

**S B**

**139**

Original sponsor: Resources Committee

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 139 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for retroactive extension of the  
7 termination date of the Task Force on Guiding and  
8 Game; increasing the membership of the Task Force on  
9 Guiding and Game; authorizing certain agencies to  
10 assist the Task Force on Guiding and Game; and  
11 providing for an effective date."

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

13 \* Section 1. Section 14(d), ch. 160, SLA 1988, is repealed and re-  
14 enacted to read:

15 (d) The task force terminates on the earlier of

16 (1) January 15, 1990; or

17 (2) the date of enactment into law of

18 (A) a licensing system for hunting guides and other  
19 persons who provide services to hunters for the purpose of  
20 facilitating the harvest of big game; and

21 (B) a management system for allocating rights of  
22 access to big game to licensed guides.

23 \* Sec. 2. Notwithstanding the qualifications for members of the Task  
24 Force on Guiding and Game set out in sec. 14(a), ch. 160, SLA 1988, the  
25 members of the task force on January 8, 1989, shall continue to serve until  
26 they resign or the task force is terminated.

27 \* Sec. 3. Notwithstanding the number and composition of the Task Force  
28 on Guiding and Game set out in sec. 14(a), ch. 160, SLA 1988, the member-  
29 ship of the task force is increased by two additional members appointed by

1 the governor. Persons appointed to the task force under this section shall  
2 have expertise in research and analysis and, if possible, particular knowl-  
3 edge in resource management or allocation systems. Persons appointed to  
4 the task force under this section may not have a financial interest in any  
5 business involving or related to the commercial taking of game.

6 \* Sec. 4. The Office of the Governor, office of management and budget,  
7 division of policy and the legislature's House Research Agency and Senate  
8 Advisory Council shall provide information, data, research, analysis, and  
9 technical assistance to the task force, as requested by the task force, for  
10 the purpose of developing a management system for allocating rights of  
11 access to big game to licensed guides.

12 \* Sec. 5. Sections 1 - 4 of this Act are retroactive to January 8,  
13 1989.

14 \* Sec. 6. This Act takes effect immediately under AS 07.10.070(c).  
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SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 2/16/89  
IN ACCORDANCE WITH UNIFORM RULE 23

2/3/89

FURTHER

FIN

\*\*FISCAL NOTE(S) MUST BE ATTACHED  
IN ACCORDANCE WITH AS 24.08.035

DATE TURNED INTO OFFICE 2/22/89

Mr. President:

RES

Committee considered

SJR 22

relating to federal wilderness areas in Alaska.

and recommended:

replace with CS \_\_\_\_\_  same title

attached amendment(s) and  new title

\_\_\_\_\_ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

FISCAL NOTE(S) attached  zero  
 appropriation no FN attached

fiscal impact  
 Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

\_\_\_\_\_  
\_\_\_\_\_  
*Richard Holcomb*  
\_\_\_\_\_  
\_\_\_\_\_  
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*Dennis J. ...*  
Chairman signature and recommendation

Committee backup attached

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_ Affect Agency Legislative Affairs Agency  
 Title: An Act providing for retroactive  
extension of the termination date of the Task...  
 Sponsor: Senate Resources BRU: Legislative Council  
 Requestor: Senate Resources Components Council & Subcommittees

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Personal Services						
Travel	8.4	16.8	8.4	0	0	0
Contractual	0.1	0.3	0.1	0	0	0
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>8.5</b>	<b>17.1</b>	<b>8.5</b>	<b>0</b>	<b>0</b>	<b>0</b>

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (THOUSANDS OF DOLLARS)

General Fund	8.5	17.1	8.5	0	0	0
Federal Fund						
Other						
<b>TOTAL</b>	<b>8.5</b>	<b>17.1</b>	<b>8.5</b>	<b>0</b>	<b>0</b>	<b>0</b>

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 was established under the jurisdiction of the Legislative Council Committee. The Task Force is composed of 13 members, 3 from the Executive Branch, 2 legislators from the Legislative Branch and 8 public members (2 are ex-legislators as of 1-9-89).

Prepared By: Pamela Stoops, Director *Pamela Stoops* Phone: 465-3850  
 Division: Administrative Services Date: 2/1/89

Approved By: Warren Endicott, Executive Director *Warren Endicott*  
 Agency: Legislative Affairs Agency Date: 2/1/89

DISTRIBUTION (BY PREPARER)  
LEGISLATIVE FINANCE  
LEGISLATIVE SPONSOR

REQUESTOR  
OFFICE OF MANAGEMENT & BUDGET  
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.

2 Legislative Branch members - absorbed within existing Legislative Operating Budget or Session Expenses.

8 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-	4 trips @ 366 x 8 members	11,712
	2 days per diem (\$80)	
	4 trips x 8 members	5,120
Contractual-	Transcription of meetings	300

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

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

FY 89 costs are for one-half year.  
FY 90 costs are for full fiscal year.  
FY 91 costs are for one-half year.

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: An Act extending Task force  
on guiding and game  
 Sponsor: Resources  
 Requestor: Senator Fahrenkamp

Agency Affected: Fish and Game  
 BRU: Wildlife Conservation  
 Components: \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: *Lawrence P. ...* Phone: 465-4190  
 Division: Wildlife Conservation Date: 2/15/89

Approved by Commissioner: *William H. Miller* Date: 2/15/89  
 Agency: Fish and Game

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

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
 Title: An Act providing for retroactive extension of the termination date of the Task...  
 Sponsor: Senate Resources  
 Requestor: Senate Resources  
 Affect Agency: Legislative Affairs Agency  
 BRU: Legislative Council  
 Components: Council & Subcommittees

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Personal Services	10.1	10.1	0	0	0	0
Travel	10.5	10.5	0	0	0	0
Contractual	3.4	3.4	0	0	0	0
Supplies	0	0	0	0	0	0
Equipment	0	0	0	0	0	0
Land & Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>24.0</b>	<b>24.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (THOUSANDS OF DOLLARS)

General Fund	24.0	24.0	0	0	0	0
Federal Fund						
Other						
<b>TOTAL</b>	<b>24.0</b>	<b>24.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

POSITIONS:

Full-Time	0	0	0	0	0	0
Part-Time	1	1	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 was established under the jurisdiction of the Legislative Council Committee. This bill version will add 2 members to the Task Force and extend the termination date of the Task Force to Jan. 15, 1990. The Task Force will be composed of 15 members, 3 from the Executive Branch, 2 legislators from the Legislative Branch and 10 public members.

