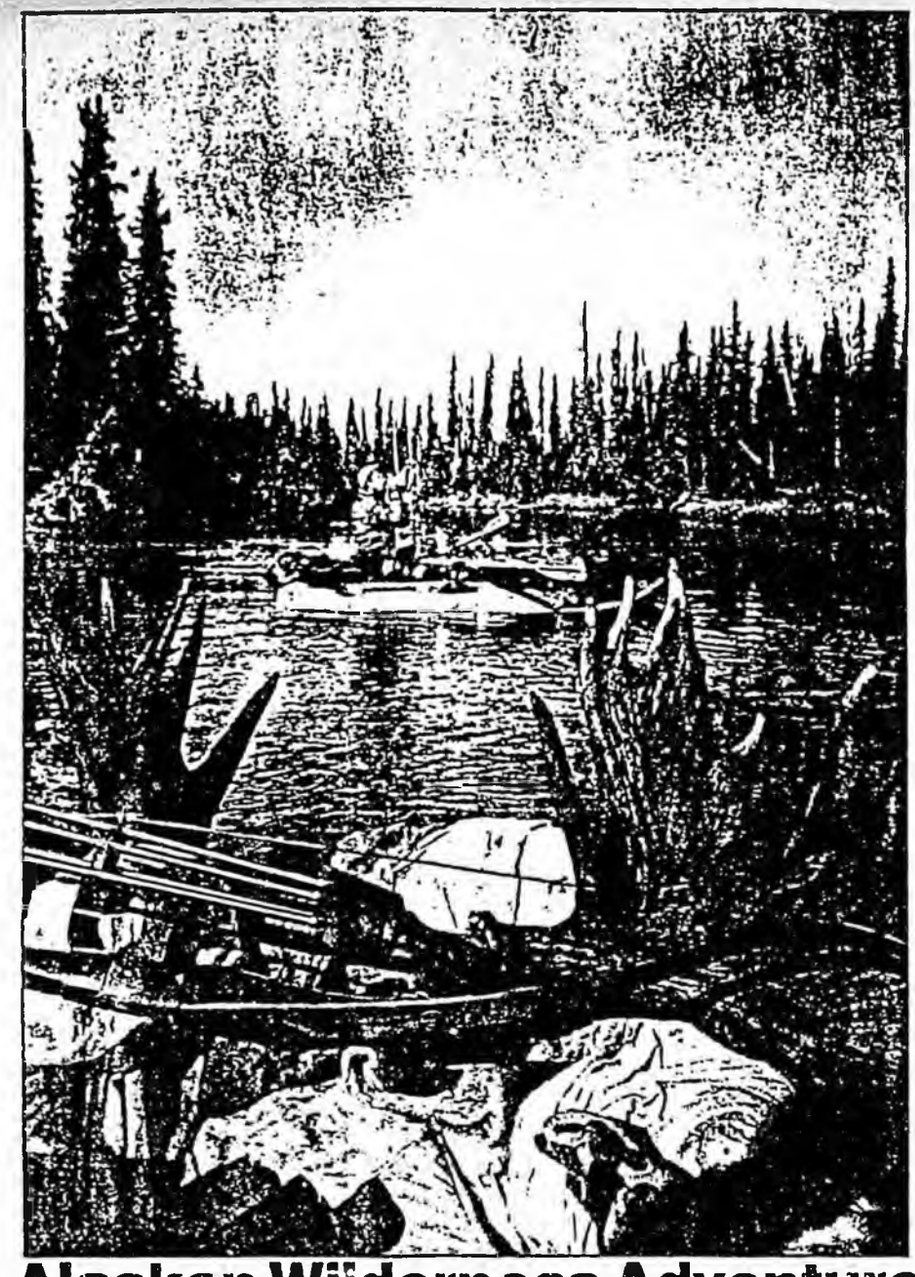
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Alaskan Wilderness Adventure

Float for Moose

by Roger Rothhaar

"Aren't we having fun?" Jim Emer muttered.

My hunting partner's comment appropriate. At the moment we v huddled in a spruce swamp trying to shelter from the gale that was hurling h wet snowflakes across the Alas landscape. It was September and the en our first day floating the Moose John R in search of moose and/or caribou.

The weather had tried to put a damper our spirits from the beginning. It had rai throughout the early morning and was raining when Jim, Doug Borland an pushed off shortly after noon. As shoreline and the hours slipped past, it colder and the wind picked up. The r changed to stinging sleet and finally to snow.

Then about 5:00 p.m. we rounded a be and spotted a cow and bull moose stand on a sand bar maybe 100 yards ahead. Th took a long look at us before trotting up in the timber. We quickly beached our rafts a checked the tracks in the snow. The moo seemed to be heading out for parts unknow Their lack of response to Doug's exp calling tactics verified the fact they we interested in putting distance betwe themselves and us.

It was at this point, wet and cold, and w the weather showing no signs improvement, that we decided to find cov among the spruce trees, set up camp, dried out, fed and warmed up. We soon g a canvas fly tied and a fire going. With moments there was a pot of Doug's tas Two-Bird Stew simmering away while o soaked, frozen clothing was steaming itse dry. Our mood changed quickly from co despair to cheerful optimism. Things wou improve tomorrow.

This hunt was the realization of a lon time dream which most serious bowhunte have...hunting Alaska. Actually, it was n second bowhunt in Alaska, the first havi been an interesting, inexpensive, b unproductive visit in 1969.

Now Jim and I were a long way from o Ohio homes starting a wilderne adventure...the real thing. Doug Borlan along with partner Jay Massey, pioneere these Moose John River float hunts. Th floats are well organized and we coordinated. Schedules are timed to th minute on connections from arrival at th airport to being picked up by a bush plan at a designated spot after 10 days on the riv and nearly 150 miles of floating. As we we discovering, Alaska has many moods an bad weather can affect the best laid plans o any man.

Float hunting works well on wild Alaska rivers. In our case, Jim, Doug and I each ha our own 12-foot raft. When game encountered, there's a strong chance one o the three bowhunters will be in a goo position for action. It's not unusual to hav shots from your drifting raft. It is importan

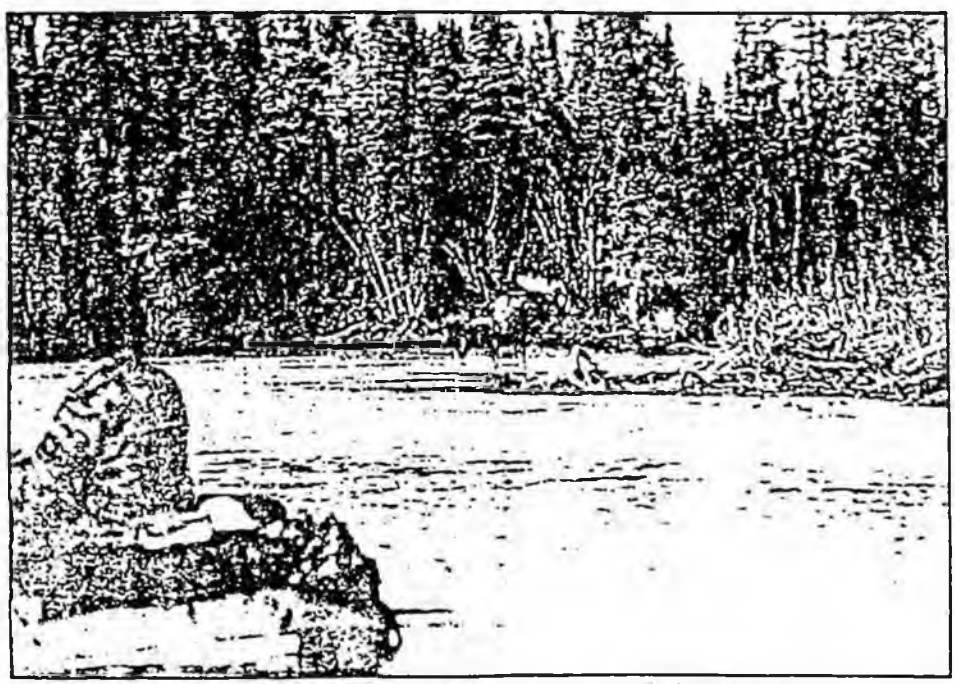
for the person who's doing the calling to be in the first raft, rather than a "shooter." Most times you're drifting along at a good rate of speed—four to five miles per hour—and by the time a moose can be called out of the brush to the water's edge, the lead raft is past. Often one of the trailing rafts will be in position for a good shot. Other times it's best to beach upstream and make a stalk while the bull's attention is on the caller. When a bull emerges behind all the rafts, it's best to beach downstream, slip back quietly and try to call him into shooting range. This is probably the most successful method. Calling several moose into the water as the rafts drift past is also common on most float hunts.

The 12-foot Avon rafts we used are capable of floating 2,000 pounds of weight in eight to 10 inches of water. They maneuver well and are easily mastered even by beginners after a few hours of practice on the calmer waters of the Alaskan moose rivers. The primary problem rafters encounter are called "sweepers." Sweepers are trees which have toppled into the water after the river undercuts their root systems. The trunk and limbs are often just above water level. If your raft is pushed into a sweeper, the current can cause the raft to flip, trapping you underneath. To avoid being drowned in a few feet of water, it's wise to have a belt knife handy to cut through the raft in an emergency.

Please don't misunderstand. I'm not saying these float trips are extremely dangerous; however, they are not Sunday cruises down the old mill stream. After you push off, you're totally isolated, with no contact with the outside world. You must enjoy primitive camping and know how to fend for yourself in the wilds. This is another good reason three-man parties are ideal. In a crisis situation, if someone is injured, one person could remain with the victim while another floats on to the pick-up point to get help. Certainly no one should try a float trip on his own. A two-man float team is minimum insurance against a wilderness disaster.

The second day of our adventure dawned cold and cloudy—but at least the snow had stopped. It was well below freezing and everything was covered with snow and ice. We quickly packed our gear on the rafts and took off down the river. Shortly before noon the sun broke through as the clouds parted and we found ourselves in a beautiful Indian summer world. The golden colors of the northlands were framed between the deep blue sky and its reflection in the clear river. This country's wild beauty cannot be adequately described with words; it must be seen to be appreciated. The break in the weather offset the absence of moose or caribou this day and our optimism remained high.

