

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

5015 HRES SB 191 (FILE 1) - SB 191 (FILE 2)

507

APR 03 1987

3/30/86
Adelheid Herrmann
House of Representatives
Box V, Mail Stop:3100
Juneau, Alaska 99811

RE [REDACTED] and important reasons for the bills passage.

[REDACTED]

In ref. to HB [REDACTED], dealing with the amendment to the Alaska Guide Bill, one of the major problems with understanding the purposes of the bill, is the confusion in peoples minds over the terms used, especially how the term Outfitter is currently being misinterpreted in the State of Alaska.

Hunting like any other business has it's own structure and nomenclature.

However, the terms applicable to professional hunting have a more restrictive and more universally accepted definition, than perhaps any other profession, due to the scope of its clientele and involvement.

With the exception of Alaska, in North America the word outfitter is recognized as meaning the person who owns and runs a legitimate professional hunting operation. In all places, but Alaska, where hunting is a viable business this definition is written into law.

It is universally understood in the hunting world and legally mandated in all important hunting areas that the term "outfitter" is applied to the person who must meet licensing requirements, who is entitled to the legitimate hunting privileges mandated by the states and provinces and are the people responsible to the resource in their areas, and are the people held accountable for any violations of laws or restrictions by their clients or employees.

Outside of Alaska, the term guide is accepted as meaning a person in employ of an outfitter, usually unlicensed and not required to meet any particular standards or qualifications under the law.

Anyone involved with hunting understands this definitive relationship, including the governmental and regulatory agencies of the states and provinces involved, that is except Alaska.

The only exception is Alaska. In Alaska the term Guide is applied to the person qualified under the law and is therefore held responsible for the clients actions and well-being. Registered and Master guides are the people who must meet licensing requirements, are entitled to the professional hunting privilege mandated by the state, are subject to the restrictions of those

page 2

privileges, and are the people held accountable for violations of laws or ethics by their clients or employees.

It is the guides who must be concerned with the resources in their areas.

In Alaska the term "Outfitter" is a misnomer and means absolutely nothing. Due to this switch of terms in our state and the resulting confusion among hunters, many unqualified, unlicensed people have used the term "Outfitter" as a play on words, to lure clients and set up illegitimate and irresponsible hunting operations in Alaska.

These so called "outfitters" are designating themselves with a term that under accepted usage they in no way deserve.

It is impossible for people from anywhere else to understand this relationship and is very hard to explain, as it makes no sense.

Conditions created by their confusion however, have become disastrous to Alaska's hunting and the resources involved.

Sincerely,



Patrick R. Kennedy
Registered Guide

P.O. Box 771896
Eagle River, Ak. 99577

Phone 907-696-2484

1024 W. 6th
Corner K. n. W. 6th
215

P.O. Box 670071
Chugiak, Alaska
99667

Alaska Trophy Safaris

MAR 26 1987

WITH

Dennis Harms
MASTER GUIDE



Letter stating outfitting illegal.....

Legislative Affairs Offices



Arliss Sargeluski, Senate Resources *all*
Coghili, Senate Resources

Adeline Herman, House Resources *all*

March 26, 1987

This letter concerns illegal guiding of hunters under a loophole called outfitting.



The past three to five years this activity has exploded into a major problem.

Persons who didn't have the ambition to become licensed guides found a loophole, and so many operations have started that seriously threaten our valuable wildlife resources.



The outfitters mode of operation is generally to wholesale Alaska resources. To make their operation pay they need to sell alot of game. One outfitter on Ugashik Lake took more than 30 caribou hunters last fall, and the licensed guide there only took a half-dozen or so.

Most of the outfitters are borderline guiding to outright guiding hunters, which is a felony, but they are still operating.



Since there are no controls, they usually go into one area, wipe out the game and move on. Several outfitters even use this as a selling point when selling their hunts.

Several outfitters are not even residents of Alaska.

A licensed registered guide is limited to his area of operation so it would be foolish for him not to be a good steward of the game resources.

You are going to hear cries that we are putting outfitters out of business. Absolutely every last one of them knew they were walking a very gray, thin line between legal and illegal. Everyone knew they were testing the law to the limit.

We should not have let them make such a fool out of our system to this point, and we must pass a tough law to protect the resources ethics and order of our state now.

Sincerely,

Dennis Harms
Alaska Master Guide

ALASKA PROF. HUNTER'S ASSOC.
TESTIMONY ON SB 191 BEFORE THE SENATE RESOURCES COMMITTEE
3/27/87

MR. CHAIRMAN, DISTINGUISHED MEMBERS OF THE COMMITTEE, WE WOULD LIKE TO TAKE THIS OPPORTUNITY TO EXPRESS OUR APPRECIATION FOR YOUR EFFORTS ON THIS PIECE OF LEGISLATION AND FOR PROVIDING US THIS OPPORTUNITY TO RELATE OUR CONCERNS TO YOU.

THE RESOURCE PROBLEM

THE PRIMARY REASON FOR CONCERN RELATIVE TO THE "ILLICIT OUTFITTING" OF BIG GAME HUNTS IN ALASKA TODAY IS UNNECESSARY & NEGATIVE IMPACTS ON BIG GAME POPULATIONS, PRIMARILY MOOSE & CARIBOU WITHIN THE STATE. UNREGULATED COMMERCIAL HARVEST OF OUR PUBLIC GAME RESOURCES IS AN UNACCEPTABLE SITUATION.

IN MANY SPECIFIC LOCATIONS THROUGHOUT ALASKA THIS UNREGULATED COMMERCIAL HARVEST HAS REACHED EPIDEMIC PROPORTIONS AND IS RAISING HAVOC WITH OUR VALUABLE BIG GAME POPULATIONS; AND THEREFORE WITH BOTH SUBSISTENCE & RECREATIONAL HARVEST PATTERNS. THE RECENT AND CONTINUING INCREASE IN THIS COMMERCIAL HARVEST HAS BEEN WELL DOCUMENTED AT TODAY'S HEARING.

THERE ARE SOME WHO SUGGEST THAT SUCH HARVEST IS & OUGHT TO CONTINUE TO BE SOLELY THE PURVIEW OF OUR FISH & GAME MANAGEMENT SYSTEM. SEASONS AND BAG LIMITS SHOULD SIMPLY BE CUT IN AREAS WHERE THE POPULATIONS DECREASE TO UNACCEPTABLE LEVELS. SUCH RECOMMENDATIONS ARE IN OUR OPINION A PRESCRIPTION FOR CRISIS HINDSIGHT MANAGEMENT, ALLOWING CONTINUATION OF AN UNREGULATED COMMERCIAL HARVEST OF OUR PRECIOUS WILDLIFE RESOURCES IS THE HEIGHT

OF MANAGEMENT FOLLY AND INDICATES A DISREGARD FOR BOTH THE RESOURCE AND MANAGEMENT. WE KNOW WE HAVE A PROBLEM ONE WHICH IS DECIMATING SPECIFIC UNGULATE POPULATIONS, ONE WHICH IS CAUSING CURTAILMENT OF OPEN SEASONS TO THE DETRIMENT OF SUBSISTENCE AND RECREATIONAL HARVESTS. THE POTENTIAL FOR ABUSE IN THE IMMEDIATE FUTURE (THIS YEAR) IS FRIGHTENING AND IN THE NEAR TERM CATASTROPHIC. THE NEGATIVE IMPACTS ON OUR WILDLIFE AND THOSE WHO DEPEND ON THEM FOR FOOD, FOR A LIVLIHOOD AND FOR ENJOYMENT IS OF PARAMOUNT CONCERN TO ALL OF US.

JUST AS THOSE WHO PROMOTE AND FACILITATE THIS EXCESSIVE HARVEST MUST BEGIN TO SHOULDER THE RESPONSIBILITY FOR THEIR ACTIONS, SO MUST WE WHO ARE FAMILIAR WITH THIS SITUATION AND WHO ARE CONCERNED WITH WILDLIFE POPULATION LEVELS TAKE THE LEAD IN PREVENTING IT. WE'VE GOT A RUNAWAY LOCOMOTIVE FUELED BY NEWLY DISCOVERED LOOPHOLES AND SEMANTICAL DIATRIBE WHICH THREATENS AN IMPORTANT RESOURCE BASE. WE MUST FACE IT HEAD ON. COMMERCIAL OPERATORS, BE THEY GUIDES OUTFITTERS, QUASI-GUIDES, OR OUTFITTERS, ETC. MUST ALL BE MADE EQUALLY RESPONSIBLE FOR THEIR ACTIONS AND THE ACTIONS OF THEIR CLIENTS.

OUTFITTER SEMANTIC PROBLEM

A SEPARATE POINT WHICH WE WOULD LIKE TO TRY TO CLARIFY FOR THE COMMITTEE RELATES THE THE DIFFERENT CONCEPTS OF WHAT A GUIDE OR AN OUTFITTER IS. HERE IN ALASKA, THE FELLOW WE CALL A REGISTERED OR MASTER GUIDE, THE ONE WHO MEETS VARIOUS STRINGENT LICENSING REQUIREMENTS, WHO CONTRACTS HUNTS, WHO IS REGULATED BY THE APPROPRIATE STATE AGENCIES, IS ELSEWHERE IN NORTH AMERICA AND THE WORLD KNOWN AS, AND IS LICENSED AS AN OUTFITTER. WE HAVE PRESENTED TO THE COMMITTEE FOR YOUR INFORMATION, EVIDENCE OF THIS WITH AN EXAMPLE OF THE

TYPICAL BADGE ISSUED TO EACH GUIDE AT NATIONAL HUNTING CONVENTIONS AND A BOOKING CONTRACT ISSUED BY AN INTERNATIONAL HUNTING CONSULTANT. AS YOU WILL NOTICE, BOTH REFER TO AN ALASKAN REGISTERED GUIDE NOT AS A GUIDE, BUT AS AN OUTFITTER. THE RESULT OF THIS CONFUSION OF COURSE IS THAT CLIENTS ARE LURED INTO THINKING OF THOSE WHO ADVERTISE AS OUTFITTERS IN ALASKA ARE REGISTERED GUIDES, WHEN IN FACT, OUTFITTERS ARE NOT LICENSED OR REGULATED IN ANY MEANINGFUL WAY IN OUR STATE. THE LEGISLATION BEFORE YOU WOULD HELP END THIS CONFUSION.

AN OPEN PROFESSION

SEVERAL ADDITIONAL MISCONCEPTIONS SEEM TO PERSIST REGARDING THE GUIDE LAWS AND THE GUIDING INDUSTRY IN ALASKA. SOME SEEM TO THINK OURS IS A "CLOSED" INDUSTRY, NOTHING COULD BE FURTHER FROM THE TRUTH. OURS IS ONE OF THE MOST OPEN AND AVAILABLE PROFESSIONS OF THE PROFESSIONS UNDER DEPARTMENT OF COMMERCE JURISDICTION. OUR APPRENTICESHIP PERIOD IS MERELY THREE MONTHS, CONSIDERABLY LESS THAN DOCTORS, CHIROPRACTORS, TEACHERS, ELECTRICIANS AND A MYRIAD OF OTHER PROFESSIONS. WHILE PASSAGE OF A STRINGENTLY WRITTEN AND ORAL EXAMINATION IS REQUIRED, NO EDUCATIONAL LEVEL SUCH AS IS REQUIRED IN MANY OTHER PROFESSIONS IS ESTABLISHED. THE GUIDE LICENSING AND CONTROL BOARD GIVES EXAMS TWICE A YEAR AND WHILE THEY ARE COMPREHENSIVE, THEY ARE NO MORE SO THAN EXAMS FOR LAWYERS, PHYSICIANS, OR A MYRIAD OF OTHER WELL ESTABLISHED TRADES. THESE QUALIFICATIONS ARE MINIMAL AND A SMALL PRICE TO PAY TO INSURE HIGH PROFESSIONAL STANDARDS IN ALASKA'S GUIDING INDUSTRY.

ONCE HAVING RECEIVED A REGISTERED GUIDE LICENSE, AN INDIVIDUAL CAN WORK FOR OTHER REGISTERED OR MASTER GUIDES OR HE OR SHE CAN BEGIN AN INDEPENDENT BUSINESS. SOME CRY THERE ARE NO AVAILABLE AREAS; HOWEVER THIS IS FAR FROM

TRUE. THERE ARE MANY OPEN AREAS IN THE STATE AT THIS TIME WHERE ANY REGISTERED OR MASTER GUIDE MAY GUIDE OR CONTRACT HUNTS, AREAS NOT YET TAKEN. ADDITIONALLY, A QUICK REVIEW OF THE MINUTES OF THE LAST 4 GUIDE BOARD MEETINGS SHOWS THAT OVER 30 NEW GUIDES HAVE BEEN LICENSED AND 40 NEW AREA ASSIGNMENTS OR TRANSFERS HAVE TAKEN PLACE. FURTHERMORE, 38 ADDITIONAL AREAS HAVE BEEN OPENED UP AND ARE AVAILABLE....AT NO COST!!!! WE ARE NOT AWARE OF MANY VOCATIONS THAT CAN PROMISE OR OFFER SUCH REASONABLE ENTRY.

IN ADDITION TO THE OPEN AREAS THAT CAN BE OPERATED IN BY QUALIFIED GUIDES FOR NO INITIAL CAPITAL OUTLAY, MANY GUIDES' BUSINESSES, SOME WITH PRIVATE LAND AND LODGES AND CABINS AND OTHERS WITH EQUIPMENT AND ESTABLISHED CAMPS ARE FOR SALE. THE AREAS ARE IN ALL CASES UNDER THE PURVIEW OF THE STATE. ANYONE SERIOUSLY DESIRING TO TO BECOME A GUIDE, WILLING TO WORK AT IT AND RUN A LEGITIMATE PROFESSIONAL BUSINESS CAN DO SO WITH A VERY REASONABLE INVESTMENT OF TIME AND MONEY.

IMPACT ON LEGITIMATE "OUTFITTERS"

AN ADDITIONAL MISCONCEPTION SEEMS TO EXIST OVER THE IMPACTS THE LEGISLATION BEFORE YOU WILL HAVE ON LEGITIMATE OUTFITTERS. FROM SOME OF THE COMMENTS ON THE SUBJECT TO DATE, SOME WOULD HAVE YOU BELIEVE SB 191 PROHIBITS BREATHING. AGAIN, NOTHING COULD BE FURTHER FROM THE TRUTH. MOST OUTFITTERS JUST DON'T WANT ANY LEGISLATION WHICH MAY TO LEAD TO REGULATION OF THEIR BUSINESS. IN OUR JUDGEMENT THIS WOULD SEEM TO INDICATE A LACK OF DESIRE TO BE HELD RESPONSIBLE FOR THEIR ACTIONS WHICH ARE INCREASINGLY DETERIORATING BIG GAME RESOURCES IMPORTANT TO MANY OTHER ALASKANS.

THIS LEGISLATION HAS UNDERGONE A NEAR RECORD NUMBER OF

DRAFT ALTERATIONS AND ANALYSES PRIOR TO ITS EVEN BEING INTRODUCED. YOUR COMMITTEE AND STAFF, ALONG WITH OTHER LEGISLATORS, STAFF MEMBERS AND LEGISLATIVE DRAFTERS ARE TO BE COMMENDED FOR THEIR CONSCIENTIOUS EFFORTS TO CRAFT A BALANCED AND LEGALLY ARTICULATED SIMPLY MODIFICATION TO EXISTING STATUTES. THIS LEGISLATION WILL (1) PROTECT OUR RESOURCES (2) HELP ELIMINATE DOUBLE STANDARDS OF RESOURCE REGULATORY RESPONSIBILITY (3) INSURE EQUITABLE SOLUTIONS TO A COMPLEX PROBLEM AND (4) CONTINUE TO ALLOW LEGITIMATE TRANSPORTERS AND PROVIDERS OF GEAR AND EQUIPMENT TO OPERATE. IT WILL CONTINUE TO ALLOW LEGITIMATE AIR TAXI OPERATORS, CHARTER BOAT OPERATORS AND PROVIDERS OF GEAR, TRANSPORTATION AND SUPPLIES FOR DROP-HUNTS TO DO BUSINESS.

WHILE THIS LEGISLATION WILL NOT SATISFY EVERYONE, IT WILL IN OUR OPINION GO A LONG WAY TOWARD ALLEVIATING WHAT HAS BECOME A MANAGEMENT CRISIS OF OUR VALUABLE GAME RESOURCES. IT WILL ALLOW LEGITIMATE OPERATORS TO CONTINUE TO DO BUSINESS, IT WILL INSURE THE PRESENCE OF MUCH NEEDED RESOURCES FOR SUBSISTENCE AND RECREATION AND IT WILL ALLOW INDIVIDUALS TO CHOOSE FROM A VARIETY OF LEGITIMATELY OPERATED BUSINESS ONE WHICH WILL MUST SUIT THEIR NEEDS AND BUDGET.

