SCOMM

67:19

July 12, 1989

OK

MEMORANDUM

TO: Jan

FROM: Mark

SUBJECT: Guide Task Force Meeting Agenda

The attached suggested agenda for the 7-19-89 meeting of the Guide Task Force DOES NOT include an item related to the requirements by Occup. Licensing that guides obtain insurance before July 17th deadline for licensing this year.

This deletion was strongly urged by Randall Burns who has been fielding continuous questioning etc from guides for the past several weeks. As he says, this is a problem which will have to be resolved by the Commercial Services Board whenever the Governor gets around to naming board members. The Task Force is not dealing with the issue anyway. He felt once the subject comes up that's all several members will want to talk about and nothing will be accomplished. He also feels it WILL be brought up by Johnson or -- and there probably should not be an agenda item to provide for actual time during the meeting.

****
Meantime, Steve White of AG/'s will attend. He currently is working on the question of whether the state needs to include in statute a requirement for proof of insurance coverage for transporters (to obtain Part 135). In other words, are transporters now required in either federal or state law to present PROOF of insurance to become transporters.

****

Lew Pamplin Suggestions:

In his June 30 letter, Pamplin suggested and I have incorporated in the agenda several items:

Voting by member alternates
Meeting Schedule (including length of meetings)
Review Criteria for Development of Guide-Outfitter Resource Area Maps
Discussion of Public Process in the Mapping Project
Review of Legal Consultant/Research Assistance (Horn, Lenzini, Gross)
Funding of the Guide-Outfitter Resource Area Mapping Project

Guiding and Game Task Force

Meeting
of
July 19, 1989
10 a.m.

AGENDA

I. Call to Order - Senator Jan Faiks, Chairman

II. Old Business

III. Discussion of Voting Option for Task Force Member Alternates

IV. Review of Legal Consultant/Research Assistance Proposal (Horn, Lenzini, Gross)

V. Report from Birch, Horton, Bittner & Cherot (Bill Horn)

VI. Consideration/Suggestions of Options for Management Plan

VII. Review of Criteria for Development of Guide-Outfitter Resource Area Maps/Funding of Mapping Project/Public Input in Map Development Process

VIII. Discussion of Subcommittees

IX. Meeting Schedule

X. Member Comments

XI. Adjournment

July 27, 1989

MEMORANDUM

TO: Jan

FROM: Cheryl CF

SUBJECT: Public Comment Process for Guide Task Force

I talked with folks from Division of Lands and Division of Oil and Gas to learn what process they utilize in taking public comment on proposals:

Division of Lands
Ron Swanson (762-2680)

For comment on land management plans, DNR basically does the following which involves three public hearings (a general outline of their process is coming in the mail):

- Announce the hearing for public comment; advertise where they can get information on what is being discussed
- Hold the public hearing;
- Staff compiles the hearing's comments; sorts out what legally they can do from what they can't;
- Based on the comments, staff compiles a list of alternatives;
- Have a public hearing on the alternatives (they are sensitive, though, to the fact that special interests can pack a hearing, so try to balance public comment at the hearing with what may be the more general public's attitude);

- Make a preliminary decision based on comments on the alternatives;

- Hold a public hearing on the preliminary decision;

- Always gives at least 30 days notice before a hearing; use display ads in the newspapers instead of just legal notices; do press releases, radio spots and "rumor mill" in smaller communities.

Division of Oil and Gas:
Pam Rogers (762-2584)

- Preliminary notice of what proposing; provide packets of information for people prior to the hearing so they have been able to study it;

- Give 30 to 45 days notice before hold the hearing;

- At the hearing, have good maps with information on them (this contrasts with the not-so-good maps included in the information packets made available before the hearing); utilize a sign in sheet and assure people they will again be notified of hearings/meetings on this issue in the future.

Alaska State Legislature

JUDICIARY
CHAIRMAN
907-465-4523

JAN FAIKS
POST OFFICE BOX V
JUNEAU, ALASKA 99811

Senate

July 28, 1989

MEMORANDUM

TO: Alison Elgee, Director
Division of Budget Review

FROM: Senator Jan Faiks

SUBJECT: Appropriation of Program Receipts

Last session the Legislature approved House Bill 112 (chapter 37 SLA 89) relating to big game hunting. Section 08.54.470 establishes a "Commercial Use Permit and Fee". AS 08.54.470(d) provides:

> "The commissioner of administration shall separately account for commercial use permit fees deposited in the general fund by the department. The a[illegible]al estimated balance in the account may be used by the legislature to make appropriations to the Department of Fish and Game and the Department of Public Safety to carry out their respective responsibilities for management of game resources and enforcement of game laws."

Anticipated program receipts from the commercial use permit fee were not appropriated as part of the fiscal notes for SCS CSHB 112(Rls) am S. The Division of Occupational Licensing estimates $50,000 will be generated from this fee in FY 90.

At its last meeting, the Task Force on Guiding and Game expressed interest in determining if there is a mechanism, other than waiting for action by the

OUT OF SESSION
3111 C STREET ANCHORAGE, ALASKA 99503 907-561-7610

next Legislature, by which $45,000 of the FY 90 program receipts from the commercial use permit fee could be appropriated to the Department of Fish and Game for development of a computerized guide/outfitter area-based management system. (The Legislature approved a $90,000 fiscal note for Fish and Game as part of HB 112 for this purpose, but the amount was reduced to $45,000 by the free conference committee).

I am interested in learning if the Office of Management and Budget's Revised Program mechanism through the Legislative Budget and Audit Committee is applicable under these circumstances. If it is, on behalf of the Task Force, I request your consideration of this request.

Your anticipated assistance in reviewing the Task Force's request is appreciated. Should you need any additional information, please give Cheryl Frasca of my staff a call at 561-7610.

Thank you.

cc: Randall Burns, Division of Occupational Licensing

Alaska State Legislature

JUDICIARY
CHAIRMAN
907-465-4523



JAN FAIKS
POST OFFICE BOX V
JUNEAU, ALASKA 99811

Senate

July 28, 1989

MEMORANDUM

TO: Tam Cook, Director
Division of Legal Services

FROM: Senator Jan Faiks

SUBJECT: Appropriation of Program Receipts

Last session the Legislature approved House Bill 112 (chapter 37 SLA 89) relating to big game hunting. Section 08.54.470 establishes a "Commercial Use Permit and Fee". AS 08.54.470(d) provides:

> "The commissioner of administration shall separately account for commercial use permit fees deposited in the general fund by the department. The annual estimated balance in the account may be used by the legislature to make appropriations to the Department of Fish and Game and the Department of Public Safety to carry out their respective responsibilities for management of game resources and enforcement of game laws."

Anticipated program receipts from the commercial use permit fee were not appropriated as part of the fiscal notes for SCS CSHB 112(Rls) am S. The Division of Occupational Licensing estimates $50,000 will be generated from this fee in FY 90.

At its last meeting, the Task Force on Guiding and Game expressed interest in determining if there is a mechanism, other than waiting for action by the

OUT OF SESSION
3111 C STREET ANCHORAGE, ALASKA 99503 907-561-7610

next Legislature, by which $45,000 of the FY 9C program receipts from the commercial use permit fee could be appropriated to the Department of Fish and Game for development of a computerized guide/outfitter area-based management system. (The Legislature approved a $90,000 fiscal note for Fish and Game as part of HB 112 for this purpose, but the amount was reduced to $45,000 by the free conference committee).

I am interested in learning if Legislative Budget and Audit has the authority to approve such an appropriation, or if there is another means of accomplishing this goal. I have also made a similar request for information from the Office of Management and Budget to learn if a Revised Program through Budget and Audit Committee is possible.

As always, your anticipated assistance is appreciated. Should you need any additional information, please give Cheryl Frasca or my staff a call at 561-7610.

Thank you.

MEMORANDUM RECEIVED **STATE OF ALASKA**

SEP 12 1989

JAN FAIKS
SENATE OFFICE

TO: Alison Elgee
Division Director
Division of Budget Review
Office of the Governor

DATE: August 30, 1989

FILE NO:

TELEPHONE NO: 465-4100

FROM: Warren W. Wiley
Assistant Commissioner
Department of Fish and Game

SUBJECT: RPL to receive and expend program receipts

The Department of Fish and Game, Division of Wildlife Conservation, requests authority to expend $45,000 in receipts collected by the Department of Commerce, Division of Occupational Licensing. These receipts represent fees collected from Guides and Outfitters.

This funding will permit the department to develop a computer based guide/outfitter area management system for the Task Force on Guiding and Game as part of their review of that industry. The 1989 Legislative Session had approved $90,000 as part of the department fiscal year 1990 budget, however that amount was reduced to $45,000 by the free conference committee. The free conference committee funding level will not allow the department to complete the system.

The Division of Occupational Licensing estimates the use fees will generate more than $50,000 in program receipts during FY 90. These fees are not appropriated revenues and were not included as part of the fiscal notes for SCS CSHB 112(R1s) am S. Last session the Legislature approved House Bill 112 (chapter 37 SLA 89) related to big game hunting. Section 08.54.470 establishes a "Commercial Use Permit Fee." AS 08.54.470(d) provides:

"The commissioner of administration shall separately account for commercial use permit fees deposited in the general fund by the department. The annual estimated balance in the account may be used by the legislature to make appropriations to the Department of Fish and Game and the Department of Public Safety to carry out their respective responsibilities for management of game resources and enforcement of game laws."

Additional information:

1. Funding availability: Funding is available from program receipts collected by the Department of Commerce.

2. New/Expanded Services: Development of a computer based guide/outfitter area management information system.

3. Impact on general funds: No additional general funds are required.

4. Positions funded: No new positions will be required. Existing department positions will be utilized.

5. Technical/budgetary aspects: Funding required:

71000 Personal Services	$ 45,000.00
Total funding	$ 45,000.00

If I can be of any assistance or provide any additional information, please do not hesitate to call on me.

cc: Beverly D. Reaume

WWW/BDR/DSH/eej

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SCS CSHB 112 (Rules) (Fin)
PUBLISH DATE: 4/25/89

FISCAL NOTE

REQUEST:

Revision Date: 15-Feb-89
Agency Affected: Natural Resources
Title: An Act relating to big game hunting and regulation of commercial services.
BRU: Management and Administration
Sponsor: House Resources
Components: Commissioners Office
Requestor: House Resources

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0					

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Travel costs for Natural Resources will be included in DCED fiscal note.

Changes in SCS CSHB 112 (Fin) have no fiscal impact. This fiscal note is appropriate.
4/19/89 AL

Prepared by: Carol Wilson
Phone: 465-2400
Division: Commissioners Office
Date: 15-Feb-89

Approved by Commissioner: Lennie Gorsuch
Date: 15-Feb-89
Agency: Department of Natural Resources

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

Changes in SCS CSHB 112 (Rules) have no fiscal impact. This fiscal note remains appropriate.
4/24/89 ML

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STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SCS CSHB 112 (Fin) DRAFT
PUBLISH DATE: 4/19/89

FISCAL NOTE

REQUEST:

Revision Date: 4/12/89
Title: Big game guiding and commercial hunting
Sponsor: House Resources
Requestor: Senate Finance

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

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0		0	0

ANALYSIS: (Attach a separate page if necessary)

Passage of HB 112 would create a nine-member Big Game Commercial Services Board. It is anticipated that travel expenses for Board members would be included in the budget of the Department of Commerce and Economic Development, Division of Occupational Licensing. Department of Public Safety (DPS) staff time will be provided to assist the Board as necessary; no additional fiscal impact on DPS is anticipated.

Prepared by: Captain Conrad Seibel
Division: Fish & Wildlife Protection
Phone: 269-5509
Date: 4/12/89

Approved by Commissioner: H. Arthur English
Agency: Department of Public Safety
Date: 4/12/89

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SCS CSHB 112 (Fin) DRAFT
PUBLISH DATE: 4/19/89

FISCAL NOTE

REQUEST:

Revision Date: 4/12/89
Title: Big game guiding and commercial hunting
Sponsor: House Resources
Requestor: Senate Finance

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

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Passage of HB 112 would create a nine-member Big Game Commercial Services Board. It is anticipated that travel expenses for Board members would be included in the budget of the Department of Commerce and Economic Development, Division of Occupational Licensing. Department of Public Safety (DPS) staff time will be provided to assist the Board as necessary; no additional fiscal impact on DPS is anticipated.

Prepared by: Captain Conrad Seibel
Division: Fish & Wildlife Protection
Phone: 269-5509
Date: 4/12/89

Approved by Commissioner: H. Arthur English
Agency: Department of Public Safety
Date: 4/12/89

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SCS CSHB 112 (Rules) ~~(Fin)~~
PUBLISH DATE: 4/25/89

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to big game hunting and to the regulation of big game and marine mammal guide-outfitting...
Sponsor: House Resources
Requestor: House Resources

Agency Affected: Commerce & Economic Dev.
BRU: Occupational Licensing
Components: All

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		39.8	39.8	39.8	39.8	39.8
TRAVEL		28.7	28.7	13.9	13.9	13.9
CONTRACTUAL		16.3	16.3	16.3	16.3	16.3
SUPPLIES		2.0	2.0	2.0	2.0	2.0
EQUIPMENT		12.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		98.8	86.8	72.0	72.0	72.0
CAPITAL						
REVENUE		103.0	105.5	108.0	110.5	113.0

funded in HB100

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER GF/PR		98.8	86.8	72.0	72.0	72.0
TOTAL		98.8	86.8	72.0	72.0	72.0

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

See attached for explanation.

Changes in SCS for CSHB 112 (Fin) have no fiscal impact. This fiscal note is appropriate. ss 4/19/89

Prepared by: Jennifer Strickler, Administrative Officer
Phone: 465-2144
Division: Occupational Licensing
Date: April 12, 1989

Approved by Commissioner: Larry Merculieff
Date: 4/12/89
Agency: Commerce and Economic Development

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

Changes in SCS for CSHB 112 (Rules) have no fiscal impact. This fiscal note remains appropriate 4/24/89

DFED - PSFN.WK1 - FN - [illegible]

BIG GAME COMMERCIAL SERVICES BOARD EXPENSES

The expenses identified in this fiscal note, except where noted, are new costs expected to be incurred by the new Commercial Services Board in addition to those already budgeted for the current Guide Board. The increase in board expenses will be covered by a parallel increase in the division's program receipt authority. The expenses will be paid for by revenues generated by new or increased licensing fees.

