

HSCR

2



AGAINST
E.O. 95

KUSKOKWIM GUIDE SERVICE

PETE SHEPHERD REG. GUIDE
1012 GALENA STREET FAIRBANKS, ALASKA 99709
PHONE (907) 474-4685 RADIO (907) 345-1160
FAX (907) 474-9173

FAX TRANSMITTAL SHEET

TO

COMPANY: House ResourcesATTENTION: Representative GreenFAX NUMBER: 465-4316RE: HSCP-2 DisapprovingExecutive Order No. 95DATE: Feb. 26, 1996FROM: Peter E.K. ShepherdPAGE 1 OF 2 (INCLUDES COVER)

MESSAGE:

Dear Representative Green,

February 26, 1996

I have been a registered guide for nearly 30 years and have witnessed the potential for an estimated half-billion dollar source of income for Alaskans eroded by over-regulation of the industry and non-management of the wildlife resource. Governor Knowles' Executive Order No. 95, transferring the duties of the sunsetted Big Game Commercial Services Board to the Department of Commerce, will further jeopardize the survival of the guiding industry. Furthermore, and just as significant, is the obvious trashing of the sunset act and executive usurpation of legislative functions.

I assure you that my concerns are shared by many guides and outfitters who wish to see reform in guide regulation, redefined professional standards, and restoration of industry oversight by an entity other than the Department of Commerce. I pledge my support and professional advice to any legislator(s) willing to introduce a bill that can clear up the current impasse involving the guiding industry. I sincerely hope you will join your fellow legislators and vote against Executive Order No. 95.

Best Regards,

Peter E.K. Shepherd

Peter E.K. Shepherd

Dear Representative Green

Do you believe the provisions for sunseting boards and commissions should be eliminated? Do you believe that the Executive Branch has the legal authority to reinstate all of the functions and regulatory powers of a sunsetted board or commission? If so, the DO NOTHING and ALLOW EXECUTIVE ORDER NO. 95 TO BECOME LAW.

On the other hand, if you believe that sunseting is a legitimate process and gives the legislature appropriate checks and balances in the burgeoning regulatory practices of the Executive Branch or if you believe that the Executive Branch should honor legislative intent, then you should bring Executive Order No. 95 to a vote and cast your vote against approval.

The stated purpose of Executive Order No. 95 is to transfer the responsibility for licensing and regulation of big game guides from the sunsetted Big Game Commercial Services Board to the Department of Commerce and Economic Development. Nobody should have an argument with the Governor's statement that licensing and regulation of the guiding industry is in the best interest of the State of Alaska. What should concern us, however, is the method in which Governor Knowles has usurped legislative powers and abandoned any pretense that the legislature is the body that makes the law and the Executive Branch is the body who enforces the law.

In June, 1995, after the 1995 legislative session, Governor Knowles entered Administrative Order No. 159 by which the Department of Commerce and Economic Development assumed all the functions of the sunsetted Big Game Commercial Services Board. Governor Knowles now seeks your approval of that illegal and unconstitutional act, and is hoping for your inaction on Executive Order No. 95.

Administrative Order No. 159 and Executive Order No. 95 in effect, does away with the sunset act. Article 3, 23 of the Alaska Constitution prohibits the Executive Branch from using an Administrative Order when doing so changes the law or statutes. Governor Knowles clearly violated this prohibition and continued the functions of the Big Game Commercial Services Board. Executive Order No. 95 asks that you approve this on a constitutional procedure and has its own "savings clause" that approves of the acts conducted illegally during the interim.

It appears that the legislature needs to take control of this serious situation. There does not appear to be any reason why the Governor should not be forced to work with the legislature on very important issues of boards and commissions. The Governor should not be allowed to run rough-shod over the sunseting process. These issues extend far beyond the current sitting legislature and the current sitting Governor. Your support for disapproving Executive Order No. 95 is your support for returning legislative power back to the legislature. There is no reason this administration or any legislator could not introduce legislation to clear up the current conflict involving the guiding industry. The method chosen by the current administration, however, is clearly and simply wrong.

State of Alaska - Boards and Commissions Membership Roster

BIG GAME COMMERCIAL SERVICES (042)

Member	Appointed	Reappointed	Term. E.
Vacant Public			06/30/9
Vacant Commercial Use Permit Holder/Restricted			06/30/9
* Glen Alsworth Transporter/restricted 2425 Merrill Field Drive Anchorage, AK 99501	08/29/89	08/15/90	06/30/9
Pater R. Buist Guide-Outfitter P.O. Box 71561 Fairbanks, AK 99707	08/01/91		06/30/9
Richard Burley Board of Game/Restricted 1185 Coppet Street Fairbanks, AK 99709		11/15/93	06/30/9
Glenn W. Fredericks Native landholders rep. 1400 Virginia Court Anchorage, AK 99510	10/28/92		06/30/9
Paul E. Johnson Guide-outfitter P.O. Box 22 Elfin Cove, AK 99825	08/29/89	07/13/92	06/30/9
* Thomas N. Scarborough Public P.O. Box 80868 Fairbanks, AK 99708	08/01/91	06/30/93	06/30/9
Eric C. Stirrup Transporter/Restricted P.O. Box 4123 Kodiak, AK 99615	09/24/91		06/30/9

Term expired 6/30/95

Term expired 6/30/95

* Board members who recommended the termination of the BGCSB.

**AS OF JUNE 30, 1995 THE BOARD OF NINE
MEMBERS HAD FOUR VACANCIES AND
TWO MEMBERS RECOMMENDING
SUNSET.**

GOVERNOR MADE NO APPOINTMENTS.



KUSKOKWIM GUIDE SERVICE

PETE SHEPHERD REG. GUIDE
 1012 GALENA STREET FAIRBANKS, ALASKA 99709
 PHONE (907) 474-4685 RADIO (907) 345-1160
 FAX (907) 474-9173

FAX TRANSMITTAL SHEET

TO		DATE: <u>Feb 1, 1996</u>
COMPANY: <u>Senate</u>		FROM: <u>Peter E.K. Shepherd</u>
ATTENTION: <u>Senator Halford</u>		PAGE <u>1</u> OF <u>2</u> (INCLUDES COVER)
FAX NUMBER: <u>(907) 465-4928</u>		
RE: <u>Executive Order No. 95</u>		

MESSAGE: Dear Senator Halford, February 1, 1996

I have been a registered guide for nearly 30 years and have witnessed the potential for an estimated half-billion dollar source of income for Alaskans eroded by over-regulation of the industry and non-management of the wildlife resource. Governor Knowles' Executive Order No. 95, transferring the duties of the sunsetted Pin Game Commercial Services Board to the Department of Commerce, will further jeopardize the survival of the guiding industry. Furthermore, and just as significant, is the obvious trashing of the sunset act and executive usurpation of legislative functions.

I assure you that my concerns are shared by many guides and outfitters who wish to see reform in guide regulation, redefined professional standards, and restoration of industry oversight by an entity other than the Department of Commerce. I pledge my support and professional advice to any legislator(s) willing to introduce a bill that can clear up the current impasse involving the guiding industry. I sincerely hope you will join your fellow legislators and vote against Executive Order No. 95.

Best Regards,

Peter E.K. Shepherd
 Peter E.K. Shepherd

Rock,
 This is the text and
 statement I have sent
 to all Interior Republicans.

Pete

Dear *Rick*

Do you believe the provisions for sunseting boards and commissions should be eliminated? Do you believe that the Executive Branch has the legal authority to reinstate all of the functions and regulatory powers of a sunsetted board or commission? If so, the DO NOTHING and ALLOW EXECUTIVE ORDER NO. 95 TO BECOME LAW.

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SENATOR RICK HALFORD
FAX 465-4928

REF SSCR2

DEFEAT GOVERNORS ILLEGAL ORDER ON COMMERCIAL SERVICES GUIDE
BOARD ACTION
WE CAN NOT CLEAR UP THIS MESS UNTIL THIS IS DONE

DON AND KAY SISSON
SISSON GUIDE BOARD
PO BOX 670707
CHUGIAK, AK. 99567
PH. 688-2802

Mr. Sam
1438 Luke St

Snyder

479-2170

Date POM Sent	Constituency	Bill Number	Response	Subject	Distribution	Affiliation	Reg Voter
02/26/96	N	SSCR 2	Opposes		16		Y

I SUPPORT YOUR DISAPPROVAL TO EXECUTIVE ORDER 95 AND YOUR SUPPORT OF SSCR2 AND HSCR 2. THANK YOU.

