









# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
Bill Version: HB 71  
(H) Publish Date: 1/12/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Natural Resources  
Title: Extending Exploration Credit against RDU: Resource Development  
Production Tax Component: Oil & Gas Development  
Sponsor: Rules  
Requester: Governor Component No. 439

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>	<b>***</b>					
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0  
Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill extends the sunset date on the oil and gas exploration credit against production tax (SB185, CH59, SLA03) only for the proposed Alaska Peninsula sale area. The proposed Alaska Peninsula sale is tentatively scheduled for fall of 2005. It is anticipated that leases would not be issued until spring 2006. It is likely that exploration expenditures on these leases would occur after the current July 1, 2007 deadline, in which case they would not be credited against future production taxes unless the current statute is amended.

\*\*\* An extension of the sunset deadline to the proposed sale area may encourage additional or higher competitive bids, although these additional revenues are impossible to predict or quantify.

Prepared by: Janet Baxter Phone: 465-4730  
Division: Commissioner's Office Date/Time: 12/8/2004  
Approved by: Tom Irwin Date: 12/8/2004  
Agency: Natural Resources

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: 2  
 Bill Version: HB 71  
 (H) Publish Date: 1/12/05

Revisor Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Revenue  
 Title Credit for Certain Exploration Expenses RDU Revenue Operations  
Against Oil & Gas Properties Production Taxes Component Tax Division  
 Sponsor Rules Committee  
 Requester Governor Component No. 2476

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>	<b>See Analysis</b>					
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**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

Currently the State plans to hold a Bristol Bay lease sale in October of 2005 assuming a favorable preliminary best interests finding. If bids are received and accepted at this lease sale, leases would be issued in spring 2006, with exploration of this region beginning that summer, FY 2007-FY2008. It is possible that 1 to 2 wells per year will be drilled on average over the period 2007 to 2009. Wells will be drilled from onshore facilities, but given the remoteness of the area and lack of infrastructure, we estimate that the wells could cost roughly \$15 million per well. We assume that on average these wells would qualify for a production tax credit equal to 30% of qualified costs, half qualifying for the 40% credit and half for the 20% credit. (continued on Pg 2)

Prepared by: Tom Boutin Phone \_\_\_\_\_  
 Division: Department of Revenue Date/Time 1/11/05 2:53 PM  
 Approved by: Tom Boutin Date 1/11/2005  
 Agency: Department of Revenue

**ANALYSIS CONTINUATION**

As a result the credit would be worth around \$7 million per year to the exploration firm from fiscal year 2008 through fiscal year 2010 (assuming a year lag between exploration expense and claiming of the credit). Adoption of this severance tax credit could yield revenue in two ways. First, the existence of an exploration credit over the period likely exploration could prompt companies to participate in a lease sale when they otherwise would not. Currently, the State does not include any revenue from the lease sale in its revenue forecast. Such a lease sale could yield around \$10 million if bids were based on the possibility of finding a field containing a minimum economic field size of between 100 and 200 million barrels of oil. Such a field, if discovered and developed, would yield about \$50 million dollars a year in revenue (royalty, severance tax, and corporate income tax) over the first 10 years of production.

P.O. Box 189  
NAKNEK, ALASKA 99633

www.theborough.com



TELEPHONE  
(907) 246-4224  
FAX  
(907) 246-6633

## Bristol Bay Borough

October 22, 2003

**RECEIVED**  
OCT 27 2003  
DIVISION OF  
OIL AND GAS

Commissioner Tom Irwin  
Department of Natural Resources  
550 W 7<sup>th</sup> Avenue, Suite 1400  
Anchorage, Alaska 99501

**RE: Bristol Bay Region: Oil and Gas Programs**  
**Public Comments - Due October 30, 2003**

Commissioner Irwin:

Please consider the following comments from the Bristol Bay Borough:

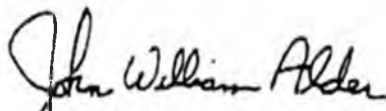
1. The Bristol Bay Borough Assembly is in strong support of the State of Alaska's recent efforts to advance oil & gas exploration in the Bristol Bay region.
2. The Bristol Bay Borough is committed to finalizing a Memorandum of Understanding with the Alaska Department of Natural Resources outlining critical areas of interest with respect to regional oil & gas development and outstanding municipal lands issues.
3. The Bristol Bay Borough is supportive of the continued public outreach evidenced to date by the State of Alaska on the Bristol Bay oil & gas exploration initiative and anticipates that this outreach effort will remain constant throughout the proposed development timeline.

DEPARTMENT OF  
NATURAL RESOURCES

Letter to Commissioner Irwin  
October 22, 2003  
Page 2

4. The residents of the Bristol Bay Borough are heavily dependent upon the robust regional fish & wildlife resources for subsistence needs. While the Bristol Bay Borough Assembly is in support of resource development, all development must proceed with due diligence in order to minimize potential negative impacts to the fish & wildlife resources.
5. Local knowledge of regional environmental conditions and fish & wildlife characteristics is one of our greatest resources in the Bristol Bay region. Accordingly, the Bristol Bay Borough recommends that all state agencies proceed throughout the oil & gas development process in a method that relies heavily upon local input. Any subcommittees or advisory panels empowered by the state should include local knowledgeable residents.
6. The Bristol Bay region has long suffered from seasonally sporadic employment. The regional oil & gas development initiative offers an exciting departure from the long winter season low employment cycle. The Bristol Bay Borough Assembly strongly urges the State of Alaska to continue in its expressed commitment to channel oil & gas employment training through the newly established Southwest Alaska Vocational Education Center (SAVEC) in King Salmon thereby enabling optimal local hire during exploration and development of potential oil & gas prospects.

Sincerely,



John William Alder  
Borough Manager

cc: Mayor Michael Swain  
Borough Assembly members

# ALEUTIANS EAST BOROUGH

SERVING THE COMMUNITIES OF

■ KING COVE ■ SAND POINT ■ AKUTAN ■ COLD BAY ■ FALSE PASS ■ NELSON LAGOON

October 14, 2003

James Hansen,  
Leasing Manager  
Division of Oil & Gas  
Department of Natural Resources  
550 West 7<sup>th</sup> Avenue, Suite 800  
Anchorage, AK 99501

Ref.: Proposed Alaska Peninsula & Bristol Bay  
Oil & Gas Leasing Program

Dear Mr. Hansen,

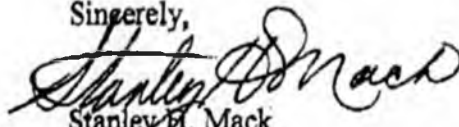
The Assembly of the Aleutians East Borough wants to thank you and your team for the presentation on October 7, 2003. Even though the weather did not allow everyone to get to Cold Bay, the Assembly's comments after the meeting included their appreciation of your efforts to brief the Assembly and the residents of the Aleutians East Borough.

First, it is the Borough's understanding that if there is Best Interest Finding, all development will take place within the State's jurisdiction and that there will be no development off shore. Furthermore, the Borough understands that the majority of the development will likely be on State owned land. Second, the concerns voiced by the people of Nelson Lagoon are symptomatic of the concerns of the majority of the Aleutians East Borough's residents. They were:

1. We need to protect our fish and game resources.
2. We need local jobs and employment at all stages of development. This must be at all levels, management, technical and labor, union and non union, should oil or gas be produced within the Aleutians East Borough.
3. We need any and all exploration sites returned to their original nature.

To this end, the Assembly passed a motion supporting the State of Alaska's efforts to conduct a Best Interest Finding process for the proposed oil & gas leasing program on the Alaska Peninsula.

Sincerely,

  
Stanley H. Mack  
Mayor

**RECEIVED**

OCT 16 2003

DIVISION OF  
OIL AND GAS

CLERK/PLANNER  
P.O. BOX 349  
SAND POINT, AK 99681  
(907) 383-2899  
(907) 383-3496 FAX  
e-mail: AEBCLERK@aol.com

BOROUGH ADMINISTRATOR  
2380 C STREET, SUITE 205  
ANCHORAGE, AK 99503-3952  
(907) 274-7555  
(907) 276-7569 FAX  
e-mail: aobanc@gcl.net

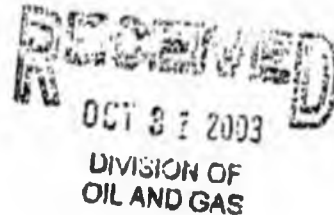
FINANCE DIRECTOR  
P.O. BOX 49  
KING COVE, AK 99812  
(907) 497-2588  
(907) 497-2388 FAX  
e-mail: aebfinance@aol.com



## Lake and Peninsula Borough

P.O. Box 495  
King Salmon, Alaska 99613

Telephone: (907) 246-3421  
Fax: (907) 246-6602



October 27, 2003

Patrick Galvin, Petroleum Land Manager  
Division of Oil & Gas  
550 W 7<sup>th</sup> Ave, Suite 800  
Anchorage, Alaska 99501-3560

RE: Call for Comments, AK Peninsula Areawide 2005 Oil & Gas Lease Sale

Dear Mr. Galvin:

First, we would like to thank the Governor, the Governor's staff and those within DNR's Oil & Gas Division for the recognition of the extra attention required "to get the word out" to those who live on the Alaska Peninsula concerning the upcoming oil and gas lease sales. There are many communication gaps in bush Alaska making your task that much more difficult.