On the morning of the third day we caught up with two Louisiana bowhunters who had left base camp several days before us. They'd had some equipment problems and had been dunked a couple of times. Still, they were in good spirits and had a nice, medium-sized bull caribou to show for their efforts. We helped them get their gear in order and watched them shove off again. We dawdled to give them time to put some distance between us. A little later that same afternoon, Jay Massey and Dickie Robertson, maker of Robertson Stykbows, caught up to us. We floated on with them until evening, leap-frogging down the river as first one party and then the other would stop to explore good looking areas or to try calling a bull out of the bush.



FLOAT HUNTING—Calling rutting bulls from drifting rafts results in fast and furious action when a big moose answers the challenge.

As we floated along we would often be able to look up long canyons and over open hillsides. Wildlife was plentiful. We spotted numerous black bears in the berry patches and twice we saw grizzlies, both times sows with cubs. The hills were also spotted with small herds of caribou and on occasion we saw them crossing the river, although never in a good situation for one of us to get a shot.

On the third evening we camped at a place appropriately called Caribou Crossing where dozens of two-foot-wide game trails came off the tundra and down to the river's edge. Unfortunately, recent unseasonably warm weather in the region had slowed movements of the caribou herds and we knew our chances of collecting a big bull were remote.

Sitting around the campfire that evening, we laid plans for the next day. Jay and Jim decided to fan out and wander along the river's edge in hopes of locating caribou moving down the myriad of trails. Doug and Dickie planned a long hike into the hills in search of a big bull. I opted to raft across the river and hike several miles to a large sand bar where the river swung back about six miles downstream. Both Doug and Jay spoke well of this large sand bar as a good moose producer from past hunts.

First light found me across the river and on a game trail. It was about an hour's hike to the sand bar and along the way there were several points where the terrain was high enough that I could see stretches of the river below. I would glass these areas at each opportunity, and once I saw a large bull and a cow crossing the river right where the big sandbar was supposed to be.

When I reached the sand bar 30 minutes later, it seemed deserted. Regardless, I stood for quite some time just looking the area over and getting a feel for my surroundings. Suddenly some 40 yards away—right in front of me in the heavy willows—a 30-foot tree began swaying. Then it started trembling and shaking. I lifted my binoculars and could see a huge set of antlers working over the tree. As the bull worked at the tree, he began to grunt and flail his antlers on nearby brush. Talk about exciting!

The wind was right for me but the brush was thick. I finally tried easing into the willows but before I'd gone far an undetected cow saw me and crashed off through the brush. The bull continued to work on the trees for a minute or two, but then moved off after the cow. I quickly made a wide circle around the pair in an effort to beat them to the river crossing but I heard splashing well ahead of me. The river at that point was about 200 yards wide and too deep to wade so I gave up on those two and turned my attention to checking out the sand bar. I slipped up on a young bull and watched him unseen for about half an hour before heading back to camp for lunch. It was noon before I made it. Talking over the events of the morning with Jay and Jim, we all decided to return to the sand bar that evening so that Jay, who is an excellent

noose caller, could try to lure a bull within bow range.

After lunch and a rest break, we made our way back to the sand bar about 4:00 p.m. We slipped along the river's edge, moving through the willows as Jay began his moaning cow moose calling ritual. He augmented the vocalization on occasion by stomping on arm-sized limbs to simulate the movement of a heavy animal. After an hour or so with no reaction, we gave the bull grunting sequences a try, knocking limbs against trees and trying to sound like an angry bull. Again nothing. Finally we split up and spent the remaining daylight each doing our own thing before heading back to camp. Jim went to check out the moose crossing near the river. Jay headed upstream and I decided to work my way slowly along a dry stream bed grown up in willow shoots, which are prime moose browse. I eased along the bank, keeping an eye on the stream bed and the spruce trees beyond.

After a time I spotted some movement ahead in the edge of the timber. I figured it was Jay because earlier I'd heard him cow-moaning in that direction. I raised my glasses and did a double take. The same set of huge antlers I'd seen this morning was swaying in the shadows as the bull moved his head. Then he turned and began punishing a willow. After a moment he stepped out of the trees and for the first time I spotted a cow already feeding in the willows. She was about 75 yards away but heading toward the dry stream bed I was following.

The bull walked directly to her and stuck his nose against her rear, following her as she moved. I carefully got into position behind a spruce at the point I thought they'd come closest to if they stayed on their present course. It would mean a shot of less than 30 yards.



ODD-RACKED BUCK—The author poses with his moose. The deformed antler was the result of an old injury to the bull's skull.

Slowly they moved closer, working into the open. Suddenly, the cow bolted and ran back into the heavier brush! The bull looked after her and I felt my heart sink. I figured he would follow her and that would ruin any chance I might have. But surprisingly he moved nearer to me before stopping again to stare after the cow.

I figured it was time to try for a shot. The arrow was right on...until it hit a willow limb 10 yards from the bull and buried in the ground. He jumped forward another five yards and peered at where the arrow had rattled in the brush. He was standing in the open at 50 yards.

My second arrow arched through the air in slow motion and hit perfectly behind the foreleg, burying to the fletching. He crashed into the eight-foot-high willows and ran with his antlers floating above them. After 40 yards his antlers suddenly disappeared and it looked as if he had stepped into a hole. Sprinting to where I could see into the brush, I saw him down and out. Time lapsed from hit to checkout...less than five seconds. My good old Snuffer pushed by my 68-pound recurve had done it again.

An up-close look at one of these critters can only be described as awesome. It takes a sweep of the head to stand next to one and look from one end to the other. Then it hits you that you must field dress this behemoth.

Even with Jay and Jim to lend a hand, it took the better part of an hour to do the job. Leaving him to cool, we headed back to camp in the dark. The following day it took us nearly six hours to skin the moose, disassemble it and carry the pieces to the raft. Nine pieces, all weighing over 100 pounds, were carried to the river by means of a makeshift litter. Meanwhile, Doug and Dickie had scored on a medium-sized caribou bull. They carried the quarters down to a spot on the river we'd pass later. Next morning we continued our float, picking up the moose-heavy raft and the caribou meat.

The next several days were spent floating, fishing, shooting grouse and generally having a great time. Most of my time was spent working on my moose cape and writing notes and attending to camp chores. It's quite a job working on a moose cape. It weighs about 80 pounds green and the lips and nose are huge. It took three days of scraping and fleshing to get it to where I could salt it down.

Doug, Jim and I continued leap-frogging along the river with Jay and Dickie. Doug managed to call in several nice bulls but the brush was always too heavy to permit a shot. Jay and Dickie weren't having much better luck. The weather had warmed up and the bulls had slowed down their rutting activity. They were hanging around the cows but weren't responding to the fighting urge that's the rule under normal weather conditions.

Finally, on the eighth day, we were floating along basking in the autumn sunshine. It was maybe 10:00 a.m. and Doug



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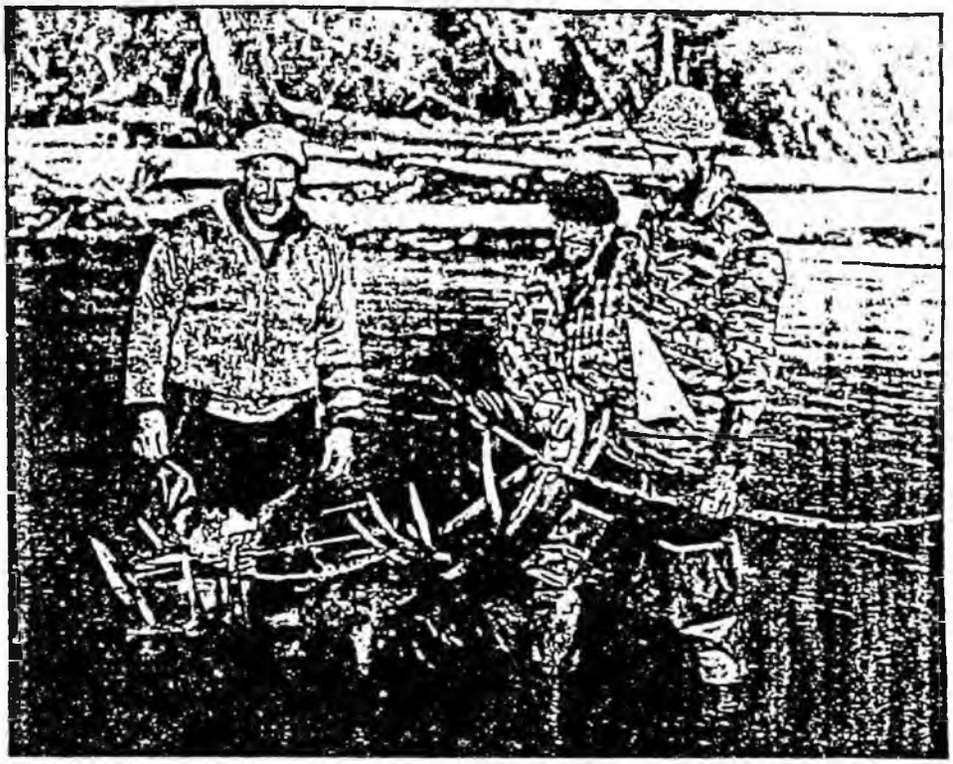
was in the lead raft, making moose music with his birchbark call at every bend. I was about 30 yards behind Doug's raft and Jim was an equal distance behind me. As we rounded a bend, Doug's grunts were immediately answered by a volley of grunts and a terrible thrashing in the willows bordering the river. Doug challenged again and suddenly the bull came stomping out into the river 25 yards ahead of Doug's raft, grunting with every step. I eased my raft over to the bank and beached it to watch the action.