WE SUPPORT THE LEGISLATION BEFORE YOU, SB 191, AND THE AMENDMENTS WE'VE SEEN WHICH WOULD HELP CLARIFY THE FOLLOWING POINTS.

(1) MAKE ADVERTISING TO BE AN OUTFITTER ILLEGAL WITHOUT A VALID CURRENT REGISTERED OR MASTER GUIDES LICENSE.

(2) INCLUDE ALL MODES OF TRANSPORTATION NOT JUST VEHICLES.

(3) CLARIFYING USE OF PERMANENT CABINS TO BE LAWFUL AND LEGALLY ESTABLISHED.

WE URGE YOU TO EXPEDITE THE PASSAGE OF THIS CRUCIAL LEGISLATION. WE ARE GRATEFUL YOU RECOGNIZE THE EMERGENCY

NATURE OF THIS SITUATION AND APPRECIATE THE TIME YOU'VE
PUT IN ON THIS BILL. WE IN THE ALASKA PROFESSIONAL HUNTERS
ASSOCIATION WOULD BE PLEASED TO ANSWER ANY QUESTIONS OR
FURTHER CLARIFY ANY POINTS OR ASSIST YOU IN ANYWAY WE
CAN. ONCE AGAIN, THANK YOU FOR YOUR EFFORTS AND FOR
LISTENING TO OUR CONCERNS.

Katmai Guide Service

JOE KLUTSCH
REGISTERED GUIDE

P. O. BOX 313, KING SALMON, ALASKA 99613

January 4, 1987



Dear Adelheid,

I'm writing to ask your help in dealing with a problem threatening game resources throughout the State. During the last 5 years there has been a proliferation of "outfitters" engaging in commercial hunting. Unlike guides who are licensed by the State, assigned specific areas and limited in number within each game management unit, these operators are bound by no area restrictions or professional certification at all. A majority of these operators are nonresidents who have discovered the loop hole in the guide law which allows them to book hunters, provide camps and personnel (packers, cooks, boatmen etc.) and in effect provide all the services of a guide.

Outfitters generally "sell themselves to that segment of the hunting public that is looking for a bargain. They sell cheap hunts which requires they do a much larger volume of hunts. In that they are not bound by area restrictions, they are able to hunt out any given area and move on to greener pastures. Guiding was the first licensed profession in the territory of Alaska. Under State hood, a guide law has evolved that requires a person spend a minimum of 7 to 10 years of his life to become a licensed Registered guide and to become an area permit holder. The idea behind the evolution of this law was to limit the extent of commercial hunting of big game resources and set professional standards and regulations by which a guide must abide. The system has not been without its faults over the years but it has been refined and improved to a point that commercial hunting activities can be regulated effectively at least as far as guiding is concerned. "Outfitting" is as yet an un defined activity in terms of regulation and statute.

Demands on all resources through out the State have increased greatly in recent years. Allocation of fish and game resources becomes more complicated every year. With subsistence needs to be met, and legitimate allocations to nonresidents to be met, there is simply no room for another category of commercial operator engaging in big game hunting. As I stated in one of our conversations, allowing "outfitting" outside of the present system of guide licensing and control is the same as allowing 120 foot sieners to operate in Bristol Bay because they engaged in commercial "catching" instead of fishing and thereby require no permit to sell their catch.

Unfortunately, it is the resource that suffers first and then the legitimate right of all user groups is jeopardized.

ADFG Protection division and Game division are well aware of this problem and have shown considerable interest in working with the guiding industry to find a solution to this problem.

The wording to the following proposed amendment to the current guide law was worked out in Anchorage with the help of Fish and Game Protection people. It would fall under section 08.54.210. UNLAWFUL ACTS

(9) a person to outfit hunters or to provide outfitter service as defined in this chapter personally or through assistants to persons or hunting parties without being validly licensed as a Registered or Master Guide under this chapter.

For the sake of the big game resource and then for the benefit of your constituents as well as all other people who might utilize big game in Alaska, I am urging you to prefile this proposed amendment to the current guide law. As chairman of the House Resources Committee, and as a person who I know to be sensitive and knowledgeable on Alaska's resource issues, I feel you can be instrumental in solving the problem we are faced with.

I will work for you in any way possible to see to it this proposed amendment can be passed.

Sincerely,



Alaska

MAY 1 1987

Professional Hunters Association, Inc.

P.O. Box 441 • Talkeetna, Alaska 99676 • (907) 733-2688

April 29, 1987

Adelheid Herrmann
AK State Legislature
Pob V (Ms 3100)
Juneau, AK 99811

Dear Adelheid

Alaska is facing a crisis, the long term effects of which may be as undesirable as the present problems we find ourselves in with declining oil revenues. Our precious wildlife resources are being plundered by illegitimate ~~tourists~~ passing themselves off as ~~tourists~~.

Twenty years ago, Alaska's valuable wildlife species were being similarly threatened by some members of the professional guiding industry. Because of weak regulations and our inability to field a sufficient number of protection officers, some individuals took advantage of the situation and WHOLESALD Alaska's wildlife. The problem was eventually brought under control by stricter regulations regarding the take of game animals and the guide industry itself. Guides are no longer allowed to mass harvest in one area then move on to the next. Furthermore, many regulations were put into effect to make individual guides more responsible for their conduct in the field, as well as the conduct of their assistants and clients.

Recently, some individuals have discovered loopholes in statutes which allows them to circumvent the law and operate as "outfitters." This situation has escalated in the last couple of years, putting terrific strains on wildlife populations in specific areas. If these illegitimate "guides" are allowed to continue, more wildlife populations will almost certainly be threatened and resident Alaskans will soon be faced with more and more restricted hunting seasons and permit hunts.

Alaska's wildlife populations bring millions of dollars into our economy from a variety of sources. Thousands of tourists come to view them, sportsmen pursue them on hunting excursions and many rural Alaskans depend on them as a factor in their economic survival. Allowing these illegitimate "guides" to continue to deplete our limited wildlife resources will have definite long term negative impacts, not just on the resource base itself, but also on our economy.

Shortly after statehood, a licensed, regulated guide industry was created. A presumption must be made here, that early government leaders in Alaska felt a well regulated guide industry would be in the best interest of Alaskans and our wildlife populations. In a certain sense, commercial guiding is no different than commercial fishing. Both have become somewhat limited entry occupations;



Alaska

Professional Hunters Association, Inc.

P.O. Box 441 • Talkeetna, Alaska 99676 • (907) 733-2688

however, I seriously doubt quasi-commercial fisherman would be allowed to exist. The question is why do we consider allowing illegitimate "guides?" It just does not make good sense. We have a limited resource which must be protected for everyone's benefit. We already have a state sanctioned system allowing for commercialization in that resource base. It is not a closed system as some would have you believe. Anyone with the desire to enter the guiding profession may do so, they only have to meet the rather simple qualifications. With that in mind, the loopholes allowing these illegitimate, unregulated "outfitters" to exist should be eliminated. In the best interest of the resource and the economy of Alaska, it is a decision which should be made in the near future.

Thank you for your time and any consideration you can give this important subject.

Please note our new address: POB 91932, Anchorage, Alaska 99509, and phone number is 907-522-3221.

Sincerely

Ed Grasser
Vice President
Eg/Lfs

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: KEITH KLEPPE
TITLE:
ADDRESS: 6630 E. 10TH
CITY: ANCHORAGE
PHONE: 337-2216
ZIP: 99504
BILL NO:
SUBJECT: STATE INCOME TAX
MESSAGE: I'M AGAINST A STATE TAX, TRY CUTTING BUDGET. LEAVE PERMANENT FUNDS ALONE. THE STATE CAN CUT WASTE.

POMID: 03124506
DATE: 04/15/87
TIME: 12:45:06
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COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

ADAMS	BARNES	ABOOD
BOUCHER	BOYER	BEHNETT
BROWN	CATO	BINKLEY
COLLINS	COTTEN	COGHILL
DAVIDSON	DAVIS	DUNCAN
DOHLEY	ELLIS	ELIASON
FRANK	FURNACE	FAHRENKAMP
GOLL	GRUENBERG	FAIKS
GRUSSENDORF	HANLEY	FISCHER
HOFFMAN	HUDSON	HALFORD
KOPONEN	LARSON	HENSLEY
MARTIN	MENARD	JONES
MILLER	NAVARRE	JOSEPHSON
PEARCE	PETTYJOHN	KELLY
PHILLIPS	POURCHOT	KERTTILA
RIEGER	SHULTZ	RODEY
SPRINGER	SUND	STURGULEWSKI
SHACKHAMER	TAYLOR	SZYMAWSKI
ULMER	HALLIS	UEHLING
ZAWACKI		ZIAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: WAYNE KUBAT
TITLE:
ADDRESS: PO BOX 874867
CITY: WASILLA
PHONE: 376-9568
BILL NO: HB 183
SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: I SUPPORT YOUR BILL AND HOPE YOU PASS IT SOON. OTHERWISE ALASKA
HUNTING WILL END UP BEING BY PERMIT ONLY.

ZIP: 99687

POMID: 14125911
DATE: 04/15/87
TIME: 12:59:11
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COTTEN
DAVIDSON
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SHULTZ
SPRINGER
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Alaska Chapter Foundation for North American Wild Sheep

P.O. Box 110-774 ☐ Anchorage, Alaska 99511 ☐ Phone 243-1067

April 30, 1987

Dear Honorable Ms. Herrmann,

The Foundation For North American Wild Sheep, Alaska Chapter requests your support to pass into law the bills known as ~~AS 08.54.240 and AS 08.54.241~~. Specifically we are concerned with AS 08.54.240. We feel strongly that Alaska is facing another crisis in game management. Illegitimate guides, passing themselves off as outfitters, have discovered a loophole in the State Statutes which circumvents the laws which govern the guiding industry and the principles of good game management.

Twenty years ago a similar problem existed where Alaska's wildlife species were threatened by members of the professional hunting industry. Some individuals took advantage of weaknesses in the regulations and enforcement procedures to rapidly deplete some wildlife populations. Better regulations have provided for a more responsible industry and better game management, for the benefit of all users whether consumptive or non-consumptive.

Now the problem arises again where illegitimate guides, under the guise of "outfitters," are again miss-using the resource. The attached newspaper clippings and press releases are examples of the extent of this problem. Continuing unchecked, these types of outfitters can put a tremendous strain on the wildlife populations in our state. This can only result in more restrictive seasons and increased numbers of permit hunts. All this to the detriment of both resident and non-resident hunters. In addition, lowered game populations restrict the ability of the non-consumptive user to view the game. All together this means decreased income to the state from its valuable game resources.

The Foundation For North American Wild Sheep, Alaska Chapter represents 360 members statewide and several thousand nationwide. Members are both consumptive and non-consumptive. We are joining in the fight to ensure the loopholes are closed that are allowing these illegitimate outfitters to operate. Although, at the present time all guided non-residents must employ the services of a licensed registered or master guide operation to hunt sheep, we feel the current situation creates a dangerous precedent to the future of sheep management. In addition, we feel obligated to speak out for sound game management for all species in Alaska.

At the present time, according to the Alaska Dept. of Public Safety, there are over 300 documented illegal outfitters operating without a guide license. If each of these outfitters are taking out 20 hunters, it takes only a little addition to figure out that the resource is being abused. It is also important to note that these hunters are competing with resident hunters and legitimate guide operations. However, unlike a guide operation which is restricted to a specific area, these illegal outfitters can clean an area of the game resources and then move on to somewhere else. The enclosed news releases were provided by the Alaska Dept. of Public Safety. According to the DPS there are more indictments coming. Therefore, we solícite your support in closing this loophole.

Sincerely,

Daniel R. Schwarzer
Daniel R. Schwarzer
President

A Nonprofit Organization

MAY - 7 1987

Anchorage, Alaska
May 5, 1987

Adelheid Herrmann
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Alaska 99811

Dear Adelheid,

Please pass Senate ~~Bill 191~~ or House Bill 183 or a combination thereof, because;

1) The 300 outfitters operating last year are endangering our wildlife resource. They do not hesitate to overhunt an area since conservation is of no concern to them. They decimate an area and move on.

2) The 300 outfitters operating last year consistently break our Fish and Game Regulations. Examples: non-residents hunters paying for less expensive resident licenses and trophy tags, killing of illegal game by hunters who have not been informed by their outfitter who is not legally required to do so, and hunters flagrantly violating our wanton waste laws.

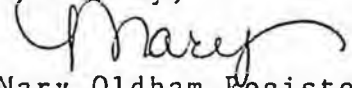
3) The 300 outfitters could become legal Registered guides under our current laws and then they would be responsible for conservation and upholding our Fish and Game Regulations. That is why we passed the law in 1960 to get rid of all the Get-Rich-Quick Outfitters who had a Super Cub and a tent. Registered guides were then - and are now - a reliable means of marketing our surplus renewable big game resource.

I am especially concerned about the village of Egegik on the Alaska Peninsula. I live there six months each summer. The people are harmed when outfitters turn hunters loose to float the near-by rivers. They arrive at Egegik with many antlers and no meat. This re-occurred over and over again last fall much to the dismay of the local people.

Secondly, I am concerned about hunters dropped off in an overhunted area. I have been professionally guiding in Alaska for almost thirty years and have a reputation for maintaining a good game population in my guide areas. Several guides I know are now operating as outfitters because they can go anywhere and are not responsible for keeping the game laws or conservation.

Please pass some form of these bills as the wildlife can't stand the amount of hunting pressure and mis-use it is getting from indiscriminate outfitting. These outfitters are not part of the balance established to utilize the renewable game harvest. If this situation continues, we will loose our reputation as a big game hunters paradise, our subsistence opportunities for villagers and our chance for resident hunters to enjoy the great hunting that many of them came to Alaska to enjoy.

Sincerely,


Mary Oldham, Registered Guide
Box 220343
Anchorage, Alaska 99522-0343

MAY 6 1987

May 4, 1987

Senator Paul Fischer
Alaska State Legislature
P.O. box V (3100)
Juneau, Alaska 99811

Dear Sirs:

I am writing with regard to ~~XXXXXXXXXXXXXXXXXXXX~~ which addresses outfitting in the field.

Presently, at this time, the State of Alaska doesn't define what an outfitter is. Nor does the State require anything other than a business license to conduct this kind of activity.

Last year the requirements and licenses for a transporter were repealed in the State of Alaska.

I am a Registered Guide in this State and have been for six years. I went through 5 years of residency, 3 years of field work, as an assistant guide, met all the other criteria established by the state and, finally passed an extremely difficult exam before I was privileged to hold a Registered Guide License.

At this moment, the Game Resources of Alaska face an extremely important decision regarding their existance in notable numbers.

The resource belongs to everyone but, everyone must try to manage it properly.

I currently have two "Restricted Guide Areas" in G.M.U's 23 & 26. I have to take limited numbers of hunters in order to maintain good, healthy game populations. To over harvest these areas myself would be to exemplify total disrespect for the game resource, not to mention putting myself out of the guiding business.

A person who operates a "Drop Off Type Commercial Hunting Operation", usually calls himself an outfitter. First off, he is Free to Operate wherever he wants, taking as many hunters as he chooses. Secondly, since the state doesn't clarify his business, it is extremely easy for him to step around the law and run "guided" hunts by unlicensed personnel. Often times this happens with such frequency that sheep, grizzly & brown bears start being harvested by non residents with their unlicensed guides. The problem gets more involved, since they've violated the law, they must sneak the hides, horns, etc., out of the state without being noticed. This can easily be done in their baggage. Meanwhile, the State of Alaska, Dept. of Fish and Game is being circumvented and their harvest reports are thrown out of kilter. This creates a bad situation which is snowballing and growing larger all the time. The state spends a lot of money and time doing aerial population surveys and after speaking with Dept. of Fish and Game personnel, I can see they are quite frustrated that their methods for harvest reports are being bypassed on a high volume basis and throwing their population estimates off. Not to mention a waste of hard work and money.

Alaska State Legislature
May 4, 1987

If the game resource is to survive in harvestable populations for the future, something must be done now! The problem will not cure itself. We must work together on this situation before it is too late.

House Bill 183 and Senate bill 191 might not be the perfect answer, however they can be rewritten and modified in 1988 if necessary. Unfortunately devastated game populations will not be changed in such a short time, it takes many years of management and conservation.

Thank you all for your time.