The regional meetings in Dillingham, Bristol Bay Borough (Naknek) and in the Lake & Peninsula Borough offices (King Salmon) were instrumental in ensuring accurate information is "passed along" to others. However, due to the size of the Lake and Peninsula Borough and the steep transportation costs to travel between villages, some over 1 hour away from King Salmon by plane, I would encourage you consider additional informational meetings to be held in Port Heiden, Iliamna, and the Chignik, ASAP. We will be glad to provide you with local contacts for those communities.

Lake & Peninsula Borough responded earlier to Mr. James Hansen's request for information providing copies of the borough's latest Community Economic Development Strategies document. Additionally, community profile maps will soon be available (expected by June 2004) on-line at DCED's website of all the villages within the Borough. These maps will contain several layers of information readily accessible by the user. Local information pertaining to sensitive cultural areas, traditional hunting or gathering areas and local historic sites are included on most community maps (local preference so not every village map contains this information). These maps will no doubt prove to be invaluable relating to potential exploration that might be considered in close proximity to a village.

Finally, the Lake and Peninsula Borough supports onshore exploration and development but are concerned that the Best Interest Findings developed from this "call for comment period" also apparently apply to the 1.5 million acres of offshore acreage included in the lease sale, and further, that those findings are valid 10 years out.

We want to make it perfectly clear that while we are in support of onshore exploration and leasing, "the jury is still out" in most Borough villages when it comes to offshore exploration. I suspect much more information and discussion with the village leaders around the Bay will be required before offshore activities receive a majority of local support.

By supporting the current lease sale proposal, the resulting exploration and possible development of onshore sites within the next 5 years, we want to ensure we do not lose the ability to consider through separate actions, any potential exploration and development of offshore acreage in the future.

Thank you for the opportunity to provide this input. Please feel free to contact me as may be necessary.

Sincerely,



Jeff Currier  
Borough Manager

P.O. Box 189  
NAKNEK, ALASKA 99633

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(907) 246-4224  
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## *Bristol Bay Borough*

### **BRISTOL BAY BOROUGH RESOLUTION 2002-02**

#### **A RESOLUTION SUPPORTING OIL & GAS EXPLORATION ON NATIVE CORPORTATION LANDS NEAR BRISTOL BAY BOROUGH**

**WHEREAS**, Bristol Bay Borough and Communities throughout Western Alaska face difficult economic conditions due in part to high costs of living, high costs of energy and depressed fish prices and;

**WHEREAS**, all refined petroleum products required to operate home heating furnaces, electrical generators, cannery plants and fish harvesting vessels are imported into the region and stored, both at very high costs and;

**WHEREAS**, the oil & gas industry has in the past expressed interest in exploring for reserves on the Alaska Peninsula on or near lands currently owned by the Alaska Peninsula Corporation and Bristol Bay Native Corporation as well as other lands in the region and;

**WHEREAS**, the interest was significant enough for the private sector to invest considerable capital in seismic and actual drilling exploration and;

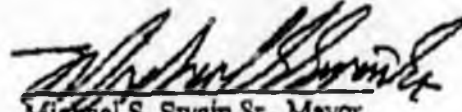
**WHEREAS**, Senator Stevens in recent conversations with Bristol Bay Borough officials and before the Alaska State Legislature indicated a willingness to petition Congress to add funding to the United State Geologic Survey in order to enable regional oil & gas assessments throughout rural Alaska and;

**WHEREAS**, potential development of oil & gas reserves on the Alaska Peninsula would likely yield direct benefits to the Bristol Bay Borough, borough residents and businesses and economic development efforts to revive our ailing economy and,

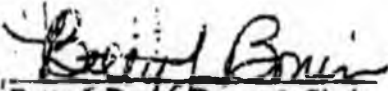
FEB 07 2002 8:19AM OF LDBERJEL .3200

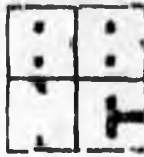
**NOW THEREFORE BE IT RESOLVED**, that the Bristol Bay Borough Assembly strongly encourages the local & regional Bristol Bay ANCSA corporations to work closely with the Borough, private sector oil & gas firms and the Congressional delegation in the wise development of our natural oil & gas resources in an effort to optimize benefits to the overall Bristol Bay region and State of Alaska.

**PASSED AND APPROVED**, by a duly constituted quorum of the Bristol Bay Borough Assembly on this 4<sup>th</sup> day of February, 2002.

  
Michael S. Swain Sr., Mayor

ATTEST:

  
Betty J. Borja, Borough Clerk



# Bristol Bay Native Corporation

Enriching Our Native Way of Life

800 Cordova Street, Suite 200 / Anchorage, Alaska 99501-6299 / (907) 278-3602 / fax (907) 276-3924

4184  
c.1P  
TS

VIA FEDEX & FAX: (907) 465-3532

June 26, 2003

Honorable Frank Murkowski, Governor  
P.O. Box 110001  
Juneau, Alaska 99811

Fax Receiver  
JUN 26 2003  
Office of the Governor

Subject: **Support for Leasing Program in the Bristol Bay Region**

Dear Governor Murkowski:

Residents of the Bristol Bay region sorely need your help in order for them to help themselves. We need you to institute an oil and gas leasing program in Bristol Bay. We've compared and contrasted the pros and cons of exploration licensing and leasing, and we believe that, for several reasons, the State's best option is to put its uplands on the leasing schedule.

First, the "leasing notice" is announced to a wider audience than the exploration licensing notice is. Second, leasing, since it includes rental, bonus, and minimum work commitment terms, generally generates more revenue and more information for the State. Lastly, the land leased can be more than the 500,000-acre "cap" imposed by the exploration-licensing program, and this may be more desirable from the industry's standpoint.

BBNC has embarked on a mission to reinvigorate the environmentally responsible exploration for, and development of, oil and gas resources in Bristol Bay. We've also received the blessing, by resolution, of several Bay-area organizations that recognize the need for more jobs and cheaper energy. I've attached copies of the fourteen resolutions I've received so far, which include both regional and village-level organizations.

If you have any questions, please call me at 1-800-478-3602.

Sincerely,

Paul C. Roehl  
V.P., Land & Resources

Cc: Tom Irwin, DNR Commissioner  
Randy Rulderich, AOGCC Commissioner  
Mark Myers, DOG Director  
BBNC Board of Directors

Post-It® Fax Note	7671	Date	6/26/03	Page #	2
To	Gov. MURKOWSKI	From	Paul Roehl		
Co/Dept.	State of Alaska	Co.	BBNC		
Phone #		Phone #			
Fax #	(907) 465-3532	Fax #			

SEP-28-03 16:28 From: BRISTOL BAY NATIVE CORPORATION

8072769024

T-213 P.02/02 Job-248



## King Salmon Tribe

People of the Villages

P.O. BOX 88 KING SALMON, AK 99613  
TEL: 907/246-3553 FAX: 907/246-3449  
E-MAIL: kssvs@bristolbay.com

September 15, 2003

Bristol Bay Native Corporation  
808 Cordova Street  
Suite 200  
Anchorage, AK 99501-6299

VIA FACSIMILE: 907/276-3924

Dear Mr. President:

As you know, Bristol Bay has been faced with economic failure year after year, due to the low return of salmon and the low prices paid to the fishermen. Because of the failure in our fishery, our people are faced with having to live in poverty. We can no longer pretend that our fisheries will be, as we know it. Other than fishing, most of our people in our villages have very few economic opportunities. As a result, we have friends and family fighting amongst themselves for these limited jobs. Until there are economic changes in place, we will forever be faced with economic despair because there are no other means to provide for ourselves other than what we have today. We need economic diversity.

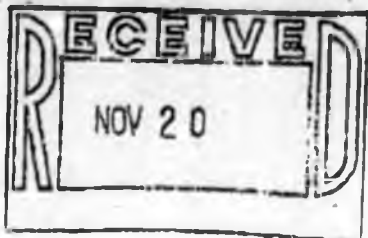
The villages of King Salmon is in support of developing our oil and gas reserves both onshore and offshore and developing our mineral deposits here in Bristol Bay. We also support ground transportation from King Salmon to Anchorage so that we can reduce transportation costs to promote economic opportunities. This would also reduce the cost of living in our villages and region. Whether any of these development issues take place remains to be seen. However, we cannot continue to impoverish our people because of differences of opinions in regards to economic development.

It is unfair of people and organizations who criticize development in our region when in fact they offer no solutions to address our current short and long-term needs. In addition, many people who are opposed to economic development have good paying jobs, or work and live outside our region. Yet, many try to dictate what is best for us and our villages.

In closing, the villages of King Salmon asks that we all put aside any differences that we may have of economic development in Bristol Bay. Our people deserve more than having to live in poverty and the consideration of going on welfare.

Sincerely,

Ralph Angasan, Sr.  
President



NEWHALEN TRIBAL COUNCIL  
100 POWER LANE  
P.O. BOX 207  
NEWHALEN, AK 99606  
PHONE (907) 571-1410 OR (907) 571-1317  
FAX (907) 571-1537  
EMAIL [NEWHALENTRIBAL@STARBAND.NET](mailto:NEWHALENTRIBAL@STARBAND.NET)

November 12, 2003

Fred Angasan  
Bristol Bay Native Association  
P.O. Box 310  
Dillingham, Alaska 99576

NOV 25 2003  
OIL AND GAS

Re: Native Village of Newhalen Statement of Interest

Dear Mr. Angasan:

The Newhalen Tribal Council has become increasingly aware of potential resource development activities within our area. In particular, we are aware of the increasing interest in the Pebble Copper mine. We believe resource development has the ability to bring economic opportunities to our community. However, we are concerned that improper management, poor planning and the lack of consideration of our local concerns can adversely affect our interests.