The bull crossed the river and stood in the water along the opposite shore, looking back and grunting at Doug. Meanwhile Jim was drifting closer and preparing for a shot. About the time Jim released, the bull started up onto the sand bar. Jim's grunts from Doug's call brought him back. Jim's second arrow struck squarely on the shoulder, doing no damage. Again the moose turned and started away and once more Doug's grunts turned him. This time Jim and Doug both shot at the same time and both arrows struck simultaneously. The bull broke for the far bank. He was trying to climb out when he toppled backwards and fell dead in the river. What a show! If only I had had my camera out...

This moose was easy to butcher despite the foot-deep water. The raft was right there to pack and the washed meat was cool and clean. Doug's tape showed the spread to be 61 inches with a Pope and Young score of something over 190. My moose was considerably bigger but had been injured in a fight and had suffered a fractured skull. The old injury had affected the growth of the bull's left antler. It was deformed and smaller than the right. Even at that he spanned 60 inches and had a Pope and Young green score of 170. Had both palms been normal he'd have spread about 65 inches and scored perhaps 210, putting him well into the book. Still, I don't regret shooting the bull. I knew he had an uneven rack when I shot him and I still consider him a fine trophy. He weighed an estimated 1,500 pounds and Jay aged him at 9-1/2 years. Jim's was a younger bull, with the meat weighing in at 777 pounds at Anchorage. His rack was perfectly matched and beautiful. His live weight would have been perhaps 1,200 pounds.

There was another round of toasting that night along with a fine meal of moose tenderloin braised in wine sauce (both Doug and Jay are excellent cooks). The large rafts allowed us to take everything needed to cook gourmet foods. We ate well on baked grayling, grouse and, of course, choice moose cuts balanced with a variety of fruits and vegetables with pie and cake for dessert.

The remainder of our trip was relaxed and anticlimatic. We saw all kinds of game and had fun in the company of good hunting companions. Jay, Dickie, Doug and Jim are great people and I'd hunt with them again at any time.



TEAM EFFORT—Jim Emerson (left) and Doug Borland (right) teamed up on this bull. The moose answered caller's grunts and was arrowed from drifting rafts. He fell in river making field dressing easy.

We saw more moose and one day Jim had to retreat into his raft after he had landed to get some close-up shots of a baby bull feeding at the edge of a sand bar. Mommy promptly came to the baby's defense, ears laid back and hackles erect. There was no doubt about her intentions. We were told Alaskans have at least as much respect for a defensive mother moose as they do for a grizzly bear with cubs. They try to avoid confrontations at any time. We could see why.

Another time Doug called in a 45-inch bull. He walked out onto a sand bar and I got some shots with my camera. There was a hot cow in the bush and we had hopes a bigger bull was nearby. We beached the rafts and Doug and Jim circled the moose. They eventually came within 10 yards of me. That was exciting!

Finally, 15 minutes from our pick-up point, we were buzzed by the pick-up plane. By the time we reached our rendezvous point, the plane was docked, with doors open, ready to load. It was a perfect ending to a perfect hunt.

Coming Soon...
• Javelina Hunt
• Lone Star Lions

Author's Notes

The human memory is an amazing thing. As I look back on this trip, I can only vaguely remember prying my frozen hip boots on or huddling cold and wet by a snapping fire, grinning in answer to the question, "Aren't we having fun?" Those times are overshadowed by exciting bush plane flights and wonderful times afield in this great, wild place called Alaska. At the time of its planning, I figured it probably was a once-in-a-lifetime experience. But now I'm trying to figure a way of returning.

For those bowhunters on a budget who might wish to experience some of the finest primitive hunting in Alaska, the float hunt can be the answer. Jay Massey now operates the Moose John River Outfitters and offers fully outfitted, on-your-own float hunts. Everything is provided except a sleeping bag, personal gear and hunting licenses. Hunters are picked up at the Anchorage airport and returned there after the hunt. This hunt is for experienced and ethical bowhunters and outdoorsmen. You must be able to enjoy the rigors of the wilderness and be able to cope with them.

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Continued from page 72

six football fields. Finding our bull, and not just spooking him, was going to be tricky. We slipped to the downwind side, spread about 70 yards apart. Half the thicket was covered by head-high alders so dense they could hardly be penetrated. The rest was thinner, but still reached to my chest. We developed a routine. We'd glass for five minutes, then move into the tangle about 20 yards and glass again.

One hour and 100 yards into the thicket, I spotted the broad left palm of the bull. He was bedded another 100 yards away. Only heavy horns showed. I signaled Bob; we studied the situation. Everything looked good for a final stalk. The same bush that hid the bull would be our cover. The wind was gusting and right in our faces. It would muffle our noise and whisk away our scent.

We began to creep slowly toward the bedded bull. In most places the only way through the dense brush was on moose trails and they wandered all over the place. I found myself being drawn far to the right and then swinging back in on the bull. Bob's was easier going, and he moved almost straight in. In 30 minutes we were both very close. The day before I'd thought I'd been close, but when I finally didn't dare ease forward another inch, I was just 12 short steps from the big antlers! Bob was about 15 yards to my left.

Bob grunted like a love-sick cow moose. The big bull slowly got up. Of all the ways he could have stood, he chose the one position that allowed neither of us a decent shot. He faced a point about half-way between us. That left him quartering to both of us. Heavy shoulder bones effectively blocked the chest cavity. Even on a deer, that's a poor shooting angle. I didn't dare look at Bob, but I knew he was holding his breath, as was I, waiting for the bull to move.

The wide antlers swiveled and the big eyes seemed to look past me. He stepped and swung in my direction. Out of the corner of my eye I saw Bob come to full draw, hold an instant, and shoot. Bob's arrow hit with a wet thud and the bull crashed past me at barely two bow lengths.

As Bob and I watched, the big bull stumbled off 70 yards into the heart of the tangle and went down. Easing closer, we could see he was dead. On his shoulder was the shallow, harmless mark from my arrow the day before, and on his neck was the nick from Bob's previous shot. On the inside of the right palm was a red patch of drying velvet. He was our bull and his luck had finally run out.

Any moose looks huge on the hoof, but its positively unnerving when you walk up to one on the ground. It seemed like it took several minutes just to walk around him. Working together, both Bob and I could barely raise the head. The body was unmovable as a pickup truck on its side. I pulled out a small measuring tape and stretched the thin steel from his tail to his nose—over eight feet! From hoof to shoulder the moose taped seven feet, and his neck measured over 55 inches around. From outside tip to outside tip, the heavy antlers spread just over 55 inches. Later, Bob's charmed North Slope bull went into the bowhunting record book with a score of 173 6/8.

After admiring Bob's trophy, we set to work. Whittling a big Alaskan bull moose up for packing is an adventure in itself. It was 8:00 p.m. before we finished caping, skinning, butchering and boning out all the meat. In the morning we'd return with pack frames to pack everything out to a nearby gravel bar where Roger's bush plane could pick us up and fly it back to Dave's base camp.

As we prepared to leave, I handed Bob both of our bows and shouldered the heavy, awkward skull and antlers. "Might as well pack these out to the gravel bar right now. It's on our way and that's one less trip tomorrow," I reasoned.

It was approaching midnight when Bob and I stumbled back into camp. We were bone tired, but the walk hadn't seemed nearly as long as the one the day before. After a quick celebration dinner of caribou steaks, eggs and fried potatoes, we both hit the sleeping bags hard.

I awoke the next morning to the sound of frying bacon and eggs. Tagging a good bull moose must give a guy extra energy. I was still tired and gladly accepted Bob's steaming breakfast while still in my sleeping bag.

Crossing the Colville in our little raft was fast becoming routine and we were headed upriver complete with pack frames in record time. Noon found us nearly to the kill site. Bob was leading our way across a frozen mud flat when he stopped so quickly it was my turn to run into his back. I looked about for another moose. Bob was looking at his feet. Next to his boots and pressed deeply in the mud were fresh grizzly bear tracks.

"Oh, no!" was all he said.

In silence we continued on and soon approached our special tangle of alders. Both of us unsnapped the safety straps on the magnum handguns we carried and eased forward in to the head-high brush. About 100 yards from the meat I looked down to untangle my snagged packframe. As I did so, Bob touched my shoulder and whispered, "Bear!" We both stood frozen, watching, tense as pulled wire. "He was there!" Bob pointed. "Just his head above the brush, looking right at us. Then he was gone!"

We backed quietly out of the brush and didn't relax until we'd reached the big gravel bar. For lack of anything else to do, we circled the entire patch. On the far side, pressed deeply into the gray mud, were more grizzly tracks. And the line that they formed pointed right at our small mountain of moose meat.

"It makes me sick to think of losing all that fine meat," Bob said softly. The only slight consolation was that the antlers sat untouched where we'd left them on the gravel bar the evening before. It wasn't much, but it was something.

Without the greatest of enthusiasm, we hunted our way back to camp. Roger was due to fly over in a couple of days to check on us and we'd wait to talk with him about our bear problem. A grizzly on a kill is nothing to play around with.

Roger's Cessna 185 droned up the valley a few mornings later and bounded to a stop on the big gravel bar just behind our tent. In minutes we recounted our moose and bear tale.

"Sounds to me like you're out of luck on that moose meat, but let's fly up there and have a look," Roger said.

It took only minutes to fly over ground that had been taking Bob and me hours to cover on foot. We pointed out the alder patch and Roger dropped lower for a closer look. As the plane approached the kill sight, a beautiful dark grizzly reared up over the meat pile and swatted defiantly at the plane.

"Say, that's a big bear," Roger shouted above the roar of the engine. "Probably a boar. Sorry about all that meat. It belongs to him now. He'll probably stay on it until he dens up this winter and even then return to it next spring when he's out again."

That afternoon we broke camp and flew out. After a short stop in the Eskimo village of Umiat, where we informed a Fish and Game official about the grizzly on Bob's moose kill, we flew on to Dave's base camp to regroup. For the last five days of our North Slope hunt, Bob would remain here, fishing for arctic char, photographing caribou and hunting geese. I would fly back out with Roger in a Super Cub to hunt on my own once a likely area had been located.

