

SB

1911

SENATE COMMITTEE REPORT

FURTHER

DATE TURNED INTO OFFICE _____

Mr. President:

RESOURCES Committee considered SB 191

amending the definition of big game guiding; and prohibiting compensation of an unlicensed person for guiding.

and recommended

replace with CS SB 191 (res) 3rd same title
 or adopt CS new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted Sec. Res.

Committee attached or adopted fiscal note(s)
 new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature] DO PASS -
Chairman signature and recommendation

Committee Backup attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 3-18 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

Fuller

FURTHER:

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)

3/17/87

DATE TURNED INTO OFFICE _____

Mr. President:

RESOURCES _____ Committee considered _____ SB 191

amending the definition of big game guiding; and prohibiting compensation of an unlicensed person for guiding.

and recommended:

[] replace with CS SB 191 (Res) [] same title
[] new title

[] attached amendment(s) and

[] do pass

[] do not pass

[] no recommendation .

[] individual recommendations

[] further referral to _____

letter of intent adopted and attached

** Committee [] attached or [] adopted fiscal note(s)
[] zero [] fiscal impact

MEMBERS SIGNING DO PASS

Tom Green
Ardis Stangulinski

OTHER RECOMMENDATIONS

Debra ...
Paul ... No Rec
Paul ... No Rec

John B. ...
Chairman signature and recommendation

[] Committee Backup Attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)

3/17/87

DATE TURNED INTO OFFICE _____

Mr. President:

RESOURCES _____ Committee considered SB 191

amending the definition of big game guiding; and prohibiting
compensation of an unlicensed person for guiding.

and recommended:

[] replace with CS _____ [] same title

[] attached amendment(s) and [] new title

[] do pass

[] do not pass

[] no recommendation

[] individual recommendations

[] further referral to _____

letter of intent adopted and attached

** Committee [] attached or [] adopted fiscal note(s)
[] zero [] fiscal impact

MEMBERS SIGNING DO PASS

Tom Green
Archie Stimpert

OTHER RECOMMENDATIONS

Wesley
Paul No Rec
Paul No Rec

John B. Cochran
Chairman signature and recommendation

[] Committee Backup Attached

SENATE COMMITTEE REPORT

FURTHER:

DATE TURNED INTO OFFICE _____

Mr. President:

RESOURCES

Committee considered SB 191

amending the definition of big game guiding; and prohibiting compensation of an unlicensed person for guiding.

and recommended:

replace with CS FOR SB 191) same title
 or adopt _____ CS FOR _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous

zero fiscal impact

MEMBERS SIGNING DO PASS

Curtis J. Ziegler
Harold [unclear]

OTHER RECOMMENDATIONS

[unclear]
Paul [unclear]
Paul [unclear]

[unclear] Do Pass
Chairman signature and recommendation

Committee Backup Attached

Alaska State Legislature

Senate Resources Committee



Sen. John B. (Jack) Coghull, Chairman
Sen. Paul Fischer, Vice-Chairman
Sen. Lloyd Jones
Sen. Arliss Sturquilewski
Sen. Jim Duncan
Sen. Fred Zhatoff
Sen. Dick Eliason

Box V
Juneau, Alaska 99811
(907) 465-1907

LETTER OF INTENT

SB 191

APRIL 1, 1987

IT IS THE INTENT OF THE LEGISLATURE THAT THE FOLLOWING CONCERNS REGARDING SB 191, "AN ACT RELATING TO GUIDE LICENSING; 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" BE ADDRESSED BY THE DEPARTMENT OF COMMERCE AND THE GUIDE BOARD.

THE DEPARTMENT OF COMMERCE, DIVISION OF OCCUPATIONAL LICENSING, SHOULD IMPLEMENT HIGHER NONRESIDENT GUIDE LICENSE FEES UPON RENEWAL OF THE LICENSE.

THE GUIDE BOARD SHOULD NOT INTERPRET THE PHRASE "ESTABLISHED CAMP" WHEN APPLICABLE TO REGISTERED GUIDES, AS PREVENTING GUIDES FROM MAINTAINING MOBILE CAMPS IN THEIR AREAS.

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 Ehasen

Box V
Juneau, Alaska 99811
(907) 465-1907

LETTER OF INTENT

SB 191

April 1, 1987

It is the intent of the legislature that the following concerns regarding SB 191, "An act relating to guide licensing; 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" be addressed by the Department of Commerce and Economic Development and the Guide Board.

The Department of Commerce and Economic Development, Division of Occupational Licensing, should implement higher nonresident guide license fees upon renewal of the license.

The Guide Board should not interpret the phrase "established camp" when applicable to registered guides, as preventing guides from maintaining mobile camps in their areas.

A large, stylized handwritten signature in black ink, appearing to read "John B. Coghill".

John B. Coghill
Chairman Senate Resources

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: _____
PUBLISH DATE: _____

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 *Pamela Stoops* Phone: 465-3850
Division: Administrative Services Date: 03/11/88

Approved by: Warren Endicott *Warren Endicott* Date: 03/11/88
Agency: Legislative Affairs Agency

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CONTINUATION OF FISCAL ANALYSIS

It is assumed that travel funds for this task force will be paid as follows:

- 3 Executive Branch members - absorbed within existing executive branch departments.
- 4 Legislative Branch members - absorbed within existing Legislative Operating Budget.
- 4 Public members - paid by Legislative Council funds as projected below.

Projected expenses for the Task Force on Guiding and Game are as follows:

Personal Services - Staff for the Task Force will come from existing staff under the Legislative Operating Budget.

Travel - 3 trips @ 366 x 4 members = 4,392
 3 days per diem (\$80)
 3 trips x 4 members = 2,880

Contractual - Transcription of meetings 1,000
 Printing and Binding of report 1,000

Supplies - Will come from existing Legislative Council and Legislative Operating supplies.

Equipment - Will come from existing Legislative Council and Legislative Operating equipment.

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 Abbott* Date: 3/11/88
Agency: Fish and Game

Distribution (by preparer) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: SB 191

Publish Date: _____

REQUEST

Revision Date: _____

Title: "An Act amending the definition of big game quiding.."

Sponsor: Senator Coghill

Requestor: Senate 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

Division: Fish & Wildlife Protection

Phone: 269-5539

Date: 3/23/87

Approved by Commissioner: William R. Nix

Agency: Public Safety

Date: 3/24/87

Distribution (by preparer):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)

Senate Secretary

page ___ of ___

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: CSSB 191 (Res)

Publish Date: _____

REQUEST _____

Revision Date: _____

Agency Affected: Public Safety

Title: "An Act amending the definition of big game guiding.."

BRU: Fish & Wildlife Protection

Sponsor: Senator Coghill and Faiks

Components: Enforcement

Requestor: Senate RULES

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: 4/10/87

Approved by Commissioner: William R. Hix

Date: 4/12/87

Agency: Public Safety

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

JWR
4/14/87

STATE OF ALASKA

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

STEVE COWPER, GOVERNOR

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

April 22, 1987

APR 24 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



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Public Safety	DIVISION Fish & Wildlife Prot.	BILL NUMBER CSSB 191	SPONSOR Coghill and Faiks
SHORT TITLE OF BILL "An Act relating to the Guide Board and Big Game Guiding..." (2/19/88 WORK DRAFT)			
DEPARTMENT POSITION Neutral			
PREPARED BY Captain Conrad G. Seibel	DATE 2/19/88	COMMISSIONER'S SIGNATURE <i>Don Hoetaki, Dep. Comm.</i>	DATE 2-19-88

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Commerce Department of Fish and Game	CONSTITUENT GROUPS AFFECTED BY BILL
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE HISTORY

ANALYSIS OF BILL/PROGRAM EFFECTS

Passage of CSSB 191 will amend the existing definition of big game guiding under AS 08.54.210 -- AS 08.54.240.

AMENDMENTS PROPOSED

*Recommended amendment to AS 08.54.210 (a)(8) Page 2, Lines 28-29.

The Department recommends that the language in subsection 8 be deleted and replaced with the following language:

(8) a person to advertise as a guide or to contract to conduct a guided hunt unless that person is validly licensed as a registered or master guide.

(continued on attached page)

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

Justification: One of the problems the Department has been facing is that persons other than guides are contracting for guided hunts. This problem is in no way limited to assistant guides and this addition to the current language should go a long way towards alleviating this problem.

*Recommended amendment to AS 08.54.210 (a)(2) Page 4, Lines 1-2.

On Line 1 the Department recommends adding the words or after "regulation" and transporter after "guide or". On Line 2 add the words or transporter after "guide".

Justification: The Department believes that a transporter should also attempt to prevent a violation the same as a guide. By adding this language the Department believes that it will help to protect the big game resources by preventing violations before they happen.

*Recommended amendment to AS 08.54.210 (a)(4) Page 4, Line 10.

The Department recommends the addition of a new subsection (c) "an outfitter in a manner that implies that the person is a licensed guide;"

Justification: Some outfitters who are not licensed as guides advertise or represent themselves to be licensed and bona fide big game guides. The addition of the new subsection (c) would make it clear that an outfitter cannot imply that he is a licensed guide.

*Recommended amendments to AS 08.54.210 (a)(/), Page 4; Lines 16-17.

The Department recommends that the language in Section 7 be deleted and replaced with the following language:

(7) a person to advertise as a guide or to contract to conduct a guided hunt unless that person is validly licensed as a registered or master guide.

Justification: One of the problems the Department has been facing is that persons other than guides are contracting for guided hunts. This problem is in no way limited to assistant guides and this addition to the current language should go a long way towards alleviating the problem.

*Recommended amendment to AS 08.54.250 (3) Page 5, Line 14.

The Department recommends deleting the language "or providing a camp or personal service for".

Justification: The existing language would make it illegal for a person to rent his remote cabin to a hunter or hunters for compensation even though the cabin owner did not "guide" the hunters in the way that "guiding" is otherwise defined under this section. This change would prevent a person who only rents cabins or camping equipment from being in violation of the law. The Department also believes that the language "personal services" is vague, and could conceivably include a wide variety of services to which the law was presumably not intended to apply. A person who merely received compensation for providing groceries to a big game hunter would be in violation of this section.

STATE OF ALASKA THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 1, 1987

SUBJECT: Definition of "guiding" in CSSB 191
(Resources)

TO: Senator Dick Eliason
Chairman, Senate Rules Committee

FROM: Edward H. Hein
Legislative Counsel

Please note that the Senate Resources Committee passed out CSSB 191 (Resources) yesterday. The bill will be in your committee next. The Resources Committee amended the definition of "guiding" so that a person must be licensed as a guide in order to accompany or be present with, or provide an established camp for, a hunter in the field for compensation and for the purpose of directing the hunter to spot, stalk, etc.

I was told by the Resources Committee aide that the intent of the amendment was to allow persons to offer hunters videotaping services for hire in the field without having to be licensed as a guide. The language may do more than that, however. For example, a person could be paid to accompany or be present with a hunter in the field for almost any purpose other than directing the hunter. A person could provide an established camp for the hunter for a fee, as long as it was not for the purpose of directing the hunter to hunt.

It seems to me that this intent element will make prosecution more difficult. You may wish to consider changing the definition so that it specifically does not include persons who provide only videotaping services. You may or may not wish to provide that a person may videotape for hire only if a licensed guide is also with the hunting party.

And, of course, a facetious attorney might argue that a person who is videotaping could be "directing" the hunters.

EHH:mkr
m10/080

cc: Senator Coghill

BILL NO: CSSB 191 (Res)

DATE: 4/13/87

TITLE: "An Act relating to guide licensing fees; amending the definition of big game guiding...."

CONTACT: Capt. James Nutgrass 269-5589

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.

Recommended amendments to CSSB 191 (Res):

Page 2 ~~Line 2-3~~ - AS 08.54.210(3)

We recommend that the following word be deleted, "resident", a person to guide without having a current guide license and (resident) current valid hunting license in actual possession.

The Attorney General's Office formal opinion has ruled that it is unconstitutional to require Alaska Residency to engage in the guiding business. By removing the word "resident", the statute is clear, concise and enforceable.

Page 2; line 10-11 - AS 08.54.210(6)

We recommend that the following words be deleted, "and as a resident hunter under AS 16"

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

The Attorney General's Office formal opinion has ruled that it is unconstitutional to require Alaska residency to engage in the guiding business. By removing the word "residency", the statute is clear, concise, and enforceable.

Page 2; line 19 - Addition to AS 08.54.210(b)(1-5) Penalty Provisions

We recommend that the following word be added, "Class A" and also on Page 2; line 20, we recommend that the following word be deleted, (\$2,000) -(\$1,000) and replaced with \$5,000.

We 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.

A \$1,000.00 - \$2,000.00 maximum fine and imprisonment of up to six months currently allowed are not substantial enough for serious violations to provide a deterrent. Most serious offenses regarding fish and wildlife resources are currently punishable as Class A misdemeanors. This proposed amendment would help standardize the penalty provisions for serious fish and wildlife violations.

Page 3; line 7 - AS 08.54.240 (3)

We recommend the following words be added, big game, and the following words be deleted page 3; line 9-11; ((and) for the purpose of directing the hunter to spot, stalk, pursue, track, kill, or attempt to kill big game;).

"Guide" or "Guiding" means accompanying or 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.

By adding "big game" to the definition it would reduce confusion by clients and other types of outfitters such as waterfowl or small game.

By deleting the ((and) for the purpose of directing the hunter to spot, stalk, pursue, track, kill, or attempt to kill big game;) Page 3; lines 9-11. This would remove the requirement to prove both the accompanying and the intent of the accompanying. It would also make the proposed amendment more concise and enforceable.

The Department of Public Safety supports CSSB 191 (Res), an act amending the definition of big game guiding.



William R. Nix
Acting Commissioner

Original sponsors: Coghill and Faiks

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 191 (2d Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to guide licensing fees; deleting
7 the requirement that a guide hold and carry a resi-
8 dent hunting license; amending the definition of big
9 game guiding; and prohibiting compensation of an
10 unlicensed person for guiding."

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

12 * Section 1. AS 08.01.065 is amended by adding a new subsection to
13 read:

14 (e) Notwithstanding other provisions of this section, the de-
15 partment shall establish the amount of a fee for a nonresident guide
16 license at three times the amount of the fee for a resident guide
17 license.

18 * Sec. 2. AS 08.54.210 is amended to read:

19 Sec. 08.54.210. UNLAWFUL ACTS. (a) It is unlawful for

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

26 (2) a guide to commit or aid the commission of a violation
27 of this chapter or of a state game or guiding statute or regulation or
28 to permit the commission of a violation that the guide knows or rea-
29 sonably believes is being or will be committed without attempting to

1 prevent it, short of using force, and without reporting it;

2 (3) a person to guide without having a current valid guide
3 license and [RESIDENT] hunting license in actual possession;

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

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

9 (6) a person to guide without being validly licensed as a
10 guide under this chapter and as a [RESIDENT] hunter under AS 16;

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

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

15 (9) a person to compensate or agree to compensate another
16 person for guiding in violation of (6) of this subsection.

17 (b) A person who violates (a)(1) - (5) or (9) of this section is
18 guilty of a misdemeanor and upon conviction is punishable by a fine of
19 not more than \$2,000 [\$1,000] or by imprisonment for not more than one
20 year, or by both, and the person's license may be revoked for a period
21 up to five years. However, a person who engages in guiding activity
22 during the period for which the person's license is suspended or
23 revoked under this chapter, or who violates (a)(6) - (8) of this
24 section, is guilty of a felony punishable, upon conviction, by a fine
25 of not more than \$5,000 and by imprisonment for not less than one year
26 nor more than three years. In addition to punishment for a felony,
27 all guns, fishing tackle, boats, aircraft, automobiles or other vehi-
28 cles, camping gear and other equipment and paraphernalia used in, or
29 in aid of, guiding activity engaged in during the period of suspension

1 or revocation may be seized by persons authorized to enforce this
2 chapter and may be forfeited to the state as provided under AS 16.05.-
3 195.

4 * Sec. 3. AS 08.54.240(3) is repealed and reenacted to read:

5 (3) "guide" or "guiding" means accompanying or being pre-
6 sent with, or providing an established camp for, a big game hunter in
7 the field, personally or through an assistant, for compensation or
8 with the intent or an agreement to receive compensation; "guide" or
9 "guiding" does not include accompanying or being present with a hunter

10 (A) in a boat with living quarters;

11 (B) at a permanent lodge or structure; or *lawfully established cabin*

12 (C) while providing transportation to or from the
13 field, if the persons providing transportation and the persons
14 being transported do not stalk, pursue, track, kill, or attempt
15 to kill big game;

16 * Sec. 4. AS 08.54.240 is amended by adding a new paragraph to read:

17 (7) "compensation" means any money, thing of value, or
18 economic benefit conferred on or received by a person in return for
19 services rendered or to be rendered by the person for another.
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STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 9, 1988

SUBJECT: Sectional analysis of CSSB 191 (3d Resources)
(3/8/88 draft)

TO: Senator Jack Coghill
Chairman, Senate Resources Committee

FROM: Edward H. Hein *E.H.*
Legislative Counsel

Section 1 extends the Guide Board for two years.