Prepared By: Pamela Stoops, Director *Pamela Stoops* Phone: 465-3850  
 Division: Administrative Services Date: 2/14/89

Approved By: Warren Endicott, Executive Director *Warren Endicott*  
 Agency: Legislative Affairs Agency Date: 2/14/89

DISTRIBUTION (BY PREPARER)  
LEGISLATIVE FINANCE  
LEGISLATIVE SPONSOR

REQUESTOR  
OFFICE OF MANAGEMENT & BUDGET  
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.

2 Legislative Branch members - absorbed within existing Legislative Operating Budget or Session Expenses.

10 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: Secretary, Range 14, Step A	
3 months full-time--	10,100
Travel-	
2 trips @ 366 x 10 members	7,320
2 days per diem (\$80)	
2 trips x 10 members	3,200
Contractual- Transcription of meetings	360
Advertising-Public Notices	3,000
	<u>23,980</u>

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

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

FY 89 costs are for one-half year.

FY 90 costs are for one-half year.

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Retroactive extension of the  
termination date of the Task Force  
Sponsor: Senate Resources  
Requestor: Senator Fahrenkamp

Agency Affected: Public Safety  
BRU: Fish & Wildlife Protection  
Component: Enforcement

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

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

This bill continues the existence of the Task Force on Guiding and Game. No additional impact, beyond that already being incurred by DPS to participate in Task Force meetings, is anticipated.

*JFM*  
*2/6/89*

Prepared by: Captain Conrad G. Seibel  
Division: Fish & Wildlife Protection

Phone: 269-5509  
Date: 1/27/89

Approved by Commissioner: *J.A.A.* Arthur English  
Agency: Department of Public Safety

Date: 2/6/89

FISCAL NOTE

REQUEST:

Revision Date: 2/15/89  
Title: Retroactive extension of the termination date of the Task Force  
Sponsor: Senate Resources  
Requestor: Senator Fahrenkamp

Agency Affected: Public Safety  
BRU: Fish & Wildlife Protection  
Component: Enforcement

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

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

This bill continues the existence of the Task Force on Guiding and Game. No additional impact, beyond that already being incurred by DPS to participate in Task Force meetings, is anticipated.

Prepared by: Captain Conrad G. Seibel  
Division: Fish & Wildlife Protection

Phone: 269-5509  
Date: 2/15/89

Approved by Commissioner: J.A. Hiv Arthur English  
Agency: Department of Public Safety

Date: 2/15/89

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_ Agency Affected: Commerce & Economic Dev.  
 Title: An Act providing for retroactive BRU: Occupational Licensing  
extension of the term, date of the Task Force on Guiding and Game...  
 Sponsor: Senate Resources Components: \_\_\_\_\_  
 Requestor: Senate Resources

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>	0	0	0	0	0	0
<b>REVENUE</b>	0	0	0	0	0	0

**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	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)

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144  
 Division: Occupational Licensing Date: February 15, 1989

Approved by Commissioner: Larry Mercurieff Date: 2/15/89  
 Agency: Commerce and Economic Development

**Distribution (by preparer):**

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

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: An Act extending Task force  
on guiding and game  
Sponsor: Resources  
Requestor: Senator Fahrenkamp

Agency Affected: Fish and Game  
BRU: Wildlife Conservation  
Components: \_\_\_\_\_

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: *Ken P...* Phone: 465-4190  
Division: Wildlife Conservation Date: 2/15/89

Approved by Commissioner: *Y. A. Miller* Date: 2/15/89  
Agency: Fish and Game

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



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
BILL ANALYSIS

DEPARTMENT Fish & Game	DIVISION Wildlife Conservation	BILL NUMBER SB 139	SPONSOR Resources Committee
SHORT TITLE OF BILL Extension of Task Force on Guiding and Game			
DEPARTMENT POSITION Support			
PREPARED BY Wayne Regelin	DATE 1/2/90	COMMISSIONER'S SIGNATURE <i>Loren W. W. [Signature]</i>	DATE 2/5/89

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Public Safety Department of Commerce & Economic Development	CONSTITUENT GROUPS AFFECTED BY BILL Big game commercial service providers Resident and nonresident hunters using commercial services
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT:  NONE  FISCAL NOTE ATTACHED

**BACKGROUND/LEGISLATIVE INTENT** The 1988 Legislature created a task force on guiding and game to recommend changes in the licensing of big game guides and outfitters. After creation of the task force, the Alaska Supreme Court ruled that guides could not be granted exclusive rights to guide in an area. The task force broadened their mission to examine ways to manage the guide/outfitter industry. The task force made numerous recommendations for change in the licensing of commercial users of big game that are reflected in SB 140. The task force did not have adequate time to formulate recommendations for a new management system.

**ANALYSIS OF BILL/PROGRAM EFFECTS**  
Passage of this bill will result in extension of the task force on game and guiding until January 15, 1991. Membership on the task force will remain the same. The task force will devise potential solutions for administering the guide/outfitter industry on state lands and all other lands in Alaska. Solutions will be based on an area management system using existing game management unit boundaries and consideration of the abundance and distribution of big game resources.

**AMENDMENTS PROPOSED**

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_ Agency Affected: Fish and Game  
 Title: Extension of Task Force on Guiding BRU: Wildlife Conservation  
and Game  
 Sponsor: Resources Committee  
 Requestor: Senator Fahrenkamp Components: \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: Wayne Regelin Phone: 465-4190  
 Division: Wildlife Conservation Date: 2/8/89  
 Approved by Commissioner: *David H. Miller* Date: 2/8/89  
 Agency: Fish and Game

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

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 SENATE BILL NO. 139

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for retroactive extension of the  
7 termination date of the Task Force on Guiding and  
8 Game; and providing for an effective date."

