

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILE 8672
1709 SCOMM 67 GUIDING AND GAME TASK FORCE, 1989-1990 1277

1 marine mammal guide-outfitter, class-A assistant guide-outfitter, or
2 assistant guide-outfitter license;

3 (4) "big game commercial service" means a service for which
4 the provider of the service must obtain a commercial use permit;

5 (5) "board" means the Big Game Commercial Services Board;

6 (6) "compensation" means payment for services including
7 wages or other remuneration but not including reimbursement for actual
8 expenses incurred;

9 (7) "department" means the Department of Commerce and
10 Economic Development;

11 (8) "field" means an area outside of established year-round
12 dwellings, businesses, or other developments usually associated with a
13 city, town, or village; "field" does not include permanent hotels or
14 roadhouses on the state road system or state or federally maintained
airports;

15 (9) "game management unit" means one of the 26 geographic
16 areas defined by the Board of Game for game management purposes;

17 (10) "guide-outfit" means to provide, for compensation or
18 with the intent or with an agreement to receive compensation, big game
19 commercial hunting services in the field; "guide-outfit" includes
20 accompanying or being present with a big game hunter in the field
21 either personally or through an assistant; "guide-outfit" does not
22 include the provision of transportation to, from, or in the field if
23 the person providing the transportation and the person being trans-
24 ported do not stalk, pursue, track, kill, or attempt to kill big game
25 during the provision of transportation;

26 (11) "hunting club" means an organization that offers use of
27 property or services to individuals who pay a membership fee for the
28 privilege of using the property or services for hunting;

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(12) "spike camp" means a camp in the field other than a base camp and includes a fly camp or an overnight camp;

(13) "transportation services" means the carriage for compensation of big game hunters, their equipment, or big game animals harvested by hunters to, from, or in the field; "transportation services" does not include the carriage by aircraft of big game hunters, their equipment, or big game animals harvested by hunters

(A) on nonstop flights between state or federally maintained airports; or

(B) by an air taxi operator or air carrier for which the carriage of big game hunters, their equipment, or big game animals harvested by hunters is only an incidental, as defined by the board, portion of its business;

(14) "unethical activity" means

(A) deception or misrepresentation involving prospective or actual clients either before, during, or following the provision of big game commercial services, including misrepresentations through private or public advertising of the type, duration, cost, or conditions of the services;

(B) making a guaranty that a species or certain number of species of game will be taken on a hunt;

(C) engaging in unsafe or unsportsmanlike activities that are detrimental to the game resources of the state, as defined by regulations of the board, including violations of state hunting or big game commercial services statutes or regulations; or

(D) accepting a deposit for big game commercial services without providing before the services are rendered a signed written contract to provide the services.

* Sec. 4. AS 12.55.125(e) is amended to read:

(e) A defendant convicted of a class C felony may be sentenced to a definite term of imprisonment of not more than five years, and shall be sentenced to the following presumptive terms, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

(1) if the offense is a second felony conviction, two years;

(2) if the offense is a third felony conviction, three years;

(3) if the offense is a first felony conviction, and the defendant knowingly directed the conduct constituting the offense at a uniformed or otherwise clearly identified peace officer, fire fighter, correctional officer, emergency medical technician, paramedic, ambulance attendant, or other emergency responder who was engaged in the performance of official duties at the time of the offense, one year;

(4) if the offense is a first felony conviction, and the defendant violated AS 08.54.520(a)(7) - (10), one year.

* Sec. 5. AS 16.05.407(a) is amended to read:

(a) It is unlawful for a nonresident to hunt, pursue, or take brown bear, grizzly bear, mountain goat [POLAR BEAR], or sheep in this state, unless personally accompanied by

(1) a person who is licensed as a guide-outfitter [MASTER GUIDE, REGISTERED GUIDE], class-A assistant guide-outfitter, [GUIDE] or assistant guide-outfitter [GUIDE] by the Big Game Commercial Services [GUIDE] Board; or

(2) a resident over 19 years of age who is

(A) the spouse of the nonresident; or

(B) related to the nonresident, within and including the second degree of kindred, by marriage or blood.

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* Sec. 6. AS 16.05.407(d) is amended to read:

(d) A nonresident who violates (a) of this section, or who fails to furnish an affidavit under (b) [OR (e)] of this section, is guilty of a misdemeanor and upon conviction is punishable by imprisonment for not more than one year, or by a fine of not more than \$5,000, or by both.

* Sec. 7. AS 16.05.407 is amended by adding a new subsection to read:

(f) An applicant for a nonresident hunt permit for the taking of an animal specified in (a) of this section shall, if requested by the department, first furnish to the department proof of prior authorization to use state, federal, or private land where the permit hunt will occur. The authorization shall be provided to the applicant by the guide-outfitter with whom the applicant has contracted to guide-outfit the permit hunt.

* Sec. 8. AS 16.05.408(a) is amended to read:

(a) It is a class A misdemeanor for a nonresident alien

(1) to hunt, pursue, or take marine mammals unless personally accompanied by a licensed marine mammal guide-outfitter [GUIDE]; or

(2) to hunt, pursue, or take a big game animal as defined by the Board of Game unless personally accompanied by a guide-outfitter, a [LICENSED MASTER GUIDE, REGISTERED GUIDE, OR] class-A assistant guide-outfitter, or an assistant guide-outfitter licensed [GUIDE] under AS 08.54.

* Sec. 9. AS 16.05.408 is amended by adding a new subsection to read:

(c) Before obtaining a nonresident hunt permit for the taking of an animal specified in (a) of this section, a nonresident alien shall, if requested by the department, first furnish to the department proof of prior authorization to use state, federal, or private land where

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the permit hunt will occur. The authorization shall be provided to the nonresident alien by the guide-outfitter or marine mammal guide-outfitter with whom the nonresident alien has contracted to guide-outfit the permit hunt.