Section 2 authorizes the Guide Board to license and regulate transporters.

Section 3 requires assistant guides to be familiar with terrain and transportation problems of a district before being licensed for that district.

Section 4 establishes a transporter license requirement and bans from transporting any former guide whose guide license has been revoked. Air carriers don't need a transporter license unless they derive more than half their income from transporting hunters, or unless they provide big game hunting services besides transportation. Guides don't need a transporter license unless they are providing transporting services outside their own guide area or their employer's guide area. Limitations are placed on the lawful activities of transporters. A transporter cannot be in the field with a hunter for pay, except under any of six circumstances. A transporter's advertising must state that the transporter is not a guide or outfitter and is not authorized by law to provide a guided hunt in Alaska. Samples of the advertising may be required by the Guide Board.

All licensed transporters and master and registered guides must provide services by written contract, with a copy of all contracts going to the Department of Commerce and Economic Development, and additional copies forwarded to

Department of Fish and Game and the division of fish and wildlife protection.

Section 5 makes transporters responsible for employees' fish, game, guiding, or transporting law violations for purposes of disciplinary action by the Guide Board.

Section 6 directs the Department of Commerce and Economic Development to set fees for the transporter license.

Section 7 requires the Guide Board to hold a disciplinary hearing to investigate every complaint received against a guide or transporter.

Sections 8 - 11 add transporters to the Guide Board's disciplinary provisions to make them equally accountable as guides for ethical and other violations.

Section 12 makes transporters criminally liable for failing to report violations by clients and employees, and for aiding in violations, to the same extent guides are now liable. This section makes it unlawful to use the term "outfitter" in advertising or promotion big game hunting services unless the person is a master or registered guide. It also makes it unlawful to provide air transportation as a transporter or guide without the appropriate FAA certificate. The section also provides for a civil fine of up to \$1,500 for being in the field during a hunt while being guided by an unlicensed guide.

Section 13 requires the Department of Commerce to send copies of guide reports to the Department of Fish and Game and to the division of fish and wildlife protection.

Section 14 requires a transporter report and specifies the information to be included in it; requires the report to be in actual possession of the transporter while providing transportation, and to be filled out as soon as information is available; requires report to be submitted to Department of Commerce within 21 days; exempts guides who submit SFRs.

Sections 15 and 16 provide definitions for guiding, compensation, and transporting.

Section 17 exempts the Guide Board from conflict of interest requirements.

Senator Jack Coghill
Page 3
March 9, 1988

Section 18 establishes an interim task force to study the Guide Board and the problems of guides, transporters, and others involved in the commercial taking of game in the state, and to report to the legislature by January 31, 1989, with recommendations for legislation.

Sections 19 - 22 provide for the suspended operation of certain provisions of the bill and for effective dates.

EHH:bb
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Original sponsors: Coghill and Faiks

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 191 (3d Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Guide Board, the taking of
7 big game, and businesses or professions that provide
8 goods and services to big game hunters; and providing
9 for an effective date."

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

11 * Section 1. AS 08.03.010(c)(20) is amended to read:

12 (20) Guide Board (AS 08.54.010) -- June 30, 1989 [1988].

13 * Sec. 2. TASK FORCE ON GUIDING AND GAME. (a) The interim task force
14 on the Guide Board and the commercial taking of big game is established
15 under the jurisdiction of the legislative council. The task force consists
16 of the commissioners of fish and game, commerce and economic development,
17 and public safety, or their designees; two members of the senate who are
18 not licensed big game guides, appointed by the president of the senate; two
19 members of the house of representatives who are not licensed big game
20 guides, appointed by the speaker of the house; and four members appointed
21 by the governor as follows: one member of the Guide Board; one big game
22 guide licensed under AS 08.54 who is not a member of the Guide Board; one
23 person engaged in a business, other than guiding, that includes transport-
24 ing big game hunters to and from the field; and one public member.

25 (b) The task force shall review the operations of the Guide Board and
26 shall study problems and issues concerning the commercial taking of big
27 game in the state and the businesses or professions that provide goods and
28 services to big game hunters in the state. The task force shall submit to
29 the legislative council, not later than January 15, 1989, a report on its

1 findings and proposed legislation to address the problems and issues cover-
2 ed in the report.

3 (c) The task force terminates January 15, 1989.

4 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).
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3/8/88

Original sponsors: Coghill and Faiks

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 191 (3d Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Guide Board and big game
7 guiding, transporting, outfitting, and hunting;
8 establishing a task force on guiding and the commer-
9 cial taking of game; and providing for an effective
10 date."

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

12 * Section 1. AS 08.03.010(c)(20) is amended to read:

13 (20) Guide Board (AS 08.54.010) -- June 30, 1990 [1988].

14 * Sec. 2. AS 08.54.010 is amended to read:

15 Sec. 08.54.010. CREATION AND MEMBERSHIP OF BOARD. For the
16 purposes of licensing and regulating the activities of guides and
17 transporters in the interest of the state's wildlife resources there
18 is created the Guide Board consisting of seven members. No more than
19 three members of the board shall hold or have held a registered,
20 master, or class A assistant guide license. The other members must
21 have a general knowledge of the game resources of the state and may
22 not have a vested interest in the guiding industry. A minimum of 10
23 years residence in the state is required for all members of the board.
24 For administrative purposes, the board is in the Department of Com-
25 merce and Economic Development.

26 * Sec. 3. AS 08.54.140 is amended to read:

27 Sec. 08.54.140. QUALIFICATIONS FOR ASSISTANT GUIDE LICENSE. A
28 person is entitled to be licensed as an assistant guide if the person
29 (1) is 19 years of age or more;

1 (2) [REPEALED

2 (3)] is favorably recommended to the board, in writing, by a
3 registered guide;

4 (3) [(4)] meets additional qualifications which the board
5 may require;

6 (4) [(5)] is in sound physical condition; and

7 (5) is familiar with ^{Alaskan} ~~the terrain and transportation problems~~
8 ~~in the district for which the license is requested.~~

9 * Sec. 4. AS 08.54 is amended by adding new sections to read:

10 Sec. 08.54.142. TRANSPORTER LICENSE. (a) A person may not
11 engage in the business of transporting unless the person is licensed
12 as a transporter under this chapter.

13 (b) A person may be licensed as a transporter if the person

14 (1) pays the annual license fee required under AS 08.54.-
15 170(a);

16 (2) holds a current Alaska business license to do business
17 as a transporter; and

18 (3) has not had a guide license revoked by the board.

19 Sec. 08.54.143. EXEMPTIONS FROM TRANSPORTER LICENSE REQUIREMENT.

20 (a) A person, other than a licensed guide, who provides air transpor-
21 tation to big game hunters for compensation is exempt from the license
22 requirements for transporters under this chapter unless the person

23 (1) derives more than 50 percent of gross income as an air
24 carrier from transporting big game hunters or their equipment or game
25 to or from the field; or

26 (2) provides big game hunting services in addition to air
27 transportation.

28 (b) A licensed guide who provides transportation services only
29 in the restricted guide area assigned to the guide or the guide's

1 employer is exempt from the license requirements for transporters
2 under this chapter.

3 Sec. 08.54.144. LIMITATIONS ON TRANSPORTERS. (a) A person
4 required to be licensed as a transporter under this chapter may not
5 accompany or be present with a big game hunter in the field for com-
6 pensation or with an intent or an agreement to receive compensation
7 except under the following circumstances:

8 (1) to drop off or pick up the hunter or the hunter's
9 equipment or game;

10 (2) to provide assistance to another person whose health or
11 safety is threatened;

12 (3) if prevented from leaving the field by mechanical
13 failure of a vehicle, an accident, weather, or an act of God;

14 (4) to provide cooking or other personal services to the
15 hunter at a camp not serviced by aircraft, motorized watercraft, or
16 other motorized vehicle, as long as the services do not include spot-
17 ting, stalking, pursuing, tracking, killing, or attempting to kill big
18 game or meat packing;

19 (5) in a boat with living quarters;

20 (6) at a lawfully established cabin or permanent lodge.

21 (b) Advertising for transporting services must state, if appli-
22 cable, that the transporter is not a licensed big game guide or out-
23 fitter and is not authorized by law to provide a guided hunt in the
24 state. A copy or sample of the advertising shall be submitted to the
25 board, as provided in regulations of the board.

26 Sec. 08.54.145. CONTRACTS FOR GUIDING AND TRANSPORTING. A
27 person required to be licensed as a master or registered guide or as a
28 transporter under this chapter may provide services only by written
29 contract. The contract must contain the text of AS 08.54.210. A copy

1 of each contract shall be submitted to the Department of Commerce and
2 Economic Development not later than 30 days after the contract is
3 signed or the services are provided, whichever occurs first. The
4 department shall forward a copy of each contract to the Department of
5 Fish and Game and to the Department of Public Safety, division of fish
6 and wildlife protection.

7 * Sec. 5. AS 08.54.150 is repealed and reenacted to read:

8 Sec. 08.54.150. RESPONSIBILITY OF REGISTERED OR MASTER GUIDE OR
9 TRANSPORTER FOR VIOLATIONS. A registered or master guide contracting
10 for a hunt, or a transporter contracting to transport a big game
11 hunter, is equally responsible under AS 08.54.200 for a violation of a
12 federal or state sport fish, game, guide, or transporter statute or
13 regulation committed by an employee of the guide or transporter,
14 respectively, if

15 (1) the employee is licensed or required to be licensed
16 under this chapter; and

17 (2) the violation was committed in the course of the em-
18 ployment.

19 * Sec. 6. AS 08.54.170(z) is amended to read:

20 (a) The Department of Commerce and Economic Development shall
21 set license fees under AS 08.01.065 for each of the following:

- 22 (1) master guide;
23 (2) registered guide;
24 (3) class A assistant guide;
25 (4) assistant guide;
26 (5) special guide;
27 (6) transporter.

28 * Sec. 7. AS 08.54.200(a) is repealed and reenacted to read:

29 (a) The board shall hold a hearing to determine whether a

1 licensee should be disciplined within a reasonable time after (1) a
2 complaint concerning a licensee's guiding or transporting activities
3 is filed with the board by a client of the licensee; (2) a complaint
4 concerning a licensee's conduct during a life-threatening situation
5 while guiding or transporting is filed with the board; or (3) a li-
6 censee has been convicted of a violation of a federal or state game,
7 guiding, or transporting statute or regulation.

8 * Sec. 8. AS 08.54.200(b) is amended to read:

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

12 (1) engaged in unethical activity, unsafe activity, or
13 activity that adversely affects the natural resources of the state
14 when the activity is related to the purposes of the contract hunt or
15 contracted transportation; or

16 (2) violated a provision of a federal or state game, guid-
17 ing, or transporting [GUIDE] statute or regulation.

18 * Sec. 9. AS 08.54.200(d) is amended to read:

19 (d) A person who is disciplined under this section may not
20 engage in a guiding or transporting activity during the period of
21 license revocation or disciplinary action. A person licensed under
22 this chapter may not hire as a guide or transporter a person whose
23 [GUIDE] license is suspended or revoked under this section. A person
24 [GUIDE] whose license is suspended or revoked may not guide or trans-
25 port in the employ of a person licensed under this chapter.

26 * Sec. 10. AS 08.54.200(f) is amended to read:

27 (f) If a certified copy of a judgment of conviction of a li-
28 censee [GUIDE] for an offense described under (c)(3) of this section,
29 or for each of two offenses under (c)(4) of this section, is filed

1 with the board, the board shall immediately suspend the licensee's
2 [GUIDE'S] license. The suspension may be ordered even if the con-
3 viction resulted from a plea of nolo contendere or if the conviction
4 is under appeal. The order remains in effect until after the final
5 disposition of the disciplinary proceeding under this section.

6 * Sec. 11. AS 08.54.200(g) is amended to read:

7 (g) A certified copy of a judgment of conviction of a licensee
8 [GUIDE] for an offense is conclusive evidence of the commission of
9 that offense in a disciplinary proceeding instituted against the
10 licensee [GUIDE] under this section based on that conviction.

11 * Sec. 12. AS 08.54.210 is amended to read:

12 Sec. 08.54.210. UNLAWFUL ACTS. (a) It is unlawful for

13 (1) a guide or a transporter [MASTER GUIDE, REGISTERED
14 GUIDE, SPECIAL GUIDE, CLASS-A ASSISTANT GUIDE, OR ASSISTANT GUIDE] to
15 fail to promptly [TIMELY] report to the Department of Public Safety,
16 division of fish and wildlife protection, and in no event later than
17 30 days, a violation of a state fish, game, [OR] guiding, or trans-
18 porting statute or regulation that the guide or transporter reasonably
19 believes was committed by a client or an employee of the guide or
20 transporter, respectively;

21 (2) a guide or transporter to commit or aid the commission
22 of a violation of this chapter or of a state game, [OR] guiding,
23 transporting statute or regulation, or for a guide or transporter to
24 permit the commission of a violation that the guide or transporter
25 [KNOWS OR] reasonably believes is being or will be committed without
26 attempting to prevent it, short of using force, and without reporting
27 it;

28 (3) a person to guide without [HAVING] a current valid
29 guide license and [RESIDENT] hunting license in actual possession;

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

3 (5) a person who offers big game hunting services, includ-
4 ing transportation, for compensation to advertise as or represent to
5 be an outfitter with respect to the services without holding a current
6 valid registered or master guide license;

7 (6) a guide or transporter to intentionally obstruct or
8 hinder or attempt to obstruct or hinder lawful hunting engaged in by a
9 person who is not a client of the guide or transporter, respectively;

10 (7) a person to violate AS 08.54.235;

11 (8) [6] a person to guide without being validly licensed as
12 a guide under this chapter and as a [RESIDENT] hunter under AS 16, or
13 to engage in the business of transporting in violation of AS 08.54.-
14 142;

15 (9) [(7)] an assistant guide to contract to conduct a
16 guided hunt;

17 (10) [(8)] an assistant guide to be in the field on a
18 guided hunt except while employed and supervised by a registered or
19 master guide;

20 (11) a person to provide transportation for which a license
21 is required under AS 08.54.142 if the transportation is in an aircraft
22 for which the person does not hold a current valid air taxi/commercial
23 operator (ATCO) operating certificate issued by the Federal Aviation
24 Administration;

25 (12) a guide to provide transportation to a client in the
26 restricted guide area assigned to the guide or the guide's employer if
27 the transportation is in an aircraft

28 (A) for which the guide does not hold a current valid
29 air taxi/commercial operator (ATCO) operating certificate issued

1 by the Federal Aviation Administration; or

2 (B) owned by the guide and the guide does not hold a
3 commercial or air transport pilot certificate issued by the
4 Federal Aviation Administration;

5 (13) a person to be accompanied during a big game hunt by an
6 individual who is guiding the person in violation of (8) of this
7 subsection.

8 (b) A person who violates (a)(1) - (7) [(a)(1) - (5)] of this
9 section is guilty of a misdemeanor and upon conviction is punishable
10 by a fine of not more than \$2,000 [\$1,000] or by imprisonment for not
11 more than one year, or by both, and the person's license may be re-
12 voked for a period up to five years. However, a person who engages in
13 guiding or transporting [ACTIVITY] during the period for which the
14 person's license is suspended or revoked under this chapter, or who
15 violates (a)(8) - (10) [(a)(6) - (8)] of this section, is guilty of a
16 felony punishable, upon conviction, by a fine of not more than \$5,000
17 and by imprisonment for not less than one year nor more than three
18 years. In addition to punishment for a felony, all guns, fishing
19 tackle, boats, aircraft, automobiles or other vehicles, camping gear
20 and other equipment and paraphernalia used in, or in aid of, guiding
21 or transporting [ACTIVITY] engaged in during the period of suspension
22 or revocation, or used during a violation of (a)(8) of this section,
23 may be seized by persons authorized to enforce this chapter and may be
24 forfeited to the state as provided under AS 16.05.195. A person who
25 violates (a)(11) or (12) of this section is guilty of a class B misde-
26 meanor and upon conviction is punishable by a fine of not less than
27 \$500 nor more than \$1,000. A person who violates (a)(13) of this
28 section is subject to a civil fine of not more than \$1,500.