FY 90:

PERSONAL SERVICES:

Occupational Licensing Examiner I, Range 12A 6 months (PPT), Juneau	$17.3
Investigator II, Range 16A 6 months (PPT), Anchorage	22.5
Personal Services Sub-Total:	$39.8

BOARD RELATED TRAVEL:

Travel costs are based on nine (9) members from the following locations:

- 2 Anchorage members
- 2 Fairbanks members
- 1 Juneau member
- 1 Kenai member
- 1 King Salmon member
- 1 Kodiak member
- 1 Kotzebue member

and four (4) staff members (three from Juneau, and one from Anchorage)

Travel to board meetings by board members and staff in the first year is based on:

2 Anchorage meetings ($6330 x 2)	$12.7
1 Fairbanks meeting	8.6
1 Juneau meeting	8.5
	$29.8

STAFF TRAVEL (Rural Implementation):

In order to encourage rural resident participation in the big game commercial services industry, it is planned that a Licensing Examiner will travel to seven rural sites for out-reach purposes; Barrow, Kotzebue, McGrath, Bethel, Dillingham, Kodiak, and Ketchikan $5.8

STAFF TRAVEL (Investigations):
Primarily to focus on the licensure of transporters and commercial use permit holders, funds are necessary for an Investigator to travel to seven sites for enforcement activity: Fairbanks, King Salmon, Kotzebue, Bethel, Kenai, Cordova, and Bettles $4.1

(Travel to be reduced by $11.0 already built into the Licensing Boards component of the division of occupational licensing operating budget.) [$11.0]

Travel Sub-Total:	$28.7	

CONTRACTUAL

Printing (decals, forms, etc.)	$5.0
Advertising (meetings and regulations)	1.7
Exam consultation	5.0
Phones, postage	3.0
Space rent (for meetings)	1.6
	$16.3

Contractual Sub-Total $16.3

COMMODITIES:

Standard operating supplies such as stationery, envelopes, pens, etc. $2.0

EQUIPMENT: (one time costs only)

2 - Phone units	.4ea.	.8
2 - DP/WP Computer workstations	2.2ea.	4.4
2 - Desks, double pedestal, 70x36	.7ea.	1.4
2 - Chairs, swivel with arms	.7ea.	1.4
2 - Chairs, side without arms	.2ea.	.4
2 - Typewriters, IBM SelectricIII	1.2ea.	2.4
2 - Desk calculators	.1ea.	.2
2 - Tables, 72x36	.2ea.	.4
2 - File cabinets, 5 dr legal with lock	.3ea.	.6
		$12.0

Equipment Sub-Total: $12.0

TOTAL FY 90 COSTS: 98.8

FY 91:

Costs in FY 91 are anticipated to be the same as in FY 90, less the one-time FY 90 equipment costs of $12.0.

TOTAL FY 91 COSTS: $86.8

FY 92:

Cost differences between FY 90 and FY 92 result from a reduction in FY 92 of the number of meetings budgeted under travel. FY 92 expense is based on two meetings, one in Anchorage and one in Fairbanks, while FY 90 was based on four.

Anchorage Board Meeting Deleted	[6.3]	
Juneau Board Meeting Deleted	[8.5]	
	[14.8]	[14.8]

TOTAL FY 92 COSTS: $72.0

Costs are the same for FY 93 and FY 94 taking into consideration two meetings to be held each year, one in Anchorage and the other to alternate between Fairbanks and Juneau each fiscal year.

BIG GAME COMMERCIAL SERVICES BOARD PROGRAM RECEIPTS

The current Guide Board already generate program receipts through its licensing fees. The revenues reflected in this fiscal note represent the amount of **additional** revenue necessary to cover the added costs associated in CSHB 112(Fin)am with sunsetting the Guide Board and creating a Big Game Commercial Services Board. The revenues are based on a modest increase of $50.00 to the fees presently established by regulation and assessed against licensed guides renewing their licenses and against persons seeking initial licensure. Unlike other occupational licensing areas, which renew biennially, CSHB 112(Fin)am requires annual renewal and the revenue reflects that mandate.

FY 90 is based on:

437 Guide-Outfitters x $50	$21.8
1224 Class-A and Assistant Guides x $50	61.2
300 Transporters x $50	15.0
100 Outfitters x $50	5.0
FY 90 Revenue	**$103.0**

FY 91 is based on FY 90 calculations with an additional 50 new licensees added:

437 Guide-Outfitters x $50	$21.8
1224 Class-A and Assistant Guides x $50	61.2
325 Transporters x $50	16.3
125 Outfitters x $50	6.2
FY 91 Revenue	**105.5**

FY 92 is based on FY 91 calculations with an additional 50 new licensees added:

437 Guide-Outfitters x $50	$21.8
1224 Class-A and Assistant Guides x $50	61.2
350 Transporters x $50	17.5
150 Outfitters x $50	7.5
FY 92 Revenue	**$108.0**

FY 93 is based on FY 92 calculations with an additional 50 new licensees added:

437 Guide-Outfitters x $50	$21.8
1224 Class-A and Assistant Guides x $50	61.2
375 Transporters x $50	18.8
175 Outfitters x $50	8.7
FY 93 Revenue	**$110.5**

FY 94 is based on FY 93 calculations with an additional 50 new licensees added:

437 Guide-Outfitters x $50	$21.8
1224 Class-A and Assistant Guides x $50	61.2
400 Transporters x $50	20.0
200 Outfitters x $50	10.0
FY 94 Revenue	**$113.0**

02480

RECEIVED
AUG 14 1989
JAN FAIKS
SENATE OFFICE

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

MEMORANDUM August 8, 1989

SUBJECT: Authorization of the Department of Fish and Game to expend program receipts from the commercial use permit fee under AS 08.54.470

TO: Senator Jan Faiks

FROM: George Utermohle
Legislative Counsel

You have asked whether there is a procedure by which the Department of Fish and Game could be authorized to expend $45,000 of program receipts from the commercial use permit fee under AS 08.54.470 during fiscal year 1990 without waiting for action by the Legislature during the next session. This $45,000 is to be used to further develop a computerized guide-outfitter area-based management system for which the Legislature has already appropriated another $45,000 as part of the cost of implementing ch. 37, SLA 1989 (HB 112-relating to licensing of guide-outfitters) during fiscal year 1990.

1. Can the Legislative Budget and Audit Committee approve an appropriation of program receipts to the Department of Fish and Game?

The short answer is no.

The state may not expend state funds except in accordance with an appropriation of the funds by the Legislature. (Alaska Constitution art. IX, sec. 13) The power of the Legislature to appropriate state funds cannot be delegated to a committee of the Legislature. (Kelley v. Hammond, First Judicial District, CA 77-4 (1978)) Thus the Legislative Budget and Audit Committee may not appropriate funds for expenditure by state agencies. Likewise the power of the Legislative Budget and Audit Committee to approve the increase of an appropriation through the revised program process set out

under AS 37.07.080(h) has been found to be unconstitutional by a superior court. (Id.) The Alaska Supreme Court is likely to concur with the decision of the superior court if the issue is ever presented to the court.

Thus in order for the Department of Fish and Game to expend program receipts from the commercial use permit fee during fiscal year 1990 those program receipts must be included within an appropriation made by the Legislature.

2. Is there a means that would allow expenditure of fiscal year 1990 program receipts by the Department of Fish and Game to supplement an appropriation for a computerized management system without waiting for the Legislature to take action during next session?

The short answer is yes, but. . .

The state often receives unanticipated program receipts between sessions of the Legislature. In order to allow the state to expend these funds without waiting for an authorization during the next session of the Legislature, the Legislature annually makes a conditional appropriation of new or additional program receipts as part of the state's operating budget. The appropriation for fiscal year 1990 is contained in sec. 2, ch. 116, SLA 1989 and reads:

> Federal or other program receipts that exceed the amounts appropriated in this Act are appropriated conditioned upon compliance with the program review provisions of AS 37.07.080(h). (emphasis added)

Program receipts derived from the commercial use permit fee under AS 08.54.470 are included within the term "other program receipts."

Under the terms of sec. 2, ch. 116, SLA 1989 the program receipts derived from the commercial use permit fee may be expended to supplement the existing appropriation for the computerized management system if the program receipts have not already been appropriated by ch. 116 and the program review procedures set out in AS 37.07.080(h) are followed. Under AS 37.07.080(h) the governor must submit a revised program to the Legislative Budget and Audit Committee and 45 days must elapse between the submission of the revised program and expenditure of the program receipts, unless the Legislative Budget and Audit Committee approves earlier

expenditure of the program receipts. The role of the Legislative Budget and Audit Committee in this process is largely advisory because even if the committee disapproves the expenditure, the governor may expend the program receipts at the end of the 45 day period after informing the committee of the his intent to do so.

Once it is determined that program receipts have not been previously appropriated and the program review procedures are completed, the preconditions to the appropriation of the program receipts are satisfied. Those program receipts then become appropriated funds under sec. 2, ch. 116, SLA 1989 and may be expended by the department.

According to the information provided in your memorandum, the program receipts derived from the commercial use permit fee during fiscal year 1990 have not been appropriated. Thus these program receipts are still available for appropriation under sec. 2, ch. 116, SLA 1989 to supplement the initial appropriation of $45,000 to the Department of Fish and Game for a computerized guide-outfitter area-based management system, provided that the governor and the Legislative Budget and Audit Committee comply with the program review provisions of AS 37.07.080(h).

Having concluded that the Department of Fish and Game may be authorized under sec. 2, ch. 116, SLA 1989 to expend program receipts from the commercial use permit fee, I must advise that the appropriation of program receipts under sec. 2 and similar provisions in prior years is subject to challenge as an invalid delegation of the appropriation power. Despite the long-standing acceptance of the program receipts appropriation process under sec. 2 by the Legislative Budget and Audit Committee and numerous governors, it is questionable whether the Alaska Constitution actually permits the governor to exercise such a broad and open-ended power over expenditure of program receipts during the interim between legislative sessions. Section 2 is a virtual delegation of the legislative appropriation power to the governor who then determines how much and for which purposes program receipts may be expended without a meaningful opportunity for legislative oversight before the funds are spent.

If I may be of further assistance, please advise.

GU:mi:gc
wkmi4/062

July , 1989

MEMORANDUM

TO: Jan

FROM: Cheryl

SUBJECT: RSA of funds to Fish and Game

Attached are the two fiscal notes from the Guide Bill:

> CED shows that 103.0 is expected to be generated in program receipts from licensing fees and it will cost 98.8 of this amount to support their activities. This was fully funded in operating budget;
>
> DF&G shows a cost of 90.0 in general funds, and as you know, 45.0 of this was funded in operating budget.

You stated you want to take 45.0 from CED and give it to DF&G. Since CED's fiscal note indicates they were going to use nearly all of the program receipts generated in order to fund their operation in FY 90, there would be no excess program receipts to transfer to DF&G unless Occupational Licensing is willing to give up 45.0 which it had budgeted.

Did Randall indicate this was okay? – I believe he did – call him + verify – & over the "fact" of the fiscal note.

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SCS CSHB 112 (Rules) (Fin)
PUBLISH DATE: 4/25/89

FISCAL NOTE

REQUEST:

Revision Date:
Title: An Act Relating to Commercial Services for Big Game Hunters
Sponsor: Resources Committee
Requestor:

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	31.5	76.8	67.5	58.2	58.2	58.2
TRAVEL	1.5	5.0	3.0	1.0	1.0	1.0
CONTRACTUAL		.5	.5	.5	.5	.5
SUPPLIES		1.7	1.0	1.0	1.0	1.0
EQUIPMENT		6.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	33.0	90.0	72.0	60.7	60.7	60.7
CAPITAL	0	0	0	0	0	0
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

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

Prepared by: W. Lewis Pamplin, Jr., Director — Phone: 465-4190
Division: Wildlife Conservation — Date: 2/15/89

Approved by Commissioner: — Date: 2/15/89
Agency: Fish and Game

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

Changes in SCS CSHB 112 (Fin) have no fiscal impact. This fiscal note is appropriate. 4/19/89 ss

Changes in SCS CSHB 112 (Rules) have no fiscal impact. This fiscal note is appropriate. 4/24/89 MSL

FISCAL NOTE FOR HOUSE BILL 112
Page 2 of 2

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

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

'Schedl'

August 17, 1989

MEMORANDUM

TO: Jan

FROM: Mark

SUBJECT: Guide Task Force Meeting Schedule

After canvasing the task force members for the dates they would be available for the next full task force meeting, it appears TWO sets of dates are nearly equally open for task force members. Only one of which will Bill Horn be available. He expressed interest in attending the next meeting.

September 18 or 19 - Fanning is a maybe, Ralph Eluska, Phil Gilson are the members not available. Bill Horn is unavailable. Steve Pradell is available (fr Birch Horton)

October 4, 5 or 6 - Bob Hinman, R. Burns, R. Eluska are not available but Bill Horn IS and would like to attend the meeting. Jill Fanning said it appeared that Ken could make it and she added that either in person or by phone she was fairly certain he could be there.

Hinman is an unknown at this time because of medical situation. He goes to Seattle 8-18-89 for tests. Whether he attends future meetings will depend upon prognosis. He will let us know.

Your schedule is open both sets of days.

Also: Do you want a ONE or TWO day meeting?

1 for sure - maybe 2

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

STEVE COWPER, GOVERNOR

333 RASPBERRY ROAD
ANCHORAGE, ALASKA 99518-1599
PHONE: (907) 344-0541

RECEIVED

SEP 7 1989

JAN FAIKS
SENATE OFFICE

September 5, 1989

The Honorable Jan Faiks, Chairman
Alaska Legislative Task Force
on Guiding and Game
3111 "C" Street, Suite 525
Anchorage, Alaska 99503

Dear Senator Faiks:

According to the draft agenda, the next meeting of the Legislative Task Force on Guiding and Game will include discussion and presumably the selection of a process for involving the public. This meeting could also provide an excellent opportunity to report to the public on our progress to date, to describe the process for receiving public input, to present the initial criteria for developing guide-outfitter resource areas, and to receive public comment and answer general questions. I know that you share these concerns for meaningful public involvement.

Because of the impending January deadline, I believe the task force should take advantage of all practical opportunities to incorporate public participation in our upcoming meeting (and future meetings). With approximately a month of notification, a public session could be scheduled for the evening of October 5, following a full day of task force business. This would be consistent with the scheduling of prior task force public hearings, and more importantly, would provide needed public contact at the next possible opportunity. Please advise me of your thoughts on this suggestion. Thank you.

Sincerely,

W. Lewis Pamplin, Jr.
Director
Division of Wildlife Conservation

cc: SuzAnne Miller
Task Force Members

great idea —
schedule public
hearing evening
of 5 —
7-9 pm -

PLAN SCHEDULE

SUSITNA BASIN RECREATION RIVERS MANAGEMENT PLAN

1. Identify Issues
Hold public meetings to identify issues and concerns in the river corridors. (December 1988)

2. Gather Information
Collect information about natural resources, present and past land use, land ownership, and the local economy. (Occurs throughout planning process)

3. Prepare and Evaluate Land Use Alternatives
Describe possible choices for managing state land based on public interests, local resources, and state policies. Describe the effects of each choice on goals for the recreation river corridors. (Summer 1989)

4. Public Reviews Alternatives
Hold public meetings to review the land use choices and identify those that people prefer. (Fall 1989)

5. Prepare Draft Plan
The planning team and advisory board create a draft plan using public and agency comments. The agencies review the first draft and settle any land use conflicts that remain. (Spring 1990)

6. Public Reviews Draft Plan
Hold public meetings to provide the public the opportunity to comment on the draft plan and identify parts that need to be changed. (Summer 1990)

7. Prepare Final Plan
Review agency and public comments and revise the plan. The plan is prepared for publication. (Fall 1990)

8. Approve Plan
The Commissioner of the Department of Natural Resources approves and signs the plan. (December 1990)

9. Legislature Reviews Plan
The legislature reviews the plan. (Winter 1991)

10. Adopt and Implement Plan
The plan guides land management decisions in the recreational river corridors. (May 1991)

Mark 'Springer'

October 2, 1989

MEMORANDUM:

TO: Jan

FROM: Mark

SUBJECT: NOTES: Meeting with Henry Springer re Guide Task Force

He felt the task force was doing fine - was "going in the right direction".

