

HEB

102

HFIN

FILE



Alaska State Legislature
HOUSE OF REPRESENTATIVES
Committee on Resources

State Capitol
Juneau, Alaska
99801

Sponsor Statement

HB 102 - Big Game Commercial Services Board

HB 102 extends the Big Game Commercial Services Board whose duties are set forth in AS 08.54.300-330.

In 1989 the Legislature passed HB 112 (Ch. 37, SLA 89), which repealed the Big Game Guide Board and replaced it with the Big Game Commercial Services Board. HB 112 was the product of work by the Legislative Task Force on Guiding and Game. The Task Force was created to address conflicts between different groups profiting from the harvest of Alaska's big game.

The primary conflicts were between guides, who were highly regulated, and outfitters, who were unregulated. HB 112 eliminated the distinction between guides and outfitters and created a new "guide-outfitter" class. Under the system created in Ch. 37, the degree to which a commercial big game services provider is regulated depends on the level of interface with consumers and the resource.

Some service providers - hunt brokers, or sporting goods stores that rent hunting gear - are required only to register with the Board. Other service providers are required to meet certain conditions before they may be licensed and receive compensation for their services.

HB 112 included language to sunset the Board in 1993, but the Legislature allowed a one-year extension last year with HB 266. Title 8, which regulates Boards & Commissions, allows the board one year after the sunset date to terminate its operation. Unless the legislature passes HB 102 this session, those who receive compensation from the commercial harvest of Alaska's big game resources will not be regulated.

HOUSE COMMITTEE REPORT

(11)

Date Referred: February 8, 1995

FURTHER REFERRALS:

Date of Committee Action: 2/13/95

The FINANCE Committee considered:

HB 102

HOUSE BILL NO. 102

EXTEND BIG GAME COMMERCIAL SERVICES BOARD

"An Act extending the termination date of the Big Game Commercial Services Board."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) DEED

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Richard (Joey) Foster</i>	Foster	X			
<i>Mark Hanley</i>	Hanley	X			
<i>Terry Martin</i>	Martin	V			
<i>Sean R. Parcell</i>	Parcell			X	
<i>Vic Kohring</i>	Kohring	X			
<i>Ben Gussendorf</i>	Gussendorf	X			
<i>John Navarre</i>	Navarre	X			
<i>Pete Kelly</i>	Kelly	X			
<i>Gene Theriault</i>	Theriault	X			
<i>Glen Mulder</i>	Mulder	X			
<i>Sean Brown</i>	Brown			X	

CO-CHAIR'S SIGNATURE *Mark Hanley* *Richard (Joey) Foster*
Hanley *Foster*

FISCAL NOTE

No. 1
 Bill Version: HB 102
 (H) Publish Date: 2/8/95

STATE OF ALASKA

1995 LEGISLATIVE SESSION

Revision Date: January 27, 1995 Department: Commerce and Economic Development
 Title: An Act extending the termination date of the BRU: Occupational Licensing
Big Game Commercial Services Board. Component: Operations
 Sponsor: House Resources Committee
 Requestor: House Resources Committee COMPONENT SERIAL N 1844

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	174.0	174.0	174.0	174.0	174.0	174.0
TRAVEL	17.3	27.5	27.5	27.5	27.5	27.5
CONTRACTUAL	56.7	56.7	56.7	56.7	56.7	56.7
SUPPLIES	1.2	1.2	1.2	1.2	1.2	1.2
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	249.2	259.4	259.4	259.4	259.4	259.4
CAPITAL EXPENDITURES						
CHANGE IN REVENUES	324.1	188.1	324.1	191.1	324.1	194.7

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts	249.2	259.4	259.4	259.4	259.4	259.4
1006 GF/MHTIA						
Other						
TOTAL	249.2	259.4	259.4	259.4	259.4	259.4

Estimate of any current year (FY 95) cost: \$ 219.6

POSITIONS

FULL-TIME	2	2	2	2	2	2
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

HB 102 extends the termination date of the Big Game Commercial Services Board to June 30, 1998. The expenditures shown above are included in the FY 96 operating budget request and the revenue identified are reflected in revenue projections. The board is in its final year of existence unless legislation is passed to continue the board.

Prepared by: Jennifer Strickler, Admin. Officer Phone: 465-2144
 Division: Occupational Licensing Date: 1/27/95
 Approved by Commissioner: William L. Hensley Date: 1/27/95
 Agency: Commerce and Economic Development

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DEPARTMENT OF FISH AND GAME
POSITION PAPER

Bill No: HB 102

Sponsor: House Resources Committee

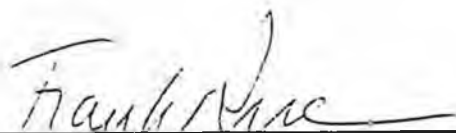
Division: Wildlife Conservation

Bill Title: An Act extending the termination date of the Big Game Commercial Services Board.

Department Position: Support

Background/Legislative Intent: This bill would extend the termination date of the Big Game Commercial Services Board until June 30, 1998.

Analysis of Bill/Program Effects: A sunset provision in statute resulted in termination of the board in June 1994. This board provides a valuable service by assuring that those individuals licensed as big game guide-outfitters are qualified and capable of providing the services expected of them by their clients. The board also plays an important role in distributing the guided hunting effort so that discrete big game populations are not subjected to excessive hunting pressure.