29 * Sec. 13. AS 08.54.230 is amended to read:

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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 send a copy of records pertaining to each hunt to the Department of Fish and Game and to the Department of Public Safety, division of fish and wildlife protection, and shall make the records available to other 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. 14. AS 08.54 is amended by adding a new section to read:

Sec. 08.54.235. TRANSPORTER REPORT. (a) ^{person required to be licensed} A transporter shall record on report forms provided by the Department of Commerce and Economic Development the following information:

(1) the names and addresses of all persons transported;

(2) the numbers from the Alaska hunting license and big game tags possessed by each person transported;

(3) the date of transporting; ~~and~~

(4) the game taken; and

(5) if known, the locality where the game was taken.

^{person required to be licensed as a}

(b) A transporter shall have in actual possession, while providing transportation, a report required under this section. The transporter shall enter the information required under (a) of this section as soon as it is available.

(c) The report shall be submitted to the Department of Commerce and Economic Development within 21 days after providing the transportation. The department shall send a copy of each report to the Department of Fish and Game and the Department of Public Safety, division of fish and wildlife protection.

1 (d) This section does not apply to transportation provided by a
2 guide for which a statement of financial remuneration (SFR) is submit-
3 ted to the Department of Commerce and Economic Development, as re-
4 quired under regulations of the board.

5 * Sec. 15. AS 08.54.240(3) is repealed and reenacted to read:

6 (3) "guide" or "guiding" means accompanying or being pre-
7 sent with, or providing a camp or personal service for, a big game
8 hunter in the field, personally or through an assistant, for compen-
9 sation or with the intent or an agreement to receive compensation;
10 "guide" or "guiding" does not include the lawful activities of a
11 licensed transporter under AS 08.54.144(a).

12 (See Page 3, lines 3 - 20)

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18 * Sec. 16. AS 08.54.240 is amended by adding new paragraphs to read:

19 (7) "compensation" means any money, thing of value, or
20 economic benefit conferred on or received by a person in return for
21 services rendered or to be rendered by the person for another;

22 (8) "transport" or "transporting" means, for compensation
23 or with the intent or an agreement to receive compensation,

24 (A) conveying an individual to or from the field for
25 the purpose of taking big game;

26 (B) conveying from the field meat or parts from the
27 big game that the individual has taken; or

28 (C) in conjunction with conveying a big game hunter,
29

1 providing

- 2 (i) hunting or camping gear;
3 (ii) a campsite; or
4 (iii) general hunting advice.

7 * Sec. 18. TASK FORCE ON GUIDING AND GAME. (a) The interim task force
8 on the Guide Board and the commercial taking of big game is established
9 under the jurisdiction of the Legislative Council. The task force consists
10 of the commissioners of fish and game, commerce and economic development,
11 and public safety, or their designees; two members of the senate appointed
12 by the president of the senate; two members of the house of representatives
13 appointed by the speaker of the house; and three members appointed by the
14 governor as follows: one member of the Guide Board; one big game guide
15 licensed under AS 08.54 who is not a member of the Guide Board; and one
16 person engaged in a business, other than guiding, that includes transport-
17 ing big game hunters to and from the field.

18 (b) The task force shall review the operations of the Guide Board and
19 shall study problems and issues concerning the commercial taking of big
20 game in the state and the businesses or professions that provide goods and
21 services to big game hunters in the state. The task force shall submit to
22 the Legislative Council, not later than January 15, 1989, a report on its
23 findings and proposed legislation to address the problems and issues
24 covered in the report.

23 (c) The task force terminates February 1, 1989.

24 * Sec. 19. Notwithstanding the provisions of AS 08.54.210, amended by
25 sec. 12 of this Act, the operation of AS 08.54.210(a)(5), (11), and (12),
26 as added by sec. 12 of this Act, is suspended until January 1, 1989.

27 * Sec. 20. Sections 1 - 3, 5 - 13, 15 - 17, and 19 of this Act take
28 effect immediately under AS 01.10.070(c).

29 * Sec. 21. Section 18 of this Act takes effect June 1, 1988.

* Sec. 22. Sections 4 and 14 of this Act take effect January 1, 1989.

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GUIDE/OUTFITTER MEETING OF JANUARY 7, 1988

IN ATTENDANCE:

Nick Peirskalla, President, Alaska Outfitters Association
Phil Driver, President, Alaska Professional Hunters
Association
Brent Jones, Secretary-Treasurer, Alaska Professional
Hunters Association
Jay Massey, Alaska Outfitters Association
Charlie Wilcox, Treasurer, Alaska Outfitters Association
Rocky Keen, Alaska Professional Hunters Association
Nelson Stimaker, Alaska Professional Hunters Association
Mel Gillis, Alaska Professional Hunters Association
Ed Grasser, Vice President, Alaska Professional Hunters
Association
Wayne H. Walters, Alaska Outfitters Association Spokesman
Vice-President, Fairbanks Chapter AOA
Ken Fanning, Alaska Professional Hunters Association
Michael J. Triolo, Alaska Outfitters Association

On January 7, 1988, representatives of the Alaska Professional Hunters Association met with representatives of the Alaska Outfitters Association to explore areas of possible common ground relative to ensuring regulation of commercial utilization of our big game resources in Alaska. The meeting was held in the Senate Conference Room at the Anchorage legislative offices.

This particular meeting represented a landmark of progress in that it was the first time that the major recognized statewide organizations representing both sides agreed conceptually on several basic principles that should be included in statute.

Representatives at that meeting, and by this report, recognized that many individuals who are not members of these two organizations, and even some of their members, are not likely to be satisfied or pleased with any "compromises" or agreements, such as those discussed.

It was recognized that complete agreement is extremely remote, in that some of the desires of each group of commercial resource users are mutually exclusive.

Discussion did not concentrate on the "non-negotiable" differences; rather, it centered on areas of agreement or possible areas of agreement.

A brief discussion of the history, introduction and movement of SB 191 and HB 183 ensued, as well as a discussion of pre-filed bills and potential legislation which would place

some or all big game species on the guide-required list as a simplified alternative.

APHA noted that at its annual member meeting in December 1987 the members voted to support "guide-required" legislation as perhaps the best and simplest solution. APHA considers SB 191 in its "best" form, as compromise legislation.

The Alaska Outfitters Association noted that it was working on different versions of draft legislation, and that it had some various other states' legislation, and was requesting others. Additionally, various Canadian provinces had been contacted to review their respective situations. They may choose to introduce additional legislation.

Both organizations felt a desire to "control their own" regulatory structure through either separate or common boards with equal representation, whose functions among others would be to license and regulate all groups that are involved in providing services to big game hunters on a commercial basis. Leaders of both groups recognize unacceptable abuses of our fish and game resources as well as dismal business practices which reflect poorly on our state by certain segments of the hunting service industry. As in many instances, bad apples appear to be creating a black mark for all. Prevalent among the abusers seem to be non-resident "outfitters" and previously-registered guides who have lost their licenses through illegal practices, and are now "outfitting." Additionally, it is obvious that others, including quick buck artists, be they resident or non, are guiding illegally and/or outfitting illegitimately, or in a manner inconsistent with proper game conservation and good business practice.

ALL PARTIES PRESENT AGREED UPON THE FOLLOWING:

- 1.) Everyone involved in the commercial activity of assisting big game hunters - guides, transporters, gear providers, air taxis, etc - should be licensed and regulated as such. (Currently, "transporters," "providers," and "outfitters" are not so licensed).
- 2.) All groups should be held equally and legally liable and responsible for known game violations by their clients or employees. Additionally, those who provide transportation or food or equipment should be comparably held responsible for providing for reasonable safety and comfort and accurate and proper advertising and business practices. (Current law requires this of guides).
- 3.) All businesses providing services to hunters as discussed should have signed contracts, accurately describing the services offered. (Current law requires a "SFR" contract by guides).

Several methods of achieving the above goals in actual legislative amendment language were discussed. "Conceptual" amendments are being circulated among the parties to attempt to find common ground where possible.

The confusion with the term "outfitter" was discussed. All agreed that all guides are outfitters, in that they provide some or all of the following: Transportation, pre-hunt correspondence, tents, cabins, camping equipment, food, etc., in addition to personal services in the camps and in the field. Likewise, it was agreed that many transporters, gear providers or "outfitters" don't want to guide, per se, and don't want to provide personal field services.

Since all agreed that licensing requirements were essential, an amendment is being proposed that in essence would create a new licensed class of hunting services provider, and would clarify guide/outfitter as one class, and transporter or transporter/outfitter [NO agreement on the actual names] as another class. This concept would basically reinstate the transporter license which was dropped from the statutes three years ago.

Another amendment is being circulated that would change the makeup of the board (currently 4 public members, 3 guides) to an equal representation of guides and transporter/outfitters. This new board would be empowered to regulate the various "transporter", "provider", and "outfitter" services of all who provide hunter services. This proposal would allow the various providers to help formulate and draft regulations applicable to their particular "degree of service" under the jurisdiction of a board of their peers and the public without creating new and additional boards and the additional conflicting and overlapping responsibilities that would create.

Additional areas of possible solutions to the protection problem of proving that certain types of employees "in the field" are not engaged in guiding activities, such as special permits for occasional photographic accompaniment or special cases where a "white water" oarsman is necessary on a float trip, were discussed, and will continue to be explored.

All present recognized the seriousness of the current problem, and desire some legislative solution. Discussion arose concerning the timeliness of solutions, in that the primary booking season of February, March and April is about to begin.

APHA representatives pointed out the importance not only of having legislative solutions in place by mid-summer 1988, but of taking action early to ensure clarification of state law prior to winter commitments to the best degree possible.

In summary, everyone recognizes that there are and will likely continue to be areas of disagreement. Likewise, there appears to be some common ground. Attempts will continue to be made to pinpoint those areas of agreement and work with the Legislature as they take action on pending and/or proposed legislation.

This report was drafted by Senator Ken Fanning, and has been circulated to the officers of both organizations for corrections, deletions, or additions. It is only intended to be a fair and accurate report of the meeting that took place on January 7.

ADDENDUM:

Upon circulation of this report to the various representatives of Alaska Professional Hunters Association and Alaska Outfitters Association, all agreed that it accurately reflected what took place at the meeting.



WHO WE ARE
AND
WHAT WE ARE DOING

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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.

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 airborne 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 corporation 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.



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*Need
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IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE

ALASKA REGIONAL OFFICE
2525 Gambell Street, Room 107
Anchorage, Alaska 99503-2892



C38(ARO-OC)

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.

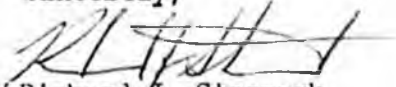
Another issue of concern addressed in the bill is on page 2, lines 16 and 17, whereby it is unlawful for "a person to compensate or agree to compensate another person for guiding..." without being validly licensed as a guide. It seems unrealistic to expect the consumer to be knowledgeable of AS 08.54.210 (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

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF FISH AND GAME
OFFICE OF THE COMMISSIONER

P.O. BOX 3-2000
JUNEAU, ALASKA 99802
PHONE: 907 465-4100

March 28, 1986

The Honorable Jack Coghill
Alaska State Legislature
P. O. Box V
Juneau, AK 99811

Dear Senator Coghill:

This responds to your telephone request for comments from the Department of Fish and Game regarding the Guide Board legislation and, specifically, regarding the concept of exclusive guiding areas (EGA) and "joint use."

The department has no authority or responsibility over the guiding system, although it affects our management programs. Complaints of nonresident hunters are often directed to this department because they assume we have responsibility for all aspects of hunting. More importantly, guiding activities direct hunting pressure to specific areas and certain species; this has the potential for impact on the resources and on use by state residents of those resources.

The use of EGAs primarily affects the economics of guiding and is, therefore, more properly addressed by the Department of Commerce and Economic Development. Whatever system is used, however, it is desirable for the Board of Game to be able to predict likely levels of guiding activity in order to adopt regulatory measures that are effective in meeting management goals. If guides are free to operate over wide areas of the state, many guides (and their clients) are able to hunt, for example, in the opening of bear season on the Alaska Peninsula and then again in the opening of bear season in the Brooks Range a few weeks later. In the past, the Board of Game often either would have to establish simultaneous openings for major seasons statewide (which may be inappropriate given differences in climate and other conditions), or would have to establish extremely restrictive regulations. These problems frequently arose prior to initiation of the ECAs.


On the issue of joint use, prudence would seem to dictate that joint use, particularly that involving a number of guides, should be approached very cautiously. If too many

March 28, 1986

guides were allowed joint use in an area it could lead to management problems because of less predictability in guiding activity and harvest pressure. The subject of guiding and the number of guides have an impact on allocation issues and the Board of Game will have to take that into consideration when adopting regulations affecting those areas.

I hope this general review provides the information you need.

Sincerely,


Don W. Collinsworth
Commissioner



Alaska

Professional Hunters Association, Inc.

ALASKA PROFESSIONAL HUNTER'S ASSOCIATION

POSITION ON SB 191

The Alaska Professional Hunters Association is a professional organization dedicated to sound conservation principles and fair chase ethics for all sport hunting. Our membership includes licensed guides, businesses associated with sport hunting and hundreds of individuals, both residents and non-residents of Alaska.

Currently, we are in support of SB 191, "An act relating to guiding"; however, we do have some reservations about certain provisions in this piece of legislation. For the record, we are not in favor of eliminating businesses which offer legitimate support functions for individuals planning to hunt. We are in favor of eliminating illegitimate businesses that too closely parallel those basic services provided by guides, such as established camps, camp help, guides and packers.

In our annual meeting this past December, our membership voted to require all non-residents to be accompanied by a licensed guide whenever hunting big game species here in Alaska. Many members felt this would be the best way all the loopholes allowing quasi-legal operations to exist could be closed. This approach may seem a little far-reaching, but it seems to us to be the cleanest method for solving an increasingly complex problem.

There are probably other solutions, like SB 191, which may resolve this issue in a positive manner; however, we feel certain points must be kept in mind when discussing any proposals. First, it is important to note that the current system does work for those who choose to use it. While many critics of the restricted guide area concept claim it precludes new people from entering the field, the fact is that in the years since the original guide areas were established and assigned by the guide board to licensed guides, many other individuals have worked their way up through the system, become registered guides and have acquired areas of their own. To allow other individuals to legitimately participate in facilitating hunts who have not followed the proscribed rules, would be a gross injustice to those who have.

Everywhere outside of Alaska, the term outfitter is equivalent to what a registered or master guide in Alaska is and because

of that individuals and businesses not recognized under a state licensing system should not be allowed to use the term outfitter. It only serves to add confusion to the problem, not to mention undesirable effects on Alaska's tourist industry.

Last of all and most important, any solution must take into account the finite status of Alaska's game resources and the limited enforcement capabilities we can expect due to Alaska's vast size. Allowing individuals in the field other than licensed guides increases the potential for illegal guiding. The crucial point here regards the increased chances for success whenever a hunter's efforts are facilitated by other individuals. Because quasi-guides, known by some as outfitters, do a large volume of business at cut-rate prices, they put much more pressure on the resource than do licensed guides. If something isn't done soon, this kind of pressure will lead to more complex problems. One such problem will be an escalation of the subsistence controversy.

We appreciate the Legislature's difficulties in resolving this issue of importance to Alaskans and dedicated sportsmen from the world over. We understand the problems caused by the current economic decline and the Legislature's interest in preserving and promoting viable economic activities. In view of that, we would submit the guide industry and its emphasis on quality Alaskan adventures offers long term economic benefits to the Alaskan economy which quasi-guide industries with their emphasis on low quality, wholesale operations do not. We believe an indepth investigation of the issues will lead members of the Legislature to concur with many of our points for a reasonable resolution of this growing problem.

John: in Idaho A outfitter is ~~the~~ same
 AS A Registered or Master Guide in AK. When
 you are talking about Hunting - The guide in Idaho is
 THE SAME AS AN ASSN'G Guide in AK

OUTFITTERS AND GUIDES ACT, AS AMENDED

IDAHO CODE -- TITLE 36 -- CHAPTER 21

OUTFITTERS AND GUIDES ACT, AS AMENDED

IDAHO CODE -- TITLE 36 -- CHAPTER 21

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36-2101. DECLARATION OF POLICY. The natural resources of the state of Idaho are an invaluable asset to every community in which they abound. Every year, in rapidly increasing numbers, the inhabitants of the state of Idaho and nonresidents are enjoying the recreational value of Idaho's mountains, rivers and streams many of which are far remote and removed from ordinary auto travel. The tourist trade is of vital importance to the state of Idaho, and the recreational value of these natural resources is such that the number of persons who are each year participating in their enjoyment is steadily increasing. The intent of this legislation is to promote and encourage residents and nonresidents alike to participate in the enjoyment and use of the mountains, rivers and streams of Idaho, and the fish and game therein, and to that end to regulate and license those persons who undertake for compensation to provide equipment or personal services to such persons, for the explicit purpose of safeguarding the health, safety, welfare and freedom from injury or danger of such persons, in the exercise of the police power of this state. It is not the intent of this legislation to interfere in any way with the business of livestock operations, nor to prevent the owner of pack animals from using same to accommodate friends where no consideration is involved for the use thereof, nor is it the intent of this legislation to interfere in any way with the right of the general public to enjoy the recreational value of Idaho's mountains, rivers and streams when the services of commercial outfitters and guides are not utilized, nor to interfere with the right of the United States to manage the public lands under its control.

