

ALASKA LEGISLATURE COMMITTEES 1985-1986 00/2

4268A

SRES

SB 294

The audit report observes that, "Publication of meeting information does not always precede the meeting by a reasonable time period." and "Teleconference meetings are not being noticed publicly". (Please see Section IV, page 17.)

2. Concerning exclusive and joint-use guiding areas, the Board lacks objective criteria for determining the maximum number of guides who can be licensed for an area and lacks criteria for issuing, reassigning, and placing conditions on guide area permits.

According to the auditors, "(the Guide Board) does not act consistently when considering the assignment of exclusive and joint-use guiding areas. The criteria on which any given area assignment decision is made varies from decision to decision." (page 7) They conclude, "Essentially, the (Guide Board) has not fully met its statutory responsibility to adopt an equitable and reasonable procedure for the assignment of guide areas." (page 8)

Senate Concurrent Resolution 18 urges the Guide Board to adopt regulations that address these problems. I believe that these actions are needed to restore and maintain public confidence in the integrity of this Board.

Thank you.

PUBLIC OPINION MESSAGE

File

TO: SENATOR ARLISS STURGULEWSKI

FROM: WAYNE FLEEK
4340 S. PARK BLUFF DR.
ANCHORAGE
N/A

99516

BILL NO: SB 294

SUBJECT: GUIDING AND THE GUIDE BOARD
MESSAGE.

PLEASE AMEND SB 294 TO PROHIBIT GUIDES BEING ABLE TO SELL THEIR EXCLUSIVE AREAS. AS FORMER ADMINISTRATIVE OFFICER FOR THE GUIDE BOARD, IT WAS NEVER INTENDED THAT ANY RIGHT TO SELL ANYTHING OTHER THAN CAPITAL IMPROVEMENTS BE GRANTED. MANY GUIDES HAVE TRESPASS CABINS AND ARE ON NATIVE OR PUBLIC LAND.

DATE: 04/14/86 TIME: 13:07:31 SENT BY: ANCHORAGE LIO

COPIES TO: HOUSE MEMBERS
SENATE MEMBERS

Definition that is well supported
takes care of audit problems

Guide board has
had some real
problems - getting
better

~~maintaining list~~
Offered: 3D9/86
Referred: Finance

Original sponsor: Resources Committee
- it asked - list of amounts same

about
Dec 13
second session

in late
first blank
more

1 IN THE SENATE BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 294 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to guiding; and providing for an
7 effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 08.01.010(14) is amended to read:

10 (14) Guide [LICENSING AND CONTROL] Board (AS 08.54.010);

11 * Sec. 2. AS 08.03.010(c)(20) is amended to read:

12 (20) Guide [LICENSING AND CONTROL] Board (AS 08.54.010 -
13 June 30, 1990 [1986].

14 * Sec. 3. AS 08.54.010 is amended to read:

15 ARTICLE 1. GUIDE [LICENSING AND CONTROL] BOARD.

16 Sec. 08.54.010. CREATION AND MEMBERSHIP OF BOARD. For the
17 purposes of licensing and regulating the activities of guides in the
18 interest of the state's wildlife resources there [THERE] is created
19 the Guide [LICENSING AND CONTROL] Board consisting of seven members.
20 No more than three members of the board shall hold or have held a
21 guide license. The other members must [SHALL] have a general know-
22 ledge of the game resources of the state and may not have a vested
23 interest in the guiding industry. A minimum of 10 years residence in
24 the state is required for all members of the board. For administra-
25 tive purposes, the board is in the Department of Commerce and Economic
26 Development.

27 * Sec. 4. AS 08.54.020 is amended to read:

28 Sec. 08.54.020. APPOINTMENT AND TERM OF OFFICE. The members of
29 the board shall be appointed by the governor and confirmed by the

1 legislature for staggered terms of three years or until their succes-
2 sors are appointed. [INITIAL TERMS ARE AS FOLLOWS: THREE MEMBERS FOR
3 ONE YEAR, TWO MEMBERS FOR TWO YEARS, AND TWO MEMBERS FOR THREE YEARS.]
4 A member may be removed at the pleasure of the governor.

5 * Sec. 5. AS 08.54 is amended by adding a new section to read:

6 Sec. 08.54.035. QUORUM; VOTING REQUIREMENT. Four members of the
7 board constitute a quorum for the transaction of business, for the
8 performance of a duty, and for the exercise of any power under this
9 chapter. The board may not adopt a regulation, revoke, suspend, or
10 deny renewal of a license, or assign, modify, or revoke a restricted
11 guide area unless the action is approved by a vote of a majority of
12 the full membership of the board.

13 * Sec. 6. AS 08.54.040(a) is amended to read:

14 (a) Except as provided in AS 08.54.045, the board shall

15 (1) prepare, grade and administer examinations, which may
16 include oral examinations of applicants who demonstrate limited abil-
17 ity to read or write the English language;

18 (2) determine [ALL PASS ON] qualifications of applicants
19 for licenses and authorize the issuance of licenses to those who
20 qualify;

21 (3) establish guide performance standards and regulate
22 activity;

23 (4) compile, maintain and publish an annual [A GUIDE]
24 register of master and registered guides who have not been convicted
25 of a violation of a federal or state sport fish, game, or guiding
26 statute or regulation; a guide listed in the register whose license is
27 revoked or suspended shall be removed from the register while the
28 guide's license is revoked or suspended;

29 (5) collect and maintain records of hunts conducted by

1 guides and shall make the records available to appropriate state
2 agencies [COMPILE, MAINTAIN AND PUBLISH A RECORD OF REGISTERED OR
3 MASTER GUIDES WHO HAVE COMPLETED A CONTRACT HUNT IN ANY OF THREE YEARS
4 IMMEDIATELY PRECEDING THE PUBLISHING OF THE RECORD];

5 (6) prohibit guiding activities which are unsportsmanlike,
6 unethical, unsafe, against principles of conservation, degrading to
7 the guiding profession, or which adversely affect the natural re-
8 sources;

9 (7) after a hearing, revoke, suspend or deny renewal of a
10 license in accordance with AS 08.54.200;

11 (8) establish a quota of licensed operating guides who may
12 operate within designated geographical game units or subunits of the
13 state and provide for an equitable, [AND] reasonable, and consistent
14 procedure for limiting the number of guides to that quota; preference
15 shall be given to qualified available and willing licensed guides who
16 reside within the designated game unit or subunit;

17 (9) meet at least twice annually, once in Anchorage and
18 once in another municipality.

19 * Sec. 7. AS 08.54.045 is repealed and reenacted to read:

20 Sec. 08.54.045. SPECIAL GUIDE LICENSE. The board may issue a
21 special guide license to a person who applies to conduct a guided hunt
22 for a specific species of marine mammal in a specifically designated
23 area if the applicant

24 (1) is 21 years of age or older;

25 (2) has, for at least 10 years, resided and hunted in the
26 area of the state in which the applicant is to guide;

27 (3) is physically able to perform the duties of a special
28 guide;

29 (4) has demonstrated knowledge of the following areas to an

1 extent and degree satisfactory to the board:

2 (A) fish and game laws and regulations;

3 (B) relevant characteristics of the specific species
4 to be hunted;

5 (C) field preparation of trophies;

6 (D) care of game meat;

7 (E) use of guiding gear;

8 (F) firearm safety;

9 (G) practical first aid;

10 (H) booking and contracting hunts;

11 (5) has not been convicted of a game or guiding law vi
12 tion during the previous five years.

13 * Sec. 8. AS 08.54.110 is amended to read:

14 Sec. 08.54.110. QUALIFICATIONS FOR REGISTERED GUIDE LICENSE. A
15 person is entitled to be licensed as a registered guide if the person

16 (1) is 21 years of age or older [MORE];

17 (2) [Repealed

18 (3)] has practical field experience in the handling of
19 firearms, hunting, judging trophies, field preparation of trophies,
20 first aid and photography;

21 (3) [(4)] is familiar with the terrain and transportation
22 problems in the district for which the license is requested;

23 (4) [(5)] has passed the qualification examination prepared
24 and administered by the board;

25 (5) [(6)] has demonstrated to the board sufficient stan-
26 dards of competence and ethical conduct and has not been convicted of
27 a crime involving moral turpitude;

28 (6) [(7)] has legally hunted in the state for all or part
29 of each of five years in a manner directly contributing to the

1 person's experience and competency as a guide;

2 (7) [(8)] has been licensed as and performed the services
3 of an assistant guide in the state for a part of each of three years,
4 or has guided in the state for a part of each of three years under a
5 special guide license issued under AS 08.54.045;

6 (8) [(9)] submits a written recommendation to the board
7 from a registered guide for whom the applicant has worked; however,
8 the requirements of this paragraph do not apply to a person who has
9 guided under a special guide license for three years;

10 (9) [(10)] is capable of performing the physical duties
11 associated with guiding activities;

12 (10) [(11)] has been favorably recommended in writing by two
13 hunters that the person has guided or assisted in guiding during each
14 year of the person's three years as an assistant guide, whose recom-
15 mendations have been solicited by the board from a list provided by
16 the applicant [;

17 (12) MEETS ADDITIONAL QUALIFICATIONS WHICH THE BOARD MAY
18 REQUIRE].

19 * Sec. 9. AS 08.54 is amended by adding a new section to read:

20 Sec. 08.54.141. PRIVILEGES AND LIMITATIONS OF ASSISTANT GUIDE
21 LICENSE. An assistant guide

22 (1) may not contract for guided hunts; and

23 (2) shall be employed and supervised by a registered or
24 master guide at all times while the assistant guide is in the field on
25 guided hunts.

26 * Sec. 10. AS 08.54.170 is amended to read:

27 Sec. 08.54.170. LICENSE FEES. (a) The Department of Commerce
28 and Economic Development shall set license fees under AS 08.01.065 for
29 each of the following:

- 1 (1) master guide;
- 2 (2) registered guide;
- 3 (3) class A assistant guide;
- 4 (4) assistant guide;
- 5 (5) special guide [TRANSPORTER].

6 (b) The license fee for a master guide, registered guide, spe-
7 cial guide, class-A assistant guide, or assistant guide license is in
8 addition to the fee required for a hunting or fishing license.

9 * Sec. 11. AS 08.54 is amended by adding a new section to read:

10 Sec. 08.54.186. REGISTERED GUIDE EXAMINATION. The board shall
11 administer the qualification examination required under AS 08.54.110
12 at least twice a year. An examination may not be given within 90 days
13 after the previous exam. At least once every other year the board
14 shall give the examination at a location other than Anchorage.

15 * Sec. 12. AS 08.54.190 is amended by adding a new subsection to read:

16 (d) A master guide, registered guide, special guide, class-A
17 assistant guide, or assistant guide license expires biennially, on a
18 date set by the Department of Commerce and Economic Development.

19 * Sec. 13. AS 08.54 is amended by adding a new section to read:

20 Sec. 08.54.195. GUIDE AREAS. (a) Under AS 08.54.040(a)(8), the
21 board may establish and assign guide areas for master guides or regis-
22 tered guides. The board shall adopt regulations under the Administra-
23 tive Procedure Act (AS 44.62) that establish uniform and consistent
24 criteria, including a point system, to be used by the board when it
25 creates and assigns a restrictive guide area.

26 (b) The board shall consider the following factors before it
27 assigns a restrictive guide area:

- 28 (1) the extent to which the guide who has applied for the
29 area has used the game management unit in which the area is located;

1 (2) the extent to which the guide occupied and invested in
2 the area;

3 (3) the effect on other guides that would result from
4 creation of the area;

5 (4) big game populations in the area;

6 (5) the land ownership status of the area; and

7 (6) other relevant facts or circumstances.

8 (c) The board may adopt regulations establishing a schedule of
9 fees to be charged to persons to whom the board transfers restrictive
10 guide areas.

11 (d) Unless the board determines after a public hearing that it
12 is not in the public interest to do so, the board shall transfer a
13 restrictive guide area to a person qualified for assignment who has
14 been recommended by the guide to whom the area was assigned, or by a
15 person on behalf of the guide, if the recommendation is made

16 (1) after five years have elapsed from the date of the
17 assignment of the guide area; or

18 (2) during the first five years after the date of assign-
19 ment and the guide has died or suffered a major disability, as defined
20 by the board.

*needs
separately*
(e)

21 * Sec. 14. AS 08.54.200(a) is repealed and reenacted to read:

22 (a) The board shall hold a hearing to determine whether disci-
23 plinary action is necessary if (1) complaints concerning a licensee's
24 guiding activities are filed with the board by three or more of the
25 licensee's clients from separate parties; (2) a complaint concerning a
26 guide's conduct during a life-threatening situation is filed with the
27 board; or (3) a licensee has been convicted of a violation of a state
28 hunting or guiding statute or regulation. The board may hold a hear-
29 ing to determine whether disciplinary action is necessary if a



1 complaint concerning a licensee's guiding activities is filed with the
2 board by a client of the licensee.

3 * Sec. 15. AS 08.54.200(b) is amended to read:

4 (b) After a hearing, the board may revoke, suspend, or deny
5 renewal of a license if the board finds that the licensee

6 (1) engaged in unethical activity, unsafe activity, or
7 activity that [WHICH] adversely affects the natural resources of the
8 state when the [SUCH] activity is related [UNRELATED] to the [LEGAL
9 AND LEGITIMATE] purposes of the contract hunt; or

10 (2) violated a provision of a federal or state sport fish,
11 game, or guide statute or regulation.

12 * Sec. 16. AS 08.54.200(c) is amended to read:

13 (c) After a hearing, the board shall revoke a license if the
14 board finds that the licensee

15 (1) does not meet the qualifications specified by statute
16 or regulation for the class of license held;

17 (2) is incompetent as a master guide, registered guide,
18 special guide, class-A assistant guide, or assistant guide;

19 (3) during the five years immediately preceding the hearing
20 has been convicted of a violation [TWO VIOLATIONS] of a federal or
21 state statute or regulation prohibiting

22 (A) waste of a wild food animal;

23 (B) hunting on the same day airborne; or

24 (C) hunting during a closed hunting season; or

25 (4) during the five years immediately preceding the hear-
26 ing, has been convicted of two violations of a state statute or regu-
27 lation prohibiting hunting in

28 (A) a restricted area not assigned to the licensee and
29 without proper written permission; or

1 (B) an area closed by the board [SPORT FISH, GAME OR
2 GUIDE STATUTES OR REGULATIONS].