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I slipped into the passenger seat and Roger handed me a carton of eggs to hold between my knees so they wouldn't get broken. Then he carefully packed the rest of my gear around and on me until all I could do was move my head and my right shoulder.

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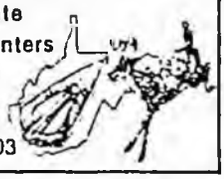
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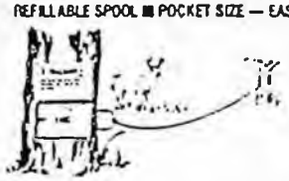
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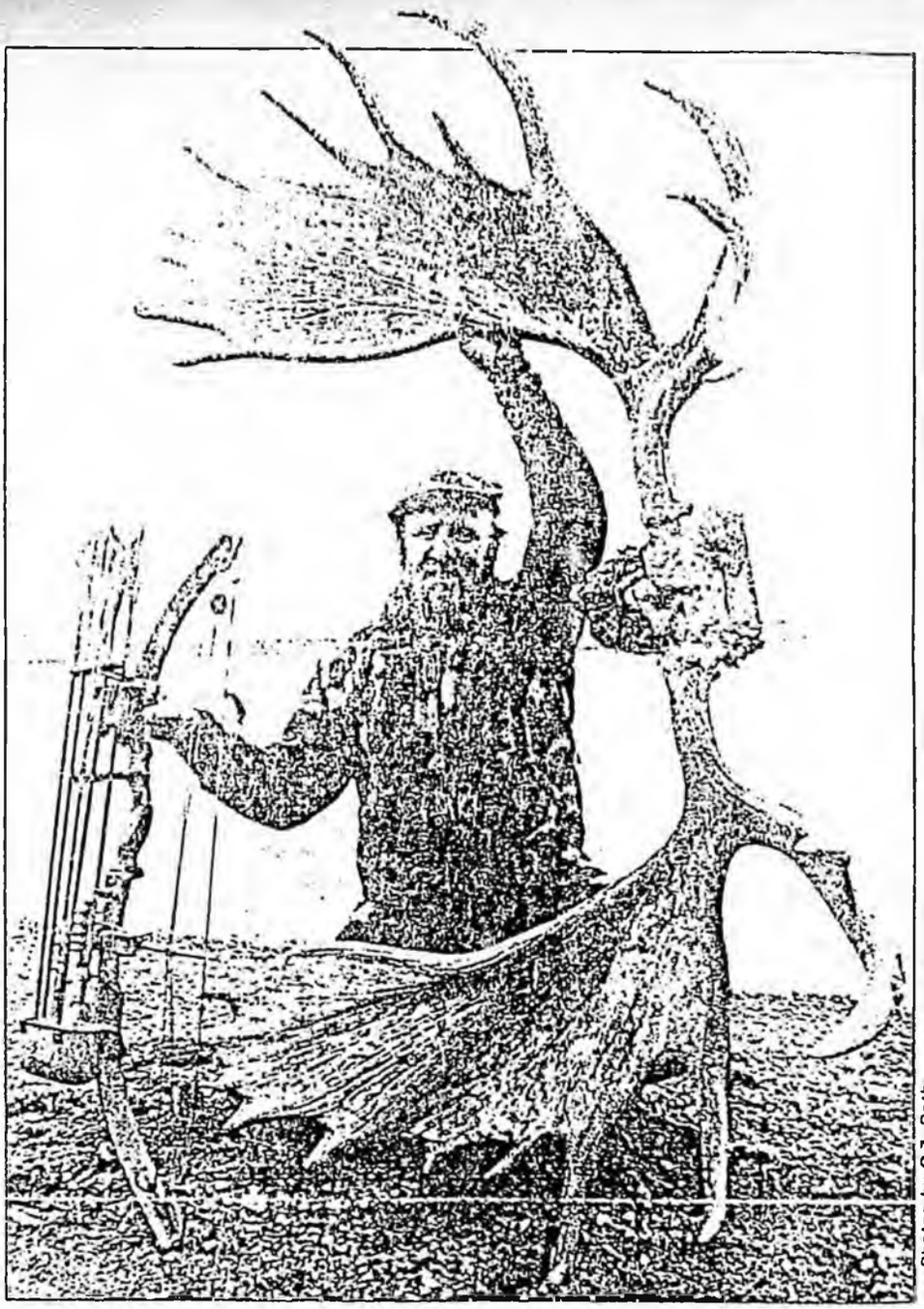
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Photos by C.Z. Roth

Alaskan Adventure

by Carolyn Roth and Tony Oswald

The wet tundra squished with every step. Gary "Grizz" Hoffer was going in to help Dr. George Fluornoy pack out his caribou. But as he walked over the uneven low terrain, Gary kept his eyes peeled, straining in the cool northern light to see any other likely animals. Gary and George were on their first Alaskan bowhunt, searching for trophy moose and caribou. At least George had one trophy down. It was day one of a 10-day hunt, still early. Then he spotted the bull...

"The moose was probably a mile and a half away when I first spotted him," Gary relates. "I stalked him for three-and-a-half hours."

The moose was bedded when Gary reached him. As the bull rose, his monstrous rack silhouetted against the clear blue sky, Gary knew he was as close to a record book moose as he ever would be. But his angle was such that the only target was a shoulder, an area where Gary knew his arrow couldn't penetrate the bone. In a moment, the great moose turned sideways. Gary released, the shaft flew true and hit with a solid *thump*. The moose ran about 75 yards, then fell to the ground.

"It was sort of like shooting a VW on

ne was awesome...eight feet from the d to his shoulder."

eunited, the exuberant hunters plodded ck and forth between the downed moose nd their raft—more than a mile each way—to retrieve the antlers and a boatload of meat. Doc had the rack and cape of his caribou bull. The meat would keep until morning.

After a 20-minute boat ride, Gary and Doc motored up to Bear's Den Lodge where Tony and I met the weary bowhunters. It had been more than a full day for them. And with Doc's trophy caribou rack ranking in the Pope & Young top 15 and Gary's 72-inch moose rack scoring 224 3/8 green, they were quite a sight. Their raft was riding rather low in the water.

After hauling their trophies and gear to the lodge and cleaning up, we all sat down to a gourmet dinner in the warmth and comfort of the big log cabin lodge. Plans were made to go out the next morning and retrieve the remainder of the meat.

Bear's Den Lodge, located in the Ugashik River Rapids 80 miles south of King Salmon in an extremely remote part of the Alaskan Peninsula, is a "bowhunting only" lodge. But this was the first year that Barry Clot, the lodge's owner, had opened it up to anglers. In addition to the vast area being home to trophy moose and caribou, it is also trophy fishing water...and that's why my partner Tony Oswald and I were there with a group of fishing friends.

The Ugashik River is probably the best flyfishing water in Alaska—gravel bottoms that can be easily waded and a spawning haven to all five species of salmon, arctic char and Dolly Varden, grayling, pike and even fresh water turbot. Actually, it's a sportsman's heaven—the absolute best of both worlds.

Despite our excitement at having been witness to Gary and George's trophy hunting results, we had our work cut out as well. Within the braided channels of the Ugashik Rapids any flyfishing fanatic can grow weary from battling arctic char to 14 pounds and silver salmon that averaged 10 pounds. Grayling topping three pounds gently sipped in dry flies around virtually every bend in the river. Heavily-spotted Dolly Varden to three pounds fought our light rods until we had to sit down to rub the soreness out of our wrists. Fat, succulent wild berries grew everywhere underfoot—a welcome treat while we enjoyed the silence broken only by the flow of water and the gleeful shouts of angling companions calling us to see their fish.

We released all of our fish, as is the personal habit of our group members, and a primary reason all of us chose to fish together. Bear's Den Lodge's policy is catch-and-release fishing, too. As Barry Clot attests, "It's wise insurance so that fishing quality will remain unparalleled." We agreed. That was another reason we'd selected the area for our trip.

Many hunters fill their tags early in the area's 11-day moose season and enjoy the duration of their stay by fishing right at the front door. The lodge, a rustic log cabin style structure, sits high on a bluff overlooking Ugashik Rapids. From the front yard, salmon moving in from the Pacific Ocean to spawn can be seen moving along the shoreline; occasionally, a seal will porpoise in the river channel looking for food. The sounds of trumpeter swans, snow geese and ducks calling across the tundra from a nearby lake can be heard. Arctic fox pace the shoreline, looking for their next meal. Beyond the rolling hills, you can spot herds of caribou. In the distance is Ugashik Lake, and even further is the permanently white peak of Mt. Chiginagak, a dormant volcano looming high above the horizon.

Barry Clot, an accomplished bowhunter of 25 years, had long had a dream of building a bowhunting-only lodge in the wilds of the Alaskan bush. Over the past 20 years, Barry had lived and outfitted hunters in both Idaho and Alaska. In 1978 he started his first Alaskan outfitting camp north of Anchorage, hunting bear and moose. Soon he expanded to the peninsula for the much-desired caribou; he found sufficient numbers of moose in the area as well.

In 1981 he bought a chunk of deeded property on the Ugashik River and set up a tent camp. Plans were in the works for a "real" lodge. Logs were purchased from Montana and trucked to Seattle. From there, they were barged to Naknek, Alaska.

The reality of a lodge had to wait almost two more years, until the tide was high enough to allow a barge to deliver the logs upstream without becoming grounded on a gravelbar and perhaps lost in a destructive storm. Finally, after a 130-mile barge trip from Naknek up the river to the site, the logs arrived and construction began. Barry and two helpers worked for two seasons throughout the long 23-hour summer daylight. Since there was no electricity, the building was done by hand-crank, winch, block and tackle and plenty of hard work. In June of 1985, the stout wood doors of Bear's Den Lodge finally opened.

Barry and his crew do not guide hunters; they are outfitters only. All equipment necessary for a successful hunt is at the disposal of hunting archers who visit the lodge. Spike camps, boats, motors, fuel, provisions and cook kits—everything except personal gear and tents—are provided. Hunters can opt to camp out or stay at the lodge and go out each morning. Barry accommodates only eight hunters or anglers at a time at the lodge, a limit that allows him to share his knowledge of bowhunting and fishing on a personal level.