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

10 \* Section 1. Section 14(d), ch. 160, SLA 1988, is repealed and reenact-  
11 ed to read:

12 (d) The task force terminates on the earlier of

13 (1) January 15, 1991; or

14 (2) the date of enactment into law of

15 (A) a licensing system for hunting guides and other  
16 persons who provide services to hunters for the purpose of  
17 facilitating the harvest of big game; and

18 (B) a management system for allocating rights of  
19 access to big game to licensed guides.

20 \* Sec. 2. Notwithstanding the qualifications for members of the Task  
21 Force on Guiding and Game set out in sec. 14(a); ch. 160, SLA 1988, the  
22 members of the task force on January 8, 1989, shall continue to serve until  
23 they resign or the task force is terminated.

24 \* Sec. 3. Sections 1 and 2 of this Act are retroactive to January 8,  
25 1989.

26 \* Sec. 4. This Act takes effect immediately under AS 01.10.070(c).



STATE OF ALASKA  
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Wildlife Conservation	BILL NUMBER SB 140	SPONSOR Resources Committee
SHORT TITLE OF BILL An Act relating to commercial services for big game hunters			
DEPARTMENT POSITION Support			
PREPARED BY Wayne Regelin	DATE 2/7/89	COMMISSIONER'S SIGNATURE <i>Donna H. Fisher</i>	DATE 2/8/89

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Public Safety Department of Commerce and Economic Development	CONSTITUENT GROUP(S) AFFECTED BY BILL Big game hunting commercial service providers; Resident and nonresident hunters utilizing commercial services.
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT       NONE       FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT  
In 1988 the Legislature passed a bill which created a task force to examine the big game hunting commercial services industry in Alaska and its impact on the wildlife resources. The task force determined that the industry does have a significant impact, and that state regulation of all service providers should be established to monitor and control that impact, and to provide for consumer safety and protection. It also recommended that the state integrate big game guiding/outfitting regulation into the current geographic-based (cont)

ANALYSIS OF BILL/PROGRAM EFFECTS  
Passage of the bill will result in closer regulation of the guiding industry and businesses involved in transporting hunters or providing other services to big game hunters (i.e., lodge owners whose clients are hunting big game). Other results of this legislation include:  

- More useful information will be provided to management agencies on amount of game harvested, methods of hunting and the economic importance of hunting to the state.
- Revenue will be returned to the state through various fees and permits required of commercial users of the wildlife resources. A portion of these funds could be used for big game management and enforcement of hunting regulations.
- Reduction of illegal guiding and outfitting operations that will benefit wildlife resources.
- Creation of a new Board of Commercial Services with broad representation to oversee all commercial aspects of big game hunting in Alaska. (cont)

AMENDMENTS PROPOSED  
Several amendments are being proposed by the administration; see analysis from the Department of Commerce and Economic Development.

BILL ANALYSIS

SB 140

Page 2 of 2

BACKGROUND/LEGISLATIVE INTENT (continued)

game management system. This legislation reflects the task force's recommendations. It establishes a Big Game Commercial Services Board to regulate three groups of commercial service providers, licensing procedures and qualifications, fee structure, and transition measures. It also allows the new board to work with the Department of Fish and Game and other state agencies to develop an area-based management system.

ANALYSIS OF BILL/PROGRAM EFFECTS (continued)

Overall, this bill will result in better management of big game and greater economic return to the state.

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: An Act relating to commercial services for big game hunters.  
Sponsor: Resources Committee  
Requestor: Senator Fanrenkamp

Agency Affected: Fish and Game  
BRU: Wildlife Conservation  
Components: \_\_\_\_\_

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	31.5	76.8	67.5	58.2	58.2	58.2
TRAVEL	1.5	5.0	3.0	1.0	1.0	1.0
CONTRACTUAL		5	5	5	5	5
SUPPLIES		1.7	1.0	1.0	1.0	1.0
EQUIPMENT		6.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>33.0</b>	<b>90.0</b>	<b>72.0</b>	<b>60.7</b>	<b>60.7</b>	<b>60.7</b>

CAPITAL						
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REVENUE						
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary) The FY89, FY90, and FY91 expenditures are necessary to coordinate the development of a computerized area-based management system for use in administering the guide/outfitting industry. The FY92, FY93, and FY94 expenditures would depend on the guide/outfitter area management system which is devised and ADF&G's role in that system.

Prepared by: Wayne Regelin Phone: 465-4190  
Division: Wildlife Conservation Date: 2/8/89

Approved by Commissioner: *Wayne H. Kelly* Date: 2/8/89  
Agency: Fish and Game

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

FISCAL NOTE FOR SENATE BILL 140

Page 2 of 2

	FY89		FY90		FY91		FY92	
	Mos.	Cost	Mos.	Cost	Mos.	Cost	Mos.	Cost
LINE 100								
WB III @ \$4.5/month	3	13.5	11	49.5	11	49.5	11	49.5
AP II @ \$3.3/month	3	9.9	5	16.5	3	9.9	1	3.3
DPC II @ \$2.7/month	3	8.1	4	10.8	3	8.1	2	5.4
TOTAL		31.5		76.8		67.5		58.2
LINE 200 TRAVEL		1.5		5.0		3.0		1.0
LINE 300 CONTRACTUAL SERVICES		0.0		0.5		0.5		0.5
LINE 400 SUPPLIES		0.0		1.7		1.0		1.0
LINE 500 EQUIPMENT		0.0		6.0		0.0		0.0
TOTAL		33.0		90.0		72.0		60.7*

\* This total may vary with the role that ADF&G ultimately plays in the guide/outfitter area management system.

