

SB

190

<TARGET><BILL>SB 190</BILL><SUBJECT>SB
190</SUBJECT><COMM>HRES28</COMM></TARGET>

CSSB 190 – Sponsor Statement

“An act permitting certain persons who are not licensed by the Big Game Commercial Services Board to provide or assist in providing certain guide services.”

CSSB190 background:

In the late 1980's the Legislature reviewed and enacted statutes related to the guide-outfitter industry and unfortunately the statutes enacted inadvertently made it illegal to compensate unlicensed persons to pack game meat, hides, and perform other basic camp chores. Additionally, the guide-outfitter industry couldn't hire an unlicensed person in an apprenticeship/training structure to perform certain guide services and receive compensation.

This legislation provides solutions for these issues:

- By allowing unlicensed persons to pack game meat and perform other basic chores and receive compensation;
- It enables the guide-outfitter industry to hire unlicensed persons for apprenticeship training and qualify for an “assistant guide” and receive compensation; and,
- Lastly, this legislation clarifies existing statutes and makes a registered guide-outfitter equally responsible for a violation of state or federal wildlife or game or guiding statute or regulation committed by a person while the person provides guide services for the guide-outfitter during the course of a person's employment.

Note: It is currently illegal to compensate an unlicensed person for packing meat under AS 08.54.790(9) (C) which defines packing as a guiding service. Also in (9) a guide requires being compensated, and being compensated to pack meat without a license is guiding without a license.

*This legislation would allow unlicensed personnel, including local residents, to be hired **and compensated** for packing game meat, hides, etc.. from the field without having to obtain a license.*

*This bill also creates an apprenticeship structure for unlicensed personnel to receive training and preparation as a perspective guide and to further advance in the Big Game Guiding industry and to meet the qualifications for applying for the ‘assistant guide’ level in the industry **and to be compensated.***

As you can imagine, it is difficult to find personnel to work for free!

I respectfully ask for your support of SB 190. Thank you!!

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 31, 2014

SUBJECT: Sectional summary
CSSB 190(L&C) (Work Order No. 28-LS1466\C)

TO: Senator Charlie Huggins
Attn: Gary Zepp

FROM: Alpheus Bullard 
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Sectional Summary

Section 1. Adds a new statutory section, AS 08.54.635, that allows the Big Game Commercial Services Board to adopt regulations permitting a registered guide-outfitter to delegate certain guide services to a person not licensed under AS 08.54. Provides what guide services may be delegated. Establishes conditions on the delegation of services. Permits unlicensed persons to assist in providing certain guide services. Requires unlicensed persons to meet standards adopted by the board before providing, or assisting in providing, guide services. Permits unlicensed persons providing or assisting in providing guide services to be compensated.

Section 2. Conforms AS 08.54.720(a) to the addition of AS 08.54.635 in sec. 1 of the bill.

Section 3. Amends AS 08.54.740(a) to provide that a registered guide-outfitter is equally responsible for a violation of a state or federal wildlife, game, or guiding statute or regulation committed by a person while that person provides guide services for the guide-outfitter under the new section AS 08.54.635.

ALB:ray
14-141.ray

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: CSSB 190(L&C)
Fiscal Note Number: 2
(S) Publish Date: 3/21/14

Identifier: SB190-DPS-AWT-03-07-14
Title: DELEGATION OF GUIDE-OUTFITTER DUTIES
Sponsor: HUGGINS
Requester: Senate Labor and Commerce

Department: Department of Public Safety
Appropriation: Alaska State Troopers
Allocation: Alaska Wildlife Troopers
OMB Component Number: 2746

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES	FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: <u>Lt. Bernard Chastain</u>	Phone: <u>(907)269-2054</u>
Division: <u>Alaska Wildlife Troopers</u>	Date: <u>03/07/2014 11:45 AM</u>
Approved By: <u>Gary Folger, Commissioner</u>	Date: <u>03/07/14</u>
Agency: <u>Department of Public Safety</u>	

FISCAL NOTE ANALYSIS #2

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. CSSB 190(L&C)

Analysis

This bill would allow a registered guide-outfitter to delegate certain guide services to a person who is not licensed by the Big Game Commercial Services Board. It would also allow an unlicensed person to receive compensation for carrying out those duties.