3 * Sec. 17. AS 08.54.200(d) is repealed and reenacted to read:

4 (d) A person who is disciplined under this section may not
5 engage in a guiding activity during the period of license revocation
6 or disciplinary action. A person licensed under this chapter may not
7 knowingly hire as a guide a person whose guide license is suspended or
8 revoked under this section. A guide whose license is suspended or
9 revoked may not guide in the employ of a person licensed under this
10 chapter.

11 * Sec. 18. AS 08.54.200 is amended by adding new subsections to read:

12 (f) If certified copies of two judgments of conviction of a
13 guide for offenses described under (c)(3) of this section are filed
14 with the board, the board shall immediately suspend the guide's li-
15 cense. The suspension may be ordered even if the conviction resulted
16 from a plea of nolo contendere or if the conviction is under appeal.
17 The order remains in effect until after the final disposition of the
18 disciplinary proceeding under this section.

19 (g) A certified copy of a judgment of conviction of a guide for
20 an offense is conclusive evidence of the commission of that offense in
21 a disciplinary proceeding instituted against the guide or outfitter
22 under this section based on that conviction.

23 (h) In this section "two violations of a state statute or regu-
24 lation" means two violations of a single statute or a single regu-
25 lation, or violations of two statutes or two regulations, or one
26 violation of a statute and one violation of a regulation.

27 * Sec. 19. AS 08.54.210 is amended to read:

28 Sec. 08.54.210. UNLAWFUL ACTS. (a) It is unlawful for
29 (1) a master guide, registered guide, special guide,

1 class-A assistant guide, or assistant guide [OR TRANSPORTER] to fail
2 to timely report to the Department of Public Safety, division of fish
3 and wildlife protection, and in no event later than 30 days, a viola-
4 tion [VIOLATIONS BY A CLIENT] of a state fish, game, or guiding stat-
5 ute or regulation that the guide reasonably believes was committed by
6 a client or an employee of the guide;

7 (2) a master guide, registered guide, special guide,
8 class-A assistant guide, or assistant guide [OR TRANSPORTER] to aid
9 the commission of a violation of this chapter or of AS 16.05 or a
10 regulation adopted [PROMULGATED] under either chapter, or permit the
11 commission of a violation in the guide's [OR TRANSPORTER'S] sight
12 without attempting to prevent it, short of using force, and without
13 reporting it;

14 (3) a person to guide [OR TRANSPORT] as defined in this
15 chapter without being licensed under this chapter and without having
16 the license in actual possession; [HOWEVER, FOR PURPOSES OF TRANSPORT-
17 ING BY AIR, IN THE CASE OF A CORPORATION, COMPANY, PARTNERSHIP OR
18 OTHER BUSINESS ENTITY, THE LICENSE MAY REMAIN AT THE PRINCIPAL PLACE
19 OF BUSINESS OF THE BUSINESS ENTITY;]

20 (4) a person to imply by advertisement, representation, or
21 conduct, or to provide services as [ADVERTISE AS OR REPRESENT TO BE] a
22 licensed master guide, registered guide, special guide, class-A assis-
23 tant guide, or assistant guide [OR TRANSPORTER] without being current-
24 ly licensed [, OR TO FALSELY ADVERTISE SERVICES];

25 (5) a person to act as a registered or master guide as
26 defined in this chapter without having a current valid resident hunt-
27 ing [AND FISHING] license [IN THE PERSON'S POSSESSION.

28 (6) A MASTER OR REGISTERED GUIDE TO EMPLOY OR SUPERVISE
29 MORE THAN THREE ASSISTANT GUIDES AT THE SAME TIME.

1 (7) A PERSON TO GUIDE AS DEFINED IN THIS CHAPTER WITHOUT
2 PAYING A FEE AS PRESCRIBED IN AS 16.05.340(e)].

3 (b) A person who violates (a)(1) - (4) [(6)] of this section is
4 guilty of a misdemeanor and upon conviction is punishable by a fine of
5 not more than \$1,000 or by imprisonment for not more than one year, or
6 by both, and the person's license may be revoked for a period up to
7 five years. However, a person who engages in guiding [OR TRANSPORT-
8 ING] activity during the period for which the person's license is
9 suspended or revoked under this chapter, or who violates (a)(5) of
10 this section, is guilty of a felony punishable, upon conviction, by a
11 fine of not more than \$5,000 and by imprisonment for not less than one
12 year nor more than three years. In addition to punishment for a
13 felony, all guns, fishing tackle, boats, aircraft, automobiles or
14 other vehicles, camping gear and other equipment and paraphernalia
15 used in, or in aid of, guiding [OR TRANSPORTING] activity engaged in
16 during the period of suspension or revocation shall be seiz_d [CON-
17 FISCATED] by persons authorized to enforce this chapter. [A PERSON
18 WHO VIOLATES (a)(7) OF THIS SECTION, UPON CONVICTION, IS SUBJECT TO
19 THE SAME LICENSE REVOCATION PROVISION AS FOR A VIOLATION OF (a)(1) -
20 (6) OF THIS SECTION AND, IN ADDITION, IS PUNISHABLE BY A FINE OF NOT
21 MORE THAN \$5,000, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BY
22 BOTH.]

23 * Sec. 20. AS 08.54.240 is amended to read:

24 Sec. 08.54.240. DEFINITIONS. In this chapter

25 (1) "board" means the Guide [LICENSING AND CONTROL] Board;

26 (2) "guide" [, "GUIDES"] or "guiding" means (A) being
27 physically present in the field to provide a service related to a hunt
28 for compensation or with the intent or an agreement to receive compen-
29 sation for the service; or (B) assisting another person directly or

1 through an assistant, to locate or take, or attempt to locate or take,
2 big game for compensation or with the intent or an agreement to re-
3 ceive compensation for the assistance of a "guide" or "guiding" does not
4 include the services of persons who limit their services solely to
5 transportation and who do not remain in the field; in this paragraph,
6 "present in the field" does not include being present at a lodge or
7 camp or being present in the field for the purpose of providing meat-
8 packing services for a big game animal only after the animal has been
9 killed [ASSISTING ANOTHER PERSON TO TAKE GAME WITH THE INTENT OF
10 RECEIVING MONETARY OR MATERIAL REMUNERATION FOR THE SERVICES, BY
11 ACCOMPANYING AND DIRECTING THAT PERSON PERSONALLY OR THROUGH A LI-
12 CENSED ASSISTANT GUIDE FOR THE DURATION OF A HUNT, AND NOT SOLELY FOR
13 THE PURPOSE OF PROVIDING TRANSPORTATION SERVICES];

14 (3) "resident" has the meaning given in AS 16.05.940 [MEANS
15 A PERSON WHO

16 (A) MAINTAINS A PLACE OF RESIDENCE WITHIN THE STATE;

17 (B) REPEALED

18 (C) SHOWS BY ALL ATTENDING CIRCUMSTANCES THE INTENTION
19 TO PERMANENTLY RESID' IN THIS STATE];

20 (4) ["TRANSPORTING" OR THE "ACTIVITY OF TRANSPORTING" MEANS
21 CONVEYING A PERSON BY ANY LAWFUL MEANS TO AN AREA FOR REMUNERATION OR
22 MATERIAL BENEFIT IN EXCESS OF NORMAL OPERATING COSTS, WHEN THE PRIMARY
23 PURPOSE OF THE PERSON BEING CONVEYED IS THE TAKING OF BIG GAME AND THE
24 ASSOCIATED REMOVING OF BIG GAME MEAT AND PARTS OF BIG GAME AFTER BIG
25 GAME HAS BEEN TAKEN; BIG GAME AS USED IN THIS PARAGRAPH MEANS GAME
26 WHICH, IF TAKEN BY A NONRESIDENT, WOULD REQUIRE A BIG GAME TAG;

27 (5)] "unethical activity" means

28 (A) deception or misrepresentation [IN ANY DEGREE]
29 involving prospective or actual clients either before, during, or

1 following a contract hunt, including misrepresentation through
2 private or public advertising of the type, duration, cost or
3 conditions of the contract hunt [HUNTS];

4 (B) [MISREPRESENTATION EITHER THROUGH PRIVATE COMMU-
5 NICATION OR PUBLIC ADVERTISING OF THE NATURE, TYPE, DURATION,
6 COST, OR OTHER CONDITIONS OF CONTRACT HUNTS;

7 (C)] making a guaranty that a species or certain
8 number of species of game will be taken on a contract hunt;

9 (C) engaging in unsafe or unsportsmanlike activities
10 that are detrimental to the game resources of the state, as
11 defined by regulations of the board, including violations of
12 state or federal hunting or guiding laws or regulations; or

13 (D) accepting a deposit for guiding services before
14 signing a contract to provide the services;

15 (5) "big game" means brown bear, grizzly bear, polar bear,
16 caribou, moose, black bear, bison, Sitka blacktail deer, elk, mountain
17 goat, musk-ox, wolf, wolverine, mountain or Dall sheep, and walrus.

18 * Sec. 21. AS 16.05.407(a) is amended to read:

19 (a) It is unlawful for a nonresident to hunt, pursue or take
20 brown bear, grizzly bear, polar bear, or sheep in this state, unless
21 personally accompanied by

22 (1) a person who is licensed as a master guide, registered
23 guide, class-A assistant guide or assistant guide by the Guide [LI-
24 CENSING AND CONTROL] Board; or

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

26 (A) the spouse of the nonresident; or

27 (B) is related to the nonresident, within and includ-
28 ing the second degree of kindred, by marriage or blood.

29 * Sec. 22. AS 16.05.407(b) is amended to read:

1 (b) An applicant for a nonresident big game tag for the taking
2 of an animal specified in (a) of this section or in regulations adopt-
3 ed under this section shall first furnish to the state, on a form
4 provided by the state, an affidavit showing that the applicant will be
5 personally accompanied while hunting by a person who is qualified
6 under the terms of (a) of this section. A person who falsifies the
7 required affidavit is guilty of perjury under AS 11.56.200.

8 * Sec. 23. AS 16.05.407(d) is amended to read:

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

14 * Sec. 24. AS 39.50.200(b) is amended by adding a new paragraph to
15 read:

16 (48) the Guide Board.

17 * Sec. 25. AS 08.54.040(b), 08.54.142 - 08.54.146, 08.54.185; AS 16.-
18 05.340(e) and 16.05.407(c) are repealed.

19 * Sec. 26. This Act takes effect July 1, 1986.

STATE OF ALASKA

THE LEGISLATURE BUDGET AND AUDIT COMMITTEE

Kie
AUDIT DIVISION
POUCH W
JUNEAU, ALASKA 99811

January 31, 1986

Members of the Legislative Budget
and Audit Committee:

Re: Fish and Wildlife Protection Employment Policies

This letter constitutes our report on the Committee's concern of possible conflict of interests relating to Fish and Wildlife Protection (FWP) officers holding guide or assistant guide licenses.

Purpose of Report

In accordance with Title 24 and a special request by the Legislative Budget and Audit Committee, we reviewed the issues and activities surrounding the holding of guide or assistant guide licenses by certain FWP officers. Our review was primarily focused on determining whether or not the holding of such licenses represented a conflict of interest for the officers and determine the Department of Public Safety's (DPS) policy in this area.

Background

Concerns have been expressed that a possible conflict of interest exists when FWP officers hold guide or assistant guide licenses. This conflict is said to exist because FWP officers are in a position to adversely affect a competing guide's business by harassing the guide and his clients under the guise of game law enforcement; or help another guide, who may be an employer or partner, by not enforcing game laws and restrictions.


The Commissioner of DPS recognized this potential conflict when he established a policy in December 1984 prohibiting departmental employees from having outside employment in the guiding profession. Prior to the formal establishment of this policy, we determined that at least five FWP officers either held or currently hold an assistant guide license. However, we found in our review of guide board files that since establishment of the policy those FWP officers were not recorded as being employed as assistant guides.

In July 1984 the Attorney General issued a memorandum, at the request of DPS's Commissioner, that stated that law enforcement officers who work as outfitters or hunting and fishing guides do not present a conflict of interest. Although this memorandum suggests that the Commissioner's policy may not be enforceable, we have been told informally by the Attorney General's office that the Commissioner has wide discretion to establish appropriate employment policies as he sees fit, and that the prohibition employment policy would be defensible if shown to be reasonable.

Auditor's Conclusion

We agree with and support the current DPS policy prohibiting outside employment in the guiding industry. Based on our review of the activities and operations of the Guide Licensing Board and discussion with the Assistant Attorney General with the most extensive experience with the Guide Licensing and Control Board, it is our understanding that there is potential for a conflict of interest if FWP officers are also licensed as guides. Although there is no reason to believe that DPS employees would make unprincipled decisions, the probability of risk to DPS's integrity is greatly increased and public perception of wrongdoing can be harmful and create operational inefficiencies.

There may be some question regarding the Commissioner's ability to enforce his policy in light of the Attorney General memorandum. Accordingly, the Legislature may want to consider legislation, perhaps as part of any contemplated executive branch ethics initiative, to clarify conflict of interests statutes in this area.


Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

*Unan
Consent*

Hein ✓

A M E N D M E N T

/

By M W Miller

Offered in the HOUSE

TO: HCS CSSB 294(Resources)

Page 5, after line 27, insert a new paragraph to read:

"(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;"

Renumber remaining paragraphs in the subsection accordingly.

337
4N

Pass

AMENDMENT

#2

OFFERED IN THE HOUSE:

BY: Sund

TO: House CS for CS HOUSE BILL No. _____

SENATE BILL No. 294 (Resources)

PAGE: 1

LINE: 13

delete "1990", and insert 1988.