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_ Agency Affected: Commerce & Economic Dev.  
 Title: An Act providing for retro. exten. BRU: Occupational Licensing  
of the term. date of the Task Force on Guiding and Game...  
 Sponsor: Senate Resources Committee Components: \_\_\_\_\_  
 Requestor: Senate Resources Committee

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>	0	0	0	0	0	0
<b>REVENUE</b>	0	0	0	0	0	0

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	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)

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144  
 Division: Occupational Licensing Date: February 14, 1989  
 Approved by Commissioner: Larry Merculieff Date: 2/14/89  
 Agency: Commerce and Economic Development

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

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: An Act extending Task force  
on guiding and game  
 Sponsor: Resources  
 Requestor: Senator Fahrenkamp

Agency Affected: Fish and Game  
 BRU: Wildlife Conservation  
 Components: \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: *Lawrence P. ...* Phone: 465-4190  
 Division: Wildlife Conservation Date: 2/15/89  
 Approved by Commissioner: *Arthur M. ...* Date: 2/15/89  
 Agency: Fish and Game

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

# MESSAGE TO THE SENATE

## HOUSE

March 17, 1989

MR. PRESIDENT:

The House has passed:

CS FOR SENATE BILL NO. 139 (Resources)

"An Act providing for retroactive extension of the termination date of the Task Force on Guiding and Game; increasing the membership of the Task Force on Guiding and Game; authorizing certain agencies to assist the Task Force on Guiding and Game; and providing for an effective date."

with the following amendment:

HOUSE CS FOR CS FOR SENATE BILL NO. 139 (Resources)  
(same title)

and it is transmitted for consideration.

*Copies to:*  
*Sen. Kelly*  
*Sen. Johnson*  
*Sen. Stupski*  
*Sen. Hays*

*letter of  
intent not  
mentioned  
came in  
after  
passing*



CHIEF CLERK OF THE HOUSE



# Alaska State Legislature

HOUSE OF REPRESENTATIVES  
COMMITTEE ON RESOURCES

POUGH V  
JUNEAU, ALASKA 99811  
(907) 465-3715

Letter of Intent  
For  
HCS CS SB 139 (Res)

It is the intent of the legislature that the task force established under the provisions of SB 139 shall consider the implications of the Owsichek decision issued by the Alaska Supreme Court on October 21, 1988 when developing the resource-based management system for allocating big game hunting opportunities among guide-outfitters.

It is the intent of the legislature that the foremost purpose of any management system should be the conservation of game resources. Any system that places restrictions on free market competition between guides must be based on clear findings that such restrictions are needed to prevent harmful impacts on game populations that cannot be prevented through licensing requirements, bag limits, seasonal restrictions, or other traditional game management tools that are now available to the state.

Without a constitutional amendment, a system would have to provide the broad access guaranteed by the common use clause of the constitution. The system would have to have access rights that are limited in duration, and the system would have to provide equal opportunity to all qualified guides when these rights are reassigned. In order to prevent the development of non-uniform policies by various federal, state, and private landowners, the system should have statewide applicability.

Handwritten signature of Cliff Davidson.

Rep. Cliff Davidson  
Co-Chair

Handwritten signature of Curt Menard.

Rep. Curt Menard  
Co-Chair

## JOINT DEPARTMENT POSITION PAPER ON SB 139

SB 139 provides for the continuation of the Legislative Task Force on Guiding and Game. Under this bill, the Task Force -- despite the requirements of SB 191 -- would continue with the same membership and terminate on the earlier of either January 15, 1991 or the date of enactment into law of two systems: one for the licensing of the state's big game commercial service providers and another for the management of game in order to allocate hunting rights to licensed guides (or guide-outfitters).

SB 139 reflects the recommendation of the Legislative Task Force on Guiding and Game, which included representatives from the Departments of Commerce and Economic Development, Fish and Game, and Public Safety, as well as the active (but nonvoting) participation of the Department of Law.

Because the recommendation to continue the Task Force generally reflects Administration policy, we will not reiterate here justification for the continuation that has already been addressed in the report of the Task Force. However, because we do quarrel with some provisions of SB 139, we wish to propose a number of amendments and discuss our reasons for the proposed changes.

First, however, we wish to emphasize our belief that the Owsichek decision has made it abundantly clear that the state must develop and put into place a game management system that is sensitive to the needs of Alaska's big game commercial services industry. We support in full the Task Force's conclusion that a method for the commercial allocation of our wildlife resource is vital and needs to be established. Without the assurance of a commercial allocation, the resultant instability and negative national and international publicity will deal a significant blow to Alaska's world famous and highly respected big game industry.

Nevertheless, the state remains anxious over the nature of the management system contemplated by a number of the members of the Task Force. Any attempt to create a management scheme that parallels the former guide area system declared unconstitutional by the Alaska Supreme Court in Owsichek will only delay and otherwise obstruct progress toward a viable management system that must meet these identified needs:

1. ensure a commercial allocation;
2. provide a measure of economic stability;
3. provide for wildlife management on a statewide basis.

Therefore, while we believe the present members of the Task Force deserve praise for their work to date, we are concerned that the goals they have set for themselves vis a vis creation of a resource-based management system are potentially beyond the immediate expertise of those members. Please recall that the present members were appointed with a specific task in mind: consideration of appropriate regulation for persons involved in the commercial taking of game in Alaska. It was the effects of the Owsichek decision which greatly expanded the Task Force's role and made consideration of a management system a must. Besides the very

obvious constraints on its time, unfamiliarity may also explain why the management system was not fully addressed by the Task Force.

Our first proposed amendment to SB 139, then, is that two additional members be added to the Task Force, to be appointed by the Governor, neither of whom may have financial interest in any business involving or related to the commercial taking of game, and who have recognized expertise in research and analysis with, if possible, particular knowledge in resource management or allocation systems.

Our second amendment proposes specific language mandating that the staff of a number of specifically identified entities be required to provide information, data, research, analysis, and technical assistance to the Task Force.

Attached are draft amendments to SB 139 accomplishing the proposals outlined above. We urge their consideration.