Every evening, after a sumptuous meal in-



HAPPY HUNTERS—A successful caribou hunter poses for the camera with Barry Clot (right) who runs the Bear's Den Lodge, south of King Salmon, Alaska. On the facing page is a photo of Gary "Grizz" Hofler with his big moose rack.



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cluding wine and freshly baked bread, the massive wooden slab of a dinner table becomes the scene for the nightly ritual of spreading out topo maps to discuss strategy for the following day's hunt. Barry outlines landmarks and suggests areas to hunt. His suggestions are based on his knowledge of the area which spans hundreds of square miles.

Conversation centers on what type of game his hunters want to go after. In Alaska, unguided non-residents can hunt moose and caribou. All of Barry's hunters can also pursue ducks, geese and ptarmigan with bow or shotgun during the open season. Barry's only restriction is "no rifles in camp."

Bear's Den Lodge has reportedly seen five of the top 20 Pope & Young Alaskan moose tagged in the last four years. And caribou racks are averaging over 360 with several topping the 400-point mark.

Human visitors are few in the area but animals are numerous. As in all wild places, the animals themselves dictate the real laws of the land. For example, when Gary Hofer returned early the next day to pack out the remainder of his moose meat, it had been "claimed." Gary later explained, "A huge brown bear had taken charge of the meat and there was no way I was going to argue with him. He stood about five feet on all fours from ground to shoulder and had eaten a lot of the meat already. It's the law of the wild."

"Wild" is the tell-all word for Ugashik, whether your point is at the end of a broadhead or a stout hook, no other place we've seen provides as high a level of sport as this remarkable place. After all, there is far more beyond simply getting a trophy in any sporting experience.

Barry Clot created a masterpiece when he picked up his tools and began work on his lodge. Barry knew his dream of a world class archery and fishing lodge would come true at Ugashik. And like any master bowyer or builder of rods, it all begins with a vision of perfection...like the sight of a trophy moose in a remote Alaskan valley or a bright salmon cascading across a crystalline river. No hunter with a bow or rod could ask for more.



GOOD FISHIN'—Tony Oswald is shown landing a nice Dolly Varden.

Editor's Note

For information on the Bear's Den Lodge, write or call: P. O. Box 1021, Dept. BH, Anchorage, Alaska 99510; phone (907) 338-0151.

BOWHUNTER'S DREAM COME TRUE



Bruce Menz from Maryland took this fine record-class black bear which measured 20 1/2 inches. Ph: 301-442-2961.

Don Meister (left) of New Jersey took this fine bear. Ph: 201-382-7452. Bob Bain (right) of Connecticut took two black bears, one black and the other cinnamon; one measured over 20 inches. Ph: 203-531-5059.

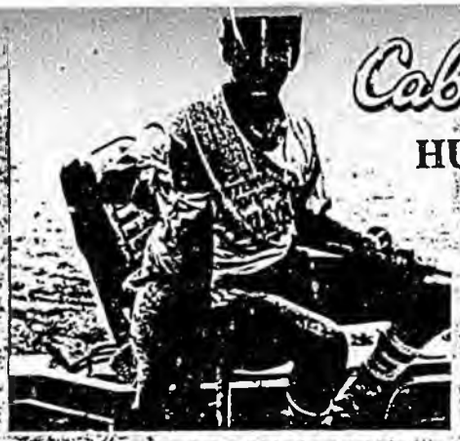
Thomas Dahlin (left) of New Jersey took this 20 1/2 inch cinnamon colored black bear which weighed over 600 pounds. Ph: 609-665-7128. Dennis Simmons (middle) of Illinois took this 19+ inch blackie. Ph: 309-962-9784. Bruce Stieber (right) of Wisconsin took this 21 + inch black bear plus a cinnamon colored animal. Ph: 443-2947.

I had outstanding spring and fall bear hunts in Saskatchewan and Ontario. Three 21-inch and better bears were taken—two cinnamon and one black. Six bears that were better than 20 inches were taken and several were 19+! Over 100 bears were taken in the spring of 1986. More than one-third of these were cinnamon. We had more bears than hunters in Saskatchewan! We're opening a new area in northwestern Ontario which has never been outfitted—there's a good cinnamon population here, too! I have over 35 years of experience with over a 90% success rate. I've taken over 2,000 black bears. My hunters have more Pope and Young record class bears in the book than any other guide in the world. Most of the bears were taken in Maine and New Hampshire, although many were taken in Ontario, Quebec and Saskatchewan. Now I'm blowing the covers off the book!!

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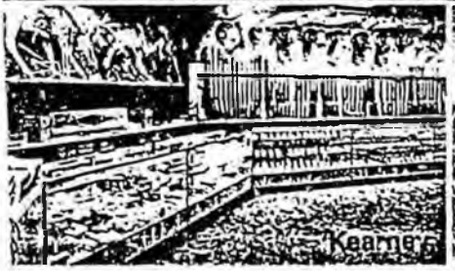
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Tom Rosdail

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Alaska Page 2 1 1

VM

Alaska Adventure Planning

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Phone: (907) 243-6374

January 14, 1988

North Star Aviation
P.O. Box 193
Willow, Alaska 99688

FEB 1 8 1988

Dear Sirs,

My name is Bruce Nelson, and I have started a new business called Alaska Adventure Planning. I will be planning all aspects of a self-guided trip in Alaska for hunters, fishermen, and other sportsmen. Most importantly I will be selecting a destination and booking any "bush flying".

Perhaps of most interest to flying services such as yourself is the fact that I am asking no commisions of any kind from you. My idea is to get an up-front fee from the client, thus assuring him that there is no bias on my part; I'm looking to find the best, safest, and most economical flying for them.

Hopefully this will work out well for all parties involved; I receive my fee, the hunter or fisherman gets a good trip planned, and the flying service gets "free advertising", and deals with people who are squared away on such things as what to pack, how to pack it, dealing with unavoidable flight delays, etc.

As time allows I would like to talk with you personally. In the meantime I would appreciate any brochures, rate schedules, or any other information you may already have printed up. Things I'd like to know are your experience, safety record, number and type of aircraft, capacity of each, float/gravel bar landing capabilities, areas you fly, packages you already have set up, (such as float trips), any outfitting you may do, past hunter/fisherman success, deposit policy, and insurance.

I'm advertising quite extensively in "Field and Stream", "Outdoor Life", "Petersen's Hunting", etc., and I hope to book about 300 people total this summer, so I could be sending quite a bit of business your way. !!

One other point I'd like to make that you're no doubt aware of, and that's House Bill 331. The part of most concern to us is obviously Sec. 9. which reads, in part:

"A nonresident may not hunt, pursue, or take a moose, black bear, brown bear, grizzly bear, polar bear, goat, or sheep in the state, unless personnally accompanied by a licensed master guide, registered guide, class A assistant guide, or assistant guide."

I don't know about you but that would be a heck of a blow to my business!! Not to mention friends and relatives planning hunts. I plan to let my opinion be heard and the more commotion raised, the better. First it has to go through the house resources committee, judiciary and finance committee, as well as the senate and house. However, I did want to bring it up.

Hope to be talking to you soon!

Sincerely,

Bruce L. "Buck" Nelson

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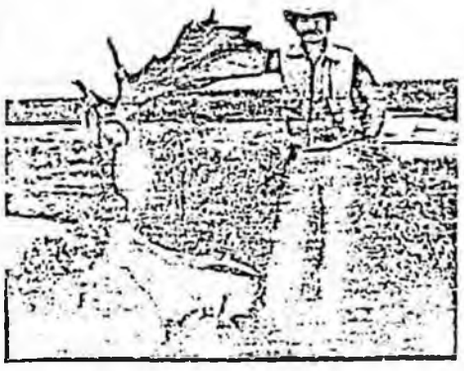


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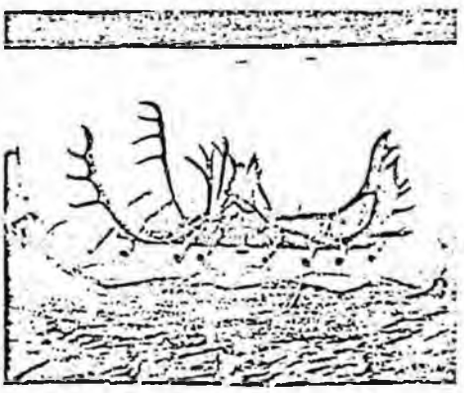


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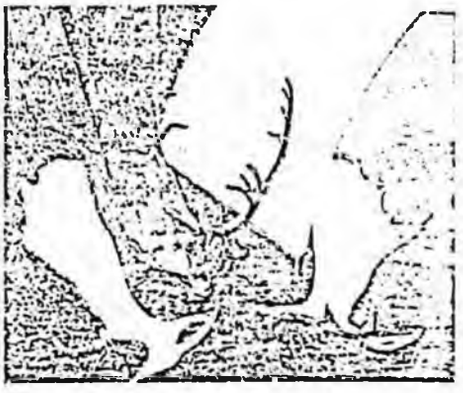












"One picture says a thousand words."

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This is not a drop camp where you are left to fend for yourself in the Alaskan wilderness. This is not a guided hunt. What we provide is an inexpensive "middle of the road" hunt that offers the support you need to hunt this vast wilderness safely and successfully without all the high dollar add ons.