- On November 12, 2003 the Newhalen Tribal Council discussed our understanding of the potential commercial viability of the Pebble Copper mine. In addition, we discussed our understanding of the State of Alaska's Roads to Resources program and the current efforts to revise the Bristol Bay Area Plan. Through our discussion we identified the need to ensure the opportunity for active participation, effective public involvement and cooperative consultation regarding these matters.

We are writing to notify you that we have identified Joanne Wassillie as the primary point of contact for the Native Village of Newhalen. Joanne can be reach at:

Joanne Wassillie, Administrator  
Newhalen Tribal Council  
P.O. Box 207  
Newhalen, Alaska 99606  
(907) 571-1410 (907) 571-1537 fax

- We request that you add our designated point of contact to all public/stakeholder distribution lists so that the Newhalen Tribal Council will receive adequate advance notice of all upcoming public meetings related to the development of the Pebble Copper mine, including planning efforts by the State of Alaska to promote natural resource development within our region.

**Newhalen Tribal Council**  
100 Power lane  
P.O. Box 207  
Newhalen, AK 99606  
phone (907) 571-1410 or (907) 571-1317  
Fax (907) 571-1537  
**EMAIL NEWHALENTTRIBAL@STARBAND.NET**

**RESOLUTION 03-24**

**A RESOLUTION OF THE NEWHALEN TRIBAL COUNCIL FOR DEVELOPING AND MAINTAINING AN ACTIVE VOICE AND PARTNERSHIP WITH ALL APPROPRIATE GOVERNMENTAL, PUBLIC AND PRIVATE SECTOR ENTITIES FOR THE SUSTAINABLE DEVELOPMENT OF NATURAL RESOURCES AND FOR RELATED PURPOSES.**

**WHEREAS:** the Native Village of Newhalen is a federally recognized tribal government possessing the powers of a sovereign entity and the rights of self-determination; and

**WHEREAS:** the Newhalen Tribal Council is the governing body for the Native Village of Newhalen and is authorized and responsible to protect its members, property, resources and interests; and

**WHEREAS:** the protection of the health, safety, and welfare of our tribal members, families and village is critical to the exercise of tribal self-governance and self-determination; and

**WHEREAS:** the tribal members of Newhalen rely on subsistence resources and the subsistence way of life which is essential to meet the nutritional, cultural and traditional needs and values of the tribe; and

**WHEREAS:** the health, productivity and availability of our subsistence resources are critical to the health, safety and welfare of our tribal members, families and village; and

**WHEREAS:** the development of natural resources, including mining, oil and gas development, and associated transportation infrastructure, may adversely affect the health, safety and welfare of our tribal members, families and village, and the subsistence resources we rely on, if not properly planned, designed, sited, operated, managed or maintained; and

**WHEREAS:** proper planning, design, siting, operation, and management of development projects, and all associated activities and infrastructure, requires the active involvement, cooperation, coordination and consultation at all levels (tribal, federal, state, local and international governments and private and public sectors); and

2832  
JP

**CITY OF ALEKNAGIK**

P.O. Box 99, MAIN STREET  
ALEKNAGIK, ALASKA 99553-0099  
PHONE: 907-842-5953 OR 842-2528  
FAX: 907-842-2107  
EMAIL: [cityalek@nashnet.com](mailto:cityalek@nashnet.com)

April 11, 2003

Governor Frank H. Murkowski  
Office of the Governor  
3<sup>rd</sup> Floor State Capital, Mail Stop 0001  
P.O. Box 110001  
Juneau, Alaska 99811-0001

RECEIVED

APR 16 2003

GOVERNOR'S OFFICE

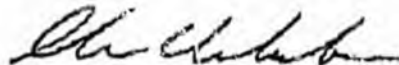
RE: Oil and Gas Development in Bristol Bay

Dear Governor Murkowski:

The City Council of the City of Aleknagik passed Resolution 03-11 supporting OCS 92 lease sales for oil and gas development in Bristol Bay at their regularly meeting on April 8, 2003. The City of Aleknagik supports economic development, local jobs, lower energy costs, less dependence on foreign oil, and protection of the fisheries and environment.

Please support oil and gas development in Bristol Bay and help to move up the CCS sales from 2011 to the earliest possible date. Thank you for your time and favorable consideration.

Sincerely



Chris Chuckwak  
Mayor

Enclosure: Resolution 03-11

cc: Senator Ted Stevens  
Senator Laura Murkowski  
Congressman Don Young  
Alaska State Legislature  
Paul Rochl, Bristol Bay Native Corporation

**CITY OF ALEKNAGIK  
RESOLUTION 03-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALEKNAGIK SUPPORTING OCS 92 LEASE SALES FOR OIL AND GAS DEVELOPMENT IN BRISTOL BAY.**

**WHEREAS**, Outer Continental Shelf (OCS) Sale 92, which occurred in October 1988, garnered nearly \$96 million in oil and gas bids for 122,000 acres contained in 23 leases; and

**WHEREAS**, the lease sale happened at a time when the price for sockeye salmon was high (up to \$2.60/lb.) and the price for oil was relatively low (\$17.30/bbl.); and

**WHEREAS**, the high commercial value of salmon in the late 1980's, coupled with the threat posed by the oil industry to salmon and wildlife habitat (particularly after the March 1989 Exxon Valdez oil spill), resulted in widespread opposition to the OCS 92 lease sales, and eventually led to the cancellation of those lease sales and the return of the bid proceeds to the respective oil companies; and

**WHEREAS**, lease sale area OCS 92 is not scheduled to be revisited by the U.S. Minerals Management Service until 2011; and

**WHEREAS**, the environmentally responsible exploration for, and development of, Bristol Bay oil and gas resources could create needed high-paying, rewarding jobs for the people of the region, especially given the recent, disastrous Bristol Bay commercial salmon seasons; and

**WHEREAS** development of these oil and gas resources could also result in substantially reduced heating and energy costs for residents in the Bristol Bay region, and could enhance the competitiveness of the Bristol Bay commercial salmon and other industries, such as mining; and

**WHEREAS**, given the rising tensions in the Middle East, it is becoming increasingly clear that America's dependence on foreign oil imports is highly undesirable, both from a strategic and domestic standpoint.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Aleknagik that the City of Aleknagik strongly supports oil and gas exploration and development in the Bristol Bay region provided maximum protection be given to the fishery resources and that exploration and development be done in an environmental manner; and

**BE IT FURTHER RESOLVED** that the City of Aleknagik supports immediate exploration and development of the OCS 92 area and request the assistance of Senator Stevens, Senator Murkowski, Congressman Young, Governor Murkowski, and the

Alaska State Legislature to assist in moving the OCS sales schedule up from 2011 to 2004 or as earliest as possible.

PASSED AND APPROVED this 7 day of April, 2003 at Aleknagik, Alaska.

SIGNED:

  
Chris Chuckwile, Mayor

ATTEST:

  
Pauline Kohlar, City Clerk

**WHEREAS:** the Tribal Council is aware that Northern Dynasty Minerals Limited is actively accessing the economic viability of the Pebble Copper mine which is considered to be one of the largest copper-gold deposits in the world; and

**WHEREAS:** the Tribal Council is aware that the Pebble Copper mine is being considered under the Department of Transportation & Public Facilities 'Roads to Resources' program and that Department of Natural Resource is revising the Bristol Bay Area Plan which governs resource management on state land; and

**WHEREAS:** the Tribal Council wishes to ensure its active involvement, participation and consultation through governmental, public and political processes to ensure protection of tribal interests and rights and the protection of the health, safety and welfare of our tribal members, families and village.

**NOW THEREFORE BE IT RESOLVED,** that the Newhalen Tribal Council hereby authorizes the Tribal President, with the assistance of the Tribal Administrator, to serve as the lead point of contact for all correspondence related to the development of the Pebble Copper mine, including all correspondence related to the state's Roads to Resource program and the Bristol Bay Area Plan revisions.


**BE IT FURTHER RESOLVED,** that the Newhalen Tribal Council hereby directs the Tribal President to forward a letter to all appropriate governmental, public and private sector entities notifying them of Newhalen Tribal Council's interest in being actively involved, informed, and consulted regarding matters related to the development of the Pebble Copper mine and associated activities.

**BE IT FURTHER RESOLVED,** that this resolution is intended for the stated purpose of establishing and fostering cooperative relationships with Tribal, State, Federal and local governments and private and public sector entities and should not be used as an approval or disapproval of the Pebble Copper mine, and shall not be interpreted in any way to diminish the protected rights and interests and unique legal status of the Native Village of Newhalen as a federally recognized tribe.

**BE IT FURTHER RESOLVED,** that Mr. Raymond Wassillie, President of the Newhalen Tribal Council, or his designee, hereby authorized to sign and or negotiate any terms, or conditions, or modifications to this "638" contract with the Bureau of Indians Affairs.

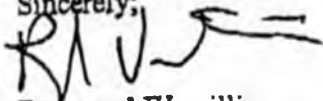
This resolution was duly considered and adopted at the general meeting of the Newhalen Tribal Council called and convened this 12 day of Nov, 2003 by a vote of 6 in favor and 0 against 0 abstain.

  
Raymond Wassillie, President

  
Anna Lamont, Secretary

The Newhalen Tribal Council wishes to establish and foster on-going cooperative relationships with those governmental, public and private sector entities associated with the potential development of the Pebbles Copper mine to ensure the interests of the Native Village of Newhalen are protected. We look forward to working with you in the future and if we can be of any assistance please contact Joanne.

Sincerely,

A handwritten signature in black ink, appearing to read 'RW' followed by a stylized flourish.