Passage of this bill would have no fiscal impact to the Department of Public Safety, Division of Alaska Wildlife Troopers.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: CSSB 190(L&C)
Fiscal Note Number: 1
(S) Publish Date: 3/21/14

Identifier: SB190-DCCED-CBPL-03-07-14
Title: DELEGATION OF GUIDE-OUTFITTER DUTIES
Sponsor: HUGGINS
Requester: Senate Labor and Commerce

Department: Department of Commerce, Community and
Economic Development
Appropriation: Corporations, Business and Professional
Licensing
Allocation: Corporations, Business and Professional
Licensing
OMB Component Number: 2360

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES	FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 12/31/15

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: <u>Don Habeger, Director</u>	Phone: <u>(907)465-2536</u>
Division: <u>Corporations, Business and Professional Licensing</u>	Date: <u>03/07/2014 12:00 PM</u>
Approved By: <u>Jeanne Mungle, Director</u>	Date: <u>03/07/14</u>
Agency: <u>Administrative Services</u>	

FISCAL NOTE ANALYSIS #1

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. CSSB 190(L&C)

Analysis

SB190 permits unlicensed persons to perform duties that are currently restricted to those holding a guide license, provides a pathway for training unlicensed persons for future licensure as an assistant guide, and holds the contracting guide-outfitter responsible for game or guiding violations committed by the unlicensed persons whom they employ or hire as an independent contractor.

SB190 requires the Board of Big Game Commercial Services to adopt regulations. The Board of Big Game Commercial Services typically meets two times per year and a board initiated regulation project requires additional time; the division believes an appropriate completion date is December 31, 2015. Minimal costs to public notice regulations will occur; existing program receipts will cover these costs.

The Division of Corporations, Business and Professional Licensing does not anticipate fiscal impact from this legislation.

March 11, 2014

Alaska Chapter SCI
PO Box 770511
Eagle River, AK 99577
(907) 980-9018



Senator Charlie Huggins
Alaska State Senate
120 4th St. Rm. 111
Juneau, AK 99801

Dear Senator Huggins:

SCI Alaska Chapter supports your effort to establish some common sense rules for the guiding profession here in Alaska. SB 190, if enacted, will allow registered and master guides who have contracted hunts to have reasonable opportunities to hire all help required to put on a professionally based hunt for their clients.

SCI Alaska Chapter is a leader in the hunter-conservationist community here in Alaska and is focused on 4 main mission areas. Those are: Hunter Advocacy, Conservation of Wildlife, Humanitarian Services and Education. The Chapter's annual Hunting Expo and Sportsman's Banquet is the largest gathering of hunters in Alaska and is privileged to be the home of the Governor's Conservationist of the Year Award. We are also particularly proud of our commitment to our military, police and firefighters on American Heroes Night which takes place on Friday evening.

We want to thank you for introducing this legislation and will be working with your fellow Senators to encourage its passage in the near future.

Sincerely,

Gary Gearhart
President

cc: Senator Mike Dunleavy, Chair Senate Labor & Commerce
Senator Peter Micciche, Co- Chair Senate Labor & Commerce
Senator Johnny Ellis
Senator Donny Olson
Senator Bert Stedman

SCI's Top Gun Chapter

ALASKA

PROFESSIONAL HUNTER ASSOCIATION, INC.

P.O. Box 240971, Anchorage, AK 99524

Phone: (907) 929-0619 ~ (907)-868-1562

Email: office@alaskaprohunter.org ~ www.alaskaprohunter.org

APHA Position on SB190

Alaska's Hunting Guide Industry has always been and continues to be, a rural economy. In 2012 alone, 13 million dollars of wages and another 12 million dollars of spending occurred in rural Alaska in direct support of the Hunting Guide Industry. These jobs are of great importance to rural Alaskan communities with limited economic opportunities. One of the most important positions in a guide camp is what has always been referred to as a "packer." Virtually every Registered and Master Guide in Alaska got their start as a "packer" or "apprentice" guide. "Packers" carry moose, sheep, caribou, bears and clients gear on their backs. Like wolf pups, "packers" trail loyally behind a competent guide learning to size and identify trophy animals, skin, field dress and salvage meat and hides, handle clients in stressful situations involving firearms and cook hot, satisfying meals in mostly primitive conditions. While "packers" are present with clients, they are not burdened with the stress or responsibility of meeting their expectations, nor should they be. A "packers" job, is to lend a strong back and to watch and learn.

Guiding is hard, sometimes dangerous, work that requires "on the job training" in the field. Salvaging animals from the field in an edible condition under difficult circumstances is often too much for one guide. A good way to insure that 100% of the animals harvested are correctly handled is to have plenty of help in camp. None of this hard work should be done for free. The APHA supports SB190 because it allows guides to do what they have always done: hire "packers" to share the burden of salvaging our valuable animals. Alaska's Guide Industry relies on "packers," and they shouldn't be forced work without pay.