* Sec. 10. AS 39.50.200(b)(48) is amended to read:

(48) Big Game Commercial Services [GUIDE] Board AS 08.54.-300) [(AS 08.54.010)]; and

* Sec. 11. AS 41.23.420(d) is amended to read:

(d) The provisions of AS 41.23.400 - 41.23.510 do not affect the authority of

(1) the Department of Fish and Game, the Board of Fisheries, the Board of Game, or the Big Game Commercial Services [GUIDE LICENSING AND CONTROL] Board under AS 08.54, AS 16, or AS 41.99.010;

(2) the Department of Environmental Conservation under AS 46.03; or

(3) state agencies and municipalities under AS 44.19.145(a)-(11) and AS 46.40.100.

* Sec. 12. AS 44.62.330(a)(35) is amended to read:

(35) Big Game Commercial Services [GUIDE LICENSING AND CONTROL] Board

* Sec. 13. TRANSITION; GUIDE-OUTFITTER LICENSES. (a) Notwithstanding the repeal of AS 08.54.010 - 08.54.240, all licenses issued under AS 08.-54.010 - 08.54.240 are valid for the period for which the licenses were issued.

(b) For the purposes of AS 08.54.300 - 08.54.590 as enacted by sec. 3 of this Act, until new licenses are issued under this section, a

(1) master guide license issued under former AS 08.54.100 and a registered guide license issued under former AS 08.54.110 shall be considered a guide-outfitter license issued under AS 08.54.350;

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(2) class-A assistant guide license issued under former AS 08.54.120 shall be considered a class-A assistant guide-outfitter license issued under AS 08.54.380;

(3) an assistant guide license issued under former AS 08.54.140 shall be considered an assistant guide-outfitter license issued under AS 08.54.390.

(c) At the time of the next license renewal following the effective date of this Act, each person licensed as

(1) a master guide shall receive a master guide-outfitter license if the person

(A) is in good standing at the time of issuance of the license; and

(B) has paid the guide-outfitter license fee and the commercial use permit fee;

(2) a registered guide shall receive a guide-outfitter license if the person

(A) is in good standing at the time of issuance of the license; and

(B) has paid the guide-outfitter license fee and the commercial use permit fee;

(3) a class-A assistant guide shall receive a class-A assistant guide-outfitter license if the person

(A) is in good standing at the time of issuance of the license; and

(B) has paid the class-A assistant guide-outfitter license fee;

(4) an assistant guide shall receive an assistant guide-outfitter license if the person

(A) is in good standing at the time of issuance of the

license; and

(B) pays the assistant guide-outfitter license fee.

(d) Notwithstanding (c) of this section, the Department of Commerce and Economic Development may issue a new license under AS 08.54.300 - 08.54.590, without an additional fee, to a person licensed under former AS 08.54.010 - 08.54.240 before the next renewal period following the effective date of this Act, if the person satisfies the requirements for the license and the license is valid only for the same period for which the replaced license was issued.

* Sec. 14. TRANSITION; OUTFITTERS. (a) Notwithstanding AS 08.54.350, as enacted by sec. 3 of this Act, a natural person is entitled to receive a guide-outfitter license if the person

(1) applies on a form provided by the Department of Commerce and Economic Development;

(2) lawfully registered a camp, cabin, or lodge under AS 16.05.787 during 1988;

(3) provides evidence satisfactory to the Big Game Commercial Services Board that the person has legally engaged in the business of big game outfitting in 1986, 1987, and 1988;

(4) passes the guide-outfitter examination administered by the Big Game Commercial Services Board within two years after the effective date of this Act;

(5) has not been convicted of violating a state or federal game or guide-outfitting statute or regulation during the previous five years for which the person was fined more than \$500 or imprisoned for more than five days;

(6) has legally hunted in the state for part of each of any five years in a manner directly contributing to the person's experience and competency as a guide-outfitter;

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(7) has been favorably recommended in writing by six big game hunters, two for each year of the person's most recent three years as a big game outfitter, whose recommendations have been solicited by the Big Game Commercial Services Board from a list provided by the applicant;

(8) pays the guide-outfitter license fee and the commercial use permit fee; and

(9) possesses a business license to provide recreational services.

(b) A person who is denied a guide-outfitter license under (a) of this section by the Big Game Commercial Services Board may appeal to the commissioner of commerce and economic development. The commissioner may order that the applicant be allowed to take the license examination or be issued the license if, after reviewing a petition filed by the applicant, the commissioner finds that

(1) the board denied the applicant an opportunity to take the license examination or refused to approve issuance of the license;

(2) the board's denial or refusal has been upheld by a final administrative order and the order has not been appealed to the superior court under AS 44.62.560;

(3) the board's denial or refusal was based on

(A) an error of fact by the board; or

(B) the applicant's failure of the license examination due to faulty or unfair examination questions or procedures;

(4) the applicant is otherwise qualified to take the examination or to be issued the license; and

(5) sustaining the board's denial or refusal would work a substantial injustice on the applicant.

(c) A guide-outfitter license issued under (a) of this section is for all purposes a license issued under AS 08.54.350, as enacted by sec. 3 of SCS CSNB 112(Ris) am S

1 this Act.

2 (d) A person who satisfies (a)(1) - (3) of this section, holds a
3 business license as a big game outfitter, and pays a license fee set by the
4 Department of Commerce and Economic Development and the commercial use
5 permit fee is entitled to receive an interim outfitter license pending a
6 final determination of a person's eligibility for a guide-outfitter license
7 under (a) of this section. The right to receive and hold an interim out-
8 fitter license terminates on the earlier of

9 (1) the date of issuance of a guide-outfitter license to the
10 person;

11 (2) a final determination under (a) of this section that the
12 person is not eligible to receive a guide-outfitter license; or

13 (3) two years from the effective date of this Act.