36-2102. DEFINITIONS. (a) "Person" includes any individual, firm, partnership, corporation or other organization or any combination thereof.

(b) "Outfitter" includes any person who, in any manner, advertises or holds himself out to the public for hire providing facilities and services, for the conduct of outdoor recreational activities limited to the following: hunting animals or birds; float or power boating on Idaho rivers and streams; fishing; and hazardous mountain excursions and maintenance, leases or otherwise uses equipment or accommodations for such purposes. Any firm, partnership, corporation or other organization or combination thereof operating as an outfitter shall designate one (1) or more individuals as agents who shall conduct its operations and who shall meet all of the qualifications of a licensed outfitter.

(c) "Guide" is any natural person who, for compensation or other gain or promise thereof, furnishes personal services for the conduct of outdoor recreational activities limited to the following: hunting animals or birds; float or power boating on Idaho rivers and streams; fishing; and hazardous mountain excursions, except any employee of the state of Idaho or the United States when acting in his official capacity. Any such person must be employed by an outfitter and anyone offering or providing such services who is not so employed shall be deemed to be an

outfitter.

(d) "Board" means the Idaho outfitters and guides board.

(e) "Resident" means a person who has resided in the state of Idaho for a period of six (6) months next preceding the time of application for license.

(f) "Nonresident" means any person not included in subsection (e) above.

(g) "License year" means that period of time beginning on April 1 and ending with March 31 of the following year.

(h) "Big game hunting area" means department of fish and game management unit or units, or portions thereof.

(i) "Individual" means any person other than a partnership, corporation or any other organization or combination thereof.

36-2103. EXCEPTIONS. The foregoing definitions of the terms "outfitter" and "guide" will not apply to a person who, for accommodation and not for compensation or gain or promise thereof, furnishes a pack or saddle horse, or other equipment, to a hunter or a fisherman when such furnishing is for a temporary use.

36-2104. LICENSE A PREREQUISITE FOR OUTFITTING AND GUIDING.

(a) It is a misdemeanor for any person to engage in the business of or act in the capacity of, an outfitter or outfitting, or in the occupation of guiding, as an independent contractor or as the agent or employee of another, unless such person has first secured an outfitter's or guide's license in accordance with the provisions of this act.

(b) Any person who shall violate the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof, such person shall be punished as provided in section 36-2117, Idaho Code.

36-2105. CREATION OF IDAHO OUTFITTERS AND GUIDES BOARD.

There is hereby created in the department of self-governing agencies the Idaho outfitters and guides board, herein referred to as "the board," consisting of five (5) members appointed by the governor, as provided in section 36-2106, Idaho Code.

36-2106. APPOINTMENT AND QUALIFICATION OF MEMBERS -- ORGANIZATION OF BOARD. One (1) member shall be a member of the Idaho fish and game commission, or a person selected by that body. One (1) member shall be selected from the public. Three (3) members of the board shall be qualified and licensed outfitters and guides who have not had less than five (5) years' experience in the business of outfitting and guiding in the state of Idaho. Each appointment shall be for the term of three (3) years and each board member shall hold office for a term of three (3) years. Upon the death, resignation or removal of any but the member representing the fish and game commission the governor shall appoint a member to fill out the unexpired term. Immediately upon the creation of a vacancy in one (1) of the positions held by an outfitter or guide, either through expiration of term, death, resignation or removal, the Idaho outfitters and guides association shall submit to the governor the names of two (2) qualified men for each such vacancy created and the appointment to fill such vacancy shall be made by the governor from the names

submitted within thirty (30) days after the receipt by the governor of the names submitted. Appointments to fill any vacancy other than that created by the expiration of a term shall be made for the unexpired term. A majority of said board shall constitute a quorum. The board shall meet at least four (4) times a year, and at least two (2) meetings shall be held in Boise, Idaho. Each member of the board shall be compensated as provided by section 59-509(g), Idaho Code, except the member representing the fish and game commission, who shall be compensated as provided in section 36-102, Idaho Code, which shall be paid by the fish and game commission.

36-2107. POWERS AND DUTIES OF BOARD. The board which may by written agreement authorize the bureau of occupational licenses as agent to act in its interest, shall have the following duties and powers:

(a) To conduct examinations to ascertain the qualifications of applicants for outfitter's or guide's licenses, and to issue such licenses to qualified applicants, with such restrictions and limitations thereon as the board may find reasonable.

(b) To prescribe and establish rules of procedure and regulations to carry into effect the provisions of this act, including but not limited to regulations prescribing all requisite qualifications of training, experience, knowledge of rules and regulations of governmental bodies, condition and type of gear and equipment, examinations to be given applicants, whether oral, written or demonstrative, or a combination thereof.

(c) To conduct hearings and proceedings to suspend or revoke licenses of outfitters and/or guides, and to suspend or revoke said licenses for due cause in the manner hereinafter provided.

(d) The board is expressly vested with the power and the authority to make and enforce any and all reasonable rules and regulations which shall by it be deemed necessary and which are not in conflict with the provisions of this act, for the express purpose of safeguarding the health, safety, welfare and freedom from injury or danger of those persons utilizing the services of outfitters and guides, and for the conservation of wildlife and range resources.

(e) The board shall have the power to cooperate with the federal and state government through its appropriate agency or instrumentality in matters of mutual concern regarding the business of outfitting and guiding in Idaho.

(f) The board shall have the power throughout the state of Idaho to request the attendance of witnesses and the production of such books, records and papers as may be required at any hearing before it, and for that purpose the board may request a district court to issue a subpoena for any witness or a subpoena duces tecum to compel the production of any books, records or papers. Subpoenas shall be directed to the sheriff of any county in the state of Idaho where such witness resides or may be found. Subpoenas shall be served and returned in the same manner as subpoenas in a criminal case. The fees and mileage of the sheriff and witnesses shall be the same as that allowed in district court criminal cases, which fees and mileage shall be paid from any funds in the state treasury available therefor in the same manner as other expenses of the board are paid. Disobedience of any subpoena issued by the district court or the refusal by any witness

In failing to testify concerning any matter regarding which he may lawfully be interrogated, or the failure to produce any books, records or papers shall constitute a contempt of the district court of any county where such disobedience or refusal occurs, and said court, or any judge thereof, by proceedings for contempt in said court, may, if such contempt be found, punish said witness as in any other case of disobedience of a subpoena issued from such court or refusal to testify therein.

36-2108. APPLICATION FOR LICENSE -- CONTENTS -- FEE -- QUALIFICATIONS -- TERM -- BOND. (a) Each applicant for an outfitter's or guide's license shall make application for such license upon a form to be prescribed and furnished by the board.

1. All applications for an outfitter's license shall be signed by the applicant, under oath or affirmation that all information supplied by him in the application form is true and correct as he verily believes and shall be duly notarized. Such applications shall include, but are not limited to, a worded description of the boundaries of the area in which such activity will be conducted.

2. All applications for a guide's license shall be signed by the applicant. Such application shall contain the written endorsement of the outfitter(s) by whom the applicant will be employed.

(b) Applications shall be made to and filed with the board and accompanied by a bond to the state of Idaho for the benefit of person or persons employing the licensee and in a form approved by the board in the sum of five thousand dollars (\$5,000) for outfitters, executed by a qualified surety, duly authorized to do business in this state, conditioned that for the current license year said applicant, his agents and employees, if said license is issued to him, shall conduct his business as an outfitter without fraud or fraudulent representation, and will faithfully perform his contracts with and duties to his patrons; said bond shall be filed with the board before issuance of the license as provided herein.

(c) The board, in its discretion, may make such additional investigation and inquiry relative to the applicant and his qualifications as it shall deem advisable, provided that final decision by the board upon an application submitted by an applicant who has held during the preceding license year a license of the same kind for which application is made shall not be later than March 31 of the year in which the board receives all materials required to be submitted in order to complete a license application or thirty (30) days from the date the board receives all such materials, whichever is later; and upon an application submitted by an applicant not holding during the preceding license year a license of the same kind or embracing the same activity(ies) or area for which application is made, not later than March 31 of the year in which the board receives all materials required to be submitted in order to complete a license application or ninety (90) days from the date the board receives all such materials, whichever is later.

(d) After the board has acted favorably upon an application, the applicant shall pay a license fee, as hereinafter provided, to the board.

1. The license fee shall be paid prior to the issuance of a

license.

2. The license fee shall be used for the investigation of applicants, for enforcement of this act, and for the administration costs of the board.

3. The license fee for resident outfitters shall be one hundred seventy-five dollars (\$175) and for resident guides sixty-five dollars (\$65.00) and the license fee for nonresident outfitters shall be two hundred dollars (\$200) and for nonresident guides seventy-five dollars (\$75.00). A penalty fee in the amount of fifty dollars (\$50.00) shall be charged in addition to the regular resident or nonresident outfitter's license fee for any such renewal applicant whose application is not complete by March 31 of the year in which application for such license is made; this does not apply to a new applicant for an outfitter's license. A ten dollar (\$10.00) fee shall be charged for every amendment to a license.

36-2109. FORM AND TERM OF LICENSE -- NOTICE OF DENIAL. (a) Upon concurrence of a majority, the board, in its discretion may issue a license to any applicant who has filed an application in proper form with the board, including but not limited to payment of the license fee and furnishing of bond. Said license shall be in the form prescribed by the board, and shall be valid for the licensing year in which issued from the date issued until the end of the license year in which it is issued; provided, that no outfitter's or guide's license may be assigned or otherwise transferred either by any holder thereof or by the operation of law except as provided in this chapter.

(b) A license granted by the board shall specify the activities licensed and the exact territorial limits of the outfitter's area of operation and shall specify the species of game to be hunted. In so approving and/or licensing any outfitter's or guide's activity, the board shall consider the following matters, among others:

1. The length of time in which the applicant has operated in that area;
2. The extent to which the applicant is qualified by reason of experience, equipment or resources to operate in that area;
3. The applicant's previous safety record;
4. The accessibility of the area, the particular terrain, and the weather conditions normal to that area during the outfitter's or guide's season;
5. The total amount of outfitter's area requested by any applicant giving due consideration to the effect which such area license grant would have upon the environment, the amount of game which can be harvested, and the number of persons which can be adequately served in the area.

(c) The board shall refuse to issue any license to any applicant for an outfitter's or guide's license who the board finds is not a competent person of good moral character, less than eighteen (18) years of age and does not possess a working knowledge of the game and fishing laws of the state of Idaho and the regulations of the United States forest service. The board shall also refuse to issue an outfitter's license to any applicant who the board finds does not have sufficient financial

responsibility to conduct adequately the business of an outfitter. The board shall refuse to issue any license to a firm, partnership, corporation or other organization or any combination thereof which fails to have at least one (1) designated agent conducting its outfitting business who meets all of the qualifications and requirements of a licensed outfitter. The board may also refuse to grant an outfitter's or guide's license to any applicant for violation of any of the provisions hereinafter specified in this chapter as grounds for revocation or suspension of an outfitter's or guide's license. If the application is denied, the board shall notify the applicant, in writing, of the reasons for such denial within ten (10) days and if the applicant shall correct, to the satisfaction of the board, such reasons within thirty (30) days of receipt of such notice and if, thereafter, a majority of the board concur, the board may issue a license to the applicant.

(d) No license shall be issued by the board until a majority thereof has reported favorably thereon; except, an application for a license identical to a license held during the previous year may be issued on approval by one (1) board member providing there is no adverse information on file regarding the applicant.

36-2110. OPERATIONS OF LICENSEES -- ADJUSTMENT OF AREA -- RULES AND REGULATIONS. (a) Possession of a valid license issued by the board shall be a prerequisite to acting as an outfitter or guide.

1. No more than one (1) person may operate as an outfitter or guide under one (1) license.

2. The big game hunting area as set forth on the license shall be the limit of such operations for each licensee, subject to subsection (b) below.

(b) The board may adjust the territorial scope of operations of any licensed outfitter or guide for reasons of game harvest, where territorial conflict exists between the big game operations of outfitters and guides, or for the safety of persons utilizing the services of outfitters and guides.

(c) The board shall adopt rules and regulations to carry out the provisions of this section.

36-2111. DISPOSITION OF FUNDS -- CONTINUING APPROPRIATION. All fees collected by the board under the provisions of this chapter shall be deposited with the state treasurer in a special fund, which fund is hereby created, and designated as the Idaho outfitters and guides board fund. All monies deposited in such fund are hereby continually appropriated to the outfitters and guides board for the purpose of conducting all operations of the board.

36-2112. LICENSED OUTFITTERS MAY ACT AS GUIDES. Any natural person holding a current and valid outfitter's license may act as a guide without a guide's license if he possesses the qualifications of a guide as determined by the board.

36-2113. REVOCATION OR SUSPENSION OF LICENSE -- GROUNDS. (a) Every license shall, by virtue of this chapter, be subject to suspension or revocation by the board for the commission of any of the following acts:

1. For supplying false information or for failure to provide information required to be furnished by the license application form for a license currently valid or for other fraud or deception in procuring a license under the provisions of this chapter.

2. For fraudulent, untruthful or misleading advertising.

3. For conviction for a felony.

4. For conviction of violation of regulations of the United States forest service or the bureau of land management.

5. For immoral, unethical or dishonorable conduct.

6. For conviction of any violation of the fish and game laws of the state.

7. For a substantial breach of any contract with any person utilizing his services.

8. For willfully (i) operating in any area for which the licensee is not licensed, or (ii) engaging in any activity for which the licensee is not licensed.

9. For the employment of an unlicensed guide by an outfitter.

10. For inhumane treatment of any animal used by the licensed outfitter or guide in the conduct of his business which endangers the health or safety of any guest or patron or which interferes with the conduct of his business.

11. For failure by any firm, partnership, corporation or other organization or any combination thereof licensed as an outfitter to have at least one (1) licensed outfitter as designated agent conducting its outfitting business who meets all of the qualifications and requirements of a licensed outfitter.

12. For the failure to provide any animal used by the licensed outfitter or guide in the conduct of his business with proper food, drink and shelter, or for the subjection of any such animal to needless abuse or cruel and inhumane treatment.

13. For failure of an outfitter to serve the public in any of the following ways: (i) by nonuse of license privileges as defined by rules and regulations of the board, (ii) by limiting services to any individual, group, corporation or club that limits its services to a membership, or (iii) by not offering services to the general public.

14. For violation of or noncompliance with any applicable provision of this act, or for violation of any lawful rule, regulation, or order of the outfitter's and guide's board.

(b) For the purposes of this section, the term "conviction" shall mean a finding of guilt, an entry of a guilty plea by a defendant and its acceptance by the court, or a forfeiture of bail bond or collateral deposited to secure a defendant's appearance.

36-2114. REVOCATION OR SUSPENSION OF LICENSE -- REVIEW OF DENIAL OF LICENSE -- PROCEDURE. (a) Proceedings for the revocation or suspension of a license issued hereunder may be taken upon information and recommendation of any person. All accusations must be made in writing and signed by a person familiar therewith and submitted to the board. Thereupon, the board, acting as a board, or through its secretary, shall make a preliminary investigation of all facts in connection with such charge.

The board in its discretion may either decide to take no further action and the results of such investigation shall remain confidential, or the board may decide to initiate proceedings to suspend or revoke the license of the outfitter or guide against whom a complaint has been filed, in which case the board shall set a time and place for hearing as provided in section 67-5209, Idaho Code. Notice of such hearing shall be given to the licensee against whom accusations have been filed not later than sixty (60) days after the filing of such accusations. If, after full, fair and impartial hearing, the majority of the board shall find the accused has committed the violations alleged, the board may suspend the license for a period not to exceed one (1) year, or the board may order the license revoked. The board shall forthwith suspend or ~~revoke~~ such license in accordance with and pursuant to its order under the procedure established by sections 67-5209 through 67-5214, Idaho Code.

(b) Any applicant aggrieved by a denial of his application in whole or in part for an outfitter's or guide's license by the board shall have twenty (20) days from the day of receiving such notice of denial in which to submit a written request for a hearing before the board to review such action. Upon receipt of such request, the board shall hold a hearing as provided in sections 67-5209 through 67-5214, Idaho Code.