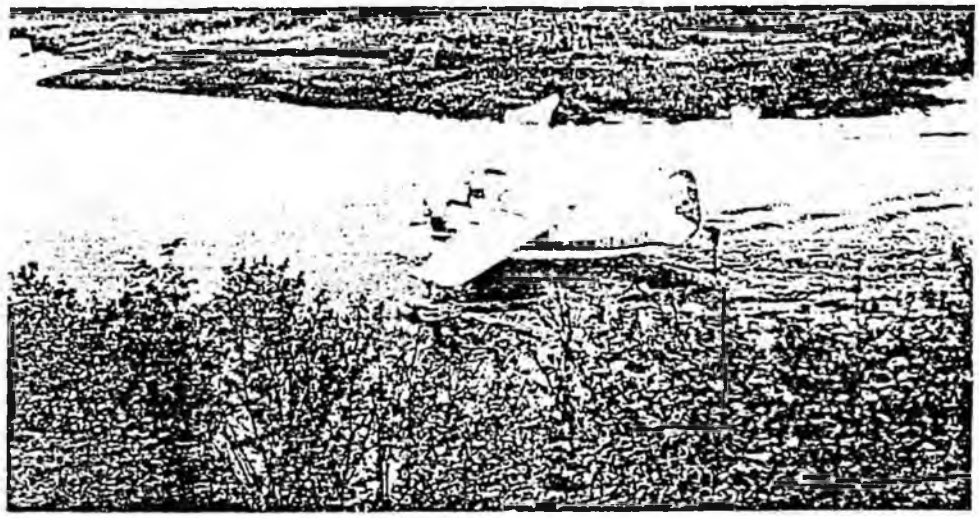
This is a ten day trip. Total cost is $3400.00, plus licenses, from King Salmon. Licenses available in Anchorage or King Salmon.

About the Outfitter

Jerry Snyder is a native of Colorado and has been in the hunting business for over 15 years. His articles on hunting techniques have appeared in Outdoor Life and numerous other publications.

Snyder has been on numerous guided hunts throughout the world which has enabled him to analyze guided hunts from both sides of the fence.

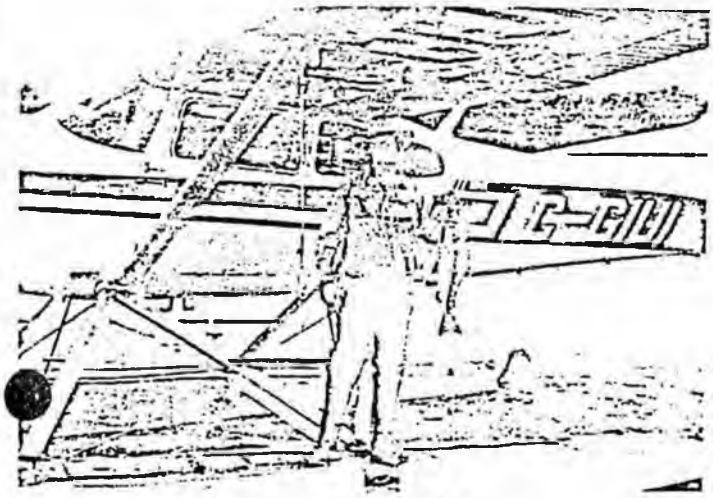
Jerry has been an avid sportsman all his life. Knowledge of the state and specific hunting areas matched with years of experience as a professional hunter will make your hunt with Mountain Mesa Safaris all it should be.



Booking A Hunt

Due to the fact that we have been in business a lot of years, and have a lot of repeat clients, we fill up pretty early. It is recommended that you book a hunt as far in advance as possible to insure the dates and type of hunt that you want.

A 50% non-refundable deposit is required to book a hunt. In the event of cancellation, we will apply your deposit to a future hunt. The Alaskan hunt is an extremely limited hunt.



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Marc Naylar packing out client's caribou

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We are not a booking agent. All hunts are conducted by Mountain Mesa Safaris.

Mt. Goat Hunt in S.E. AK outfitted by a non-resident Native outfitter



For starters, we landed on a glacier—and then I began to stalk these fascinating animals in their stunning coastal range. By Michael Hanback

Sitting up here alone at 5,000 feet, I feel the swirling mist, watch the gray clouds, spitting rain, scud the snow-capped ridgelines. In the steep gorge below, a roaring fiord, gleaming like the sharp blade of a knife, slices wildly to the emerald sea. Snowfields shimmer in the tops of alpine basins and funnel down toward sea level, melting hard into verdant mountainsides and lush, dripping jungles of hemlock and Sitka spruce, the spectacular rain forests of southeast Alaska, green as a pristine springtime. Sitting here along this muddy goat trail, mind reeling in the panorama, it is easy to conjure these infatuating reasons for hunting mountain goats.

One is for the ultimate climax, of course, to add a unique trophy to the wall. In this case, white, bearded, oddly fascinating *Oreamnos americanus*, a creature with huge, liquid eyes the color of oil and piercing black stiletto horns. A squarish, stout, hump-backed ruminant with a bulging winter coat trimmed neatly at the knees, wearing knickers. Lay eyes on a mountain goat for the first time and it strikes you that here is a big game animal caught in evolutionary limbo, the bone and skin and tiny horns more defined than its Asian antelope predecessors of the Pleistocene Epoch, but more raw-boned and crudely muscular than its 20th-century mountain neighbor, the graceful Dall sheep with flaring horns of amber.

Another is for the sheer adventure of traveling

Alaska Goat Adventure

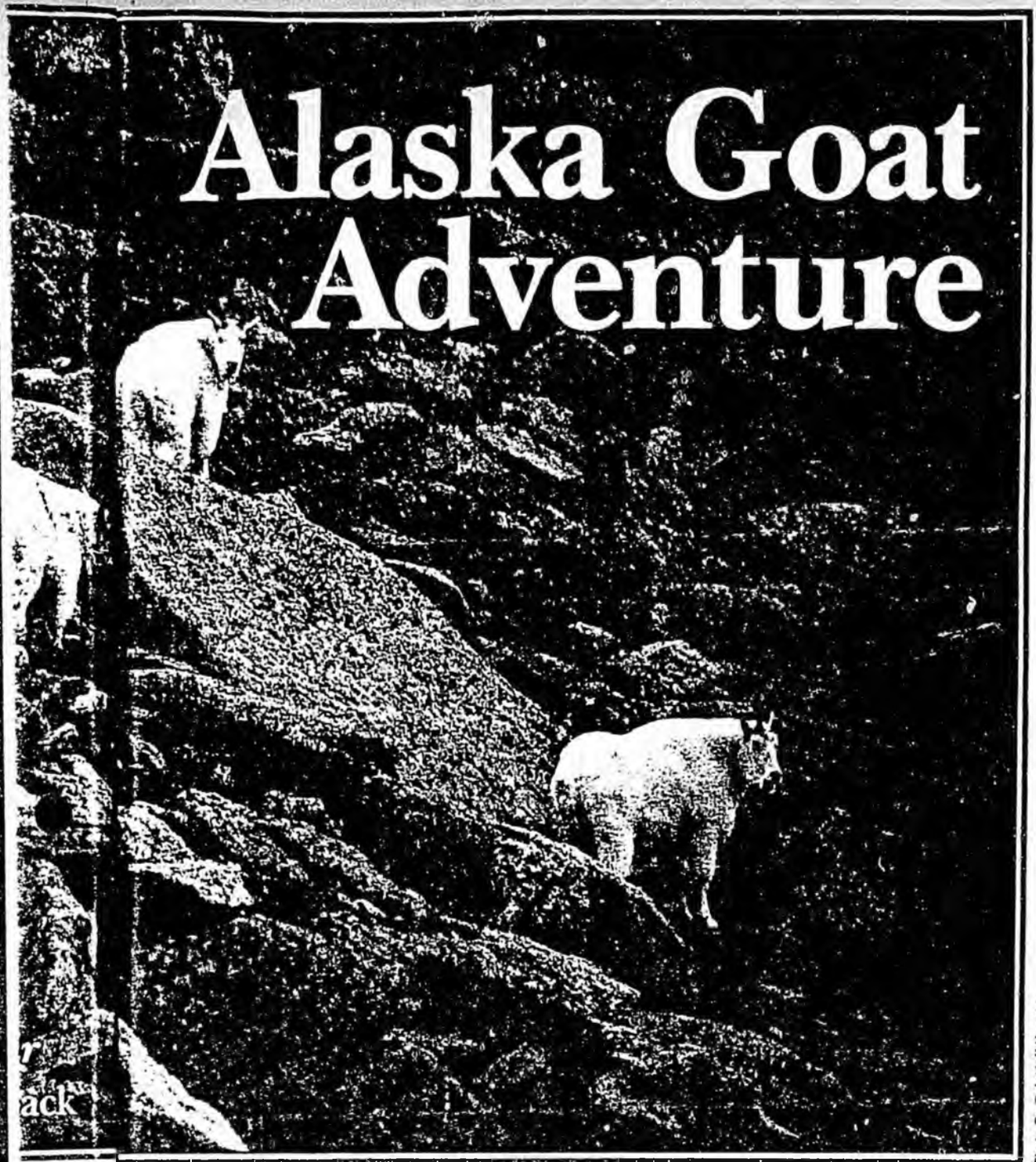


Photo By Ovis/Jeff Vanuga

s case, *camer*- es the rns. A with a knees, n goat here is limbo, efined of the d and mou- p

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UNTER

into and experiencing goat country, of the thrilling bush flights that rock low over the stunning wilderness and set you down in the midst of some of the wildest country in North America, where you set up spike camp and hike through the boreal rain forests, past the subalpine tree line, up into the steely, gleaming mountain heavens.

Finally, for this invigorating opportunity to hunt Alaska without a guide! Up here in this rugged, unforgiving country you will be largely on your own, making your own decisions. You must study your hunting area, imprinting its map on your mind. You must learn your quarry, the most obscure big game animal on the continent, and know his habits in and out. You will have to know where to find him (goats are the most inaccessible of all big game), how to judge him (an inch of horn is critical!), decide how and when to stalk him, and then make the shot. *You* will control the destiny of your hunt. And isn't that the way it should be?