14 (e) A person who holds an interim outfitter license, notwithstanding
15 contrary provisions of AS 08.54, may provide transportation to, from, and
16 in the field to big game hunters and supply other services in the field to
17 big game hunters. The person may not provide guiding services.

18 (f) A person who holds an interim outfitter license shall promptly
19 report to the Department of Public Safety, division of fish and wildlife
20 protection, but not later than 30 days after the violation, a violation of
21 a state fish, game, or big game commercial services statute or regulation
22 that the person reasonably believes was committed by a client or employee
23 of the person.

24 (g) A person who holds an interim outfitter license may accompany or
25 be present with a hunter at a base camp, cabin, or permanent lodge in
26 connection with a big game hunt for compensation only if the person has
27 furnished an affidavit to the Department of Public Safety, division of fish
28 and wildlife protection, at least two weeks in advance. The person may not
29 register more than two base camps. The affidavit must be signed by the
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person and must provide the following information:

(1) the specific location of the camp, cabin, or lodge;

(2) the number of big game hunters in each party that will use the camp, cabin, or lodge; and

(3) the kinds or species of big game that will be hunted.

(h) A person who furnishes an affidavit under (g) of this section shall notify the Department of Public Safety of the amount and kinds or species of big game taken by each hunter who uses the base camp, cabin, or permanent lodge to which the affidavit relates. Notice shall be given within 30 days after the game is taken. The Department of Public Safety shall provide the information received under this subsection to the Department of Fish and Game.

(i) A person who

(1) violates (f) of this section is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$2,000 or by imprisonment for not more than one year, or by both; or

(2) falsifies an affidavit under (g) of this section is guilty of unsworn falsification under AS 11.56.210.

(j) A person who holds an interim outfitter license shall

(1) carry, while engaged in providing outfitting services, comprehensive general liability insurance of at least \$300,000 per occurrence or at least \$500,000 per annual aggregate or post a financial bond in those amounts; and

(2) if the person personally pilots aircraft to transport clients during the provision of outfitting services, have a commercial pilot's rating or a minimum of 250 hours of flying time in the state.

(k) During the provision of outfitting services, an aircraft used by a person who holds an interim outfitter license or that person's employee to transport clients of the outfitter must carry aviation passenger

liability insurance of at least \$100,000 per seat or must be subject to a financial bond in that amount.

(1) In this section,

(1) "base camp" does not include spike camp, fly camp, or overnight camp;

(2) "big game" and "field" have the meaning given in AS 08.54.-590, as enacted by sec. 3 of this Act;

(3) "guiding" means accompanying or being present with a big game hunter in the field, personally or through an assistant, for compensation or with the intent or an agreement to receive compensation; "guiding" does not include

(A) providing transportation to or from the field, if the person providing transportation and the persons being transported do not stalk, pursue, track, kill, or attempt to kill big game during the transportation; or

(B) selling, leasing, or renting goods, if the transaction does not take place in the field;

(4) "outfitting" means the provision of services, other than guiding services, to big game hunters in the field for compensation.

* Sec. 15. Section 14(d) of this Act is repealed and reenacted to read:

(d) A person who satisfies (a)(1) - (3), (j), and (k) of this section, holds a business license as a big game outfitter, and pays a license fee set by the Department of Commerce and Economic Development and the commercial use permit fee is entitled to receive an interim outfitter license pending a final determination of a person's eligibility for a guide-outfitter license under (a) of this section. The right to receive and hold an interim outfitter license terminates on the earlier of

(1) the date of issuance of a guide-outfitter license to

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the person;

(2) a final determination under (a) of this section that the person is not eligible to receive a guide-outfitter license; or

(3) two years from the effective date of this Act.

* Sec. 16. INITIAL APPOINTMENTS TO BIG GAME COMMERCIAL SERVICES BOARD. Notwithstanding AS 08.54.300(b), as enacted by sec. 3 of this Act, the initial appointments to the Big Game Commercial Services Board under

(1) AS 08.54.300(b)(1) may also be filled by the appointment of a master guide or registered guide licensed under former AS 08.54.010 - 08.54.240 or a person who lawfully registered a camp, cabin, or lodge under AS 16.05.787 during 1988 and legally engaged in the business of big game outfitting in 1986, 1987, and 1988;

(2) AS 08.54.300(b)(2) may also be filled by the appointment of a person who engaged in the business of providing transportation to big game hunters in 1986, 1987, and 1988.

* Sec. 17. TRANSITION. Litigation, hearings, investigations, and proceedings pending under a law amended or repealed by this Act continue in effect and may be continued and completed notwithstanding an amendment or repeal provided for in this Act. Licenses, orders, and regulations issued or adopted under authority of a law amended or repealed by this Act remain in effect for the term issued or until revoked, vacated, or otherwise modified under the provisions of this Act.

* Sec. 18. AS 08.54.010, 08.54.030, 08.54.035, 08.54.040, 08.54.045, 08.54.050, 08.54.060, 08.54.070, 08.54.100, 08.54.110, 08.54.120, 08.54.130, 08.54.140, 08.54.141, 08.54.150, 08.54.160, 08.54.170, 08.54.180, 08.54.186, 08.54.190, 08.54.195, 08.54.200, 08.54.210, 08.54.220, 08.54.230, 08.54.240; AS 16.05.370(b), 16.05.370(c), 16.05.407(c), 16.05.786, and 16.05.787 are repealed.

* Sec. 19. Sections 4, 6, 12, and 13, ch. 160, SLA 1988 are repealed.