SB190 comes before the legislature as a necessary measure to immediately fix an unintended problem. AS 08.54.790 (9) defines guiding. In order to receive compensation for any of the activities listed in this definition, a person must be licensed. "Packer" or "apprentices" are not licensed, virtually by definition. In fact, by regulation, in order to become a licensed Assistant Guide, a person must spend time in a guide camp. This regulation was intended to essentially require a person to "pack" before getting licensed in an effort to codify long-standing industry practice and tradition. In a nutshell, the industry felt strongly enough that a person isn't ready to guide until he has been a packer and participated in guided hunts without pressure or responsibility. The APHA agrees that "packing" is the preferred first step in becoming a guide.

Unfortunately, "packing" and following along on a guided hunt while getting paid, is illegal without a license.

The need for SB190 became clearly apparent during the December 2012 Big Game Commercial Services Board (BGCSB) meeting. Public Safety was asked, on the record, if "packing" required a license, the answer was yes. After that meeting the APHA immediately began looking for solutions to a problem that most guides never knew existed, some still don't. On one hand, it was hard to understand why hiring "packers," something all guides do, was illegal. Guides immediately realized that in order to get through the 2013 season, they would have to break the law. Three solutions were considered by the BGCSB. One: create an on-demand license for packers, similar to a "crewman's license" on commercial fishing vessels. Two: create an exemption for duties and activities carried out by "packers." Three: change the definition of guiding. The BGCSB and Public Safety chose to support option two and the APHA strongly concurs with this decision.

The APHA sees the goal of SB190 as: describing in statute what is already being done, no more, no less. There is no problem for the public or the profession with the employment of "packers" as laborers/apprentices, it is just that their employment violates AS 08.54. The APHA believes that SB190 should describe and legalize un-licensed "packing" and "on the job guide training," for compensation. The APHA wants to be clear that this should not be an effort to empower un-licensed persons to work as "quasi-guides" or an effort to undercut professional standards. SB190 in its current version, simply describes what has always been done by guide camp labor, and apprentice guides since out of state hunters began hiring guides to accompany them in Alaska's wilderness. Exempting these duties made the most sense, from a practical standpoint. A new license would have been problematic in rural Alaska where on the spot hiring might be the difference between edible moose meat that doesn't get lost to a bear or needless waste. Changing the definitions of guiding would have opened the Pandora's box of illegal guiding. SB190 is clear and well written and because the duties associated with learning to guide are tied to being "physically present" with an appropriately licensed guide, we see this as the solution. Please pass SB190, the guide industry can't do its job without "packers!"

Sincerely,

Wayne Kubat *March 9th, 2014*
Wayne Kubat

Master Guide 147 and APHA Board Member

Senator Charlie Huggins,

My name is Joey Klutsch, Registered Guide 1277, and I am writing to express my full support of SB 190 and thank you for sponsoring it. I have been in the guiding business my entire life. I grew up in it, working for my way from the bottom up. I starting as a packer and paid my dues, became an Assistant Guide, a Class- A Assistant and finally earned my Registered Guide License. I was taught by the best and now for the first time I am running my own guide operation with my own Federal Permits. I feel that as a young guide I represent the future of guiding in Alaska. However, guiding in Alaska will have no future if there is not a way for people to work their way up, the way myself and so many others did, or if there is no way for Registered/Master Guides to hire the employees needed to run a quality guiding business.

It is essential that the state of Alaska stops overregulating the guiding industry. The latest issue regarding "packers" and what they can and cannot do is a perfect example. If contracting guides are not able to employ packers that can perform duties traditionally associated with the job, it will be impossible to run a viable guide business. It will also become very difficult to work your way up in the business in a way that is economically feasible. Why would anyone ever want to sign on as an "apprentice or packer" and not be able to do ANYTHING of use or value for the employing Registered/Master Guide, and have to "work" in that capacity for several seasons just to earn their Assistant Guide license? What is worse in this example, if an individual were to finally earn their Assistant Guide license, they would have virtually none of the necessary skills required to be a guide, because they did not and could not (legally) learn them while acting as a packer. The packer position is a necessary training step to becoming a guide. Simple as that.

Being a packer for several years and then becoming an Assistant Guide is how most people including myself got into the business. Taking away a packer's ability to do his traditional job without "over supervision and regulation" will completely eliminate all of the learning involved, which will in turn will lead to fewer qualified Assistant Guides. This will spell ruin to the industry. As I have said, how can one gain the proper experience to become an Assistant Guide if one is not able to work at some level of independence and perform certain tasks (spotting game, judging animals, client relation skills, hide care, meat care, setting up camp, and so much more) that are essential to being a guide? It is for these reasons that SB 190 is so critical, and I am so thankful that you have taken the time to sponsor it.