Socked in in Wrangell, lingering in the quaint fishing and timbering village of 3,000 on the northern tip of Wrangell Island, I spent the past few days here, waiting anxiously for the rain and fog to lift so I could get up on that goat mountain. Now this is the norm when hunting southeast Alaska's 400-mile panhandle, which gets from 80 to 200 inches of rain a year depending on where your jump-

off point is along the rain-forested coast. But time spent in Alaska is never wasted. I visited the docks, watched colorful, hard-working fishermen on fleets of iron vessels motor in with the day's catch of crab, shrimp, salmon, and halibut, watched them fill the canneries to the brim with prizes of the sea. (The fresh prawns at the Stikine Inn were wonderful!) I explored the rich Indian history, the original totems carved by the Tlingit over 200 years ago, and the remarkable ancient "petroglyphs" on the beach, rock carvings of unknown time and origin, fish and animals and eerie human faces etched in stone, spiritual messages frozen in time. I sneaked up into the dense timber country and glassed cuts and burns for black bears, fished the tail end of the salmon run in fresh, cold streams that snaked to the sea. It was a fascinating exploration of coastal Alaska until the pilot said the ceiling had lifted enough to sneak us in. Time to goat hunt!

The flight in was an adventure to savor. My friend Bruce, an agent of Alaskan Coastal Adventures, and I wedged into the Cessna, and the pilot lifted gently over the endless maze of spruce islands and rippling, jade waters. What scintillating country from the air! These islands, part of coastal Alaska's unique Alexander Archipelago, are the mere peaks of huge mountains sunk in the North Pacific thousands of years ago, and I strained to see beneath the ocean's surface—what lurks in the mountains below? The mainland to the east, where I would be hunting, is wild country, a sprawling land of lush rain forests; brawling rivers, fiords, and waterfalls; jagged, snowy peaks; and gleaming ice fields and valley glaciers. From the Cessna, the grandeur of the country is overwhelming. It strikes you as a land of many paradoxes, soft yet harsh, remote yet inviting. And what really sets the mind running is that all this is public domain, yours and mine, the 17 million acres of the Tongass National Forest. The Tongass is by far our largest national forest, running the length of the Alaska panhandle, from below Ketchikan to above Yakutat, by sheer size the greatest goat country on earth. Flying in was thrilling as always, and then the landing was the ultimate experience.

Our Cessna was equipped with wheel-skis you see, and we landed on a glacier! As the pilot banked low over the flowing sea of ice, I squinted—the shimmering basin appeared so ironically hot in the harsh, white light. I put on RayBans and peered into its glistening innards, into its crystalized surface and spiraling, concentric circles, time lines etched in the ice; my eyes ran to the deep moraines and jagged ridges rimming the ice, *nunataks* to the ancient Indians, towering pillars of talus in the endless sky. I had read where today an amazing ice field appears a microcosm of what all of Alaska was 100,000 years ago. This must surely be. And now goat hunters can land here! The little plane was tossed about like a toy kite in the swirling glacial breezes, its engine buzzing incessantly, until the pilot throttled back, skis touched, and we skidded to a gentle halt on the silvery, grinding field of ice.



Today, the spectacular ice fields of the southeastern coast are microcosms of all of Alaska 100,000 years ago. We landed on a gleaming glacier and spike camped above it, hunting right up with the goats at 5,000 feet.

Photos By Author

Bruce and I unloaded our gear—two-man tent, a backpack apiece, a box of food, rifles, mountain rappelling gear, plastic snowshoes—and slid up the north end of the glacier to an old mining cabin, our spike camp for the hunt. The pilot would come skiing in for us in a couple of days—fog permitting, of course. Otherwise we would backpack the 10 miles out to the coast. The warm September sky was sparkling now, but we would get rain and soup, guaranteed as death and taxes. But do you doubt a guy who can land on glaciers? When he said he would see us on the 21st, I believed him. He fired his Cessna and slid across the glittering ice and was gone in a gentle roar over the northern *nunataks*.

From here I would be on my own, hunting goats in this awesome country while Bruce monitored things from camp. This intriguing concept of drop-camping hunters into southeast Alaska was conceived by Dick Wormington, Rob Shelly, and Chuck Wagner, who own and operate Alaskan Coastal Adventures out of

Beaumont, California. After bowhunting the spectacular Alaska panhandle last year, stalking in remote coastal areas and finding an abundance of big game (they all arrowed nice black bears), they decided to put together unique, affordable hunting packages geared to nonresidents. In addition to goats, they offer combination rifle and bow hunts for moose, black bears, caribou, and blacktail deer in prime, lightly hunted country. They fly you in, outfit your tents or cabin, feed you well, and keep someone in camp to point you in the right direction and then help you pack out game. But you hunt alone or with a friend or partner, and this is most intriguing of all.

Hunting Alaska on our own has long been a dream for many of us, inner urges whispering to the soul that we must go into the wild country just once alone to stalk big game and learn a little about ourselves as hunters. The main problem is access in this huge land. Just choosing an area to hunt is a perplexing problem. Then getting into a specific range is even tougher. Prime game country, particularly goat country, is remote and inaccessible. Trying to arrange the right charter flight, setting up with the right gear, making all the right connections, seems an overwhelming proposition.

continued on pg. 46



A common quirk in goat hunting. As the 180-grain Nosler took its shoulder, the goat leapt, stone dead, off the mountain into a steep, rugged crevice 1,000 yards below. Though missing one horn, it was amazingly in good shape. Bruce, an adept mountain climber, helped scale down and retrieve it.

Alaska Goat Adventure

continued from pg. 39

The alternative, of course, is to hire an outfitter, a safe, conservative, effective way to hunt the great country. Fully guided hunts in Alaska are great adventure, but expensive; a first-rate combination hunt can run $10,000. And perhaps it is even more costly to the soul. Remember that yearning to hunt without a guide? Alaskan Coastal Adventures offers a middle-of-the-road approach to hunting Alaska, taking care of the headaches, getting you into prime game country, letting you concentrate on *hunting*, with trips starting at less than $1,500. Drop-camping in this coastal wilderness can lead to an immensely satisfying, unforgettable adventure.

So here I sit in the swirling mist, watching the old black-horned billy yawning innocently in his bed a half-mile away. What an odd encounter! Where was he yesterday when I scouted this sprawling glacier basin, getting a feel for the country, enjoying the last of the warm autumn sunshine, anxiously waiting a day to hunt (no hunting the same day you fly in Alaska), searching for my first goats? Has he ever seen a man? Has another hunter ever stalked him here? Intriguing thoughts as I plan my first goat stalk.

Closer, through the spotting scope, the old billy is big as a white bear, shimmering in the faint evening light. His horns look black and heavy at the bases, and as long as his face, but you read so much about judging goats, about that magical nine-inch mark, just how do you know? What is this perplexing infatuation with mere inches of horn anyway? The billy is beautiful, a stunning product of its marvelous environment, and if my stalk is a good one and the shot true, then isn't the hunting experience complete? I am warmed by this realization and start to stalk.

Wait! He has made me and is up, running stiff-leggedly toward his escape cover, an 80-degree wall of stone to the west. So much for those ill-conceived notions that goats are overly curious, or dumb. I curse myself for being so careless, for moving too fast and skylining, but then pause to marvel.

He is indeed an odd-looking creature, but how interesting. When he ambles away, pausing every 100 yards or so to look back at me with his ebony eyes, his brilliant-white winter coat explodes along his muscular back, making him look twice his 300 pounds, dwarfing his skinny black horns, looking longer now. I'd swear they are 10 inches, a hell of a set of goat horns. I run frantically at him, kneeling and swirling the scope on him as he lumbers farther and farther away, to the base of the rock wall. Too far and risky for a shot. Then he hops agilely onto the rock, spongy hooves grabbing the smooth, gray stone like suction cups, lays back his ears, points his slender face upward, and starts scaling relentlessly. Can there be a more remarkable sight in nature? His gait up the sheer talus is steady, methodical, muscles rippling as he glides up the rocky skyscraper. I note incredulously that there is a *worn* goat trail up this vertical rock. He pauses on a plate-sized ledge, front and back hooves touching in the classic, humped mountain goat pose, and peers back at me once more before teetering over the top out of sight. I slump to rest in the rocks, richer for having witnessed such a marvel, for having not shot the first goat I stalked.

It is wonderfully intriguing hunting, really, seeing lots of country and lots of game.



Photo By Ovis-Jeff Vanuga

I hunt on. I love stalking these mountains, hiking along the old goat trails, trying to read their tracks and droppings, picking up their yellowed, summer-shed hair, then pausing to glass cross the canyons, chilling in my own cold sweat. I can see 100 miles in every direction it seems, but will be lucky to hunt a fifth of it. There are plenty of goats miles away but inaccessible, cut off by near-vertical gorges, roaring fiords, and steep, rugged ridges. Families of snow-white nannies and kids playing on moss-carpeted hillsides, and old bachelor billies lying higher in the alpine, tougher to see, peering intently down, poised to escalate quickly over the top of a peak if a predator approaches from below. Hunting right up here with the goats, it strikes me that you should never pass the chance to glass one, big or small, nanny or billy, because life may never give you the chance again. It is wonderfully intriguing hunting, really, seeing lots of country and lots of game, marveling at goats from afar, yet peering intently into every nearby cut and crevice, hoping to find one within killing range.

Tomorrow, I will try to sneak within range of that big billy that gave me the slip, and these thoughts consume the conversation back in spike camp. Bruce has set up our tent in the middle of the old mining cabin, and things are comfortable. After a refreshing hot dinner and coffee, we check the map to see if I can get on him. We decide I can circle his mountain and peek into the next basin, but will he be there? Will the weather hold? Will I blow another stalk? I fall into a fitful sleep, tossing and turning to the steady pelting of new rain on the cabin roof, a cool north wind whipping off the glacier below.

The two-mile hike over the loose, rocky ridges, across the shimmering snowfields, is short and anxious this morning. The light, steady rain continues to fall, and mist wisps in and out of the valleys. The country is eerily silent, seemingly devoid of life. I crawl to the new side of the mountain and peek into the smoky basin, hoping for visibility. A lone goat! And four more, feeding on lichens! I glass shakily, swinging off the nannies and kids to the loner. I cannot see its head or horns, just its big, white body curled behind a huge rock. Is this the big billy? No way of telling, but I think I can get close so I test the wind and begin to stalk, mind reeling in excitement.