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* Sec. 20. AS 08.54.310(b)(1), as enacted by sec. 3 of this Act, takes effect on the earlier of

(1) January 15, 1990; or

(2) the date of submission to the legislature of a recommendation by the Task Force on Guiding and Game for a resource-based management system for allocating access to big game hunting opportunities among guide-outfitters licensed under AS 08.54.

* Sec. 21. AS 08.54.395, as enacted by sec. 3 of this Act, and secs. 14(j), 14(k), and 15 of this Act take effect July 15, 1989.

* Sec. 22. Except for AS 08.54.310(b)(1) and 08.54.395, as enacted by sec. 3 of this Act, and secs. 14(j), 14(k), and 15 of this Act, this Act takes effect immediately under AS 01.10.070(c).

DISTRIBUTED 10/6/87
by Bill Horn

PROCESS OPTIONS

PRIVATE SYSTEM

1. Guide/Outfitters designate-nominate UCU's as areas;
Submissions occur simultaneously
2. State accepts or rejects the nomination
3. If no competition exists, the area is awarded to nominator;
award is via the award criteria

STATE SYSTEM

1. State proposes new guide areas per accepted criteria
2. Proposals submitted for public review & comment
3. State may modify proposal
4. State-decided areas are offered for competition

HYBRID I

1. Guide-Outfitters nominate areas using UCU's
2. State reviews nominations; it may accept, modify or reject
per accepted criteria
3. State-decided areas are offered for competition

HYBRID II adopted

1. State issues a call for nominations
2. Nominations of areas offered by ^{the public} [guide-outfitters & others]
3. State reviews nominations & may accept, modify or reject
per accepted criteria
4. State proposed areas submitted for public review & comment
5. State considers comments & decides on areas per accepted
criteria
6. State decided areas are offered for competition

Quality
Trophy hunts — 1st priority —
economic investments vis a vis quality
concerned # of guides in a area
larger terms vis a vis quality of hunts.
time and of paperwork.
concerned for fees.

ability

excellent response —
Nat. Forest Service — region head Mike
Barton

Director National Park Service John Pedersen
" Federal Fish & Wildlife Service.
John O'Sullivan.

Chief Ranger — National Park Service
Walt Rabney.

Bill Horn — consultant.

SCOMM

67:18

Contents

Proposed amendments to CS for Senate Bill No. 422

(Finance)

**Relating to the transporting of hunters, big
game, Commercial Use license and fee,
transporter reporting requirement**

Position Statements

A D F & G, Game Division

A D F & G, Protection Division (Public Safety)

Task Force on Guiding and Game

Alaska Board of Game

Transporter promotional material

Rationale for Proposed Amendments to CSSB 422

4/18/90

1. re: adding cutoff date of Dec. 31, 1990 to transition language in new Section 22 (AIR CARRIER ADVERTISING).

* The current language (passed 4/17) allows air carriers that are not licensed as transporters to continue using promotional material about big game commercial services as long as it was produced prior to April 1, 1990.

* Unless there is a cutoff date, air carriers could continue indefinitely to advertise big game commercial services without a transporters license, and thereby circumvent the licensing requirement for any transporters that advertise.

* To make the advertising requirement enforceable, there must be a cutoff date to the transitional period. The end of calendar year 1990 is proposed to give the air carriers a grace period for the 1990 hunting seasons.

* Without a cutoff, enforcement officers would have to prove in court that advertising materials were published after April 1, 1990, which could require costly and difficult efforts to get affidavit from publishers that in many cases are outside Alaska.

2. re: deleting the amendment passed 4/17/90 that exempts some transporters from the commercial use permit and fee.

* All air carriers transporting hunters, equipment, or harvested big game animals are benefitting commercially from the use of the public wildlife resource, regardless of their fee structure to the customers. Therefore, all air carriers that are transporters should have to obtain a commercial use permit and pay the required fee.

* Over one-third of the 65,000-70,000 big game animals taken each year are commercially transported by air carriers. They are the single largest method of commercial transportation to the field used by the hunting public.

* Whether an air carrier charges a point-to-point rate or a special "hunting rate" does not define commercial use of the wildlife resource. It is the fact that wildlife is there and available to hunters that results in air charter business and profits for the air carrier.

* The fees for commercial use permits are accounted separately so that they can be allocated for support of wildlife management and enforcement. If a subset of air carriers are exempt from paying these fees, the people of the state are not receiving compensation for the commercial use of the wildlife resource. That means there will be less potential funding to manage and protect wildlife resources. License fee revenues from transporters are not available to support wildlife management and protection.

23,300

**Legislative Task Force on
Guiding and Game**

January 1990

ADDITIONAL RECOMMENDATIONS

The Task Force also recommends unanimously that:

1. The legislature maintain adequate funding for the Department of Fish and Game's Division of Wildlife Conservation, and the Department of Public Safety's Division of Fish and Wildlife Protection. The success of the proposed management system for guide-outfitting depends heavily upon the ability of these state agencies to gather biological data, monitor wildlife use, and enforce laws and regulations.

2. Increased fiscal support for the Board be approved and provided through the Department of Commerce and Economic Development, Division of Occupational Licensing. The Board's workload will be extremely heavy especially during the first five years of the new program, if the system is to be implemented successfully.

3. Letters should be solicited from the federal land management agencies indicating their support for the provisions of the draft legislation proposing an area-based management system for big game guide-outfitting, and expressing their intention to cooperate with the state in implementing this system.

While the following recommendations are not unanimously endorsed, it is the consensus of the Task Force that they merit future consideration by the legislature or another task force.

1. Immediate attention should be given to further managing transporters who provide unguided hunting services. We are aware that the state must not interfere unnecessarily with air or water commerce; on the other hand, transporters can directly contribute to overharvest in some areas and then readily shift into other areas. Those who provide commercial services for hunting must participate with the big-game guide-outfitting industry in reimbursing the state for commercial use of the public wildlife resource.