Said any system the TF develops will have to begin with "areas" as a base.

He feels the Department is fully capable of making decisions regarding "designations".

He did have a slight problem with the elements of award criteria in that "experience in an area" was a difficult part of the criteria to resolve. He likes:

X - Transition period for getting into or qualifying for an area.

X - Pre-Qualification for bidders

Agreed there must be ready access to the system, however that must not preclude proper qualification standards - in compliance with the court decision on whats reasonable for guides.

TIME: while 10 years is not unreasonable, 15 years is even better. Under 10 years is just not ample incentive.

**He feels "subsistance" will be a problem, possibly a major problem as concerns an area based system. This is particularly so with regard to the sustained yield of the resource. With guide-hunting only there would be no problem with sound game management however, local and subsistance use WILL cause problems - will cause the game populations in some areas to be thrown out of wack.

- maybe a game quota system or allocations to subsistance use, etc.

To determine who gets an area a lottery system would be the easiest to defend. However, the inability to act to market changes (Int'l hunting market) could present a problem. Says the Int'l hunting market is VERY active - changes rapidly. Changes made by legislation here would be too slow and inflexible. He says possibly legislature could provide basic parameters but not strict guidelines for management would allow the needed flexibility and quick action needed to make market changes.

* A concession-type system is generally okay.
    (1) <value to the state> Market fluctuates widely, so to be fair there must be self regulation. Bidding is a fair way to establish concessions.

    (2) Foreign elements may enter the market (such as in British Columbia or Africa) there is a possibility that under such circumstances, using a bid process the hunting industry here could become simply entertainment (i.e. large corps using the corporate-owned guide areas for their clients pleasure - major clients etc would spend a weekend hunting brown bear in Ak - while the "typical" hunters may be excluded)

He feels that "negotiating" for a guide area would not be particularly "defensible".

"Transferability" - the time element must somehow be tied down first - then why not - as long as the new person taking an area being transferred is fully qualified.

The "familiarity with area" requirement is good to a point, but maybe further development of description/concept for greater clarification an availability for new qualifiers.

Henry felt the BIGGEST PROBLEM will be "land surface control" - artificial boundaries create problems, etc. (He feels that sweetheart deals between native corporations and some of the guides could be problem)

Oct. 18, 1989

INTERAGENCY MEETING on BIGGAME GUIDE-OUTFITTI

Mike Sullivan	ADNR	762-2270
Ron Swenson	ADNR	762-2680
Terry O'Sullivan	BLM-	271-5508
Rebecca Kaiser	NPS	257-2594
JOHN KURTZ	USFWS	786-3355
Leo Keeler	U.S Forest Service	271-2547
Mark Richie	Sen. Fairks	561-7610
Maranne See	ADF+G	267-2420

FAX #S:

Mike Sullivan - 561-0221
Becky Kaiser - 257-2510/2503
John Kurtz - 562-0336 (562-2297)
Leo Keeler -
Terry O'Sullivan - 271-5425

Symank Kurtz

October 19, 1989

MEMORANDUM:

TO: Jan

FROM: Mark

SUBJECT: Qestion regarding Guide Task Force Work Sessions

During the Interagency Staff Meeting on the Guide Task Force John Kurtz of Federal Fish and Wildlife asked if something could be arranged so that federal agency personnel might offer comments during work sessions. He referred specifically to times when it becomes obvious to them that the task force members appear to be heading in a direction which the feds cannot go.

Would it be possible to set up a system whereby the federal agency folks could identify themselves to you prior to the meeting. Then, if they feel it necessary, during the work session they could rise and be recognized.

Or, possibly they could simply bring a note to me (or Nancy Peterson) which could then be passed to you.

Yes — no problem —

10.18.89 Interagency Mtg – Guide Task force –

F&G assumes 2yr period To work into plan.
↳ probably would set up 'internal' ranking of areas & ST To begin –
× Feds need Time to contact – hear from field reps who really know whats going on there. Need ample lead Time.

Fed F&G – will look at 'quality' of experience offered –
Feds mandate = That users receive quality experience – ~~the~~ concerned
XX State will Try To 'MAXIMIZE' # of guiding opportunities – so Feds may have To place 'Limits' on #s of clients etc –
Feds feel GTF has commercial guides To handle – ~~so~~ while Feds want to deal w/ multiple users – ~~many~~ makes Feds the bad guy – don't want Joint use areas – they don't work. (i.e. Wrangells) also fear if Joint use – then they'll have To 'subdivide' area Twixen Two guides.
(many Land use planning pgms for Feds Take 10yrs +)

attend –
Becky Kaiser – NPS – John Kurtz – F&W – Leo ~~Keeler~~ Keeler – Forest Svc
US Forest Svc – Terry O'Sullivan – BLM – Ron Swanson –
ADNR – Mike Sullivan – ADNR –

× If system = Lease for ST. Lands –
ADNR – No. don't separate public/commercial – public doesn't want long permits – would be competitive bid –

X Feds / ADNR – prefer not going w/ leases – prefer permits (~~maybe~~ renewable or competitive bid/lottery) maybe concession-permit or – imply long Term vertical ownership.

(2)

FFS can issue 5yr permits but must be justified (have 2yr trial period so they know whether they can work w/ him) i.e. want established 'good' operator. Feds may also seek change in operator if land mgmt plan changes.

FFW - Top priority = user (hunter) not the service provider — the 'industry' is of no concern to Fed FW (Kurtz)

must do an '8-10' evaluation for every permit issued (subsistance)

F Park Svc - unless need (by public & not industry) is shown -

look for continuity of svc - so stay w/ providers as long as possible — can make land assignments - don't want GTF to do it.

problem - concession policy not = must allow concessionaire reasonable chance to make profit - so can't have hobbyist guides - they're looking for tx write offs for planes, equipment etc not business profits.

— cooperation w/ ST = vital.

FPS had problems in past w/ joint use areas — (guides squabbling) sometimes felt intimidated - guides attitudes - ST = Running show - can't kick me out — (guides there before park was?)

└ doubtful PS would go back to concessions pgm

IF ST

— they view the GTF as working for the industry — against them.

FFS requires operating plan - Type/quality of svc - safety plan -

(3)

op plans -
- will vary according to what's desired — financial info etc - ↑ in responsibility.
- " " " " how one looks at them (good to game Bd may be bad fr. wildlife conservationist)

insur requirements — Feds do require — would be good if St. guide. require insur for same amounts - uniformity between Fed/St - desirable.

X Fees — Feds must — commercial op on public lands — ↓ cost recovery syst — to cover admin costs — option = fair market value (Forest Svc - Blm - % of gross - w/ negotiated nationwide)

X problem if both St. & Fed require % of gross - could kill industry.
X is pro-rated to what's earned on Fed. land.
% billings could be admin nightmare if not staffed for it.
maybe better - sliding scale fee —

786-3355
John Kurtz - can Feds interject comments during mtgs — can process be developed to provide for it — i.e. when Fed staff hear CTF going in direction that's obviously wrong.

Feds (-superintendents) would want a say at how many guides areas are in their areas — & in who is selected.
— If possible align guide area boundaries w/ agency boundaries.

X Fed requirements are forcing activity onto state land —

St land mgrs — fear st lands are becoming dumping ground for cast off guides the tighter Fed controls - force more pressure on st lands -

need close gap tween Fed-ST requirements

more stringent licensing laws could reduce size of industry —

(A)

EA ?

XX Transferability — of permits or whatever — a big concern!
Feds — NOT transferable — no subleasing (EFW)
FFS - To issue new (any) permit - requires environmental analysis (formality)

Big Game C.S. Board — Dec. 4-5-6 — Anch —

How is admin of this plan to be funded — ?
program receipts or — ?

October 18, 1989

Guide Task Force - Upcoming Meetings:

The next meeting of the Legislative Task Force on Guiding and Game has been scheduled for Wednesday, November 8th in Anchorage.

The task force will meet in work session from 9 a.m. to 12:30 p.m. and from 1:30 p.m. to 4 p.m.. The panel will accept public input from 4 p.m. to 5:30 p.m. and again from 7 p.m. to 9 p.m.. The meeting will be teleconferenced to all interested locations. It will be held in the 5th floor conference room of the Anchorage Legislative Information Office.

A representative of Birch, Horton, Bittner and Cherot will offer a preliminary management plan based upon the information they received at the October 5th and 6th meeting. There will also be a report on an October 18th meeting involving staff from interested state and federal agencies and an update on the Department of Fish and Game mapping project.

An additional meeting is scheduled for Monday, November 20th to provide follow-up response from panel members to Birch Horton regarding the proposed management plan. If necessary, there will be a morning session November 21st.

60 Mail
Guide 3

November 15, 1989

MEMORANDUM

TO: Jan

FROM: Mark

SUBJECT: Commercial Services Board

Guide Task Force member Pete Biust has suggested it would be valuable to both the task force and the Commercial Services Board if the Board members could attend a task force meeting.

The Board meets in Anchorage December 5-6-7. It had been suggested that they be invited to the task force meeting if it was held December 8th. Your schedule does not permit that date unless someone else (Pamplin?) chaired the meeting.

However, several members of the Board live in the general Anchorage area (from Soldotna to Talkeetna) so perhaps I could extend an invitation to those Board members who would like to join the task force during its Dec. 11th meeting (if that's the date chosen for the final meeting).

either way Kent Bob Hennessy is the co-chair.

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

RECEIVED
JUN 28 1989
JAN FAIKS
SENATE OFFICE

MEMORANDUM June 27, 1989

SUBJECT: Sectional Summary of SCS CSHB 112 (Rules) am S; An Act relating to big game hunting and to the regulation of big game and marine mammal guide-outfitting, transportation, and other commercial services for big game hunters, creating the Big Game Commercial Services Board; relating to presumptive sentences for violation of certain big game commercial services statutes; and providing for an effective date.

TO: Senator Jan Faiks

FROM: George Utermohle
Legislative Counsel

The following is a sectional summary of SCS CSHB 112 (Rules) am S, as requested by Mark Riehle of your staff.

Please note that a summary of a bill should not be considered an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill repeals and reenacts AS 08.01.010(10) to provide that the Big Game Commercial Services Board is subject to and benefits from centralized licensing procedures under AS 08.01.

Section 2 of the bill repeals and reenacts AS 08.03.010(c)-(20) to provide that the Big Game Commercial Services Board terminates on June 30, 1993 under the "sunset" provisions of AS 08.03.

Section 3 of the bill amends AS 08.54 by adding new sections creating the Big Game Commercial Services Board and providing for the regulation of guide-outfitting, transportation, and other commercial services for big game hunters.

ARTICLE 4. BIG GAME COMMERCIAL SERVICES BOARD.

Sec. 08.54.300 establishes the Big Game Commercial Services Board (Board) in the Department of Commerce and Economic Development. The Board consists of nine members. Two members of the board are licensed guide-outfitters. Two members of the Board are licensed transporters. One member of the Board is a commercial use permit holder who is not a guide-outfitter or transporter. One member of the Board is a member of the Board of Game who is chosen by the Board of Game. One member is a person who represents Native landholders. Two members of the Board are public members. The guide-outfitter, transporter, commercial use permit holder, and public members of the Board, as well as the representative of Native landholders, are appointed by the governor.

Sec. 08.54.310 sets out the duties and powers of the Board. The Board shall prepare, grade, and administer examinations for guide-outfitters licenses and for game management unit certifications; determine qualifications for class-A assistant guide-outfitter, marine mammal guide-outfitter, and assistant guide-outfitter licenses; establish performance standards for providers of big game commercial services and regulate the activities of these providers; publish an annual list of big game commercial services providers; prohibit big game commercial services that are unsportsmanlike, unethical, unsafe, etc; revoke, suspend, or deny renewal of licenses and permits; authorize issuance of transporter licenses and commercial use permits; meet at least twice each year; and provide for registration of base camps and other facilities.

The Board may establish a management system for guide-outfitters and establish standards of supervision that a guide-outfitter must exercise over class-A assistant guide-outfitters and assistant guide-outfitters.

Sec. 08.54.320 provides that the Board shall adopt regulations as required by this chapter and as necessary for administration of this chapter.

Sec. 08.54.330 provides that the Department of Fish and Game, Department of Natural Resources, and Department of Public Safety shall provide the Board with information necessary to regulate providers of big game commercial services.

ARTICLE 5. LICENSING.

Sec. 08.54.350 sets out the minimum qualifications necessary for a guide-outfitter license. A person who currently holds a master guide license may receive a master guide-outfitter license, but is in all other respects treated as a guide-outfitter. A guide-outfitter may contract to guide-outfit hunts for big game.

Sec. 08.54.360 sets out the minimum qualifications necessary for a marine mammal guide-outfitter license. A marine mammal guide-outfitter may contract to guide-outfit hunts for marine mammals.

Sec. 08.54.370 sets out the requirements for renewal of guide-outfitter and marine mammal guide-outfitter licenses. The department may not renew a license unless these requirements are satisfied.

Sec. 08.54.380 sets out the minimum qualifications necessary for a class-A assistant guide-outfitter license. A class-A assistant guide-outfitter may not contract to guide-outfit hunts. A class-A assistant guide-outfitter must be under the supervision of a guide-outfitter but may take charge of a camp in the absence of a guide-outfitter.

Sec. 08.54.390 sets out the minimum qualifications necessary for an assistant guide-outfitter license. An assistant guide-outfitter may not contract to guide-outfit hunts and must be employed by a guide-outfitter and supervised by a guide-outfitter or class-A assistant guide-outfitter while in the field on a hunt.

Sec. 08.54.395 sets out additional requirements for guide-outfitters. This section takes effect July 15, 1989.

Guide-outfitters and marine mammal guide-outfitters must carry a minimum amount of comprehensive general liability insurance or post a financial bond.

Any guide-outfitter, marine mammal guide-outfitter, class-A assistant guide-outfitter, or assistant guide-outfitter who pilots an aircraft to transport clients shall have a commercial pilot's rating or a minimum or 250 hours of flying time in the state.

All aircraft that transport clients of guide-outfitters during the provision of big game commercial hunting services must carry a minimum amount of aviation passenger liability insurance or be subject to a financial bond in the required amount.

Sec. 08.54.400 sets out the requirements for obtaining and renewing a transporter license.

A transporter may provide transportation services to big game hunters. A transporter may also provide accommodations to big game hunters in the field in certain situations. A transporter must place a decal provided by the department on each piece of transportation equipment that the transporter uses in providing transportation services to big game hunters.

Sec. 08.54.410 provides for an appeal to the commissioner of commerce and economic development if an applicant for any class of guide-outfitter license or transporter license is denied a license by the Board. Specific criteria that an appellant must satisfy in order to file an appeal under this section are set out.

Sec. 08.54.420 provides that guide-outfitter, marine mammal guide-outfitter, and transporter licenses are renewed annually.