Thank You again for your efforts, and for supporting the guiding industry.

Sincerely,

Joey Klutsch

Registered Guide 1277

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: Packer in the field

-----Original Message-----

From: Clifford Smith [<mailto:clifford@triplecouthittersalaska.com>]

Sent: Wednesday, March 05, 2014 1:58 PM

To: Sen. Charlie Huggins

Subject: Packer in the field

Hello clifford smith here a APHA member, and contracting registered guided. Thanks for helping change the rules for packers in the field. I do not wish it to get any more complicated than it already is with rules and regulations governing us guides in our service based industry. Good luck and thanks clifford

Sent from my iPad

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: SB190

From: Parker Guide Service [<mailto:parkerguideservice@gmail.com>]
Sent: Wednesday, March 05, 2014 1:54 PM
To: Sen. Charlie Huggins
Subject: SB190

Dear Senator Mr. Huggins:

We want to express our support for your Packer / Apprentice bill SB190 and thank you for sponsoring it. It is very much needed and look forward to its passage.

Sincerely
Bruce & Ann-Marie Parker

--
Parker Guide Service
Bruce & Ann-Marie Parker
P.O. Box 6290
Sitka, AK. 99835
(907)747-6026
Fax: (907)747-8576
Cell: (907)738-6760
parkerguideservice@gmail.com
www.alaskaboatcruises.com

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: SB190

From: Mike Munsey [<mailto:mmunsey@starband.net>]
Sent: Wednesday, March 05, 2014 1:49 PM
To: Sen. Charlie Huggins
Subject: SB190

Sen. Huggins,

I just wanted to thank you for introducing and supporting SB190 (Big Game Guiding Packers/Apprentice). We appreciate your support and if there is anything you need from me to help the bill along, I would be happy to provide it. Thanks again.

--
Mike Munsey
Munsey's Bear Camp

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: SB190

From: Keegan McCarthy [mailto:keegan@coastalalaskaadventures.com]
Sent: Wednesday, March 05, 2014 1:50 PM
To: Sen. Charlie Huggins; Sen. Dennis Egan; Rep. Cathy Munoz; Rep. Beth Kerttula
Subject: SB190

Hello,

I am a life long Juneau resident and owner of a hunting guide/outfitter business based out of Juneau.

I am writing in support of SB 190, which would allow guides to hire help for certain duties to be performed by an individual not licensed by the big game commercial services board.

In short, as a locally owned and operated business , this bill is very important to the survival of small businesses such as mine. Also, had I not been able to be hired many years ago as such an employee, it would have limited my ability to gain experience in the industry and eventually start my own business.

I hope you will all work to support this important legislation, and I thank Senator Huggins for introducing it and supporting industry and small business in Alaska.

—
Keegan McCarthy-Owner/Operator/Guide
Coastal Alaska Adventures
Alaska's Premier Yacht Based Hunts
(907) 723-3006

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: Guide.packer legislation SB190

From: Wildman [<mailto:wildmanlakelodge@gmail.com>]
Sent: Wednesday, March 05, 2014 6:22 PM
To: Sen. Charlie Huggins
Cc: APHA Alaska Professional Hunter Association
Subject: Guide.packer legislation SB190

Senator Charlie Huggins

Hello Charlie,

Gary "Butch" King, Master Guide, here.

I have been at it since starting as Lee Holen's campboy in 1966 at the Wrangell Mountain Lodge. I started at the bottom, stayed with a good operation, became a partner, bought the old man out when he retired, bought the neighbor out when he retired. After 39 years, sold one operation to a young couple coming up just as I did, not taking from others or asking the government for help or assistance, but working for what they have.

My wife and I are still working at it every waking day. I am still flying, guiding and providing a good tourism service that the State of Alaska should be proud of. Trained a lot of good men along the way. I have asked nothing from the State in return, but to be left alone! Have employed 20 to 50 Alaskans a year, paid hundreds of thousands in work comp, ESC, State DNR leases, Borough Leases, Borough Taxes, Dept of Commerce license fees and 45 year of hunting and fishing licenses. I do business with local stores, air taxis, vendors and service providers. Our family owned business brings roughly a million tourism dollars a year to the State of Alaska.

I PAY MY BILLS AND HAVE PAID MY DUES!

It is now my turn to speak up! The State bureaucracy is taking its toll on this Master Guide and the rest of us who are just trying to bring simple tourism dollars to Alaska. We have asked nothing in return and have received nothing from the State except regulation on top of regulation, for decades. While this industry has employed thousands and brought in millions, we have received nothing, yet ask for nothing! Not a penny of Alaska's huge tourism budget goes to promote hunting or even guided sport fishing for that matter. Yet we are happy to just continue to do it our own!