Finally, please hear our concern for the time it will take to successfully and competently meet the requirements of SB 139. We do not believe a comprehensive and thorough analysis of the complexities involved in establishing a game management system that provides for a commercial allocation acceptable to all state, federal, and private land owners in Alaska will be easily accomplished. We expect it, in fact, to be very hard but important work.

There has been some concern expressed that the management system must be in place when -- and if -- the licensing scheme envisioned in SB 140 is enacted. We do not believe this needs be the case. First, to rush establishment of the management system may doom it to mediocrity. Second, unless we can demonstrate that the system is fair, well thought-out, and reasonable, we anticipate that federal (and private) land owners will reject the plan outright, chilling any hope of creating an integrated management system that will apply statewide.

Third, while the Board of Game is legitimately concerned for the potential impact of additional registered guides being able to conduct hunts in areas previously not available to them, we believe passage of SB 140, with its licensing scheme intact, will go far in curtailing unregulated commercial hunts until the management system is in place. Under SB 140, only outfitters able to meet the requirements of the bill's transition provisions will be able to provide commercial big game hunting services directly to hunters. This appears to be less than 50 people. And only air and boat operators with proper FAA and Coast Guard licenses will be able to transport hunters into the field. We believe this will also significantly reduce pressure on the game.

We believe there are sufficient protections in SB 140 to give the Task Force the time it needs to develop a quality management system without Alaska's big game resource suffering from overharvesting in the interim.

\* \* \*

We support passage of SB 139 and urge consideration of our proposed amendments.

S. Merrill  
Larry Mercurieff, Commissioner  
Department of Commerce &  
Economic Development

2/13/89  
Date

Don W. Collinsworth  
Don W. Collinsworth, Commissioner  
Department of Fish and Game

2/13/89  
Date

Lennie Boston-Gorsuch  
Lennie Boston-Gorsuch, Commissioner  
Department of Natural Resources

2/13/89  
Date

for Arthur English  
Arthur English, Commissioner  
Department of Public Safety

2-13-89  
Date

RB/cw9375c  
21389c

PROPOSED AMENDMENTS TO SB 139

Amend SB 139 by adding a new section to read:

\*Sec. 3. Notwithstanding the number and composition of members of the Task Force on Guiding and Game set out in Sec. 14(a), ch. 160, SLA 1988, two additional members will be added to the Task Force, to be appointed by the Governor, neither of whom may have a financial interest in any business involving or related to the commercial taking of game, who shall have expertise in research and analysis and, if possible, particular knowledge in resource management or allocation systems.

Amend SB 139 by adding a new section to read:

\*Sec. 4. In addition to the departments represented on the Task Force, the staff of the Legislature's House Research Agency and Senate Advisory Council and the Governor's Division of Policy shall provide information, data, research, analysis and technical assistance to the Task Force, as requested by the Task Force, for the purpose of developing the statewide game management system described in Section 14(d)(2)(B) of ch. 160, SLA 1988.

Amend SB 139 as follows:

\*Sec. 5 [SEC. 3]. Sections 1 - 5 of this Act are retroactive to January 8, 1989.

\*Sec. 6 [SEC. 4]. This Act takes effect immediately under AS 01.10.070(c).

RB/cw9376c  
21289b

# Alaska State Legislature

## Senate Resources Committee

Senator Bettye Fahrenkamp, Chairman

Senator Jay Kerttula, Vice Chairman  
Senator Dick Eliason  
Senator Steve Frank  
Senator Rick Hallford  
Senator Artiss Sturgeski  
Senator Fred Zkaroff



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

### M E M O R A N D U M

TO: Sen. Rick Uehling, Co-Chair, Senate Finance  
Committee

FROM: Sen. Bettye Fahrenkamp, <sup>BT</sup>Chair, Senate Resources  
Committee

RE: CS SB 139 (Res) Extension of Task Force on Guiding  
and Game

DATE: February 17, 1989

The Interim Task Force on Guiding and Game ("Task Force") was established by SB 191 last session. Their mission was to study problems and issues concerning the commercial taking of big game in the state and the businesses or professions that provide goods and services to big game hunters in the state. The task force submitted their recommendations to the 16th Legislature on January 15, 1989.

On October 21, 1988, the Alaska Supreme Court issued an opinion on Owsichuk vs. State which decided that the statutes and regulations that underlie the state's exclusive guide area system ("EGA") are unconstitutional. As a result of that decision the Task Force's focus changed as they wrestled with determining a new system for the guiding industry and others involved in providing commercial services to big game hunters.

The Task Force submitted two draft bills as a part of their report which were introduced by both House and Senate Resources Committees as HB 112 and HB 113, and SB 139 and SB 140.

The Departments of Fish and Game, Commerce and Economic Development, Natural Resources, and Public Safety issued a joint department position paper on SB 139, and proposed amendments which would add two additional members to the Task Force, to be appointed by the Governor. It was felt that the role of the Task Force had changed, and it would be of benefit to have members whose expertise is research and analysis, and, if possible, one who has particular knowledge of resource management or allocation systems.

February 17, 1989

Their second amendment proposes specific language mandating that the staff of a number of entities be required to provide research, analysis and technical assistance to the Task Force.

The Senate Resources Committee considered one additional amendment, and changed the date the Task Force reports to the Legislature from January 15, 1991, to January 15, 1990. The Senate Resources Committee adopted those amendments, which are reflected in the Committee Substitute for SB 139, currently before your committee.

The fiscal note prepared by Legislative Affairs Agency reflects travel and per diem projected costs for the public members. It also provides for clerical staff support, advertising for public notification, and transcribing of minutes. All other fiscal notes are zero fiscal notes.

I have provided copies of the Joint Department Position Paper on SB 139, a portion of the final report to the 16th Legislature, and a letter from the Attorney General's office which explains more fully the implications of the Owsichek decision for your review.

Passage of CS SB 139 (Res) ensures that the Task Force can continue their work to develop a licensing system for those providing commercial services to big game hunters, and to develop a management system for allocating rights of access to big game by those providers.