Sec. 08.54.430 provides for examinations for any class of guide-outfitter license that may be required under this chapter. The Board shall administer qualification examinations at least twice a year and at least once each two years shall administer the examinations at a location outside of Anchorage. The examinations must be administered at least 90 days apart.

The Board shall regularly provide information on examinations and qualifications for all classes of guide-outfitter licenses to residents of rural areas.

Sec. 08.54.440 provides for renewal of all classes of guide-outfitter licenses after the license has lapsed. If any class of guide-outfitter license has lapsed for two consecutive years, the applicant must satisfy the requirements for initial issuance of the license.

A guide-outfitter who fails to renew a license does not have to repeat the three year apprenticeship as a class-A assistant guide-outfitter or an assistance guide-outfitter unless the guide-outfitter license has been lapsed for three years or more.

Sec. 08.54.450 provides that the department shall set fees for examinations and licenses required under this chapter. A license fee for any class of guide-outfitter license is in addition to the fee paid for a hunting license.

Sec. 08.54.460 requires that a person, other than a licensed guide-outfitter, marine mammal guide-outfitter, or transporter, who provides other big game commercial services for compensation register with the Board, obtain a commercial use permit, and pay the commercial use permit fee. Examples of "other big game commercial services" are listed.

A commercial use permit may not be issued to a hunting club. A hunting club may not provide other big game commercial services for compensation.

Sec. 08.54.470 requires guide-outfitters, marine mammal guide-outfitters, and transporters to obtain an annual commercial use permit and pay the commercial use permit fee.

The department, in consultation with the Board, shall set the amount of the commercial use permit fee.

A guide-outfitter, marine mammal guide-outfitter, or transporter shall pay the commercial use permit fee with the application for issuance or renewal of their license.

The commissioner of administration shall separately account for the fees received for commercial use permits. The legislature may use the money received for commercial use permits to make appropriations to the Department of Fish and Game and the Department of Public Safety for game management and enforcement of game laws.

ARTICLE 6. PENALTIES.

Sec. 08.54.500 sets out the procedures for discipline of a person who holds any class of guide-outfitter license.

The Board may hold a disciplinary hearing upon receiving a written complaint about the guide-outfitter licensee. The

Board shall hold a disciplinary hearing upon receiving three written complaints from members of three separate hunting parties about a licensee's activities or a written complaint about a licensee's conduct in a life-threatening situation or if the licensee is convicted or certain state or federal laws.

The Board may revoke, suspend, or deny renewal of any class of guide-outfitter license after a hearing if the Board finds that the licensee engaged in certain proscribed activities or violated certain state or federal laws.

The Board shall revoke any class of guide-outfitter license after a hearing if the Board finds that the licensee is not qualified for the license held, is incompetent, or has been convicted of certain state or federal laws during the preceding five years.

The Board shall immediately suspend any class of guide-outfitter license if a certified copy of a judgment of conviction of a licensee for certain state or federal crimes is filed with the Board.

Sec. 08.54.505 provides for the discipline of transporters and commercial use permittees.

The Board may hold a disciplinary hearing regarding the activities of a transporter or commercial use permittee upon receipt of a written complaint about the transporter or commercial use permittee. The Board shall hold a disciplinary hearing upon receiving three written complaints from members of three separate hunting parties about the transporter's or permittee's activities or if the transporter or permittee is convicted of certain state or federal laws.

The Board may revoke, suspend, or deny renewal of a transporter license or commercial use permit after a hearing if the Board finds that the licensee or permittee engaged in certain proscribed activities or violated certain state or federal laws.

The Board shall revoke a transporter license or commercial use permit after a hearing if the Board finds that the licensee or permittee is not qualified for the license or permit or has been convicted of certain state or federal laws during the preceding five years.

The Board shall immediately suspend a transporter license or commercial use permit, if a certified copy of a judgment of conviction of licensee or permittee for certain state or federal crimes is filed with the Board.

Sec. 08.54.510 sets out general provisions applicable to disciplinary proceedings.

A person who is disciplined under AS 08.54.500 or 08.54.505 may not engage or be employed in the business of providing big game commercial services during a period of license or permit revocation or other disciplinary action. A person who is licensed under this chapter or who holds a commercial use permit may not employ a person whose license or permit under this chapter is suspended or revoked.

A license or permit that has been revoked must be surrendered immediately to the department.

A certified copy of a judgment of conviction is conclusive evidence of the commission of the offense in a disciplinary proceeding of the Board, regardless of whether the conviction resulted from a plea of nolo contendere or the conviction is under appeal, unless the conviction is overturned on appeal.

The Board shall notify a complainant of the result of the Board's hearing within 30 days after the hearing. The Board must also notify a complainant of its reasons for not taking disciplinary action.

Sec. 08.54.520 sets out unlawful acts involving the provision of big game commercial services and establishes the penalties for those acts.

A person may be punished by a fine of not more than $30,000 or imprisonment for not more than one year or both for

(1) failing to report violations of certain laws by a client or employee if the person holds a license or permit issued under this chapter;

(2) committing, aiding in the commission of, or allowing a violation of certain fish and game laws if the person holds a license or permit issued under this chapter;

(3) providing big game commercial services without holding a commercial use permit;

(4) obstructing the lawful hunting activities of hunter who is not a client of the person, if the person holds a license or permit under this chapter;

(5) providing guide-outfitting services except while employed and supervised by a guide-outfitter, if the person is a class-A assistant guide-outfitter or assistant guide-outfitter;

(6) entering or remaining on state, federal, or private land without prior authorization, if the person holds any class of guide-outfitter license.

A person may be punished by a fine of not more than $30,000 or imprisonment for not more than one year or both for a first offense or by a fine of not more than $50,000 or imprisonment for not more than five years for a second or subsequent offense for

(1) providing guide-outfitter services without having an appropriate class of guide-outfitter license and hunting license in actual possession;

(2) advertising or to representing to be a guide-outfitter without holding a guide-outfitter or marine mammal guide-outfitter license;

(3) providing transportation services to a big game hunter without holding a transporter license;

(4) contracting to lead a hunt, if the person is a class-A assistant guide-outfitter or assistant guide-outfitter.

A person who provides big game commercial services while the person's license to provide those services is suspended or revoked is punishable by a fine of not more than $50,000 or by imprisonment for not more than five years.

A person who is convicted of an act set out in this section may also be subject to revocation of the person's license to provide guide-outfitter and transportation services for not more than five years and forfeiture of guns, boats, aircraft, and other equipment used in committing the act.

If a person is convicted of an act set out in this section, a court may not suspend imposition or execution of sentence and the person may not be granted probation until the minimum sentence is served.

Sec. 08.54.530 provides that the Board may obtain an injunction to stop a person from violating certain provisions of this chapter.

Sec. 08.54.540 provides that a guide-outfitter is subject to discipline by the Board under AS 08.54.500 for violations of certain state and federal laws committed during the course of employment by a class-A assistant guide-outfitter or assistant guide who is employed by the guide-outfitter.

ARTICLE 7. GENERAL PROVISIONS.

Sec. 08.54.550 provides for the collection of certain information and reports from guide-outfitters, marine mammal guides, and transporters. This information is confidential except that aggregated information may be released in reports by the department.

Sec. 08.54.590 established definitions for "base camp", "big game", "big game commercial hunting services", "big game commercial service", "board", "compensation", "department", "field", "game management unit", "guide-outfit", "hunting club", "spike camp", "transportation services", and "unethical activity".

Section 4 of the bill amends AS 12.55.125(e), by establishing a one year presumptive sentence for a first felony conviction if the offender is convicted of AS 08.54.520(a)(7) - (10).

Section 5 of the bill amends AS 16.05.407(a) by adding mountain goat to and deleting polar bear from the list of species for which a nonresident hunter is required to utilize the services of a guide-outfitter and by making certain technical changes that are necessary to conform with the remainder of the bill.

Section 6 of the bill amends AS 16.05.407(d) by making a technical change that is necessary to conform to the repeal of AS 16.05.407(e).

Section 7 of the bill amends AS 16.05.407 by adding a new subsection to require that nonresident hunters provide proof of prior authorization to use the land where the hunt will occur, when the nonresident hunter applies for a hunt permit for a big game species listed in AS 16.05.407(a). (See Section 5 of the bill.)

Section 8 of the bill amends AS 16.05.408(a) by making technical changes necessary to conform with Section 3 of the bill.

Section 9 of the bill amends AS 16.05.408 by adding a new subsection to require that nonresident alien hunters provide proof of prior authorization to use the land where the hunt will occur, when the nonresident alien hunter applies for a hunt permit for a big game animal.

Section 10 of the bill amends AS 39.50.200(b)(48) in order that the members of the Big Game Commercial Services Board are subject to the conflict of interest law.

Section 11 of the bill amends AS 41.23.420(d) by making a technical change that is necessary to conform to section 3 of the bill.

Section 12 of the bill amends AS 44.62.330(a)(35) to provide that the Big Game Commercial Services Board is subject to certain provisions of the Administrative Procedure Act.

Section 13 of the bill provides for the transition from the existing classes of guide licenses to the new classes of guide-outfitter licenses.

All classes of guide licenses that are in effect on the effective date of this bill continue to be valid for the period for which the licenses were originally issued.

Persons who currently hold master guide licenses shall be issued master guide-outfitter licenses. Persons who currently hold registered guide licenses shall be issued guide-outfitter licenses. Persons who currently hold class-A assistant guide licenses shall be issued class-A assistant guide-outfitter licenses. Persons who currently hold assistant guide licenses shall receive an assistant guide-outfitter license. The new licenses shall be issued to the current licensee at the time of the next license renewal following the effective date of this bill, if the person is

in good standing at the time of issuance and pays the appropriate fees.

If the Department of Commerce and Economic Development can issue new licenses sooner than is required by this section, the department may do so without charge to the licensee.

Section 14 of this bill provides that natural persons who have provided big game outfitting services in the past may qualify for a guide-outfitter license.

In order to qualify for a guide-outfitter license under this section, the person must have registered a camp, cabin, or lodge under AS 16.05.787 during 1988, engaged in the business of big game outfitting in 1986, 1987, and 1988, passed the guide-outfitter examination within two years from the effective date of this bill, and satisfied other requirements.

A person who is denied a guide-outfitter license under this section by the Big Game Commercial Services Board may under certain circumstances appeal the action of the Board to the commissioner of commerce and economic development.

A person who provides sufficient proof of past history as a big game outfitter may receive an interim outfitter license that is valid for a period not to exceed two years from the effective date of this bill.

A person who holds an interim outfitter license may provide transportation and other big game commercial services to hunters in the field, except that the person may not provide big game guiding services.

A person who holds an interim outfitter license must promptly report violations of certain laws committed by a client or employee of the person.

A person who holds an interim outfitter license must register base camps, cabins, and lodges that the person uses in providing big game outfitting services. The person must report the amount and kinds of big game taken by each hunter who uses the registered camp, cabin, or lodge.

A person who holds an interim outfitter license and who fails to report violations of certain laws by clients and employees is punishable by a fine of not more than $2,000 or

imprisonment for up to one year or both. Falsification of an affidavit of registration for a base camp, cabin, or lodge constitutes the crime of unsworn falsification under AS 11.56.210.

A person who holds an interim outfitter license must carry a minimum amount of comprehensive general liability insurance or post a financial bond. If a person who holds an interim outfitter license pilots an aircraft to transport clients, then the person must have a commercial pilot's rating or 250 hours of flying time in the state.

An aircraft used to carry clients of an interim outfitter during the provision of outfitting services must carry a minimum amount of aviation passenger liability insurance or be subject to a financial bond.

The terms "base camp", "big game", "field", "guiding", and "outfitting" are defined.

Section 15 of the bill amends Section 14(d) of the bill in order to require that, after July 15, 1989, applicants for an interim outfitters license comply with the insurance and flight training or experience requirements set out in Section 14(j) and (k) of the bill.

Section 16 of the bill allows certain extraordinary appointments to fill the initial vacancies on the Big Game Commercial Services Board.

The guide-outfitter seats on the Board may initially be filled by persons who are either a master guide or registered guide under current law or who registered a camp, cabin, or lodge under AS 16.05.787 during 1988 and engaged in the business of big game outfitting in 1986, 1987, and 1988.

The transporter seats on the Board may initially be filled by persons who engaged in the business of providing transportation to big game hunters in 1986, 1987, and 1988.

Section 17 of the bill provides for the continuance of legal proceedings, hearings, investigations, and regulations during the transition from the current guide statutes (AS 08.-54.010 - 08.54.240) to the guide-outfitter statutes contained in this bill.

Section 18 of the bill provides for the repeal of the current guide statutes (AS 08.54.010 - 08.54.240); the requirement for big game tag harvest reports and big game transporter reports (AS 16.05.370(b) and (c)); the requirement that nonresident hunters provide information on big game hunting services used in taking moose and caribou (AS 16.05.-407(e)); provisions relating to the duty of big game transporters to report violations of certain state law (AS 16.05.-786); and the requirement for registration of big game hunting base camps, cabins, and lodges (AS 16.05.787).

Section 19 of the bill provides for the repeal of certain amendments to AS 08.54 and AS 16.05 that are scheduled to take effect on July 1, 1989.

Section 20 of the bill provides that the power of the Big Game Commercial Services Board to develop a resource based management system for allocating access to big game hunting opportunities among guide-outfitters under AS 08.54.310(b)(1) does not take effect until the earlier of January 15, 1990 or the date of submission of a report on this subject by the Task Force on Guiding and Game.

Section 21 of the bill provides that those provisions of the bill relating to insurance and flight training or experience requirements for all classes of guides-outfitters and interim outfitters take effect July 15, 1989.

Section 22 of the bill provides that the remainder of the bill takes effect immediately after it is signed by the governor.

Except for those provisions of the bill that are subject to secs. 20 and 21 of the bill, the bill took effect May 12, 1989.

GU:mi
wkmi4/039

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

MEMORANDUM January 12, 1990

SUBJECT: Summary of changes made to the "guide-outfitter bill" (Work Order No. 6-1718; dated 1/11/90)

TO: Senator Jan Faiks, Chair
Task Force on Guiding and Game

FROM: George Utermohle GU
Legislative Counsel

This memorandum describes the significant substantive and structural changes made to the "guide-outfitter bill" in developing the current version of the bill. Not every change made to the bill is described.

Page 1, lines 7 - 9: A reference to guide-outfitters, transporters, and providers of other big game commercial services is added to the title, so that the title encompasses all of the material now included in the bill.

Page 3, line 16 thru page 4, line 15: A new section 08.-54.620 is created from the former 08.54.610(c) - (g) in the previous draft of the bill. The following sections of the bill were renumbered accordingly.

Page 4, lines 11 - 15: The requirement that the notice of the offering of use areas must include a statement about the permit issuance fee was deleted because the permit issuance fee was deleted by the Task Force.

Page 4, lines 17 - 21: New material consisting of two ADF&G amendments (A1 and part of 2b) adopted by the Task Force were inserted here as a new subsection (a). The following subsections were relettered accordingly.

Page 5, lines 5 - 9: New material consisting of ADF&G amendment 2b were inserted here.

Page 5, lines 14 - 17: New material consisting of the requirement that a guide-outfitter shall physically participate in field operations was inserted here.