Just tell Juneau to quit making more laws that make it even more difficult than it already is for us to operate in Alaska's most remote outposts. Juneau does not seem to understand that we Alaskan Guides and Outfitters are in a competitive industry! Canada, Mexico, Africa and even Russian, Kajikastan and China have become more attractive than Alaska to the hunter who travels. Again, guides and outfitters, as Alaska's original form of tourism ask nothing from the State other than quite making our job more difficult!

I appreciate your sponsoring this important SB 190. New entries and youngsters **MUST** have a place to start, if our industry is to survive. The State has made it so unreasonably difficult and overly expensive for even the most qualified candidate to become come an assistant guide that our labor pool has all but diminished. Everyone cannot start at the top, we must provide opportunity to enter at the bottom of the ladder and work your way to the top. Or is that concept totally lost in todays world?

Keep up your good work and spread the word.

Sincerely,

Gary "Butch" King - Master Guide

www.wildmanlodge.com

www.WildAlaskaHunting.com

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: SB190

-----Original Message-----

From: Cash Joyce [<mailto:cashjoyce@gmail.com>]

Sent: Wednesday, March 05, 2014 8:09 PM

To: Sen. Charlie Huggins

Subject: SB190

Go champ, thank you for your efforts!

\$

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: SB190

From: James P. Jacobson [<mailto:huntfish@ak.net>]
Sent: Wednesday, March 05, 2014 1:48 PM
To: Sen. Charlie Huggins; Sen. Gary Stevens; Rep. Alan Austerman
Subject: SB190

3-5-14 Dear Senator Huggins,

Thank you for introducing SB 190. This will allow guiding in Alaska to continue without unreasonable restrictions on packers or apprentice guides.

Best regards,

Jake Jacobson, Alaska Master Guide #54

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: Packer legislation

-----Original Message-----

From: Harvey Harms [mailto:alaskatrophv@icloud.com]
Sent: Wednesday, March 05, 2014 2:20 PM
To: Sen. Charlie Huggins
Subject: Packer legislation

Dear Mr. Huggins,

During my 46 years guiding hunters, I have trained dozens of highly respected guides, starting them out as packers. I currently have 3 registered and assistant guides who work for me that worked as packers for 3 to 7 years before I let them take a hunter on their own as an assistant or registered guide.

The late famous Pinnell and Tollofson used from 1 to 3 assistant guides on their Kodiak hunts for over 40 years.

Every profession has some sort of entry level or intern position.

Without a packer or trainee position how is a prospective guide to learn the hundreds of nuances of guiding hunters?

That being said guides should not be able to let a packer guide a hunter without an assistant, registered, or master guide be in the field with them.

Feel free to e mail me if you need technical information about this.

Sincerely,

Dennis Harms. Alaska Master Guide #48

Sent from my iPad

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: RE SB190

From: Jeff Chadd [<mailto:sheephunter@majesticmountainoutfitters.com>]
Sent: Wednesday, March 05, 2014 2:34 PM
To: Sen. Charlie Huggins
Subject: RE SB190

Charlie,

Thanks a lot for your support on this bill it is crucial for our industry.

Jeff



P.O. Box 5036, Forsyth, MT 59327

406-347-5401

www.majesticmountainoutfitters.com

 This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: SB 190

-----Original Message-----

From: Frank Bishop [<mailto:frankabishopawa@yahoo.com>]
Sent: Thursday, March 06, 2014 9:14 PM
To: Sen. Charlie Huggins
Subject: SB 190

Honorable Mr Huggins

I would like to take this time to thank you for sponsoring SB190 This bill is very much needed to give the guide industry a way to do business the way we have traditionally as it is now we can't hire anyone to even pack a animal without breaking the law this has a very negative economic impact on hiring Help from the bush where young people are hard pressed for work anyway!

Thank you again for your time and work in this!

Frank A Bishop
Master Guide # 191
po box 2491
Kodiak Ak 99615

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: SB 190

From: Sue Entsminger [<mailto:wildsue@antalaska.net>]
Sent: Saturday, March 08, 2014 2:54 PM
To: Sen. Charlie Huggins
Subject: SB 190

Honorable Senator Huggins,

I have met you several times and thank you for your involvement in the guiding history. I am a Registered Guide #1058, & my husband, Frank Entsminger is Class-A Assistant # 459. We both want to thank you for introducing this important bill to clarify the craziness about packers needing a license. Thank-you very much. Keep up the good work,

Sue & Frank Entsminger
HC 72 Box 800
Tok, AK 99780
wildsue@antalaska.net
<http://tokmanagementarea.com/guides.html>
907-883-2833 Hm
Cell 907-632-5315 [only when traveling]

Gary Zepp

To: Sen. Charlie Huggins
Subject: RE: Comments on SB 190

From: info@mountainmonarchs.com [mailto:info@mountainmonarchs.com]

Sent: Saturday, March 08, 2014 1:49 PM

To: Sen. Charlie Huggins

Subject: Comments on SB 190

Dear Senator Huggins,

I am a licensed Master Guide & Outfitter (#81) and a veteran Alaskan guide of 40 years.