Mr Brent
8920 Lakehurst Drive

Hudson

243-0308

Date POM Sent	Constituency	Bill Number	Response	Subject	Distribution	Affiliation	Reg Voter
02/26/96	N	SSCR 2	Supports		16		U

PLEASE LET ME STRONGLY EXPRESS MY SUPPORT FOR SSCR2 THAT WOULD DO AWAY WITH EO 95. I FEEL THAT GOV KNOWLES DID NOT FOLLOW THE GUIDELINES OF THE LAW IN USING THIS EO AND I REALIZE THAT THERE WERE PROBLEMS WITH THE OLD GUIDE BOARD BUT AT LEAST IT PROVIDED A WAY FOR THE GUIDING INDUSTRY TO SOLVE PROBLEMS BEFORE A PANEL AND A FEW PEERS. THANK YOU FOR YOUR TIME IN LISTENING TO MY CONCERNS ON THIS ISSUE. SINCERELY,
BIL HUDSON

Mr Tom
Box 2772

Hundley

745-2084

Date POM Sent	Constituency	Bill Number	Response	Subject	Distribution	Affiliation	Reg Voter
02/26/96	N	SSCR 2	Supports		60	Master	U

GUIDE LICENSING NEEDS GENUINE REFORM. NOTHING BENEFICIAL WILL EVER OCCUR IF THE A.P.H.A. MANIPULATES THE STATE AND KEEPS THE DIVISION OF LICENSING CONFUSED AND STUMBLING AROUND LIKE A DRUNKEN FOOL. NOBODY SPENDS THOUSAND OF DOLLARS LOBBYING JUNEAU OVER CONCERN FOR A CARIBOU. IT'S ABOUT MONEY, SUPERCUBS, AND RUTHLESS MEN WHO WANT POWER.

THOMAS N. SCARBOROUGH
1676 TAROKA DRIVE
FAIRBANKS, ALASKA 99709
(907) 479-3412

February 20, 1995

Senator Rick Halford
State Capitol - Room 508
Juneau, Alaska 99801-1182

Re: House Bill No. 102, An Act extending the termination date of the Big Game Commercial Services Board.

Dear Rick:

The providing of Big Game Commercial Services has become an extremely complicated system of rules and regulations administered by both the State of Alaska and the Federal Government. The State of Alaska Department of Commerce and Economic Development, Division of Occupational Licensing is the Administrative agency assigned to administer Big Game Commercial Services. The Federal Agencies consisting of Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Forest Service and National Park Service as land managers directly interact with those providing Big Game Commercial Services. Private Land Holders as land managers also are required to provide land use permits.

Big Game Commercial Services is generally viewed by the public as the Big Game Hunting Guide Industry. Actually the State Statutes are much broader than this. They include any one providing:

1. Ground, water or air transportation to big game hunters. Transporter license required.
2. Guide-outfit hunting for a specific marine mammal. Special license required. (I do not believe any license have ever been issued)
3. Big Game Commercial Services service for compensation, other than a guide-outfitter, marine mammal guide-outfitter or transporter. Commercial use permit required.

A Board consisting of 9 members is appointed by the Governor for the purpose of licensing and regulating the above activities. Make up of Board is stipulated by statute. The State Departments of Fish and Game, Department of Natural Resources and Department of Public Safety are to provide technical assistance.

Sen. Halford Ltr. cont. Re: House Bill No. 102, An Act extending the termination date of the Big Game Commercial Services Board.

The history of previous Big Game Commercial Services prior to 1989 was to create a closed fraternity for a select number of Big Game Guides. This system was found to be unconstitutional by the Alaska Supreme Court. The result was a revised set of statutes for Big Game Commercial Services. These have proved to be very cumbersome to work with by the Board and costly to the industry. Some members of the Big Game Guiding industry have worked diligently to find some legal way to return the system back to that similar to 1989. This has caused confusion and in my opinion a lot of wasted effort.

The Federal Agencies have been quite cooperative with working with the Board. With the exception of the Department of Public Safety, other State agencies have ignored the Big Game Commercial Services industry. This includes the Dept. of Fish and Game. The attitude of ADF&G is hard to understand as approximately 80 % of State of Alaska funds dedicated to wildlife management are generated by this industry.

The Dept. of Commerce has supplied one staff person to deal with Big Game Commercial Services. Overall the fees (taxes) paid by the industry amounts to about \$400,000 per year. Actual expenditures by the Dept. of Commerce including charges by Attorney Generals staff for legal assistance totals only about \$200,000.

The Big Game Guiding industry has been estimated to generate upwards of 100 million dollars of business per year. This must be considered a portion of the tourist industry. Most of this money is spent right here in Alaska. Very different to the major providers of tourist services. The State of Alaska provides the tourist industry with 7 to 10 million dollars each year for advertising. None of these dollars are used to promote the Big Game Guiding (hunting) industry.


It can be concluded very quickly that Big Game Services is an important industry to Alaska. It can also be quickly seen that the State of Alaska Government agencies have little interest in Big Game Guiding even though this is a 100 million dollar renewable industry. Something different must be done.

I believe the only solution is to establish a private (or quasi private) board. This Board could then represent the Big Game industry. It could also have a staff which could truly service the industry and achieve cooperation from

Sen. Halford Ltr. cont. Re: House Bill No. 102, An Act extending the termination date of the Big Game Commercial Services Board.

involved State and Federal agencies. A change in some state statutes may be required to achieve a private board to oversee Big Game Commercial Services. Obviously the fees required of the industry must be revised. A simple way to achieve this would be to sunset the current Board and then set up a process to revise the statutes next legislative session. This would force the industry to reevaluate where it is at today and what might be done to correct the current situation. I believe with proper management this could be a renewable industry to Alaska of several times what it is today. This will not occur unless major changes are made.

Sincerely,


Thomas N. Scarborough

cc to: DOC



Tom Hundley
Registered Guide - Outfitter

Senator Rick Halford
State Capitol, Juneau, Alaska 99801-1182

5/1/95

Concerning: Guide legislation/Senate Finance Committee Members

Honorable Rick Halford:

My family and I want you to know that we fully support your effort to bring accountability into the guide licensing program. Rick, without your sense of historical perspective on guiding issues, it would be very easy for the legislature to be misled by those wanting to use the BGCSB/Guide Board as an advocacy tool for drafting regulations for personal gain. Some in this industry have become quite adept at ignoring the law, they will be sending their hacks and carpetbaggers to Juneau to try to twist your arm and make an end run around the Legislature, just as they've always done.


I live in a world where there is a wrong and a right, integrity does mean something, and when it comes to big game guiding in Alaska - it means everything - irregardless of the pressures to ignore the law. You haven't forgotten this fact, Senator and I admire you for holding fast to principles.

We need genuine statutory changes which limit and set legal and justifiable priorities for the Guide Board. Unless sweeping changes are made to the Statutes which empower the Board, I would hope that your office not allow the guide legislation to pass through the Senate Finance Committee. No more funding for illegal and arbitrary guide area programs which enslave men to wrongfulness and force all of us to cheat to get by. A horrible legacy has been woven by the Guide Board over the past 20+ years. I am 40 years old and have been guiding since I was a skinny kid with hair in the 1970's. I find it difficult to forgive the state for what has been allowed to occur in my lifetime and find it even harder to imagine why any thinking person would want this corruption to continue.

Quote:

"There is nothing worse, nothing more destructive of respect for the government and the law of the land than passing laws which cannot be enforced". - Albert Einstein.

My Highest Regards,


Tom Hundley
Guide-Outfitter

THOMAS N. SCARBOROUGH
1676 TAROKA DRIVE
FAIRBANKS, ALASKA 99709
(907) 479-3412

April 29, 1995

Senator Rick Halford
State Capitol - Room 508
Juneau, Alaska 99801-1182

Re: House Bill No. 102, An Act extending the termination date of the Big Game Commercial Services Board.

Dear Rick:

The providing of Big Game Commercial Services has become an extremely complicated system of rules and regulations administrated by both the State of Alaska and the Federal Government. The Federal Agencies consisting of BLM, U.S. F & WS, U.S. FS and the NPS as land managers directly interact with those providing Big Game Commercial Services. State of Alaska Dept. of ADF&G and DNR also dictate how Services are provided. Private land holders are required to provide land use permits.

The Big Game Guiding industry is expected to help fund all of the above Agencies for management and enforcement through user fees and licence fees (taxes). These fees must be passed on to the clients. Alaska may now be the most expensive place in the world to obtain Professional Big Game Guiding services.

In addition the Big Game Commercial Services Board has no legal function in the management of the wildlife utilized by the providers of Big Game services. This responsibility is mandated to the Alaska Department of Fish and Game by Alaska State Statutes.