Page 5, line 29 thru page 6, line 1: The requirement that the Department of Commerce and Economic Development set the amount of the use area permit fee is inserted here as a new subsection (c). The former Sec. 08.54.680 which related to fees has been deleted because its provisions have been moved to this subsection or to Sec. 7 on page 12.

Page 7, lines 6 - 10: New material adopted by the Task Force relating to preferences for use area permits was added as a new subsection. The former paragraphs 08.54.640(b)(9) and (10) were deleted to conform to this new material.

The former subsection 08.54.640(f) was deleted because the permit issuance fee was deleted from the bill.

Page 9, line 10 thru page 10, line 5: This material replaces the former section relating to the transfer of use area permits.

Page 10, lines 20 - 24: This material adds a new definitions section.

Page 11, lines 2 - 15: This material adds a new section relating to game management unit certification that was adopted by the Task Force.

Page 11, lines 16 - 28: This section amends existing law relating to amendments of operations plans and payment of the wildlife conservation fee that must be made at the time for renewing guide-outfitter licenses.

Page 11, line 1 thru page 12, line 14: This section amends existing law to provide that persons, other than transporters, who transport hunters and who advertise those services shall obtain a commercial use permit.

Page 12, line 15 thru page 13, line 8: This section amends existing law by establishing the wildlife conservation fee as adopted by the Task Force.

Page 15, lines 6 - 26: This section establishes a procedure for prequalification of guide-outfitters for use area permits.

If you have any questions regarding the content or structure of the bill, please call me.

GU:lmb
L9/044

RECEIVED
JAN 25 1990
JAN FAIKS
SENATE OFFICE

To: Jan Faiks
Room 101
Capital Building
PO Box V
Juneau, Alaska 99811

January, 26, 1990

Attached is a recent proposal I submitted to the Game Board.

While these proposals may have a direct affect on the Special Task Force decisions, I thought that you would like to be made aware of what it is the agency is attempting to do.

Through a highly questionable and unreasonable regulation promulgation process and as a result of requiring brown bear registration this is what the public has to resort to defend it's recreational hunting privileges.

It seems that my attempts to inform the agency of the magnitude of their blunder has been falling on deaf ears for the past 6 months.

Thank you for allowing me this time and if you would like me to comment further, please contact me.

PS. I would like to take this opportunity to express my thanks to Mark Reilly for his valuable service. He has been extremely professional, courteous and proven very knowledgeable. His assistance has been appreciated by all of those bodies that I represent.

Bob Saviers
PO Box 33055
Juneau, Alaska
99802
465-2253
789-5273

I presently have a proposal to the Game Board to repeal the regulation requiring registration of the public for brown bear hunts in unit 1C and 4. This letter should be used as backup in support of that initial proposal to deregulate the registration.

In addition to this proposal, I have two more proposals for submittal, to be used in the event that this proposal for removal of the registration is not accepted. Please ensure that this proposal is submitted.

I would like to submit three (3) proposals to the Board of Game for this upcoming meeting.

The first proposal is that:

Guide hunts for Brown bears are not allowed in units 1C and 4.

Alternate proposal:

Guide hunts are not allowed in unit 4.

Alternate proposal:

Guide hunts are not allowed in unit 1C.

The basis for these proposals is the fact that on September 19, 1989, in response to a public protest over brown bear registration, the Department of Fish & Game informed the members of the public that there was a departmental concern of too much guide take in the northeast corner of Chichagof.

Now, because of this it was felt that they required information on brown bear take. They felt that the mandatory registration of all resident bear hunters for the entire units of 1C and 4 was a good idea and no real impact to local sports hunters. Of course and as usual they did not ask the public beforehand and caused quite a brushfire.

Dave Anderson of the agency said at this meeting that the reason for doing this was because they felt the take may be high but had no real information to support the claim, they were not sure that the bears were increasing or decreasing in population and that both units had to be restricted to ensure that registrants did not lie on where the location of the

take was. They felt both units had to be regulated to ensure the guides and the public did not lie to Fish & Game.

Another biologist from Sitka told us at this meeting that another reason for the registration was to regulate the guides. He also said that the take problems in units 1C and 4 stemmed from hunting pressure from over 50 separate guides who came from other parts of Alaska and take 50% on up of the bears every year in unit 4.

As we did not approve of behind the scenes dealings, this statement fueled the fire that the regulation itself was invalid as it was promulgated with or obscure false intent language and did not have the due process it warranted.

The resident can only hunt for brown bear 1ce every four years and usually only takes one bear per lifetime and certainly is not excessive.

If the bear population is dwindling, as the agency believes, then the guides themselves must be restricted and not the resident hunter as this commercial take is discriminatory to the Alaskan public's hunting privileges and their rights as an American.

Another of the public's problem with the agency's regulation reasoning was that if there is a danger to unit 4 closure then unit 1C would also bear the impact and very unjustly. Only 5-10 bears a year are ever taken out of unit 1C. It is just hard to hunt there, not many people hunt there anyway and the area is huge and inaccessible.

I do not personally believe that there is any problem with the brown bear population in 1C and 4. I am somewhat of an authority on this matter in these units.

Because of the action by the agency even more regulation is now required.

These proposals will provide for less depredation of the bear population and provide a stable bear population for all time.

They will also provide for recreational sport hunting for resident Alaskans for all time.

The public already feels that the regulation for brown bear registration is an unfair restriction to the public at their expense and requires these proposals to assist in getting the unnecessary and restrictive one repealed.

Without adoption of the deregulation for brown bear registration the public faces undue restriction by the agency and unfair restriction by the guides.

The agency has now placed an adversarial role between the guide hunter and the recreational hunter.

Even at the very least, according to the Fish & Game information and reasoning, this new regulation should protect the sportsman from the impact of commercial interest non-resident guide take they supposedly fear and provide for the protection from discriminatory action of accepting guide hunters rights over Alaskans and also allow for the deregulation of brown bear registration at significant cost savings to the agency and inconvenience to the public.

Thank you for the opportunity to voice my concern.

Bob Saviers
PO box 33055
Juneau, Alaska 99802

COPY

United States Department of the Interior

FISH AND WILDLIFE SERVICE
1011 E. TUDOR RD.
ANCHORAGE, ALASKA 99503

IN REPLY REFER TO:

RF/9684r/48-49

DEC 07 1989

RECEIVED
DEC 13 1989
JAN FAIKS
SENATE OFFICE

Lewis Pamplin
Alaska Department of Fish and Game
333 Raspberry Road
Anchorage, Alaska 99502

Dear Lew:

Recently we sent a questionnaire to all refuge managers in an attempt to determine the potential problems that may result if there were no control over the number of guides. We also asked them for the estimated annual harvest by guided hunters and unguided hunters. From the information received, we hope to be able to find out which areas of the state are the highest priority for developing the proposed guide/outfitter resource maps. A summary of the responses is enclosed.

Most of the potential problems identified related to the possible conflict between increased numbers of sport hunters and subsistence users, or potential problems with: overcrowding in prime hunting areas; overcrowding in areas with limited access; conflicts with unguided hunters; and reduction in the number of trophy animals. The refuges that identified potential impacts to wildlife populations were: Alaska Peninsula/Becharof and Izembek National Wildlife Refuges for brown bears; Izembek National Wildlife Refuge for caribou; Arctic National Wildlife Refuge for sheep; and Arctic and Alaska Peninsula National Wildlife Refuges for moose.

Of interest is the percent of the various species taken by guided hunters on refuges.

Brown bears	36.2%
Black bears	5.7%
Caribou	8.9%
Sheep	39.9%
Deer	5.0%
Moose	7.1%

Also of interest is the fact that 113 guides currently have special use permits to operate on refuges. Those refuges with the most demand, Alaska Peninsula/Becharof, Kodiak, and Arctic National Wildlife Refuges indicated the most potential resource problems (with the exception of Kodiak National Wildlife Refuge, where the harvest is regulated by state permits).

Based on this information, we recommend the highest priority be given to developing guide/outfitter resource maps and implementing the proposed guide/outfitter allocation system for the following refuge areas:

1.	Alaska Peninsula/Becharof, Izembek National Wildlife Refuges	GMU 9
2.	Arctic National Wildlife Refuge	GMU 26B, 26C, 25A
3.	Kodiak National Wildlife Refuge	GMU 8

The second highest priority should be given to:

4.	Kenai National Wildlife Refuge	GMU 15, 7
5.	Togiak National Wildlife Refuge	GMU 17

The remaining refuge areas are listed in order of priority:

6.	Koyukuk National Wildlife Refuge	GMU 21
7.	Innoko National Wildlife Refuge	GMU 21
8.	Selawik National Wildlife Refuge	GMU 23
9.	Tetlin National Wildlife Refuge	GMU 12
10.	Nowitna National Wildlife Refuge	GMU 21
11.	Yukon Flats National Wildlife Refuge	GMU 25
12.	Yukon Delta National Wildlife Refuge	GMU 18
13.	Alaska Maritime National Wildlife Refuge	GMU 10
14.	Kanuti National Wildlife Refuge	GMU 24

If you have any questions regarding the guide/outfitter issue, please contact John Kurtz at 786-3355.

Sincerely,

Walt Streflitz

Regional Director

Enclosure

		POTENTIAL PROBLEMS						ESTIMATED AVERAGE ANNUAL HARVEST											
								Brown Bear		Black Bear		Caribou		Sheep		Deer		Moose	
Wildlife Refuges	NUMBERS OF GUIDES UNDER PERMIT 1989	Brown Bear	Black Bear	Caribou	Sheep	Deer	Moose	Guided Hunters	Unguided Hunters	Guided Hunters	Unguided Hunters	Guided Hunters	Unguided Hunters	Guided Hunters	Unguided Hunters	Guided Hunters	Unguided Hunters	Guided Hunters	Unguided Hunters
Alaska Maritime	1	--	--	--	--	--	--	2	1	0	0	6	30	0	0	0	0	0	0
Arctic	17	C	--	--	A	--	A	15	15	1	5	30	170	90	110	0	0	18	60
Alaska Peninsula/ Becharof	45	A	--	C	--	--	A	75	270	0	0	225	750	0	0	0	0	57	105
Innoko	2	--	--	--	--	--	B	0	0	2	?	0	?	0	0	0	0	10	30
Izembek	8	A	--	A	--	--	--	50	15	0	0	25	300	0	0	0	0	0	1
Kanuti	0	--	--	--	--	--	B	0	2	0	6	0	10	0	0	0	0	0	35
Kenai	6	C	--	--	C	--	C	2	9	6	88	1	16	4	30	0	0	11	450
Kodiak	18	C	--	--	--	C	--	63	52	0	0	0	0	0	0	250	4750	0	0
Koyukuk	1	--	--	--	--	--	B	0	1	1	75	0	25	0	0	0	0	4	270
Nowitna	0	--	--	--	--	--	B	0	0	0	?	0	0	0	0	0	0	0	55
Selawik	2	B	--	--	--	--	B	0	10	2	7	5	1500	0	0	0	0	5	85
Tetlin	2	--	--	--	--	--	--	2	2	0	4	0	2	3	5	0	0	2	12
Togiak	5	B	--	B	--	--	B	8	2	0	0	0	0	0	0	0	0	?	?
Yukon Delta	3	B	--	B	--	--	B	5	5	0	40	0	25	0	0	0	0	0	100
Yukon Flats	3	--	--	--	C	--	--	2	10	4	40	1	150	0	1	0	0	4	240
TOTAL	113							224	394	16	265	293	2973	97	146	250	4750	111	1443
Percent Harvested by Guided Hunters								36.2		5.7		8.9		39.9		5.0		7.1	

A - Potential Impact To Wildlife Resources

B - Potential Impact To Subsistence Users

C - Other Potential Impact (Quality, Limited Access, Unguided Hunters etc.)

Alaska State Legislature

JUDICIARY
CHAIRMAN
907-465-4523

JAN FAIKS
POST OFFICE BOX V
JUNEAU, ALASKA 99811

Senate

January 29, 1990

Paul Schmidt
U.S. Fish & Wildlife Service
1011 East Tudor Road
Anchorage, Alaska 99507

Dear Mr. Schmidt:

Attached is the final report to the Legislature from the Legislative Task Force on Guiding and Game.

Pursuant to Chapter 10 SLA 89, the report provides to the Legislature the task force recommendations for a resource-based big game guide-outfitter industry management system which it believes will withstand constitutional challenge.

Draft legislation reflecting the recommendations is included with the report and is to be introduced next week.

Sincerely,

Senator Jan Faiks
Task Force Chairman

JF:mr
Enclosure

Thanks so much for all your support!

OUT OF SESSION
3111 C STREET ANCHORAGE, ALASKA 99503 907-561-7610

The following individuals were sent copies of the final report to the Legislature from the Legislative Task Force on Guiding and Game - with the attached letter.

Paul Schmidt - USFWS - Anchorage
Stan Leaphart - CACFA - FBX
Gary Gustafson - ADNR - Anch
John Turner - USFWS - WA DC
Mike Barton - USFS - Juneau
Boyd Evison - NPS - Anch
Walter Stieglitz - USFWS - Anch
Dale Robertson - USFS - WA DC
James Ridenour - NPS - WA DC
Larry Kimball - AFN = Anch
Senator Stevens
Senator Murkowski

Copies of the report to the Legislature by the Legislative Task Force on Guiding and Game were mailed to the following: (In addition to the 15 member task force)
a/o 1-29-90

Joe Miguel
Rebecca Kaiser (NPS)
Senator Stevens
Senator Murkowski
Congressman Young
Marianne See (ADFG)
SuZanne Miller (ADFG)
John Turner (USFWS)
Steve Pradell (Birch-Horton)
Bill Horn (Birch-Horton)
Henry Springer
Terry O'Sullivan (BLM)
Leo Keeler (USFS)
Gordan Windell
Mike Barton (USFS)
John Kurtz (USFWS)
Boyd Evison (NPS)
Brent Jones (APHA)
Amil Portscheller
Walter Stieglitz (USFWS)
Dale Robertson (USFWS)
James Ridenour (NPS)
Larry Kimball (AFN)
Gary Gustafson (ADNR)
Stan Leaphart (CACFA)
Paul Schmidt (USFWS)

Proposed by ADFG

Revised

GUIDE-OUTFITTER RESOURCE AREA ALLOCATION PROGRAM

Basic Program Description: Three classes of guide-outfitter operation permits would be established. The Commercial Services Board would made a determination of how many of each class of permit to award in each guide-outfitter resource area. Sole use could be awarded in an area under certain circumstances, but joint use would be the norm.

Permit Classes:

Class A permits would be for 30 years and would not be limited in the number of clients or big game species which could be hunted. Class A permit holders would not be allowed to hold another Class A permit, but could hold additional Class B and/or C permits in other areas.

Class B permits would be for 10 years and would be limited in both the number of clients and big game species which could be hunted. Class B permit holders would be allowed to hold additional Class B and/or C permits in other areas.

Class C permits would be for 5 years and would be limited in both the number of clients and big game species which could be hunted. Class C permit holders would be allowed to hold additional Class B and/or C permits in other areas.

Fees: A conservation tax based on the number of animals taken would be established:

Class A permit holders would pay 50% of the nonresident tag value for each animal taken.

Class B permit holders would pay 35% of the nonresident tag value for each animal taken.