Thank you for your introduction of SB 190.

Assistant guides have to start out somewhere. That somewhere is in the trenches serving as a packer and camp help under a Master or Registered Guide Outfitters supervision.

This serves as the apprenticeship program for our industry. All trades have an apprenticeship program of some sort.

Personally I feel the Troopers and State of Alaska are out of line in this instance.

Through your bill which I highly support we are able to clarify and reinforce our ability to insure the viability and future of our industry which brings in Millions of new dollars each year to Alaska's tourism industry.

Thanks once again for your efforts and time spent introducing and backing this bill.

Very Best Regards,

Dave Leonard/ Master Guide & Outfitter
Mountain Monarchs of Alaska LLC

Gary Zepp

To: Henry D. Tiffany IV
Subject: RE: March 11th testimony on SB 190

From: Henry D. Tiffany IV [<mailto:henrydtiffanviv@yahoo.com>]
Sent: Sunday, March 09, 2014 3:39 PM
To: Gary Zepp
Subject: March 11th testimony on SB 190

Dear Mr. Zepp,

Mr. Kelly Vrem contacted me about being available and willing to testify on behalf of SB 190 and I am most certainly willing and able to testify in support of SB 190. As a lifelong Alaskan, Master Big Game Guide & Outfitter and Big Game Commercial Services Board member I am happy to testify as to the importance of SB 190, which will help the guiding industry to operate in a reasonable and practical manner, as it has for decades, with regards to allowing a guide to delegate certain tasks to individuals in the field who contribute to helping provide and operate a safe, lawful and ethical hunting endeavor and operation and enable individuals to learn to become a qualified and competent guide.

As such, I will be available from 1:30 PM – 3 PM on March 11th, 2014 to testify on the proposed legislation and will be happy to call into the necessary hearing number.

All the best,

Henry D. Tiffany IV

Gary Zepp

To: Cabot Pitts
Subject: RE: SB190- Senate Labor and Commerce Committee

From: Cabot Pitts [<mailto:alaskawildwind@gmail.com>]
Sent: Sunday, March 09, 2014 5:44 PM
To: Gary Zepp
Subject: SB190- Senate Labor and Commerce Committee

Dear Gary,

My name is Cabot Pitts and I am a registered guide and outfitter. Kelly Vrem forwarded your email about potential testimony for SB 190. I was just up in Fairbanks for the Big Game Commercial Services Board meetings and Kelly mentioned this to me over lunch on Saturday. If you would like I do not mind testifying for SB 190. Please let me know. Thank you.

Sincerely,

Cabot Pitts
Alaska Registered Guide and Outfitter #1299
Alaska Wild Wind Adventures
alaskawildwind@gmail.com
(907)414-5434
www.alaskawildwind.com

Senator Michael Dunleavy
Chairman Senate Labor and Commerce Committee
State Capitol Room 510
Juneau AK, 99801
(907) 465-6011

Subject: SB 190

March 27, 2014

Dear Senator Dunleavy,

Based on assurances by the staff of SB190's sponsor that the word "delegate" in the first paragraph does not apply to section "b", it appears the concerns expressed in my letter, dated March 17, 2014, have been addressed.

I would like to take this opportunity to thank you and your staff and Senator Huggins and his staff for the work on CS SB190.

I would like for my letter of March 17, 2014 to remain in the documentation for SB190.

Respectfully

Joe Want
907-750-4736
wantj43@gmail.com

Senator Michael Dunleavy
Chairman Senate Labor and Commerce Committee
State Capitol Room 510
Juneau AK, 9980
(907) 465-6011

Subject: SB 190

March 17, 2014

Dear Senator Dunleavy,

My primary concern is with (b) of Sec. 08.54.635. The wording of this section empowers a guide-outfitter or class-A assistant to create an "instant" guide. Understanding that (b) of Sec. 08.54.635 states this "power" can only be exercised if the "...licensed registered guide-outfitter or a class-A assistant guide is physically present...", the scenario of a guide having two hunters in the field then placing one client with the "freshly minted" packer turned guide while he takes the other hunter within the prescribed distance is possible. Guide and one client in one location - packer and other client in another location within a distance defined by the Big Game Commercial Services Board.