36-2115. REVIEW OF BOARD ACTION. Any person aggrieved by any action of the board in denying the issuance of or in the suspension or revocation of an outfitter's or guide's license may proceed as provided in sections 67-5215 and 67-5216, Idaho Code.

36-2116. COMPLAINT FOR VIOLATION -- PROSECUTION BY COUNTY ATTORNEY. (a) The board or its designated agent may prefer a complaint before any court of competent jurisdiction in the county where the offense occurred, for a violation of: (i) the provisions of subsections (1), (2), (7), (8), or (9) of section 36-2113, Idaho Code; or (ii) any regulation promulgated pursuant to subsection (d) of section 36-2107, Idaho Code.

(b) Any person convicted of any violation enumerated in subsection (a) of section 36-2116, Idaho Code, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished as provided in section 36-2117, Idaho Code. Fifty percent (50%) of all fines and forfeitures collected shall be paid to the outfitters and guides board and such moneys so received by the board shall be deposited with the state treasurer and the state treasurer shall credit the same to the Idaho outfitters and guides board account and fifty percent (50%) of all fines and forfeitures collected shall be distributed in accordance with section 19-4705, Idaho Code.

36-2117. PENALTY FOR VIOLATIONS -- PROSECUTING ATTORNEY TO PROSECUTE. (a) It shall be the duty of the prosecuting attorney of each county in the state to prosecute, in the county where the violation occurs, any person charged with violating the provisions of section 36-2104 or 36-2116, Idaho Code.

(b) Any person convicted for violating the provisions of this chapter shall be punished by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail for a term not to

exceed ninety (90) days, if other than a corporation, or by both such fine and imprisonment in the discretion of the court. All fines and penalties collected for violation of this section, under sentence or judgment of any court, shall be paid over by such court in the same manner as provided for in section 36-2116, Idaho Code. Such court shall also send to the Idaho outfitters and guides board a statement setting forth the title of the court and of the cause for which such moneys were collected, the name and residence of the defendant or defendants, the nature of the offense or offenses and the fine and the sentence or judgment imposed and such moneys so received by the board shall be deposited with the state treasurer and the state treasurer shall credit the same to the Idaho outfitters and guides board account in the dedicated fund.

36-2117A. CIVIL PENALTY FOR VIOLATIONS. (a) The board or its designated agent may commence and prosecute in district court a civil enforcement action against any person who is alleged to have violated this chapter or any regulation promulgated pursuant to this chapter. The board shall not be required to initiate or prosecute an administrative action before commencing and prosecuting a civil action.

(b) No civil proceeding may be brought to recover for a violation of this chapter or any regulation promulgated pursuant to this chapter more than two (2) years after the board had knowledge of the violation.

(c) The civil penalty for violation of the provisions of this chapter or any regulation promulgated pursuant to this chapter shall not be less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each separate violation.

(d) Any person who is found to have violated any provision of this chapter or any regulation promulgated pursuant to this chapter shall be assessed the board's costs, including the reasonable value of attorneys' services, for preparing and litigating the case.

(e) Fifty percent (50%) of all moneys collected under this section shall be deposited with the state treasurer, and the state treasurer shall credit the same to the Idaho outfitters and guides board account, and fifty percent (50%) of the moneys shall go to the general account in the state operating fund.

36-2118. LICENSE A PREREQUISITE FOR RECOVERY OF COMPENSATION. No person engaged in the business, or acting in the capacity, of an outfitter or guide, as defined in this chapter, within this state shall bring or maintain any action in the courts of this state for the collection of compensation for the performance of any services as such outfitter or guide, without alleging and proving that such person, partnership, or corporation was a duly licensed outfitter or guide at the time the alleged cause of action arose.

Wyoming Statutes 1977

TITLE 23 Game and Fish

Chap.

1. Administration, §§ 23-1-101 through 23-1-901.
 2. Licenses; Fees, §§ 23-2-101 through 23-2-405.
 3. General Regulatory Provisions, §§ 23-3-101 through 23-3-404.
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 5. Game Bird Farms; Fishing Preserves, §§ 23-5-101 through 23-5-204.
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Am. Jur. 2d, ALR and C.J.S. references. National Environmental Policy Act of 1969 (42
— Necessity and sufficiency of environmental USCS § 4332(2)(C) in cases involving hunting,
impact statements under § 102(2)(C) of Na- fishing and related projects, 74 ALR Fed 852.

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CHAPTER 2
Licenses; Fees

Article 1 Game Animals and Game Birds

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ARTICLE 1. GAME ANIMALS AND GAME BIRDS

§ 23-2-101. Fees; restrictions; nonresident application fee.

(a) Any qualified person may purchase a hunting license from the department or its authorized selling agents except as otherwise provided. Purchase of a license entitles the licensee to take any animal, bird or fish provided on the license within Wyoming at such time, in such place, in such manner and in such amount as provided by law and the orders of the commission.

(b) The following licenses and tags may be purchased for the fee indicated and subject to the limitations provided:

- (i) Resident deer license; one (1) deer \$ 15.00
- (ii) Nonresident deer license; one (1) deer 100.00
- (iii) Resident elk and black bear license; one (1) elk and one (1) black bear 25.00
- (iv) Nonresident elk license; one (1) elk, fishing privileges ... 250.00
- (v) Resident bighorn sheep license; one (1) bighorn sheep 50.00
- (vi) Nonresident bighorn sheep license; one (1) male bighorn sheep with well developed horns with at least three-fourths curl 400.00

- (vii) Resident mountain goat license; one (1) mountain goat \$ 50.00
- (viii) Nonresident mountain goat license; one (1) mountain goat 500.00
- (ix) Resident moose license; one (1) moose 50.00
- (x) Nonresident moose license; one (1) bull moose 300.00
- (xi) Resident black bear license; one (1) black bear 10.00
- (xii) Nonresident black bear license; one (1) black bear 50.00
- (xiii) Resident grizzly bear license; one (1) grizzly bear 50.00
- (xiv) Nonresident grizzly bear license; one (1) grizzly bear ... 400.00
- (xv) Resident antelope license; one (1) antelope 15.00
- (xvi) Nonresident antelope license; one (1) antelope 100.00
- (xvii) Resident mountain lion license; one (1) mountain lion 20.00
- (xviii) Nonresident mountain lion license; one (1) mountain lion 100.00
- (xix) Resident small game license 5.00
- (xx) Nonresident small game license 25.00
- (xxi) Resident game bird license; all game birds except wild turkey 6.00
- (xxii) Nonresident game bird license; all game birds except wild turkey 30.00
- (xxiii) Resident archery license (for each type of game) 5.00
- (xxiv) Nonresident archery license (for each type of game) ... 10.00
- (xxv) Resident license to capture falcons for falconry purposes 20.00
- (xxvi) Nonresident license to capture falcons for falconry purposes 100.00
- (xxvii) License to hunt with falcon; game birds, small game animals 5.00
- (xxviii) Military hunting license resident fee for animal or bird to be hunted
- (xxix) Special bird license (use on game bird farms only) 6.00
- (xxx) Resident turkey license 6.00
- (xxxi) Nonresident turkey license 30.00
- (xxxii) Wyoming game tag 2.00
- (xxxiii) Wyoming interstate game tag 2.00

(c) The resident's or nonresident's license must bear the signature of the landowner, lessee, or agent of the owner on whose private property he is hunting or the legitimate proof as evidence that permission to hunt has been granted.

(d) The commission may issue deer or antelope licenses in areas in which all licenses initially authorized were not purchased or in which additional harvest is desired, allowing a licensee to take a deer or antelope of such sex or age as designated by the commission. The fee for the license is one-half (1/2) of the normal fee for the license.

Am. Jur. 2d, ALR and C.J.S. references. fishing in private lake or pond, 15 ALR2d 754.
- 35 Am. Jur. 2d Fish and Game § 45. 36A C.J.S. Fish § 36.
Applicability of state fishing license laws to

§ 23-2-202. Age restrictions; fishing.

No person fourteen (14) years or older nor any nonresident person less than fourteen (14) years shall fish in or on any Wyoming waters, except a catch-out pond located on a licensed fish hatchery or a fishing preserve, without first obtaining a proper license. A nonresident person less than fourteen (14) years need not obtain a proper fishing license if accompanied by an adult possessing a valid unexpired Wyoming fishing license in which case the nonresident person's bag limit as established by law or by commission orders shall be applied to and limited by the fishing license held by the adult person in his company. (Laws 1939, ch. 65, § 30; C.S. 1945, § 47-203; Laws 1949, ch. 88, § 1; W.S. 1957, § 23-40; Laws 1959, ch. 66, § 1; 1969, ch. 141, § 1; 1971, ch. 192, § 8; 1973, ch. 249, § 1; W.S. 1957, § 23.1-39.)

§ 23-2-203. Military fishing licenses.

(a) Any member of the armed forces of the United States having been on active duty for a period greater than ninety (90) days at an installation or facility within Wyoming may purchase a military fishing license for resident fees.

(b) The commission may designate the area within which the military fishing license entitles the licensee to fish. The area shall be stamped on each license. (Laws 1939, ch. 65, § 34; 1943, ch. 112, § 6; 1945, ch. 84, § 1; C.S. 1945, § 47-207; Laws 1946, Sp. Sess., ch. 2, § 1; 1949, ch. 90, § 1; 1951, ch. 71, § 1; 1955, ch. 117, § 1; W.S. 1957, § 23-86; Laws 1959, ch. 196, § 1; 1961, ch. 162, §§ 1, 2; 1965, ch. 132, § 1; ch. 147, § 1; ch. 184, § 3; 1969, ch. 31, § 1; ch. 75, § 1; ch. 129, §§ 8, 9; 1971, ch. 28, § 1; ch. 199, § 1; ch. 233, § 1; 1973, ch. 249, § 1; W.S. 1957, § 23.1-40.)

§§ 23-2-204, 23-2-205.

Repealed by Laws 1979, ch. 29, § 2.

Editor's notes. - These sections, which fishing licenses, and special 30-day fishing licenses, respectively.
derived from Laws 1939, ch. 65, § 34, and Laws 1973, ch. 249, § 1, related to girl scout

§ 23-2-206. Underwater fishing.

(a) The commission may set limits and designate specified waters as being open to underwater spear gun fishing for fish. In specified waters the use of spear guns of types approved by the commission to take fish underwater with or without underwater breathing apparatus is permissible. No game fish may be taken unless the underwater fisherman is completely submerged.

(b) No person shall use a spear gun to take fish underwater without obtaining the proper fishing license and an underwater fishing license. (Laws 1973, ch. 249, § 1; W.S. 1957, § 23.1-43; Laws 1979, ch. 128, § 1.)

ARTICLE 3. MISCELLANEOUS FEES; TAXIDERMISTS; TRAPPING; FUR DEALERS

§ 23-2-301. Miscellaneous fees.

(a) The following licenses and tags may be purchased for the fee indicated subject to other requirements of this act:

Table with 2 columns: License/Tag description and Fee amount. Includes items like Professional guide's license (\$25.00), Big game animal outfitter's license (75.00), Deer - antelope outfitter's license (35.00), Fishing outfitter's license (35.00), Resident trapping license - furbearing (20.00), License to capture furbearing animals for domestication (5.00), Resident fur dealer's license (25.00), Nonresident fur dealer's license (100.00), Taxidermist's license (30.00), Game bird farm license (50.00), Fishing preserve license (50.00), Commercial fish hatchery license (75.00), License to seine or trap fish (15.00), License to deal in live bait (25.00), Wyoming beaver tag (.50), Nonresident trapping license - furbearing (100.00), Resident youth trapping license (residents under the age of seventeen (17) years of age) (5.00).

(Laws 1939, ch. 65, § 34; 1943, ch. 112, § 6; 1945, ch. 84, § 1; C.S. 1945, § 47-207; Laws 1946, Sp. Sess., ch. 2, § 1; 1949, ch. 90, § 1; 1951, ch. 71, § 1; 1955, ch. 117, § 1; W.S. 1957, § 23-86; Laws 1959, ch. 196, § 1; 1961, ch. 162, §§ 1, 2; 1965, ch. 132, § 1; ch. 147, § 1; ch. 184, § 3; 1969, ch. 31, § 1; ch. 75, § 1; ch. 129, §§ 8, 9; 1971, ch. 28, § 1; ch. 199, § 1; ch. 233, § 1; 1973, ch. 249, § 1; W.S. 1957, § 23.1-44; Laws 1978, ch. 30, § 1; 1979, ch. 29, § 1.)

(1) calendar year and must be in the possession of any person exercising rights under any fishing or hunting license issued pursuant to W.S. 23-2-101 or 23-2-201. Holders of pioneer licenses as defined under W.S. 23-1-705(d) and (e) and holders of licenses only under W.S. 23-2-201(b)(xi) and (xii) are exempt from the provisions of this section. (Laws 1983, ch. 175, § 1; 1985, ch. 166, § 1; 1986, ch. 69, § 1.)

The 1985 amendment, effective June 1, 1985, inserted "and holders of licenses only under W.S. 23-2-201(b)(xi)" in the last sentence.

The 1986 amendment, effective June 11, 1986, inserted "and (xii)" in the second sentence.

Editor's notes. — Laws 1983, ch. 175, § 2, provides:

"(a) Any person may contribute to the enhancement of fish and wildlife habitat by purchasing a fish and wildlife habitat card. The card shall show the name of the purchaser and shall indicate the amount of the contribu-

tion by a letter designation on the card as follows:

- (i) Five dollars (\$5.00) 'C' Card;
- (ii) Ten dollars (\$10.00) 'B' Card;
- (iii) Twenty dollars (\$20.00) 'A' Card;
- (iv) Fifty dollars (\$50.00) or more 'A+' Card.

"(b) Cards shall be approximately two and one-quarter (2¼) inches by three and one-quarter (3¼) inches in size. All proceeds from the voluntary purchase of such cards shall be transferred to the game and fish fund under W.S. 23-1-501."

ARTICLE 4. GUIDES AND OUTFITTERS

§ 23-2-401. Guides required; exceptions; issuance of resident guide license.

(a) No nonresident shall hunt big or trophy game animals on any designated wilderness area, as defined by federal or state law, in this state unless accompanied by a licensed professional guide or a resident guide. There shall be at least one (1) licensed professional guide or resident guide accompanying each two (2) nonresident hunters. The commission may also specify other areas of the state, or specific big or trophy game species, for which a licensed professional or resident guide is required for nonresidents, for purposes of proper game management, protection of hunter welfare and safety, or better enforcement of game fish laws. The commission may allow licensed guides to accompany more than two (2) hunters but no more than six (6) hunters in specific areas.

(b) Any resident possessing a valid resident big or trophy game animal license may apply for and receive a resident guide license. The resident guide license shall be issued without charge or bond by the commission, any district supervisor or resident game warden upon receipt of an affidavit from the resident stating the names and addresses of the nonresident hunters to be guided, the game to be hunted, the area to be hunted, and that the resident has not received nor will accept directly or indirectly any compensation for his services as a guide. A resident guide shall not guide more than two (2) nonresident hunters in any calendar year on any national forest, wilderness area, national game refuge, or national park, except as provided in W.S. 23-2-401, nor shall he accept any compensation or gratuity for his services.

The name and license number of the nonresident hunter shall be placed on the back of the resident guide license and stamped or signed by the issuer.

(c) A resident landowner may guide hunters on land owned by or deeded land leased to him without a guide license, or he may authorize nonresidents hunting without a guide on those lands. The license must bear the signature of the landowner, lessee, or agent of the owner on whose private property he is hunting as evidence that permission to hunt has been granted. (Laws 1939, ch. 65, § 47; 1943, ch. 112, § 9; C.S. 1945, § 47-401; Laws 1946, Sp. Sess., ch. 2, § 4; 1949, ch. 89, § 2; 1957, ch. 168, § 2; W.S. 1957, § 23-54; Laws 1961, ch. 109, § 1; 1969, ch. 129, § 2; 1973, ch. 249, § 1; W.S. 1957, § 23.1-49; Laws 1975, ch. 81, § 1.)

Repealing clauses. — Laws 1946, Sp. Sess., ch. 2, § 8, repealed all acts or parts of acts inconsistent with this act.

Requirement that nonresident employ guide held constitutional. — Subsection (a), requiring nonresident big game hunters who hunt in federal wilderness areas to employ guides, does not violate the equal protection provisions of the federal and state constitutions, nor the privileges and immunities clause of the United States constitution. *O'Brien v. State*, 711 P.2d 1144 (Wyo. 1986).