Class C permit holders would pay 20% of the nonresident tag value for each animal taken.

Determining the Number of Permits per Area: Based on information provided by the Department of Fish and Game on the status of wildlife populations and the historical nonresident harvest in each area, the Commercial Services Board would make a preliminary determination of the number of each class of permit to be awarded in each area. These determinations would be published and subject to public review. The Board would make final determinations after reviewing the public input.

+ CSB

Application Process: All applicants would be required to submit an operational plan which stated the number of proposed clients, the big game species, and the proposed locations of base camps.

Award Criteria: Different levels of the currently proposed award criteria would be established for each permit class (for example, the economic viability test for a Class A permit would be greater than for the Class B or C permits). Extra points would be added to an applicant who had held a permit of a lower class in the area (for example, a Class B permit holder would get extra points in applying for a Class A permit).

Award Process: For each guide-outfitter area the Commercial Services Board would first award the Class A permits, then the Class B permits, and then the Class C permits. Applicants who failed to obtain a Class A permit would then be allowed to apply for Class B or C permits.

Annual Reporting: All permit holders, regardless of class, would be required to resubmit their operational plans for each permit area with any amendments for the next year.

Penalties: Appropriate penalties for operating outside of the approved operational plans would need to be established.

to mark

great thanks.

March 30, 1990

NOTES on Guide-Outfitter bill situation

Two issues

A number of the guide=outfitters remain adament that they oppose leaving the word "new" in the bill ...on page 6, line 12. The guides would rather replace it with the word "all" or leave it out. They feel it discriminates against those who have been in the business, in effect, forcing the Commercial Services Board to lean too much in favor of the people who are new to the business.

Only one person testified to this effect during any of the House Resources hearings I have attended (since this issue came up)
----------*

The transporters remain displeased over just being included in the bill. They are particularly upset over the most recent changes made in House Resources -

page 17 - line 28 add after 'float plane docks': "and who does not advertise".
Page 18 - line 3 add after 'hunters' : "and who does not advertise".

This was added after Lew Pamplin noticed that without it (Steve White agrees), a transporter could advertise, yet charge no more than "the usual tariff or charter rate" and not be included in this section. Since there is apparently no "usual" tariff or charter rate for the industry they could charge just about anything they wanted.

Office of the President

Jan Faiks, Senator

(1)

3-28-90

Jan -

FYI -

House Resources passed the Guide Bill (HB 448).

same as Senate Res. version with a notable amendment. Lew Pamplin noticed a problem on pages 17 & 18. Sec. 16 add To Line 28 - (A) "and who does not advertise." same addition To Page 18 Line 4.

more →

Office of the President

Jan Faiks, Senator

(2)

Under Sec. 16 Lines 21-22 — reference to advertising — does not carry over to the following paragraphs. (According To Steve White) therefore the addition of "and who does not advertise" is needed.

---

they also (6 DF & G) provided a definition for advertising.

all three attached amendments were adopted.

Am. 1

p. 17, line 28

Add: after "docks"

unless the person providing transportation services advertises as defined in 08.54.590.

Next — sounds like bill is in good shape.

Am. 2

p. 18, line 3

Add: after "hunters"

Unless the person providing transportation services advertises as defined in 08.54.590

Am. 3

Sec. 08.54.590. Definitions

add and renumber

(1) "advertising" means to make hunting and related transportation services publicly and generally known through the use of any media or indirectly through hunt broker services or promotional services.

67 Mark Note

great update — thank.

April 16, 1990

Jan

Following two meetings of House Judiciary committee staff, attorneys hired by the Pro Hunters Assoc(Av Gross, Susan Burke), House & Senate Resources staff, me, Randall Burns, Beth Kerttula (AGs) and closely monitored by Joe Klutsch (guide) and Ken Dawson -

some changes are offered for the House version of the guide bill.

Page 1 - 6-2021Je (Amendment)

This again revises the fee system. The Department and the Board will decide the fee structure and amount. Eliminates the previous system (chart for guides on page 16) in the bill. This resolves the problem noted by AV Gross and which Bill Horn concurred: the fee structure failed to account for the use of areas. The state should receive greater benefit from the guides who have areas.

Page 2 - 6-2021Jf (amendment)

This revises the section on page 6 of the bill dealing with criteria for choosing who receives which area and deletes the word "NEW" to which the guide-outfitters objected.

Page 2 of this amendment (Number 5) went thru a bunch of revisions before the final wording was established. The attorneys (4 or 5 of them) spent most of the time arguing over the meaning or interpretation of the connecting words or lack of same between 5 (a) and 5 (b). They finally decided it was best to leave out "or" , "and" or "and/or".

Bill Horn however, feels it is <u>necessary</u> to include the word "or" between the two or the effect will be to provide too much 'leg up' for the experienced guides. So, there will be an effort to add "or" between (a) and (b).

What this does is not change the criteria (knowledge and experience) but redefines and changes the wording to hopefully, better ensure the wording will withstand court challenge. It separates knowledge and experience more clearly and removes reference to "area" except when considered with

knowledge. This was done because experience in the guide-outfitter industry does not necessarily have to do with a particular area.
-*

At this juncture, it appears the House version will be modified to clean up the language for the fees and criteria, while the Senate version will be vehicle for the other changes including the transporter language. The Senate version will be the vehicle for the bill once they both get out of their respective houses. Sen. Sturgulewski has indicated she will put it on calendar almost immediately - when it comes out of Finance.

There is some concern that Rep. Goll may get picky with the bill Tuesday during the hearing unless it appears pretty clean as far as (not) offering the established guides more than the potential "new" guides.

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 448 (Resources)

Page 8, following line 9:

Insert a new section to read:

"Sec. 08.54.655. GUIDE-OUTFITTER USE AREA PERMIT FEE. (a) Notwithstanding AS 08.01.065, the department, in consultation with the board, shall set a fee for a guide-outfitter use area permit that

(1) reflects the economic value of the privileges conferred by the use area permit, taking into consideration the term for which the use area permit is issued, the number of clients that may be guide-outfitted in the use area under the use area permit, the big game species for which hunts may be guide-outfitted under the use area permit, and whether the use area permit is for sole or joint use of the use area; and

(2) ensures a fair return to the people of the state for the commercial use of the big game species in the use area.

(b) The commissioner of administration shall separately account for the use area permit fees deposited in the general fund by the department. The annual estimated balance in the account may be used by the legislature to make appropriations to the Department of Fish and Game and the Department of Public Safety to carry out their respective responsibilities for management of game resources and enforcement of game laws."

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 448 (Resources)

Page 6, line 8, through page 8, line 9:

Delete all material and insert:

"Sec. 08.54.650. PROCEDURES FOR AWARDING GUIDE-OUTFITTER USE AREA PERMIT. (a) The board shall adopt by regulation procedures for evaluating and ranking the qualifications of applicants for guide-outfitter use area permits. The procedures must appropriately balance the criteria included under (b) of this section to ensure that all applicants are afforded a fair opportunity to obtain a use area permit in those game management units for which the applicant is certified by the board. The board may adopt regulations to define or clarify the criteria set out in (b) of this section.

(b) The board shall evaluate each application to determine whether the applicant is qualified for a guide-outfitter use area permit using the following criteria:

(1) the applicant's ability and means to provide the guide-outfitting services proposed in the applicant's operations plan;

(2) whether the applicant has the financial capability to carry out the guide-outfitting services proposed in the applicant's operations plan;

(3) the applicant's history of safety in guide-outfitting hunts or demonstrated ability to guide-outfit hunts safely;

(4) the applicant's history of compliance with state and federal fish and game and guide-outfitting statutes and regulations;

(5) the applicant's

(A) experience, including experience as a guide-outfitter, an assistant guide-outfitter, or as a participant in activities directly related to guide-outfitting operations;

(B) knowledge of the use area, including knowledge of the geography, climatic conditions, flora and fauna, and similar knowledge, including knowledge obtained by big game hunting in the use area, that would assist the applicant in guide-outfitting hunts in the use area;

(6) the applicant's history of compliance with AS 08.54.-520(a) in regard to prior authorization to enter or remain on state, federal, or private land;

(7) whether the applicant has obtained those prior authorizations to guide-outfit hunts on state, federal, or private land in the use area from the significant or major landowners in the use area or has demonstrated the ability to acquire those authorizations;

(8) whether the applicant holds all permits and licenses necessary to guide-outfit hunts in the use area or has demonstrated the ability to obtain the necessary permits and licenses.

(c) The board shall award a use area permit only to a qualified applicant. If the board determines that more applicants are qualified to receive a use area permit for a use area than there are use area permits available, then the board shall rank all applicants for the use area permit and shall select the best qualified applicants to

Bill Horn feels there should be an "OR" between (a) & (b).

To ensure established guides don't receive Toomuch 'leg up' over 'new' guys-

receive the available permits. The best qualified applicants are those who receive the highest ranking under the criteria set out in (b) of this section regulations adopted under (a) of this section.

(d) If a successful applicant does not provide, at the time the board awards the use area permit, proof of the permits and licenses necessary to guide-outfit hunts on state, federal, or private land in the use area from the significant or major landowners in the use area, the board shall issue a conditional use area permit that is valid for 120 days. A conditional use area permit does not entitle the permittee to guide-outfit hunts within the use area. If the successful applicant provides proof satisfactory to the board within 120 days after issuance of the conditional use area permit that the applicant has received the necessary permits and licenses and land use authorizations, the applicant shall be awarded a use area permit. If the successful applicant does not provide the required proof within 120 days after issuance of the conditional use area permit, the conditional use area permit is void. If a conditional use area permit is voided under this subsection, the board shall offer the use area permit to the next best qualified applicant for the use area."

68 Mark
Holmes

April 27, 1990

vice-ch Anch F&G advisory Committee

Phone from Larry Holmes - Anchorage . (h - 783-2180) (w - 783-2845 --works weekends) after 7 on weekdays

He would like clarification of your position
SB 422 -- SB 381 -

He is adament about the need to exclude mountain goats from the list of big game animals.

Mr. Holmes is very active in outdoor council, game board, and numerous other such groups. He maintains the consensus is turning toward keeping mountain goats off the list.

Says at least one group is planning on immediate legal suit if goats remain on the list after session. Another group in Fbx is already planning a campaign against folks on House Resources. He says its not a good time to support keeping the goats on the list.

He adds Steve White of AGs told him the goats were added to the list NOT because of legal necessity but to throw a bone to the guides who previously had areas. He said there is typicaly an excess of goats re: permits so adding them to the big game list is not a conservation consideration.

He says to be court-safe, would likely have to add all animals to the list (i.e. goats, black bear etc) - otherwise, a court likely would throw out the list - removing brown bear, sheep, etc.

Mark - goats are <u>not</u> my issue - I can easily go either way — I'm only trying to support last year's task force.

Walter
'68 Mark

April 27, 1990

Jan: 2 calls:

1. Phone from Marvin Walter - Southeast Director of the ABA which is I think the American Bowhunters Assoc. (h-789-0942 Juneau)

He requests your support of leaving mountain goats off the big game list. (SB 381 to do that is stuck in H. Resources) This was Duncan's amendment on the floor when SB 422 was approved.

He turned over to Sen. and House Resources petitions with 420 signatures.

Very pleasant conversation - he asks that you reconsider your position.

TOTALLY CANCEL either way.

---

2. Phone from Dick Sheasley, a "C" - 2020 Salem Court, Anch 99508. daytime: 561-5582. A realty appraiser.

Urges your support of HB 523 - (in Sen. Fin) certification of real estate appraisers. He said all state are required to have such a law by July 1991.

already said yes & Lee.

Great
lets keep
our fingers
crossed.

April 28, 1990

JAN

I spoke with R. Burns re the D'Amico situation:

The bill which will be considered in House Resources is a corrected bill. (its a Hs CS to SB422 (Rules))

re: your concerns:

*****the bill eliminates the transporter loophole

****the bill adds a cutoff date to the use of advertising brochures etc.

****it puts mountain goats BACK IN the big game list

****it provides language acceptable to guides etc, regarding the controversy over the word "new" on page 6 - re: the criteria section of the bill. (Av Gross language)

****the language which D'Amico was concerned about ---the definitions of Transporter Services and Advertising --- was a compromise agreed to by the Governor's office, Public Safety (apparently Sgt D'Amico didnt know) Occup. Licensing(Burns) and Fish and Game etc. As I recall comments from D'Amico, he felt it was too lengthy and should be broken into TWO separate sections. That the words he desired were included with what was said. He preferred existing law which he felt could be used and expanded through regulations.

Joint House-Senate
Resources Committees
Meeting on Guide Bill
SB 422/HB 498

JOINT SENATE AND HOUSE RESOURCES COMMITTEE
February 12, 1990
1:40 P.M.

SENATE MEMBERS PRESENT

Senator Bettye Fahrenkamp, Chairman
Senator Jay Kerttula, Vice-Chairman
Senator Dick Eliason
Senator Steve Frank
Senator Rick Halford
Senator Arliss Sturgulewski
Senator Fred Zharoff

HOUSE MEMBERS PRESENT

Representative Curt Menard, Co-Chairman
Representative Richard Foster
Representative Bill Hudson
Representative Bert Sharp

HOUSE MEMBERS ABSENT

Representative Cliff Davidson, Co-Chairman
Representative George Jacko
Representative Mike Davis
Representative Navarre
Representative Walt Furnace

COMMITTEE CALENDAR

SENATE BILL NO. 434
"An Act establishing a task force to continue state initiatives for the development of a trans-Alaska natural gas pipeline; and providing for an effective date."

SENATE BILL NO. 381
"An Act relating to hunting for mountain goat by nonresident hunters; and providing for an effective date."

SENATE BILL NO. 422
"An Act relating to guide-outfitter use area permits, the Big Game Commercial Services Board, and guide-outfitters, transporters, and providers of other big game commercial services."

HOUSE BILL NO. 448
"An Act relating to guide-outfitter use area permits, the Big Game Commercial Services Board, and guide-outfitters, transporters, and providers of other big game commercial services."

WITNESS REGISTER

Dale Staley, Legislative Aide
Senator Duncan
Pouch V
Juneau, Alaska 99811
POSITION STATEMENT: Reviewed SB 381.

Ed Mills
Juneau Archery Club
1017 Wee Burn Drive
Juneau, Alaska 99801
POSITION STATEMENT: Supported SB 381.

Molly McCammon, Special Assistant to the Commissioner
Department of Fish and Game
P.O. Box 3-2000
Juneau, Alaska 99802-2000
POSITION STATEMENT: Neutral position on SB 381.

Steve White, Assistant Attorney General
Department of Law
P.O. Box K
Juneau, Alaska 99811
POSITION STATEMENT: Supported SB 381.

Joe McGill
Juneau, Alaska
POSITION STATEMENT: Supported SB 381.

Senator Jim Duncan
Pouch V
Juneau, Alaska 99811
POSITION STATEMENT: Prime sponsor of SB 381.

Senator Tim Kelly
Pouch V
Juneau, Alaska 99811
POSITION STATEMENT: Prime sponsor of SB 434.

Senator Jan Faiks, Chairman
Guiding and Game Task Force
Pouch V
Juneau, Alaska 99811
POSITION STATEMENT: Supported SB 422.