The "loop-hole" created by (b) of this committee substitute is of even greater concern when the following is considered:

1. The Legislature has mandated that non-resident hunters be accompanied by an individual licensed by the State to perform guiding services when hunting certain species. **However, the supporting regulatory structure does not require the individual doing the actual guiding have ever hunted the animal for which the non-resident is being guided.**
2. The Big Game Commercial Services Board, after two plus years of committee meetings, defined the possible area of "supervision" (*pages 3&4*) illustrated in fig.1 (*page 2*). Though the revision facilitates certain guiding practices it did nothing to aswage some of the serious training issues facing the guiding profession. (Note: **A review of the sheep harvest data, for the years 2006-2010, indicated the monetary value of guided non-resident sheep hunts resulting in the harvest of sub-legal sheep, exceeded ONE MILLION DOLLARS.**)

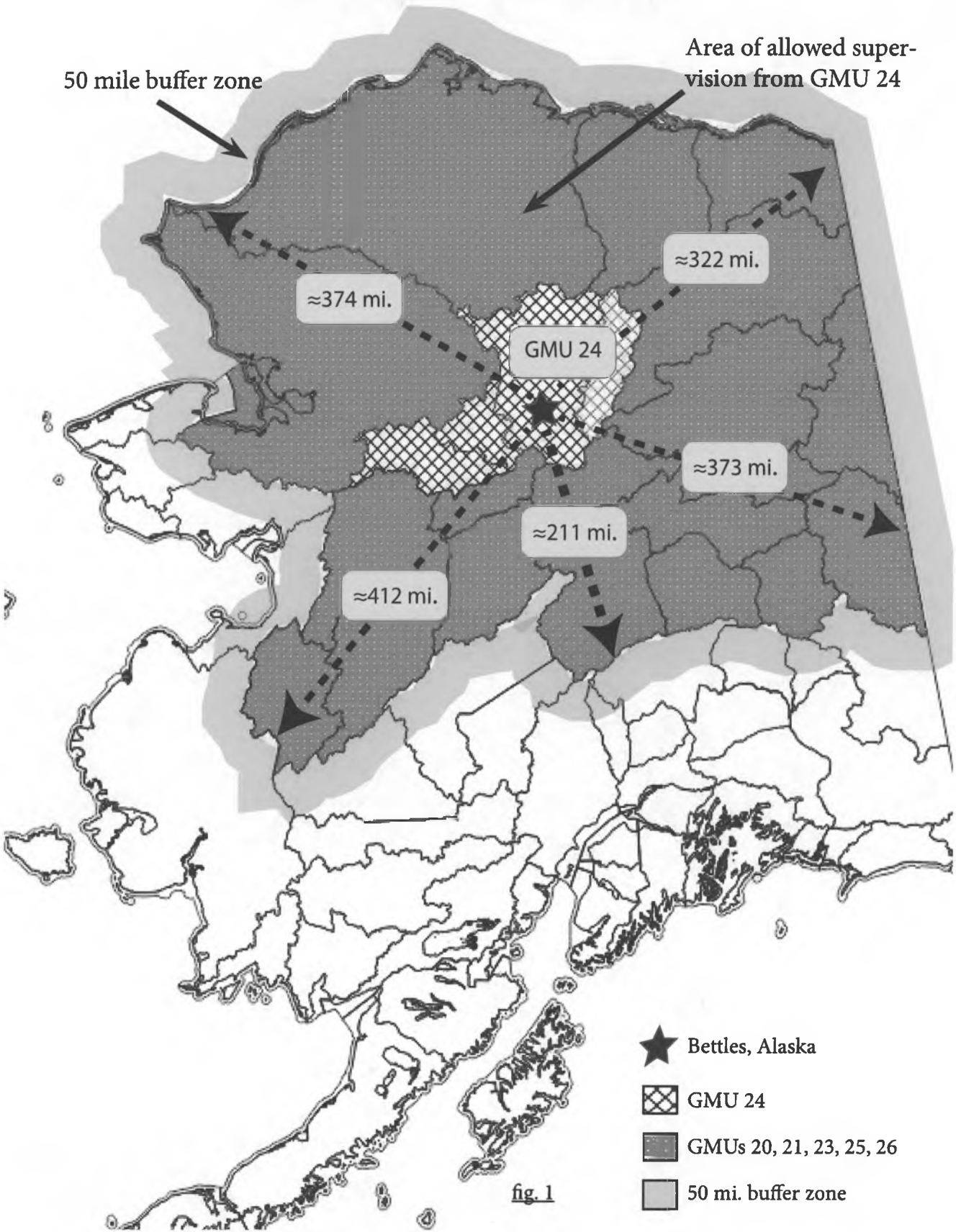
The major concerns with section (b) could be addressed in part by:

- replace the term "designate" with phrasology that will permit participation with "direct supervision", but disallow directing activities requiring a guide license of any class;
- clearly define "direct supervision" in legislation;
- maintain legislative oversight.