84
30N

F

AMENDMENT #3

OFFERED IN THE HOUSE:

BY: MARRIOLI

To: HCS CSSB 24-(123) HOUSE BILL No. _____

SENATE BILL No. 294

PAGE: 3

LINE: 12

...to that quota; the quota for any area shall be consistent with appropriate game harvest levels in the area and with traditional use of the area by guides but may not be less than two guides; preference shall be given to qualified, available, and willing licensed guides who reside within the designated game unit or subunit.

W/D
AMENDMENT #4

OFFERED IN THE HOUSE:

By: MARROU

To: HCS CS (RGS) HOUSE BILL No. _____

SENATE BILL No. 294

PAGE: 1

LINE: 13

DELTG:

[1990]

INSRT:

1987

File of
Bill

FL

Dear Senator Sturgulewski:

1986

Thanks so much for your time, efforts and the consideration given to Lu Harrouse, Phil Driver and myself when we were in Juneau last week. We sincerely appreciate all the help given us in trying to get a workable Guide Bill through.

Hopefully we can all continue to work along these lines.

Thanks

Keith D. Johnson

GUIDE BILL ACTIVITIES

The Guide Bill that has been discussed for the past several years seems to raise a number of questions. There is a general lack of knowledge among our members as to just what is going on. Here is the story from my position as a committee member. We all thought the bill sunsetted this year, but that is not true, it sunsets in 1986. There are certain legal interpretations as to just what will happen upon sunset. Some say that it will be carried from year to year as it has been and another opinion is that the Guide Board guide areas in the current guide bill will dissolve in that guiding, licensing and all control would go back to Fish and Game as it was years ago. There are some who favor this latter scenario. An intelligent analysis would show that the guiding industry would be thrown into instant chaos if six hundred guides were turned loose to hunt at will. This will ultimately lead to tremendous harvests in some

areas finally resulting in more permit drawings and timely area closures. It would be disastrous to the industry. Most of us are champions of the free enterprise system and resist regulation and regimentation. However, there are times and situations that necessitate sensible restrictions and regulations.

This is what the Guide Bill is intended to do:

To provide for a board to issue licenses, arbitrate disputes and act as a disciplinary body.

The bill is law by statute and enforceable by the State Enforcement Agencies. There is a Guide Bill in effect today. The activities to get an amended bill introduced centered primarily around just getting another bill accepted so that we can have a few years of consistency regarding meetings, policy and build membership. There were areas in the old bill that needed to be changed. The changes in

the amended bill concentrate on five areas, they are:

1. changes in the definition of guiding, to put more teeth into the law to prevent so much competition from non-licensed guides.

2. eliminate the transporter law—this is also designed to prevent non-license guiding.

3. to eliminate the per animal head tax.

4. eliminate restricting registered guides to using only three assistant guides.

5. to provide a penalty to guiding unauthorized in another guide's area.

These are the major changes. There are a few word changes here and there, merely to make language specific. But basically this is it. This amended bill is currently being reviewed by Senator Arliss Sturgulewski (R-Anchorage), who has been very helpful and cooperative. She has agreed to select a proper time to introduce it as well as soliciting the support from other Senators and Legislators who could be instrumental in its passage. She is a fair, frank lady who we should appreciate a great deal, because the guiding industry just does. It happens to be the most popular industry in the state, especially to the current administration and powerful rural interests.



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Hunting Knives Designed for Alaska

In the February issue of the *Professional Hunter* (page 5) we printed a short article on a special set of knives being made especially for APHA. Knives designed and produced specifically for the requirements of extended field use. If you attended either the SCI or FNAWS conventions, you have already had the opportunity to have seen the set. We are now taking orders on the knives and have about a three-month lead time between placing the order and receipt of the finished knives. They can be ordered individually or in a set.

The prices (F.O.B. Talkeetna) are: **caping knife, \$115.00; hunting knife, \$130.00; fleshing knife, \$150.00.**

glide across your fingernail without the slightest tendency to catch. A stropped edge is a higher quality edge, and should be touched up occasionally on the strop, not on a steel or stone, otherwise, you will lose the microscopic rolled edge and have to return to one of the previous steps.


Those small pocket whetstones you see in the field are fine for a quick touchup, but are not suited for a proper honing. If your knife starts dragging a little and seems to be taking more effort, then it's time to pull out the pocket stones and touch up the edge. You can use saliva for oil.

You will hear many people say they don't like their knives to be too sharp because they utilize the jagged edge for "sawing" whatever they are cutting in half. Many also feel that a bad cut is less likely with a knife that doesn't possess a keen edge. I feel these people are wrong. Give any such person a really sharp knife and he will discover that by comparison his dull knives are dangerous. You can control a sharp knife with much less pressure and carelessness will soon be avoided by the user.

If, after the honing process is completed, you intend to store your knife

for an extended period, there are a few things to consider. Leather sheaths collect atmospheric moisture and give off fumes from tanning acids, so if the knife is shoved into the sheath and tossed into the closet, the moisture and acids will probably pit the steel badly in time. My suggestion is to rub a light coat of oil onto the blade, wrap it in waxed paper and place in a box separate from the sheath. You might go a step further and place a few bits of silica gel inside the box to help dry up moisture.

Well, that just about covers one

"tried and true" method of replacing the finely honed edge that your favorite hunter/skinner deserves. There are many other methods, gadgets, and gimmicks designed to allow short cuts and other "helps" such as mechanically keeping the proper bevel at all times. I'm not trying to discredit these appliances because a lot of them work great. It has been my endeavor this time however to do my part in keeping alive what could otherwise become a lost art. The art of putting a truly fine edge on a quality tool using the good ole ARKANSAS stone. 

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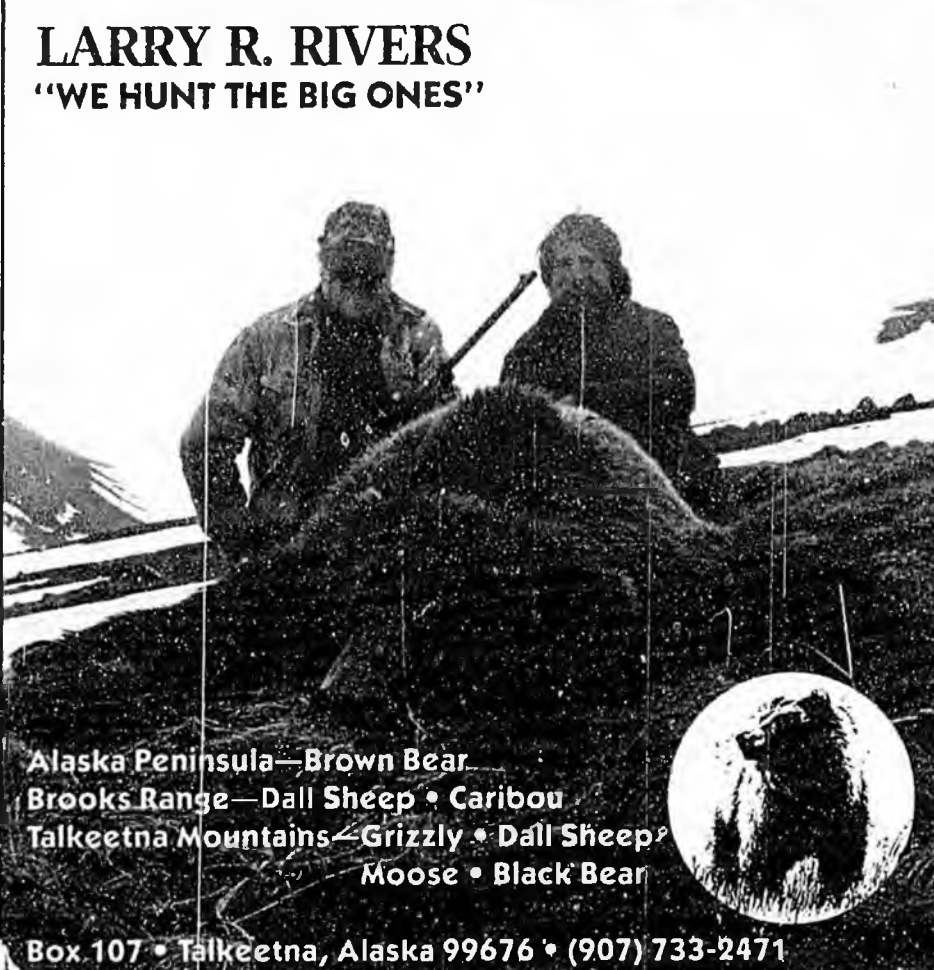
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THE ALASKA

Professional Hunter

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Volume 10, No. 1
February 1986



Illegal Commercial Operations Affecting the Alaska Professional Guide

by Robert Boutang
Alaska Department of Public Safety
Fish and Wildlife Protection
Statewide Investigations

In 1973 the Guide Licensing and Control Board was formulated as the regulatory body for the guiding industry. In the mid 1960's to the mid 1970's, drastic regulation changes in seasons, bag limits and methods of taking game had a direct impact on many of the guiding operations.

These ten years of regulation changes had the most direct impact on the guiding industry. During these ten years, the brown bear season on the Alaska Peninsula was cut from nine months per year to four weeks every two years. The use of aircraft was also severely limited by regulation. It was understandable with the numerous statute and regulation changes that did occur in such a short period of time, that some guides found it difficult at best to adapt their guiding operations to meet the changing times. What were legal methods of hunting

one day were all of a sudden illegal the next.

In many cases, however, some guides did operate as though there were no restrictions on the methods and means of taking big game. We did, in fact, have guides who operated with little fear of being apprehended in the commission of a crime.

In 1972, one of the enforcement priorities established within the Division of Fish and Wildlife Protection was the illegal guides who persisted in continually taking big game animals unlawfully.

Through the efforts of the Guide Licensing and Control Board in establishing standards, regulations and exclusive and joint use areas, in conjunction with a concerted enforcement effort taken by the Division of Fish and Wildlife Protection in the 1970's, we have seen a dramatic decline of the flagrant illegal guide operations.

The State of Alaska can take pride in the fact that we now have a professional guiding industry that provides an outstanding service to a clientele from all

over the world and the revenue that is generated from the guiding industry is one that benefits many people and businesses inside the State of Alaska.

Today, we face a new problem that concerns and affects the professional Alaskan guides, the public and State of Alaska. This concern is the unlicensed individuals who are in fact booking clients and acting as guides. It is now known that there is more illegal unlicensed guiding activity than anyone thought existed.

This is one concept of illegal guiding which virtually has never before been worked by Alaska Fish and Wildlife Protection. The Investigative section of Fish and Wildlife Protection is now developing intelligence regarding this problem. The Division has established unlicensed guiding operations as one of our main enforcement priorities.

We found some of these so-called outfitters (unlicensed guides), who provided drop-off type hunts, were actually going so far as to personally accompany the clients in the field; calling in

moose, using aircraft to drive and herd animals and using radio communications to aid and take animals.

Once such unlicensed guide showed a client (undercover hunter) a check which was two times the amount of a regular hunt and he said, "This is what I get for my hunts and I produce more record book animals than anyone in Alaska and I don't even have a guide license."

Another unlicensed guide, who recently pled guilty, took a client (undercover hunter) in Game Management Unit 9, Katmai National Park, during the off season and killed a brown bear the same day he was airborne. He also tried to solicit our hunter into getting him more clients. This is the type of people we are dealing with; they have no respect for the legal guides or the resources.

This year our Investigative section investigated two outfitters (unlicensed guides) who took approximately 40-50 moose each in a two-year period. That is putting a serious dent in someone's exclusive guiding area and in Alaska's moose population. These illegal non-licensed guides are going into honest hard-working professional guides' areas and stealing the resources and giving hunting and the professional guides through the publicity, a bad name. The licensed guides, hunters, the general

public and the State of Alaska are all the victims.

These illegal operations have a direct impact on the licensed professional guides, the State's regulations and the State's operation.

While we discuss the problem of unlicensed guides in Alaska, we first have to identify the people involved. To do this, we need all the help we can get from the Guide Board, professional guides and the concerned citizens.

In addition, it is extremely important that the Guide Board, professional guides, concerned public, and our Division continue to mutually cooperate in identifying individuals who are unlicensed and operating in the capacity of licensed guides.

The unlicensed guides do not have to follow any laws. They are not bound by restrictions, seasons and in many cases, they have a total disregard for the resources and other guides. They take game anytime and place and use any methods they want to.

Only the continued continuing cooperation of all those working together can we hope to rid the illegal unlicensed guiding operations that exist in the State of Alaska.

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Senate

Committee on Resources

TO: Senate Resource Committee Members March 17, 1986

FROM: Senate Resource Committee Staff *MEL*

RE: Committee Substitute for Senate Bill No. 294 (Resources)
"An Act relating to guiding; and providing for an effective date." and
SCR 18 Relating to the Guide Licensing and Control Board.

The guide board will sunset on June 30th of this year unless its term is extended. SB 294, introduced by this committee, extends the life of the board until 1990. The bill also rewrites many of the guide statutes to try to cleanup the problems that have been associated with industry and the board.

SCR 18 is a resolution by Senator Faiks that urges the guide board to make a number of regulatory changes related to its meetings and to the assigning of exclusive guide areas. A number of these changes are statutorily addressed in SB 294, however, there is no conflict between the bill and the resolution and they work well together as companions.

The Alaska Professional Hunters' Association, representatives of the Air Taxi industry, the Division of Fish and Wildlife Protection, the Governor's special assistant for Boards and Commissions, and the Division of Occupational Licensing are some of the groups or people that have been consulted in the

preparation of this bill. This is not to suggest that everyone consulted agrees with all parts of this bill, and it is hoped there will be testimony from a number of these groups at the public hearing where they can point out any specific concerns.

Since the original bill was prepared, Legislative Audit has done a sunset performance report on the guide board. In the audit, a number of recommendations were made to improve the performance of the board. Many of these areas were already addressed in the bill and in the proposed committee substitute, we have tried to address the remainder of those problems that can be helped by statutory change. In the brief sectional analysis later in this memo, each of the audit's statutory recommendations is discussed.

Committee members have previously been given copies of SCR 18, SB 294 and the proposed CS for SB 294 and copies of the sunset performance report on the Guide Board.