I believe the only solution is to establish a private (or quasi private) board. This Board and staff could then truly represent the Big Game industry. A change in some state statutes may be required to achieve a private board to oversee Big Game Commercial Services. Obviously the fees required of the industry must be revised. A simple way to achieve this would be to sunset the current Board and then set up a process to revise the statutes next legislative session. This would force the industry to reevaluate where it is at today and what might be done to correct the current situation. I believe with proper management this could be a renewable industry to Alaska of several times what it is today. This will not occur unless major changes are made. If no changes are made this industry will be regulated and taxed out of existence with the loss of millions of dollars of revenue to Alaskans

Sincerely,

Thomas N. Scarborough



LOST CREEK RANCH

Les & Norma Cobb
P. O. Box 84334
Fairbanks, Alaska 99708
(907) 672-3999

October 9, 1995

RECEIVED
OCT 10 1995
Ans'd.....

Rick Halford
PO Box 670190
Chugiak, Ak 99567

Dear Rick,

I have written you in the past. I'm the 43 yr. old who for the past 5 years has tried to obtain a hunting guide license. The guy who operates a horse guest ranch 150 miles NW of Fairbanks.

The reason I wish a guide license was to help save my guest business by being able to add hunting to it. I've lived in the Minook Valley 23 years, 19 miles south of Rampart. My closest neighbors are 20 miles so my area would be good for a hunting guide service.

The problem as I have stated before, the past guide board is corrupt and not fair or honest. We need a system that will be fair to all Alaskans. Not just the few who have the license and controls the governing laws.

I will back you up in changing the present law to be honest and fair. But for me to open up and tell what I personally have seen, experienced, and was affected by would only jeopardize my chances of obtaining a guides license in the future. Because you alone cannot guarantee change. The people who are normally hurt are the little guys at the bottom, like me.

Please let me state again, the future of my little tourist business depends on my obtaining a game guide license.

Enclosed is our brochure.

Thank you for your work on these matters!!!

Les Cobb

RAY ATKINS

Guide and Outfitter

RECEIVED

OCT 10 1995

Ans'd.....

October 4, 1995

Senator Rick Halford
State Capitol
Juneau, AK 99801-1182

Dear Senator Halford:

RE: Big Game Commercial Service Board

Thank you for your letter of August 23, 1995.

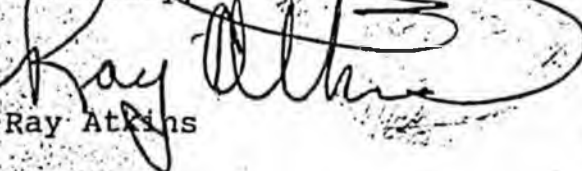
I believe a simple program as you list in your item #2 would be best for the State and the industry.

I remeber years ago when you came to me asking that I not protest your application to work in Unit 13, I did not protest. I do not believe anyone should be able to say who can and who can't work as long as the people are ethical and qualified.

Personally I would like to see a five year apprenticeship program with a schhol for guides at the end of it before being certified, so a person really has a part of themselves in the license.

I would also like to see that all convicted felons be refused or licenses revoked, so one could feel he was backing honest people. If you are going to let felons work in this business, I believe they should not be able to run their business while in prison, i.e. book hunts.

Sincerely,


Ray Atkins

White
Ray Atkins

CANTWELL

ALASKA

99722

RECEIVED
OCT 05 1995
Ans'd

ALASKA - RUSSIA

Lazer's Guide Service

HCO1 Box 6877 Palmer, Alaska 99645 ☎ (907) 745-3006 / Fax

26 years experience in Alaska

Dear Rick,

Sept. 26, 95

Thankyou for going to bat for the silent majority. The BGCSB was a monster out of control. Everybody generally believes we need less government but it never happens.

I beleive in a simple one type of guide business license for big game guiding, at a reasonable fee.

The liability insurance, first aid, CPR, native land permission, Federal land permission, etc. should be optional- up to the guide to get if he wants. The state should not be a caretaker for these other parties.

A guide should be able to recommend anyone for a asst. guide license too, as it was in the past.

These are ridiculous, taxation by the government :

- 1 \$ 100. commercial use license
- 2 \$ 100. for each guide area. (3 areas = \$ 300.00)
- 3 \$ 350. to camp on State land.
- 4 \$ 200. guide license (\$ 25.00 would cover all the paperwork.)
- 5 \$ 25. business license.

I believe that the guide who books the hunt should guide the client, with the help of one or two asst. guides. No guide areas would be needed. There would be no way for the guide to be in more than one area at a time. Not 3 guide areas with 10 asst. guides, 3 or 4 planes, taking 15, 20, plus Brown bear in 2 weeks!

I hear that APHA (seems they're the only ones the newspaper quotes), only have a membership of appox. 10 % of all the guides yet they take 75% of all the non-resident hunters. So who is really Raping the game!

ALASKA - RUSSIA

Lazer's Guide Service

HCO1 Box 6877 Palmer, Alaska 99645 ☎ (907) 745-3006 / Fax

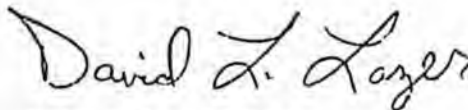
26 years experience in Alaska

Heres a simple story. Alaska Peninsula, guide area 9-26 (south of Wildman lake to Pt. Moler and inland from the ocean appox. 20 mile). State land appox. 20 x 50 mile. 1993, 11 guides signed up for it. At least 2 of these 11 guides, Mel Gilles, and Don Johnson have exclusive Federal areas adjoining this state land. They can hunt bear on Fed. land and also come and hunt in 9-26 competing against 9 other guides. But the 9 guides can't go and hunt on their Fed. land. And who knows which land they claim the bears were actually shot on !

We're all pretty busy now till early Dec. Then the shows Jan.----- March. If you're going to be arround in Dec. or having any meettings please let me know.

We (the guides) are the only union where the members never get to vote. A Board simply tells us when to jump and how high. Sure they have open meetings and let us speak but then at lunch they decide what they are really going to do. I'm just sick and tired of all this CRAP !!!

Sincerely



David L. Lazer

(p.s. and I typed this letter myself)

RECEIVED

NOV 21 1995

11/14/95

Ans'd.....

Dear Senator Halford,

I'm writing in regard to the guiding regulations. I'm in favor of simplifying and/or eliminating most of what I consider needless or redundant regulations.

ADF+G already has the ability to keep track of game taken through harvest tickets and big game tag records and protect the resource through the regulation process. It's difficult enough to keep track of the logistics of a hunt without having an array of paperwork from various agencies to contend with.

I would like to eliminate the mandatory insurance requirement. I think insurance actually encourages lawsuits. Hunt insurance is available for hunters who are so inclined.

I think the additional aircraft coverage is unfair. It's forced me to charter my clients and only use my own plane

for hauling gear. This really cuts down on the flexibility and quality of the hunt.

Right now the state is faced with declining revenues. Guided hunts bring a lot of money into state coffers, both directly through license and tag fees and indirectly by pumping money into the economy. I believe the state should be encouraging guides to operate by simplifying the rules.

An argument can be made that ~~by~~ making it more expensive and complicated to operate limits the number of guides and lessens the pressure on the resource. I think the opposite often occurs. Because of the increased costs it forces the operator to book more hunts to turn a profit.

Bush Alaska is particularly in need

really cuts down
quality of the
faced with
ed hunts
state
ough license
by n.

RECEIVED
FEB 10 1992
BUREAU

2

of more job opportunities. Guiding is a perfect choice. Rural residents would have a job close to home and the meat stays in the village.

Unfortunately, many bush residents, though skilled in all aspects of woodcraft, lack the familiarity or education to deal with the complicated paperwork involved. The present regulations actively discourage them from getting in the business. Frankly the system caters to bookkeepers or accountants - not woodsmen.

I would be in favor of a simple licensing by game management unit after an apprentice period. This would weed out total neophytes or ~~more~~ incompetents. I strongly oppose any mandatory insurance.

I've probably rambled as long enough. I appreciate your addressing

this problem. Please keep it as simple
as possible.

Sincerely,
Steve O'Brien

Box 42
Manley Hot Springs
Alaska 99756

672-3362

RECEIVED
SEP 26 1995
Ans'd.....

September 20, 1995

Senator Rick Halford
P. O. Box 670190
Chugiak, AK 99567

Dear Rick:

Thank you for your recent update on the status of guiding and the board. I was totally in support of your position last session to sunset the Big Game Commercial Services Board.