Senator Dunleavy and members of the Labor and Commerce Committee, thank you for taking the time to review these comments regarding the CS for SB190.

Joe Want
907-750-4736
wantj43@gmail.com

Potential Area of Supervision
as modified in 12 AAC 75.240



Chapter 75. Big Game Commercial Services Board.

12 AAC 75.240 is amended by adding a new subsection to read:

(i) For purposes of the requirement in AS 08.54.610(e) for supervision of a contracted hunt, and in addition to the requirements of this section, the contracting registered guide-outfitter may plan, direct, and monitor a contracted hunt

(1) while in the field and present in

(A) the same game management unit in which the contracted hunt is taking place;

(B) a game management unit adjacent to and sharing a common border with the unit in which the contracted hunt is taking place; or

(C) a location that is no further than 50 miles from the nearest boundary of an area or unit described in (A) ^{or} (B) of this paragraph; and

(2) if performing those activities, while in the field and present in a location listed in (1) of this subsection, is practicable; for purposes of this paragraph, planning, directing, and monitoring the contracted hunt is not practicable if the contracting registered guide-outfitter cannot communicate in person, communicate personally by telephone, or communicate personally by radio with the assistant guide, class-A assistant guide, or registered guide-outfitter involved in the contracted hunt. (Eff. 12/25/96, Register 140; am 4/6/2001, Register 158; am/readopt 7/30/2006, Register 179; am 6/2/2011, Register 198; am 12/2/2012, Register 204; am 3/19/2014, Register 209)

Authority: AS 08.54.600 AS 08.54.620 AS 08.54.710
AS 08.54.610 AS 08.54.630

JU2012200873

ORDER CERTIFYING THE CHANGES TO REGULATIONS
OF THE BIG GAME COMMERCIAL SERVICES BOARD

The attached one page of regulations, dealing with supervision, is hereby certified to be a correct copy of the regulation changes that the Big Game Commercial Services Board adopted at its December 3-5, 2013 meeting, under the authority of AS 08.54.600, AS 08.54.610, AS 08.54.620, AS 08.54.630, and AS 08.54.710 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Big Game Commercial Services Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.


DATE: 12-27-13
Anchorage, Alaska



Kelly Vrem, Chairman
Big Game Commercial Services Board

FILING CERTIFICATION

I, Mead Treadwell, Lieutenant Governor for the State of Alaska, certify that on February 17, 2014 at 5:50pm., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.



Mead Treadwell, Lieutenant Governor

From: Wayne [<mailto:arqs@mtaonline.net>]
Sent: Monday, March 31, 2014 10:18 PM
To: Sen. Charlie Huggins
Subject: airplane engine, spring bear and SB190 and SB160

Senator Huggins,

I've been way too busy and behind. I haven't shot my pistols in over a month, and was signed up for an advanced self defense class yesterday, but had to cancel. My airplane has taken a lot of time and money that I didn't have.

I can't remember if I told you or not, but I had to overhaul my engine again after only 300 hours and 3 years. I made my first working flight with it to bear camp today, then drained the oil when I got back. It used just over a quart in the first 10.7 hours, and seems to run smooth and have pretty good power. There sure isn't much snow up there, I think it's going to be challenging this year. My first hunter arrives Friday.

I watched the tape on SB190 but haven't heard where it will be heard next. Thanks again for sponsoring this. Same with SB 160. I watched and listened to it in Senate Resources and watched it move through there pretty fast. I know Senator Dyson had some hesitation, but ended up voting yes and thanked me for my email. I sure heard a lot of APHA bashing in Senate Resources, and talk to the effect that we want it all for ourselves. APHA did work hard to get something like this, but I don't see anything in the prospectus that says APHA members are going to fair any better in the prospectus process than any of the other guides. Most of us realize the real risk of being down sized or put out of business by not getting an area, but feel it is worth the risk if it improves the longevity and stability of the industry and wildlife resource, and even the public perception of registered guides, of whom 85% are Alaska residents. Whoever the ones are who get a concession, we feel their chance of being able to stay in business will be better than it is now.

If you have any information on when either bill will be heard next or if you have any questions, let me know. I'll be home most evenings until Friday.

Wayne Kubat

Alaska Remote Guide Service

PO Box 874867

Wasilla, Alaska 99687

Phone/Fax:907-376-9568