The requirement that a nonresident employ a guide to accompany him into a federal wilderness, in which he has a valid license to hunt, is specifically authorized by the National Wilderness Preservation System Act and regulations, and does not violate the supremacy clause. *O'Brien v. State*, 711 P.2d 1144 (Wyo. 1986).

Law reviews. — For note on constitutional considerations and the new Wyoming Guide Law, see IX Land & Water L. Rev. 169 (1974).

§ 23-2-402. License required for professional guides; qualifications; suspension or revocation of license.

(a) No person shall engage in the business of guiding for any consideration or compensation without a professional guide's license. Any competent person who possesses the following qualifications shall upon payment of the license fee, receive a professional guide's license:

- (i) Citizen of the United States;
- (ii) At least eighteen (18) years of age;
- (iii) Resident of Wyoming;
- (iv) Knowledgeable of trophy care and appropriate game and fish laws;

(v) Can satisfactorily pass a written or oral examination which is devised and administered at the discretion of the commission. The examination may include knowledge of the area, of hunting practices, of big game, or guiding practices and of game and fish laws.

(b) The commission may suspend or revoke a professional guide's license on the grounds provided by W.S. 23-2-405(a)(iii).

(c) As used in this section "professional guide" means any person employed for any pecuniary profit or other gain, who provides professional services to aid any person in taking any of the game animals, fish or birds in this state. A professional guide shall not furnish any meals or accommo-

tions, equipment, pack animal, vehicle, boat or other conveyance for clients. (Laws 1939, ch. 65, § 37; C.S. 1945, § 47-210; Laws 1957, ch. 168, § 1; W.S. 1957, § 23-55; Laws 1967, ch. 44, § 1; 1971, ch. 26, § 1; 1973, ch. 249, § 1; W.S. 1957, § 23.1-50; Laws 1977, ch. 143, § 1.)

Applied in *O'Brien v. State*, 711 P.2d 1144 (Wyo. 1986).

§ 23-2-403. Guides to report violations.

Every guide shall promptly report to the department or any game warden each violation of this act or order of the commission by any person guided. (Laws 1939, ch. 65, § 39; C.S. 1945, § 47-212; W.S. 1957, § 23-56; Laws 1973, ch. 249, § 1; W.S. 1957, § 23.1-51.)

Quoted in *O'Brien v. State*, 711 P.2d 1144 (Wyo. 1986).

§ 23-2-404. Outfitters; license; defined; qualifications; number may be regulated; responsibility for guides.

(a) No person shall engage in the business of outfitter or outfitting without applying for and receiving a big game animal outfitter's license, a deer-antelope outfitter's license, or a fishing outfitter's license, except that a resident landowner may outfit on lands owned by him without license. Each application for an outfitter's license shall be in the name of one (1) individual who possesses the necessary qualifications. Incorporation under the laws of Wyoming for nonresident stockholders does not qualify the corporation to receive an outfitter's license.

(b) "Outfitter" means any person or agent of a domestic corporation, who, operating in this state from a temporary or permanent camp, private or public lodge, private or incorporated home, for pecuniary profit or other gain, provides professional guide services, any saddle or pack animal, vehicle, boat, or other conveyance, for any person to take any big or trophy game animal or game fish in this state.

(c) "Outfitter" does not include a person not offering professional guiding services who, principally for accommodation rather than for profit, rents a packhorse, saddle horse, boat, or other conveyance to a hunter or fisherman and the renting is for temporary use and not in competition with a licensed outfitter. Additionally, the person must not in any manner advertise or hold himself out to be an outfitter, nor maintain any equipment or accommodations excepting such as may be reasonably necessary for the purpose of conducting or operating his principal business or occupation.

(d) Any competent person of good moral character, who possesses the following qualifications shall upon payment of the proper fee, receive a big game animal outfitter's license, deer-antelope outfitter's license or fishing outfitter's license:

- (i) Financially responsible citizen of the United States;
- (ii) At least eighteen (18) years of age;
- (iii) Resident of Wyoming;
- (iv) Possesses proper equipment for the protection and convenience of his guests;
- (v) Can satisfactorily pass a written or oral examination, devised and administered at the discretion of the commission. Such examination may include knowledge of the area, of hunting practices, of big game, of guiding practices, and of game and fish laws;
- (vi) Fully capable of providing quality guide service to clients;
- (vii) Knowledgeable of area to be hunted or fished, trophy care and appropriate game and fish laws;
- (viii) In the case of an applicant for a big game animal outfitter's license or renewal thereof, the commission shall require the applicant to post and maintain a five thousand dollar (\$5,000.00) surety or cash bond with the commission to protect contractual rights of clients of outfitters;
- (ix) In the case of an applicant for a big game animal outfitter's license or renewal thereof, the commission shall require the applicant to post and maintain a liability insurance policy to protect clients and property owners against injury or damage as a result of negligence by outfitters or their agents or employees. The limits of coverage under the liability insurance policies shall be at least twenty-five thousand dollars (\$25,000.00) for property damage and for personal injury or death, one hundred thousand dollars (\$100,000.00) for injuries to or death of one (1) person and three hundred thousand dollars (\$300,000.00) for all injuries or death from any one (1) occurrence.
- (e) The commission may enact rules to regulate the number of outfitters operating in a given area which may include limiting the number of licenses issued and areas designated.
- (f) A deer-antelope outfitter's license allows the licensee to outfit and assist hunters for deer and antelope. A big game animal outfitter's license allows the licensee to outfit and assist hunters for such big or trophy game animals as designated by the commission.
- (g) Every outfitter shall be responsible for the actions of guides employed by him within the scope of their employment. (Laws 1939, ch. 65, § 35; C.S. 1945, § 47-208; Laws 1949, ch. 89, § 4; W.S. 1957, § 23-57; Laws 1967, ch. 45, § 1; 1973, ch. 249, § 1; W.S. 1957, § 23.1-52; Laws 1977, ch. 143, § 1; 1983, ch. 113, § 1.)

Cross references. — For meaning of "commission," see § 23-1-102(a)(i).

§ 23-2-405. Designation of game districts for conduct of outfitting; types of animals which may be commercially pursued; revocation of license; substitution of licensee.

- (a) The commission may:
 - (i) Designate in which game district or districts a successful applicant may conduct his outfitting operation;
 - (ii) Designate the types of big or trophy game animals a big game animal outfitter may commercially pursue;
 - (iii) Revoke or suspend an outfitter's or professional guide's license on the following grounds:
 - (A) Violation of any provision of this act or orders of the commission;
 - (B) Fraud or deception in procuring a license;
 - (C) Conviction of a felony;
 - (D) The licensee commits a substantial breach of contract with a client utilizing his outfitting or guiding services;
 - (E) The licensee fails to report to the department any violation of this act by his clientele or employees within fifteen (15) days after his actual knowledge of the violation;
 - (F) Is guilty of fraudulent advertising;
 - (G) Fails to submit required reports to the department.
 - (iv) Upon death or disability of the holder of a big game animal outfitter's license or sale of a big game outfitter business, reissue the license to a husband, wife, son, daughter, brother or sister of or purchaser of the business from the license holder so long as the new holder meets other requirements of this act [§§ 23-1-101 through 23-6-207]. (Laws 1973, ch. 249, § 1; W.S. 1957, § 23.1-53; Laws 1977, ch. 143, § 1; 1983, ch. 113, § 1.)

Editor's notes. — There is no subsection (b) in this section as it appears in the printed acts.

CHAPTER 3

General Regulatory Provisions

Article 1. Bird and Animal Provisions

- Sec.
- 23-3-101. Taking eagle prohibited.
- 23-3-102. Taking certain game animals without license prohibited.
- 23-3-103. Taking predatory animals, birds; taking trophy animals without license; taking furbearing animals and game birds without license prohibited.
- 23-3-104. Coupons.
- 23-3-105. Antelope and deer coupons; payment to landowner; kill on federal or state land.
- 23-3-106. Wyoming game and Wyoming interstate game tags; Wyoming beaver tags; when required.
- 23-3-107. Wanton destruction of big game animal; reward.
- 23-3-108. Destruction of bird nests or eggs.
- 23-3-109. Use of dogs; dogs injuring big or trophy game animals may be killed.
- 23-3-110. Firearms; types permitted for hunting game birds; ruffed and blue grouse excepted.
- 23-3-111. Firearms; size of guns to be used in hunting big or trophy game animals.
- 23-3-112. Firearms; automatic weapon or silencer prohibited.
- 23-3-113. Hunters required to wear colored clothing.
- 23-3-114. Landowner may take beaver causing damage; notice; inspection of pelts; tagging.
- 23-3-115. Taking bear, mountain lion, bobcat, weasel, squirrels or muskrat for damaging property authorized; notice to game warden; tagging of skin.
- 23-3-116. Ownership of game bird; taking of privately owned game birds.

Article 2. Fish Provisions

- 23-3-201. Fishing tackle; designation of waters for setline fishing; taking fish with firearm prohibited.

Sec.

- 23-3-202. Use of live fish and corn as bait.
- 23-3-203. Placing obstruction to fish across stream or lake without consent of chief fish warden prohibited; erection of fishways.
- 23-3-204. Substances and devices to take or destroy fish or obstruct waterways prohibited.
- 23-3-205. Shipment of fish; game tags; when required.

Article 3. Wildlife Provisions

- 23-3-301. Importation and sale of wildlife prohibited; exceptions.
- 23-3-302. Sale, disposition, or acquisition of edible portions of game animals, game birds or game fish.
- 23-3-303. Waste of edible portion of game bird, fish, or animal, except trophy game animal, prohibited; abandonment of meat at meat processing plant.
- 23-3-304. Certain trapping devices unlawful; game for bait prohibited.
- 23-3-305. Hunting from highway; entering enclosed property without permission; hunting at night without permission prohibited.
- 23-3-306. Use of flying machines, automobiles, motorized and snow vehicles and artificial light for hunting or fishing prohibited; exception; penalties.
- 23-3-307. Hunting while intoxicated or under influence of controlled substance prohibited.
- 23-3-308. Check stations; duty of hunters and fishermen to report.

Article 4. Miscellaneous Acts Prohibited

- 23-3-401. Commercial operation or business without license prohibited.
- 23-3-402. Violation of commission order prohibited.
- 23-3-403. False swearing, fraud, or false statement prohibited.
- 23-3-404. Tanneries not to receive game specimens unless tagged; records.

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A MONTHLY NEWSLETTER

Volume 8, No. 2

"SERVING THE HUNTER WHO TRAVELS"

DATELINE: CANADA

(Editor Note: Hunting Report President/Publisher Don Causey filed the following report on the chaotic situation in Alberta.)

If you've booked a hunt in Alberta for this coming fall, or you are thinking of doing so, good luck. At press time, this province's efforts to come to grip with a burgeoning population of guides had stalled, leaving just about everything up in the air. Amazingly, it was not possible at all for nonresidents to book grizzly hunts in this province the way things stood in late January. There was also the distinct possibility the same situation would develop as regards elk. On the whitetail deer front, the situation was so chaotic that long-time deer guide Russell Thornberry was telling all inquiring hunters that he was throwing in the towel. The tone of a form letter Thornberry was sending out, a copy of which was sent to us by a subscriber, apparently summed up the depressing sentiments of many long-time professionals. "I regret to inform you that due to the chaos being created by swarms of unregulated 'outfitters' . . . it is no longer possible to guarantee a quality whitetail hunt in this province," his letter states. "There are now more fly-by-night outfitters than there are quality deer. Poaching and overcrowding of prime habitat are now the rule rather than the exception." He goes on to accuse the government of letting the hunting industry in Alberta "self destruct". The letter perhaps overstates the problem, but not by much. There are an estimated 3,000 plus outfitters now in a province that should probably have 600, or even fewer. The overall picture emerging in Alberta is

one of a government in paralysis. Just what will happen next is anyone's guess. There are rumors that the government, in desperation, might simply close the province to nonresidents entirely. The pity of it is, game populations in Alberta are at a near all-time high due to recent mild winters. Moreover, new regulations have already been drawn up in Alberta—regulations that, among other things, would permit only guides with a track record to operate, and then only within clearly defined harvest quotas. Most observers are betting these regulations, in some form, will still be passed.



Until they are, the hunts most affected are for grizzlies (At press time, there were simply no provisions at all for nonresidents to hunt for these animals.) and whitetails (Warning: Don't book with a fly-by-night, and don't be talked into breaking the law. Your best bet is to book with an outfitter who operates well away from the crowded deer capital near Edmonton, or—better yet—one who operates in another province, such as Saskatchewan or Manitoba. We have reported recently on some outfitters in Saskatchewan and have a report this month on the situation in Manitoba.) Less affected are hunts for

sheep. Some 80 permits have been allocated to 20 outfitters since the early 70's. There is growing pressure to permit these outfitters to sell or transfer permits. In the meantime, though, many still take good animals each year. See Alberta Hunt Report file for reports. As regard elk, the grim possibility is that nonresidents may be shut out entirely from hunting these animals. And fair warning—even if hunting is allowed, many elk areas in Alberta are beginning to suffer the same kind of pressure that some of the whitetail areas around Edmonton have been experiencing—Don Causey.



British Columbia

(Editor Note: With the news so grim in Alberta, it's a relief to offer this report on a highly recommended elk hunt in BC. Correspondent Jim Zumbo filed the report.)

I was fortunate enough this past season to hunt with Henry Fercho of Cranbrook in the East Kootenai region just north of the Montana border, an area that produces the bulk of BC's elk. My hunt was during the first week of the season, in September, during what was supposed to be the bugle period. As most elk hunters know, the 1987 fall was extremely hot and dry. The weather affected elk bugling in many areas, including ours. Nonetheless, I took a very nice 6x6. I was impressed with Fercho's territory. Much of it is heavily timbered, but there are plenty of open slopes covered with berries. I did not see another hunter during the 10 day hunt, and neither did the other members of my party. Nine of us were split into three groups in Fercho's vast area. Much of it was never hunted, primarily because there are lots of drainages that have no trails. This is as

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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.



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Marc Naylar packing out client's caribou.

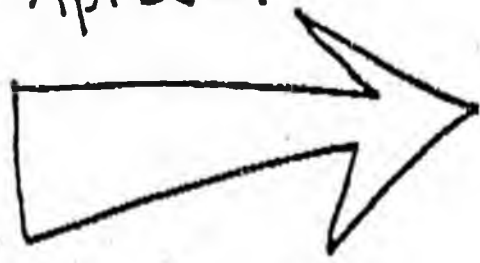
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M14 counterparts. So what, doesn't a civilian jeep look like a military jeep and doesn't a civilian tent look like a military tent? True, but we have yet to hear of a National Coalition to Ban Jeeps or a Tent Control, Inc. While the "design" argument makes no sense to knowledgeable gun owners, it does have its appeal to

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."

In the last Congress, New Jersey Rep. Robert Torricelli introduced a bill to outlaw the possession of guns which could be "readily converted" to full-automatic. 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 irrelevant 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 contro!!

There's something magical about sitting around a blazing campfire in the middle of the Canadian wilderness telling others about a bear encounter. I'll never forget the way their eyes were riveted on me as I talked. When I finished it was quiet for a few moments before Tom said, "If something eats that bear we're packing up and headin' for home." No one even suggested trying to find him at night this time.

The next morning again following a blood trail. This was and very spotty. If the blood indicated, the big bear didn't hurt badly. A wind of despair over me—me out of blood knees follow grass and me said, "I smell Our noses in direction he I smell hit us heap. My I success. Our total I



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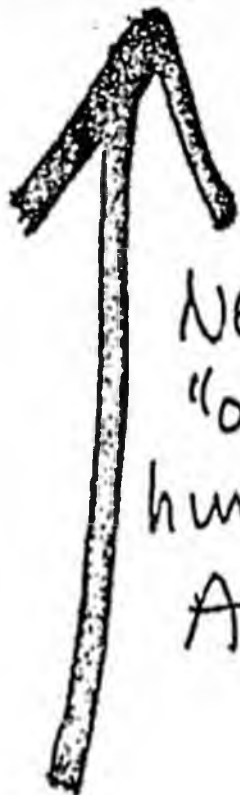


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5 to 7 days of hunting recommended
PARTY OF 3 OR MORE CLIENTS

1987 - \$ 650 ea.
1988 - 700 ea.

PARTY OF 2 CLIENTS

1987 - \$ 800 ea.
1988 - 850 ea.

MOOSE AND CARIBOU COMBINATION - TWO CAMPS

7 to 10 days of hunting recommended
PARTY OF 3 OR MORE CLIENTS

1987 - \$ 895 ea.
1988 - 1,045 ea.

PARTY OF 2 CLIENTS

1987 - \$1,150 ea.
1988 - 1,200 ea.