In my opinion, the ability to enjoy exercising the privilege of one's guide license has steadily deteriorated since the advent of exclusive areas during the 70s. This is due to the meddling and intrusive regulations that have shackled us in recent years. The myriad fees, permits and regulations are discouraging, confusing, do nothing to improve the quality of the profession, and make it very difficult for "part time" guides to contract with clients.

You asked what I, as a guide, want out of the next legislative session. Please, not more of what we have had. I want a minimum of regulation and overlapping agency interference. A simple licensing by game management unit and an objective test similar to what we had in the 60s would be satisfactory. I don't see any reason for the government to require insurance, permit areas, operating plans, and the like. An appropriately constituted board can deal with ethical and regulatory issues, as they do with other licensed professionals.

September 20, 1995
Senator Halford
Page 2

I hope you will continue to resist the forces that want to take us back to what we have had for the past 15 or 20 years.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Browning", with a long horizontal line extending to the right.

Lee Browning
Reg. Guide 176



RECEIVED
OCT 30 1995
Ans'd.....

Alaskan Hunting at its Finest

Oct. 20, 1995

Hardy Rick,

I've never written to any politicians but I just wanted to show my support to you on what you are trying to do with BGCS. I agree with you that they have overstepped their reason for being, and the result has been higher fees for guides and incredible excess in paperwork.

I operate both a wilderness tourist business and a hunting business. The difference in government meeting, paperwork and government fees are like night and day. The only reason hunting guides are under such heavy scrutiny is BGCS. In working (or trying) with a new man at DNR, I could access state land with my tourist business, unregulated, but as a guide trying to be honest my fees and bonds have gone up 4000% in 3 yrs! This state employee who hands out permits admitted to me they are ^(DNR) targeting hunting guides and only because of BGCS. They collect 0-1500 from the ecotourist outfits, but wanted hunting guides to eat fee changes from \$100 yr to \$1000 yr and bonds from \$1000 to \$4700 in one yr.



Dick Lounsbury
Registered Guide & Outfitter
601 West 20th Avenue
Anchorage, Alaska 99503
Phone (907) 272-5126

RECEIVED
NOV 29 1995
Ans'd.....

November 21, 1995

Senator Rick Halford
P.O. Box 670190
Chugiak, Alaska 99567

Dear Senator Rick Halford

I am writing in response to your letter of August 23, 1995 concerning the sunset of the Big Game commercial Services Board. There is an obvious need to create a more simple means of licensing Big game Guides.

During the past 40 years I have had involvement in big Game Guiding. I have seen the licensing requirements evolve from a simple practical process to the most intrusive bureaucratic process imaginable under the Big Game Commercial Services Board. It would be interesting to see who needed and used all of the data collected by this make work bureaucracy.

The big game guiding industry is under too much regulation. The regulation should not be more than for sports fishing, water fowl guiding or any other outdoor adventure business.

I would suggest that with the statutory requirements to comply with that a simple licensing by game management unit after a 3 year apprentice period and an objective test would be reasonable. Abolish the existing Assistant Guide licensing requirements. A letter of recommendation from a Registered Guide should suffice for an assistant guide License.

Thank you for your efforts in attempting to reduce the regulation and bureaucracy

Very truly yours,

Dick Lounsbury

BRANHAM ADVENTURES

A L A S K A

P.O. Box 180184 • Anchorage, Alaska 99510 U.S.A.
Phone (907) 243-4901 • Fax (907) 243-4907FAX #: 907-465-4928

Date: January 17, 1996

PAGES: one

Reply To Fax: 907-243-4907

From: Dennis Branham

TO:
Senator, Rick Halford

I really don't know what new has transpired regarding Guides, and Guide control Boards, assigned areas etc., Please send me anything you might have on the above. Also I want you to know that I will be on your side and would back anything that you might be able to do regarding the guiding situation.

Regarding your letter of Aug. 23, 1995 I would like to see the whole industry revamped with a waiting period for getting a license and for recommendation for the license also ~~but~~ ^{out} the discrimination against Guides for cost of camp sites or base camps, license fees, paper work etc., Over the years it has skyrocketed both in cost and paperwork.

Please advise if I can do anything to help regarding the Guide laws. Rick I may be the oldest active Guide in the State now.

Thanks for your efforts.

Dennis
Dennis Branham
Master Guide # 2

Dennis W. Confer
2509 Kilkenny Circle
Anchorage, AK 99504
338-3099

RECEIVED
SEP 20 1995

Ans'd.....

Senator Rick Halford
State Capitol
Juneau, AK 99801-1182

Sep 7, 1995

REF: Your Aug 23/95 Letter to Guides

SUB: Big Game Guide licensing, board, regulations; WHAT I WANT

Thank you for the information and the opportunity to provide input.

I am totally against excessive regulation and licensing requirements.

I am FOR a simple licensing by game management unit after a 3 year
apprentice period and an objective test and low fees.

I am FOR simplifying the regulations so that you don't need a lawyer
for interpretation. I believe that most guides use common sense,
courtesy and consideration and ethical guiding as a rule and we can
do without excessive government meddling.

I believe waterfowl and fishing guides should not need anything more
than a business license to practice.

I have spent over 30 years of work in government and can see great
wasted effort in excessive regulation. I am a retired USAF Major and
MBA and feel very qualified to judge regulations.

Respectfully,



Dennis W. Confer

Ellis Big Game Guides

Guiding and Outfitting

Guides:
LYNN ELLIS
TERRY ELLIS
CAREY DAVIS
RED ILER

MILE 42 NABESNA RD.
SRA BOX 1455 - SLANA, AK 99586
PHONE (907) 822-3426
FAX (907) 822-5519

Guides:
BILL & LORENE ELLIS
COLE & CHRISTY ELLIS
KIRK & GENNIE ELLIS

September 18, 1995

RECEIVED

SEP 26 1995

Ans'd.....

Senator Rick Halford
P. O. Box 670190
Chugiak, Alaska 99567

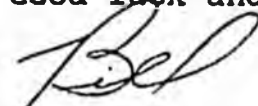
Hi Rick:

Well here we (as in the guides) are again!

I sure wish I could see some good coming out of this. Sure hope you can pull it off. But, in all honesty, every time the guide issue comes up we get shoved back a damned mile. I get the feeling that once you earn a guide license you immediately become a "second class citizen".

However, it is worth a try. I would like to see it as it was before. They tried to make us so damn perfect and in compliance with every bureaucracy that the state and feds could come up with.

Good luck and good hunting,



Bill Ellis

P. S. Guess I got carried away and didn't address the issue as the learned people say. I would like to see the #2 idea that was in your letter.

Please Reply Via Airmail or FAX

SHEEP

MOOSE

GOAT & BEAR HUNTS

FISHING

FLOAT TRIPS

PHOTO TRIPS

There will also be those who think the de-regulation of hunting guides would make the treatment of all types of guides consistent.

Next legislative session we will have a clear slate – no board, no regulations, no legal authority for department action. What do you want?

1) A board like the last one tied to the Department of Natural Resources, federal land managers, the Federal Aviation Administration and the Coast Guard requiring insurance, permit areas, operating plans, reports and all other obstacles invented by their prior regulations?

②) A simple licensing by game management unit after a 3 year apprenticeship period and an objective test?

3) A combined, all-purpose guiding statute for fishing, hunting and all other personally guided outdoor adventure businesses?

4) A business license only; just like a fishing or waterfowl guide?

5) Something else...?

Whatever you think, this fall is the time to be heard. Special interests and big operators will be heard. They will hire lobbyists and lawyers and travel to Juneau.

If nothing else, write your opinion on the back of this letter and send it back to me at Post Office Box 670190, Chugiak, AK 99567. Don't let this decision be controlled by others.

Sincerely,

Rick Halford
RICK HALFORD

5 SEPT. 95

PLEASE NOTE:

RH:kg

1. I SPEAK FOR ALASKA SAFARIS - BROOKS RANGE ARCTIC HUNTS, REGISTERED GUIDES EUGENE M. WITT #0968, EUGENE M. WITT, II, #644, & PATTON G. WITT #503.

2. WE FAVOR NUMBER ② CIRCLED ABOVE. ALTERNATE CHOICE IS NUMBER 4) ABOVE.

3. WE CERTAINLY OPPOSE PAST & PRESENT OVER REGULATION BY THE GUIDE BOARD & BIG GAME COMMERCIAL SERVICES BOARD, AS UNNECESSARILY COSTLY, TIME CONSUMING & HARASSING. WE HAVE THE SAME TROUBLE WITH FISH & WILDLIFE (FED?) WITH OUR ASSIGNED AREAS ARC-11 & 18 IN THE ARCTIC NATL. WILDLIFE REFUGE, WHERE WE HAVE BEEN 28 YRS.