Raymond Wassillie  
President

**MEMORANDUM OF UNDERSTANDING****Between****ALASKA DEPARTMENT OF NATURAL RESOURCES****And****THE ALEUT CORPORATION****To****HOLD CONCURRENT OIL AND GAS LEASE SALES OF STATE AND TAC  
LAND IN THE ALEUT REGION &  
TO FACILITATE CONSTRUCTION OF A TRANSPORTATION  
INFRASTRUCTURE THAT WILL SUPPORT THESE DEVELOPMENT  
PROJECTS**

THIS MEMORANDUM OF UNDERSTANDING (MOU) is made and entered into by and between the Alaska Department of Natural Resources (DNR) and The Aleut Corporation (TAC), collectively referred to as "the Parties." The purpose of this MOU is to contribute to the achievement of common goals and objectives of the Parties and to establish an effective communication framework between the Parties.

**Background:**

- A. The DNR is tasked with managing the State of Alaska's land in southwest Alaska and the natural resources contained therein, including oil, gas, and minerals, and TAC is responsible for managing its 1.572 million acre mineral estate on behalf of its 3,250 shareholders.
- B. Similar to the North Slope and Cook Inlet regions of Alaska, the Bristol Bay basin including portions of the Aleut region on the Alaska peninsula has been identified as having good potential for commercial quantities of oil and gas deposits.
- C. Any discoveries of, and subsequent development of, commercial quantities of oil, gas, & mineral deposits in the Aleut region should benefit both the State of Alaska and TAC's shareholders.
- D. Like other mineral deposits, oil and gas resources know no political boundaries, and it is often logical and desirable for two adjacent landowners to have similar land management and leasing programs in place.
- E. With TAC's support, the Alaska Division of Geological and Geophysical Surveys applied for a 3-year, \$700,000 U.S. Dept. of Energy grant to further evaluate the oil and gas potential of the Bristol Bay basin.
- F. The development of transportation infrastructure, as recommended by the Southwest Alaska Regional Transportation Plan, such as deep water ports, roads and airports, along the Alaska Peninsula should make oil, gas, and other mineral prospects more accessible, and thereby more economically feasible to explore and develop.

- G. The Alaska DNR, TAC, and BLM have been working collaboratively to rationalize ANCSA 17(b) and RS 2477 access issues.
- H. The Alaska DNR, TAC, and BLM have been working collaboratively to revoke obsolete federal land withdrawals in the Bristol Bay region.
- I. TAC supports the construction of an access road from Cold Bay to King Cove.

**Agreements:**

- The term of this MOU will be for five (5) years from the effective date and can be extended for five-year periods thereafter with the written agreement of the Parties.
- To the extent consistent with their respective interests and statutory or regulatory responsibilities, or corporate responsibilities, the Parties will work cooperatively to ensure that exploration and development activities are consistent with the land management and development plans of both Parties.
- The Parties agree that they will cooperate to ensure all development projects in the Aleut region are pursued in an environmentally responsible manner with maximum efforts to minimize impacts to fishery resources.
- TAC and the State of Alaska will work cooperatively to re-open offshore oil and gas prospects to exploration.
- Where reasonable to do so, the Parties will endeavor to synchronize the timing of their oil and gas-leasing schedule for their respective lands.
- The Parties will help facilitate the design and construction of a transportation network that will make oil, gas, and other mineral prospects more accessible and inter-connect communities.
- The Parties will communicate their development goals to other interested parties in southwest Alaska, such as tribal organizations, village corporations, and borough and city governments.
- The Parties will not act contrary to applicable laws, regulations, policies, and procedures.
- To the extent legally permissible, information generated pursuant to this MOU may be kept confidential when requested in writing by a party to this MOU. Information released by a party to this MOU must credit the source of the information.
- Where reasonable, the Parties will issue joint press releases on matters related to this MOU and will coordinate responses to media questions.
- Notices regarding actions under this MOU will be sent to (for each party):

DNR Commissioner  
State of Alaska DNR  
550 W. 7<sup>th</sup> Ave., Suite 1400  
Anchorage, AK 99501-3561

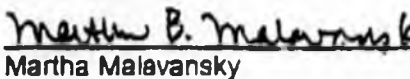
Chief Executive Officer  
The Aleut Corporation  
4000 Old Seward Hwy, #300  
Anchorage, AK 99503

- This MOU may be terminated within thirty(30) days written notice by either Party.
- This MOU can be modified upon written consent of the Parties.
- Others may become party to this MOU upon written consent of the Parties.

Approved:

  
\_\_\_\_\_  
Tom Irwin, Commissioner  
Alaska Dept. of Natural Resources

12/18/03  
Date

  
\_\_\_\_\_  
Martha Malavansky  
President, TAC

12/18/03  
Date

**MEMORANDUM OF UNDERSTANDING****Between****ALASKA DEPARTMENT OF NATURAL RESOURCES****And****BRISTOL BAY NATIVE CORPORATION****To****FACILITATE OIL AND GAS LEASE SALES ON STATE AND BBNC LAND IN  
THE BRISTOL BAY REGION**

THIS MEMORANDUM OF UNDERSTANDING (MOU) is made and entered into by and between the Alaska Department of Natural Resources (DNR) and the Bristol Bay Native Corporation (BBNC), collectively referred to as "the Parties." The purpose of this MOU is to contribute to the achievement of common goals and objectives of the Parties and to establish an effective communication framework between the Parties.

**Background:**

- A. The DNR is tasked with managing the State of Alaska's land in southwest Alaska and the natural resources contained therein, including oil, gas, and minerals, and BBNC is responsible for managing its 3.1 million acre mineral estate on behalf of its 7,100 shareholders.
- B. Similar to the North Slope and Cook Inlet regions of Alaska, the Bristol Bay basin has been identified as having good potential for commercial quantities of oil and gas deposits.
- C. Exploration of oil and gas resources is a vital component to stimulating the local economy and providing jobs and economic opportunities in the region.
- D. The discovery of commercial quantities of oil and gas would provide an opportunity for low cost energy in the region, further stimulating the local economy.
- E. Any discoveries of commercial quantities of oil and gas in the Bristol Bay region will benefit both BBNC's shareholders and the State of Alaska, so it is in the best interest of the Parties to encourage exploration for such resources.
- F. BBNC has requested that the State facilitate on-shore oil and gas exploration in the region by holding annual areawide leasesales, beginning as soon as possible.
- G. Like other mineral deposits, oil and gas resources know no political boundaries, and it is often logical and desirable for two adjacent

landowners to have similar land management and leasing programs in place.

- H. With BBNC's support, the DNR's Division of Geological and Geophysical Surveys applied for a 3-year, \$700,000 U.S. Dept. of Energy grant (\$150,000 of cash and in-kind contributions to be provided by BBNC) to further evaluate the oil and gas potential of the Bristol Bay basin.

**Agreements:**

The Parties agree to the following provisions:

- The Parties will work cooperatively to facilitate oil and gas leasesales of state and BBNC lands in the region to be held as soon as feasible.
- The Parties will cooperate to ensure all development projects in the Bristol Bay region will be pursued in an environmentally responsible manner and will minimize impacts to fishery resources.
- The Parties will work cooperatively to convince the federal government to re-open federal offshore oil and gas prospects in the region to exploration.
- The Parties will endeavor to synchronize the timing of their oil and gas leasing schedule for their respective lands.
- The Parties will help facilitate the design and construction of a transportation network that will make oil, gas, and other mineral prospects more accessible and inter-connect communities in the region.
- The Parties will communicate their development goals to other interested entities in southwest Alaska, such as tribal organizations, village corporations, and borough and city governments.
- The Parties will not act contrary to applicable laws, regulations, policies, and procedures.
- To the extent allowable by statutes and regulations, the Parties will share information that will assist in accomplishing the objectives of this agreement.
- Where reasonable, the Parties will issue joint press releases on matters related to this MOU and will coordinate responses to media questions.
- Notices regarding actions under this MOU will be sent to (for each party):

DNR Commissioner  
State of Alaska  
550 W. 7<sup>th</sup> Ave., Suite 1450  
Anchorage, AK 99501

Chief Executive Officer  
Bristol Bay Native Corporation  
800 Cordova Street  
Anchorage, AK 99501

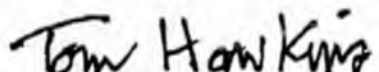
- The term of this MOU will be five (5) years from the effective date and can be extended for five-year periods thereafter with the written agreement of the Parties.
- This MOU may be terminated with thirty days written notice by either Party.
- This MOU can be modified upon written consent of the Parties.

- Others may become party to this MOU upon written consent of the Parties.

**Approved:**

  
\_\_\_\_\_  
Thomas E. Irwin, Commissioner  
Alaska Dept. of Natural Resources

7/10/03  
Date

  
\_\_\_\_\_  
Tom Hawkins  
SRVP & COO, BBNC

7.10.03  
Date

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 71(RES), Draft Version "I"

1 Page 4, lines 22 - 24:

2 Delete all material and insert:

3 "Sections 25 - 36;"

4

5 Page 5, line 22:

6 Delete all material and insert:

7 "Sections 1 - 4, 9 - 16, and 19 - 36;"

8

9 Page 5, line 24:

10 Delete all material and insert:

11 "Sections 19 - 36;"

24-GH1040\I  
Chenoweth  
4/1/05

**CS FOR HOUSE BILL NO. 71(RES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FOURTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE RESOURCES COMMITTEE**

**Offered:**

**Referred:**

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to a credit for certain exploration expenses against oil and gas  
2 properties production taxes on oil and gas produced from a lease or property in the  
3 state, and to the deadline for certain exploration expenditures used as credits against the  
4 production tax on oil and gas produced from a lease or property in the Alaska Peninsula  
5 competitive oil and gas areawide lease sale area, or the Nenana Basin license area; and  
6 providing for an effective date."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 \* Section 1. AS 43.55.025(a) is amended to read.