An updated brief sectional analysis of the new CS follows. One of the main differences between this CS and the previous one is additional clarification in the definition of "guiding" to make certain that it does not adversely effect legitimate outfitters. Senator Coghill's office also suggested a number of amendments which have been incorporated.

Sectional Analysis

March 17, 1986

Committee Substitute for Senate Bill No. 294 (Resources)
"An Act relating to guiding; and providing for an effective date."

Section 1 - deletes "licensing and control" from the name of the board.

Section 2 - extends the life of the board to June 30, 1990.

Section 3 - adds intent language that increases game management considerations to the section that establishes the guide board. The audit approves of this change (pg 16, item A-1). Additional new language clarifies that for administrative purposes, the board is in the Department of Commerce. In the original bill, the number of guides on the board was changed from no more than three to no less than three. The audit (pg.16, item B-1) said this had the potential of expanding the number of industry members at the expense of public participation. The CS deletes this change.

Section 4 - is a technical revision dealing with terms of office.

Section 5 - is a new section that establishes a quorum requirement of four and requires a majority vote (4) of the full membership of the board for approval of changes to regulations, licenses or restricted guide areas.

Section 6 - amends the powers and duties of the boards. There are three substantive changes. The first amends subsection (a)(1) to allow the board to administer oral examinations to applicants with a limited ability to read or write English. The second adds "consistent" to the requirement in subsection (a)(8) that the procedure for limiting the number of guides operating in a designated game unit be "equitable and reasonable". The audit approves of this change (pg 16, item A-2). The third would require the board to have two meetings per year, one in Anchorage and one in another city.

Section 7 - the special guide license section is repealed and reenacted to provide more detailed criteria for the license.

Section 8 - amends the qualifications for a registered guide license. There are two substantive amendments. The first allows a person who has served as a special guide for three years and meets all other criteria to become a registered guide. ~~The second requires that registered guides file a \$5,000 bond with the board.~~ The audit approves of this requirement (pg.16, item A-3) and the change was also suggested by the Division of Occupational Licensing.

*Section
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contract per
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Dept. 8/16
from Chen*

Section 9 - clarifies the limitations of an assistant guide license. It specifies that assistant guides may not contract for hunts and that assistant guides must be employed and supervised at all times while the assistant guide is in the field. The audit approves of this change (pg 16, item A-4).

Section 10 - in accordance with AS 08.01.065 (last page in the current law section of the packet) this section specifies that fees shall be set by the department by regulation.

Section 11 - is a new section requiring the registered guide exam to be given at least twice a year. At least once every other year the location of the exam has to be somewhere other than Anchorage.

Section 12 - is a new section that specifies licenses expire biennially on a date specified by the department. The change in language from the original bill to the CS was requested by the department.

Section 13 - is a new section that requires the board to adopt uniform and consistent criteria to be used in assigning restrictive guide areas and specifies a number of the criteria to be used. The section lists criteria the board is required to consider before assignment of an area. The assignment and transfer of restricted areas has been a particular problem for the Guide Board in the past. This section also allows a guide

to transfer a guide area if the guide has had the area for over five years. This time requirement is designed to limit speculation in guide areas. The audit approves of this section (pg. 16, item A-2).

Section 14 - under existing law the board can only consider complaints of unethical or incompetent guide practices after receipt of three separate complaints. The original bill contained a provision that would have required those complaints to be received in the five years prior to the hearing. The audit said this made a bad situation worse. In the CS, the five year requirement has been dropped and the section modified to allow the board to hold a hearing on any complaint. This five year limit was not related to the five year requirement mentioned above. A new subsection has also been added to require the board to hold a hearing on any complaint filed concerning a life threatening situation. See audit (pg 16, item B-2).

Section 15 - sets out the offenses for which the board may revoke, suspend, or deny renewal of a license.

Section 16 - sets out the offenses for which the board is required to revoke a license. The audit (pg.17, item B-4), expressed concern that amendments to this section might unnecessarily restrict the offenses upon which the board can take disciplinary action. This is wrong. Nothing in this section is a limitation on the board's power, the new language adds offenses for which license revocation is mandatory.

Section 17 - clarifies that a person may not engage in guiding during a period of license revocation or other disciplinary action, nor can the person work for another guide during the period. It also forbids someone knowingly hiring a person as a guide while that person's license is revoked or suspended.

Section 18 - This section establishes that a certified copy of judgement of conviction is conclusive evidence of the commission of that crime and upon receipt of two such judgements of a guide for offenses listed under AS 08.54.200(c)(3) the board shall immediately suspend the guide's license until disciplinary proceedings are concluded.

Section 19 - lists a series of specific acts related to guiding that are unlawful and specifies the penalties for these acts.

Amendment

Section 20 - is the definition section. The definition of "guide" is expanded to to clarify that persons who provide strictly transportation, property, or equipment in connection with locating or taking game are not guiding. The intent of this section is that a person who is physically present in the field while another person locates or takes game and who receives or expects remuneration for this or any other activity connected with the hunt is guiding. The new CS clarifies that "in the field" does not include being present at a lodge or camp. The definition is designed to allow legitimate transportation services and outfitters to continue to provide services but to prohibit them from actually accompanying hunters into the field where illegal guiding may take place. The definition of unethical conduct is expanded, and a definition of big game is added. - *Allows meat packers in field after game is killed.*

Section 21 - Class A assistant guides are added to the list of master guides, registered guides and assistant guides that nonresidents may be accompanied by.

Section 22 - allows the board to expand this list by regulation.

Section 23 - is cleanup drafting related to the repeal of AS 16.05.407(c) (discussed in Section 28).

Section 24 - adds the Guide Board to the list of boards and commissions in AS 39.50.200(b).

Section 25 - is the repealer section. AS 08.54.040(b) deals with oral exams and is replaced in this bill with AS 08.54.040(a)(1). AS 08.54.142-146 were the transporter sections. AS 16.05.407(c) repeals a section that made it unlawful to import polar bear hides into Alaska unless personally accompanied by a guide. Polar bears are currently managed by the federal government.

Section 26 - is a July 1, 1986 effective date.

Illegal Commercial Operations Affecting the Alaska Professional Guide

by Robert Boutang
Alaska Department of Public Safety
Fish and Wildlife Protection
Statewide Investigations

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These ten years of regulation changes had the most direct impact on the guiding industry. During these ten years, the brown bear season on the Alaska Peninsula was cut from nine months per year to four weeks every two years. The use of aircraft was also severely limited by regulation. It was understandable with the numerous statute and regulation changes that did occur in such a short period of time, that some guides found it difficult at best to adapt their guiding operations to meet the changing times. What were legal methods of hunting

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public and the wildlife are all the victims.

These types of illegal operations have a direct effect on the licensed professional guide whereas the licensed guide must adhere to statutes and regulations which affect his operations.

While we do have the problem of unlicensed guides in Alaska, we first have to identify the people involved. To do this, we need all the help we can get from the Guide Board, professional guides and the concerned citizens.

In addition, it is extremely important that the Guide Board, professional guides, concerned public, and our Division continue to mutually cooperate in identifying individuals who are unlicensed and are acting in the capacity of licensed guides.

The unlicensed guides do not have to follow any laws. They are not bound by restrictions or ethics and in many cases, they have a total disregard for the resources and other guides. They take game anytime and place and use any methods they want to.

Only through the continuing cooperation of all of us working together can we hope to reduce the illegal unlicensed guiding operations that exist in the State of Alaska.

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Charter Life Sustaining membership's final issuance was December 31, 1984. However, another classification was created which is referred to as Life Sustaining membership offered for \$250.00 instead of the \$200.00 Charter Life Sustaining offer. The following person has joined as a Life Sustaining member:

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MEMBER



April 8, 1985

APR 16 1985

Dear Senator Sturgulewski,

I am writing you in regard to the pending guide legislation which as I understand, you are currently reviewing.

Specifically, I am interested in addressing a growing problem faced by resident hunters and guides alike - that is the influx of "outfitters" and "drop off" hunt businesses who are now setting up operations on the Alaska Peninsula and throughout the State. Under the present system, each Registered or Master Guide who books and conducts hunts, and accepts financial remuneration (money for his services), is assigned an exclusive/joint use Guide Area with very specifically defined boundaries. He is responsible for the game within that area. It is definitely not in his interest to over hunt or offer poor service to his hunters. At the present time, non-resident hunters are required to hire a Guide for Dall Sheep and Brown/Grizzly Bear only. The commercial operators such as "outfitters" who are not Registered or Master Guides, are able to book anyone for a Moose, Caribou, Black Bear, and Goat. They are also able to hunt anywhere without restriction to an area. Most of the new wave of commercial operators charge prices far less than that of a Guide. This requires them to book, in many cases, far more hunters than is biologically sound. These type of operators are often mistaken for Guides by village residents who resent incursions by outsiders on fish and game resources.

There seem to be several solutions to the problem of unlicensed commercial operators. First, the Guide Bill could be amended to require that non-resident hunters be accompanied by a Licensed Guide or first degree next of kin who is a resident while hunting for all big game species in Alaska. There are very few non-residents who are equipped to handle the logistics of carrying and distributing all the meat from Alaska big game animals. Next, all forms of commercial hunting activities including "outfitting" and "drop off" operations should be defined as a form of Guiding and therefore would be subject to the same regulations and statutes as Guides.

The Guide Law has evolved with the intent of insuring professional standards of conduct and limiting the number of Guides by district. This protects ethical Guides, but most importantly, it protects the resource. And that is what is at stake here. You can not allow an unlimited number of

individuals engage in commercial hunting activities any more than you can allow anyone to engage in commercial salmon fishing if they were to label themselves something other than a fisherman.

Please let me know if I can clarify my position on these matters and if I can be of assistance in seeing to it that a legislative solution to this problem is found. There appears to be no better time than now to stop the trend towards unlimited and un-regulated commercial hunting activities.

Your consideration of these views will be greatly appreciated.

Sincerely,

Joseph R. Klutach

①

3 7886

KEN OLDHAM & SONS
Registered Alaskan Guide
Box 220545 • Anchorage, Alaska 99522-0545
(907) 248-5466

March 8, 1986

Senator Arliss Sturgulewski
Alaska State Legislature
Juneau, Alaska 99801

Dear Senator Sturgulewski,

Twenty five years ago we labored mightily with our new guide regulations. The result was a somewhat imperfect set of regulations that have been amended, repealed and added to. I am much in favor of revising the Statutes and I admire your courage to make a beginning at that chore.

I contributed a good deal to making the first guide examination; and, I have been active in the guiding industry since then. My sons are now beginning careers in guiding. I have a degree in Biology and a longterm interest in maintaining a good game population in Alaska. So you see, I have a lot invested in the past and a real concern for the future of guiding in Alaska.

We need to be concerned with basic facts:

1. Alaska has the smallest game population per square mile of any of the States due to carnivores depending on herbivores who depend on a very short growing season for their sustenance.

2. Game populations, that are traditional and necessary food for small subsistence villages where money is in short supply and barter is a way of life, must be allocated to those in need.

(1)

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3. The remaining game animals available for harvest need to be divided among sport hunters. But there will need to be limits placed on the harvest to prevent overkill. Local sportsmen (voters), registered guides (more voters) and the businesses who support them (still more voters) need to return something to the general welfare for this privilege.

a. The local sportsmen pays out \$47 to the State in hunting and fishing licenses and trophy tags for a four specie hunt.

b. The non-resident hunter pays out \$1210 to the State in hunting and fishing licenses and trophy tags for a four specie hunt- plus about \$19,000 in registered guide fees (money kept in the Alaskan economy)- plus air taxi fees (also part of the Alaskan economy) of anywhere from \$300 to \$1500- plus room and board (paid to local hotels and restaurants) for at least two nights of about \$200- plus gift to take home and taxidermy of varying amounts. Of all "tourists", the non-resident hunter has more to spend than any other. He's paying for the privilege of hunting in Alaska.

4. The registered guide areas are one of the best game management programs in Alaska. No guide will overkill an area, if he knows he cannot go to another area to guide for his living.

5. The registered guide needs a substantial investment in his business to be successful. He needs to invest thousands of dollars in advertising Alaskan hunting. He needs supplies: food, fuel, lanterns, first aid kits, etc. He needs costly transportation equipment: horses, boats, all-terrain vehicles and

6

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airplanes. And most of all, he needs shelters: cabins, lodges and tent frames for the protection of his clients.

6. The registered guide represents a good way for Alaska to market the renewable wild game resource. He/She is adequately controlled in his/her business by a myriad of federal, state and economic regulations.

7. The registered guide needs to protect his/her investment in time and money against outfitters, transporters or special guides who operate with fewer regulations and have no vested interest in maintaining a good game population in any area, no legal requirement to assure hunters have proper tags and licenses, or that they hunt in a legal manner.

Does Alaska want a registered guide industry? We did twenty five years ago. When Alaska became a State, there were hundreds of pilots with a Super Cub and a tent who characterized themselves as "Guides". Their attitude was go out and kill everything you can because if you don't someone else will before you can make a "killing" on harvesting game. So what if the scarcity of game closes the hunting season in the Nelchina. They have no investment there. They can move on to the next closest area to decimate. This situation has come to pass again. There are literally hundreds of amateur "guides" operating all over the State. There are also fine registered guides operating at a loss all over the State because of this unfair competition. There are hundreds of game animals being sealed by residents at with a \$25 trophy tag for non-resident hunters when they should have paid the State \$410 to take a bear. I don't think we can afford to

(7)

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see this continue any longer. The fault is not with the Department of Safety. The fault is in the Statutes for which our legislators are responsible.

I have before me Senate Bill 294. Consider Sec. 8.54.185 (e) (1) which provides for guides areas to be reassigned every five years. What kind of investment in cabins and lodges or in maintaining a good game population would a guide make if he knew his claim to the area would be in jeopardy every five years?