Sincerely,

Dave Leonard
Registered Guide

cc: Sam Cotten, Alaska State Legislature
Jan Faiks, Alaska State Legislature
C.E. Swackhammer, Alaska State Legislature
Adelheid Herrmann, Alaska State Legislature
Ben Grussendorf, Alaska State Legislature
Mike Navarre, Alaska State Legislature

APR 30 1987

Peter R. Buist
Box 1561
Fairbanks, Alaska 99707

Rep. Herremann
The Dutch tells me you
are very supportive & you
help us get SB 191 back on track.
It's been pretty well gutted in the Senate
Thank you - Peter Buist

I appreciate the entire Legislature's attention and concern to the resource depletion problems caused by our lack of a statutory definition of "outfitter" in this state. Hopefully, SB 191 in some form will have passed the Senate and be moving through the House by the time you receive this letter. It is rewarding to me to see the bill moving well and to see guides, sportsmen, natives and environmentalists all supporting the same piece of legislation. I think it bodes well for passage!

I have enclosed some information which may prove helpful in your continued support for the legislation. Included are some advertisements and brochures as well as some lists of the numbers and types of operations that we are talking about.

The Fish and Wildlife Troopers tell me that they now estimate that there are more "outfitters" than registered and master guides combined in Alaska! Their best guess is that 35-40% of these "outfitters" are not Alaska residents. My observations are the same, but I should add that many of the out-of-state operations are much larger and take proportionately more game. There are plenty of horror stories about the impact of these types on the meat supply for rural villages. There are some economic horror stories about the impact of registered guides trying to hunt in the limited areas assigned to them by the state while the "outfitters" clean out area after area. Suffice it to say, it is a terrific drain on a lot of wildlife populations.

There are at least four somewhat weak arguments that some "outfitters" are making to try to weaken this legislation.

1. "The Legislature will put many small Alaskan businesses out of business and take away many people's livelihoods." There may be a few Alaskans for whom "outfitting" is their only income, but it's apparently a tiny fraction of the total number. If, for example, it takes a \$50,000 a year gross to make your living at the commercial use of game, and further, a guide charges \$5000 as an average hunt price and an "outfitter" charges \$500, we then see that the "outfitter" needs to take 100 clients while the guide takes only 10. This translates to 10 times the amount of pressure on the resource.

2. "There are a lot of small businesses, some not even involved in catering to hunters, that have the word 'outfitter' in their business name. They should not have to bear the cost of changing their names." I submit that the protection of our wildlife resources is more important in this case. If we do not limit the use of the term "outfitter" to licensed persons, we leave a huge loophole for the abuse of the resources and we defeat the purpose of the legislation. The term "outfitter" is used extensively across North America (except Alaska!) to mean a

Buist - p. 2

person who contracts with hunters, fishermen or other outdoor users to provide transportation, shelter and groceries for outdoor expeditions. Every western state (except Alaska) and all western Canadian provinces now statutorily define "outfitter" and regulate them accordingly. The term is universally understood; it is misconstrued only in Alaska, predominantly by those wanting to circumvent the guide laws. You can correct that.


3. "The reason registered guides back the legislation is because they want more clients." Obviously I can't speak for all guides, but as a guide myself, I have all the business I need. The reason I support the legislation as a guide is that unregulated commercial use of wildlife in competition to my use in my assigned guide area may soon mean I won't be able to take any clients, much less the 5 to 10 I guide annually now. I can only hunt in the area assigned to me by the Guide Licensing and Control Board. Unlike an "outfitter" I can't just pick up and move when the game gets scarce. If I were to drop my guide license and become an "outfitter" I would be free to operate in any part of the state.

4. "Outfitters are being blamed unfairly for game violations." While not all "outfitters" are violators, apparently a great percentage of them are. There have been a myriad of arrests in the last year as the problem has grown. What is more important though is that many "outfitters" are causing resource depletion problems and it is currently legal! That's why we need the new legislation.

The Registered and Master Guides of Alaska are highly regulated and restricted as to where they may operate. They are assigned restricted guide areas by the Guide Board. They are required to apprentice at their trade and are rigidly tested and examined before licensing. If they commit one game violation, they may have their license revoked by the Board. They are legally liable for any violations committed by their assistant guides and their clients. "Outfitters" are not even defined, much less regulated.

I hope that the legislature will be able to put an end to this inequity and the resultant drain on our important wildlife resources.

Sincerely,



Pete Buist

Guides & Outfitters

1X

Letters of Opposition

Meeting you - Please Stop
by post a down of the new hotel
I look forward to

David A. McQuinn, M.D.
David A. McQuinn

DATE

I hope you will consider these observations in your relations relative to this area. Thank you for your attention to this matter.

activities. I would like to comment on the fact that the hotel is located in a remote area and I am concerned about the safety of the hotel. I am concerned about the safety of the hotel and the fact that the hotel is located in a remote area. I am concerned about the safety of the hotel and the fact that the hotel is located in a remote area. I am concerned about the safety of the hotel and the fact that the hotel is located in a remote area.

Dear Representative Hartmann,

Richard Hartmann
P.O. Box 43
Naknek, AK 99603

March 27, 1987

QUINNAT LANDING HOTEL
P.O. BOX 410
KING SALMON, AK 99613

APR 2 1987

March 18, 1987

Rep. Kay Brown
Box V
Juneau, AK 99811

Dear Kay:

I'm writing to offer my thoughts and concerns on HB 183. This bill interests me because it could affect my chief means of livelihood.

For the past eight years, I've operated an outfitting/river floating service for nonresident archery hunters in Game Management Unit 19. I do not actually accompany the hunters, but merely provide the inflatable rafts, food, camping gear, etc. which allows them to conduct on-your-own type hunts in a remote area. The only access to this river is an airstrip which I literally built by hand with a pick and a shovel.

I take pride in running a clean operation which benefits me and other Alaskans while having little impact on the wildlife resource. I outfitted 14 hunters in 1985 and 15 hunters in 1986, and these hunters took only five moose and one black bear. I have no figures on tourist dollars spent by these hunters in Alaska, but I know they paid me \$2500 each for my outfitting services. In turn, I paid air charter operators in Anchorage and McGrath \$26,600 for flying services and more than \$6,000 for equipment and food in Anchorage during that time.

The people of Stony River village benefitted too: four of the five successful moose hunters gave all or portions of their moose meat to residents of that community. All of my hunters have explicit instructions to deliver any unwanted meat to local residents - at my expense.

I have an investment of more than \$50,000 in this operation, which includes rafts, all-terrain vehicles, tents, stoves, etc.

As mentioned, I do not personally accompany the hunters, nor do I allow them to hunt from my base camp. I am not a registered guide, nor do I wish to become one. I worked as an assistant guide back in 1969, but discovered that as a guide, I had to actively participate in the "kills" - something I've never enjoyed. However, I do enjoy outfitting a limited number of ethical hunters - hunters who value the wilderness experience as much or more than the kill - for unguided hunts.

I realize that some friction exists between guides and outfitters. Some of the resentment comes from guides who feel outfitters have not "paid their dues." However, there are some legitimate outfitters - and I am one - who certainly should not have to apologize for their activities. I have hunted Alaska each of the past 19 years and have taken many species of game, from Kodiak deer to Dall sheep, with homemade bows and arrows. I have written three Alaska outdoor/hunting books. I worked for nine years as an employee of the Alaska Department of Fish and Game. And I currently serve on the Alaska Board of Game, a thankless job if ever there was one.

This outfitting problem, as I see it, is two-fold: 1.) a few so-

called outfitters are actually accompanying hunters in the field and performing all the services of a registered guide; and 2.) a few of the outfitters are putting far too many people in the field. I know of one outfitter here in Anchorage - a state employee - who outfitted 52 moose hunters on the Innoko River last year and never left town. He simply tells the hunters where to go and sends the rafts and equipment out with them. Neither HB 183 nor SB 191 would restrict such a person, for in effect, he is simply "renting equipment."

I saw this problem coming several years ago, and I've given it a great deal of thought. I think I can offer a solution but it might take more work than simply writing a law which redefines guiding and outfitting.

In fact, I can offer two possible solutions: 1.) a graduated wildlife resource depletion tax; or 2.) the creation of a special board which would govern all commercial uses of the fish and wildlife resource.

At the present, a commercial user of the wildlife resource pays only \$25 for an Alaska business license - which is utterly ridiculous when we consider that many commercial users gross several hundred thousand dollars each season.

I don't think it unreasonable to assess a guide or outfitter a tax for each animal taken by his clients, and I suggest that the amount should be equal to the amount of the client's big game tag - \$300 for a moose or a caribou. Furthermore, if the tax level were graduated - a certain amount assessed for say, ten animals, and then doubled for the next ten - it would put the brakes on the "mass producers" - both guides and outfitters - who put the most strain on the wildlife resource.

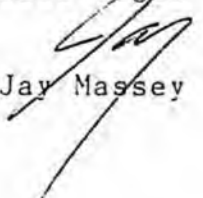
The outfitter mentioned above reportedly charges only \$600 for his float hunts - which explains why he has to outfit 52 moose hunters to make a profit! If he were assessed \$300 for each moose (or \$600 for each moose over 10 taken), he could not afford to run his cheapie operation. It should be noted that a guide - who charges more for his personalized services - could easily absorb this tax or pass it on to his client. The mass-producer outfitters could not stay in business.

This tax wouldn't place an unreasonable burden on the guide/outfitter who takes out only a dozen or so clients.

The second option - the creation of a commercial fish and wildlife resource board - is probably years down the road. But it is coming. The outdoor recreation business is just starting to boom in Alaska. There is room for everyone - hunting guide, outfitter, lodge owner and fishing guide - but controlling the activities will be impossible without a board which represents all types of commercial users.

Anyway, thanks for letting me share my thoughts on these important issues, Kay. I've always known you to be honest, even idealistic, and I believe you'll work for a bill which is fair to all of us.

Best regards,


Jay Massey

P.O. Box 429, Girdwood, AK 99587

783-2129 (home)

or

349-3700 (temporary)

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE BROWN

NAME: DONA M. PFAFF
TITLE:
ADDRESS: 1600 W. 11TH, #29
CITY: ANCHORAGE
PHONE: 276-8280
ZIP: 99501
BILL NO:
SUBJECT: GUIDING AND HUNTING/HB 183 AND SB 191
MESSAGE: EXPAND DEFINITION OF A HUNTING GUIDE TO ONE WHO ACCOMPANIES OR PROVIDE A CAMP, EQUIPMENT OR PERSONAL SERVICES. THESE PROPOSED LAWS RESTRICT MY CONSTITUTIONAL RIGHTS TO PURSE HAPPINESS, THE RIGHTS OF OTHER TO A MEANS OF LIVELIHOOD, AND STATE AND LOCAL INCOME. I OPPOSE.

POMID: 03123512
DATE: 03/31/87
TIME: 12:35:12
LIONAME: ANCHORAGE LIO

COPIES:	<u>REPRESENTATIVES</u>	<u>REPRESENTATIVES</u>	<u>SENATORS</u>
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	COLLINS	COTTEN	FAIKS
	DONLEY	ELLIS	HALFORD
	FURNACE	GRUENBERG	JOSEPHSON
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	PEARCE	PETTYJOHN	KERTTULA
	PHILLIPS	POURCHOT	RODEY
	RIEGER	ZAWACKI	STURGULEWSKI
	DAVIDSON	HERRMANN	SZYMANSKI
	HOFFMAN	NAVARRE	UEHLING
	SHULTZ	SPRINGER	COGHILL
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			ELIASON
			FISCHER
			JONES
			ZHAROFF

NO RESPONSE REQUIRED

APR 01 1987

Box 524
Soldotna, Alaska 99669
March 28, 1987

Representative Adelheid Herrmann
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Representative Herrmann:

~~_____~~
~~_____~~
~~_____~~ has come to my attention. I am asking that you
~~_____~~ his bill when it comes to a vote on the Senate
floor.

If passed, outfitters would be virtually eliminated unless they work for a registered guide. It seems to me that most Alaskan residents who like to hunt should be able to contract for transportation and camps. Whether or not that transportation be by boat, plane, or horses--that is all the Alaskan hunter needs; not the experience or high cost of a registered guide. With the permit system like it is, resident hunters cannot plan ahead, nor can they all afford to be able to outfit themselves, should they be lucky enough to draw a permit.

Is the idea behind this bill to stop a few who illegally transport hunters to sites? Or is it to provide a few registered guides with a monopoly? It seems that you would be hurting many who for years have legally transported and outfitted resident hunters.

We have lived on the Peninsula for 18 years and have always enjoyed hunting and invested in horses, gear, and camping equipment so that we could enjoy Alaska's beautiful wilderness. Now I would like an opportunity to start an Outfitting business. If passed SB191 would also hurt many licensed outfitters who now make their living from those who cannot afford, nor find it necessary to purchase their own transportation and camping gear. I do not think it fair for them to have to contract for an expensive guide.

Again, please help to defeat SB 191.

Sincerely,

Bruce McGuinness

Bruce McGuinness

4-14-87

Representative Kay Brown ? Representative Johnnie Ellis
P.O. Box 1, Jarama, Ark. 72811

I feel compelled to write this letter in hopes that you can help rectify another sad situation. The Senate has passed Senate Bill #191 in regard to prohibiting hunting "outfitters" in Alaska, unless.

They pass a "Shades" license. The House Bill #183 contains nearly the same language as the Senate bill and is no doubt going to eliminate all "Outfitters" for hunting in this state, if passed.

Please do not pass this bill! Outfitters provide a much needed vacation in our fine state. Their charges to set up a camp and provide transportation to that camp are unusually less than guides charge. There are a whole lot of people in this state that cannot afford (or perhaps even want) the services of a guide. Many hunters want only the access to a camp to hunt from and then go out on their own from that camp or why should they have to pay \$500 to a \$1000 a day to have a guide with them (when they don't even want one) on a hunting hunt trip?

The way this bill is worded, if it take some friends of mine hunting, provide a host? some camping gear and they pay me to offset my costs, this is improvement for which I could be fined up to \$5000. 1 to 3 yrs in jail also the loss of all my

year! This is a sad state of affairs and could possibly happen to you under the right circumstances!

I agree that the guides have a problem in some areas with illegal guides infringing on their designated areas. This should be approached in a manner of law other than the Carte Blanche elimination of Outfitters. For every "bad guide or outfitter" there are probably 99 others who are decent law abiding citizens and providers of very good transportation and camp facilities. The outfitters have rules already that they must follow or run the risk of fines, jail or imprisonment if they don't follow the rule of the laws.

Do not eliminate outfitters with the passage of House Bill #183. Please contact and conduct a hearing with all the outfitters in the state. All of them have business licenses (or should have) and I feel their input will help create a reasonable set of laws that they and the guides can live with. To take away the livelihood of respectable outfitters and remove this reasonable hunting opportunity from a lot of us in-state, not-rich hunters would be another gross injustice to bear. (Most out-of-state hunters are already required to have a guide)

Please relate my position to the rest of the House members)

Thank You, Charles T. Jackson
3612 E. 18th Avenue
Anchorage, Ak. 99508

MAR 27 1987

KENAI FAMILY MEDICAL CLINIC
CHARLES ESSEX, M.D., AAFP JOHN STANDEFER, PA-C
& ASSOCIATES

March 24, 1987

Hon. Adelheid Herrman
Hon. Sam Colten
Chairmen, House Resources Committee
P.O. Box V
Juneau, Alaska 99811

RE: S.B. 191

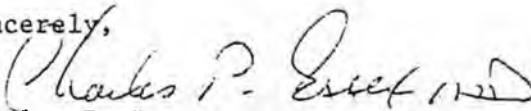
Sirs:

~~There are small outfitters who do run the camp, cook for the hunters,
etc., and the bill as written would take away their livelihood. The
intent it seems, is to preventing unregistered guides from charging for
guide services, not to prevent the outfitter from visiting, socializing,
or working about the camp. The bill should be written that way.~~

There are small outfitters who do run the camp, cook for the hunters,
etc., and the bill as written would take away their livelihood. The
intent it seems, is to preventing unregistered guides from charging for
guide services, not to prevent the outfitter from visiting, socializing,
or working about the camp. The bill should be written that way.

Thank you for your consideration.

Sincerely,


Charles P. Essex, M.D.

CPE/dmc

pc: Rep. Mike Navarre
Sen. Paul Fischer



L & L OUTFITTERS

Jack Lechner
P.O. Box 1616
Kodiak, Alaska, 99615
(907) 486-5851



APR 1 1987

REPRESENTATIVE CLIFF DAVIDSON
STATE OF ALASKA
HOUSE OF REPRESENTATIVES
Box U, JUNEAU, ALASKA 99811

DEAR CLIFF,

SORRY FOR THE delay in answering your letter, BUT HAVE BEEN WORKING 12-14 HOURS A DAY GETTING MY AIRPLANE annual inspection done and THE BOAT READY FOR THE HERRING SEASON. Still don't have my gear done, because of delay of the shipments of web from Japan. Ordered the web last November, but the Net Company haven't received their order from Japan due to delays. To bad the U.S. can't produce anything anymore. We are even at the mercy of Japan, whether we have web to fish with Now.