9 (a) Subject to the terms and conditions of this section, on oil and gas produced  
10 on or after July 1, 2004, from an oil and gas lease, or on gas produced from a gas  
11 only lease, [ON OR AFTER JULY 1, 2004.] a credit against the production tax due  
12 under this chapter is allowed for exploration expenditures that qualify under (b) of  
13 this section in an amount equal to one of the following:

1 (1) 20 percent of the total exploration expenditures that qualify under  
2 [(b) AND] (c) of this section;

3 (2) 40 [, 20] percent of the total exploration expenditures that qualify  
4 under [(b) AND] (d) of this section[, OR BOTH, FOR A TOTAL CREDIT THAT  
5 DOES NOT EXCEED 40 PERCENT OF THE TOTAL EXPLORATION  
6 EXPENDITURES]; or

7 (3) [(2)] 40 percent of the total exploration expenditures that qualify  
8 under [(b) AND] (e) of this section [, FOR A TOTAL PRODUCTION TAX CREDIT  
9 THAT DOES NOT EXCEED 40 PERCENT OF THE TOTAL QUALIFIED  
10 EXPLORATION EXPENDITURES].

11 \* Sec. 2. AS 43.55.025(b) is amended to read:

12 (b) To qualify for the production tax credit under (a) of this section, an  
13 exploration expenditure must be incurred for work performed on or after July 1, 2003,  
14 and before July 1, 2007, or on or after July 1, 2003, and before July 1, 2010, for  
15 exploration expenditures incurred in the Alaska Peninsula competitive oil and  
16 gas areawide lease sale area described in AS 43.55.028, and

17 (1) may be for seismic or geophysical exploration costs not connected  
18 with a specific well;

19 (2) if for an exploration well,

20 (A) must be incurred by an explorer that holds an interest in the  
21 exploration well for which the production tax credit is claimed;

22 (B) may be for either an oil or gas discovery well or a dry hole;  
23 and

24 (C) must be for goods, services, or rentals of personal property  
25 reasonably required for the surface preparation, drilling, casing, cementing,  
26 and logging of an exploration well, and, in the case of a dry hole, for the  
27 expenses required for abandonment if the well is abandoned within 18 months  
28 after the date the well was spudded;

29 (3) may not be for testing, stimulation, or completion costs;  
30 administration, supervision, engineering, or lease operating costs; geological or  
31 management costs; community relations or environmental costs; bonuses, taxes, or

1 other payments to governments related to the well; or other costs that are generally  
2 recognized as indirect costs or financing costs; and

3 (4) may not be incurred for an exploration well or seismic exploration  
4 that is included in a plan of exploration or a plan of development for any unit on  
5 May 13, 2003.

6 \* Sec. 3. AS 43.55.025(c) is amended to read:

7 (c) To be eligible for the [A] 20 percent production tax credit set out in (a)(1)  
8 of this section, exploration expenditures must

9 (1) qualify under (b) of this section; and

10 (2) be for an exploration well that is located and drilled in such a  
11 manner that the bottom hole is located not less than three miles away from the bottom  
12 hole of a preexisting suspended, completed, or abandoned oil or gas well; in this  
13 paragraph, "preexisting" means a well that was spudded more than 150 days but less  
14 than 35 years before the exploration well was spudded.

15 \* Sec. 4. AS 43.55.025(d) is amended to read:

16 (d) To be eligible for the 40 [AN ADDITIONAL 20] percent production tax  
17 credit, set out in (a)(2) of this section, an exploration expenditure must

18 (1) qualify under (b) and (c) of this section; and

19 (2) be for an exploration well that is located not less than 25 miles  
20 outside of the outer boundary, as delineated on July 1, 2003, of any unit that is under a  
21 plan of development.

22 \* Sec. 5. AS 43.55.025(e) is amended to read:

23 (e) To be eligible for the 40 percent production tax credit in (a)(3) [(a)] of this  
24 section, the exploration expenditure must

25 (1) qualify under (b) of this section;

26 (2) be for seismic exploration; and

27 (3) have been conducted outside the boundaries of a production unit or  
28 an exploration unit; however, the amount of the expenditure that is otherwise eligible  
29 under this subsection is reduced proportionately by the portion of the seismic  
30 exploration activity that crossed into a production unit or an exploration unit.

31 \* Sec. 6. AS 43.55.025 is amended by adding new subsections to read:

1 (I) The provisions of this section apply to work performed on or after the  
2 effective date of this Act and before July 1, 2008, for exploration expenditures  
3 incurred on state-owned land in the Nenana Basin license area. For purposes of this  
4 subsection, the Nenana Basin license area is the land that is more specifically  
5 described in ADL 0390079, a reference to the file number assigned as an identifier by  
6 the division exercising the authority and duties of the division of lands, Department of  
7 Natural Resources, under AS 38.05, as that description reads on the effective date of  
8 this section, and that is coextensive with or is part of the following subdivisions of the  
9 public land rectangular survey system in this state:

10 (1) Township 2 North, Range 6 West, Fairbanks Meridian

11 Sections 13 - 36;

12 (2) Township 2 North, Range 7 West, Fairbanks Meridian

13 Sections 13 - 36;

14 (3) Township 2 North, Range 8 West, Fairbanks Meridian

15 Sections 13 - 36;

16 (4) Township 2 North, Range 9 West, Fairbanks Meridian

17 Sections 13 - 17 and 19 - 36;

18 (5) Township 2 North, Range 10 West, Fairbanks Meridian

19 Sections 25, 26, 35, and 36;

20 (6) Township 1 North, Range 7 West, Fairbanks Meridian

21 Sections 1 - 12, 14 - 23

22 Section 25: W1/2

23 Sections 26 - 35

24 Section 36: W1/2;

25 (7) Township 1 North, Range 8 West, Fairbanks Meridian;

26 (8) Township 1 North, Range 9 West, Fairbanks Meridian;

27 (9) Township 1 North, Range 10 West, Fairbanks Meridian;

28 Sections 1, 2, 11 - 14, 23 - 26, 35, and 36;

29 (10) Township 1 South, Range 7 West, Fairbanks Meridian

30 Sections 2 - 23 and 26 - 35;

31 (11) Township 1 South, Range 8 West, Fairbanks Meridian;

- 1 (12) Township 1 South, Range 9 West, Fairbanks Meridian;  
2 (13) Township 1 South, Range 10 West, Fairbanks Meridian  
3 Sections 1 - 3, 10 - 15, 22 - 27, and 34 - 36;  
4 (14) Township 2 South, Range 7 West, Fairbanks Meridian  
5 Sections 4 - 9, 16 - 21, 29 - 32;  
6 (15) Township 2 South, Range 8 West, Fairbanks Meridian  
7 Sections 1, 3, 5, 8, 10, 12 - 17, 20 - 25, 27 - 29, and 33 - 36;  
8 (16) Township 2 South, Range 9 West, Fairbanks Meridian  
9 Sections 1 - 32;  
10 (17) Township 2 South, Range 10 West, Fairbanks Meridian  
11 Sections 1 - 3, 10 - 15, 22 - 27, and 33 - 36;  
12 (18) Township 3 South, Range 8 West, Fairbanks Meridian  
13 Sections 1 - 4, 7, 8, 10, 11, 15 - 22, and 26 - 34;  
14 (19) Township 3 South, Range 9 West, Fairbanks Meridian  
15 Sections 5 - 8, 17 - 20, and 25 - 36;  
16 (20) Township 3 South, Range 10 West, Fairbanks Meridian  
17 Sections 1 - 4, 9 - 16, 21 - 28, and 33 - 36;  
18 (21) Township 4 South, Range 8 West, Fairbanks Meridian  
19 Sections 4, 5, 7 - 9, 16 - 21, and 28 - 32;  
20 (22) Township 4 South, Range 9 West, Fairbanks Meridian;  
21 (23) Township 4 South, Range 10 West, Fairbanks Meridian  
22 Sections 1 - 4 and 9 - 36;  
23 (24) Township 4 South, Range 11 West, Fairbanks Meridian  
24 S1/2;  
25 (25) Township 4 South, Range 12 West, Fairbanks Meridian  
26 Sections 23 - 26 and 33 - 36;  
27 (26) Township 5 South, Range 9 West, Fairbanks Meridian  
28 Sections 2 - 11, 15 - 20, and 29 - 32;  
29 (27) Township 5 South, Range 10 West, Fairbanks Meridian;  
30 (28) Township 5 South, Range 11 West, Fairbanks Meridian;  
31 (29) Township 5 South, Range 12 West, Fairbanks Meridian;

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- (30) Township 6 South, Range 10 West, Fairbanks Meridian  
Sections 2 - 11, 14 - 23, and 26 - 35;
- (31) Township 6 South, Range 11 West, Fairbanks Meridian;
- (32) Township 6 South, Range 12 West, Fairbanks Meridian  
Sections 1 - 12;
- (33) Township 7 South, Range 10 West, Fairbanks Meridian  
Sections 2 - 11;
- (34) Township 7 South, Range 11 West, Fairbanks Meridian  
Sections 1 - 12.

(m) The provisions of this section do not apply to taxes applicable under this chapter to production from oil and gas produced from an oil and gas lease, or to gas produced from a gas only lease, located on the Arctic National Wildlife Refuge.