RURAL ALASKA COMMUNITY ACTION PROGRAM, INC.  
P.O. BOX 200908  
ANCHORAGE, ALASKA 99520  
FAX # (907) 279-6343  
(907) 279-2511

FACSIMILE TRANSMITTAL FORM

TO: 465-3700 Senator Bettye Fahrenkamp  
(FAX NUMBER) (INDIVIDUAL TO RECEIVE TRANSMITTAL)

NUMBER OF PAGES BEING SENT INCLUDING THIS PAGE: 1

DESCRIPTION OF DOCUMENT: Recommendation f. BOB KINMAN  
to be appointed to Guiding and Game Taskforce

FROM: Heinrich Springer  
(INDIVIDUAL SENDING TRANSMITTAL)

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WE ARE TRANSMITTING FROM OUR RICOH FAX 10 AT FAX NUMBER (907) 279-6343.

IF THERE IS A PROBLEM WITH THE RECEIPT OF THIS TRANSMISSION, PLEASE CALL (907) 279-2511 AND ASK FOR May.

THANK YOU.

Heinrich Springer  
3730 Perenosa Circle  
Anchorage, Ak. 99515

3. April 1989

To  
Sheila Gottahrer  
Dir. Div. Boards & Commissions  
Box A  
Juneau, Ak. 99811-0101

Subject: Taskforce on Guiding and Game.

SB 139 extends this taskforce and expands it by two members. As you know, I recently resigned as chairman of this taskforce after I got appointed to the Board of Game.

The continued taskforce has a different mission than the previous one, primarily due to the Owsichek decision by the State Supreme Court. It's prime objective is to find a game-management system and an allocation process that complies with the provisions of the Court decision. Since the taskforce consists of representatives from the State's executive and legislative branches and special interest groups it is particularly difficult to find a chairman who has the neutrality required of such a position and in addition has the parliamentary skills, personality and taskspecific knowledge.

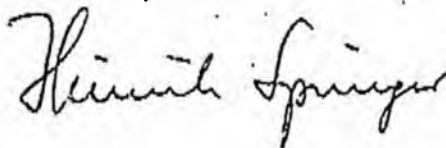
In my opinion one of the newly created positions has to be filled with such a person, appointed by the Governor. I understand that BOB HINMAN has shown interest in such an appointment. Having known Bob for about 20 years and his work during his career with the Ak. Dept. Fish and Game and more recently as chairman of the S.E. Regional Council, I highly recommend him for such an appointment.

Bob has demonstrated that he has extensive knowledge about the subject matters, has the administrative and operational skills, has a good perspective of the historic development in regards to guiding and game in Alaska, knows the people involved, and is a man of integrity with a good sense for fairness.

I hope that the Governor will appoint him to this important position and I hope that the taskforce members recognize his qualifications and abilities to consider him as their chairman.

I welcome any inquiries or questions. (Tel. home 344-3821, work 279-2511 ext.238).

Sincerely,



cc. Taskforce members

## INTRODUCTION OF BILLS (Senate)

### SB 137 (cont'd)

By coming into compliance with federal law, the state will maintain its eligibility for continued federal highway funding, and also will become entitled to additional federal money to assist in implementation of the licensing program itself.

I urge your favorable action on this bill.

### Foster Parent Training

SENATE BILL NO. 138, by Senator Fischer. Amends AS 47.35 (Welfare, Social Services & Institutions. Private Institutions) by adding a new section to the law prohibiting a person from becoming licensed to maintain or conduct a foster home unless the person has completed an orientation for foster parents approved by the Department of Health & Social Services.

The orientation will have to provide information about foster care regulations, policies, and procedures, and practical instruction about the realities of caring for a child who is placed in a foster home. To maintain a license for a foster home, a licensee will have to complete annual foster parent training approved by the department. Training need not be conducted in a classroom setting, but has to include methods of instruction that meet the varying needs of foster parents and the department.

The requirements for foster parent training cannot be waived. A licensee will be considered to have completed annual training if they complete it during either fiscal year 1990 or fiscal year 1991. The Dept. of Health & Social Services can schedule training so that approximately half the licensees receive training during each of the fiscal years 1990 and 1991.

The bill takes effect 90 days after being signed by the Governor.

Introduced January 23, 1989 and referred to Health, Education & Social Services; Finance.

### Guiding & Game Task Force (retroactive extension of termination date)

SENATE BILL NO. 139, by the Resources Committee. Rewrites section 14(d), Chapter 160, SLA 1988 so that the Task Force on Guiding and Game will terminate on the earlier of January 15, 1991; or the date of enactment into law of a licensing system for hunting guides and other persons who provide services to hunters for the purpose of facilitating the harvest of big game; and a management system for allocating rights of access to big game to licensed guides.

Note: section 14(d), Chapter 160, SLA 1988 established the interim task force on the Guide Board and the commercial taking of big game under the jurisdiction of the legislative council. The task force was responsible for reviewing the operations of the Guide Board and studying problems and issues concerning the commercial taking of big game in the state and the businesses or professions that provide goods and services to big game hunters in the state. The task force was required to submit their report to the legislative council by January 15, 1989, and it terminated on that date.

January 30, 1989

REPORT NO. 3INTRODUCTION OF BILLS (Senate)Child Support  
(misc. changes  
to laws)

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 54, by Senators Uehling and Pearce. The Sponsor Substitute version is identical to the original bill (see page 37), except that it deletes language that says section 6 of the bill has the effect of amending Rule 90.3, Alaska Rules of Civil Procedure.

Introduced January 27, 1989 and referred to Judiciary; Finance.

Alaska Education  
Trust Fund  
(establishing)

SENATE BILL NO. 136, by Senator Kerttula. See HB 31, page 99, identical.

Introduced January 23, 1989 and referred to Health, Education & Social Services; Finance.

Commercial Vehicle  
Driver Licensing  
(exemptions)

SENATE BILL NO. 137, by the Rules Committee by Request of the Governor. Relates to commercial vehicle driver licensing (see accompanying letter).

Introduced January 23, 1989 and referred to State Affairs.

In his message accompanying the bill, Governor Cowper stated:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to commercial vehicle driver licensing.