Or Sec. 14 AS 08.54.200 (a) which provides for hearings before the Board for guides against whom three separate complaints have been lodged by clients. What kind of complaints? Maybe the Guide didn't provide the congenial atmosphere the client expected; or, in one case that I know of the complaint was that the floor of the tent was cold or that the weather was very bad. How about considering complaints that deal with (1) completion of the contract, (2) personal safety of the client and (3) unlawful acts. These are enumerated in Sec. 15. Why not provide some method of determining the seriousness of the complaints short of Board consideration?

Or Sec 29 AS 08.54.210 (2) which defines "guide" or "guiding". Right now permits are being issued to non-resident "guides" by Ronald Hood, Refuge Manager, Alaska Peninsula/Becharof National Wildlife Refuge, which allows them to set up camps and fly non-residents out to these camps and outfit them for big game hunts. They have applied for these permits and Mr. Hood is reluctantly issuing them as required by law since there isn't a State Statute that prohibits that. I spoke to him by telephone

(3)

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and he is certain that these "outfitters" are mostly interested in the good game population my husband and I have maintained in our guide area. If we were unionized, we could complain about "local hire" since a registered guide is required to be a resident of Alaska. But it isn't just these non-resident "guides" who are operating freely outside the regulations and inadequate statutes, one "guide" who had his license revoked, told me he wasn't certain he wanted his registered license back because it was so much less restrictive to "guide" without the responsibility of a license. Perhaps setting up a camp or taking hunters into the field; that is, away from a commercial center of transportation for the purpose of hunting, should be restricted. As it stands these "guides" are doing more guiding than the registered guides and more transporting than the air taxi operators. As it stands the law allows plenty of room for "guiding" without any of the responsibility a license would engender.

SEC 16 AS 08.54.200 (c)(3) concerning violations of statutes and regulations deletes "Federal". I understand that the Federal agencies have agreed to honor state statutes and regulations concerning game laws; however, this leaves a gap when you consider guiding. Unlicensed or improperly licensed persons can guide hunters on Federal land; and, even if convicted in a Federal court of hunting in a closed area, these persons should they have any type of guide license from the State are immune to censure under Alaskan guide laws.

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SEC 19 AS 08.54.210 (2) under unlawful acts does not provide for our wanton waste law (Chapter 30).

Sec 20 AS 08.54.240 (2) does not clearly define "guiding". It should also cover those who transport hunters into the field for the purpose of taking game animals. It should specify a person licensed by the State of Alaska as a registered guide or master guide and air taxi operators, who are engaged in transporting hunters to destinations of their own choosing.

Perhaps it could also be wise to insert a stipulation that the air taxi operator should not drop off hunters within a five mile radius of a registered or master guides establish camp. While this is a matter of ethics, it would insure a better quality of hunting for all hunters. We have seen so many instances of air taxis operators dropping off hunters in an area where guides are established. As a guide, we often book hunts a year in advance with the full knowledge of game available in our area. Our client hunter arrives to find the area shot-out by hunters dropped in indiscriminately by the local air taxi operator who has little interest in a contract the guide has signed with his client. In our own case, a Mr. Bosch from Anchorage, landed near our camp, took four friends onto a mountain and in full sight of our client who had paid thousands in transportation and guide fees plus \$460 in State licenses and tags, shot all the legal game animals(full curl rams). In another case Worbelos air taxi landed many hunters near all of Bill Ellis' camps and devoided his whole area of legal rams. He must close down his twenty year of guide business. Many guides

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are or have been air taxi operators and we understand the economic strains they are now enduring. If they benefit from the game animals, they should also have the responsibility of maintaining a good game population.

Sec.20 AS 08.54.240 (5)(D) requires a guide to provide a contract before accepting a deposit. This is really superfluous. Almost all clients have brochures and letters from a guide before they send the deposit. These letters and printed material spell out most facets of the hunt in more detail than any contract. Does this mean that a guide must hold a check to reserve a hunt until a Guide-Client Contractual Agreement has been signed by the client? That would serve little purpose since the forms required by the State are general. Also most hunts are reserved through the mail. And, a letter has the strength of the law.

Guiding under the law in Alaska has become a part-time occupation. I feel that the quality of guided hunts is deteriorating rapidly as it did once before in the early 1960s. If it is to flourish, it requires the same type of "protectionism" that doctors enjoy against "quacks" or attorneys have against those not admitted to the Bar. If the State is to have the game protection and revenue from licenses and trophy tags, there must be laws to prevent just anyone from providing hunting services.

Sincerely,

Mary Oldham

Mary Oldham
Registered Guide #243

KIE

MAR 11 1986

March 6, 1986

Arliss Sturgulewski
P.O. Box V
Juneau, AK 99811

Dear Senator Sturgulewski;

I am writing in response to the impending legislative action pertaining to the Guide Licensing and Control Board. I am concerned about the illegal guiding activities taking place and believe that these activities must cease.

In regard to Senate Bill #294, Section 20. AS 08.54.240. DEFINITIONS

(2) guides or guiding means:

(A) being physically present in the field to provide a service related to a hunt for compensation.....for the service.

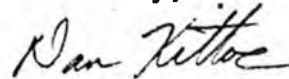
I feel that the wording of the bill at this time will eliminate quite a few legitimate businesses that cater to outdoor hunting clients. Charter boat operators, River floaters, Lodge facilities, and others that maintain their presence in the field while their clients are out hunting, will have to close down their operations. There are legitimate outfitting businesses that cater to the individual who can not afford a guided hunt, enjoy hunting on their own, but prefer comfortable, clean lodging.

I have been operating a small outfitted camp providing tents, stoves, and food, to bowhunters for the last four years. The animals our archery clients hunt are moose, caribou, and occasionally black bear. I feel my presence in the camp does not constitute that I am guiding. I do not accompany any of the clients while they are hunting. Also I do not feel our camps cause any hardships on our game resources or land resources. Our percentage of hunters being successful in taking game is less than 50% over the past four years.

- Not only will Bill #294 help put me out of business, but it will take away a fair amount of business from flying services, sporting good stores, grocery stores, etc.... that provide services for me to run a good, legitimate, comfortably outfitted camp.

I am sure that these concerns will be taken into consideration and a fair decision will be made.

Sincerely,

A handwritten signature in cursive script that reads "Dan Kittoe".

Dan Kittoe
9410 Strathmore
Anchorage, AK 99515

February 7, 1986

Senator Arliss Sturgulewski
Fouch V
State Capitol
Juneau, Alaska 99811

FEB 18 1986

Dear Senator Sturgulewski,

Senator Jan Faiks was kind enough to send me a copy of the performance report on the Department of Commerce and Economic Development Guide Licensing and Control Board. I have read the document and wish to direct my comments to you as chairman of the Senate Resources Committee.

First of all, I applaud the audit for recognizing the need to continue the existence of the GLCB. I believe the hunting guiding in the State of Alaska is rapidly undergoing a metamorphosis from a somewhat disorganized, occasionally abusive conglomerate of adventuresome opportunists to a much more cohesive, conscientious industry. I credit much of this obvious improvement in the way the business of hunting guiding is conducted to the hard work of the GLCB and a large share to the Alaska Professional Hunters Association.

The professional guiding of non-resident sport hunters has been an important economic activity in Alaska since well before statehood not only because of the dollars brought to the State directly by hunters but also because of dollars directed to Alaska by the Federal Government through the Pittman-Robertson Bill which provides our Fish and Game Department's Game Division with much of its budget. Funding from this source is allocated to states with respect to their land mass and by how many sport hunting licences are sold in the state. In addition, the national visibility of guided sport hunting provided in the many outdoor magazines has only enhanced our State's tourism industry.

I have been employed as a fisheries biologist by Alaska Department of Fish and Game since 1974, with a majority of my career spent working with the sport fisheries of Southcentral Alaska. In this capacity I regularly come in contact with both fishing and hunting guides. I see most of these people as caring strongly for the resources of the state but struggling to succeed economically against a political climate that refuses to acknowledge the vast potential of their industry. Although I have many ideas how the State could enhance its sport hunting and fishing industries I will restrict the remainder of this letter to the GLCB audit.

The audit provides five recommendations of which four appear to me to be of "housekeeping" nature. Recommendation No. 3

which reads, GLCB should take more responsibility for area assignments by repealing regulations that allow a guide to designate to whom his EGA be reassigned, has the possibility of doing enormous harm to the guiding business. With your legislative help, a guide can now obtain a land lease within his EGA upon which he can build a permanent headquarters. I believe that many guides will take advantage of this opportunity to increase the quality of their operations and subsequently their investment. As the investment increases so does the guide's responsibility, both in the financial sense and to the natural resources upon which his business is based. It would seem that guiding like any other business would allow a successful and ambitious businessman to build some value into his business so that when it became time for retirement he would have something to sell. Together with the guide's investment in property and equipment, the value of his business lies in his concessionary right to the area and its resources. If a guide were to abuse this privilege in the way he does business he should not be allowed to keep the use of an area. The GLCB already has the power to respond in this manner. If however the guide has treated the resource with respect and built a viable business it only seems right that he should be able to sell this right to another qualified individual of his choosing and thereby maximize the return for his investment. The precedent for this is already set by the Limited Entry Permit system in our salmon fisheries.

Thank you very much for taking the time to consider my comments.

Yours Truly,

A handwritten signature in cursive script that reads "Kevin Delaney". The signature is written in dark ink and is positioned below the typed name.

Kevin Delaney
10218 Jamestown Dr. #D
Anchorage, Alaska 99507

Mar. 4, 1986

MAR 7 1986

Sen. Arliss Sturgulewski, Chairman
Senate Resources Committee
P.O. Box V
Juneau, AK 99811

Dear Sen. Sturgulewski:

Here are a few comments on SB 294 which might be helpful:

One of the purposes of the bill, as I understand it, is to exert some control over people who are guiding without a guide license. At present, the differences between "guiding" and "transporting" and "outfitting" are not adequately spelled out. This gray area can easily be cleared up by amending the law to prohibit anyone, except a registered or assistant guide, from actually assisting a hunter in taking a big game animal for financial gain.

The term "Guiding," I believe, should be roughly defined as helping locate, stalk, decoy or butcher a wild game animal while in the company of the paying client. The key here is the phrase, "in the company of the paying client."

In other words, anyone who actually accompanies a paying hunter to assist in locating, stalking, decoying or butchering game is acting as a guide. A person who accepts money for transporting hunters or their gear, or who merely provides hunting equipment or sets up a camp, is a transporter or an outfitter.

However, in the latest draft of SB 294 (2/18/86), guiding is defined as merely being in the field with a paying client.

I believe this definition is too broad. The in the field clause would put dozens of legitimate outfitters and charter boat operators, river-rafting companies and outdoor equipment leasing agencies out of business. Under this definition, many charter boat operators would be breaking the law. So would a person who maintains any sort of base camp for non-guided hunters, even though he may be miles away from where the hunting is taking place.

I'm sure that some guides would prefer that only registered guides be allowed to provide any service whatsoever for hunters. However, in determining what actually constitutes "guiding," I would urge you to consult Webster's New World Dictionary for a definition. The word "guide," according to Webster's, "implies the showing of the way by one who is thoroughly familiar with the course, and connotes his continuous presence or direction along the way."

It follows, then, that a charter boat operator who transports hunters to a bay and drops them off to hunt deer is not guiding UNLESS he actually accompanies the hunters. If he merely waits on his boat, he is not guiding them - at least under the Webster's definition.

My ideas on guiding and outfitting are not entirely without prejudice. For the past eight years I have operated a river-floating business which caters to salmon fishermen and archery hunting clients. I provide rafts, food, tents, stoves and other equipment but do not actually accompany hunters on the float trips. However, I am technically in the field, although the only service I provide for the hunters is to pump up the rafts, organize the river gear and provide instructions which will insure their safety when running the river. If the definition of "Guiding" as written under Sec. 08.54.240 becomes law, I would not even be allowed to maintain the base camp from which my clients begin floating.

Incidentally, my fees are less than half the amount charged for hunts by registered guides, and I attract mostly people who neither need nor can afford the services of a guide. The net result of my operation, I believe, has a low impact on the wildlife resource (last year, 14 bowhunters who floated the river took only 4 moose) and a very positive impact on the local (McGrath/Stony River) economy. Most of the hunters I outfit end up giving their moose and caribou meat to the residents of Stony River, and I do a considerable business with air charter services in McGrath and Sleetmute. With such a small operation, I cannot afford my own airplanes.

Here is a list of my qualifications, so that you may weigh my advice:

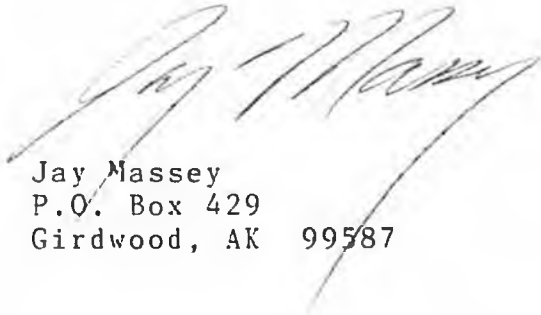
I've lived in Alaska for the past 18 years, and was employed by the Alaska Dept. of Fish and Game for nine of those years. I have hunted in Alaska for each of 18 years, and have taken most species of Alaska big game - all with homemade bows and arrows. I am a founder of the Alaskan Bowhunters Association and am vice-president of the International Moose Federation. I was recently appointed to the Alaska Board of Game. I have written two books on hunting in Alaska - Bowhunting Alaska's Wild Rivers and A Thousand Campfires - and have written for such national outdoor magazines as Gray's Sporting Journal, Sports Afield and Bowhunter Magazine.

In summation, I believe a law can be written which will eliminate the illegal activities of the unlicensed guides. But while we are rewriting the law, I believe we should try to accomodate the legitimate outfitters and transporters who provide support services for unguided hunters. For without the transporters and outfitters, hunting in Alaska would evolve into a pursuit which could be enjoyed only by a privileged few.

I would urge you to drop the phrase, "and who do not remain in the field," under (B) of Sec. 08.54.240 so that other legitimate outfitters and transporters, as well as air carriers, are allowed to perform simple logistic services not related directly to hunting.