\* Sec. 7. AS 43.55 is amended by adding a new section to read:

**Sec. 43.55.028. Legal description of Alaska Peninsula competitive oil and gas areawide lease sale area.** For purposes of AS 43.55.025(b), the following comprises the area of the Alaska Peninsula competitive oil and gas areawide lease sale:

- (1) Township 17 South, Ranges 44 - 58 West, Seward Meridian;
- (2) Township 18 South, Ranges 44 - 58 West, Seward Meridian;
- (3) Township 19 South, Ranges 44 - 58 West, Seward Meridian;
- (4) Township 20 South, Ranges 45 - 51 West, Seward Meridian;
- (5) Township 21 South, Ranges 46 - 54 West, Seward Meridian;
- (6) Township 21 South, Ranges 57 - 61 West, Seward Meridian;
- (7) Township 22 South, Ranges 47 - 53 West, Seward Meridian;
- (8) Township 22 South, Ranges 58 - 61 West, Seward Meridian;
- (9) Township 23 South, Ranges 47 - 52 West, Seward Meridian;
- (10) Township 24 South, Ranges 47 - 52 West, Seward Meridian;
- (11) Township 25 South, Ranges 47 - 52 West, Seward Meridian;
- (12) Township 26 South, Ranges 47 - 53 West, Seward Meridian;
- (13) Township 27 South, Ranges 47 - 53 West, Seward Meridian;
- (14) Township 28 South, Ranges 48 - 53 West, Seward Meridian;

- 1 (15) Township 29 South, Ranges 48 - 54 West, Seward Meridian;
- 2 (16) Township 30 South, Ranges 48 - 55 West, Seward Meridian;
- 3 (17) Township 31 South, Ranges 49 - 56 West, Seward Meridian;
- 4 (18) Township 32 South, Ranges 51 - 57 West, Seward Meridian;
- 5 (19) Township 33 South, Ranges 52 - 58 West, Seward Meridian;
- 6 (20) Township 34 South, Ranges 53 - 59 West, Seward Meridian;
- 7 (21) Township 35 South, Ranges 51 - 59 West, Seward Meridian;
- 8 (22) Township 36 South, Ranges 51 - 52 West, Seward Meridian;
- 9 (23) Township 36 South, Ranges 55 - 60 West, Seward Meridian;
- 10 (24) Township 37 South, Ranges 57 - 62 West, Seward Meridian;
- 11 (25) Township 38 South, Ranges 58 - 63 West, Seward Meridian;
- 12 (26) Township 39 South, Ranges 59 - 64 West, Seward Meridian;
- 13 (27) Township 40 South, Ranges 59 - 65 West, Seward Meridian;
- 14 (28) Township 41 South, Ranges 63 - 68 West, Seward Meridian;
- 15 (29) Township 42 South, Ranges 63 - 69 West, Seward Meridian;
- 16 (30) Township 43 South, Ranges 65 - 70 West, Seward Meridian;
- 17 (31) Township 44 South, Ranges 65 - 71 West, Seward Meridian;
- 18 (32) Township 45 South, Ranges 67 - 72 West, Seward Meridian;
- 19 (33) Township 46 South, Ranges 68 - 73 West, Seward Meridian;
- 20 (34) Township 47 South, Ranges 69 - 78 West, Seward Meridian;
- 21 (35) Township 48 South, Ranges 70 - 81 West, Seward Meridian;
- 22 (36) Township 49 South, Ranges 70 - 83 West, Seward Meridian;
- 23 (37) Township 50 South, Ranges 71 - 84 West, Seward Meridian;
- 24 (38) Township 51 South, Ranges 71 - 85 West, Seward Meridian;
- 25 (39) Township 52 South, Ranges 74 - 75 West, Seward Meridian;
- 26 (40) Township 52 South, Ranges 79 - 86 West, Seward Meridian;
- 27 (41) Township 53 South, Ranges 85 - 87 West, Seward Meridian;
- 28 (42) Township 54 South, Ranges 85 - 87 West, Seward Meridian;
- 29 (43) any adjustment to (1) - (42) of this section as described in the
- 30 Department of Natural Resources' final written finding of best interest made under
- 31 AS 38.05.035.

1 \* **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to  
2 read:

3 **CONTINGENT EFFECT OF SECTIONS.** (a) Sections 2 and 7 of this Act take effect  
4 only if the commissioner of natural resources finds that the requirements of AS 38.05.035(e)  
5 and (g) are met and the Alaska Peninsula competitive oil and gas areawide lease sale occurs.

6 (b) The commissioner of natural resources shall promptly notify the revisor of statutes  
7 that the lease sale described in (a) of this section has occurred.

8 \* **Sec. 9.** If secs. 2 and 7 of this Act take effect under sec. 8 of this Act, they take effect the  
9 day the commissioner of natural resources notifies the revisor of statutes that the lease sale  
10 described in sec. 8 of this Act has occurred.

11 \* **Sec. 10.** Except as provided in sec. 9 of this Act, this Act takes effect immediately under  
12 AS 01.10.070(c).

**HB**

**75**

# ALASKA STATE LEGISLATURE HOUSE RESOURCES COMMITTEE

Representative Jay Ramras  
Co-Chairman  
(907) 465-3004  
Fax: (907) 465-2833

Representative\_Jay\_Ramras@legis.state.ak.us

119 N. Cushman St., Suite 213  
Fairbanks, AK 99701



Representative Ralph Samuels  
Co-Chairman  
(907) 465-2095  
Fax: (907) 465-3810

Representative\_Ralph\_Samuels@legis.state.ak.us

716 W. 4th Avenue  
Anchorage, AK 99501

State Capitol, Juneau, Alaska 99801-1182

## House Resources Committee Fax

To: George Utermohle

Fax #: 2029

Number of pages including cover: 2

Fm: Jim Pound 

Cc:

Date: March 14, 2005, 4:03 PM

Re: CS HB 75 (RES) 24-LS0759\G

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Please review the attached proposed amendment to the above referenced CS work draft and finalize as the Resources CS.

Thanks

Jim

The information contained in this fax is **CONFIDENTIAL** and/or privileged. This fax is intended to be reviewed initially by only the individual named above. If the reader of this transmittal page is not the intended recipient or a representative of the intended recipient, you are hereby notified that any review, dissemination, or copying of this fax or the information contained herein is prohibited. If you have received this fax in error, please immediately notify the sender by telephone and return this fax to the sender at the above address.

Thank you

Proposed amendment to CS for H.B. 75 ( )

Amendment # \_\_\_\_\_

*Title Change \**

Delete lines 11-12 and insert:

- (3) in conjunction with the Board of Fisheries and Board of Game, promote fishing, hunting, and trapping, and preserve the heritage of fishing, hunting, and trapping in the state.

New Sec. 2 - AS 16.05.251 is amended by adding a new subsection to read:

- (g) In conjunction with the commissioner, the Board of Fisheries shall promote fishing and preserve the heritage of fishing in the state.

*Renumber accordingly -*

New Sec. 3 - AS 16.05.255 is amended by adding a new subsection to read:

- (k) In conjunction with the commissioner, the Board of Game shall promote hunting and trapping and preserve the heritage of hunting and trapping in the state.

*\* Amend Title*

*... t. "the duties of the Comm of F+G, in promoting and preserving "fishing," hunting...."*

*Bd of Game, Bd of Fish,*

Proposed amendment to CS for H.B. 75 ( )

Amendment # \_\_\_\_\_

Delete lines 11-12 and insert:

- (3) in conjunction with the Board of Fisheries and Board of Game, promote fishing, hunting, and trapping, and preserve the heritage of fishing, hunting, and trapping in the state.

New Sec. 2 – AS 16.05.251 is amended by adding a new subsection to read:

- (g) In conjunction with the commissioner, the Board of Fisheries shall promote fishing and preserve the heritage of fishing in the state.

New Sec. 3 – AS 16.05.255 is amended by adding a new subsection to read:

- (k) In conjunction with the commissioner, the Board of Game shall promote hunting and trapping and preserve the heritage of hunting and trapping in the state.

# Alaska State Legislature

## Juneau

State Capitol Bldg., Rm. 434  
Juneau, AK 99801-1182  
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Toll Free 866-465-4976



## Fairbanks

119 N Cushman, Ste 213  
Fairbanks, AK 99701  
Phone (907) 452-6084  
Fax (907) 452-6096

## **Representative Mike Kelly**

*House District 7*

## **Sponsor Statement**

### **HB 75**

(24-LS0359A)

*"An Act relating to promoting and preserving sport hunting in the state."*

House Bill 75 is intended to clearly express the Legislature's protection of hunting as an integral part of Alaska's cultural heritage.

This bill was brought to the sponsor by a constituent and is modeled after a bill considered by the Michigan State Legislature in 2004. In addition, in recent years there have been moves in other states to include similar language in their constitutions. Similar language was added in Minnesota in 1998 and Montana in 2004.

Hunting, fishing, and trapping have always been a core component of our heritage and livelihood in Alaska and this sentiment is expressed in our Constitution in Article 8, sec. 4. HB 75 creates greater statutory clarity in directing the Commissioner of Fish and Game and the Board of Game to adopt regulations and enforce existing statutes in a manner consistent with protecting Alaskans' rights to utilize our state's game resources.

HB 75 will provide an additional protection from outside encroachment on our ability to responsibly harvest our game resources.

# HOUSE COMMITTEE REPORT

(9)

Date Referred to Committee: January 18, 2005

FURTHER REFERRALS: Finance

Date of Committee Action: 03/14/05

The RESOURCES Committee considered:

HB 75

HOUSE BILL NO. 75

SPORT HUNTING

"An Act relating to promoting and preserving sport hunting in the state."