To answer your letter; I cannot believe that a select group of people in Alaska have such a fanatic desire to control Resource utilization.

IF ANY LEGISLATION IS ADDRESSED IT SHOULD BE AIMED AT THE ENTIRE PROBLEM OF UNDEFINED GUIDING AND OUTFITTING IN THE STATE. THE CURRENT BIG GAME GUIDES DERIVED FROM ORIGINAL HIGH VALUE BROWN BEAR AND SHEEP HUNTS, AS TIME PASSED THEIR INTEREST WAS EXPANDED TO BIG GAME animals as Moose, Then Caribou, due TO INFLUX OF FOREIGN CLIENTS. At some point GUIDING INCLUDED Big Game animals. When deer were classified big game, They too fell under The resources in which Big Game Guides control. Certainly most Big Game Guides feel They should control all activities within The Guide area. In Kodiak These were based on Brown Bear How do you expand Brown Bear Guide areas to include all commercial resource utilization of The Present Day. Kodiak Island, ADGNAL Have been divided among approximately 20 Guides For Bear HUNTING, THIS HAS BEEN a long established system, and should probably remain This way SINCE IT WAS The investment basis by many individuals. But how does This expand to other resource uses That have developed many over The past few years. It's a limited entry system, that They want to expand to all resource uses, that have developed from The INCREASED resource use The past few years.

A subsistence animal as deer should Never been classified as Big Game to fall under The control of original Bear Guides.

You have to really look at how The Guiding industry operates in Kodiak. of The

(3)

approximately 20 guides that have the entire island divided into guide areas (originally for bear). There may be only 34 individuals that are from Kodiak. The rest are from other areas of the state that have exclusive use areas. In many cases the individual that has the guide area never sets foot in Kodiak, but contracts the hunt and sends an assistant guide to Kodiak. I'll accept this for bear, but not the utilization of the other resources. Except for the client that gets weather bound in Kodiak, most never leave much in the community to assist our local economy. Representative Heremans comment about an industry of outfitters largely from outside is apparently an accurate description of the big game guiding industry. A high percentage of the guides I know, except for our Kodiak guides mostly live much of their time outside Alaska. The person that bought Vern Humble's guide area (Humble is a school principal in Palmer) spends most of his time in New Hampshire working on building houses.

It's amazing that with all the deregulation of all other industries that guiding is accepted as a highly regulated limited entry program.

I had an Alaska Air Commerce certificate that was deregulated out of existence, so now anybody with an airplane can compete with me as a part time business or write off on their taxes!

(4)

You could go on and on in respect to The Guiding Problem, But I SHOULD ADDRESS THE POINTS THAT I'VE MADE BEFORE, BUT THE LEGISLATURE WANTS TO AVOID THE PROBLEM.

FIRST, THE LACK OF DEFINITIONS OF GUIDING IN ALASKA HAS BEEN THE MAIN PROBLEM. ALSO NO REAL DEFINITION OF OUTFITTING HAS NEVER BEEN ADDRESSED. YOU HAVE TO DEFINE WHAT YOU'RE TALKING ABOUT BEFORE YOU CAN ADDRESS THE PROBLEMS OF THE ENTIRE RESOURCE USE INDUSTRY. LEGISLATION TO ENHANCE RESTRICTION OF BIG GAME COMMERCIAL OPERATIONS, DOESN'T SERVE THIS PURPOSE, EXCEPT TO WORK TOWARDS TOTAL CONTROL. THE BIG GAME GUIDES ARE OPPOSED TO DEFINITIONS ~~THAT~~ THAT DEFINE THE OTHER RESOURCE USES. GUIDING IS MORE THAN BIG GAME GUIDES CONTRACTING TRIPS. OTHER AREAS SUCH AS:

1. PHOTOGRAPHY GUIDING
2. SIGHTSEEING GUIDING
3. FISH GUIDING.
4. GUIDING FOR SMALL GAME (DUCK-HUNTING ETC)

THERE IS NO REAL DEFINITION OF OUTFITTING BY THE STATE. VESSEL TRIPS, PRIVATE CABINS RENTED AND BASE CAMPS ARE CONSIDERED OUTFITTING. I'M THE ONLY OPERATOR I BELIEVE ON KODIAK THAT OUTFITS WITH TEMPORARY CAMPS FOR HUNTERS, PHOTOGRAPHERS, FISHERMEN AND SIGHTSEEING.

THE REFUGE WHICH IS MOST OF KODIAK ISLAND IS LIMITED TO 17 OUTFITTERS BY THE FEDERAL GOVT. RECENT KODIAK MIRROR ADDRESSES THIS SUBJECT. EACH OUTFITTER CAN ONLY OPERATE IN HIS ASSIGNED AREA FOR THE YEAR AND

(5)

CANNOT BE WITHIN 1 MILE OF THE OTHER
OUTFITTING CAMP. THEY HAVE OUTFITTING
HIGHLY REGULATED, BUT DOESN'T SOLVE THE
PROBLEM. THE OUTFITTER CAN ONLY HAVE A
CAMP IN ONE LOCATION FOR 14 DAYS, THEN HE
HAS TO MOVE THE CAMP ONE MILE FOR THE
NEXT 14 DAYS. AIR TAXI OPERATORS ARE NOT
RESTRICTED AS INDIVIDUALS TRANSPORTING THEMSELVES,
SO THE SITUATION ASSISTS THAT LIKE MYSELF
I'M RESTRICTED TO OPERATE ONLY IN THE SPIRIDON
PENINSULA AND NO PLACE ELSE ON THE ISLAND
AND HAVE TO MOVE MY CAMP EVERY 14 DAYS. GENERAL
PUBLIC USE PLACED IN LOCATIONS BY AIR TAXI
OPERATORS ARE UNRESTRICTED. LAST SEASON I HAD
8-10 CAMPS SURROUNDING MY CAMP FROM THIS
SOURCE FOR MOST OF THE SEASON. DURING OCT.-
November and early December, upwards to 150
Camps are Transported by AIR TAXI OPERATORS

Uyak Air - 10-15
ISLAND AIR - 30-40
PENINSULA AIR - 30-40
SEA HAWK - 20-30
L-H OUTFITTERS - 2

THIS # CAMPS EACH
DAY, WITH MOST
CAMPS ROTATING WITH
NEW PEOPLE ON THE
BASIS OF 4-6 DAY
CAMPSITES.

ALONG WITH THIS IS THE LOCAL PEOPLE THAT
TRANSPORT THEMSELVES AND I WOULD ESTIMATE AT
LEAST 50 VESSELS WITH HUNTING PARTIES

WHAT DOES THIS MEAN?

- ① THAT COMMERCIAL OUTFITTING & GUIDING
IS INSIGNIFICANT TO THE TOTAL UTILIZATION.
- ② THAT FOR THE PAST 3-4 YEARS, THE ONLY
REAL ECONOMY IN THE FALL HAS BEEN DERIVED

(6)

FROM FALL HUNTING OPERATIONS, UNTIL RECENT
development of some BOTTOMFISH INDUSTRY.

IT WOULD BE INTERESTING TO KNOW THE
TOTAL IMPACT ON KODIAK, WITHOUT THIS INDUSTRY.
WE ESTIMATED THAT WHEN THE ELK FELL DOWN THE
CLIFF AND CLOSED THE SEASON IN THAT MANAGEMENT
UNIT ON AFOGNAK LAST FALL, CAUSED THE INCOME
TO AIR TRANSPORTATION OPERATORS OF APPROXIMATELY
40,000 WORTH OF BUSINESS. MY CLIENTS BUY
THEIR GROCERIES IN KODIAK, MANY THEIR TOUL WEATHER
GEAR, HOTEL ROOMS WAITING TO GO HUNTING,
NEEDED HUNTING SUPPLIES. TOTAL IT CREATES
A TREMENDOUS IMPACT ON THE ECONOMY. I INTUALLY
PURCHASE MY SUPPLIES FROM LOCAL STORES, FUEL &
MAINTENANCE FOR MY AIRCRAFT FROM LOCAL VENDORS,
JUST LIKE THE REST OF OUR LOCAL OPERATORS.

I BETTER END THIS, BUT ITS AN IMPORTANT
BUSINESS FOR KODIAK.

LETS DEFINE GUIDING OF ALL TYPES AND
OUTFITTING OF ALL TYPES, BEFORE WE DO
ANYTHING ELSE. I HAVE NO PROBLEMS WITH
STANDARDS BEING EVOLVED OR BONDING OR LIABILITY
INSURANCE REQUIREMENTS, BUT MAINLY I WOULD
LIKE TO KNOW WHAT I AM!

Sincerely
Jack

DEAR SENATORS,

CONCERNING BILL #183 (GUIDE DEFINITIONS)

I FEEL THE WORDING OF THIS BILL WOULD MAKE THE VIDEO-STILL PHOTOGRAPHY, AND CAMPING EQUIPMENT RENTAL SERVICE I PROVIDE FOR SPORTSMAN ILLEGAL. THIS WOULD SURELY PUT ME OUT OF BUSINESS. I DO BELIEVE SOMETHING NEEDS TO BE DONE TO STOP ILLIGAL GUIDING, AND OVER HUNTING DONE BY IMMOARL PEOPLE. MY SERVICE IS DESIGNED FOR PEOPLE WHO DO NOT NEED A GUIDING SERVICE TO TAKE THEM ON THERE TRIP, BUT WOULD LIKE TO HAVE THE NECESSARY CAMPING GEAR TO COMPLETE A CAMPING, HUNTING, OR FISHING TRIP, WITHOUT HAVING TO PURCHASE THE COSTLY EQUIPMENT FOR THEMSELVES AND FREIGHT IT FROM NORMALY LONG DISTANCES, TO BE USED ONLY ONCE IN MANY CASES. ALONG WITH THE EQUIPMENT RENTAL, MANY PEOPLE WANT TO HAVE THERE TRIP VIDEO TAPED, TO KEEP FOREVER, A VERY ENJOYABLE TIME.

I HAVE NO PRE-ARRANGED CAMP SITES, OR BASE CAMPS, AS MY CLIENTS CHOOSE THERE OWN. CAMPS A'E NOT USED OVER AND OVER, AS EACH CLIENT OR GROUP GOES IN DIFFERANT AREAS, OR UNITS. MY SERVICE IN THE FEILD, DOES NOT IN NO WAY GUIDE OR ASSIST IN THE TAKEING OF GAME, INSTEAD IT PROVIDES A RECORDING OF AN EXCITEING EVENT EXACTLY AS IT HAPPENS. I FEEL IT IS A SERVICE GREATLY APPRECIATED BY MANY ALASKAN VISITORS. YOU HAVING LIVED HERE, SHOULD UNDERSTAND WANTING SUCH.

I HAVE A RECREATION AND COMMERCIAL PHOTOGRAPHY BUSINESS LICENCE. I ALSO HAVE INSURANCE AND THE PROPER USERS PERMITS FOR THE AREAS THAT REQUIRE THEM. I LIVE IN ALASKA, AND CONTRIBUTE TO THE ALASKAN ECONOMY FROM REVENUES RECIEVED FROM THIS LIVELYHOOD. I HOPE YOU WILL ADMEND BILL # 183, TO ALLOW ME TO CONTINUE TO REMAIN IN OPERATION WITH MY BUSINESS.

THANK YOU

HUGH L. KRANK

ALASKA BUSH ADVENTURERES

610 W. 91st Ave
Anch. AK 99515

174R

March 25, 1987

Dear Legislators,

There is a bill in the Senate, #191, and in the House, #183, that is a self-interest, resource monopolizing bill for the registered guides of Alaska and an enforcement simplification bill for Robert Boutang, Public Servant of the Fish and Wildlife Protection Division and self-appointed savior to the Alaskan professional guide (see his article enclosed).

Do any of you understand the impact this bill will have on the tourist economy of the state of Alaska, the number of jobs that will be lost? How many less; gallons of gas, car rentals, motel and hotel rooms, meals, watches, rings, fur coats, beverages, hunting and fishing licenses, hunting tags, hunting coats, pants, tents, canteens, stoves, guns, groceries and much more will not be sold each year in Alaska because of this bill. How much less operating time will air taxi's, boat charrers and river guides have because of this bill.

These questions and many more must be answered before any bill of this nature is to be even slightly considered. It is a felony to guide without a license and SB 294, effective July 1, 1986, defines guiding (see enclosed copy). Isn't this enough to allow Fish & Game to arrest and prosecute violators? Do we need more legislation to protect the registered Alaskan guide, or are their problems as a group, found internallu.

Our free enterprise system operates on supply and demand. Out-fitters, river guides, charter boats, air taxi's, wilderness lodges and camps supply a service that most guides do not. This service must be acceptable to their clientele or they would be out of business.

Who will assume liability for the out-of-state hunter that is injured on the coast or who has lost his raft in the sweepers on the river because the State of Alaska did not allow him the opportunity to purchase the services of a professional charter boat operator or river guide?

At a meeting of concerned citizens and tour operators held in Anchorage on March 24, 1987, we discussed this bill and its impact on our businesses and the impact on the revenues to the voters of Alaska. We concluded the impact to be too monstrous and dominoing to evaluate this impact without much time and effort.

This concerned group of citizens appeals to your best judgment and concern for your state voters at a time when ends do not meet, at a time when state and private sectors need all the financial stimulation legally available to continue life, liberty and the pursuit of happiness, and to pay their bills.

We appeal to all of our legislators to:

- A.) Declare a minimum of a two year moratorium on all guide laws.
- B.) Establish public hearings on all guide laws.
- C.) Form a statewide board to manage all commercial Fish & Game user groups.
- D.) Appoint public and private agencies to study and determine the financial impact of any law which will totally wipe-out the opportunity for an out-of-state American citizen to purchase only field support for his unguided hunt.

Thank you for taking the time to read this letter. I am sure that you share our concerns for our states people and economy and will act in the best interest of the people of the State of Alaska.

Sincerely,

Nick Pierskalla

Nick Pierskalla
P.O. Box 870834
Wasilla, AK 99687

P.S. Please respond as to your feelings and support for the four appeals outlined.

APR 13 1987

April 8, 1987

Pouch V
Juneau, AK 99811

Dear Legislator:

Please be advised that ~~_____~~
~~_____~~ throughout the State of Alaska. An outfitter, in my opinion, is defined as: an entity (person or company) who provides equipment and/or services to persons unfamiliar with the unique climate and conditions of the north.

The services that can be provided by the outfitters are limited and non-duplicable to the guiding services for various reasons. However, there are services which most guides will not provide that outfitters can provide, without violating Fish & Game regulations, that increase the safety and comfort of a non-resident's hunting and/or fishing trip. These services and trips do not only supplement the incomes of the outfitters, but also effect the tourism income, here in our great state. Many potential non-resident sportsmen cannot afford the higher prices charged by guides. Their decision to hunt and fish elsewhere would mean; 1) a substantial loss of licencing fees as well as other tourism income to the State, 2) lost jobs, and 3) lost advertising, as well as the complete waste of advertising dollars already spent on this season. Not to mention the value such tourism has in attracting individuals who may provide repeat income and even investment capital into Alaska.

By continuing to create more legislation on this issue, rather than upgrading the enforcement of the existing regulations, the issue becomes even more confused. I am assuming that these bills have been drafted, due to existing problems in the field. If this is a game management problem, shouldn't we let our friends at Alaska Dept. of Fish and Game handle it? Otherwise, the resources in the state are still available to all citizens of America on an equal basis. I feel the implementation of the above referenced bills will violate the personal rights of citizenship and free enterprise.

Legislator
04-08-87
Page 2

In conclusion, I would recommend:

1. that the bills be put on hold until the financial ramifications to the state, the tourism industry, and the individual can be studied, and
2. that public hearings be provided so that view points from all persons involved can be reviewed, and
3. that, after careful consideration, a plan be created and implemented over a period of time, so that guides, outfitters and the enforcement agencies can be educated accordingly, and adjustments can be made.

Your attention to this matter and to the opinions of your constituency is greatly appreciated.

Sincerely,

NORTHERN WILDERNESS ADVENTURES

Sid Richards - V.P.

ST RT D Box 9741
Palmer, Alaska
99645

PUBLIC OPINION MESSAGE

MAR 27 1987

DEAR: REPRESENTATIVE HERRMANN

NAME: GLENN ALSWORTH SR.
TITLE:
ADDRESS: THE FARM
CITY: PORT ALSWORTH, ALASKA ZIP: 99653
PHONE: 761-2211
BILL NO: SB 191

SUBJECT: OUTFITTING IN THE FIELD; GUIDE LICENSE
MESSAGE: HB 183 - OUTFITTING IN THE FIELD; GUIDE LICENSE
1. DO NOT SUBMIT ANY LEGISLATION EFFECTING GUIDES OR OUTFITTERS UNTIL
STATEWIDE BOARD EXISTS REPRESENTING ALL COMMERCIAL USERS. 2. NO LEGISLATION
WITHOUT PUBLIC HEARINGS IN ALL AREAS EFFECTED. 3. NO LEGISLATION WITHOUT
ECONOMIC AND RESOURCE IMPACT STUDIED AND EVALUATED. 4. DON'T ALLOW THESE BILLS
ON THE FLOOR.