If this bill passes and becomes law, dozens of self-employed Alaskans, such as myself, would have to find another means of making a living.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Jay Massey". The signature is written in dark ink and is positioned above the typed name and address.

Jay Massey
P.O. Box 429
Girdwood, AK 99587

cc Members, Senate Resources Committee

FEB 19 1986

JIM HARROWER
13830 JARVI DR.
ANCHORAGE, ALASKA 99515

February 12, 1986

Rick Halford
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

RE: SENATE BILL #294

Dear Rick,

I was dissapointed that we didn't get back together on our recent visit to Juneau.

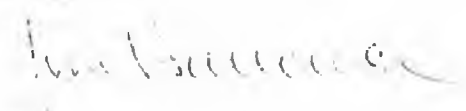
I can understand your reluctance and apprehension, as I agree there is no apparent perfect solution to the problem. But it is also apparent that we must accept the best considered alternative.

We have been attempting to draft the perfect guide bill for several years and many hours of concerned effort had been expended by others prior to our involvement. Every agency and group that would be impacted by this bill have been consulted and considered. We feel that it will place another level of responsibility on the guiding industry while simultaneously protecting the industry in previously vulnerable areas. It will give the guide board a more defined set of guide lines and addresses all the concerns of the audit report.

Our proposal to impose a five year holding period on restrictive areas before the holder can influence the transfer will eliminate the speculators and real estate dealers. This coupled with the revised definition of a guide and guiding will clarify the activities relating to guiding and make infractions more easily enforcable.

I urge you to support this bill. With your support it would easily come out of the Resource Committee and pass through the House. Your areas of concern have all been addressed and it would seem that the time is here for you to compromise your feelings and conflictes and yield to the joint best interest of the guiding industry and the public. Both would be very grateful.

Sincerely,



Jim Harrower

cc. All members of the Resource Committee
Senator Jan Faiks
Bob Curtis

Phil Driver
Kieth Johnson

MAR 5 1986

February 26, 1986

Senator Sturgelewski
Senate Resource Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Sturgelewski and Members of the Senate
Resource Committee:

Thank you for your assistance on SB294. Several folks from the Fairbanks area were interested in and prepared to testify on CS for SB294 at the scheduled teleconference February 19. Since your schedule required that you postpone hearings until March 3, we felt we'd like to offer the following written comments relative to the Guide Board Bill, along with a few possible amendments, some of which are primarily of a housekeeping nature. Please accept these comments as testimony on behalf of those signing this letter and enter them into the hearing record.

In general, we are very supportive of the legislation CS SB294. We consider the legislation beneficial to the guiding industry and to the fish and wildlife resources of the State of Alaska.

The restrictive area concept offers many benefits to resident hunters who are not guides, to the wildlife populations and to guides, whether or not they are registered or master guides, and whether or not they currently have areas.

The positive impacts on resident hunters include the knowledge that when hunting in a restrictive area they are not likely to run into excessive non-resident pressure that would be generated if many guides were allowed to hunt in the area. Likewise, the game populations are more likely to be given stewardship through limited harvest practices which insure both the guide and any residents hunting in the area are more likely to find more stable wildlife populations. Residents are also able to find out which guides are hunting where, which can help in planning hunts under this system, if they chose. Without the restrictive area concept, there would be no reasonable way of telling who hunts where.

Guides who do not have areas are able to ascertain where open areas are located and are also able to contact individuals who operate in areas they might be interested in working in the future.

Perhaps most importantly, the game populations have a tendency to remain more prolific since only one individual is involved in guiding in the restrictive areas and he may thereby minimize impact through client limitation in a manner which is conducive to helping produce healthy game stocks which are the backbone of his livelihood.

The Guiding industry is a vital and viable industry which brings millions of new dollars into the Alaskan economy each year, in addition to offering jobs for thousands of Alaskans. The 200-300 active registered and master guides employ well over two thousand individuals (assistant guides, cooks, packers, pilots, etc., each year). Big game guiding provides a very substantive portion of the visitor trade in our state.

Moreover, a viable professionally-run guide industry ensures that the many visitors who come to share Alaska are recipients of enjoyable, successful wilderness ventures in areas and under conditions which could otherwise (and have) provided chaotic and unsafe situations.

This bill goes a long way in helping correct problems the industry has faced in the past relative to inconsistencies in evaluating restrictive area criteria. It also ensures that those who would abuse our game resources, or violate certain serious hunting regulations would be swiftly dealt out of business.

Without a few minor word changes, however, the legislation is not nearly as severe as it should be on those who guide without a license and continue to operate outside the existing framework of guiding statues and who would presumably continue to do so unless more stringent corrective measures are included in this legislation.

We recommend minor word changes on page 8, lines 18, 19, 28 and 29; page 9, line 1; and on page 10, lines 21, 22, 26 and 27 which would correct this problem as we read the bill.

A change on page 13, line 10 would be a minor conforming alteration only.

These changes are outlined on an enclosed "recommend amendment" sheet, along with their justifications.

It should be noted that those who endorse these comments and applaud many of the corrective measures outlined in this legislation and changes proposed by the Department of Public Safety, the A.P.H.A., individual legislators and guides also feel it is important to point out that unless proper funding is allocated, the good intentions will go for naught.

We understand that the State does not earmark funds. However, it seems reasonable that since the guide fees, as charged currently and through this legislation generate in excess of \$400,000 annually that the Board and administrative personnel should be allocated adequate funds to keep accurate records, make appropriate mailing notifications, and hold hearings with the proper personnel

and recording equipment to ensure that consistent criteria and accurate tapes and minutes are possible.

In conclusion, we urge you to expedite passage of this legislation through the Senate Resource Committee, then through finance and the Senate floor. Likewise, your efforts to keep the legislation moving on the House side would be appreciated.

Apparently some, or at least one senator, is of the opinion that next year is okay. That is simply not the case. Many of you have been working on this or similar legislation for several years now. In the past, last minute efforts have generated only simple extensions of the Board. If sunsetted, the problems generated in the past and now will only be aggravated and compounded.

Thanks again for your timely assistance in this urgent matter.

Sincerely,

NAME	GUIDE STATUS	ADDRESS
Harold	Class "A" Assistant	1426-2 nd AVE FBKS 99701
Don Deere	KEPT GUIDE	BOX 8E589 COLLECTOR 99708
Pete Burt	Reg Guide	Box 1561 5.5 Steese Hwy FBKS 99707
Charles Gray	MASTER #28	311 SLATER ST. FAI. AK 99701
Ken Fanning	Registered Guide	Box 80929 College, AK 99708
Harmon R "Bud" Helmerick	Master #4	WALKER LAKE, 930 9TH FBKS. AK
Bernad Hauke	Master	Box 20424, Fairbanks 99708
Richard Hawley	Assistant #75	1165 COPPOUT ST. FAIRBANKS, ALASKA 99709
Keith C. Koorts	Master 104	BOX 74877 FAIRBANKS AK 99707
Bill Hagan	Asst - Cd.	431 Haffney Rd FBKS 99701

March 5, 1986

MAR 10 1986

TO:
Senator Arliss Sturgulewski
Senate Resources Committee
1024 W. Sixth Avenue
Anchorage, Alaska 99501

REF: Senate Bill #294 (Resources) "An Act Relating to Guiding and Providing for an Effective Date)."

The undersigned disagree with and stongly request you oppose the portions of SB #294, which require a 10 year residency to obtain licenses mentioned in SB #294 and the elimination of outfitters service (Requirement for outfitter to be registered guides or become transporter/asst. guides).

We feel that it is unfair to require a 10 year residency. There are numerous people, who have become Alaska Residents, that have invested large amounts of money in recent years either in the pursuit of game through personnel who operate outfitting, a/o Riverboat Services or who have opened up businesses which provide the service at a cost that is affordable to the average sportsman. To require a 10 year residency and a guides license, will not only put sports fishing and hunting out of reach of the average sportsman, but will channel the money of those who can afford the luxury of hiring a registered guide/transporter to a selected few in the state. Residency time does not relate to qualification.

We urge you to change the bill to allow anyone pursuing a guides license to be allowed to do so as soon as they're qualified without regard to years of residency. Also, allow outfitters to provide equipment/service, as well as, accompany clients to the field. In most cases, the outfitter will accompany clients to the field to maintain equipment, provide cooking/cleaning services, etc., or to drive their riverboats/float planes, etc. Outfitters, as we know them today, provide a valuable/affordable service that we need to keep.

Your support in this matter will be greatly appreciated.

Sincerely,

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
1. Jesse B. Strickland	211 Havana Drive, Eagle River AK 99577	694-6781
2. Alan L. Hill	307 B Adak Cir, Eagle River AK 99577	694-3770
3. Humphrey Hill	1130 MILA ST, ANCHORAGE ALASKA 99504	333-9008
4. Roger Williams	2632 Diamond Willow Way, Delta Junction, AK	895-4132
5. John A. Habiger	1504 EAGLE RIVER RD EAGLE RIVER AK	694-8629
6. Jeffrey Coleman	109 Pine Alder Chugiak AK 99522	688-5363
7. Beckley M. ...	387 B Kenai Ave Ft Richardson AK 99505	428-0256
8. ...	10 Box 592 Ft Richardson AK 99505	694-5825

Recommended Amendments to CS SB294

Conforming Amendments:

Page 8, Line 18, 19 — delete (or outfitter)

Justification—It appears that this is just an oversight as the outfitter classification has been deleted with the rest of the bill.

Page 8, line 28, 20 — delete (during the five years immediately preceding the hearing, has been convicted of two violations of a state statute or regulation)

Justification—This is duplicative language of that contained on page 8, lines 20, 21, and 22, and again appears to be a drafting oversight.

Substantive Amendment:

Page 10, lines 21 and 22—reword to state: (4) a person to imply by advertisement or representation to be a licensed master guide. . . . and so forth.

Page 10, lines 26 through 28 — reword to state: (5) a person to act as, or to provide services of a registered guide or master guide as defined in this chapter without having a current valid resident hunting and current valid registered or master guides license.

Justification—This change would make guiding without a license a felony punishable as explained on page 11, lines 10-18. As it currently reads, a legally licensed guide is subject to felony charges if he doesn't have a hunting license, yet a person guiding with no hunting license and no guide license is only subject to misdemeanor charges.

One of the biggest "guiding" problems in the state is unethical operators who are finding it to their benefit to guide without obeying the guide laws. They can't be stripped of their licenses—they don't have any; nor are they subject to the laws, regulations and requirements of this legislation. These operators are giving both the state and the industry a black eye, and should be dealt with in a more severe manner. These proposed changes would accomplish that result.

Conforming Amendment:

Page 13, line 10: delete (or federal)

Justification—Apparently a drafting oversight—throughout the legislation the words "or federal" have been removed.

REF: Senate Bill #294 (Resources) "An Act Relating to Guiding and Providing for an Effective Date)." con't.

	NAME	ADDRESS	PHONE #
9	Thomas B. Bunn	455-D Delta Pt Rd Ft Richardson, AK	428-2471
10	W. E. B.	3335 Eagle River 99570	694-8120
11	Chuck [unclear]	2715 ISLAND DR ANC, AK	264-4575
12	Murray Jewell	79 Birch Hill, Ft Richardson, AK	428-0965
13	[unclear]	5721 Box 106 CHUGIAK	688-1963
14	[unclear]	109A Gulkawa ⁹⁹⁵⁶⁷ Rochester ⁹⁹⁵⁶⁵	428-2082
15	Shirley V. Jensen	429F Sixth Street Ft Richardson	863-1197
16	E. A. Cooney	305 H 6th St Fort Richardson	428-3340
17	[unclear]	5247 Box 6073-C Palmer AK ⁹⁹⁶⁴⁵	745-6250
18	[unclear]	387-B Kengi Ave Ft Rich	428-0256
19	Lempsey Birmingham	118 B. Shamma Ave ⁹⁹⁵⁰⁸	428-3944
20	Jane D. Bell	4036 Cosmos Dr ANCH. AK	248-0747
21	Doug A. Dwyer	16779 Jackson Hole Ct Eagle River, AK 99506	694-4538
22	Heekwata	671625 CHUGIAK, AK 99567	688-4084
23	Jerry Herstein	212 LIANOVA DR. Eagle River AK	694-7385
24	Ralph Miller	P.O. Box 607 Delta Pt Ak ⁹⁹⁵⁷⁷	895-4202
25	Kevin [unclear]	372 Resurrection Dry Anch. AK 99504	333-5913

P.S. I can obtain many more signatures if need be. please advise if its necessary.

Sincerely,
Janis R. Strickland
4-C94 6781 w-862-4200

March 6, 1986

MAR 13 1986

KIC

Sen. Jack Coghill
Senate Resources Committee
P.O. Box V
Juneau, AK 99811

Dear Sen. Coghill:

It's been some time since we met, and so you may not remember me. Since 1974, I have been a partner in Rockford Corporation here in Anchorage.

I'm writing you about a matter that concerns not just myself, but several friends as well. This matter is Senate Bill 294.

If my instincts serve me right, I imagine you're getting lots of support for this bill from the guide lobby, and perhaps even from the Alaska Division of Fish and Wildlife Protection. The guides, of course, like the bill because as written, it would give them almost exclusive use of the wildlife resource. And the Fish and Wildlife Protection people will like it because it would make their job easier by narrowing down the field of people who are providing a service to hunters.

I have several problems with SB 294. First, it would benefit a relatively small number of registered guides while disenfranchising hundreds of other Alaskans. Let's face it: there are literally hundreds, if not thousands, of Alaskans who earn some sort of income, directly or indirectly through the commercial use of Alaska's wildlife resource. A guide, of course, gets paid for providing his knowledge of hunting and big game habits. A wild game meat processor gets paid for providing a service after the hunt has ended.

In between are dozens of other types of resource users.

From the way I read the present (as of Feb. 18) version of SB 294, it looks as if the guide lobby wants to outlaw every type of hunting service except those provided by a registered guide. This bill smacks of protectionism - protectionism for a special interest group. If this bill passes as written, hundreds of Alaskan small businessmen will be put out of business and thousands of nonresident hunters will have to literally "pay through the nose" for an expensive Alaskan hunt.