Eugene M. Witt



ATTN: SENATE FINANCE
COMMITTEE MEMBERS

WOODS OUTFITTING

WAYNE WOODS • P.O. Box 3037 • Palmer, Alaska 99645 • Phone 907-376-3662 • Fax 907-743-8269

5-2-95

Dear Senator,

I am a life long Alaskan who has supported a family through the guiding profession over the last fifteen years.

As a small business, I am finding it increasingly difficult, if not impossible to operate in compliance with current B.G.C.S.B. regulations.

The guide area system that I am forced to deal with is having a negative effect on the quality of service that I can provide, and does nothing to protect the health of the resource upon which I depend. I would like to see the Board return to ensuring that fully qualified individuals are being licensed, rather than implementing a flawed area management system that seems to change on a whim.

I have invested my entire adult life in this business, and it is becoming over-regulated to the point where I must consider

WILDERNESS & WILDLIFE



WOODS OUTFITTING

WAYNE WOODS • P.O. Box 3037 • Palmer, Alaska 99645 • Phone 907-378-3832 • Fax 907-745-8283

a change of employment to protect my families' future. Some basic changes are required to protect the health of the guide industry - failing that, please sunset the Guide Board and allow the 400 guides that do not agree with this system to survive.

Sincerely,

Wayne Woods

Dennis W. Confer
2509 Kilkenny Circle
Anchorage, AK 99504
338-3099

Senator Rick Halford
State Capitol Mail Stop 3100
Juneau, AK 99801-1182

May 5, 1995

Dear Senator Halford:

I received your April 27 letter to guides relative to the Big Game Commercial Services Board.

I totally agree with your assessment of the unnecessary provisions of the Board, excessive licensing provisions, need for deregulating guiding and deleting unconstitutional provisions. I am appalled at the waste and the abuses of the system. A guide today needs a lawyer to interpret the excessive requirements which are subject to much interpretation and contain too much "legalese".


I have legally outfitted nearly 800 happy hunters in Alaska with perhaps 2% with misgivings since 1981. There are some that would love to put me out of business and I have been persecuted and prosecuted, I believe, for those reasons through conspiracy and collusion. I fought to keep things simple to no avail in 1987-89.

My son will qualify to become a full registered guide this year. He loves the outdoors, guiding, and clients and the clients and guides he works for love him. But, he doesn't have a chance to go on his own for many years. He won't qualify for a decent guide use area for years because some want to keep it all for themselves. Lack of sufficient income will probably cause him to take up other work, not lack of game or clients.

There are likely many assistant guides and guides like him that cannot express their views which are similar to yours because they might not get employment in guiding and they need their \$100-125 a day for their 12-15 hour days on the \$1,000 a day hunts.

Free enterprise should be permitted in the guiding system and competition should be the factor that sets fair prices and standards.

Sincerely,



Dennis Confer

My background is financial: MBA Mich State; retired USAF controller - budget officer - auditor; retired municipal controller.

To: Senator Rick Halford.
From: Steven L. Morris.
HB 102.

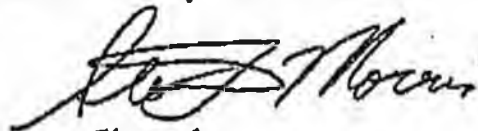
5-3-95.

Rick Halford,

Concerning HB 102, I would like to express my concerns to you regarding the Big Game Commercial Services Board. I believe it is high time this board was put to rest. The action of the board to reinstate the 3 guide use area was direct denial of the Owsichuk decision. The board would like to think that the Owsichuk decision never happened. When I attended the first meeting of the APHA after the Owsichuk decision. I heard one member of the APHA make the statement, " We have to do the same thing and call it something different, and see how long we can get away with it this time" referring to Guide areas.

The commercial services board or something similar to it, should only concern themselves with the license aspect of the guiding industry; Giving exams, disciplinary action, etc. This current board and the APHA believe that it is their job to regulate the guiding industry for the sake of game management, I believe that is the job of the Dept. of F & G. Please do not get me wrong, I believe in proper game management, I don't believe guides are game managers. Guided hunts only account for 10% of the game harvested in the state. Think about that figure for awhile, 10% of the game harvested in the state is by guided hunts. I have asked several biologist about that percentage and they all agree that it is a close number. How can there be so much focus on a area system to manage over harvest, when the other 90% are not bound to areas.

I hope you continue to stand off the special interest groups that are pushing for continuation of this commercial service board. I for one am a registered hunting guide who would like to see it abolished. Hopefully we can start managing the game by the numbers method instead of managing the people by a boundary system. Remember the Owsichuk decision was a 6-0 unanimous decision made by this States Supreme court judges, it will prevail. The conception of the second generation guide areas was no different. The state is asking for more trouble and our current commercial service board and their actions are the responsible party for it. Please reject HB 102.



Sincerely,
Steven L. Morris
Registered guide # 671.
P.O Box 190342
Anchorage, Ak 99519
907-243-4868 / 265-1553.

May 3, 1995

The Honorable Rick Halford
The State Senate
Juneau, Alaska

Dear Rick:

I received your letter dated April 27, 1995. I agree with you.

Keep up the good work.

Robert T. Fritts, Jr.
Registered Guide

MAY 1995

KNIKTUK OUTFITTERS FAX

fax number 907-895-1003
phone number 907-895-5285

TO: Senator Rick Halford

FAX NUMBER: 907-465-4928

FROM: Bob Wener

May 01, 1995

PAGES SENT: 2

REMARKS:

Dear Senator Halford,

RE Big Game Commercial Services Board

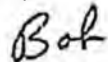
As a licensed Guide I am in favor of sunsetting the BGCSB. This board has continuously voted against the full time guide with regulations that make it impossible to operate a full time business.

Guide use areas are crippling all guides and the F&G. Example; All guides should be able to hunt the Mulchatna Caribou herd which is growing so rapidly that it is out growing its range and will certainly crash soon if enough animals are not taken, but, guide use areas prevent guides that are not licensed in that area, like I am, to come in with clients and hunt. The same goes for unit 20D and Unit 13 on the overpopulation of Bears.

The only reason for Guide use areas was for Bear hunting in Unit 9 and Kodiak where to many guides were operating, when we could as guides, hunt anywhere. This could have been protected by emergency closure or other methods, not by issuing guide use areas for the whole State.

We need a new BGCSB, and by sunsetting this one, maybe the next one will pay attention to the Guide industry and not the APHA "old timers". If this board keeps going we will have the same "good old boys club" we had before.

Thank you,



Bob Wener

P.O. Box 882 Delta Jct., AK 99737

SPECIALIZED

GUIDE SERVICE

BUD WILLARD • LICENSED GUIDE & OUTFITTER

P.O. BOX 875532 • WASILLA, ALASKA 99687 • PHONE 907-376-2212

5/4/95

Dear Senator Halford,

I would like to thank you for your efforts against H.B. 102.

I feel the same way you do on these issues. I have seen the Big Game Commercial Services Board do things you would not believe.

Please stand firm against the "good ole boy" network. They have money and power but they are not right.

Thanks again,

Bud Willard



May 13, 1995

RECEIVED

JUN 03 1995

Ans'd.....

Senator Ric Halford
Alaska State Senate
State Capitol
Juneau, Ak 99801-1182

Dear Senator,

In response to your April 27, 1995 letter to guides.

I'm a 43 year old class A guide, who has lived in the bush of Alaska 34 years 150 miles NW of Fairbanks. I maintain a box # in Fairbanks for purposes of mail year round. I own a guest ranch with horses taking people out in our area mountains. Not making a living at it. I've decided to get a guides license over the past 5 years to help me in my area make ends meet. This being a terrible struggle because of the present regulations as they are.

I'm in agreeance with most things you stated in your letter. I'm very aware of the corruption within the organization. Let's say first hand.

I'll support anyone who wishes to take on and try to straighten out the problems of the game guide business. It should be fair for all parties concerned and not just a chosen few.

Basic fairness first,

Les Cobi
Po Box 84334
Fairbanks, Ak 99708



Roland Hammack

Guide Outfitter

Box 82

Chitina, Alaska 99566

May 3, 1995

Dear Senator Hallford

Thanks for sending the information on APHA & BG&SC I agree with you. I don't have much faith in them. The APHA was selling guide areas for select members when the exclusive areas were in place, because I got a letter by mistake one time about selling an area near Fairbanks for Jay Trager.