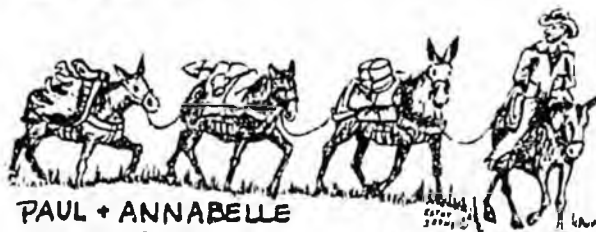
FOMID: 03144539
DATE: 03/26/87
TIME: 14:45:39
LIGNAME: ANCHORAGE LIO
RESPOND: YES

COPIES: REPRESENTATIVE SENATORS

COTTEN	HALFORD
	RODEY
	COGHILL
	DUNCAN
	ELIASON
	FISCHER
	JONES
	STURGULEWSKI
	ZHAROFF

SLACK WATER RANCH
DIVISION OF

APR 15 1987



PAUL + ANNABELLE
DETONI

(907) 567-3937

P.O. Box 238 NINILCHIK, ALASKA 99639

April 13 1987

I'm writing this letter in regard to SB191. I feel the restrictions on big game hunting have taken a turn for the worse. Not only do you have to follow a book of rules and regulations concerning big game hunting, but now they want to do away with outfitters that have less of an impact on big game than guides do. There is a great tendency for guides to take game of any size, when it's their clients last day in the field. An outfitter, on the other hand, does not become as involved, for it is up to the hunter as to what he shoots.

To limit big game hunting to guides only would cut down on out of state licenses, not to mention place senseless restrictions on residents that hunt for the purpose of subsistence.

Alaska is having enough problems with the economy why pass a bill (SB191) that would ruin small businesses struggling to improve and expand the economy in our state.

Sincerely,

Annabelle Detoni

June 11, 1987

Congressman John Sund
2504 2nd Avenue
Ketchikan, Alaska 99901

Dear Congressman Sund:

I am opposed to portions of House Bill 183. First, I believe that a registered guide should be a resident of the State and hold a resident hunting license. I was told the other day by a registered guide that it was the intent of the guide board to reduce the number of guides in southeast from 17 to 6 (I assume by attrition) and that while new licenses would be issued, no guide areas would be assigned. It will not do our struggling economy any good for these guides to be residing in Mexico or Hawaii. I am pleased that the House Bill does not change this requirement. Do not lose this in negotiations with Senate Bill 191.

I am totally opposed to Sec. AS 08.54.210 UNLAWFUL ACTS. as admended by HB 183. I support the concept of simplification of regulations and fully support the Fish and Wildlife Protection Departments position to clarify these regulations to make thier job easier in catching and convicting outlaw guides, but all House Bill 183 would do as written is make the issue cloudier. It is not clear that Outfitters would not be able to "outfit" (provide camping equipment) to base camps, since base camps are not considered "in the field". If it is the intent of HB 183 to eliminate the outfitter from setting up and supplying base camps, then I strongly oppose this legislation. If that is not the intent, then it needs to be rewritten to spell out precisely what an outfitter can do or not do. Lets not eliminate the honest outfitters to make it easier to catch the crooked ones.

Furthermore, this bill should be expanded to repeal AS Section 08.54.110 (a)(7) (a)(8) and (a)(10).

Explanation: It is an continuing uphill battle for a person to become a registered guide. Repealing these sections will not lower the quality of the qualifications because the other 7 are pretty inclusive. If a person is qualified in sections (a)(1) through (a)(6) and (a)(9) and can demonstrate those qualifications to the Board, why burden him with 3 years as an assistant guide, which in reality is an apprenticeship. Apprenticeships should be encouraged but not required. Again, repealing these sections in no way lessens the Boards authority or judgement in licensing qualified applicants. What it would do is give folks like me with over 30 years of hunting experiance, 20 years of employment in the great outdoors, 11 of them in Alaska, who believe that they can demonstrate to the Board thier competence, ethical conduct, and moral turpitude without serving an apprenticeship.

Your support on these issues will be greatly appreciated.

Sincerely,
Dave Helmick *Dave Helmick*
Box 913
Petersburg, Alaska 99833

Jake's

ALASKA WILDERNESS OUTFITTERS

Offering Fishing Hunting & Float Trips in WILD ALASKA

4-3-87

State House Representatives
Herrmann, Adams, Coto, Collins,
Hoffman, Koponen, Springer,
Wallis, Ulmer, Pearce, and Brown.

Dear House Representatives:

I feel I must voice my opinion on house bill # 193.
Not only as a outfitter, but as a fifteen year Alaska resident
and citizen of the United States.

Alaska state law only requires a hunter to hire the services
of a registered licensed guide when hunting Dall Sheep, and
BRN/Grizzly Bear.

This is very confusing to me and many others like me. Maybe
you can explain why this law reads this way. and how it was
established.

I beleive as long as the law reads this way, there is and will
be a high demand for outfitters. I must point out that many
longtime Alaska residents use my outfitting services. This
bill will not only effect non residents, but Alaska residents
as well.

Guided hunts are very expensive compared to unguided hunts.
I feel that non resident citizens and Alaska residents have
the right to make the choice between a guided or outfitted
hunt.

I feel this bill ^{will} take away the opportunity and right for the
average sportsmen to ever hunt in Alaska.

We are talking about a large loss of revenue to the State Of
Alaska.

I feel this bill is one step away from establishing that
no one, resident or non resident can hunt in Alaska with out
a registered guide. If this happens, the State is in for all
kinds of problems

Already more and more sportsmen are chooseing to hunt in
Canada or elsewhere.

I think the state should establish, along with the guide board,
a board to regulate outfitters or allow the opportunity for
more guides.

New beginning guides really don't have a chance today. There
are no areas.

If a new guide wants to aquire the guideing rights of another
guide, it's going to cost hundreds of thousands of dollars.

I have personally checked into this. One guide said when I got
my guide licenses I could take over his guide area for \$200,000.00
How many young guides do you think could ever do this.

I know it is by law illegal for a guide to sell or lease his
guide area, but it happens all the time. How is a young guide
ever going to have a chance.

Jake's

ALASKA WILDERNESS OUTFITTERS

Offering Fishing, Hunting & Float Trips in WILD ALASKA

4-3-87

Don't get me wrong ,I have nothing against registered guides. I hope to be one in the very near future.

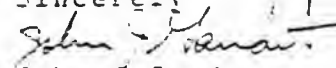
I do not think the guide board was established to regulate the game populations. I think that is the job of the Fish & Game Department, through research and sound game management policies.

A good example, a guide might have a very large guide area, but he is only required to take two hunters per year to keep his guide rights to that area. On the other hand you have a guide with the same size area and he takes as many hunters as he can get. There for one area is un hunted and the other is overhunted.

I hope if nothing else, this letter will encourage you to do more research on the effects of this bill before you push it through the House.

Thank you for your concern in this matter.

Sincerely


John J Gaudet

CC:

Steve Cowper
Governor State Of Alaska
P.O Box A
Juneau, AK 99811-0101

Don Collinsworth
Commissioner
Dept. Fish & Game
P.O Box 3-2000
Juneau, AK. 99802

J. Anthony Smith
Commissioner
Dept. Commerce
P.O Box D
Juneau, AK. 99811

Albert P. Adams
P.O Box 333
Kotzebue, AK. 99752

Kay Brown
P.O Box 20-2661
Anchorage, AK. 99520

Bette Cato
P.O Box 775
Valdez, AK. 99686

Virginia M. Collins
2600 Denali, Suite 301
Anchorage, AK. 99503

Adelheid Herrmann
P.O Box 63
Naknek, Ak. 99633

Lyman F. Hoffman
P.O Box 763
Bethel, AK. 99559

Brue Pearce
4150 W. 88th Ave
Anchorage, AK. 99502

Heinrich Springer
P.O Box 352
Nome, Ak. 99762

Fran Ulmer
1700 Angus Way
Juneau, Ak. 99801

F. Kay Wallis
P.O Box 267
Fort Yukon, AK. 99740

Guides & Outfitters

X

Other Letters

To
Mr. Jerry Wilkerson, Legislative Auditor
Legislative Audit Division
P.O. Box 1
Juneau, Al. 99811-0300
From
Edd White-Cougar Reg. Guide
Box 3553MC
Wolf Lake via Palmer
99645

Handwritten notes:
I will provide you with a copy of the...
for starting...
will provide...
- Edd White

Subject; Guide Bill legislative audit

Dear Mr. Wilkerson

I have been informed by Senator Sturgulewski's office that your office will be conducting a legislative audit of the Guide Bill and the operation of the Guide Board. This is to take place before the sunset option date of June 1988. The board and APHA will present a new bill and lobby for its passage.

I have been guiding since 1975 and find the industry filled with illegal and unethical guiding practices. The board is the spokesman for the Good Ol' Boys Club and strives to protect their own. Most guides are afraid to speak out as the board is very vindictive and powerful.

The APHA Alaska Professional Hunters Association is the lobby group which attempts to insure passage of laws to continue present biased practices. Between the board and APHA the Good Ol' Boys are well represented.

Please review my case and that of Mr. Len Cwsiak as examples. We will give written permission if necessary. I am going to suggest you send an anonymous questionnaire to each master, reg. and assistant guide asking for their comments and suggestions.

I would like to meet with you or whoever will conduct this audit to present my allegations. I can provide documentation for your viewing. I live in a very remote area and have been told the audit will take place in Oct. That is a bad time for me to travel and to freeze up. Would it be possible to meet in Sept. or during the guide board meetings in Dec? Would it be possible for someone from your office to be available during the guide board meetings at the same location to receive testimony??

Kathy Archell the director of Occup. Lic. said at a recent board meeting that the Guide Board generates more appeals than all other boards. I don't think the state can afford this expense; neither can the guides who must obtain attorneys to obtain justice. This is something the board counts on that a guide who is not well established can't afford an att. to oppose their unfair and biased decisions or fight a Good Ol' Boy.

Guiding is an industry which is not widely known to anyone outside the occupation. APHA has lobbied and convinced legislators that the guide industry is honest and fair. Nothing could be further from the truth.

The most unfair practice occurs in the restricted area concept. These areas are commonly bought and sold with the boards blessing and then transferred before the board in a position to CG. 64.195 sec. (e). No area is to be bought or sold only improvements may be sold for fair market value. Trespass and an airstrip hacked out on public land for 100,000 is a really fair. I meant to say trespass cabin. I have personally been offered FIVE different ranging in price from 20,000 to 2000,000.

According to reg. no. 12 AAC 30.052 areas cannot be rented or leased and a guide may only use as per sec. (c) (1) (2) (3). Rent of these areas is common.

I would like to see statutes passed to stop both these practices and making it a crime. These laws were to protect game which is not being done.

The 35 legislature passed a statute mandating a point system for assignment of areas. There is no point system as yet. I'm forced to have the point system the board will attempt to make financial investment the highest

points which means when you buy an area you have more investment than any one else. This point system should be fair and based on qualifications, not breaking the law or who has the most money.

I believe the point system must be approved by the legislature rather than just the board.

The statutes and regs which the board has approved are full of loop holes which make it almost impossible to enforce. These loopholes make it possible for the board to favor their friends.

I would like to see the composition of the board changed to include a f&w agent who would act as chairman, a F&W biologist, only 1 guide and interested citizens with no vested interests. At present the most powerful member of the board is Mr. Chuck Wier who sells guide insurance and plays favorites.

I don't expect you to believe me I ask that myself and the board protect our sides.

The board and APWA claim this is an open profession with 38 areas open in the state. Intrus. There may be some areas open up north where the caribou migrate through and you couldn't make bears. At the last meeting a guide lost his area due to non-use because the natives in the area told him to stay out. Technically this is an open area but the natives are not going to welcome anyone else either. Please ask them to show you these open areas and biologist reports on game populations in them.

I believe I have covered some of the worst problems and will be looking forward to meeting with you to go through the rest.

I am encouraging some other guides to contact you with their problems.

The purpose of a regulated is simple. Guiding industry

1. To protect the natural resources of the state; primarily the game.
2. To provide clients who use guides with competent, honest, reliable and honest guides.

The regulating agency should be completely fair in their operation this is not the case under the present system.

During a hearing on July 20, 87 Mrs Ken Louch admitted under oath to selling an area and Mr. Rocky Keene admitted buying one. This may be public record; if it isn't I will give permission for you to obtain it.

The following guides have indicated they would like to be contacted.

Dick Carlson 562-4994

Ken Owsichuk 245-5399

Mario Verime 344-7484

Ralph Burnett 206-676-9951 or contact him through Rep.

Robin Taylor

Terry Porter, Hunt Dept.

George Romero 362-0974

All guides addresses can be found in the guide register. I will also try to contact them.

Sincerely

Ed White Egan
344 White-0411


P.S. (over)

P.S. from Karen (Eddie's wife) White Cougar

for a fair and workable and enforceable system for game population protection - We suggest that all guide (and outfitters) hunts be put on a permit system (equal # of permits) for each species of game - This would limit wholesale marketing of our Natural Resources & allow time for true trophy-growth - as outsiders do not "meat hunt" - and yet trophies are rapidly becoming shamefully small - If a limit were put on #s & sizes, then it will not matter if both Reg. guides & outfitters enjoy the same privileges - and equally participate in professional hunting practices - The present - (and proposed) guide bill does not address the all important issue - And ~~is~~ unfortunately ~~to~~ ~~bring~~ this issue is being clouded & neglected by the current power struggle between guides & outfitters. Game population protection can only be achieved thru an enforceable & clear set of regulation designed to enhance our Natural Resources - and control human greed.

Your time & interest & Effort are ~~greatly~~ appreciated and Encouraged.

If we do not protect what we "have"
Then ~~we~~ we will "have" nothing to protect

Very Sincerely Karen (Eddie's wife)
White Cougar 

APR 0 0 1987



Telegram *SP*

02009 NL TDA TELLER ALASKA 108 03-30 1115A AST

PMS

HENRY SPRINGER, CHAIRMAN 01923
Box V
COMMUNITY & REGIONAL AFFAIRS COMMITTEE
JUNEAU AK 99811

APR 1 1987

*Copy: Herman
Cotton
Resource
Committee
Herman*

FOLLOWING MESSAGE SENT TO GOVERNOR STEVE COWPER THIS DATE:

~~ALASKAN GUIDES AND OUTFITTERS SEEK TO HOLD ALASKA UP LIKE A WEDDING~~
CAKE AND DENY THE RANK AND FILE ALASKAN UNLIMITED ACCESS TO OUR FISH
AND GAME RESOURCES. ALASKAN PEOPLE COLLECTIVELY ENJOY THEIR FREEDOM
TO HUNT AND FISH UNTETHERED OTHER THAN BY ORDINARY HUNTING AND
FISHING LICENSES AND NORMAL BOARD OF FISH AND GAME REGULATIONS.
THERE MUST BE NO SHUT OUT OF THE RANK AND FILE ALASKAN TO ACCOMODATE
A BUNCH OF PREDATOR GUIDES AND OUTFITTERS WHO WANT TO ESTABLISH
CLOSED CORPORATIONS OF THE PEOPLES HUNTING AND FISHING AREAS TO THE
EXCLUSION OF THE RANK AND FILE ALASKAN.

SINCERELY

F.R. BOB BLOIGETT
ALASKA STATE SENATOR RETIRED

MAY 10 1987

Alaska Hunting & Fishing Ventures
Box 815
Komon, Alaska 99603

May 14, 1987

C. E. Swackhammer
Representative
Box V
Juneau, Alaska 99611

Dear Representative Swackhammer,

Thank you for your answer to my testimony on Senate Bill 191 and House Bill 183.

I agree that we need some regulations on the outfitting industry. My concern is for the resource and this is the only sound argument made by the registered guides. Other than that their motives are ones of greed.

The guides are a relatively small group with a great deal of political clout. They would like to control the hunting in our state. My suggestion would be that they clean up their own act before they try to shut down the outfitters. It seems that whenever there is a major violation of our game laws a registered guide is involved. All of our more reputable guides are turning away clients so I don't know what their problem is.

My operation is mostly boat charters. All three of our captains hold Ocean Operators licenses. We had to spend 700 days on the water and pass a Coast Guard test so I feel we are qualified for our jobs. I also have a sizeable investment in boats and equipment.

Whatever legislation comes about, I hope we can protect the resource without putting me out of business.

Thank you for your attention.