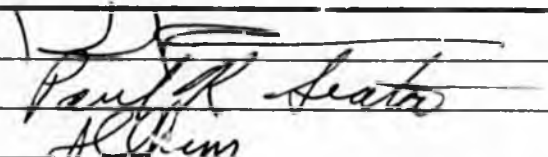

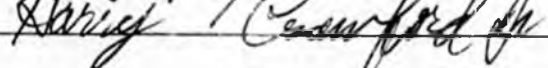


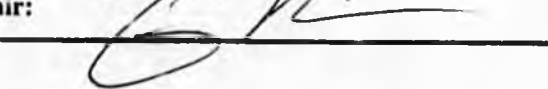
Recommends it be replaced with  HCS or  CS for HB 75 (RES)  
 For Senate Bills with new title:  Technical Title  New Title: HCR \_\_\_\_\_  Same Title  New Title

- attach amendments
- add new referral to \_\_\_\_\_ Committee
- Letter of Intent \_\_\_\_\_ Committee

List of Abbrev for Depts.:  
 ADM  
 CED  
 COR  
 CRT  
 EED  
 DEC  
 DFG  
 GOV  
 HSS  
 LEG  
 LAW  
 LWF  
 MVA  
 DNR  
 DPS  
 REV  
 DOT  
 UA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
DFG				✓

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	OLSON	✓			
	SEATON			✓	
	ELKINS	✓			
	CRAWFORD	✓			✓
Chair: 	SAMUELS	X			
Chair: 	RAMRAS	X			

# Alaska State Legislature

## Juneau

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Fairbanks, AK 99701  
Phone (907) 452-6084  
Fax (907) 452-6096

## **Representative Mike Kelly**

*House District 7*

## **Explanation of Changes**

### **HB 75**

(24-LS0359\G)

*"An Act relating to promoting and preserving hunting and trapping in the state."*

**Change 1** – The title has been changed to reflect the language changes in the bill. "Sport" has been removed from the description of the hunting activities and "trapping" has been added.

**Change 2** – "Sport" has been removed and "trapping" added to the bill. (*Page 1, Lines 11&12; Page 2, Line 3*)

**\*Note:** We removed the term "sport" to eliminate any conflict between subsistence and non-subsistence hunting believing that hunting, as a general practice, is an important component to Alaska's cultural heritage. We added "trapping" for the latter reason.

24-LS0359G  
Utermohle  
2/24/05

**CS FOR HOUSE BILL NO. 75( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FOURTH LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**

**Referred:**

**Sponsor(s): REPRESENTATIVES KELLY, Ramras**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to promoting and preserving hunting and trapping in the state."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **\* Section 1. AS 16.05.020 is amended to read:**

4 **Sec. 16.05.020. Functions of commissioner. The commissioner shall**

5 (1) supervise and control the department, and may appoint and employ  
6 division heads, enforcement agents, and the technical, clerical, and other assistants  
7 necessary for the general administration of the department;

8 (2) manage, protect, maintain, improve, and extend the fish, game and  
9 aquatic plant resources of the state in the interest of the economy and general well-  
10 being of the state;

11 (3) in conjunction with the Board of Game, promote hunting and  
12 trapping and preserve the heritage of hunting and trapping in the state;

13 (4) have necessary power to accomplish the foregoing including, but  
14 not limited to, the power to delegate authority to subordinate officers and employees  
15 of the department.

1 \* Sec. 2. AS 16.05.255 is amended by adding a new subsection to read:

2 (k) In conjunction with the commissioner, the Board of Game shall promote  
3 hunting and trapping and preserve the heritage of hunting and trapping in the state.

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: H.B. 75  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Fish and Game  
 Title An Act Relating to Promoting RDU \_\_\_\_\_  
and Preserving Sport Hunting Component \_\_\_\_\_  
 Sponsor Representative Kelly \_\_\_\_\_  
 Requester House Resources Committee Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
 Passage of this legislation would have no fiscal impact.

Prepared by: Sarah Gilbertson Phone 465-6137  
 Division Legislative Liaison Date/Time 3/14/05 8:50 AM  
 Approved by: Acting Commissioner Wayne Regelin Date 3/14/2005  
 Agency Alaska Department of Fish & Game

**Jim Pound**

---

**From:** Kappel, Larry A Mr MEDDAC-AK [Larry.Kappel@nw.amedd.army.mil]  
**Sent:** Monday, March 14, 2005 12:13 PM  
**To:** Rep. Jay Ramras  
**Subject:** HB75

**Dear Representative Ramras:**

**As a Alaskan Sportsman and Wildlife Conservationist, I fully support Mike Kelly's HB75 Initiative: "An Act Relating to Promoting and Preserving Hunting and Trapping in the State".**

**Larry Kappel**

**Alaska Outdoor Council**

PO Box 73902  
Fairbanks, AK 99707-3902  
(907) 455-4AOC (4262)  
aoc@alaska.net  
www.alaskaoutdoorcouncil.org

March 14, 2005

Honorable Mike Kelly  
Honorable Jay Ramras  
Alaska State Legislature  
Juneau, AK 99811  
By FAX 465-2070 to House Resources Committee

Dear Representatives Kelly and Ramras:

Thank you for introducing HB 75, Rep. Kelly, and for your support, Rep. Ramras.

I applaud your work draft proposal of 2/24/05 and committee substitute for HB 75. Promoting and preserving the various legal forms of hunting and trapping in Alaska is properly a function of the State, through the Department of Fish & Game (ADF&G) and the Board of Game.

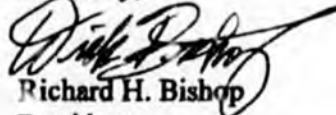
When I have in the past urged the ADF&G to advocate hunting and trapping, I have been told that the Department of Law advised ADF&G not to, because there was no clear statutory direction to do so.

The importance of hunting and trapping to Alaskan values and lifestyles and to sound, scientific sustained yield management demands clear direction, to help ensure that the State is able to fulfill its constitutional responsibilities.

Your bill provides that direction. Thank you for introducing it and, in the proposed Committee Substitute, broadening its scope to include all hunting and trapping. I respectfully ask the Committee and the Legislature to pass this proposed Committee substitute for HB 75.

Please include my letter in the House Resources Committee record.

Sincerely,



Richard H. Bishop  
President

cc: The Honorable Governor Frank Murkowski

*The official State Association of the NRA*

February 24, 2005

North American Bear Foundation  
1159 Bedow Road  
Fort Ripley, MN 56449

Rep. Mike Kelly  
State Capitol, Rm. 434  
Juneau, AK 99801

Dear Representative Mike Kelly:

Upon reviewing Alaska bill HB0075A the North American Bear Foundation (NABF) would like to offer our support. The bill reflects the NABF's mission of conservation and sound management of our natural resources.

Sincerely,

Brian Bachman  
NABF President/CEO

# HOUSE BILL No. 6272

September 29, 2004, Introduced by Reps. Tabor, Vander Veen, Drolet, Milosch, Sak, Sheltroun, Acciavatti, Hummel, Robertson, Bradstreet, Casperson, Palsrok, DeRossett, Hoogendyk, Richardville, Pastor, LaJoy, Emmons and Farhat and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 40110 (MCL 324.40110), as added by 1995 PA  
57.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 40110. (1) Only the legislature may designate a  
2 species as game. If an animal is designated under this section  
3 by the legislature as game, then only the legislature may  
4 authorize the establishment of the first open season for that  
5 animal. After the legislature authorizes the establishment of  
6 the first open season for game pursuant to this section the  
7 department may issue orders pertaining to that animal for each of  
8 the purposes listed in section 40107, subject to section 40113a.

9       (2) The department and the commission shall preserve and  
10 promote the heritage of recreational hunting in this state,

HOUSE BILL No. 6272

1 consistent with this part, and may promote legislation to  
2 classify animals as game or to declare the first open season for  
3 game.

**Section 8.4 - Sustained Yield.**

**Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.**

**Sec. 10. SEAT OF GOVERNMENT.** The seat of government of the state is in the city of St. Paul. The legislature may provide by law for a change of the seat of government by a vote of the people, or may locate the same upon the land granted by Congress for a seat of government. If the seat of government is changed, the capitol building and grounds shall be dedicated to an institution for the promotion of science, literature and the arts to be organized by the legislature of the state. The Minnesota Historical Society shall always be a department of this institution.

**Sec. 11. STATE SEAL.** A seal of the state shall be kept by the secretary of state and be used by him officially. It shall be called the great seal of the state of Minnesota.

**Sec. 12. PRESERVATION OF HUNTING AND FISHING.** Hunting and fishing and the taking of game and fish are a valued part of our heritage that shall be forever preserved for the people and shall be managed by law and regulation for the public good. [Adopted, November 3, 1998]

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[webmaster@house.leg.state.mn.us](mailto:webmaster@house.leg.state.mn.us)

Updated on

## Montana Code Annotated 2003

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### Montana Constitution, Article IX

**Section 7. Preservation of harvest heritage.** The opportunity to harvest wild fish and wild game animals is a heritage that shall forever be preserved to the individual citizens of the state and does not create a right to trespass on private property or diminution of other private rights.

**History:** En. Sec. 1, Const. Amend. No. 41, approved Nov. 2, 2004.

*Effective Nov. 2, 2004--Sec. 2, Const. Amend. No. 41.*

*Provided by Montana Legislative Services*

**CI-1****Statement of rights.**

All persons are by nature free and independent, and have certain inherent and inalienable rights; among these are life, liberty, the pursuit of happiness, and the right to keep and bear arms for security or defense of self, family, home, and others, and for lawful common defense, hunting, recreational use, and all other lawful purposes, and such rights shall not be denied or infringed by the state or any subdivision thereof. To secure these rights, and the protection of property, governments are instituted among people, deriving their just powers from the consent of the governed.