I am above the goat, and this is good: it is resting on a little ledge, facing down-

hill, the normal direction from which a bear, or a man, would approach. There is a little swale leading straight down, and I get in it, lying back into the verdant mountain, gazing up into the swirling heavens, cradling the Ruger .30-06 in one hand, crabbing my way down on the other hand and heels. I need to close 500 yards for a shot, to within 200 yards, fine killing range for the '06 shooting 180-grain Nosler Partitions in Federal Premium. Only trouble is I cannot see the sleeping goat from the swale. Anxiously I inch closer, closer, and guess it's time to sit up. The goat is on its feet, head cocked, peering inquisitively back at me with those black, liquid eyes a mere 60 yards away!

Those eyes, so innocent and mesmerizing. There is a transfusion of fear and sorrow between us as I begin to ease back the trigger. This is not the big billy, but through the Bausch and Lomb scope at 6X, what a beautiful creation, a gleaming-white symbol of all that is free and wild in this stunning country. Stalking so close to this odd animal, peering into its uncertain eyes, marveling at its little black, dagger horns, feels numbly wonderful. The 180-grain Nosler takes out its shoulder. Then the pristine, satisfying moment becomes a shattered daze as the goat lunges convulsively and vanishes into the thin mountain air.

I rush to the mountain ledge and hear the goat falling, tumbling into a drainage hundreds of yards below. I am void of all emotion. The ultimate horror in goat hunting has for me become reality. You never shoot a goat in a tight spot, where it might fall miles and miles into steep, craggy crevices, never to be retrieved. But I had hit this goat well, I thought, on as gentle a slope as you will find in this country. He had simply, by some quirk of fate, leapt stone dead in midair into the crevices far below.

Misty rain and fog intensify as I scale down the slick, mossy ravine, searching frantically now. I am scared that I have stalked this wonderful animal in this wonderful country and tainted the whole experience by losing the goat. Dreadful thoughts fleet through my mind like wisps of fog in the mountains. But there, in a rain-slickened crevice 1,000 yards below! I can see that its fragile, hollow horns are broken at the bloody cores, but thank God I have found it.

Somehow, miraculously, I find one tiny black horn on the way down, a shade under nine inches. Again another quirk of fate—how could I have stepped on this little sickle of a horn on such a mammoth mountainside? When I finally get there and rub my hands through the thick, coarse coat, I find the goat, amazingly, in good shape. I stick the one horn on its core, and the goat looks particularly odd, but I am reassured by the thought that my taxidermist can make an injection mold for the other. My goat will have two horns on the wall.

It takes the better part of the gray, chilly day for me and Bruce, an adept mountain climber, to pack out the goat. There is a lone stunted spruce 1,000 yards up the ridge, and we tie off the rappelling rope, hop down, and skin and butcher, then rappell back up, hauling the hide and quarters. It is hard but rewarding work. We sit in silence in the swirling mist, pondering personal thoughts on the little ledge where the goat made its final leap, before stuffing our backpacks and heading crosscountry for spike camp.

We break camp in a frenzy and slide out onto the glacier with our goat and gear. How time flies in this country! It is September 21st, and only 10 minutes of flying light remain. The flight out will be yet another adventure. We hear the pilot coming, circling, circling, trying to get in, but heavy fog is socking in the glacier, and the high country is near complete white-out. Suddenly a soft, southerly glacial breeze pushes up a layer of fog, creating a small tunnel. Here he comes, the Cessna screaming incessantly, the wing lights creating a swirling kaleidoscope of green and red on the gleaming sea of ice as he skis to a stop 100 yards away.

We frantically pitch our gear aboard and strap in in the faint, eerie light. Ground time a minute, thirty. There is no time, or visibility, to taxi across the glacier. The pilot simply throws her full throttle and we whirl up over the nearest *nunataks*, breaking the heavy glacial fog, climbing into clear skies with a full three minutes to spare.

Fate, I guess, takes the Cessna humming low over the misty mountain where days earlier I had sat pondering personal reasons to goat hunt. I peer quietly down into the rain-slickened drainage far below where the goat died, feeling a tinge of sadness yet thrilled and satisfied, mind reeling in the endless panorama of coastal Alaska. ■

Planning A Coastal Alaska Hunt

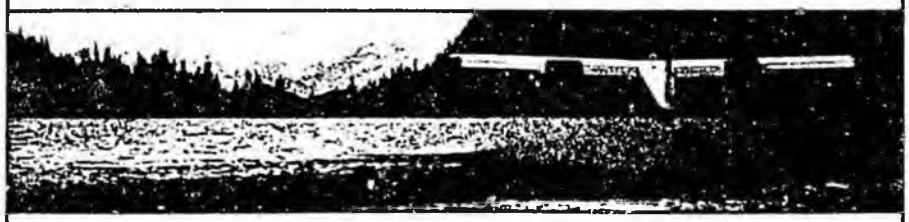


Photo By Author

Outfitter: For information on planning your own Alaska hunt, contact: Alaskan Coastal Adventures, 540 Euclid Ave., Dept. AH, Beaumont, California 92223; phone (714) 845-5413 or (714) 845-1831.

Seasons & Success: Mountain goat season in southeast Alaska runs Aug.–Nov.; moose and caribou Sept. 1-20; Sitka blacktail Aug.-Nov.; fall black bear Sept.-Nov., spring bear April through June. Alaskan Coastal Adventures had amazing success its first year: 100% on spring bear, with kills in Pope & Young and Boone & Crockett, some bears in the 400-pound range; near 100% on goats, again with book animals and possibly the new world record P&Y billy! Several 10-inch goats were taken.

Hunting Methods: All hunts fly-in to wilderness cabin or tent camps. Some bear, moose, and caribou trips feature skiffs or inflatable Kodiak rafts with motors. These outfitters are all bowhunters and will work hard to set up successful bow, rifle, and handgun hunting opportunities.

Cost: Spring and fall hunts start at $1,450; a new moose/caribou/fishing combo on Kenai or Alaska Peninsula, a seven-day adventure, is $2,800. Prices include all bush flights, meals, and accommodations.

Trip Notes: If I were hunting coastal Alaska again this fall, I would plan to hunt black bears along with a goat in early Sept., coinciding with the salmon run. Last year a party before me all filled out with seven nice bears feeding along the rivers. . . . I hunted in Game Management Unit 1 in mid-September. . . . Licenses are no problem—Alaskan Adventures has an agent who will sell you big game tags upon arrival. . . . It rains *a lot* in coastal Alaska, so bring at least two pairs of quality rain gear, the best you can afford, and wear wool or Polar Fleece. . . . And bring quality optics—my Bausch & Lomb Balvar 3X-9X riflescope and Bausch & Lomb binoculars stayed soaked but performed wonderfully. . . . Bring your own spotting scope and backpack. . . . My taxidermist, Tom Hardesty of Atcheson Taxiderny, 3210 Ottawa St., Butte, MT 59701, made a perfect duplicate of my goat's horn, and now it has two . . . . Enjoy the adventure! ***M.H.***

United States Department of the Interior
NATIONAL PARK SERVICE
ALASKA REGIONAL OFFICE
2525 Gambell Street, Room 107
Anchorage, Alaska 99503-2892



IN REPLY REFER TO:

C38(ARO-OC)

1338

29 JAN 1988

Honorable John B. "Jack" Coghill
Chairman, Resources Committee
P.O. Box V
Juneau, AK 99811

Dear Senator Coghill,

As the resource committee hearings on Senate Bill No. 191 will be convening in the near future, Senator Fanning asked us to offer comments for consideration. His request came as the result of a meeting with my concessions staff on January 8.

We are pleased to see the state recognize the problems which can arise by not having a clear definition of "guiding" for the purposes of hunting. We would, however, like to encourage a more restrictive definition than the one proposed. We recommend deleting the word "established" when referring to camps on page 3, line 7 of the bill. The use of the term "established" connotes permanent camps as opposed to temporary camps. The impacts of outfitting for hunting when a camp goes up with the client and down with the client, or when a camp goes up for just several weeks, are not necessarily less than those of an established camp. It has been our experience that the duration of the camp does not, in itself, distinguish between guiding and outfitting. It is the actions of the operator and the management of the camp that makes the distinction.

It has not been our policy to allow outfitting for hunting in the Alaskan national preserves. Unlike many government agencies, we do have the discretion to determine if a commercial activity is both "necessary and appropriate" relative to the purpose of the area. Our current stance will allow any private individual who has the knowledge and expertise to provide his own camp and hunt without a guide. Unguided persons may still rent equipment and charter an air taxi service to transport them to the field, but should be completely self-sufficient in the field. We feel those individuals who are not capable of taking care of all their needs in a wilderness setting are a risk to themselves and to others and probably should hire a registered guide to provide the needed services.

In addition to our concerns for visitor safety, we feel authorization of outfitting of hunting parties within a registered guide's area could have a significant negative impact on that guide's operation and the resources in the unit. Uncontrolled outfitting could lead to overharvesting of game within a guide area. The incentives to practice good game management are less for outfitters than for guides since it is the guides

who have a long-term stake in a guide area. When the game is depleted in an area, the outfitter simply moves on; the guide cannot.

Another issue of concern addressed in the bill is on page 2, lines 16 and 17, whereby it is unlawful for "a person to compensate or agree to compensate another person for guiding..." without being validly licensed as a guide. It seems unrealistic to expect the consumer to be knowledgeable of AS 08.54.210 (a)(9). Keep in mind one of the reasons people hire registered guides is for their knowledge of the game laws. If consumers are duped into believing they have contracted with a legitimate guide, should the state hold the consumers liable?

One last item of concern centers around pilots knowingly dropping hunting parties off in areas closed to hunting. The addition of a statement such as the following would place accountability on air taxi pilots: "It is unlawful for a person to aid and abet a hunting violation by knowingly transporting persons for the purpose of hunting, into areas closed to hunting."

After discussing the various issues and possible resolutions, with our staff and several guides, it seems a simple and viable means to control the conflicts between outfitting and hunting would perhaps be the reinstatement of the transporter license. We found the transporter license to work well with our system of permitting commercial activities and would support its return.

Thank you for the opportunity to comment.

Sincerely,

Richard J. Stenmark
Acting Regional Director