Commissioner's Signature

2.2.95

Date

Article 1. Big Game Commercial Services Board.

Section	Section
300. Creation and membership of board	320. Board regulations
310. Duties and powers	330. Board assistance

Cross references. — For transitional SLA 1989 in the Temporary and Special provisions, see §§ 13 — 15, and 17, ch. 37, Acts.

Sec. 08.54.010. Guide Board. [Repealed, § 18 ch 37 SLA 1989.]

Sec. 08.54.020. Appointment and term of office. [Repealed, § 49 ch 94 SLA 1987.]

Secs. 08.54.030 — 08.54.141. Board powers and duties. etc.; licensing. [Repealed, § 18 ch 37 SLA 1989.]

Secs. 08.54.142 — 08.54.146. Transporter licensing. [Repealed, § 27 ch 71 SLA 1986.]

Secs. 08.54.150 — 08.54.180. Miscellaneous licensing provisions. [Repealed, § 18 ch 37 SLA 1989.]

Sec. 08.54.185. Additional fees. [Repealed, § 27 ch 71 SLA 1986.]

Secs. 08.54.186 — 08.54.240. Exams; restricted areas; prohibitions; general provisions. [Repealed, § 18 ch 37 SLA 1989.]

Sec. 08.54.300. Creation and membership of board. (a) For the purposes of licensing and regulating the activities of providers of commercial services to big game hunters in the interest of the state's wildlife resources there is created the Big Game Commercial Services Board. For administrative purposes, the board is in the Department of Commerce and Economic Development.

(b) The board consists of nine members:

- (1) two members who are licensed guide-outfitters;
- (2) two members who are licensed transporters, one of whom must be engaged in the business of providing air transportation services;
- (3) one member who holds a commercial use permit, but does not hold any class of guide-outfitter license or a transporter license;
- (4) one member of the Board of Game who is chosen by the Board of Game and who does not hold a commercial use permit;
- (5) one member who represents Native landholders; and
- (6) two public members. (§ 3 ch 37 SLA 1989)

Chapter 54. Guides and Related Occupations.

Article

1. Big Game Commercial Services Board § 08.54.310)
2. Licensing §§ 08.54.350 — 08.54.395)

Article 1. Big Game Commercial Services Board.

Section

310. Duties and powers

- Sec. 08.54.310. Duties and powers. (a) The board shall
- (1) prepare, grade, and administer
 - (A) a written and oral examination of an applicant for a guide-outfitter license that requires demonstration that the applicant is qualified generally to provide guide-outfitted hunts and, in particular, to guide-outfit in each game management unit the applicant has selected; if an applicant demonstrates limited ability to read or write the English language, the entire examination shall be administered orally; and
 - (B) an oral examination of a guide-outfitter who seeks an amendment of a game management unit certification; the examination must require demonstration that the guide-outfitter is qualified to provide guide-outfitted hunts in each new game management unit for which the guide-outfitter seeks to be certified;
 - (2) determine qualifications of applicants for class-A assistant guide-outfitter, marine mammal guide-outfitter, and assistant guide-outfitter licenses and authorize the issuance of licenses to those who qualify;
 - (3) establish performance standards for providers of big game commercial services and regulate the activities of these providers;
 - (4) compile, maintain, and publish an annual register of big game commercial service providers subject to this chapter who have not been convicted of a violation of a state or federal statute or regulation relating to the provision of big game commercial services; a big game commercial services provider listed in the register whose license or permit is revoked or suspended shall be removed from the register while the provider's license or permit is revoked or suspended;
 - (5) 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 this chapter, or that adversely affect natural resources;
 - (6) after a hearing, revoke, suspend, or deny renewal of a license or permit under AS 08.54.500 — 08.54.510;
 - (7) authorize issuance of transporter licenses;
 - (8) authorize issuance of commercial use permits;
 - (9) meet at least twice annually, once in Anchorage and once in another municipality;

(10) provide for registration of base camps and facilities used by persons who are licensed or who hold a permit under this chapter;

(11) require an applicant for issuance or renewal of any class of guide-outfitter license to state in a written and signed document whether the applicant's right to obtain, or exercise the privileges granted by, a sport fishing, hunting, trapping, or guide-outfitting license is revoked or suspended in another state.

(b) The board may

(1) establish, subject to the prior approval of the commissioner of fish and game, a resource-based management system for allocating access to big game hunting opportunities among guide-outfitters licensed under this chapter;

(2) establish the level of supervision that a guide-outfitter shall provide for class-A assistant guide-outfitters and assistant guide-outfitters who are employed by the guide-outfitter. (§ 3 ch 37 SLA 1989; am § 1 ch 106 SLA 1992)

Effect of amendments. — The 1992 amendment added paragraph (a)(11) and made a related stylistic change. Effective January 1, 1993.

Sec. 08.54.320. Board regulations. The board shall adopt procedural and substantive regulations required by this chapter or reasonably necessary for its administration. (§ 3 ch 37 SLA 1989)

Sec. 08.54.330. Board assistance. The Department of Fish and Game, Department of Natural Resources, and Department of Public Safety shall provide the board with information, data, or technical assistance requested by the board for the purposes of licensing and regulating the activities of providers of commercial services to big game hunters. (§ 3 ch 37 SLA 1989)