Regulatory action by the new Big Game Commercial Services Board will be necessary, and enabling legislation may be required by the legislature. The legislature may wish to consider establishing another task force to further explore this problem and recommend solutions.

2. The Board should consider increasing the commercial use permit fee from that temporarily established in 1989. While we wish to leave to the Board the final decision on what the charge should be, we believe the present fee of \$100 does not sufficiently reimburse the state for the commercial use of the public wildlife resource.

RESOLUTION NO. 90-50-BOG

ALASKA BOARD OF GAME

RELATING TO REPORTING OF HUNTER USAGE OF AIR TAXI OPERATIONS

- WHEREAS, it is of critical importance to the Board of Game in its role of protecting the wildlife resources of the State and allocating uses of these resources to the public, to know the location, numbers and timing of game harvest by hunters utilizing air taxi transportation; and
- WHEREAS, the Board recognizes that air transportation is a very important means of access to game resources by many citizens of Alaska as well as non-residents, and
- WHEREAS, the Board has received many reports from the public of excessive local harvest in certain areas by hunters transported by air taxi, and
- WHEREAS, the lack of legal requirements for reporting of hunters transported by air taxi operators prevents the Board from having the information necessary to objectively determine whether a problem exists and whether corrective action is necessary,

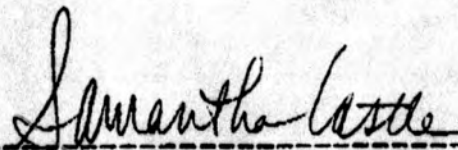
NOW THEREFORE BE IT RESOLVED,

the Alaska Board of Game urges the Alaska State Legislature to pass legislation that would require all air taxi operators to report the number of hunters and big game animals transported; and

RESOLUTION NO. 90-50-806
Alaska Board of Game
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BE IT FURTHER RESOLVED,

that copies of this Resolution be promptly transmitted to the Governor, the President of the Senate, the Speaker of the House, the Chairmen of the Senate and House Resources, and Transportation, committees, and to the Commissioner of the Department of Fish and Game.



Samantha Castle, Chairman
Alaska Board of Game

ADOPTED: April 2, 1990
Anchorage, Alaska
VOTE: 7 Favor 0 Oppose



World-Record Barren Ground Caribou, which scored 463 $\frac{1}{2}$ points, was taken from the Ugashik Lake area, which lies in the heart of Unit-9E.

Techniques for hunting bulls vary with the time and season you hunt. In August when the season opens, you have to travel into the high alpine tundra and search with binoculars. One of the best ways to locate a trophy bull in the fall is fly the area between Ugashik Lakes and King Salmon. When you spot a large group of bulls you can land far ahead of them, along their migration route, and hunt them on the following day.

Both Unit's have many lakes and rivers on which to land and provide you with great flexibility in determining your hunting location.

Hunters should be prepared for rain showers and lots of wind. Bring only the best rain gear and tents. Hunters must furnish their own camp gear. Carrying your own gear provides greater flexibility in choosing an area to hunt

with a good concentration of game. It is imperative that you restrict yourself to essential gear only and leave luxury items at home. Added weight means additional cost. Bring good waterproof boots and some warm clothing. Pack lightweight groceries and enough per person for additional days in case of inclement weather conditions. Remember, you are on your own so be prepared. Delays because of weather may cause schedule problems. Plan your trip with these acts of nature in mind.

A non-resident hunting license is \$60.00. Tags for caribou are \$300.00 each. Tags for moose are \$300.00 each. Prices may change with regulation. Call or write for current prices, packages available, deposit forms & hunters general information sheet. (Tags & license costs may change by state regulation.)

Reservations can be made in advance as soon as practical, drop-ins are welcome. We request a non-refundable deposit of 30% of estimated costs to confirm dates.

If we can be of any further assistance in planning your trip, please do not hesitate to write or call. If you require outfitting, please call or write for details.

337-5755

Van Hartley

owner, operator

Oct. - May (907) 248-3539

Branch River Air Service

4540 Edinburgh Dr.

Anchorage, AK 99515

June - Sept (907) 246-3437

Branch River Air Service

Van Hartley

P.O. Box 545

King Salmon, AK 99613

Trophy Hunting Alaska Peninsula



Branch River Air Service

Branch River Air Service offers unguided flyout dropoff hunts for moose and caribou. Alaska law requires a guide for sheep, grizzly or brown bear for non-resident hunters. Branch River Air Service is not a guide service and do not offer guided trips to hunters. Grizzly or brown bear can be taken by residents without guide service and we can accomodate them on a flyout dropoff basis. Non-residents do not need a guide for moose or caribou.

The estimated prices for these unguided hunts are based on average costs and do not necessarily include extra trips which might be required to fly all your meat and trophies out. Alaska law requires that all meat be salvaged for human consumption. Therefore, plan on flying out all the game you take. Alaska law also states that you cannot shoot game the same day you were airborne, so plan your trip accordingly and give yourself time.

Price of these unguided dropoff hunts start at \$300.00 per hunter with a minimum of two. The total cost of a hunt would be determined by the number of persons in the party, the locations of your hunt, the amount of flying to locate the game and the amount of game taken. Call or write for current rates & packages available.

There is excellent moose and caribou hunting on the Alaska Peninsula. We provide access to Game Management Units (Units) 9 and 17 from King Salmon by use of float equipped aircraft. When you arrive in King Salmon you are met at the airport and you and your gear are provided transportation to the river from which you will depart on your hunting trip.