I started guiding for Don Johnson in 1975. The exclusive areas were already in then and I knew I'd probably never get an area, but went ahead and got my registered license in 1984 because Don was starting to have bad heart problems, and Warren his sons said I should get it if Don didn't make it the board would decide it up and helped me get a part. Don lasted 11 more years.

In 1986 I was contacted by Keith Johnson a APHA member and maybe on the board about a area he had ~~to~~ ^{for} sell. His maps showed a big area about thirty or forty miles across, a bill of sell for his cabin, landing strips, corral, tents & lanterns etc. I thought the exclusive area law was forever. So I thought if I was ever to get in the guiding business I'd have to follow the rules. At the Guide board meeting in April 1987 to transfer the area, most of the area was joint use and they wouldn't transfer joint use, so the area I got I can walk across in six or seven hours at the most. The cabin ~~and~~ turned out to be a park service public use cabin. He lied to me and had sold other areas I was told. He got a lawyer to have my home auctioned off. I had to sell it before the auction date at a big loss. I paid \$70,000 for the cabin & the area plus his lawyer and interest came to \$82,000 and was ~~on~~ against the contention for two or three years. I got a worthless Bill of sale, two Coleman lanterns and tents that

that I hauled to the dump. Everything else belongs to the Park Service. I have a Park Service permit to guide but can't transfer it. I was forced to buy some private land in the area because the board decide in 1988 or 1989 that guides had to have a base camp in the area, and the cabin was Park Service property and I couldn't register it through them, I built a cabin for base camp and live there.

I pay the Park Service \$500 plus 3% of Gross, the state use area even though there is no state land here, guide insurance, workman comp (one assistant guide) aircraft insurance and if I take more than six hunters I'm over hunting the area.

I have only the one area. I put in for an area near Port Moller on the refuge, planning to have a bear area with Warren Johnson whom I work for during bear season and was part of his & Don Johnsons area. But they selected me and Larry Rivers saying only two guides could guide there. I dropped my part part letting Warren stay in business and letting Larry Rivers move in who had never guided in that certain area.

I have had lots of false hopes, wasted efforts trying to comply, the mapping, the B.S., trying to stay with the laws in the system and keeping my word.

Me and my wife work a cafe in Chitina during the summer, if you ever get here stop at the St. H. Cafe and its on the house. Good luck

Richard Hammack

Katmai Guide Service

JOE KLUTSCH, MASTER GUIDE

2-27-1996

Representative Joe Green
State Capitol
Juneau, Alaska 99801

Dear Representative Green,

Today you will consider a vote which could recommend overturning Governor Knowles executive order 95. The current guide law and associated regulation package are the product of seven years of extremely hard work. A bipartisan task force appointed by Governor Cowper worked for over a year taking extensive input from lawyers, land and resource managers, legislators, members of the guiding industry and the general public to craft a draft guide law in the wake of a state supreme court decision which ruled that the guide area component of the former law was unconstitutional. The legislature labored for two more years to pass a bill. Then the Big Game Commercial Service Board (created by the new state law) worked diligently for three more years to design a regulation package that finally brought order to a beleaguered industry. The issue of regulating guiding in Alaska has been chewed beyond the bone.

The House approved extending the Big Game Commercial Service Board by a 39 yea vote last session. Two extension bills died in Senate Committee without debate and the Board was sunsetted. You have received a guide industry survey which clearly indicates that the vast majority of operating guides favors retaining the current regulation package and working to improve it. The system is designed to provide accountability and insure that lawful and ethical guiding is the standard in Alaska. Every licensed guide - new or old is on precisely the same footing with respect to their ability to access the system and conduct business. High quality of experience by the client, reducing the potential for conflicts with other users, and protection of the wildlife resource are the ultimate objectives of this system.

To deregulate guiding to a simple licensing status makes absolutely no sense at this juncture in Alaska's history - especially in light of the other resource allocation issues that remain unresolved. Before you vote on this resolution,



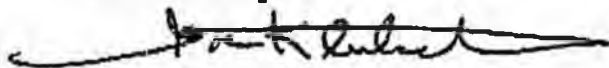
I urge you to ask yourself these questions:

1. Do those of your constituents who hunt (subsistence or non-subsistence) really think that deregulating guiding is in their best interest?
2. Do those of your constituents who don't hunt think that that would be a good idea - especially those who enjoy watching wildlife?
3. Do you or your constituents believe it is in the best interest of Alaska's game resources to create a situation where "combat hunting" could occur as is the case with a number of sport and commercial fisheries?

A few peoples personal agenda's can not be allowed to stand in the way of what is right for the future of the guiding industry, for your own hunting and non-hunting constituents, and for the thousands of clients who travel to Alaska and expect a quality experience provided by professional ethical operators, and most of all for the wildlife resource that defines the unique character of Alaska.

If there is not a willingness on the part of key individuals to maintain the current system through legislation, then I urge you to let the Executive order stand. A washed out substitute will not be in anyone's interest. Your careful consideration of these points is greatly appreciated.

Sincerely,



Joe Klutsch

c.c. all members of the House and Senate Resources Committees



CRESCENT LAKE LODGE
ALASKAN BIG GAME HUNTING & FISHING
Doug Carney
Registered Guide - Outfitter



2.6 Feb, 96

Dear Congressman

As you know Rick Halford is sponsoring a bill - # SSCR2 to streamline and simplify regulations applying to guide-outfitters. This will, in my opinion, allow guide-outfitters to more effectively serve their clients as well as eliminate a large amount of unnecessary obstacles, paperwork, and untold hours of labor by government employees.

I and many of my fellow guide outfitters support this bill and we urge you to give it your support when it comes to a vote. We would be interested in knowing your stance on this issue & the bill. Also we would like to be informed as to how you vote.

Thank you —

Doug Carney

ALASKA PROFESSIONAL HUNTERS ASSOCIATION
BOX 91932 Anchorage, Alaska 99509-1932

Nineteenth Alaska State Legislature
State Capitol Building
Juneau, Alaska 99810-1182

RE: "HOUSE AND SENATE CONCURRENT RESOLUTION NO. 2"

Dear Legislator,

February 23, 1995

Despite the best efforts of the Alaska Professional Hunters Association, and the House of Representatives who pass HB-335 in record time last session, one Senator effectively held HB-335 in Committee until adjournment not even giving the Senate a chance to vote. Consequently, the Big Game Commercial Services Board was terminated on June 30, 1995. With the Board no longer existing, all Guide-Outfitter regulations would have also ceased to exist, had Governor Knowles not intervened with Administrative Order 159, transferring the Board's duties to the Department of Commerce.

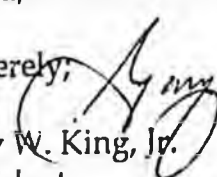
The Alaska Professional Hunters Association again finds itself in the political arena as the Nineteenth Alaska State Legislature is about to act on "HOUSE AND SENATE CONCURRENT RESOLUTION NO. 2" and the future of the guiding industry in Alaska.

Last session many legislators were lead to believe that APHA did not represent the interests of the majority of the working guides in our state. So that there would be no misrepresentation or misunderstanding about the real wishes of the guiding industry again this session, APHA conducted an extensive survey of ALL licensed Registered and Master Guide-Outfitters. The results of that survey are attached to this letter.

APHA compiled this information to illustrate to you that the Guide-Outfitters in Alaska really do; favor the current regulation package, support the current registration Guide Use Area system and applaud Governor Knowles' Executive Order No. 95. The Governor's order is intended to maintain stability in our profession, not take power from the legislature. It was our urging that caused the Governor to take this action.

The working Guide-Outfitters of Alaska now urge you to vote NO! on "HOUSE AND SENATE CONCURRENT RESOLUTION NO. 2". Let us work with the Department of Commerce to continue to improve our regulations. Don't send us back to the drawing board, to re-create the wheel. We don't have the time or money, and neither do you!

Sincerely,


Gary W. King, Jr.
President
Alaska Professional Hunters Association

Guide - Outfitter Survey 1996

Introduction: The following survey was conducted by the Alaska Professional Hunters Association for the purpose of polling the guiding industry to establish a consensus of opinion with regard to important issues facing the guiding industry.

Further, APHA wanted to verify for its own purposes, and illustrate to the legislature, that it not only represents the interests of its membership, but also the interests of the majority of the active licensed Guide-Outfitters in Alaska. This survey was mailed to all Registered and Master Guide-Outfitters licensed by the State of Alaska on Dec. 20, 1995. Figures are based upon the 147 responses which were received before Feb. 20, 1996.