This bill is intended to bring Alaska into compliance with the Commercial Motor Vehicle Safety Act of 1985 (49 U.S.C. 2701 -- 2716), which conditions future federal highway funding upon adoption of a commercial vehicle driver licensing program that is consistent with federal law.

The primary component of this bill is a definition of "commercial motor vehicle" in sec. 4 of the bill, which adopts federal standards while recognizing the uniqueness of Alaska roadways. The definition continues the tradition of less strict regulation of vehicles on roads not connected to the main state highway system or to heavily-travelled roads. See, e.g., AS 28.10.011 (registration) and AS 28.22.200 (insurance).

## INTRODUCTION OF BILLS (Senate)

### SB 139, (cont'd)

Under this bill, members who served on the task force on January 8, 1989 will continue to serve until they resign or the task force is terminated. The bill is retroactive to January 8, 1989, and it takes effect immediately after it is signed by the Governor.

Introduced January 24, 1989 and referred to Resources; Finance.

### Big Game Hunting (regulation of)

SENATE BILL NO. 140, by the Resources Committee. Relates to big game hunting and to the regulation of big game and marine mammal guide-outfitting, transportation, and other commercial services for big game hunters.

Creates the Big Game Commercial Services Board to license and regulate the activities of providers of commercial services to big game hunters, in the interest of the state's wildlife resources. The board will consist of the commissioners of fish and game, natural resources, and public safety; two members who are either a licensed guide-outfitter or class-A guide-outfitter; one member who is a licensed transporter; one member of the Board of Game who is chosen by the Board of Game; one member who represents Native landholders; and one public member.

The board will be responsible for preparing, administering and grading examinations for the guide-outfitter license, and an exam of a guide-outfitter who seeks an amendment of a game management unit certification. The board will determine qualifications of and issue licenses to applicants for class-A guide-outfitter, marine mammal guide-outfitter, and assistant guide-outfitter licenses; it will establish performance standards for providers of big game commercial service and regulate their activities.

The board will publish an annual register of big game commercial service providers who have been convicted of violations of state law or regulation, and a big game commercial services provider whose license or permit is revoked or suspended will be removed from the register while the license or permit is revoked or suspended. The board will prohibit guide-outfitting, transporting, and other big game commercial services activities that are unsportsmanlike, unethical, unsafe, against principles of game conservation, degrading to a profession subject to the law, or that adversely affect natural resources.

Outlines other responsibilities of the board including holding hearings relating to revocation and suspension of licenses and permits. The board can provide for registration of hunting camps and facilities used by licensed guides; can establish, in consultation with the Dept. of Fish and Game or Dept. of Natural Resources, a resource-based management system for allocating access to big game hunting opportunities among guide-outfitters; and can establish the level of supervision that a guide-outfitter has to provide for class-A guide-outfitters and assistant guide-outfitters who are employed by the guide-outfitter.

Outlines qualifications for licensure as a class-A guide-outfitter; an assistant guide-outfitter, a transporter, a guide-outfitter, a marine mammal guide-outfitter. Outlines procedure for renewal of licenses. Outlines procedures for appeals to the commissioner of commerce and economic development when a license is denied.

Individuals who provide other big game commercial services including providing

## INTRODUCTION OF BILLS (Senate)

### SB 140 (cont'd)

accommodations, hunt broker services, gear rental services, photographic or videographic services, expeditor services, and other regulated services have to register with the board and must obtain a commercial use permit and pay an annual permit fee. Individuals licensed as guide-outfitters, marine mammal guide-outfitters, or transporters have to obtain an annual commercial use permit and pay an annual permit fee.

Outlines penalties for violations of the law, and disciplinary action that can be taken by the board. Offenses that are misdemeanors can carry a fine of up to \$30,000 and prison sentences of between two months and one year, or both. Second and subsequent offenses are felonies, and are punishable by a fine of up to \$50,000 or by a prison sentence of up to three years.

A person who engages in a big game commercial services activity while their license is suspended or revoked is guilty of a felony punishable, upon conviction, by a fine of not more than \$50,000 and by imprisonment for not more than three years. In addition to the fines and prison sentences, the court can revoke a person's license for guide-outfitting and transporting services for up to five years; and all guns, fishing tackle, boats, aircraft, automobiles or other vehicles, camping gear and other equipment and paraphernalia used in, or in aid of, an unlawful act can be seized and forfeited to the state. Prohibits suspended imposition of a sentence upon conviction of a violation of big game hunting provisions.

The Dept. of Commerce and Economic Development is required to collect and maintain hunt records provided by guide-outfitters or marine mammal guide-outfitters. The record has to include a list of all big game hunters who used the services of the guide-outfitter or marine mammal guide-outfitter, the number of each big game species taken, and other information required by the board. The records will be made available if requested, to state and federal agencies that enforce laws and regulations relating to game. The department can also include compiled data in departmental reports, but for all other purposes, the hunt records and activity reports are confidential and are not subject to inspection or copying under public information laws.

Adds a new section to the Fish and Game Code (AS 16.05) requiring a big game conservation fee to be paid to the state for each animal taken by a hunter who must have a big game tag in order to take an animal; and who uses the services of a guide-outfitter, marine mammal guide-outfitter, or transporter in order to take the animal. The big game conservation fee will be equal to 25 percent of the big game tag fee. The fee must be paid by the guide who contracted to guide-outfit the hunt on which the animal was taken. If the animal was not taken on a guide-outfitted hunt, the fee has to be paid by the transporter who transports the animal from the field. The commissioner of commerce and economic development will separately account for the fees and the annual estimated balance in the account can be used by the legislature to make appropriations to the Department of Fish and Game and the Dept. of Public Safety to carry out their respective game management and enforcement responsibilities.

Prohibits a nonresident from hunting mountain goats unless personally accompanied by a person who is licensed as a guide-outfitter, or by a resident who is over 19 who is the nonresident's spouse or is related to the nonresident by marriage or blood. Current law prohibits nonresidents from hunting brown bear, grizzly bear, polar bear or sheep unless personally accompanied by a guide, resident spouse or relative.