The moose season in Unit-9 usually runs from September 10 - September 20. Caribou season in Unit-9 starts August 10 and runs through March 31. Unit-17 has 3 subunits. The moose season there runs from September 5 - September



15. The Caribou season in Unit-17 runs from August 10 - March 31. It should be noted that the best caribou hunting is during the August, September, October seasons. To obtain a map of the Unit's and the Alaska Game Regulations write to:

Alaska Dept. of Fish & Game
King Salmon, AK 99613
or call: (907) 246-3340

Moose in Unit-9 can be found along the rivers, streams and lakes during the season and usually at the 300-700 ft. elevations in the foothills of the Aleutian Range. Unit-9E is managed as a trophy moose area. Several bulls have been taken here with antler spreads measuring in the 60- to 70-inch class. In the western drainages of the Aleutian Range bulls are found in the willow stands. Hunting moose requires a lot of effort and physical stamina. It can be accomplished by flying around in search of game

and finding a suitable lake or stream near the game. Another favorite is to plan a float trip on a river and hunt along the river.

Moose in Unit-17 are best hunted along timberline either by locating game from the air that are near suitable landing spots or planning a float trip on the many rivers and streams.

Caribou hunting on the Alaska Peninsula is some of the best in the world. There are approximately 62,000 caribou located in Unit-9 and another 33,000 in Unit-17. Trophy size caribou are found in both herds and have some of the largest body size caribou in the state. The terrain in these units varies from coastal marshes to rolling lowlands tundra and taiga vegetation. River bottoms are mostly black spruce with some white spruce, birch and alder.

Over 25% of the caribou listed in the Records of North America came out of Unit-9E. A



FISH

in the privacy of Interior Alaska, away from tangled lines and the maddening crowds.

FLY

into a native reserve not otherwise open to the public. On with your own guide after boating down a river to creeks and lakes teeming with fighting northern pike and trophy-size grayling.

ENJOY

nature's wildlife in a serene wilderness setting. A rustic cabin is available for overnighting. Motels, RV parks and tent sites are also available in the town of Tok.

HUNTING FOR MOOSE, CARIBOU, BEAR OR SHEEP

Let us fly you by float or wheel plane to a place where no other hunter can be seen. Skilled and experienced pilots will transport you to one of the many thousands of lakes, or set you above the timberline on mountain strips.

We will take you where you have the best chance of viewing the migrating caribou herds, spotting moose or climbing the mountains for Dall sheep. The Tok management area is one of the top three trophy areas in the state for Dall sheep.

Fly-in hunts have an **80% to 100%** success rate.

Alaska Fish & Game figures for this area state that north of Tok, moose have increased 50% since 1981. Caribou are growing 10% a year to herds over 22,000.

DUCK HUNTING

Duck hunting is available on a private native reserve. Abundant waterfowl abide on the marshy vegetation of many thousands of lakes. A guide, air transportation and a boat are provided.



The thrill and excitement of seeing abundant wildlife can be your experience of a lifetime.

Veteran's Air Service Inc. has been in operation for 11 years with a good safety record. The company is fully insured to federal and state standards and meets all state and federal certificate requirements.



Hunting...

Hunting in Alaska is one of North America's most challenging and rewarding experiences. Trail Ridge Air has the knowledge and the equipment to get you to the best spots at the best times for the best success. We have spent years flying Alaska finding the ultimate locations for natural beauty and abundant wildlife.

We recommend from 7 to 14 days for your hunting trip depending on which species of game you are hunting. We specialize in a combination moose-caribou hunt. You start out at a caribou camp and, after

5 to 7 days, are moved to a new camp for moose. This is a very popular hunt to maximize your success and also lets you see more of Alaska's beauty. Additional camps can be added for goat or black bear if desired.

In addition to the combination hunts described above we can also recommend the following:

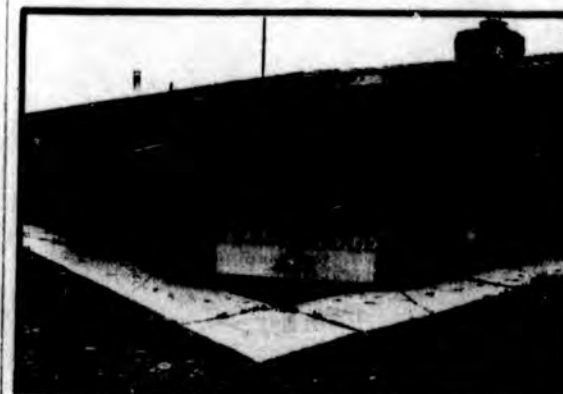
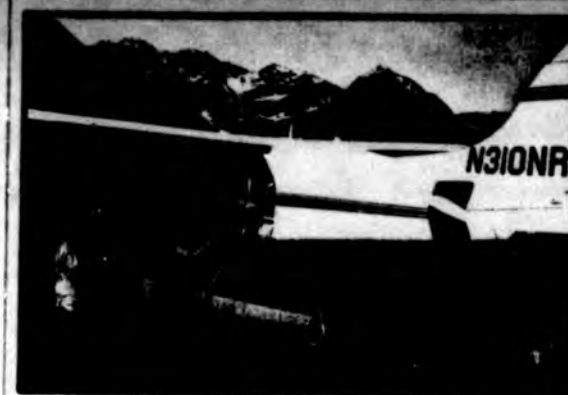
- a simple fly-in, drop-off trip where you provide all the gear;
- fly in to one of our tent camps or cabins that have basic supplies—you provide the rest;
- our combination hunts as described above—you bring your own camping gear or we can provide whatever you need;
- try a relaxing float trip for a change—it's a great way to combine hunting and fishing in a variety of places.

We want to make your hunting trip in Alaska all that you have imagined it could be. We are confident that we can make this hunting trip a dream come true for you.

The chart shows the usual seasons for game. These are set each year; we recommend you contact the Alaska Department of Fish and Game for the hunting seasons, license and tag information each year.