1. Understanding that the Supreme Court ruled against an exclusive guide area system, do you support the current registration guide area system as a means to distribute hunting pressure by guide-outfitters ?
(98) Yes { 67% } (40) No { 27% } (9) No Response { 6% }
2. Do you feel that requiring a Guide-Outfitter and Assistant Guide-Outfitter to have First Aid and CPR training is in the best interest of the public?
(125) Yes { 85% } (19) No { 13% } (3) No Response { 2% }
3. Are you a member of the Alaska Professional Hunters Association?
(79) Yes { 54% } (68) No { 46% }
4. In light of the other qualifications required of an applicant for an Assistant Guide-Outfitters license under current regulations, do you feel that the requirement for a written test is necessary to qualify an assistant guide-outfitter applicant for licensing?
(53) Yes { 36% } (91) No { 62% } (9) No Response { 2% }
5. Current regulations require that an applicant obtain land use permission, from the land manager where he plans to hunt, prior to being issued that land as a Guide Use Area. Do you feel that authorization to conduct guided hunting services, from the land manager, should be prerequisite to receiving a Guide Use Area?
(78) Yes { 53% } (63) No { 43% } (6) No Response { 4% }
6. Which guide-outfitter license do you hold?
(116) Registered Guide { 79% } (31) Master Guide { 21% }

7. Under current State regulations, do you feel that:
- Guide-Outfitters are: (4) under regulated { 3% } (59) about right { 40% }
(81) over regulated { 55% } (3) No Response { 2% }
- Transporters are: (116) under regulated { 79% } (15) about right { 10% }
(8) over regulated { 5.5% } (8) No Response { 5.5% }
8. Faced with the challenges ahead in Juneau, which do you feel is the best course of action for APHA to follow?
- (24) Scrap all current regulations and start from scratch. { 16.5% }
(112) Keep the current regulations and work to improve them. { 76% }
(11) No Response { 7.5% }
9. How many years have you been either a Master or Registered Guide?
- (19) 1 to 3 years { 13% } (30) 4 to 6 years { 20.5% }
(27) 7 to 10 years { 18.5% } (17) 10 to 15 years { 13.5% }
(55) more than 15 years { 37.5% }
10. Approximately how many guided, non-resident hunts do you conduct per year?
- (30) 1 to 5 hunts { 20% } (28) 5 to 10 hunts { 19% }
(27) 10 to 15 hunts { 18.5% } (20) 15 to 20 hunts { 13.5% }
(35) More than 20 hunts { 24% } (5%) No Response { 5% }
11. Would you be in favor of a Big Game Commercial Services Board with more guide representation than we had on the former board?
- (134) Yes { 91% } (9) No { 6% } (4) No Response { 3% }

Conclusions:

1. According to the Department of Commerce, approximately 2,725 guided hunts are conducted in Alaska each year. Based on the response to question #10, this survey represents Guide-Outfitters conducting a minimum of 1,440 (53%) to a maximum of 2,635 (97%) of those hunts. When averaged, this survey represents the Guide-Outfitters responsible for approximately 75% of the legally guided hunts in Alaska today.
2. Of the guides conducting approximately 75% of the guided hunts in Alaska:
 - a) 76% are in favor of maintaining our current guide regulations.
 - b) 67% are in favor of the current registration guide area system.
 - c) 66.5% have been in business for more than 7 years.
3. The Alaska's Professional Guide-Outfitters are concerned about this issue and urge you to maintain our current regulation package with Dept. of Commerce.

Rep Joe Green
FX 465-4316

Ref SSCR2

Defeat Governors illegal commercial services guide board action.
This mess cannot be taken care of until this is done.

David and Linda Ballard
ACS INC.
6831 Debarr Rd.
Anchorage, Ak. 99504
Ph. 338- 3300

KATMAI GUIDE SERVICE

Fax Cover Sheet

P.O. Box 313
King Salmon, AK 99613-0313

DATE: February 28, 1996 TIME: 9:02 AM
TO: Joe Green PHONE: 907-485-4931
House of Representatives FAX: 907-485-4316
FROM: *Joe Klutsch* PHONE: 907-246-3030
Katmai Guide Service FAX: 907-246-3050
RE: SSCR2

Number of pages including cover sheet: [3]

Message

This fax did not go through yesterday. Please consider these points before voting on SSCR2. Thank you.

Katmai Guide Service

JOE KLUTSCH, MASTER GUIDE

Page 1

February 28, 1996

State Capital
Juneau, Alaska 99801

Today you will consider a vote which could recommend overturning Governor Knowles executive order 95. The current guide law and associated regulation package are the product of seven years of extremely hard work. A bipartisan task force appointed by Governor Cowper worked for over a year taking extensive input from lawyers, land and resource managers, legislators, members of the guiding industry and the general public to craft a draft guide law in the wake of a state supreme court decision which ruled that the guide area component of the former law was unconstitutional. The legislature labored for two more years to pass a bill. Then the Big Game Commercial Service Board (created by the new state law) worked diligently for three more years to design a regulation package that finally brought order to a beleaguered industry. The issue of regulating guiding in Alaska has been chewed beyond the bone.

The House approved extending the Big Game Commercial Service Board by a 39 yeas vote last session. Two extension bills died in Senate Committee without debate and the Board was sunsetted. You have received a guide industry survey which clearly indicates that the vast majority of operating guides favors retaining the current regulation package and working to improve it. The system is designed to provide accountability and insure that lawful and ethical guiding is the standard in Alaska. Every licensed guide -- new or old is on precisely the same footing with respect to their ability to access the system and conduct business. High quality of experience by the client, reducing the potential for conflicts with other users, and protection of the wildlife resource are the ultimate objectives of this system.

To deregulate guiding to a simple licensing status makes absolutely no sense at this juncture in Alaska's history -- especially in light of the other resource allocation issues that remain unresolved.

FISHING	HUNTING	PHOTOGRAPHY
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Katmai Guide Service

JOE KLUTSCH, MASTER GUIDE

Page 2

Before you vote on this resolution, I urge you to ask yourself these questions:

1. Do those of your constituents who hunt (subsistence or non-subsistence) really think that deregulating guiding is in their best interest?
2. Do those of your constituents who do not hunt think that that would be a good idea -- especially those who enjoy watching wildlife?
3. Do you or your constituents believe it is in the best interest of Alaska's game resources to create a situation where "combat hunting" could occur as is the case with a number of sport and commercial fisheries?

A few peoples' personal agendas can not be allowed to stand in the way of what is right for the future of the guiding industry, for your own hunting and non-hunting constituents, and for the thousands of clients who travel to Alaska and expect a quality experience provided by professional ethical operators, and most of all for the wildlife resource that defines the unique character of Alaska.

If there is not a willingness on the part of key individuals to maintain the current system through legislation, then I urge you to let the Executive order stand. A washed out substitute will not be anyone's interest. Your careful consideration of these points is greatly appreciated.

Sincerely,

Joe Klutsch

FACSIMILE COVER PAGE

To: RepresentativeJoe GREEN

Time: 12:12:34

From :

Date: 02/28/96

Subject: Microsoft Word

Pages (including cover): 3

Dear Representative Green;

Attached is a review of guide-outfitter survey conducted by the Alaska Professional Hunters Association. Because of problems with survey construction and compilation errors the validity of the survey is certainly in question.

Thank you for your time and efforts regarding this issue.

Respectfully

Joe Want

To: Gary 'Butch' King, Jr.
President APHA

February 27, 1996

From: Joe Want
907-457-4736

Subject: Guide Survey Contained in APHA Newsletter Dated December 1995 and Results Thereof.

The Alaska Professional Hunters Association (APHA) should be commended for their effort to evaluate the attitudes of the guiding industry regarding various issues. Because surveys have the potential of influencing attitudes and actions it is imperative they be conducted in an unbiased manner and the results be interpreted and presented objectively.

If unbiased responses are the objective, then those statements having the potential of influencing the responses must be excluded. The questions for the survey were located on page three. Page 2, opposite the questionnaire, contained the following statements that specify an attitude or position directly related to questions on the questionnaire.

They are:

- a) question #1: "... do you support the current registration guide area system as a means to distribute hunting pressure by guide-outfitters?"
statement: "Further, most APHA members believe that without a Guide Use Area System to spread out hunting pressure by guide-outfitters, the Board of Game would employ more restrictive seasons and bag limits..."
- b) question #4: "... do you feel that the requirement for a written test is necessary to qualify an assistant guide-outfitter applicant for licensing?"
statement: "Deleting the requirement for a written assistant guide test, ... would be a good place to start..."
- c) question #7: (second part) "Transporters are:" (respondents asked to evaluate whether transporters are under or over regulated etc.)
statement: "... tightening the regulations dealing with transporters... would be a good place to start,..."
- d) question #8: "... which do you feel is the best course of action for APHA to follow?"
 Scrap all current regulations and start from scratch
 Keep the current regulations and work to improve them
statement: "Most APHA members support keeping the current regulation package, but also believe that some changes need to be made."
- e) question #11: "Would you be in favor of a Big Game Commercial Services Board with more guide representation than we had on the former board?"
statement: "... a Board with more representation by Guide-Outfitters would be a good place to start,..."