Bill Horn, Former Assistant to the Secretary of U.S. Fish and Wildlife and Parks
POSITION STATEMENT: Gave an overview of SB 422.

Randall Burns, Director
Division of Occupational Licensing
Department of Commerce
P.O. Box D-Lic.

Juneau, Alaska 99811
POSITION STATEMENT: Reviewed licensing features of SB 422.

PREVIOUS SENATE COMMITTEE ACTION

SB 434 - No previous action to record.

SB 381 - No previous action to record.

SB 422 - No previous action to record.

HB 448 - No previous action to record.

ACTION NARRATIVE
TAPE 1, SIDE 1
Number 001
#sb434
Senator Fahrenkamp called the Senate Resources Committee meeting to order at 1:40 p.m. She said that the House was still in session, so members would come when the House adjourned. Senator Fahrenkamp announced SB 434 to be up for discussion. Since the sponsor wasn't present, she set the bill aside and announced SB 381 to be up for discussion.
#

#sb381
Dale Staley, Senator Duncan's legislative aide said that SB 381 proposes to remove mountain goats from the guide specie list, that list of game that requires non-residents to have a guide present in order to hunt.

Number 100

Ed Mills, representing the Juneau Archery Club, supported SB 381 so that Alaskan guides can handle their clients, yet local sportsmen can host their friends from other states.

Number 129

Senator Kerttula mentioned that in some areas, like Yakataga, there is a considerable diminution of goat. Certain brood stock must be preserved. Mr. Mills responded that he felt Fish and Game had done a good job in Southeast Alaska - in the Taku area where they hunt, the population hasn't changed in the last 20 years. Measures may have to be taken in other areas.

Senator Sturgulewski said she would not feel comfortable taking any action on this bill today.

Molly McCammon, representing the Department of Fish and Game, said they were neutral on this bill. Whether or not

mountain goats remain on the guide-outfitter required list will not seriously affect management in Alaska. She said the projected loss of revenue was $65,000 for this year. Senator Fahrenkamp said they would request a new fiscal note and Senator Halford requested to know if we are at the ceiling of our potential matching funds.

Number 204

Senator Kerttula asked what income was generated during the time when a guide was required. Ms. McCammon replied that the value based on a 1989 survey was approximately $2,500 per hunter; the total loss to the state overall was a half million dollars - guide fees not included.

Steve White, Assistant Attorney General, said the reason mountain goats were required on the guide required list is because their Department has determined that if you require any animals on the guide required list, you should include all animals that represent the same challenges and dangers to the hunters since the purpose of requiring guides is for public safety.

Senator Halford clarified that polar bears are managed by the Marine Mammal Protection Act.

Joe McGill urged passage of this bill so they can have the opportunity to address it at the advisory committee level.

Senator Fahrenkamp said they would hold the bill for further testimony with the sponsor's permission. Senator Duncan agreed to hold it for a week.

#

Number 323

#sb434

Senator Fahrenkamp announced SB 434 to be up for discussion. Senator Kelly, prime sponsor, said the reason for this bill is to assure future commitment from the new administration to the establishment of an all Alaskan gas pipeline as a priority.

Senator Kerttula said he wanted to have a member of the legislature on the committee. Senator Kelly agreed, but said the Attorney General has questioned whether the legislature belongs on a task force along with the administration.

Number 384

Senator Eliason asked if he would object to requiring public disclosure from all members of the task force? He answered that he wouldn't object to that.

Number 425

Senator Fahrenkamp moved to change "the" to "a" on lines 20 and 22 on page 2. There were no objections and it was so ordered.

Senator Eliason moved to add a requirement for public disclosure from all members of the task force. There were no objections and it was so ordered.

Senator Zharoff questioned the zero fiscal note when members were to be paid travel and per diem.

Senator Kerttula moved to adopt the committee substitute. There were no objections and it was so ordered.

Senator Fahrenkamp said they would wait for the new fiscal note and act on the bill at the next meeting.
#
Senator Fahrenkamp announced a two minute recess.
#sb422
#sb448
Senator Fahrenkamp called the meeting to order and announced SB 422 and HB 448 to be up for discussion.

Number 496

Senator Faiks, chairman of the Task Force on Guiding and Game, reviewed the history of the Task Force. She said last year the legislature passed a regulatory bill that brought the guides and outfitters together and set up a regulatory process in the Department of Commerce. The Task Force was extended through January 1990 to establish a new management system for the new big game guiding and outfitting industry. The legislature asked that the scheme be based on sustained yield management. The need to establish a new system came from the outcome of the Owsichek decision in October of 1988. She emphasized the public process involved in their deliberations.

Senator Faiks said she met extensively with the various directors with the U.S. Department of Interior who manage 60% of the land in the state of Alaska. They have approved of the legislation as it stands presently.

Number 600

Senator Zharoff asked what would happen if the subsistence issue were not resolved. She answered that the two issues are separate at this time. She said that the various federal agencies deal with their lands differently; they like the old system of exclusivity for ease of management.

Bill Horn outlined some of the rationale underlying SB ~~442~~ 422 and HB 448 and how the legislation has been crafted by the

task force to satisfy the constitutional criticism the supreme court articulated in the Owsichek decision.

Essentially, the court in construing the common use clause of Article VIII, section 3 of the state constitution found a number of features in the old guide program that were incompatible with the common property concept. These are basically that the old exclusive guide areas were awarded primarily on the basis of prior use occupancy and prior investment, that there was no effective competition for the grant of that interest, and that the grant was of unlimited duration. These factors made the grant effectively a freely transferable property interest given to a guide from which the state of Alaska and the public received no consideration and the wildlife conservation and management concerns were not a primary feature of the program.

The court took pains to point out that restrictions of use on common property resources are constitutionally permissible; that differential treatment of users is also permissible.

TAPE 1, SIDE 2
Number 001

Mr. Horn reviewed the options they considered which were, incidentally, employed somewhere in the U.S. and the world. Their objectives became a creation of a system that would provide for the conservation and effective management of wildlife resources; that satisfies the constitutional requirements of Article VIII, section 3; that protects the interests of Alaska residents; that will provide for an economically viable guide-outfitter industry; and that would establish a system that will attract non-resident hunters by providing a quality experience.

The permit system works in the following fashion: The Department of Fish and Game establishes guide-outfitter use areas via a public process. Once the use areas are established and delineated, the Big Game Commercial Services Board will review the areas and determine if a specific area will be available for joint use or sole use. Once that determination has been made, that area will become available for applications. All areas in the state will be offered for competitive award in the first five years to ensure that the state is offered and to ensure that there is an adequate level of competition and ample opportunity for new entrants to get into the system.

Applications are submitted by qualified licensed guide-outfitters and the Big Game Commercial Services Board will review the pending applications to decide which applicants best satisfy eight specific criteria articulated in section 2 of the bill. The criteria are: 1. the

ability and means of the guide-outfitters to provide the services represented in his or her applications, 2. the economic feasibility of the proposed operation, 3. the applicant has either a demonstrated record of safe operations or has demonstrated the capability of operating safely, 4. there is a history of compliance with all applicable state and federal fish and game laws, 5. the applicant demonstrates experience in or knowledge of the applied for guide use area, 6. there is a history of compliance with land access and trespass regulation, 7. the applying guide-outfitter possesses or has the ability to acquire possession of the necessary land access authorizations from either private land owners or land managing entities, and 8. the applicant possesses or has the ability to acquire other necessary permits and licenses necessary to conduct the type of hunting activity that the individual seeks to provide.

The Board will decide which applicants best satisfy this criteria and they will be eligible to win the awards in a given spot. The winning applicant or applicants will receive a 120 day conditional permit which enable the prospective guide-outfitter to obtain all the other necessary authorizations. Many federal agencies will not grant a permit unless they see a state authorization. If they get the other necessary permits, the conditional permit automatically upgrades to an absolute permit. If they are unable to obtain the additional necessary authorizations, the conditional permit terminates and another applicant may be awarded the area.

The permits will be awarded for either joint use or sole use. The joint use will take a specific area and the Big Game Commercial Services Board will determine the appropriate number of guide-outfitters who can share the area either by sharing all big game species in the zone or to divide it based on species. Sole use is authorizing a single guide-outfitter the privilege for a limited period of time of hunting for all the big game species within that specified zone.

All permits will not exceed 10 years in duration. However, in appropriately limited circumstances based on express recommendations from the ADF&G some permits may be for as long as 15 years if they determine the longer permit duration serves bonafide wildlife management interests.

Permits may be suspended or revoked for term violations, failure to use for one year, and other general violations of conditions that apply to the permit.

When permits expire or have been suspended, they may be reoffered which will ensure there will be a constant stream of guide use areas that will be available for award.

If this law is adopted, permits may be transferred during the duration of the permit to another qualified guide-outfitter if the transfer is for good cause and if that transfer is expressly approved by the Big Game Commercial Services Board.

Unawarded areas will be available to other duly licensed and qualified guide-outfitters with the requirement that they must register to hunt in that area.

Consideration to the state and to the public via the wildlife conservation fee will be paid by the guide-outfitters for each big game animal taken on a guided hunt. The fee is $25 per animal other than deer which is $5. In addition to guide-outfitters paying this fee, transporters who carry nonguided hunters will also have to pay the same per head wildlife conservation fee if that carrier advertises hunting services to the public. They will not be required to pay if the transport of hunters is incidental to their business.

Number 215

Senator Frank asked if there was an appeal process for an unsuccessful applicant. Mr. Horn replied that there wasn't an appeal process. Senator Fahrenkamp asked if there was an appeal process for the 120 day deadline for federal permitting. Mr. Horn replied that there was probably a level of administrative flexibility built into the law. If there wasn't an appeal process, the applicant could use the court system.

Senator Frank asked about transfer of facilities. Mr. Horn said the idea is to permit the guide-outfitter to sell the facilities and not the permit. Senator Faiks said that a transfer would have to be approved by the Board and it would have to be for very unusual circumstances.

Number 280

Senator Sturgulewski asked if the estimated fiscal note of $32,000 was adequate to meet the court ruling? Senator Faiks said the conservation fee is very controversial. Senator Sturgulewski thought that the yield was too low. Senator Fahrenkamp said they would have the fiscal note revised to reflect accurate revenues.

Senator Faiks clarified that the ADF&G must approve any change from their recommendations as to sole or joint use of an area based on management.

Representative Hudson asked if 120 days was a reasonable amount of time to obtain permits. Mr. Horn answered that it was quite adequate.

Senator Halford asked what the difference was in replacement value vs. fair market value in evaluating an area. Senator Faiks explained that market value is a "moving target." Replacement value is a figure that can be scientifically formulated.

Number 499

Mr. Horn said the mapping process which Marianne See would soon explain spelled out criteria that fish and game is to employ.

Number 540

Marianne See, from the Division of Wildlife Conservation in the ADF&G, said they supported SB 422, because it is clearly founded on wildlife conservation management concerns. She then reviewed the process they used in developing maps that will be used as a basis for the guide-outfitter use areas. They have made it a very public process, people with specific knowledge of certain areas could make that knowledge available to the Department.

The basic units they used to divide the land are watersheds. She illustrated her presentation with several of the new maps showing game management unit and watersheds boundaries. She also presented an old map they used to use.

The current status of the project is that the public input process goes for 60 days and runs until March 23. They have made maps available to the public that they can draw on. The Department provides a comment sheet for anything they can share about species, access, etc. Regularly scheduled meetings will also be held for public comment on any of their proposals.

TAPE 2, SIDE 1
Number 001

Randall Burns, from the Division of Occupational Licensing, said they have a preapplication process that they are implementing until ADF&G comes up with time-frames.

Mr. Burns said that the old system is not being used; and that currently guides are able to conduct hunts within the game management unit for which they are certified.
#
#sb434
Senator Fahrenkamp thanked everyone for their input and announced SB 434 to be up for consideration.

Senator Zharoff moved to amend page 2, line 8 to delete "but are entitled to receive per diem and travel expenses authorized for boards and commissions under AS 39.20.180." There was discussion on the proposed amendment. Senator Eliason stated he didn't think it was proper business procedure to assume a member of a private corporation is going to serve without compensation. He thinks they should be compensated for coming to the meeting. Senator Fahrenkamp said they would hold the bill and have the sponsor work on amendments to the bill.

#

Senator Fahrenkamp adjourned the meeting at 3:30 p.m.

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH V STATE CAPITOL
JUNEAU ALASKA 99811
907 465 3800

MEMORANDUM March 27, 1990

SUBJECT: Proposed amendment relating to assignments of use area permits (6-2021Jc to CSHB 448(Resources))

TO: Representative Curt Menard
Co-Chair, House Resources Committee

FROM: George Utermohle GU
Legislative Counsel

Amendment 6-2021Jc to CSHB 448(Resources) deletes subsection (b) from AS 08.54.670 as contained in HB 448, as introduced.

The material deleted would prevent a guide-outfitter from selling lodges, cabins, boats, aircraft, and other equipment to another guide-outfitter who is the assignee of a use area permit formerly held by the seller of the property and equipment at a price that exceeded the replacement value of the property.

One of the objections that the Alaska Supreme Court had to the former exclusive guiding area system in the Owsichek decision was that the guides could treat an exclusive guiding area as personal property and sell it to other guides. The ability of a guide to sell an exclusive guiding area was one of those attributes of an exclusive franchise to use game that the court found to violate the common use clause of the Alaska Constitution. The Task Force on Guiding and Game addressed this issue in its proposal for guide-outfitter use areas by allowing guide-outfitters to assign their use areas to other guide-outfitters but prohibited them from selling the permit or otherwise receiving anything of value in exchange for the assignment of the permit. In order to prevent a guide-outfitter from receiving a payment for the assignment of the permit under the guise of selling other property to the assignee, the Task Force prohibited the guide-outfitter from receiving more than the replacement value for the property. The assumption was that if the assignee of the permit paid more than the replacement value of

the property then the excess was really a payment for the assignment of the permit. The assignment of the permit was void if the amount paid for the property exceeded the replacement value of the property.

During further consideration of this issue, the Task Force decided to further restrict the procedure for the assignment of use area permits by taking away the power of guide-outfitters to determine who would succeed them as assignees of the use area. Use area permits may be assigned only by the Big Game Commercial Services Board. Guide-outfitters would no longer have an opportunity to determine who their successors would be. This approach eliminated the possibility of collusion between the assignor and assignee of use area permit.

This approach also eliminated the need for the Board to monitor the transfer of property between a former permit holder and the new assignee of the permit. Since the former permit holders do not determine who will succeed them, there is no opportunity for the former permittees to receive payment for assigning the permit to particular persons.

Thus AS 08.54.670(b), in the original version of the bill, can be deleted without affecting the integrity of the use area permit system proposed by the bill. Deletion of this provision would also ease the burden on the Board by eliminating the responsibility of the Board to monitor the sales of property between former permit holders and assignees of use area permits.

GU:lmb
L10/031

Enclosure

65 Mark Guide

March 21, 1990

MEMORANDU

TO: Jan

FROM: Mar

SUBJECT: Senate Resources Meeting on SB 422 - Guide bill

Discussion of the attached amendments to the Guide-Outfitter bill, SB 422. The amendments were described by George Utermohl and Randall Burns.