Black Bear	year round
Caribou	Aug. 10 - Nov. 30
Deer (Sitka)	Aug. 1 - Dec. 31
Moose	Sept. 1 - Sept. 30
Mt. Goat	Aug. 15 - Sept. 30
*Dall Sheep	Aug. 10 - Sept. 20
*Brown Bear	changes yearly

*For non-residents a guide is required for these species; ask us for more information.



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Trail Ridge Air

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AIR TRANSPORTATION ALL PRICING INCLUDES MEAT HAUL

STARTING AT

\$250

Susitna
Valley
(Unit 16A & B)
2 person
minimum

- MOOSE
- BEAR



STARTING AT

\$300

Montague or
Knight Island
(Unit 6)
4 person
minimum

- DEER



\$350

Prince William
Sound Spring
Bear Hunt
(Unit 6)
2 person minimum

- BEAR

\$500

Rainy Pass
Area
Unit 16B
3 person minimum

- MOOSE
- CARIBOU
- BEAR



\$750

White Fish,
Tutna Lakes
Area
(Unit 17 & 19)
3 person minimum

- MOOSE
- CARIBOU
- BEAR

FULL PACKAGES

\$350

Silvertip Lodge
3 Nights
No minimum

- MOOSE
- FISHING

Includes:

Excellent Moose area, superb fishing, round-trip airfare, full lodging accommodations including all meals. Extra nights \$49 per person.

FLOAT HUNTS

From transportation and Float Gear to fully outfitted trips with cook and river guide.

Book hunts now to protect against price increase!

(All pricing includes meat haul.)

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5 species of Salmon, Trophy Class Rainbow Trout on the famous Talachulitna River, Arctic Grayling, and Dolly Varden

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Very high success rates for Bear, Moose, Caribou, and Deer at more than competitive rates

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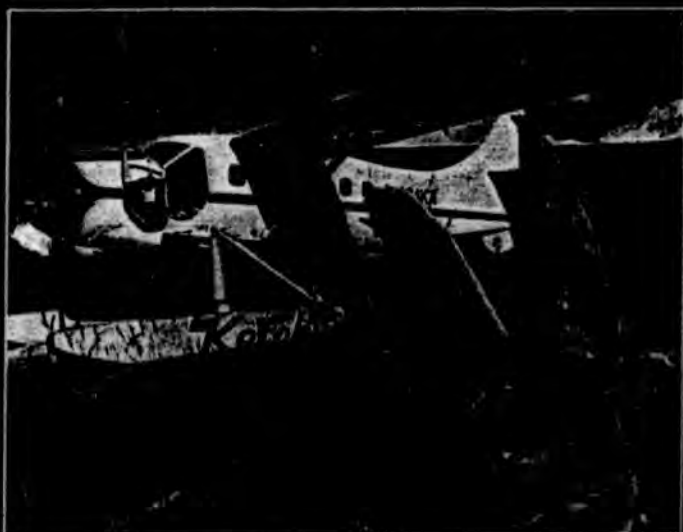
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Ketchum

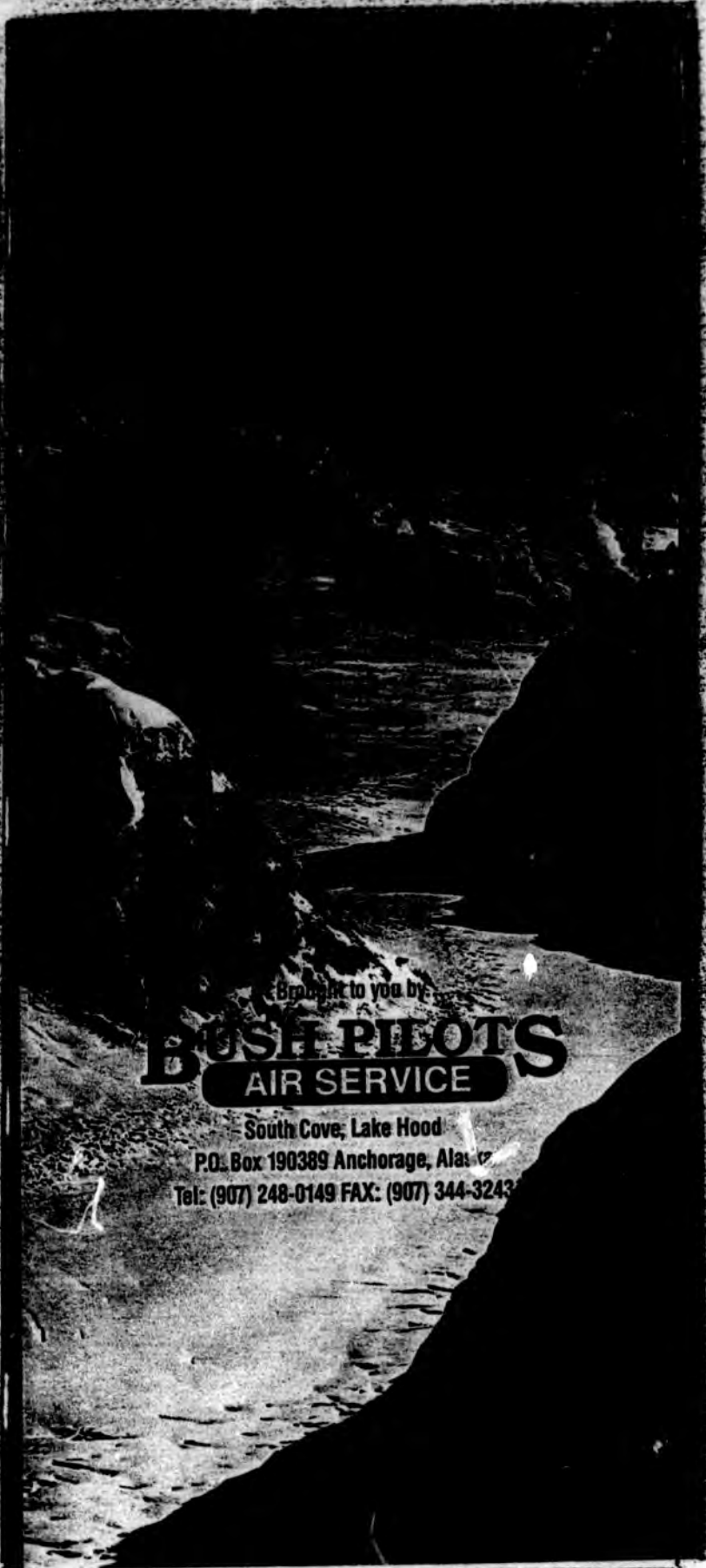
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SCOMM