## INTRODUCTION OF BILLS (Senate)

### SB 140 (cont'd)

Prohibits a big game hunting club from engaging in activities in direct support of big game hunting, including transportation or guide-outfitting of big game hunters; or providing facilities for big game hunting.

Provides for transition from the current big game guiding licensing procedure to the new method outlined in this bill.

Repeals current statute relating to guiding (AS 08.54.010 - 08.54.240).

Repeals AS 16.05.370(b) & (c) (Fish and Game Code. Reports by licensees, tag holders, and transporters -- subsection (b) requires a person who sells big game tags to give a game report form to the hunter to be completed after the big game is taken); subsection (c) requires a person who transports big game from the field to notify the Dept. of Fish and Game within seven days after providing transportation, of the amount and kinds or species of game transported.

Repeals AS 16.05.407(e), (Nonresident hunting big game animals must be accompanied), subsection (e) requires an applicant for a nonresident big game tag for moose or caribou to first furnish the state with an affidavit showing where the applicant will be hunting and what guiding, transportation, or other big game hunting services the applicant will be employing.

Repeals AS 16.05.786 (Duty of big game transporters to report violations); and AS 16.05.787 (Registration of big game hunting base camps, cabins, and lodges).

Repeals sections 4, 6, 12, and 13, Chapter 160, SLA 1988. Section 4 rewrites AS 08.54.210 (Guides. Licensing. Unlawful acts), effective June 30, 1989; section 6 rewrites AS 08.54.240 (Guides. Licensing. definition of "guide" or "guiding"), effective June 30, 1989; sections 12 and 13 rewrite AS 16.05.787 (Registration of big game hunting base camps, cabins, and lodges), effective June 30, 1989. See editor's notes, Alaska statutes, for complete language of amendments.

The bill takes effect immediately after it is signed by the Governor.

Introduced January 24, 1989 and referred to Resources; Finance.

### Municipal School Construction (state payment of debt)

SENATE BILL NO. 141, by Senators Kerttula and Szymanski. Will require the state ". . . to assume and make all future payments on the indebtedness outstanding on January 1, 1989, that is represented by obligations incurred by a municipality that is a school district to pay the costs of school construction that have been approved by the Department of Education under AS 14.07.020(II)."

Note: AS 14.07.020(II) says that the Dept. of Education has to "(II) review plans for construction of new public elementary and secondary schools and for additions to and major rehabilitation of existing public elementary and secondary schools and, in accordance with regulations adopted by the department, determine and approve the extent of eligibility for state aid of a school construction project begun after July 1, 1978; for the purposes of this paragraph, 'plans' include educational specifications, schematic designs, and final contract documents; . . ." The state will have to reimburse a

## INTRODUCTION OF BILLS (Senate)

### SB 141 (cont'd)

municipality for the payments made by the municipality after December 31, 1988, on the obligations assumed by the state.

The commissioner of education will have to administer the payment programs and establish by regulation the procedures necessary for administration of the programs. Payment will be subject to appropriation of funds by the state. A municipality that is a school district will have to secure and maintain adequate property loss insurance for the replacement cost of all facilities for which state funds are available.

Rewrites AS 14.11.100(a) (State aid for costs of school construction debt). Under current law the state reimburses a municipality for between 80 and 100 percent of payments made by the municipality for the retirement of principal and interest on money spent for school construction, depending on when the indebtedness was incurred.

Under this rewrite, the state will allocate to a municipality that is a school district 80 percent of the payments made by the municipality during the fiscal year for the retirement of principal and interest on outstanding bonds, notes, or other indebtedness, if the indebtedness is incurred by the municipality after December 31, 1988, to pay the costs of school construction, excluding rehabilitation projects of \$25,000 or less, and if the indebtedness has been authorized by the qualified voters of the municipality, and is approved by the Dept. of Education under state law requiring department review of construction and rehabilitation plans.

Amounts paid by the state will be reduced by the amount of money used for the construction of residential space, hockey rinks, planetariums, saunas, and other facilities for single purpose sporting or recreational uses that are not suitable for other activities and by the money used for construction that exceeds the amount needed for construction of a facility of efficient design as determined by the Dept. of Education. Payments are subject to certain conditions, and the state cannot allocated money to a municipality unless the project is approved by the commissioner of education and the bond issue is approved by local voters.

Amends AS 14. 11.115(b) (Construction, Rehabilitation, and Improvement of Schools and Education-Related Facilities. State aid) by changing language to provide that payment of state aid ". . . is limited to an amount that does not exceed 80 percent of the cost of the school construction project."

The bill takes effect 90 days after it is signed by the Governor.

Introduced January 24, 1989 and referred to Community & Regional Affairs; Health, Education & Social Services; Finance.

### Municipal Port Authorities (establishment of)

SENATE BILL NO. 142, by Senators Duncan and Zharoff. Will allow municipalities other than a second class city, to establish a port authority. The port authority will be under the supervision and control of a port commission consisting of three elected members.

The port commission will study and analyze the effect of economic changes and growth on the waterfront and waterways; will acquire, construct, repair, renovate, and manage sea

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 2/16/89  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER FINANCE

\*\*FISCAL NOTE(S) MUST BE ATTACHED  
IN ACCORDANCE WITH AS 24.08.035

DATE TURNED INTO OFFICE 2/19/89

1/9/89

Mr. President:

RESOURCES

Committee considered SB 30

repealing the 25-cent resident hunting, trapping, and sport fishing license and a related exemption from commercial fishing permit requirements.

and recommended:

- replace with CS SB 30 (Res)  same title
- attached amendment(s) and  new title
- Resources letter of intent adopted

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to \_\_\_\_\_

FISCAL NOTE(S) attached  zero  
 appropriation no FN attached

fiscal impact  
 Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

Rich Halford  
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Fiscal Note  
 &  
 zero Fiscal  
 Note forthcoming  
 to the CS

\_\_\_\_\_  
Chairman

Committee backup attached