Halford suggested that for (p17 of CS) replace the word "listed" for "maintained" - referring to transporters are those who transport between two state or federally "maintained" airports, docks, etc. He indicated that often many airstrips are NOT maintained year to year, but they are "listed".

It was also suggested that the severability clause in the bill be removed - or at least changed to provide that related sections of the bill would be thrown out if a part of a section was declared unconstitutional. Reason: cause the bill is such a major compromise/complicated etc. If part of the provisions on areas for example, is thrown out, then the whole section should go.

issues related to the offered amendments were discussed:

(1) transporters (who will offer opinion at next meeting to the latest amendment)
(2) Marine mammal reference - I think they may have misunderstood Randall's explanation of why it was in statute. I was unable to hear all of his explanation, so Im not sure of all of what was said. Pamplin was at the Commercial Services Board meeting in Anchorage.
(3) deletion of provision which prohibits guide-outfitter from selling his lodge or other facilities/equipment independent of the Commercial Services Board (amendment would allow guide to sell his facility for whatever he could get.)

Senator Fahrenkamp ordered the bill brought back either Friday or Monday to be voted out of the committee.

**Nancy Peterson in Fahrenkamp's asked me about sending a copy of the bill and the amendments to Bill Horn to get his opinion on what the impact might be. I have not discussed that with Bill - shall I ask him (if he would look over the amendments) or just have her deal with it? Most of the amendments came from Randall Burns and Steve White and many are considered house-cleaning. The big one is the elimination of the Wildlife Conservation fee and related consolidation & expansion of the Commercial Use Permit fee (noted by attached yellow stickie). The primary difference is on page 7 of the amendment - showing the breakdown list of charges per client. My handwritten note at the top says the Big Game Commercial Services Board would prefer to set the fee with help from the Game Board, rather than using this list.

you ask Bill

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99811
907 465 3800

MEMORANDUM March 21, 1990

SUBJECT: Proposed amendment relating to assignments of use area permits (6-1718Aaa)

TO: Senator Bettye Fahrenkamp
Chair Senate Resources Committee

FROM: George Utermohle
Legislative Counsel

Amendment 6-1718Aaa to SB 422 proposes the deletion of subsection (b) from AS 08.54.670 (Page 9, line 27 through page 10, line 3).

The material to be deleted prevents a guide-outfitter from selling lodges, cabins, boats, aircraft, and other equipment to another guide-outfitter who is the assignee of a use area permit formerly held by the seller of the property and equipment at a price that exceeded the replacement value of the property.

One of the objections that the Alaska Supreme Court had to the former exclusive guiding area system in the Owsichek decision was that the guides could treat an exclusive guiding area as personal property and sell it to other guides. The ability of a guide to sell an exclusive guiding area was one of those attributes of an exclusive franchise to use game that the court found to violate the common use clause of the Alaska Constitution. The Task Force on Guiding and Game addressed this issue in its proposal for guide-outfitter use areas by allowing guide-outfitters to assign their use areas to other guide-outfitters but prohibited them from selling the permit or otherwise receiving anything of value in exchange for the assignment of the permit. In order to prevent a guide-outfitter from receiving a payment for the assignment of the permit under the guise of selling other property to the assignee, the Task Force prohibited the guide-outfitter from receiving more than the replacement value for the property. The assumption was that if the assignee of the permit paid more than the replacement value of

the property then the excess was really a payment for the assignment of the permit. The assignment of the permit was void if the amount paid for the property exceeded the replacement value of the property.

During further consideration of this issue, the Task Force decided to further restrict the procedure for the assignment of use area permits by taking away the power of guide-outfitters to determine who would succeed them as assignees of the use area. Use area permits may be assigned only by the Big Game Commercial Services Board. Guide-outfitters would no longer have an opportunity to determine who their successors would be. This approach eliminated the possibility of collusion between the assignor and assignee of use area permit.

This approach also eliminated the need for the Board to monitor the transfer of property between a former permit holder and the new assignee of the permit. Since the former permit holders do not determine who will succeed them, there is no opportunity for the former permittees to receive payment for assigning the permit to particular persons.

Thus subsection (b) of AS 08.54.670 could be deleted without affecting the integrity of the use area permit system proposed by SB 422. Deletion of this provision would also ease the burden on the Board by eliminating the responsibility of the Board to monitor the sales of property between former permit holders and assignees of use area permits.

GU:pl
WKP3/066

Enclosure

AMENDMENT

OFFERED IN THE SENATE

TO: SB 422

Page 9, line 27 through page 10, line 3:

Delete all material.

Reletter the following subsections accordingly.

September 20, 1989

MEMORANDUM

TO: Jan

FROM: Mark

SUBJECT: Guide Task Force Agenda for Oct. 5-6 meeting

(FYI) I have arranged to have a brief verbal report from Stan Leaphart, the Executive Director of the Citizens Advisory Commission on Federal Areas.

CACFA has solicited comments/complaints from guides operating within national preserve units in Alaska. While the Commission had received very few responses when I spoke with Mr. Leaphart (9-18-89) he expected to have enough information/comments to provide the task force with a satisfactory, informative briefing at the time of the meeting.

******----

I have also been contacted by Joe Want of Fairbanks (who sent you his resource-based proposal for a management system). I told him I was including the proposal in the packet and did not commit to a task force discussion of it. However, I did say that if his proposal came under discussion it would probably fit in during the general discussion following the briefing from Bill Horn (agenda item for system element discussion).

**Shall I send a copy to Ken Fanning and see what he thinks of it? (I think I previously gave him a copy but I requested and have heard no opinion from him.)

FAXed 9-21-89

Feels it would ensure accuracy

February 22, 1990

MEMORANDUM:

TO: Jan

FROM: Mark

SUBJECT: Proposal for Wildlife Conservation Fee Collection/data reporting

Dana Pruhs has come up with a suggestion that may alleviate some of the heartburn suffered by transporters and others over collection of the Wildlife Conservation fee and reporting on successful hunts.

Fish and Game can produce - provide to all hunters - the harvest tickets with an attached postage free envelope. When a hunter completes a hunt successfully he simply punches or otherwise notes on the appropriate spot on the card the species bagged, when and where etc, and mails this along with his/her check for the appropriate amount in the postage free envelope and sends to the Fish and Game. This mail-in card could have a registered number which would correspond to a number on his harvest ticket.

The transporter/guide (commercial service provider) simply would note who was guided/transported and whether they were successful. A commercial provider report would be filed with Fish and Game monthly, annually or whenever to provide the desired data on the hunts. This would also be available for cross-checking with the hunter-provided reports. It would ensure that the transporter was kept involved in the process but they would not have to collect the additional fee.

This method removes from the commercial provider the onus of collecting the fee after the hunt, would streamline the data collecting/reporting for the commercial provider who likely would be rushed following the hunt. It provides information to be cross-checked.

Pruhs said he had spoken with the air carriers about this concept and they felt it was the best thing they had heard of short of them not having to do anything at all.

Johanna Munson of Curt Menard's office has spoken with Lew Pamplin about it and Pamplin reportedly doesnt think its acceptable. Instead, he would rather see the Wildlife Conservation fee eliminated with the fee replaced by an additional amount added to the licensing charge or something of that nature and air carriers maybe charged according to the number of hunters carried.

Mark
Guide 2

February 28, 1990

MEMORANDUM:

TO: Jan

FROM: Mark

SUBJECT: Amendment to Guide Area Bill - SB 422

A staff meeting was held at House Resources to discuss five problem areas with the guide area bill. Participants included Johanna Munson of House Resources, Nancy Peterson of Senate Resources, Beth Kerttula and Steve White of AG's office, Randall Burns of Occup. Licensing and me.

AREAS OF CONCERN:

(1) Transporters and word "incidental"
(2) Wildlife Conservation Fee
(3) Transition Period for the bill
(4) Prohibition on leasing and sale of areas
(5) Effective date of legislation

Plus the Andy Kline situation
Plus clarification of part of bill

TRANSPORTERS/"incidental"

Amend existing law from last year to eliminate the word "incidental" and simply replace it with the definition used for incidental - removing the red flag. would say something like a transporter is one who flies into the field and or advertises.

WILDLIFE CONSERVATION FEE

It was determined to be most expedient to expand the Commercial Use Permit fee and ELIMINATE the Wildlife Conservation fee. (consolidate as much into CUP as possible while eliminating as many fees as possible)

Establish the fee for guide-outfitters WITH areas, those WITHOUT areas and separately for transporters. Establish a CAP for the fee - possibly $1000 and have fee determined by area SIZE and length of TERM (Randall will speak with

Marianne See at F&G regarding determining fee by area size)
transporter Fee by volume -
(Randall suggested working backward to determine fee - how much money is needed, how many guides/etc, how much from each)

TRANSITION PERIOD

Need language to enable operation under existing scheme until new law takes effect.

PROHIBITION OF LEASING AND SALE

Assist AG Steve White noted there is no prohibition on an area permit holder from selling or leasing etc. Need to add statement: "holder of an area permit cannot sell, lease or transfer a use area permit"

EFFECTIVE DATE

Bill has no specific effective date. It was determined best to leave as is. ----------

ASAP

SEPARATE SUBJECTS:

**The former guide-outfitters who's licenses have lapsed - i.e. Andy Kline - under existing law passed last year, they must take test, etc if license is lapsed more than two years. Randall offered suggested amendment to provide a 4 year time period. This would affect about half dozen people.
NOTE: Ken Owsichek has now paid his back license fees and is to or has received his guide-outfitter license.

**Burns requested a wording change to the bill - page four line 8

(d) Use areas for which use area permits have expired <,> eliminate "or" been relinquished by the permittee or revoked by the board <add:"return automatically to the board and"...> may be offered at the next offering of use areas.

The group agreed this would clarify the passage to show that when an area permit is relinquished, etc, it automatically goes BACK to the board and MAY then be offered for lease.

Johanna Munson of Rep. Menard's office will contact George Utermohle to complete the amendments.

STEVE COWPER
GOVERNOR

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

RECEIVED
MAR 5 1990
JAN FAIKS
SENATE OFFICE

March 2, 1990

The Honorable Jan Faiks
Alaska State Senator
P.O. Box V
Juneau, AK 99811

Dear Jan,

Thanks for your endorsement of Robert Hinman for appointment to the Board of Game.

Please be assured that I will fully consider your comments when I review the candidates prior to making my selection for this position.

Sincerely,

Steve Cowper
Governor

March 5, 1990

Guide-Outfitter question concerning the word "new" on page 6, line 6 of SB 422.

Discussed with Bill Horn - says the word is not needed. Does not need to be statutory. He said an even better way may be to include in the Purposes and Findings section with a statement:

=====
It is the intent of the Legislature that the Big Game Commercial Services Board administer the program in such a fasion that it not unfairly discriminate against new entrants to this program.
=====

or something like - one of the purposes of this program is to establish a new system which does not rely to an unfair extent on seniority...maybe also with a comment that as a result of Owsichek this was considered as necessary.

3-2-90

Wildlife Conservation fee — {Term of lease — have tough — pay more}

CUP could vary — depending upon # of clients according to his operational plan.
easy to check — easy to follow them. Could be later amended — pay more.
~~check~~ cross check w/ hunt records. set up computer pgm - so Dept can hunt records go to Dept. of Commerce
Computer record — To be developed by →

Transporters would pay according to the ~~hunt records~~ activity summary ~~etc~~ — by # of hunters taken to field for hunting.

Line 6 pg 6 — "To ensure that "all" ~~[illegible]~~" quibe. Crather than "new") (check on Horn statement)

call Pamplin — put in writing

Joe wants proposal Trophy mgmt system

don't be totally negative — why won't it work — Unconstitutional for just out of state

effect date — immediate for part on mapping & for section on

call Hon Monday

re: p6 line 6 — "New"

"affirmative action"? Burns —

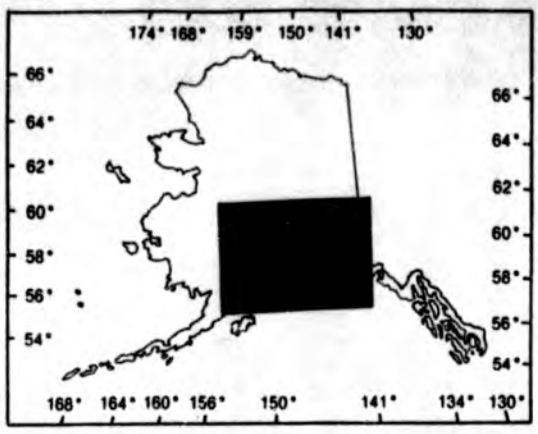
THE FOLLOWING DOCUMENT HAS

NOT BEEN FILMED BUT IS

AVAILABLE IN THE ORIGINAL

FILE

LEGEND



HARVEST REPORT UNITS FOR MOOSE, DALL SHEEP, CARIBOU, AND BROWN BEAR

- Game Management Units
- Game Management Subunits
- Minor Tributaries
- Southcentral Regional Boundary

See the Alaska Habitat Management Guide Reference Maps, Southcentral Region, for the 1983-1984 and 1984-1985 reported harvest and number of hunters and hunter-days by minor tributary units for moose, Dall sheep, and caribou. Additional data for moose, Dall sheep, caribou, and brown bear based on minor tributaries may be obtained from the Statistics Section, Division of Game, Anchorage.

SCALE 1:1,000,000

10 0 10 20 30 40 50 Miles

10 0 10 20 30 40 50 Kilometers

ALBERS EQUAL AREA PROJECTION

SOURCE: ADF&G 1983g.

STATE OF ALASKA
DEPARTMENT OF FISH AND GAME
HABITAT DIVISION
1985



NON-RESIDENT HUNTERS MONIES SPENT IN ALASKA

TRAVEL/LODGING MONIES SPENT IN STATE. (TO AND FROM HUNTING AREAS)

GAME LICENSES

GUIDE/OUTFITTERS FEES

LICENSES, GUIDE FEES, TAGS

GUIDE/OUTFITTERS (OPERATING COSTS) & PROFITS

FUNDS TO DEPT. OF GAME FOR WILDLIFE PROJECTS AND ENFORCEMENT OF GAME LAWS.

Proposal from a guide —

NON-RESIDENT HUNTERS MONIES SPENT IN ALASKA

AND BROWN/GRIZZLY BEAR FOR ALL NON-RESIDENT HUNTERS.

(INCREASE) TRAVEL/LODGING MONIES SPENT IN STATE.

GAME LICENSES (INCREASE)

NOTE: CERTAIN SPECIES WOULD HAVE LIMITED NUMBER OF NON-RESIDENT SALE OF TAGS.

(DE-CREASE ON SOME SPECIES) GUIDE/OUTFITTERS FEES

LICENSES, GUIDE FEES, TAGS (INCREASE)

(SAME) GUIDE/OUTFITTERS (OPERATING COSTS & PROFITS)

(INCREASE) FUNDS TO DEPT. OF GAME FOR WILDLIFE PROJECTS AND ENFORCEMENT OF GAME LAWS.

NOTE: DE-CREASE OF HUNTERS BOOKING HUNTS FOR PRESENT MANDATORY GUIDE SPECIES WOULD BE OFF-SET BY NON-RESIDENT ALIENS