Sincerely,



Neryl Wolford

cc: Representative Herrmann
Senator Faiks

SB

1911

file 2



Legislative
Information and
Teleconference Networks

SIGN-IN SHEET

Date: 4-30-88

Site/Location: Guides & Outfitters

Sponsor/Subject:

PLEASE PRINT

Name/Representing	Address	Zip	Phone	Here to Testify	Here to Observe
REP. HEPPMANN				✓	
REP. STININGER				✓	
REP. COTTEN				✓	
REP. NAVARRE				✓	
REP. PEARCE				✓	
REP. COLLINS				✓	
REP. SHULTZ				✓	
Schocky GREENBERG	STAFF / REP HEPPMANN			✓	
RANDALL BURNS	DIRECTOR OF OCCUPATIONAL LICENSING			✓	
RICK URION	LOBBYIST			✓	
JOE KLUTSCH	GUIDE			✓	
DARRYL FARMEN				✓	
ED HINE	LEGAL SERVICES			✓	
REED STOOPS				✓	
RON SOMMERVILLE				✓	
PAT MALONE	STAFF				✓
John MANLEY	" "				
KATE TESSER	" "				
John FROM LARSON'S OFFICE	" "				
DAVE STANLIEFF	" "				
TOM WRIGHT	" "				
RICK SOLIS	" "				
### OTHER PEOPLE OBSERVED	" "				

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*
* DELIVER TO: LIOCJAM
*
* ORIGINAL
* SENT: 04/30/88 TIME: 14:21
* FROM: LIGCKOT
* SUBJECT: HRES;FS;GUIDES;4-3 38
* PRINT DATE: 04/30/88 TIME: 14:22
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DATE: APRIL 30, 1988
SITE: KOTZERUE
SPONSOR: HOUSE RESOURCES
SUBJECT: SB 191 - GUIDES
MODERATOR: MARY BROWN

```

FINAL STATS

TESTIFIED	NAME/REPRESENTING	ADDRESS	PHONE #	BILL #
1.	PETE SCHAEFFER,	NANA REG. CORP.,	BOX 49,	KOTZERUE, 99752, 442-3301
2.				
3.				
4.				
5.				
6.				

OBSERVED	NAME/REPRESENTING	ADDRESS	PHONE #	BILL #
1.				
2.				
3.				
4.				
5.				
6.				

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TESTIFIED: 1
UNABLE: 0
OBSERVED: 0
TOTAL: 1

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----- START/END TIME ----- 1:00 - 2:10 P.M. -----

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*
* DELIVER TO: LIOCJAM
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* ORIGINAL
* SENT:          04/30/88  TIME: 15:16
* FROM:          LIOCMAT
* SUBJECT:       FINAL STATS HRES SB 191
* PRINT DATE:   04/30/88  TIME: 15:16
*
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DATE:          4-29-88
SITE:          M-S LIO
SPONSOR:       HRES
SUBJECT:       SB 191 GUIDE BILL
MODERATOR:    JODJ

```

FINAL STATS

1. DICK GUNLOGSON	PO BOX 193	WILLOW 99688	495-6434
2. TOM HUNDLEY	PO BOX 2772	FALMER 99645	745-2084
3. ED GRASSER	PO BOX 1350	FALMER 99645	745-6944
4. ROSEMARY LAROSE	PO BOX 3412	FALMER 99645	745-3775

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TESTIFIED:    3
UNABLE:       0
OBSERVED:     1
TOTAL:        4

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START 1:00 PM

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* ORIGINAL
* SENT: 04/30/88 TIME: 15:16
* FROM: LIOCNDM
* SUBJECT: HRES;FS;SB191GUIDE;4-30-88
* PRINT DATE: 04/30/88 TIME: 15:16
*
*****

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4-30-88
 NOME
 HOUSE RESOURCES
 L.W.S: SB191 BIG GAME GUIDE
 ROXANNE BARRON

FINAL STATS

TESTIFIED:	ADDRESS	PHONE#	BILL#
NAME/REPRESENTING			
1. CHUCK WHEELER	BOX 190-NOME	443-2345	SB191

OBSERVED	ADDRESS	PHONE#	BILL#
NAME/REPRESENTING			

TESTIFIED: 1
 UNABLE: 0
 OBSERVED: 0
 TOTAL: 1

2:40 P.M.-3:07 P.M.