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.

Low 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 

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



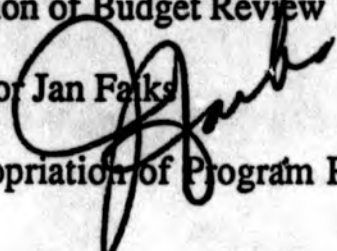
JAN FAIKS
POST OFFICE BOX V
JUNEAU, ALASKA 99811

Senate

July 28, 1989

MEMORANDUM

TO: Alison Elgee, Director
Division of Budget Review

FROM: Senator Jan Fails 

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(R1s) 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:

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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

TO: Alison Elgee JAN FAKS
Division Director SENATE OFFICE
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	<u>\$ 45,000.00</u>
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

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						
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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

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 MCL page 1 of 1

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

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

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: A. H. 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-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

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
Approved by Commissioner: J. G. H. English
Agency: Department of Public Safety

Phone: 269-5509
Date: 4/12/89
Date: 4/12/89

STATE OF ALASKA
1989 LEGISLATIVE SESSION

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

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Commerce & Economic Dev.
Title: An Act relating to big game hunting BRU: Occupational Licensing
and to the regulation of big game and marine mammal guide-outfitting...
Sponsor: House Resources Components: All
Requestor: House Resources

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						
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REVENUE		103.0	105.5	108.0	110.5	113.0
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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. *al*
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
MJR page 1 of 5

DC+FA - CSHB 112 - Fin - 11-11-89

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

Page 2 of 5

CONSEQUENTIAL

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
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TOTAL FY 90 COSTS:	98.8
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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 sunseting 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 100 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

RECEIVED

AUG 14 1989

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

JAN FAIKS
SENATE OFFICE
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 *GU*
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 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 — go
over the "facts" of the fiscal
note.*

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SCS CSHB 112 (2nd) (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	76.3	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: [Signature] 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 ML

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

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 canvassing 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

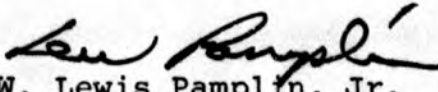
The Honorable Jan Faiks, Chairman
Alaska Legislative Task Force
on Guiding and Game
3111 "C" Street, Suite 525
Anchorage, Alaska 99503

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 -
7-9pm -*

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)

✓
59 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 what's 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 "subsistence" 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 subsistence 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 subsistence 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-OUTFITTING

Mike Sullivan	ADNR	762-2270
Ron Swanson	ADNR	762-2620
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 Riehl	Sen. Fairs	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

symon
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

①

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 of ST to begin -
* Feds need time to contact - hear from field reps who really know
whats going on there. Need ample lead time.

F&G - will look at 'quality' of experience offered -

XX Feds mandate: That users receive quality experience - ~~the~~ concerned
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 - ~~while~~ Feds
want to deal w/ multiple uses - ~~may~~ 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 between two guides.

(many land use planning pgms for Feds take 10yrs +)

attend -

Becky Kaiser - NPS - John Kurtz ^{F&G} - Leo ^{Keeler} ~~Kurtz~~ - Juana etc
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)~~ ^(maybe) renewable or
competitive bid/lottery) maybe concession permit or
imply long term verbal 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.

FFA: Top priority = user (hunter) not the ~~go~~ service provider — the 'industry' is of no concern to Fed FWS (Kurtz)

Must do an '8-10' evaluation for every permit issued (subsistence)
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 — concessions policy net = 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 pay

if ST

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

FFS requires operating plan — Type/quality of svc — ~~emergency~~ ^{safety} plan —

(3)

op plans -

- will vary according to what's desired - financial info etc - ^{Fin} responsibility.
- " " " " how one looks at them (good to game Bd may be bad for wildlife conservationist)

insur requirements - Feds do require - would be good if st. guide requires 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 GTF going in direction that's obviously wrong.

^{superintendents}
Feds would want a say at how many guides near one 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 mngs - fear st lands are becoming dumping ground for cast off guides
the tighter Fed controls - force more pressure on st lands -

more stringent licensing laws could reduce size of industry -

need close gov
tween Fed-ST
requirements

(4)

EA?

XX Transferability — of permits or whatever — a big concern!

Eeds — NOT transferable — no subleasing (EFW)

FES — To issue new ^{any} permit — requires environmental analysis (formality)

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

How is admin. of this plan ~~to~~ 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.

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 that Bob Huxman is
the Co-Chair.

STATE OF ALASKA THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

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

RECEIVED

MEMORANDUM

June 27, 1989

JUN 28 1989

JAN FAIKS
SENATE OFFICE

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 *GU*
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 of 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 of 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
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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.

Senator Jan Faiks, Chair
Page 3
January 12, 1990

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

GU:lmb
L9/044

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

January, 26, 1990

RECEIVED

JAN 25 1990

JAN FAIKS
SENATE CLERK

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 this (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