I am vice-president of a national archery/bowhunting organization, the Professional Bowhunters Association. As such, I have been asked to speak at several state archery conventions during the past several years. From my experience, I can assure you there are thousands of competent hunters "Out there" who do not need the services of a registered guide and who would not travel to Alaska to hunt if they were forced to hire one. However, many of these hunters will pay a lesser fee to an air charter operator or an outfitter or boat operator to take them on a do-it-yourself type hunt. It's a question of money: \$4,000 to \$8,000 for a guided hunt versus one-quarter to one-half that amount for a drop-off or unguided hunt

From the viewpoint of the nonresident hunter, there are basically three types of Alaskan hunts: fly-in/drop-off hunts, outfitted hunts and guided hunts.

On the fly-in/drop-off hunt, the hunter is often dropped off into an easily-reached area with other hunters. After all, there is a finite number of landing spots, such as gravel bars or lakes. As a result, the wildlife populations surrounding such spots are over-hunted. The hunter is often unhappy.

On the opposite end of the scale is the guided hunt. On a guided hunt, the hunter is transported to a more remote site where there is less hunting pressure and where he will be personally guided until he bags his game. A guided hunt is great - if you can afford one.

In the middle is the outfitted hunt. An outfitter usually provides the means which will allow the hunter to reach an area with less hunting pressure. However, he does not actually guide the hunter, and so the hunter must do everything else on his own. In essence, what the outfitter is selling is not personal guide service, but a means of transportation whereby the hunter can reach a more remote hunting location. A river-rafting outfitter, for example, provides the rafts and equipment which allows an unguided hunter to travel down a little-used river "highway." A boat operator, likewise, is selling a form of transportation which allows a deer, goat or bear hunter to reach little-hunted areas.

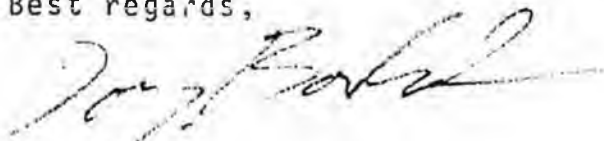
I realize I am generalizing here, but the typical cost of a fly-in/drop-off hunt ranges from \$400 to \$1,000; most outfitted hunts go from \$1,000 to \$2,500; and guided hunts range anywhere from \$3500 to more than \$10,000.

Obviously, the unguided, outfitted hunt has gained in popularity during recent years. The reason: it represents the best buy for the dollar.

Naturally, the registered guides are upset over the outfitters. Admittedly a few people have abused the practice of outfitting, but to my knowledge, most outfitters are hard-working, small businessmen who are providing a legitimate - and very much needed - service.

I respectfully ask that you carefully scrutinize the implications of SB 294 before giving it your approval.

Best regards,



Doug Borland

cc Sen. Arliss Sturgulewski

Richard D. Thomas
2830 North Circle
Anchorage, Ak. 99507

1986

Senator Arliss Sturgulewski
Box V
Juneau, Ak. 99811

March 7th, 1986

Dear Senator,

I'm writing in reference to SSB#294 section 08.54.240 Definitions. It reads as follows as of 2-13-86.

"Guide" or "guiding" means being physically present in the field to provide a service related to a hunt for compensation, etc. The wording in this form will completely make it illegal for an outfitter to even be in the camp that he is providing. He couldn't even do the cooking unless he was a registered guide with restricted guide area.

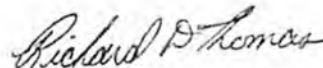
This isn't fair and isn't in the best interest of the people or conservation. It puts more power and control of the game into the hands of the registered guides that have restrictive areas.

No out of state hunters would be able to hunt unless they went through a registered guide. Many can't afford \$3000.- to \$4000.- just for a caribou. An outfitter would be less than half of that. The biggest question is and always has been what are the limitations of an outfitter. In my opinion, as well as many others, to outfit means to provide equipment and/or lodging with meals and cooking. No more, no less. The outfitter would not be out with the hunter for any reason other than an emergency. The field being where the hunter actually takes the game not where the lodging is. We need to define outfitting and its limitations.

The game and outdoors is a natural resource that shouldn't be monopolized on by one special interest group such as registered guides.

It would be a hardship on me and my family if we were to lose our investment of equipment and supplies and to refund deposit by season hunters. So would it be to many other outfitters.

Sincerely Yours,



Richard D. Thomas

*
* DELIVER TO: JFOM *
* * *
* ORIGINAL *
* SENT: 03/14/86 TIME: 16:06 *
* FROM: JEAN MILLER *
* SUBJECT: FOM *
* PRINT DATE: 03/14/86 TIME: 16:08 *
* * *

21

TO: ALL SENATORS

FROM: CAL DAVIDSON
214 MIDDLE CREEK DRIVE
EAGLE RIVER, AK 99577 PHONE: 694-3564

SUBJECT: SB 294 - GUIDING BILL

I AM OPPOSED TO SB 294. IT APPEARS TO REINFORCE THE ALREADY UNFAIR MONOPOLY HELD BY GUIDES. WHILE GUIDING SHOULD BE CLOSELY REGULATED, IT SHOULD NOT BE INACCESSIBLE TO NEW GROUPS. ALSO, TRANSPORTERS SHOULD BE CONSIDERED SEPARATELY.

TO JUNEAU INFO
FROM JUDY MATSU

TO: SENATORS STURGULEWSKI, FAHRENKAMP, COGHILL, ELIASON, V.
FISCHER, HALFORD, AND ZHAROFF

FR: TOM ENGLISH
P.O. BOX 2153
KENAI AK 99611 283-9484

RE: SB294 THE GUIDE BILL

I AM AGAINST CHANGES TO THE GUIDE LAWS AS PROPOSED BY THIS BILL.
THEY WOULD ALLOW ONLY LICENSED GUIDES TO ACT AS PACKERS AND
OUTFITTERS, DESTROYING THOSE PEOPLES INCOMES INVOLVED IN
TRANSPORTING DURING A TIME OF HIGH UNEMPLOYMENT FOR THE BENEFIT
OF A SMALL SPECIAL INTEREST GROUP.

13
TO: SENATORS STURGULEWSKI, FAHRENKAMP, ELIASON, ZHAROFF,
HALFORD, COGHILL, V FISCHER, SACKETT, FAIKS, KERTTULA
P FISCHER, FERGUSON

FROM: WAYNE WATSON
ST RT 127-A
ANCHOR POINT 99556

567-3351

RE: SB 294 - GUIDES

I'M AGAINST THIS BILL. IT WILL DETRIMENTALLY AFFECT BUSINESS PEOPLE IN ALASKA (PACKERS, TRANSPORTERS, OUTFITTERS), AT A TIME OF HIGH UNEMPLOYMENT, TO THE BENEFIT OF A SPECIAL INTEREST GROUP. IT CONTRADICTS OUR FREE ENTERPRISE SYSTEM.

TO: SENATORS STURGULEWSKI, FAHRENKAMP, ELIASON, ZHAROFF,
HALFORD, COGHILL, V FISCHER, SACKETT, FAIKS, KERTTULA,
P FISCHER, FERGUSON

FROM: GAIL MORRISON
POB 739
PALMER 99645

745-8946

RE: SB 294 - GUIDES

I OPPOSE SB 294 BECAUSE IT ELIMINATES INCOME TO OUTFITTERS, TRANSPORTERS, & EVEN LODGES & BUSH PILOTS. AS THE ECONOMY OF ALASKA WEAKENS, SUCH A BILL WOULD ONLY BE FAVORABLE TO A SMALL SPECIAL INTEREST GROUP.

TO: SENATORS STURGULEWSKI, FAHRENKAMP, ELIASON, ZHAROFF,
HALFORD, COGHILL, V FISCHER, SACKETT, FAIKS, KERTTULA
P FISCHER, FERGUSON

FROM: ROBERT WARNOZK
11906 WILDERNESS DR
ANCHORAGE 99516

345-0629

RE: SB 294 - GUIDES

SB 294 CAN ELIMINATE OUTFITTERS & TRANSPORTERS. WE CAN END UP WITH A SPECIAL INTEREST GROUP, WITHOUT COMPETITION, WHO CAN CHARGE WHAT THEY LIKE. SB 294 IS A CLASSIC EXAMPLE OF A SPECIAL INTEREST GROUP FORCING LEGISLATION AT THE EXPENSE OF THE PUBLIC. THE WORDING IS MISLEADING, IT IS NOT A GUIDING ACT-IT IS A RESTRICTION FOR OTHERS AND GROSSLY UNDEMOCRATIC.

TO: SENATORS STURGULEWSKI, FAHRENKAMP, ELIASON, ZHAROFF,
HALFORD, COGHILL, V FISCHER, SACKETT, FAIKS, KERTTULA,
P FISCHER, FERGUSON

FROM: BRUCE JOHNSON
PALMER 99645

745-4655

SRD BOX 9575

RE: SB 294 - GUIDES

PRESENT LAW TOO VAGUE CONCERNING RIGHTS & RESPONSIBILITIES OF TRANSPORTERS. THIS SHOULD BE CORRECTED. HOWEVER, ELIMINATING THEM WILL NOT ENHANCE THE STATE'S WILDLIFE RESOURCES, WILL NOT BENEFIT THE GENERAL PUBLIC, BUT WILL GRANT A SPECIAL INTEREST GROUP A VIRTUAL MONOPOLY TO PROFIT FROM THE STATE'S PUBLIC RESOURCES.

TO: SENATORS STURGULEWSKI, FAHRENKAMP, ELIASON, ZHAROFF, HALFORD, COGHILL, V FISCHER, SACKETT, FAIKS, KERTTULA, P FISCHER, FERGUSON

13

FROM: SHIRLEY DICKSON
POB 873636
WASILLA 99687

376-4879

RE: SB 294 -GUIDES & GUIDING

I'M AGAINST THIS BILL BECAUSE IT ELIMINATES OUTFITTERS & TRANSPORTERS IN ALASKA. IN A TIME OF ECONOMICAL CRISIS IT IS UNWISE TO DESTROY A GROUP OF BUSINESS PEOPLE SOLELY FOR THE BENEFIT OF A SPECIAL INTEREST GROUP.

TO: SENATORS STURGULEWSKI, FAHRENKAMP, ELIASON, ZHAROFF, HALFORD, COGHILL, V FISCHER, SACKETT, FAIKS, KERTTULA, P FISCHER, FERGUSON

FROM: DOUGLAS EDMONSTON
6056 DONCASTER
ANCHORAGE 99504

333-2046

RE: SB 294 - GUIDES

SB 294 IS NOT CALLED FOR! IT WILL ELIMINATE TRADITIONAL OUTFITTERS, PACKERS, LODGES, & CHARTER BOATS ENGAGED IN HUNTING ACTIVITIES. THE BILL IS DEFINATELY NOT WISE IN HARD TIMES.

TO: SENATORS STURGULEWSKI, FAHRENKAMP, ELIASON, ZHAROFF, HALFORD, COGHILL, V FISCHER, SACKETT, FAIKS, KERTTULA, P FISCHER, FERGUSON

FROM: BILL MEREDITH
POB 751
PALMER 99645

745-8298

RE: SB 294 - GUIDES

I'M OPPOSED TO CHANGES IN THE GUIDE LAWS AS POSED BY SB 294. THIS ACT WOULD ALLOW ONLY GUIDES TO ACT AS PACKERS & WOULD DESTROY A THRIVING BUSINESS IN ALASKA. IS IT WISE TO DESTROY A BUSINESS IN TIMES OF HIGH UNEMPLOYMENT?

TO: SENATORS STURGULEWSKI, FAHRENKAMP, ELIASON, ZHAROFF, HALFORD, COGHILL, V FISCHER, SACKETT, FAIKS, KERTTULA, P FISCHER, FERGUSON

FROM: JIM TAYLOR
338 LUPINE
SOLDOTNA 99669

262-2782

RE: SB 294 - GUIDES

I AM AGAINST THIS BILL. IT WOULD ALLOW ONLY LICENSED GUIDES TO ACT AS PACKERS, OUTFITTERS, & CHARTER BOAT SKIPPERS. THIS DESTROYS A SET OF BUSINESSES IN ALASKA DURING A TIME OF HIGH UNEMPLOYMENT FOR THE BENEFIT OF A SPECIAL INTEREST GROUP.

* DELIVER TO: LTCJ *
* * * * *
* OFFICIAL *
* SENT: 03/17/88 TIME: 13:40 *
* FROM: JONCO *
* SUBJECT: PARTICIPANT LIST *
* PRINT DATE: 03/17/88 TIME: 13:40 *

TO: LISA IN JONCO
FROM: JONCO
RE: GEN. LETTERING OF 1988 QUOTE
EMAIL #2

OK  TO TESTIFY:
DICK ROHRER - supports Bill

* DELIVER TO: LTCJ
*
* ORIGINAL
* SENT: 03/17/02 TIME: 10:27
* FROM: 10000
* SUBJECT: EARLY DEPART LIST
* PRINT DATE: 03/17/02 TIME: 10:27

TO: LISA IN JUNE
TO: MARY JO IN COBLENK
RE: SEN. RESOURCES OF 294 SENATORS

EMAIL #1

OK TO TESTIFY
MICK SZABO

EQM

DELIVER TO LTEL
ORIGINAL
SENT 02/17/84 TIME 13:44
FROM TERRY
SUBJECT GEN. RESOURCEZ '84
PRINT DATE 02/17/84 TIME 13:44

C-MADE # 1 - SENATE RESOURCEZ - LOUIS BILLE - FROM TRIP BANK

OK 1. CHUCK GRAY - HIS DUES HAVE A TIME RESTRAINT
supports bill

- HERE TO DESERVE:
- 1. JAMES LOW - FISH & WILDLIFE
 - 2. BYRON BLAW - WAF STUDENT

OK 3. PETE GUEST

ALSO ON LINE:

424
5711

Cordova*

766-
2885

HAINES*

235-
7878

HOMER - 2 to testify: ^{OK Joyce} John McLaughlin
OK Bruce Willard

* May have witnesses, but names have not
been furnished.