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*****
*
* DELIVER TO: LIOCJAM
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* ORIGINAL
* SENT: 04/30/88 TIME: 15:41
* FROM: LIOCKOD
* SUBJECT: HRES;FS;SB 191;4-30-88
* PRINT DATE: 04/30/88 TIME: 15:42
*
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DATE: APRIL 30, 1988
SITE: KODIAK LIO
SPONSOR: HOUSE RESOURCES
SUBJECT: SB 191 GUIDING
MODERATOR: MARY JO SIMMONS

```

FINAL STATS

TESTIFIED

NAME/REPRESENTING	ADDRESS	PHONE #	BILL #
1. DICK ROHRER,	BOX 2219, KODIAK 99615	486-5835	SB 191
2. OMAR STRATMAN,	BOX 2376, KODIAK 99615	486-5578	SB 191

OBSERVED

NAME/REPRESENTING	ADDRESS	PHONE #	BILL #
1. SUE ROHRER,	BOX 2219, KODIAK 99615	486-5835	SB 191

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TESTIFIED: 2
UNABLE:
OBSERVED: 1
TOTAL: 3

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START/END TIME - 1P.M. TO 3:40P.M.

*
* DELIVER TO: LIOCJAM *
* *
* ORIGINAL *
* SENT: 04/30/88 TIME: 15:49 *
* FROM: LTCCHOM *
* SUBJECT: FINAL STATS SB 191 *
* PRINT DATE: 04/30/88 TIME: 15:49 *
* *

4-30-88
SB 191 BIG GAME GUIDING
FINAL STATS
HOMER
JEAN

TESTIFIED:
MERYL WOLFORD BOX 813 HOMER, AK 99603 235-7427
BRENT JONES 12441 SHELBURNE RD. ANCHORAGE 99516 345-0399
CECIL JONES HCR 33675 JONES DR. HOMER, AK 99603 235-6455
RICHARD KOSKOVICH BOX 1282 HOMER, AK 99603 235-5405

OBSERVED:
SID WOLFORD BOX 942 HOMER, AK 99603 235-7427
STARTING TIME 1:00 ENDING TIME 3:45 TESTIFIED - 4 OBSERVED - 1

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* DELIVER TO: LIOCJAM
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* ORIGINAL
* SENT:          04/30/88  TIME: 15:57
* FROM:          LIOCBAR
* SUBJECT:       HRES;FS;SB191;4-30-88
* PRINT DATE:   04/30/88  TIME: 15:57
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4-30-88
BARROW
HOUSE RESOURCES
SB 191
MEG

FINAL STATS

TESTIFY:

NAME/REPRESENTING	ADDRESS	PHONE #
1. GRANT THOMPSON	P.O. BOX 549, BARROW	852-8333
2. DAVE ILMAR	P.O. BOX 836, BARROW	852-7155
3. MICHAEL KAZMIERCZAK	P.O. BOX 718, BARROW	852-4428

OBSERVE:

NAME/REPRESENTING	ADDRESS	PHONE #
1.		

3- TESTIFIED
0- UNABLE TO TESTIFY
0- OBSERVED
3- TOTAL
START/END TIMES: 1:00 - 3:50 P.M.

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 * DELIVER TO: LIQCJAM *
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 * ORIGINAL *
 * SENT: 04/30/88 TIME: 17:22 *
 * FROM: LTCCFBX *
 * SUBJECT: HRES.FS, SB 191, A-30-88, NENANA *
 * PRINT DATE 04/30/88 TIME: 17:22 *
 *

*****FINAL STATISTICS*****

DATE: APRIL 30, 1988
 SITE: NENANA
 SPONSOR: HOUSE RESOURCE
 SUBJECT: SB 191: BIG GAME GUIDING
 MODERATOR: KAREN HARVEY

 TESTIFY:

NAME REPRESENTING	ADDRESS	PHONE #
1.) E. LEROY TIECE	P.O. BOX 153, NENANA, 99760	832-5807
2.) WAYNE WALTERS	P.O. BOX 326, NENANA, 99760	582-2662
3.) MARC GROBER	P.O. BOX 467, NENANA, 99760	832-5227

 OBSERVE:

NAME REPRESENTING	ADDRESS	PHONE #

TESTIFIED ___ 3 ___ TIME START ___ 2:00 P.M.
 OBSERVED ___ 0 ___ TIME END ___ 4:25 P.M.
 TOTAL ___ 3 ___

* DELIVER TO: LIOCJAM
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 * ORIGINAL
 * SENT: 04/30/88 TIME: 17:15
 * FROM: LTCCFBX
 * SUBJECT: HRES;FS;SB191;4-30-88
 * PRINT DATE: 04/30/88 TIME: 17:15
 *

*****FINAL STATE*****

DATE: APRIL 30 1988
 SITE: FAIRBANKS
 SPONSOR: HOUSE RESOURCES
 SUBJECT: SB191 GUIDING
 MODERATOR: FRAN

TESTIFY

NAME REPRESENTING	ADDRESS	PHONE #
1.) AUSTIN L. STILES	2409 KEENEY RD., N.P., 99705	488-9820
2.) DON TROUTHAN	2453 HOMESTEAD, N.P., 99705	488-8360
3.) BERNIE KARL	105 FORAN CT., FBKS, 99712	457-6880
4.) CHARLIE CARR	82 STEELHEAD RD., FBKS, 99709	474-0162
5.) WILLIAM WAUGHAN	P.O. BOX 80589, FBKS, 99708	479-2812
6.) JIM ROTHENBUHLER	P.O. BOX 72944, FBKS, 99707	488-3014
7.) BILL EKLUND	2259 KEENEY RD., N.P., 99705	488-2250

OBSERVE:

NAME REPRESENTING	ADDRESS	PHONE #
1.) JOHN TAYLOR	408 12TH AVE., FBKS, 99701	479-1808
2.) JACK CAMPBELL	P.O. BOX 55491, NORTH POLE, 99705	488-3233
3.) VERN MATES	2256 DILLON AVE., NORTH POLE, 99705	488-2631
4.) BUD MELMERICKS	930 9TH AVE., FBKS, 99701	452-5417
5.) ROBERT HERRING	P.O. BOX 60003, FBKS, 99706	488-8212
6.) HARRY GROOM	P.O. BOX 28248, FBKS, 99711	488-0964
7.) H.C. "BUD" WEISE	1426 2ND AVE., FBKS, 99701	456-5441

 TESTIFIED ___7___ TIME START ___1:20 P.M.____
 OBSERVED ___7___ TIME END ___4:25 P.M.____
 TOTAL ___14___

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* DELIVER TO: LIOCJAM
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* ORIGINAL
* SENT 04/30/88 TIME 16:42
* FROM LIOCANC
* SUBJECT 20 191 TELE
* PRINT DATE 04/30/88 TIME 16:42
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*** FINAL TELECONFERENCE STATISTICS ***

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DATE APRIL 29, 1988
TIME ANCHORAGE LIOC
SPONSOR HOUSE RESOURCES
SUBJECT 20 191 - BIG GAME GUILDING
LOCAL MODERATOR CEC

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TESTIFIED:

NAME\REPRESENTING	ADDRESS	PHONE #
1. ED CRAWFORD	P.O. BOX 220223, ANC 522	3492064
2. TRACY VREM	P.O. BOX 520623, CHUGIAK	688-2419
3. PHIL DRIVER	1306 E 26TH AVE, ANC	277-8829
4. BOB MCCONNELL	1013 E DIEDE, #435, ANC	
5. JIM BICKMAN	P.O. BOX 2117, #233 E.R.	694-9694
6. CURT DEANS	P.O. BOX 171907 E. R.	674-5459
7. SEAN BRADLEY	P.O. BOX 92870, ANC 509	274-3495
8. KORCEN LAPOUREN	3230 W. 79TH, ANC	248-3012
9. DENNIS TORREY	BELUGA RIVE, AK	688-4498
10. JAY MASSEY	P.O. BOX 429, GIRDWOOD	
11. EDD WHITE COGAR	BOX 8855 SRC, PALMER	
12. MEL GILLIS	P.O. BOX 220247, ANC	344-8589
13. HANK RUST	BOX 190325, ANC 519	243-1595
14. STAN FROST	BOX 112449, ANC 511	345-2862
15. LINDA VREM	P.O. BOX 670742, CHUGIAK	688-3736
16. KEITH JOHNSON	3646 N POINT DR, ANC	343-5087
17. ED BEEMAN	P.O. BOX 134, CHUGIAK	688-2722
18. MARC LIND	P.O. BOX 670182, CHUGIAK	688-4515

OBSERVED:

NAME\REPRESENTING	ADDRESS	PHONE #
1. LINDA VREM	P.O. BOX 520623, CHUGIAK	688-2419
2. SUSAN BICKMAN	P.O. BOX 2117-233, E. R.	
3. LESS KRANK	610 W. 91ST AVE	
4. PAUL ELLIS	2312 LOUSSAC DR, ANC	248-3548
5. ROGER MORRIS	2820 LEXINGTON, ANC	243-1067

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TESTIFIED:  -18-
OBSERVED:   -5-
TOTAL:      -23-

START TIME:  1:00 P.M.
END TIME:    4:25 P.M.

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* DELIVER TO: LIOCJAM
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* ORIGINAL
* SENT: 04/30/88 TIME: 16:40
* FROM: LTCCSOL
* SUBJECT: H RES; SB191; FS#2, 4-30-88
* PRINT DATE: 04/30/88 TIME: 16:40
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4-30-88
 H RES
 SB-191
 SOLDOTNA
 ALYSON

FINAL STATS

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TESTIFIED
NAME/ REPRESENTING ADDRESS PHONE BILL PRO/CON
1. VERN PORTER BOX 4478 SOLDOTNA, 99669 262-3224
SB191 CON
2. CHARLES DICKSON POBOX 2018 SOLDOTNA 262-6020 SB191 CON
3. DUNCAN KISHBAUGH BOX 1066 SOLDOTNA 262-4589 SB191 CON
4. CLARK WHITNEY 43735 SPORT LK. RD. SOLDOTNA 262-4979
SB191 CON
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OBSERVED
NAME/ REPRESENTING ADDRESS PHONE BILL PRO/CON
1. RAY MCNUTT BOX 469 STERLING, 99672 262-4678
SB191 PRO
2. MARK BELL PO BOX 486 SOLDOTNA 262-5237 SB191 CON
3. GREG BELL POBOX 486 SOLDOTNA 262-5237 SB191 CON
4. RON ALDRIDGE BOX 3028 SOLDOTNA 262-7585
SB191 CON
5. DAVE LEONARD BOX 1426 KENAI 99611 283-4010
SB191 PRO
6. NANCY B. NEEL PO BOX 876606 WASILLA 376-7955
SB191 PRO
7. BILL SLEMP BOX 903 SOLDOTNA 262-7409 SB191 CON
8. DAVE NEEL BOX 876606 WASILLA 99687 376-7955
SB191 PRO
9. MATT WOLFE BOX 309 KASILOF, 99610 262-7058
SB191 PRO
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4 TESTIFIED
 0 UNABLE
 9 OBSERVED
 13 TOTAL

1:07/4:25P START/END TIME

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*
* DELIVER TO: LIOCJAM
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* ORIGINAL
* SENT: 04/30/88 TIME: 16:29
* FROM: LIOCJAM
* SUBJECT: HRES, FS, SB191-GUIDING, 4-30
* DEL DATE: 04/30/88 TIME: 16:29
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DATE: APRIL 30, 1988
SITE: DELTA JUNCTION
SPONSOR: HOUSE RESOURCES
SUBJECT: SB191 - BIG GAME GUIDING
MODERATOR: SANDI

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FINAL STATS

TESTIFIED NAME/REPRESENTING	ADDRESS	PHONE #
1. JAY FRAZIER	P.O. BOX 1331, DELTA JCT	895-4740
2. RALPH D. MILLER	5449 RICH. HWY, DELTA JCT	895-4202

OBSERVED NAME/REPRESENTING	ADDRESS	PHONE #
NONE		

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TESTIFIED: 2
UNABLE: 0
OBSERVED: 0
TOTAL: 2

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START/END TIME 1:15-4:25 PM

DELIVER TO: LIOCJAM

* DELIVER
* FROM: LIOCJAM
* TO: LIOCJAM
* DATE: 09-02-81 TIME: 14:17

LEVEL: SR BOX 380, GAKONA
SITE: SLANA
PROJECT: HOUSE RESOURCES
SUBJECT: SR 191 - BIG GAME GUIDING
MODERATOR: THELMA SCHRANK

FINAL STATS

TESTIFIED

NAME/REPRESENTING	ADDRESS		PHONE #	BILL #
1. BILL ELLIS	SR BOX 370, GAKONA	99586	822-3426	SR 191
2. COLE ELLIS	NABESNA RD, SLANA	99586	822-3426	SR 191
3. KIRK ELLIS	NABESNA RD, SLANA	99586	822-3426	SR 191

OBSERVED

NAME/REPRESENTING	ADDRESS		PHONE #	BILL #
1. THELMA SCHRANK	SR BOX 380, GAKONA	99586	822-3426	SR 191
2. DON TAYLOR	SR BOX 340, GAKONA	99586	822-3239	SR 191

TESTIFIED: 3
UNABLE: 0
OBSERVED: 2
TOTAL: 5

START/END TIME

START TIME 1:15 P.M.

END TIME: 4:30 P.M.



March 23, 1988

Senator Rick Uehling
Pouch V
Juneau, AK 99811

Dear Senator Uehling:


Attached you will find a letter of support for Senate Resolution #62, "Relating to making state facilities and national parks in Alaska accessible to visitors." Also attached is a detailed budget of how Challenge Alaska would spend a \$35,000 grant for the promotion of tourism for the physically challenged. This grant would be made available through the Division of Tourism. I recently had discussions with Mr. Hugh Gellert, Director of the Division, and he is very supportive of our initiative.

Originally, we had combined this request with an existing contract with State Parks. Presently, we are in the Governor's budget under Parks at the \$35,000 level. These funds help support Challenge Alaska recreation activities for disabled Alaskans. We have asked for an additional increment of \$25,000 from Parks to support recreation activities in the Fairbanks area. Your support of this request is appreciated by all those disabled Alaskans who benefit from our program.

As you will notice, the funding we requested for visitor promotion is only 75% of the project budget. Challenge Alaska is committed to the project, and we will demonstrate this commitment by raising the additional funds through service contracts, workshop fees, and donations from private industry. We have also been very successful in raising funds for the activities we provide to disabled Alaskans. You should know that the grant provided by State Parks is less than 25% of our total activity budget.

We have a unique opportunity in Alaska to develop a truly accessible visitor industry. I believe you recognize this fact. I want to thank you for your support of Challenge Alaska and being sensitive to the needs of the physically challenged visitor.

Sincerely,



Patrick J. Reinhart
Executive Director

Attachments: Physically Challenged Visitor Promotion Budget
Letter of Support for SJR #62

P.O. BOX 110065 ANCHORAGE, ALASKA 99511: (907) 563-2658
(907) 783-2925



GOALS AND OBJECTIVES OF PROJECT

GOALS:

1. Facilitate travel and outdoor recreation in Alaska by all physically challenged visitors.
2. Bring economic benefits to Alaskans (both disabled and non-disabled) through development of this new visitor market.
3. Generate sufficient resources, through service contracts, grants, fees, commissions, memberships, donated funds, goods or services, volunteer work and other means, to maintain a continuing program.

OBJECTIVES:

1. Obtain funding for startup phase of project; as part of startup, revise project plan for FY89 in line with funding level.
2. Continue to provide outdoor recreation activities. Develop demonstration activities to test their marketability and to stimulate the interest of private vendors in replacing Challenge Alaska as the operator of these activities wherever possible.
3. Develop and maintain research program on challenged visitor market, including elderly with limited mobility.
4. Promote Anchorage and Alaska as destinations for these visitors.
5. Facilitate travel planning for such visitors with materials, information services, reservation services and other appropriate means.
6. Create new job opportunities for Alaskans experiencing a disability in the travel trade.
7. Develop and maintain ongoing relationships within the travel trade so as to facilitate challenged visitor development.
8. Provide disability awareness or other needed training to front line visitor related employees.
9. Develop ongoing financial support through grants, contracts, memberships, donated funds, donated goods, donated services or other means.
10. Examine feasibility of charging fees or obtaining commissions for provision of training, materials, or travel consulting services to the travel trade.
11. Recruit and train volunteers to support this program as appropriate.
12. Provide information on tax breaks and other financial advantages of providing increased accessibility in private accommodations and visitor related facilities.

CHALLENGE ALASKA
 Visitor Promotion Program
 Budget - FY83

SALARIES	
1 FT Visitor Access Specialist	25,000
TAXES/FRINGE	
FICA	737
WORKMANS COMP	1,000
ESC	810
Medical	360
FACILITIES	
Telephone	300
SUPPLIES	
Office	1,000
Workshop Supplies	1,200
Postage	800
Software	1,000
EQUIPMENT	
Computer Hardware	1,600
Workshop Equipment	600
TRAVEL	
Mileage (.25/mile at 4,000)	1,000
Vehicle Rent	300
Airfare (in-state)	
In-state	800
(Juneau, FBX, Kodiak Workshp	
Out-of-state	700
(National Park Service	
Access Workshop)	
Food/Lodging	440
CONTRACT SERVICES	
Consultants	2,000
Workshop Coordinators	2,400
OTHER	
Training	250
Promo/Advertising	500
Printing/Copying	1,500
Resource Materials	250
Miscellaneous	1,200

Total:	46,937

STATE OF ALASKA
THE LEGISLATURE

APR 19 1988

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99911
907 465 1800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 19, 1988

SUBJECT: Impairment of the obligation of
contracts (CSSB 191(Finance) am)

TO: Senator Ken Fanning

FROM: Edward H. Hein *EHA*
Legislative Counsel

You have asked for a brief explanation of the constitutional prohibition on the impairment of contracts and how it applies to amendment #3 to CSSB 191 (Finance).

The Contracts Clause is found in Article I, section 10 of the United States Constitution, which reads: "No state shall . . . pass any . . . law impairing the obligation of contracts. . . ." This language is mimicked in Article I, section 15 of the Alaska Constitution, which states "No law impairing the obligation of contracts . . . shall be passed."

The Contract Clause of the United States Constitution, in general, prevents the states from passing any legislation that would alleviate the commitments of one party to a contract or make enforcement of the contract unreasonably difficult. The primary intent behind the drafting of the clause was to prohibit states from adopting laws that would interfere with the contractual arrangements between private citizens. Specifically, the drafters intended to inhibit the ability of state legislatures to enact debtor relief laws. Those who attended the Constitutional Convention recognized that banks and financiers required some assurance that their credit arrangements would not be abrogated by state legislatures. Although the framers of the Constitution believed the Contract Clause would have limited

application, the United States Supreme Court over the years has expanded its scope to protect property interests from unwarranted state regulation. Since the Great Depression of the 1930's, however, the court has sustained the great majority of state laws against attacks to their constitutionality under the Contract Clause. Rotunda, Nowak, and Young. Constitutional Law: Substance and Procedure, Sec. 15.8 (West, 1986).

State governments are not absolutely prohibited from modifying the obligations in private contracts (or public contracts, for that matter). As the United States Supreme Court stated in Allied Structural Steel Co. v. Spannaus, 57 L.Ed2d 727, 734, (1978): "It is the settled law of this court that the interdiction of statutes impairing the obligation of contracts does not prevent the State from exercising such powers as are vested in it for the promotion of the common weal, or are necessary for the general good of the public, though contracts previously entered into between individuals may thereby be affected. This power, which in its various ramifications is known as the police power, is an exercise of the sovereign right of the Government to protect the lives, health, morals, comfort and general welfare of the people, and is paramount to any rights under contracts between individuals." Citing Manigault v. Springs, 50 L.Ed. 274.

In determining whether a state law affecting an individual's ability to carry out obligations under contract is an improper impairment of contract, the court must go through a three-step analysis. First, the court must ask whether the state law has "operated as a substantial impairment of a contractual relationship." Second, if the law does constitute a substantial impairment, the court asks whether the state law is designed to promote a significant and legitimate public purpose. Third, the court asks whether the law is a reasonable and narrowly tailored means of promoting the significant public purpose identified in step two of the analysis. Spannaus, at 734 - 736; also see Rotunda, Sec. 15.8.

The Alaska Supreme Court has not interpreted the Contracts Clause. Because of the lack of guidance from our court, and because of the similarity of language in the state and federal clauses, it must be presumed that the legal analysis under both clauses is the same.

Amendment #3 to CSSB 191 (Finance) was adopted by the Senate on April 15. The amendment changes the definition of "guiding" under AS 08.54.240(3). Under current law, guiding means "accompanying or directing a hunter in the field, personally or through an assistant, for compensation or with the intent or an agreement to receive compensation, while the hunter or the person accompanying or directing the hunter spots, stalks, pursues, tracks, kills, or attempts to kill big game." The term "in the field" does not include being present in a boat with living quarters or at a lodge or base camp. The amendment broadens the scope of guiding to cover any "accompanying or being present with, or providing a personal service for, a big game hunter in the field, personally or through an assistant, for compensation or with the intent or an agreement to receive compensation." The amendment specifically allows a person without a guide license to accompany a hunter in the field under four circumstances: (1) in a boat with living quarters; (2) at a lawfully established cabin or permanent lodge; (3) while providing transportation to or from the field; and (4) in a camp while attending the transporter's horses.

The first question in the analysis is whether this restriction on non-guides' activities is a substantial impairment of a contractual relationship. Clearly the amendment will affect the contractual relationships of outfitters who have agreed to provide clients with certain kinds of personal services in the field that are currently allowed under the statute. These would include any services provided in a base camp, such as cooking. Arguably, this is a substantial impairment in cases in which the outfitter's main service is setting up and maintaining a camp and providing all personal services in the camp while the hunters are in the field. On the other hand, the amendment does not restrict transportation services; providing quarters, meals and other personal services in a lawful cabin, permanent lodge, or a boat; renting equipment; or setting up a camp in the field before the hunters arrive. In addition, it must be recognized that most contracts are contingent on the seasons and bag limits set by the Board of Game, and subject to possible emergency closures by the board or commissioner. Thus, these contracts by their own terms are already subject to being impaired by regulatory action by the state. Therefore, a reasonable argument can be made that amendment #3 does not substantially impair the outfitters' contractual obligations and, therefore, does not violate the constitution.

Senator Ken Fanning
Page 4
April 19, 1988

Even assuming that the amendment does represent a substantial impairment of contract, it is designed to promote a significant and legitimate public purpose. By restricting non-guides' access to hunting areas while accompanying hunters, the amendment serves to reduce the opportunities for outfitters to violate guiding and game laws. It also promotes the use of licensed guides, who generally are more qualified to protect the hunter's safety in the field. Given the difficulty of detecting guiding and game law violations in the field, the amendment appears reasonably calculated to achieve the legitimate goal of protecting both the game resources of the state and the hunters. It is narrowly tailored in that it does not prevent outfitters from providing services in the field or from continuing existing operations.

In light of all these considerations, it should be concluded that amendment #3 does not violate the Contracts Clause of the United States Constitution or of the Alaska Constitution. To conclude otherwise would be to allow outfitters by contract to frustrate the legislature's ability to expand the definition of guiding and to effectively regulate the guiding industry and manage game resources. The private interests at stake in this instance are outweighed by the state's interest in exercising its legitimate police powers for the protection of its game resources and for the safety of the public.

EHH:gc
WKG3:009

SECTIONAL ANALYSIS
CS SB 191 (FIN) Am

Section 1

Extends the Guide Board for one year until June 30, 1989.

(If this extension were not made, the Guide Board would have until June 30, 1989 to wind down their business. If they are not extended beyond June 30, 1989 during the next legislative session then they will have until June 30, 1990 to close up their business.)

Section 2

This is the section in the current law that outlines what is unlawful. The changes are on page 2 to numbers 6 and 9(b).

6) The change under Subparagraph 6 deals with transporters. This amendment makes it so that you have to be a specially licensed pilot in order to transport a hunter or except compensation from them for any other service provided by the transporter in the field. Guides and their assistants are exempt from this provision if they are transporting hunters from their areas.

Most outfitters do not have such a license. Reed Stoops who represents the air carriers association indicated support for the amendment.

9) (b) The changes under this Subparagraph is for the purposes of renumbering.

Section 3

Changes the definition of guide and guiding. Under the new language anyone who accompanies, is present with, or provides a personal service to a hunter in the field (for compensation) is a guide or is guiding.

The only exceptions:

- 1) being in a boat with living quarters; (that is the same as current law to accommodate Kodiak fishermen);
- 2) being at a lawfully established cabin or permanent lodge (basically anything that isn't a trespass cabin. The current law is "at a lodge or base camp"); and;
- 3) while providing transportation if the transporters and those being transported do not stalk, pursue, track, kill, or attempt to kill big game. (this is new language for transporters).
- 4) being in a camp while attending to horses that are being use to transport big game hunters to or from the field.

Section 4 & 5

Together these sections make it so that a nonresident hunting moose or caribou needs to file an affidavit with the state that shows where the hunter will be hunting and what guiding, transportation or other big game hunting services the non-resident will be employing. There are strict penalties for non-compliance.

Section 6

This section makes it so that "big game transporters" are required to report any fish and game code violations that the transporter believes was committed by a client or an employee. Penalties are set out for violating this statute.

Section 7

This section establishes the task force under legislative council.

The Task Force is directed to review the operation of the Guide Board and study the problems related to commercial take of the resource. They are supposed to submit a report on findings and proposed legislation to address the problems by January 15, 1989.

The Task Force terminates on January 15, 1989.

Section 8

Immediate effective date.

CONCEPTUAL ADDITIONS TO MAKE TO THE TASK FORCE IN THE LETTER OF INTENT

The following are a list of proposed topics to include in the letter of intent for the task force to look into:

- 1) The issue of who can be in a camp, and defining what a camp is;
- 2) The definition of "in the field";
- 3) Further explanation of boats with living quarters or permanent living quarters;
- 4) The issue of whether Fish and Wildlife Protection officers should be given an option of being licensed guides or protection officers.

TENTATIVE AGENDA FOR 4/29/88 - H.Res. SB 191

Steve White, Assistant AG - Juneau - 15 Minutes

- * FAA Part 135 Explanation/Legality
- * Is it possible to exclude non-resident outfitters
- * Drue Pearce Question

Randall Burns, Occupational Licensing - Juneau - 5 Minutes

- * Oral Examination Amendment

Jack Jordan, Public Safety, F&WL Protection - On Line Anch.
- 15 Minutes

- * Ramona Barnes Idea?

Lew Pamplin, Game Division, - Juneau - 10 Minutes

- * To answer questions?

Ed Hein, Legal Services, - Juneau

- * To answer questions
- * Help explain and draft amendments

DISCUSSION ON BILL

AMENDMENTS

1 Hour

ANNOUNCEMENT ABOUT HOW THINGS ARE GOING TO PROCEED SATURDAY -
UNCERTAINTY ABOUT FLOOR SCHEDULE.

Mel Gillis,

called re: SB 191. Would like a specific F+WL protection, Jose Domico to come + testify on this issue. He has ~~plenty~~ facts + figures that no one else presents.

Mel also wants to see the amendment that makes it so that "outfitters" can't use the term unless they are "guides." He has no objection to retail outfits using the term "outfitters."

Mel is getting ~~the~~ worried about the timing.

Thinks it's ~~really~~ very important that there is something done this year.

Mel will probably be one of the people soon lobbying on this.

House Resources Letter of Intent
For
CS SB 191 (Finance) AM

It is the intent of the Legislature that the task force established under the provisions of SB 191 shall have full investigative powers to research and make recommendations.

Under the Alaska Constitution all fish and game resources are the common property of the people, managed by the state in trust for their use. The task force shall examine how the taking of Alaskan big game by nonresidents and aliens conforms with the needs of Alaskan hunters, and what would be the effects of adding additional species to the guide-required list.

Other states and Canadian provinces have experienced similar commercial hunting pressures and problems. The task force should obtain as much information about the problems these other jurisdictions have experienced, examine how they solved the problems, and recommend accordingly for Alaska.

The task force shall examine who can provide commercial hunting services in the field, and what role transporters, air taxi operators and gear providers should play in the provision of commercial hunting services.

The Alaska Supreme Court will soon decide Owsichek vs. the State of Alaska dealing with the constitutionality of restricted guide areas. The task force shall analyze this decision and recommend methods of accommodating the court's decision.

The task force shall work closely with the Department of Fish and Game to create a linkage between the commercial take of big game and game management.

The task force should examine all aspects of a head tax, the problems it had when it was in use in the past, and what would be the ramifications to game management if it was reinstated.

The task force should examine the licensing of transporters, and make recommendations as to whether such a system ought to be renewed, and, if so, under what conditions.

The Legislative Budget and Audit Committee completed audits of the Guide Board in 1985 and 1987. The task force shall review the audits and recommend what provisions shall be implemented. Specifically, the task force shall analyze if the guide board is functioning at a level that ensures that the present allocation system is fair and is following the

Administrative Procedures Act. The task force shall also analyze the joint use concept and supporting agreements between guides in joint use areas as to whether these agreements are in the best interest of the state and commercial users. The task force shall also investigate whether there shall be one consistent policy for determining guide areas so that all areas are treated equally.

The guide system in Alaska is highly dependent on the restricted guide area concept for its success. The task force should examine all aspects of this system, and make recommendations pertaining to whether it is an open and accessible system, whether guides ought to be able to sell their areas, whether the state ought to lease areas or in some other manner establish a concessionaire approach to area management.

The task force should also work to define the definitions of "camp" and "in the field." The Task force should describe what commercial providers should be allowed in "camps" and "in the field."

The task force should also provide further explanation of what constitutes a "boat with permanent living quarters."

The task force should also address the issue of whether fish and wildlife protection officers and other state employees whose whose responsibilities include managing game resources, or enforcing the state's guiding laws or game management laws, should be able to hold guide licenses or participate in the industry.

The role of federal agencies in managing and permitting commercial uses of federal parks, reserves, and other federal lands has a direct impact in how the state's guide laws are monitored and enforced. The task force is directed to look at the role of federal agencies in monitoring and permitting these activities.

The legislature recognizes that hunting, flying and other travel in Alaska involves certain risks. The task force should look into the issue of who should have insurance, how much and what kind. This includes the issue of what kind of insurance should be required for air taxi operators.

The task force should also look at the role of sled dog hunts, and when dogs should be allowed in camps.

operations to accommodate structures that will meet requirements.

al provisions.

enna farm area consists of geographical location and dimensions of area. The antenna towers with respect to aviation may be such area is established by rule making action. A proposal for an antenna farm area is evaluated on the basis of the use of navigable airspace. The views of the Federal Communications Commission are required. The Commission are required to effect that each established antenna farm area would be in compliance with the statutory responsibilities submitted by it, are fully before the antenna farm area is established. If the Commission determines that the establishment of an antenna farm area is consistent with its statutory responsibilities, the proposed area is not

establishment of an antenna farm area is considered whenever it is

Federal Communications Commission

Director of a proposed antenna

person having a substantial interest in a proposed antenna

10 FR 1839, Feb. 10, 1965, and 37 FR 4705, Mar. 10, 1972

establishment of antenna farm

areas described in the provisions of this subpart are antenna farm areas.

77.77 through 77.1100 provisions of antenna farm

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

PART 91—GENERAL OPERATING AND FLIGHT RULES

SPECIAL FEDERAL AVIATION REGULATIONS

- SPAR No. 21
- SPAR No. 27-5
- SPAR No. 29-4
- SPAR No. 41
- SPAR No. 44-5
- SPAR No. 44-8
- SPAR No. 45-1 (NOTE)
- SPAR No. 47

Subpart A—General

- Sec. 91.1 Applicability.
- 91.2 Certificate of authorization for certain Category II operations.
- 91.3 Responsibility and authority of the pilot in command.
- 91.4 Pilot in command of aircraft requiring more than one required pilot.
- 91.5 Preflight action.
- 91.6 Category II and III operations: General operating rules.
- 91.7 Flight crewmembers at stations.
- 91.8 Prohibition against interference with crewmembers.
- 91.9 Careless or reckless operation.
- 91.10 Careless or reckless operation other than for the purpose of air navigation.
- 91.11 Alcohol or drugs.
- 91.12 Carriage of narcotic drugs, marijuana, and depressant or stimulant drugs or substances.
- 91.13 Dropping objects.
- 91.14 Use of safety belts and shoulder harnesses.
- 91.15 Parachutes and parachuting.
- 91.17 Towing: Gliders.
- 91.18 Towing: Other than under § 91.17.
- 91.19 Portable electronic devices.
- 91.20 Operations within the North Atlantic Minimum Navigation Performance Specification Airspace.
- 91.21 Flight instruction: simulated instrument flight and certain flight tests.
- 91.22 Fuel requirements for flight under VFR.
- 91.23 Fuel requirements for flight in IFR conditions.
- 91.24 ATC transponder and altitude reporting equipment and use.
- 91.25 VOR equipment check for IFR operations.
- 91.27 Civil aircraft: Certifications required.
- 91.28 Special flight authorizations for foreign civil aircraft.
- Sec. 91.29 Civil aircraft airworthiness.
- 91.30 Inoperable instruments and equipment for multiengine aircraft.
- 91.31 Civil aircraft flight manual, marking, and placard requirements.
- 91.32 Supplemental oxygen.
- 91.33 Powered civil aircraft with standard category U.S. airworthiness certificates: Instrument and equipment requirements.
- 91.34 Category II manual.
- 91.35 Flight recorders and cockpit voice recorders.
- 91.36 Data correspondence between automatically reported pressure altitude data and the pilot's altitude reference.
- 91.37 Transport category civil airplane weight limitations.
- 91.38 Increased maximum certificated weights for certain airplanes operated in Alaska.
- 91.39 Restricted category civil aircraft; operating limitations.
- 91.40 Limited category civil aircraft; operating limitations.
- 91.41 Provisionally certificated civil aircraft; operating limitations.
- 91.42 Aircraft having experimental certificates: operating limitations.
- 91.43 Special rules for foreign civil aircraft.
- 91.45 Authorization for ferry flights with one engine inoperative.
- 91.47 Emergency exits for airplanes carrying passengers for hire.
- 91.49 Aural speed warning device.
- 91.50 (Reserved)
- 91.51 Altitude alerting system or device: turbojet powered civil airplanes.
- 91.52 Emergency locator transmitters.
- 91.53 (Reserved)
- 91.54 Truth in leasing clause requirement in leases and conditional sales contracts.
- 91.55 Civil aircraft sonic boom.
- 91.56 Agricultural and fire fighting airplanes; noise operating limitations.
- 91.57 Aviation Safety Reporting Program: prohibition against use of reports for enforcement purposes.
- 91.58 Materials for compartment interiors.
- 91.59 Carriage of candidates in Federal elections.

Subpart B—Flight Rules

GENERAL

- 91.61 Applicability.
- 91.63 Waivers.
- 91.65 Operating near other aircraft.
- 91.67 Right-of-way rules; except water operations.

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- Sec.
- 91.69 Right-of-way rules; water operations
 - 91.70 Aircraft speed.
 - 91.71 Acrobatic flight.
 - 91.73 Aircraft lights.
 - 91.75 Compliance with ATC clearances and instructions.
 - 91.77 ATC light signals.
 - 91.79 Minimum safe altitudes; general.
 - 91.81 Altimeter settings.
 - 91.83 Flight plan; information required.
 - 91.84 Flights between Mexico or Canada and the United States.
 - 91.85 Operating on or in the vicinity of an airport; general rules.
 - 91.87 Operation at airports with operating control towers.
 - 91.88 Airport radar service areas.
 - 91.89 Operation at airports without control towers.
 - 91.90 Terminal control areas.
 - 91.91 Temporary flight restrictions.
 - 91.93 Flight test areas.
 - 91.95 Restricted and prohibited areas.
 - 91.97 Positive control areas and route segments.
 - 91.100 Emergency air traffic rules.
 - 91.101 Operations to Cuba.
 - 91.102 Flight limitation in the proximity of space flight recovery operations.
 - 91.103 Operation of civil aircraft of Cuban registry.
 - 91.104 Flight restrictions in the proximity of the Presidential and other parties.

VISUAL FLIGHT RULES

- 91.105 Basic VFR weather minimums.
- 91.107 Special VFR weather minimums.
- 91.109 VFR cruising altitude or flight level.

INSTRUMENT FLIGHT RULES

- 91.115 ATC clearance and flight plan required.
- 91.116 Takeoff and landing under IFR.
- 91.117 [Reserved]
- 91.119 Minimum altitudes for IFR operations.
- 91.121 IFR cruising altitude or flight level.
- 91.123 Course to be flown.
- 91.125 IFR radio communications.
- 91.127 IFR operations; two-way radio communications failure.
- 91.129 Operation under IFR in controlled airspace; malfunction reports.

Subpart C—Maintenance, Preventive Maintenance, and Alterations

- 91.161 Applicability.
- 91.163 General.
- 91.165 Maintenance required.
- 91.167 Operation after maintenance, preventive maintenance, rebuilding, or alteration.
- 91.169 Inspections.

- Sec.
- 91.170 Changes to aircraft inspection programs.
 - 91.171 Altimeter system and altitude reporting equipment tests and inspections.
 - 91.172 ATC transponder tests and inspections.
 - 91.173 Maintenance records.
 - 91.174 Transfer of maintenance records.
 - 91.175 Rebuilt engine maintenance records.

Subpart D—Large and Turbine-Powered Multiengine Airplanes

- 91.181 Applicability.
- 91.183 Flying equipment and operating information.
- 91.185 Familiarity with operating limitations and emergency equipment.
- 91.187 Equipment requirements: Over-the-top, or night VFR operations.
- 91.189 Survival equipment for overwater operations.
- 91.191 Radio equipment for overwater operations.
- 91.193 Emergency equipment.
- 91.195 Flight altitude rules.
- 91.197 Smoking and safety belt signs.
- 91.199 Passenger briefing.
- 91.200 Shoulder harness.
- 91.201 Carry-on baggage.
- 91.203 Carriage of cargo.
- 91.205 Transport category airplane weight limitations.
- 91.209 Operating in icing conditions.
- 91.211 Flight engineer requirements.
- 91.213 Second in command requirements.
- 91.215 Flight-attendant requirements.

Subpart E—Operating Noise Limits

- 91.301 Applicability; relation to Part 36.
- 91.302 Part 125 operators: Designation of applicable regulations.
- 91.303 Final compliance: Subsonic airplanes.
- 91.305 Phased compliance under Parts 121 and 135: Subsonic airplanes.
- 91.306 Replacement airplanes.
- 91.307 Service to small communities exemption: Two-engine, subsonic airplanes.
- 91.308 Compliance plans and status: U.S. operators of subsonic airplanes.
- 91.309 Civil supersonic airplanes that do not comply with Part 36.
- 91.311 Civil supersonic airplanes: Noise limits.

APPENDIX A—CATEGORY II OPERATIONS: MANUAL INSTRUMENTS, EQUIPMENT AND MAINTENANCE

APPENDIX B—AUTHORIZATIONS TO EXCEED MACH 1 (§ 91.55)

Sec. APPENDIX C—OPERATIONS IN LANTIC (NAT) MINIMUM PERFORMANCE SPECIFICATIONS SPACE

AUTHORITY: 49 U.S.C. 1301 (348, 1352 through 1355, 1401, 1431, 1471, 1472, 1502, 1510, through 2125; Articles 12, 25 of the Convention on International Aviation (61 Stat. 1180); 42 sec.; E.O. 11514; 49 U.S.C. Pub. L. 97-449, January 12, 1980.

SOURCE: Docket No. 1580, FR 6704, June 29, 1963, as noted.

SPECIAL FEDERAL AVIATION REGULATIONS

SFAR No. 21—SOUTHERN AVIATION SANCTUARY

- 1-3 [Reserved]
- 4 Records.
- 5 Reports.
- 6 Violations.

1-3 (Reserved)

4. Records. (a) Each person in any carriage or operation before Federal Aviation Regulation before December 16, 1979, shall maintain and accurate record of each operation of this kind in which he is engaged, regardless of whether it was required to license or otherwise, and record available for at least the date of carriage or operation.

(b) This section does not require any change in the particular method of recordkeeping, but require any change in records customarily kept by the person, so long as the records are maintained on a suitable basis for examination and be kept in the form of microphotographic copies.

5. Reports. Each person who is engaged in any carriage or operation before Federal Aviation Regulation before December 16, 1979 shall file reports on his activities in accordance with the regulation as the Administrator may require.

6. Penalties. (a) Attention is directed to section 3(b) of the United States National Act of 1945 (22 U.S.C. 1905) which provides in part:

Any person who willfully violates or attempts to violate any order, rule, or regulation of the President pursuant to subsection (a) of this section shall, upon conviction, be fined more than \$10,000, or, if a corporation, be imprisoned for not more than 5 years, or both.

CONCEPTUAL ADDITIONS TO MAKE TO THE TASK FORCE IN THE LETTER OF INTENT

The following are a list of proposed topics to include in the letter of intent for the task force to look into:

- 1) The issue of who can be in a camp, and defining what a camp is;
- 2) The definition of "in the field";
- 3) Further explanation of boats with living quarters or permanent living quarters;
- 4) The issue of whether Fish and Wildlife Protection officers should be given an option of being licensed guides or protection officers;
- 5) The role of the Federal Fish and Wildlife Service, Park Service, and Forest Service in permitting commercial hunting activities.

PROPOSED AMENDMENT #C
CS SB 191 (Finance) am

On Page 3, Line 24, Insert a new (E):

for the purpose of providing commercial photography services if
the provider of that service is in possession of a commercial
photographers license and has held that license for at least one year.

Renumber following sections.

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE HERRMANN

NAME: NICK ERICSON
TITLE:
ADDRESS: 3450 LAKEVIEW DRIVE #313
CITY: FAIRBANKS ZIP: 99701
PHONE: 456-5210
BILL NO: SB 191

SUBJECT: GUIDE BOARD; BIG GAME GUIDING
MESSAGE: I SUPPORT THE ABOVE REFERENCED BILL WITH THE FOLLOWING AMENDMENT.
IN THE 2ND READING DATED 4/15/88 ON AMENDMENT #3, SEC. 3 (D) CHANGE TO READ,
"IN A CAMP WHILE ATTENDING TO HORSES OR SLED DOGS THAT ARE BEING USED TO
TRANSPORT BIG GAME HUNTERS TO OR FROM THE FIELD." MY MAIN INTEREST
IS TO SEE THAT SLED DOGS ARE INCLUDED AS A FORM OF TRANSPORTATION FOR THE
HUNTERS. THIS WOULD CHANGE 08.54.240 (3).

POMID: 07135906
DATE: 04/27/88
TIME: 13:59:06
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BOYER	FAHRENKAMP
COTTEN	COGHILL
DAVIDSON	FAIKS
HOFFMAN	
NAVARRE	
PEARCE	
SHULTZ	
SPRINGER	
SUND	

RECEIVED APR 28 1988

FISHING AND FLYING
Box 2349
Cordova, Alaska 99574
April 28, 1988

Representative Adelheid Hermann
P.O. Box V (MS 3100)
Juneau, Alaska 99811

Dear Representative Hermann:

This letter concerns SB 191 which involves big game guiding, transporting, outfitting, and hunting. . .obviously, there was some need for a new look at management of hunts. I believe that the Bill successfully addresses the issues. However, I would like to point out a minor problem with the Bill which could become a grave problem.

My concerns are about Sec. 3 (3). . ."guide" or "guiding" means accompanying or being present with, or providing personal service for, a big game hunter in the field. . .

it continues on with "guide" or "guiding" does not include accompanying or being present with a hunter . . .B at a lawfully established cabin or permanent lodge;

We operate a small air taxi and do some outfitting. . .We go through the long, arduous process of obtaining permits for temporary tent camp sites. We are allowed, after the massive paperwork and the necessary fees and the outfitters insurance, to set up camps for use with our guests--and these are hikers, sportsfishermen, and hunters. We are not guides and therefore we simply fly our clients out to the camps, arrange for a pickup time and they are on their own. The advantages to our guests are these:

1. They do not have to bother with bringing all of the camp gear with them. It is all ready for use, and the visitors do not have to worry about shipping things ahead. What a lot of hassle is avoided by flying into an outfitted camp!

2. Obviously, this is not a champagne and lobster setup--and it is a lot less expensive. Our visitors have to be prepared to rough it (if you call a nice dry tent with a wood stove AND bunks roughing it!) and they have to be capable of being on their own in the woods. Obviously, from the time a

person first contacts us, there are a lot of questions asked: if the person requires the luxury route, we direct them to a guide with lodge facilities. But it must be remembered that hunting is a privilege and should not be limited to guided hunts. We must protect the rights of the middle-class hunter, who may be able to afford a tent camp hunt, unguided, but wonderfully Alaskan.

3. When a person goes to an outfitted camp, we know that the person has the right type of camp for the weather and for the area. Often, people elect to provide their own gear. For locals, it works. They know our area and know how to stay dry and warm. For people unfamiliar with an area, it can mean a miserable, uncomfortable time.

Therefore, I would respectfully submit that the SB 191 needs the wording changed to include (B) at a lawfully established cabin, permitted camp, or permanent lodge. Otherwise, we are in danger of a very unfair situation.

Please contact me if I have not explained my thoughts clearly: I know what I'm trying to say, but it may not be very obvious or clear to you. Thank you for your attention to this matter.

Sincerely,

Gayle Ranney

JUSTIFICATION FOR AMENDMENT # D

This is to allow outfitters to set up camp for big game hunters, fly (or otherwise transport themselves) out of the camp, and then let someone with a Part 135 license fly the hunter in. At no time could the outfitter be in the camp or in the field with the big game hunter.