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PRESS RELEASE - ALASKA STATE TROOPERS

On January 29, 1987, Troopers from the Division of Fish and Wildlife Protection and Federal Agents of the U.S. Fish and Wildlife Service served search and arrest warrants on several locations in the Anchorage area. ^{Outfitter} James L. Baum, age 44 of Anchorage, was arrested on a Felony Information charging him with 15 counts of violations of unlicensed guiding and violations of state game laws. Baum was lodged in the Cook Inlet Pretrial Facility with bail set at \$50,000. Arrest warrants were also issued for two Australian men, Peter Stapley, age 42, of Victoria, Australia and John Steer, age 37, of Melbourne, Australia. Both men were charged with several game and guiding violations and bail was set at \$25,000 each. Six firearms, one Dall sheep, one elk, ivory, hunting equipment and two aircraft, one Piper Supercub and one Cessna 180, were seized as a result of the investigation. The charges and search warrants were a result of a lengthy investigation by investigators from the Statewide Investigative Section of the Division of Fish and Wildlife Protection in Anchorage and Agents of the U.S. Fish and Wildlife Service in Soldotna and Anchorage. The investigation centered around an unlicensed guiding operation being conducted primarily for Brown bear, caribou, moose, Dall Sheep and black-tailed deer as well as interstate and inter-country shipment of illegally-taken wildlife trophies and parts. Additional seizures and arrests are pending outcome of the investigation which is continuing by the Statewide Investigative Section.

This type of operation is an example of an unlicensed illegal operation and should not be confused with the activities of the Alaska professional licensed guides who operate legally.

This week, Troopers of the Statewide Investigative Section culminated a two year investigation resulting in the arrest of several unlicensed guides. The Statewide Investigative Section, part of the Division of Fish and Wildlife Protection within the Alaska Department of Public Safety conducted a large-scale surveillance and covert operation into the illegal commercial trafficking of the state's big game resources by unlicensed, illegal outfitters and guides. The operation involved the use of undercover officers, who posed as clients to detect violations and to apprehend the illegal big game violators.

During the investigation, troopers were aided by the District Attorney's office in Anchorage who spent lengthy periods of time in the preparation of search warrants for electronic surveillance, for seizures of evidence and equipment, and in the preparation of criminal complaints and arrest warrants. In addition, personnel from the Division of Fish and Wildlife Protection, the Alaska State Troopers, the Anchorage and Sitka Police Departments, the National Park Service, and police departments in the lower 48 assisted in the operation which involved hundreds of hours of manpower to complete.

Melville AKA "Neal" Atkinson, age 45 of Jacksonville Florida, Rodney Brustuen, age 33 of Anchorage, and Clyde AKA "Henry" Cannon, age 38 also of Jacksonville, were arrested by troopers on September 28, 1987 at the Anchorage International Airport. A fourth man, John Rus, age 29 of Anchorage, turned himself in to troopers the following day. Atkinson, owner and operator of Neal's Wilderness Outfitters near Kotzebue was held on \$50,000 cash only bond. The men were charged with a combination of game and guiding charges including: Guiding Without a License, Wanton Waste of Moose, and Taking Fish by Illegal Methods and Means. Atkinson, who operates his outfitting business near the Kelly River in the Noatak National Park and Preserve. Search warrants were served in the case and numerous items of evidence were seized including: videotapes, film, hunting licenses and harvest tickets, business records, rifles, backpacks and binoculars. A Grand Jury is expected to convene in Kotzebue to hear evidence in the case on 10/9/87.

In a related case, on October 1, 1987, Bruno Zedler, age 43, operator of a hunting consultant business, and Bernhard Maeckle, age 30, both of Anchorage were charged with numerous game and guiding charges including: Guiding Without a License, Taking Overlimit of Moose, Unlawful Possession and Transportation of Big Game, and Taking Bear Without Valid Licenses and Tags. The charges stemmed from an investigation conducted near Lake Clark in the Lake Clark National Park and Preserve. Zedler and Maeckle, guided an undercover officer and a German citizen, Karl Stahl, on a series of big game hunts. Neither men are licensed guides and all citizens of foreign countries are required to be accompanied by licensed guides when hunting big game in Alaska. An arrest warrant for Maeckle charging him with numerous game and guiding violations was also issued with bail set at \$1,500. A search warrant was issued and served at Zedler's residence and several items of evidence were seized including: a rifle, binoculars, film, a moose, correspondence, hunting licenses and harvest permits, a backpack, a rubber raft and an outboard motor. A court appearance of October 29th was scheduled in Superior Court in Anchorage.

In another related case, On October 10th, 1987 Mark J. Kneen age 41, manager of the Point Adventure Lodge in Iliamna Alaska was arrested by troopers and charged with Guiding Without a License. The charges stemmed from an investigation in which an undercover trooper was guided by an employee of the Lodge in September on a caribou hunt in the Iliamna area. The lodge employee, Brett Landwehr, age 23 of Montana is currently out of state and a warrant for his arrest was issued with bail set at \$7,500. Additional charges are pending outcome of the investigation which is continuing by troopers. Kneen was transported to Naknek and bail was set at \$7,500.

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UNITED STATES

ALASKA—Ric Martin of ^{Jemez Springs} New Mexico recommends his guide **Chuck McLaughlin** of Vall, 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 Mt. Wilson. Snider says they have excellent dogs and horses.

NEW MEXICO—Also for cougar Ric Martin of North Country Outfitters in Jemez Springs is rated "excellent the best," by Jim Longley of Albuquerque after his successful hunt in the Pecos Wilderness. On antelope Martin's outfit also comes highly recommended by Bill and Ingrid Poole of California, who hunted the Magdalen Ranch, and by Karlheinz Bodd, who says, "Ric Martin conducts an excellent hunt. I'm booking again with him in 1982." Martin is nothing if not well rounded: he is also endorsed by Dale Lott of Texas and Paul Rochester of Albuquerque, who hunted elk with him on the Baca Grant; Rochester took black bear and turkey as well. Allen and C. DeVries of Michigan report good turkey hunts with Ric, too.

CANADA

BRITISH COLUMBIA—Ric Martin has been busy. He reports a good moose hunt guided by Dusty Cooper, booked through Gana River Outfitters of Kelowna.

NORTHWEST TERRITORIES—Dogteam spring polar bear and snowmobile muskox hunts booked through Qalvvik Limited in Yellowknife are getting good reports. John Ferche of Minnesota reports a good muskox hunt guided by John Alikanik, who he describes as capable, while Ma Croteau of Quebec says the same of muskox guide George Okheena. Poole of California also endorses Banks Island muskox hunt, having

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FEB 18 '88 18:29 LIU - PHIBBINS

LESS VENTURES (Len Mackler) and LTL (Drew Dix) will again be offering a number of outfitted hunts on the North Brooks Range in August and September. Package hunts are offered to discriminating sportsmen who have enough experience or want a fully guided hunt but want to hunt animals in true wilderness country with good populations, and very limited hunting

hunting for sheep, caribou and moose in multiple species custom tailored packages to suit your needs and schedule. In order to provide the highest quality hunts possible we strictly limit the number of hunters each year for sheep 6, and caribou 10.

Hunting requires Alaska residency or hunting license of second degree kindred. Moose and sheep do not require Alaska residency. Fully guided hunts for non-residents can be arranged in conjunction with outfitted hunts for moose and sheep in the same area. Many camp locations also offer optional grayling and arctic char fishing.

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Transportation required by truck and aircraft to leadhorse and the various hunting camps.

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Checking on each hunt party to limit hunting and waiting to move to new species hunt after the first one.

Check hunt information on trophy judging and equipment, packing lists, and physical fitness requirements.



SINGLE SPECIES HUNTS

	Number of Days	Hunt Period
Sheep	7-14	Mid to late Aug.
Caribou (2)	5-10	Late Aug. to early Sept.
Moose	7	Early Sept.

COMBINATION SPECIES HUNTS

Sheep		
Caribou	10-20	Mid to late Aug.
Caribou		
Moose	7-10	Late Aug. to early Sept.
Sheep		
Caribou	10-20	Mid Aug. to early Sept.
Moose		

TERRAIN AND WEATHER

Sheep hunting is in the rolling hills and mountains of the Brooks Range. Most camps are in river beds and the sheep are 2000 to 4000 feet above, requiring good physical condition. The weather is normally good with frost at night and sunny 50° days. It can become freezing rain and snow quickly though.

Caribou and moose hunting is in the rolling hills and flat terrain north of the mountains. Weather is colder with common temperatures of 20° at night and 30° to 50° in the day. Snow and freezing rain are common in early September.

PERSONAL EQUIPMENT

Any good flat shooting rifle/scope combination of at least .270 caliber is required. Good binoculars and variable spotting scope are a must. Ankle fit hip boots and LL Bean type leather top, rubber bottom vibram soled boots are recommended. Top quality rain gear, synthetic fill jackets and sleeping bags, and a good quality pack are recommended. Packing lists of recommended gear are available. Light weight nourishing foods are a must for sheep hunting.

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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 opportunity 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

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MOOSE HUNT INFORMATION

SEASON Sept. 1-20

HUNT DURATION- 7 days

INSTANT FUN FURNISHES-

- A. Air fare round trip from ~~Cincinnati~~ ^{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 Licenses
- 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 thereafter 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 Doweil, Jr.

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.

..... YOUR 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.



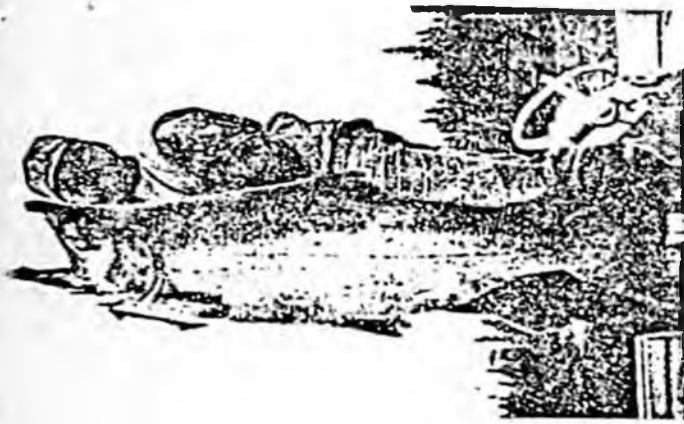
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INSTANT FUN

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OF ALASKA





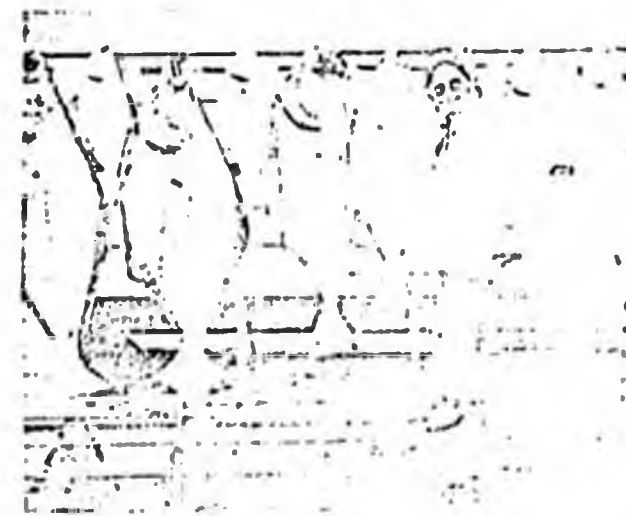
TROPHY HUNTING AT ITS BEST!

- 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 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!

INSTANT FUN HUNTING TOURS

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.



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.



HUNTING TOURS 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

ALASKA CARIBOU HUNT PLUS PTARMIGAN AND FISHING



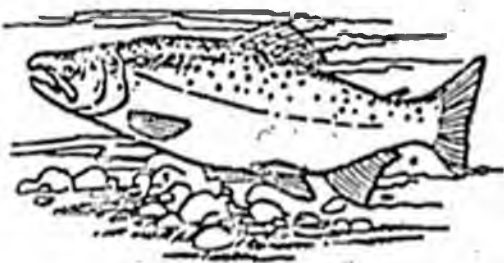
IF YOU ARE LOOKING FOR THAT TROPHY CARIBOU RACK WE'VE GOT THE PLACE... WINGSHOOTING AND BIG GAME HUNTING FROM THE SAME CAMP... RESERVE YOUR SPOT NOW THESE DATES WILL NOT LAST LONG... YOU CAN ALSO WORK IN A LITTLE FISHING.

This will be Trek's second season offering this particular caribou hunt. The hunts last year were a great success. We advertised one date last year and it was booked solid in a matter of weeks. This year we have added one more date. Though the caribou is what most hunters come to Alaska to shoot, ptarmigan offer some very exciting wingshooting.

This is an un-guided hunt from a comfortable camp. If you have done any big game hunting at all you will not have any problem getting that dream rack. The barren ground caribou in Alaska are well known for their migratory patterns. These big animals move from their summer feeding grounds to the winter feed in the late summer. Thousands of them travel in both great herds and small groups and when they are on this migration is the prime time to hunt them. Changes in a good head are excellent. Last year everyone in the Trek group collected a representative head and a couple of hunters bagged real trophies.

Each trip is for ten days and nine nights with six full days of hunting. The trip starts with your arrival in Anchorage. You will be met at the airport and taken to the Clarion Hotel. The Clarion is the newest and one of the best hotels in Anchorage. After checking in we will take you to get your license and other incidentals needed at the camp.

The next day we take a commercial flight to the village of Aniak. From there a bush plane will fly you to the camp. The camp area is located in the Mulchatna range, famous for migrating caribou and ptarmigan. Since you cannot fly and hunt on caribou on the same day we will shoot ptarmigan that afternoon. The next six days you will be stalking caribou and shooting ptarmigan. Also if weather and time permits, some fishing can be done as well. The last day at camp we depart by bush planes back to Aniak in time to catch the commercial flight to Anchorage where we again



overnight. The final day of the trip you catch your return flight home.

Hunting here is done on the "buddy system" with two hunters together at all times. Walking can be long and tiresome on some days, and on other days you can practically bag one from camp. Most of the walking will be on the plains or up small mountains. Basically, we feel if a guy can walk 18 holes of golf, he can physically handle this hunt.

The ptarmigan shooting is much like quail hunting in the "Lower 48". A labrador retriever will be available at the camp. Our host and cook are Rick and Lori Townsend who have hunted and fished in Alaska the past eight years. Living quarters are "weatherports," which are sturdy fiberglass quanset huts. Generally there is adequate space for four per hut. Kerosene heaters are provided to heat each hut. Hunting licenses will be purchased in Anchorage. A caribou license is roughly \$300.00 and small game is \$90.00. A complete itinerary for those making this trip is provided to help answer most questions regarding gear, weather, etc. But definitely bring your shotgun and rifle.

This is a typical Alaska "non-guided hunt." All service is provided except a guide taking hunters by the hand to put them on caribou. The camp is in the migration area and camp personnel will have spotted the animals and will direct hunters to the best locations. Each hunter, or pair of hunters, will do the hunting on their own. The camp staff will take care of everything else.

The trip fee covers all costs of the trip from Anchorage, including hotel and flights. The trip fee does not cover tips, alcohol, flying out your game, or meals in Anchorage.

TRIP FEE: \$2495.00 (from Anchorage)... 8 HUNTERS MAXIMUM...

DATES: September 18-27... September 26- October 5...

TREK WILL ASSIST THOSE WHO NEED HELP IN BOOK-

TREK INTERNATIONAL SAFARIS

P.O. Box 19065

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SAFARIS CONNECTION

ALASKA'S WESTERN ARTIC CARIBOU
HERD OF 250,000 AND ALASKA'S
LARGEST MOOSE POPULATION

BARREN GROUND CARIBOU / ALASKAN MOOSE COMBO



SAFARIS CONNECTION, INC. has hunted this location and we are going back this year. We know there are 400+ Boone & Crockett Caribou trophies and 200+ Boone & Crockett trophies available. Custom drop camps and the bush flights in and out are included. (SEE BACK FOR GENERAL INFORMATION)

SEPTEMBER 1 - 30, 1988
10 DAY HUNTS

CUSTOM DROP CAMPS \$1,695.00



"Idaho's Experts in Worldwide Hunting"

9520 Fairview Avenue • Boise, Idaho 83704 • Local phone 1-208-322-7300 • Long distance phone 1-800-225-2502 tone 322-5902
Hunting Consultants: Larry Hoff, home phone 1-208-377-2291 • Roger Anderson, home phone 1-208-266-7060 • Adrian Roberts, home phone 1-208-343-3364

GENERAL INFORMATION SHEET

Arrange your own hunting group at \$1,695 per hunter with a maximum of 4 hunters and a minimum of 4 at camp per hunt group. Deposit of \$500 per hunter required to make reservation.