A cursory review of the reported survey results would indicate the following miscalculations:

question #4: reported percentages -	36%	62%	2%		
<u>actual percentage</u> -	35%	59%	5%		
question #9: reported percentages -	13%	18.5%	37.5%	20.5%	13.5%
<u>actual percentage</u> -	13%	18.5%	37.5%	20.5%	<u>11%</u>
2 - 'c' of conclusions: reported:	66.5%				
<u>actual ?</u>	<u>69.5%</u>				

Under the report's heading of 'Conclusions:' the information presented in # 1 is based on question #10. This question requests that respondents indicate which category represents the number of non-resident guided hunts they conduct per year. The categories presented are: 1-5, 5-10, 10-15, 15-20, more than 20 hunts. The obvious problem with this definition of the categories is that respondents guiding for 5, 10 or 15 clients may choose between two categories. EXAMPLE: the individual that conducts five hunts each year must choose either the 1-5 or 5-10 category. Either would be correct. Unless there was additional information referencing the number of hunts conducted, it would be impossible to determine the if the numbers 5, 10, or 15 should be considered maximums or minimums.

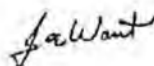
BECAUSE THE CATEGORIES OVERLAP IN QUESTION #10, IT IS IMPOSSIBLE TO ACCURATELY MAKE THE COMPUTATIONS PRESENTED IN #1 OF THE 'CONCLUSIONS' SECTION.

"Conclusions:

1. According to the Department of Commerce, approximately 2,725 guided hunts are, conducted in Alaska each year. Based on the response to question #10, this survey represents Guide-Outfitters conducting a minimum of 1,440 (53%) to a maximum of 2,635 (97%) off those hunts. When averaged, this survey represents the Guide-Outfitters for approximately 75% of the legally guided hunts in Alaska today."

Mr. King, as we strive to resolve these important issues that so impact the guiding industry, I'm certain you share my concern that the information provided to various entities be accurate. For these reasons I hope you will make every effort to correct the discrepancies then redistribute the results of your organization's survey.

Thank you



Joe Want

Fax Cover Note

Joe Klutsch

Katmai Guide Service

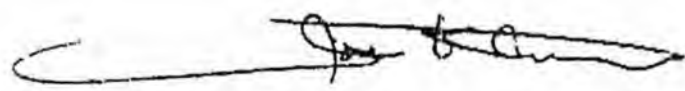
PO Box 313, King Salmon, AK 99613

Ph: (907) 246-3030 Fax: (907) 246-3050

TO: ~~STAFF~~ STAFF EXTENSION: _____
 PHONE #: _____ FAX #: 907-465-4316
 COMPANY: Rep Green DATE: _____

Message:

Please distribute copies to all members of the Joint Resources Committees before they deliberate on Executive Order 95 this morning!

Thanks


LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
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130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 19, 1996

SUBJECT: Procedure for Disapproving an Executive Order

TO: Senator Drue Pearce

FROM: Tamara Brandt Cook
Director *TBC*

You have asked what the procedure is for the disapproval of an executive order. The state constitution contains the requirement that disapproval of an executive order is accomplished ". . . by resolution concurred in by a majority of the members in joint session . . ." (Article III, Section 23) This must be complied with or any attempt by the legislature to disapprove an executive order will probably be held invalid by the court.

In addition to the procedure set out in the constitution, Uniform Rule 49(a)(4) provides

A special concurrent resolution is employed to consider disapproval of an executive order of the governor laid before the legislature under provisions of Sec. 23, Art. III, of the State Constitution. This resolution must be considered by a joint committee and may be adopted by a majority vote of the full membership of the legislature in joint session without recourse to three readings.

Prior to 1981 that same rule in identical language was contained in Uniform Rule 48(d). So, the uniform rule adds to the constitutional requirements the requirement that a joint committee consider each special concurrent resolution before it is adopted in joint session.

The literal language of the rule appears to require formation of a joint committee for the purpose of considering a special concurrent resolution. Uniform Rule 21(b) describes the formation of a joint committee as follows:

(b) A joint committee is a committee of both houses. A joint committee may be established only by the adoption of a concurrent resolution. The presiding officer of each house appoints one-half of the members of a joint committee. The persons who co-chair a joint committee shall be chosen in the manner provided by the presiding officers.

Senator Drue Pearce

February 19, 1996

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Uniform Rule 21(d) provides further:

(d) A committee may not be established unless authorized by law or by the Uniform Rules.

Despite these rules, it has been the position of this office since at least 1981 that, because Uniform Rule 49(a)(4) does not specifically require the establishment of a joint committee under Rule 21, two standing committees meeting jointly would fulfill the requirement of consideration by a joint committee. The conclusion at that time appears to have been based on the established practice of the legislature in referring these resolutions to standing committees. That practice has never been formally challenged under a point of order so far as I have ascertained.

The legislature has not considered a special concurrent resolution very often, and, having checked back to 1975, I cannot find an example of the appointment of a joint committee to do so. In 1976, HSCR 1 was referred to the State Affairs Committee but went no further. (House Journal, page 73) In 1976 HSCR 2 was referred to the State Affairs Committee which met jointly with the Senate State Affairs Committee and was, ultimately, adopted in joint session. (House Journal, March 11, page 567) In 1977 SSCR 1 was referred to the Senate State Affairs Committee with a specific direction to meet jointly with the House committee. (Senate Journal, March 8, page 498) That resolution failed to pass in joint session. In 1980 HSCR 1 was referred to standing committees but went no further. In the Twelfth Legislature SSCR 1 was only referred to standing committees and never adopted. (Senate Journal, January 26, 1981, page 120) In the Thirteenth Legislature HSCR 1, HSCR 2, and SSCR 1 were referred to standing committees. Ultimately, the Rules Committees met jointly on SSCR 1 (disapproving Executive Order No. 53, establishing an office of management and budget) and on HSCR 1 (disapproving Executive Order 54, establishing the Department of Corrections). That same day both these resolutions were adopted in joint session. (Senate Journal, March 16, 1983, pages 407-410)

HSCR 1 was referred in the Sixteenth Legislature to standing committees and never adopted. In the Seventeenth Legislature, First Session, Executive Orders No. 78 and 79 were referred to standing and special committees (Senate Journal, January 21, 1991) but no action was taken to reject them. (Senate Journal, March 22, 1991) Executive Order 80 was returned to the governor as defective by the presiding officers. (Senate Journal, January 23, 1991) During the Second Session SSCR 1, disapproving a new Executive Order 80, was introduced and referred to a standing committee. (Senate Journal, January 13, 1992) That Executive Order was withdrawn by the governor. (Senate Journal, January 15, 1992)

As recently as 1994 SSHSCR 3 disapproving Executive Order 89 was referred to the House Labor and Commerce Committee, which met in a joint meeting with the Senate

Senator Drue Pearce
February 19, 1996
Page 3

Labor and Commerce Committee. The House committee then reported the resolution out and the House sent a message to the Senate inviting it to attend a joint session for purposes of considering the resolution. It was considered and passed in joint session. (House Journal, 3/9/94, page 2699; Senate Journal, 3/9/94, pages 3100-3101) No Senate resolution was ever introduced, referred to Committee, or reported out.

Note that procedures of a joint committee differ slightly from procedures of two committees that meet jointly. Mason's Manual addresses the subject in Secs. 663-669. In both cases, members report separately to their bodies. Sec. 664 which indicates that a joint committee typically has a single chair has been superseded by Uniform Rule 21(b) which calls for co-chairs. Otherwise, it is significant to note that a quorum of a joint committee is a majority of the combined membership, while a quorum of each committee separately is required for action at joint meetings of separate committees. Additionally, members of a joint committee vote individually and not by house while action is taken separately by vote of each committee meeting jointly.

Lastly, note that sec. 669(1) states "A house may authorize or direct two standing committees to sit as one committee for the consideration of a specific bill or subject." While I am not aware of a case when two standing committees were actually directed to sit as one committee, this could be done. There have been instances when a standing committee was directed to hold a joint meeting with a committee of the other body.

TBC:glc
96-102.glc