1. Cordova
2. Soldotna
3. Healy
4. Kodiak
5. Palmer
6. Homer

All new list

* ENVOYED TO LTON *
* * * * *
* ORIGINAL *
* SENT: 08:17 06 TIME: 1-19- *
* FROM: (MAY) BARRINGTON *
* SUBJECT: SENATE RECORDS - TD *
* PRINT DATE: 03/17/78 TIME: 10:14 *

TO: COTA-28 JUNERU
FROM: HARRY D. ANCHORAGE

- TO TESTIF ^{0/4} CLARK ENGLE (SB 294)
- ^{0/12} DENNIS HARRIS (SB 294)
- ^{0/3} CHUCK GREEN (SB 294)
- 4 JIM CANN (SB 294)
- 5 DARRELL FARMEN (SB 294)
- 6 CHARLES E. WEIS (SB 294)
- 7 DICK GUNLOGSON (SB 294)
- 8 MEL GILLIS (SB 294)
- 89 JIM HARRONEN

TO OBSERVE: BARRY R. CLOT
 Capt. JAMES R. NUTGRANT - Fish + wildlife protection
 STEVEN R. PORTER (SB 430)
 MICHAEL HOTCHKIN - AG office
 ELINOR JONES

Also on line:

~~Delta~~
Cordova
Sold
Haines
Kodiak
MatSu
Anchorage
Fly.

DELIVER TO: LTCS
ORIGINAL
SENT: 03/17/82 TIME 12:12
FROM: LIDEST
SUBJECT: 5 RES GAY TO
FORM DATE: 03/17/82 TIME 13:18

SE: SENATE RES 76 290, 308 18 AND 28 430

FROM: LIF TO DELTA

WE HAVE 4 PERSONS SO FAR

TO: TESTIFY
1. STEVE USMAN Done
2. BIRL WOOD
3. RALPH MILLER
4. JOHN WERNER

OK
OK
OK

THESE PERSONS W. WISH TO TESTIFY ON THE GUIDE BILLS

but they don't want to be first

* DELIVER TO: LYLE
*
* ORIGINAL
* SENT: 03/17/86 TIME: 13:31
* FROM: TCMGT
* SUBJECT: 10 PARTICIP
* PRINT DATE: 03/17/86 TIME 13:31

MESSAGE NUMBER 1 FROM MAT-SU

HERE TO TESTIFY

OK WAYNE WOODS, PALMER

NEW LIST

* DELIVER TO= LTCJ
* ORIGINAL
* SENT: 03/17/88 TIME: 04:15
* FROM: HARRY HAMILTON
* SUBJECT: SENATE RESOURCES AND BUDGET
* PRINT DATE: 03/17/88 TIME: 09:10

TO: LISA H. JENSEN

FROM: HARRY IN ANCHORAGE

TO TESTIFY *OK* CLARK ENGLE (SB 294)
OK DENNIS HARKS (SB 294)
OK ~~JAMES R. NUTGRASS (CHANGED FROM OBSERVE TO TESTIFY)~~
OK JIM CANN (SB 294)
OK DARRELL FARMER (SB 294)
OK CHARLES E. WEIR (SB 294) *Sude Bol*
OK DICK GUNLOCKER (SB 294)
7 MEL GILLIS (CHANGED TO OBSERVE ONLY)
8 JIM HARRISON
9

*P.S.
Fork - Wildlife
Protection*

TO: GARRY R. CLOT
WYOM GREEN (CHANGED FROM TESTIFY TO OBSERVE)
STEVEN R. PORTER (SB 294)
MICHAEL HOTCHKIN
ELINOR JONES

 * DELIVER TO: LTCa
 * ORIGINAL
 * SENT: 02/17/86 TIME: 13:39
 * FROM: LRSCL
 * SUBJECT: FIVE POINT LIGHT
 * PRINT DATE: 03/10/86 TIME: 13:39

TO LISA
 FROM BECKY SOLOVINA

ENCL 4
 RE: SEN. RESOURCES T/C ON GUIDE BILLS

TO JESSIE
 MARK TETTER
 RON ALDRICH
 RICHARD THOMAS
 VERN PORTER
 RAY MONUTT
 CARL SCHNEIDERBACH

-good testimony from outfitters point of view - would be good.
-vehemently against guide areas
-chairman of guide board

NO 1
 OK2
 OK3
 OK4
 OK5
 OK6

to testify on SB 430 ;
 WALDO + RUBY COYLE

COPY

February 26, 1986

Senator Sturgelewski
Senate Resource Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Sturgelewski and Members of the Senate
Resource Committee:

Thank you for your assistance on SB294. Several folks from the Fairbanks area were interested in and prepared to testify on CS for SB294 at the scheduled teleconference February 19. Since your schedule required that you postpone hearings until March 3, we felt we'd like to offer the following written comments relative to the Guide Board Bill, along with a few possible amendments, some of which are primarily of a housekeeping nature. Please accept these comments as testimony on behalf of those signing this letter and enter them into the hearing record.

In general, we are very supportive of the legislation CS SB294. We consider the legislation beneficial to the guiding industry and to the fish and wildlife resources of the State of Alaska.

The restrictive area concept offers many benefits to resident hunters who are not guides, to the wildlife populations and to guides, whether or not they are registered or master guides, and whether or not they currently have areas.

The positive impacts on resident hunters include the knowledge that when hunting in a restrictive area they are not likely to run into excessive non-resident pressure that would be generated if many guides were allowed to hunt in the area. Likewise, the game populations are more likely to be given stewardship through limited harvest practices which insure both the guide and any residents hunting in the area are more likely to find more stable wildlife populations. Residents are also able to find out which guides are hunting where, which can help in planning hunts under this system, if they chose. Without the restrictive area concept, there would be no reasonable way of telling who hunts where.

Guides who do not have areas are able to ascertain where open areas are located and are also able to contact individuals who operate in areas they might be interested in working in the future.

Perhaps most importantly, the game populations have a tendency to remain more prolific since only one individual is involved in guiding in the restrictive areas and he may thereby minimize impact through client limitation in a manner which is conducive to helping produce healthy game stocks which are the backbone of his livelihood.

The Guiding industry is a vital and viable industry which brings millions of new dollars into the Alaskan economy each year, in addition to offering jobs for thousands of Alaskans. The 200-300 active registered and master guides employ well over two thousand individuals (assistant guides, cooks, packers, pilots, etc., each year). Big game guiding provides a very substantive portion of the visitor trade in our state.

Moreover, a viable professionally-run guide industry ensures that the many visitors who come to share Alaska are recipients of enjoyable, successful wilderness ventures in areas and under conditions which could otherwise (and have) provided chaotic and unsafe situations.

This bill goes a long way in helping correct problems the industry has faced in the past relative to inconsistencies in evaluating restrictive area criteria. It also ensures that those who would abuse our game resources, or violate certain serious hunting regulations would be swiftly dealt out of business.

Without a few minor word changes, however, the legislation is not nearly as severe as it should be on those who guide without a license and continue to operate outside the existing framework of guiding statues and who would presumably continue to do so unless more stringent corrective measures are included in this legislation.

We recommend minor word changes on page 8, lines 18, 19, 28 and 29; page 9, line 1; and on page 10, lines 21, 22, 26 and 27 which would correct this problem as we read the bill.

A change on page 13, line 10 would be a minor conforming alteration only.

These changes are outlined on an enclosed "recommend amendment" sheet, along with their justifications.

It should be noted that those who endorse these comments and applaud many of the corrective measures outlined in this legislation and changes proposed by the Department of Public Safety, the A.P.H.A., individual legislators and guides also feel it is important to point out that unless proper funding is allocated, the good intentions will go for naught.

We understand that the State does not earmark funds. However, it seems reasonable that since the guide fees, as charged currently and through this legislation generate in excess of \$400,000 annually that the Board and administrative personnel should be allocated adequate funds to keep accurate records, make appropriate mailing notifications, and hold hearings with the proper personnel

and recording equipment to ensure that consistent criteria and accurate tapes and minutes are possible.

In conclusion, we urge you to expedite passage of this legislation through the Senate Resource Committee, then through finance and the Senate floor. Likewise, your efforts to keep the legislation moving on the House side would be appreciated.

Apparently some, or at least one senator, is of the opinion that next year is okay. That is simply not the case. Many of you have been working on this or similar legislation for several years now. In the past, last minute efforts have generated only simple extensions of the Board. If sunsetted, the problems generated in the past and now will only be aggravated and compounded.

Thanks again for your timely assistance in this urgent matter.

Sincerely,

NAME	GUIDE STATUS	ADDRESS
<u>Alvin</u>	<u>Class "A" Assistant</u>	<u>1426-2nd AVE FBKS 99701</u>
<u>Don [unclear]</u>	<u>GUIDE</u>	<u>Box 8589 COLLEGE 99708</u>
<u>Pete Bessie</u>	<u>Reg Guide</u>	<u>Box 1561 S.S. Steese Hwy FBKS 99707</u>
<u>Charles Gray</u>	<u>MASTER #23</u>	<u>311 SLATER ST. FAI AK 99701</u>
<u>Ken Fanning</u>	<u>Registered Guide</u>	<u>Box 90929 College, AK 99708</u>
<u>Harmon R "Bud" Helmerich</u>	<u>Master #4</u>	<u>WALKER LAKE 930 9TH FBKS. AK</u>
<u>Bernad Hauke</u>	<u>Master</u>	<u>Box 2024, Fairbanks 99708</u>
<u>Richard Burley</u>	<u>ASSISTANT #75</u>	<u>1165 COPPOT ST. FAIRBANKS, AK 99709</u>
<u>Mike C. [unclear]</u>	<u>Master 104</u>	<u>Box 74877 FAIRBANKS AK 99707</u>
<u>Bill [unclear]</u>	<u>Asst - Ed.</u>	<u>431 Halfway Rd Fbks 99701</u>

SB 294

CHARLES GRAY

1986

311 Slater Street
FAIRBANKS, ALASKA 99701

Feb. 26, 1986

Senator Arliss Sturgelewski
Senate Resources Committee
Alaska State Legislature
Pouch V (MS3100)
Juneau, AK. 99811

Dear Senator,

How about postponing the March 3rd hearing on the Guide Bill for a couple weeks? This might seem like a strange request from those of us who have been wanting action, but the fact of the matter is most of the big-time guides are out of state to the sheep hunters convention and only us lowly part-time guides have been left to carry the load.

However, before everyone bailed out, several of us did get together and hammered out a letter to you and your committee about the guide bill. It has now been typed and is being sent to you today under separate cover.

The local opinion is running 100% that we need a bill that provides for a Guide Board and restricted areas, and that while CSSB294 (Res) is perhaps more detailed than necessary, we can live with it.

The Guide Board has done so much to restore respectability to the guiding industry and to help insure quality hunts for non-residents that passage of a guide bill seems like mother-love. We can't understand how anyone could oppose this bill unless they have some ulterior motives.

We appreciate the support you have given the bill to date, and hope you can keep it moving.

Sincerely

Chuck Gray

cc: Sen. Don Bennett

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* DELIVER TO: JPOM *
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* ORIGINAL *
* SENT: 02/05/86 TIME: 17:30 *
* FROM: ANNIE NEUBAUER *
* SUBJECT: POM/FAIRBANKS *
* PRINT DATE: 02/05/86 TIME: 17:30 *
*

3

Rice

TO: SENATORS STURGULEWSKI AND COGHILL
FROM: CHUCK GRAY, 311 SLATER ST., FAIRBANKS 99701
PHONE: HOME 452-3788 WORK 456-6661

RUMORS REACHING FAIRBANKS INDICATE HALFORD SANDBAGGING GUIDE BILL
OVER TRANSFERS. PRESENT BILL SAVED GUIDING INDUSTRY AND RESTORED
SOME RESPECTABILITY. GUIDES THAT HAVE MANAGED AREAS WELL AND
HAVE CAPITAL IMPROVEMENTS SHOULD HAVE INPUT INTO TRANSFERS.
FAIRBANKS AREA GUIDES DIDN'T KNOW ABOUT RECENT HEARINGS, BUT WILL
APPRECIATE YOUR HELP IN MOVING BILL.

MAR 25 1986

Mr. Steve Kiene
2144, Road D
Leipsic, OH 45856
March 17, 1986

Senator Arliss Sturgulewski, Chairwoman
Senate Resolutions Committee
P.O. Box U
Juneau, Alaska 99811

Dear Senator Sturgulewski:

Just last week I heard about a new Bill (#SB294) that Congress is trying to pass. It has to do with having a mandatory guide for goat hunting. I understand the reason for this bill, however, I have shot many big game animals, mostly with a bow, and I would do everything in my power to recover a hurt animal. I think this is true for most experienced, sincere hunters.

For the last three years I have been planning and saving for a trip to Alaska to hunt goat. I already have my airline reservations, etc. If this bill is passed I would have to change everything already planned, including never being able to hunt goat.

I would very much appreciate it if you would do everything in your power to delay the passing of this bill.

Sincerely,

Steve Kiene

SB 294
Bill file

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* DELIVER TO: JPOM *
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* ORIGINAL *
* SENT: 01/29/86 TIME: 16:22 *
* FROM: LIOSOL *
* SUBJECT: POM *
* PRINT DATE: 01/29/86 TIME: 16:24 *
*

POM

TO SENS. COGHILL, ELIASON, FAHRENKAMP, FISCHER, V., HALFORD,
STURGULEWSKI, ZHAROFF

FROM VERNON PORTER
BOX 4478
SOLDOTNA, AK 99669
262-3224
RE: SB 294 GUIDES

MESSAGE: PLEASE RECTIFY INEQUITIES WITH GUIDE AREA SYSTEM BEFORE
APPROVAL OF THIS BILL. GUIDE AREAS ARE BEING USED FOR HUNTING
PRESERVES BY FOREIGN HUNTING CLUBS. AMERICANS THAT ARE
NON-RESIDENTS OF ALASKA CAN'T HUNT ON LAND RESERVED FOR GERMAN
HUNTING CLUBS. PLEASE REPLY.

EOM