HUNTER PROVIDES THE FOLLOWING:

1. Commercial Airline Ticket
2. Lodging (if necessary) at bush pilot connection
3. All clothing & hunting equipment
4. All food / plates and utensils
5. Licenses & Tags (Hunting License \$60 / Caribou Tag \$300 each)
6. Hunters responsible for all camp cleaning.
7. All other camp equipment if not listed below.

FURNISHED AT CARIBOU DROP CAMP:

1. Large cook tent
2. 2 sleep tents
3. Large propane stoves & heat
4. 3 lanterns
5. 4 frying pans, 4 cooking pots, 2 coffee pots, 4 spatulas, 4 large spoons, 2 dish washing pans & 4 water buckets

RECOMMENDED CLOTHING:

1. 2 pairs light duofold underwear
2. 1 pair walking boots (6" high or more) or rubber bottom, leather top shoepacs.
3. 1 pair camp shoes.
4. 1 pair sportsman's lightweight hip boots, ankle fit.
5. 2 pairs gloves (heavy cotton is suitable)
6. 2 pairs heavy long underwear
7. 1 lightweight woolen jacket, roomy
8. 2 heavy woolen shirts or sweaters & 2 flannel shirts
9. 2 or 3 pairs of pants, sturdy wool or heavy cotton
10. 1 medium-warm down jacket, with hood
11. 10 pairs woolen socks & 4 pairs light woolen socks
12. 1 raincoat, knee-length (not plastic). Not light or bright colored.
13. 1 good hat, with ear flaps (no bright colors). A billed cap is a good choice. Handkerchiefs

RECOMMENDED GEAR:

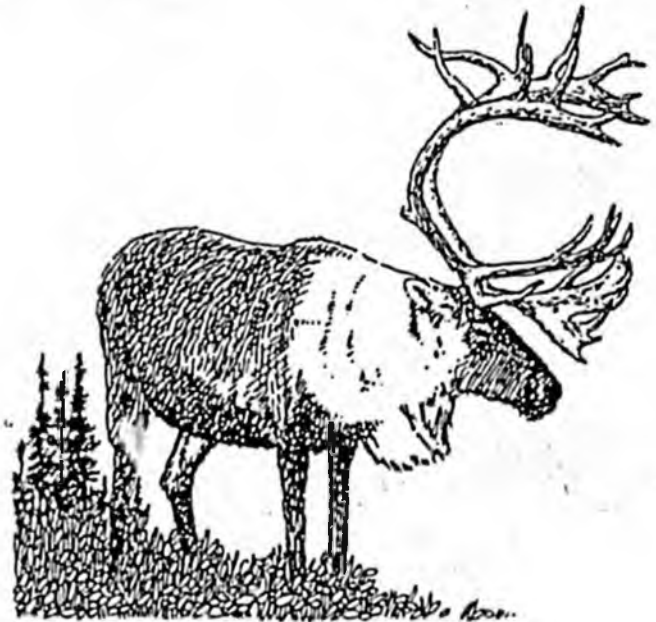
1. Good stuff sleeping bag
2. Pack frame / ropes
3. Fanny pack / day pack
4. 60 quart cooler (for food)
5. Meat sacks (extra duffle bags)
6. Miscellaneous: insect repellent, knapp saw, pack rod/reel, camera/film, flashlight, matches w/ water proof case, small plastic squeeze bottle (drinking), knives/steel
7. 5lbs of salt per animal minimum (in a plastic case)

Extra clothing for late September/October hunts: warm mittens, insulated boots, heavy down insulated coat w/ hood, warm cap. Field clothing should be carried in a waterproof duffel bag, not a suitcase.

SAFARIS CONNECTION

ALASKA'S PENINSULA HERD
OF 62,000

BARREN GROUND CARIBOU



SAFARIS CONNECTION, INC. has hunted this location and we are going back this year. We know there are 400+ Boone & Crockett Caribou trophies available. Custom drop camps and the bush flights in and out are included. (SEE BACK FOR GENERAL INFORMATION)

Arrive Spike Camp

Hunt Days

Leave

1st Group September 1st

2nd - 8th
(7 Hunt Days)

September 9th

2nd Group September 9th

10th - 16th
(7 Hunt Days)

September 17th

3rd Group September 17th

18th - 24th
(7 Hunt Days)

September 25th

4th Group September 25th

26th - October 2nd
(8 Hunt Days)

October 3rd

CUSTOM DROP CAMPS \$1,295.00



"Idaho's Experts in Worldwide Hunting"

GENERAL INFORMATION SHEET

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3. All clothing & hunting equipment
4. All food / plates and utensils
5. Licenses & Tags (Hunting License \$60 / Caribou Tag \$300 each)
6. Hunters responsible for all camp cleaning.
7. All other camp equipment if not listed below.

FURNISHED AT CARIBOU DROP CAMP:

1. 2 sleep tents
2. Large propane stoves & heat
3. 2 lanterns
4. 2 frying pans, 2 cooking pots, 1 coffee pots, 2 spatulas, 2 large spoons, 1 dish washing pans & 2 water buckets

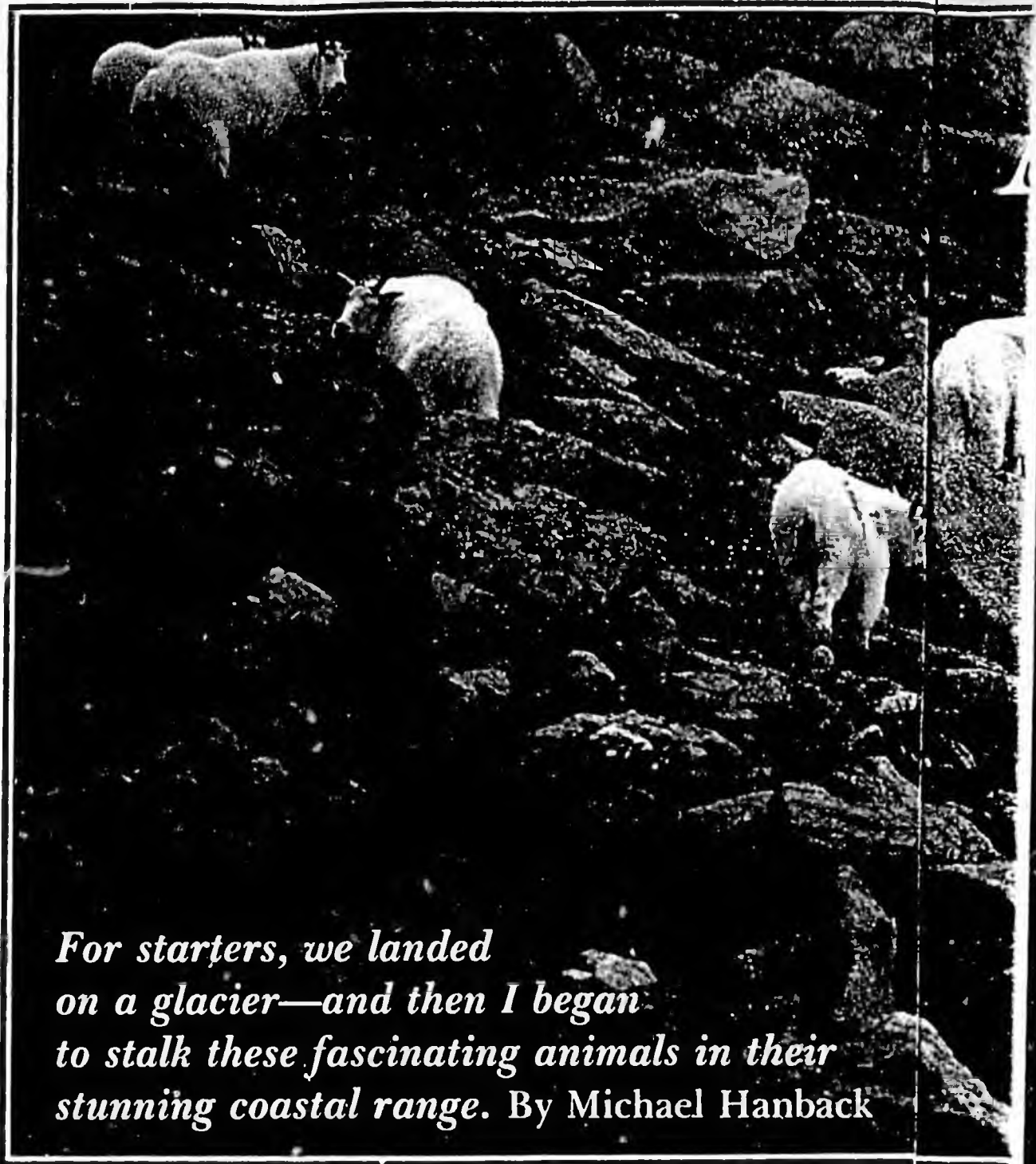
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1. 2 pairs light duofold underwear
2. 1 pair walking boots (6" high or more) or rubber bottom, leather top shoepacs.
3. 1 pair camp shoes.
4. 1 pair sportsman's lightweight hip boots, ankle fit.
5. 2 pairs gloves (heavy cotton is suitable)
6. 2 pairs heavy long underwear
7. 1 lightweight woolen jacket, roomy
8. 2 heavy woolen shirts or sweaters & 2 flannel shirts
9. 2 or 3 pairs of pants, sturdy wool or heavy cotton
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11. 10 pairs woolen socks & 4 pairs light woolen socks
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13. 1 good hat, with ear flaps (no bright colors). A billed cap is a good choice. Handkerchiefs

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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

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Alaska Goat Adventure

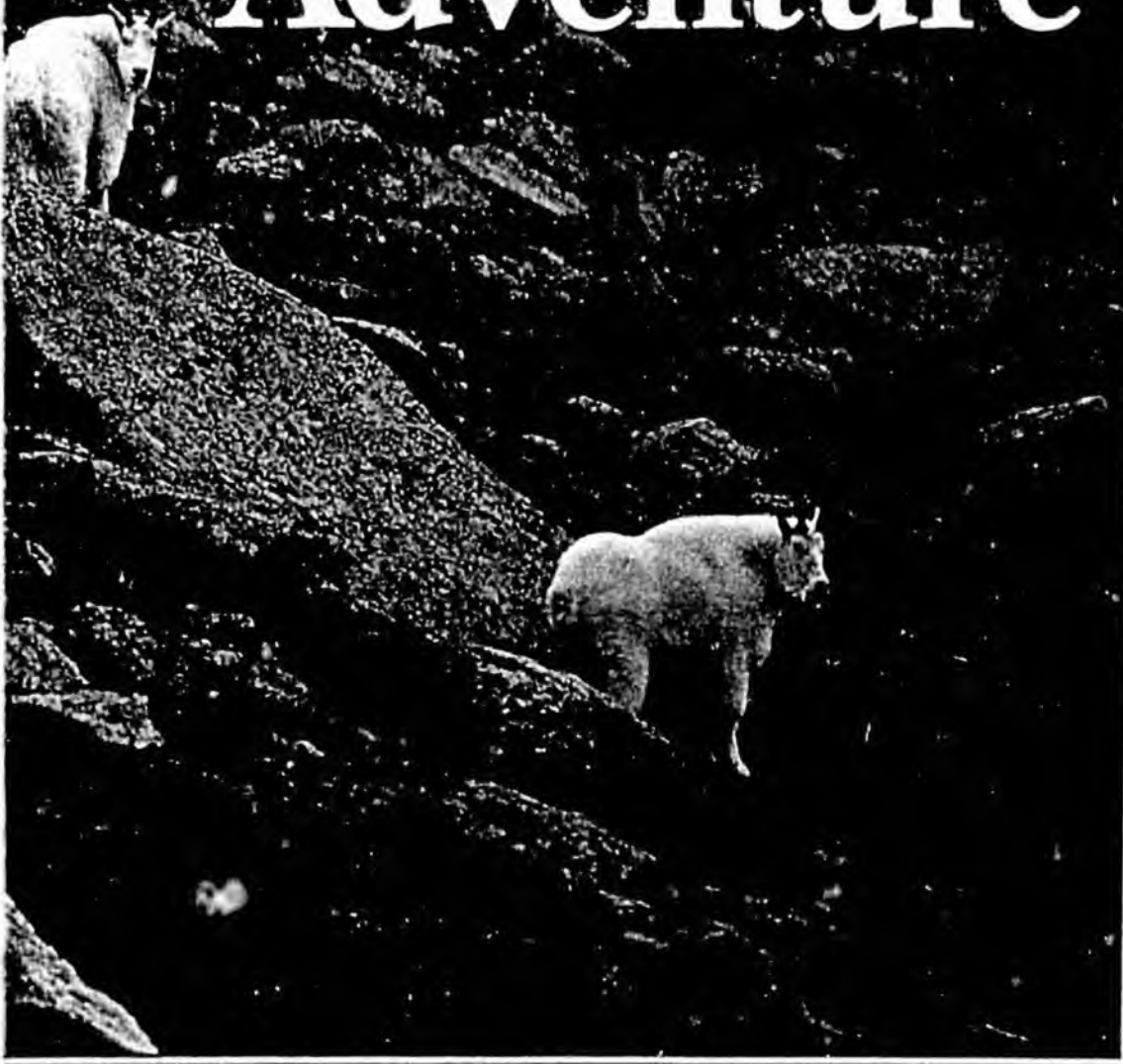


Photo By Ovis/Jeff Vanuga

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 sub-alpine 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

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, *munataks* to the ancient Indians, towering pillars of talus in the endless sky. I had read



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

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 up. 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, fords, 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

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.

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 *munataks*.

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

It is wonderfully intriguing hunting, really, seeing lots of country and lots of game.



Photo By Orvis Jeff Vanuga

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.

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, bear, is a and I mour heavy hand other yard-killin grain mium sleep I incl to sit cocks with yard- Th izing sorro back but tl at 6X ing-w

Photo By Author

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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 a 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 way.

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

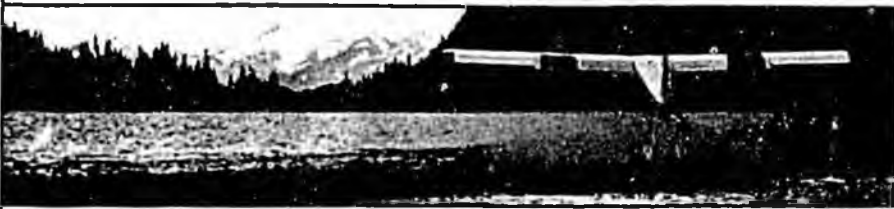


Photo By Author

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.

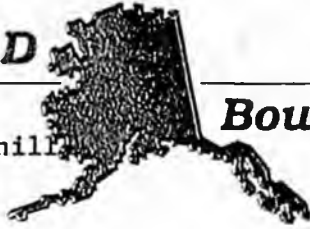
Hunting Methods: All hunts fly-in to wilderness cabin or tent camps. Some bear, moose, and caribou trips feature skiffs or inflatable Kodiak rafts with motors. These outfitters are all bow-hunters and will work hard to set up successful bow, rifle, and handgun hunting opportunities.

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 rifle scope and Bausch & Lomb binoculars stayed soaked but performed wonderfully. . . . Bring your own spotting scope and backpack. . . . My taxidermist, Tom Hardesty of Atcheson Taxidermy, 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.*


NORTHWARD



Bound 13830 JARVI DRIVE / ANCHORAGE, ALASKA 99515 / (907) 345-2891

Senator Jack Coghill
Chairman,
Senate Resources
P.O. Box V
Juneau, Alaska 99811

February 18, 1988

RE:GUIDING - GUIDE BILL - GUIDE BOARD

Dear Senator Coghill:

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 apologize 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 extrem 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 public's negative image 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.

PAGE 2.

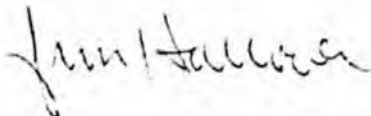
Both the CONCEPT and the SYSTEM are GOOD. The legal guiding profession should welcome this opportunity to resolve some of these problems and misunderstandings.

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 wild-life 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, John
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 establish consistency 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 perceived 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 ridiculous 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 resource, 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 everyone's best interest. Of all Board activities to demand absolute consistency 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 involved. 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 consistency is not even desirable.

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 every 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 boundaries 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 inconsistency problems pointed out by the Audit Committee.
6. Need to amend statute or existing laws relative 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 Board's 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 surprise 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 noting 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 certainly 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 resident 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, or 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 business like approach.

It has encouraged expansion of their business to include non-consumptive pursuits. 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 extremely 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.