**Source:**

Neb. Const. art. I, sec. 1 (1875);  
Amended 1988, Initiative Measure No. 403.



**HB**

**76**

# ALASKA STATE LEGISLATURE HOUSE RESOURCES COMMITTEE

Representative Jay Ramras  
Co-Chairman  
(907) 465-3004  
Fax: (907) 465-2833  
Representative\_Jay\_Ramras@legis.state.ak.us

119 N. Cushman St., Suite 213  
Fairbanks, AK 99701



Representative Ralph Samuels  
Co-Chairman  
(907) 465-2095  
Fax: (907) 465-3810  
Representative\_Ralph\_Samuels@legis.state.ak.us

716 W. 4th Avenue  
Anchorage, AK 99501

State Capitol, Juneau, Alaska 99801-1182

## COMMITTEE HEARING SCHEDULE Barnes Room Room 124

Wednesday, February 2, 2005- 1:00pm-3:00pm

Note: (Meeting will start after the Mining conference being held in Senate Finance)

+ HB 76- BIG GAME SERVICES & COMM. SERVICES BD

+ HB 107- ATTY FEES: HUNTING/FISHING INTERFERENCE

**We are still awaiting Fiscal Notes on both of these bills**

Bills previously heard or scheduled

+ Teleconferenced





# REPRESENTATIVE RALPH SAMUELS

HOUSE DISTRICT 29

## HB 76 Sponsor Statement

**“An Act relating to the Big Game Commercial Services Board and to the regulation of big game hunting services; and providing for an effective date.”**

This bill would re-establish the Big Game Commercial Services Board to oversee an important industry that exists largely on the basis of a healthy wildlife population. The board was allowed to sunset a decade ago, and in the following years, professional hunters, wildlife biologists, public and private land managers and the hunting public themselves have discovered the problems associated with a decentralized, uncoordinated system of licensing and regulating guides and transporters.

An audit commissioned by the 23<sup>rd</sup> Alaska Legislature and released in December, 2003, recommends the legislature consider re-establishing the board. Auditors concluded after extensive interviews with affected agencies, land owners and hunters that wildlife populations would benefit from more coordinated enforcement of existing laws, and that consumer protection and hunter-client safety could be improved. The Alaska Board of Game has also asked repeatedly that a guide licensing board be re-established.

This bill would create a seven-member board within the Department of Community and Economic Development. Two members would represent active registered guide-outfitters, two members would be licensed transporters, one member would be assigned by the Board of Game, one member would represent private landholders, and one member would represent the public. The bill also increases from \$1,000 to \$5,000 the maximum civil penalty for disciplinary purposes.

Email: Representative\_Ralph\_Samuels@legis.state.ak.us

Session: Alaska State Capitol, Juneau, Alaska 99801-1182 • Phone: (907) 465-2095 Fax: (907) 465-3810  
Interim: 716 W. 4th Ave., Anchorage, Alaska 99501-2133 • Phone: (907) 269-0240 Fax: (907) 269-0242

# LEGAL SERVICES

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

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


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

## MEMORANDUM

January 18, 2005

**SUBJECT:** Sectional Summary of HB 76; An Act relating to the Big Game Commercial Services Board and to the regulation of big game hunting services and transportation services  
(Work Order No. 24-LS0332\G)

**TO:** Representative Ralph Samuels  
Attn: Henry Webb

**FROM:** George Utermohle   
Legislative Counsel

You have requested a sectional summary of HB 76; an Act relating to the Big Game Commercial Services Board and to the regulation of big game hunting services and transportation services.

As a preliminary matter, note that a sectional summary of a bill is not an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Throughout the bill wherever the term "registered guide" or "master guide" is used in statute it is replaced by "registered guide-outfitter" and "master guide-outfitter," respectively.

**Section 1** of the bill amends AS 08.01.010(7) to provide that the centralized licensing provisions of AS 08.01 apply to the Big Game Commercial Services Board that is created in sec. 3 of the bill.

**Section 2** of the bill sets out the sunset date of the Big Game Commercial Services Board as June 30, 2007.

**Section 3** of the bill adds new sections to AS 08.54 to create the Big Game Commercial Services Board, to set out the qualifications of the seven members of the board, and to provide that the board is to receive assistance, information, and data from certain state agencies.

**Section 4** of the bill amends AS 08.54.600 to provide for the transfer of responsibility for licensing and regulation of big game commercial services from the Department of Community and Economic Development to the Big Game Commercial Services Board

and to eliminate the roster of registered guides and amend provisions relating to examinations for registered guide-outfitters.

**Section 5** of the bill amends AS 08.54.600 by adding a new subsection authorizing the Big Game Commercial Services Board to adopt regulations regarding professional codes of either, written contracts with clients of registered guide-outfitters and transporters, and inspections of contracts by the Department of Community and Economic Development.

**Section 6** of the bill amends AS 08.54.605(a) to amend provisions regarding eligibility for guide and transporter licenses if a person has been convicted of violating certain statutes or regulations and to insert the terms "registered guide-outfitter" and "master guide-outfitter" in lieu of "registered guide" or "master guide," respectively.

**Section 7** of the bill amends AS 08.54.605(c) to insert the terms "registered guide-outfitter" and "master guide-outfitter" in lieu of "registered guide" and "master guide," respectively.

**Section 8** of the bill amends AS 08.54.610 to require that applicants for a registered guide-outfitter license have recent big game hunting experience, to provide for the transfer of responsibility for licensing and regulation of registered guides from the Department of Community and Economic Development to the Big Game Commercial Services Board and to replace the terms "registered guide" and "master guide" with "registered guide-outfitter" and "master guide-outfitter," respectively.

**Section 9** of the bill amends AS 08.54.620 to provide for the transfer of responsibility for licensing and regulation of class-A assistant guides from the Department of Community and Economic Development to the Big Game Commercial Services Board, to amend the requirements for a class-A assistant guide license, and to replace the terms "registered guide" and "master guide" with "registered guide-outfitter" and "master guide-outfitter," respectively.

**Section 10** of the bill amends AS 08.54.630 to provide for the transfer of responsibility for licensing and regulation of assistant guides from the Department of Community and Economic Development to the Big Game Commercial Services Board, to amend the requirements for an assistant guide license, and to replace the term "registered guide" with "registered guide-outfitter."

**Section 11** of the bill amends AS 08.54.640(a) to replace the term "registered guide" with "registered guide-outfitter."

**Section 12** of the bill amends AS 08.54.640(b) to transfer authority from the Department of Community and Economic Development to the Big Game Commercial Services Board to adopt regulations regarding the suspension of guide licenses held by persons who are or become law enforcement officers and to replace the term "registered guide" with "registered guide-outfitter."

**Section 13** of the bill amends AS 08.54.650(c) to provide that the Big Game Commercial Services Board may specify the information to be supplied in transporter activity reports.

**Section 14** of the bill amends AS 08.54.660 to provide that registered guide-outfitters and transporters must sign an affidavit that all required reports have been submitted to the Department of Community and Economic Development before their licenses can be renewed and to replace the term "registered guide" with "registered guide-outfitter."

**Sections 15 and 16** of the bill amend AS 08.54.670 and 08.54.680(b), respectively, to replace the term "registered guide" with "registered guide-outfitter."

**Section 17** of the bill amends AS 08.54.680 by adding a new subsection (c) to provide that on or after January 1, 2005, registered guides and transporters must have a written contract with clients before providing services to those clients.

**Sections 18 and 19** of the bill amend AS 08.54.710(a) and (b), respectively, to provide that the Big Game Commercial Services Board is responsible for imposing disciplinary sanctions upon persons licensed under AS 08.54 and to amend the list of acts for which the board may impose disciplinary sanctions.

**Section 20** of the bill amends AS 08.54.710(c) to raise the maximum civil fine that can be imposed by the Big Game Commercial Services Board from \$1,000 to \$5,000 and to provide that the Big Game Commercial Services Board is responsible for imposing disciplinary sanctions upon persons licensed under AS 08.54.

**Section 21** of the bill amends AS 08.54.710(d) to provide that the Big Game Commercial Services Board is responsible for imposing certain disciplinary sanctions upon persons licensed under AS 08.54.

**Sections 22, 23, and 24** of the bill amend AS 08.54.710(e), (f), and (i), respectively, to provide that the Big Game Commercial Services Board is responsible for imposing disciplinary sanctions upon persons licensed under AS 08.54.

**Section 25** of the bill amends AS 08.54.720(a) to provide that it is unlawful for a person licensed under AS 08.54 to commit or aid in the commission of a violation of a state or federal wildlife or game, guiding, or transportation services statute, to fail to report a violation of a state or federal wildlife or game, guiding, or transportation services statute by a client or employee within 20 days after the violation, to fail to have a valid Alaska hunting license in possession when guiding, or to remain on state, federal or private land without prior approval. Also, the term "registered guide" is replaced with "registered guide-outfitter" in several places.

**Section 26** of the bill amends AS 08.54.720(f) to provide that the Big Game Commercial Services Board is responsible for suspending guide licenses and transporter licenses when ordered by a court.

**Section 27** of the bill amends AS 08.54.730 to provide that the Big Game Commercial Services Board may obtain an injunction to halt certain violations of AS 08.54.

**Section 28** of the bill amends AS 08.54.740 to provide that a registered guide-outfitter or transporter is equally responsible for violations of federal wildlife laws by their employees and to replace the term "registered guide" with "registered guide-outfitter."

**Section 29** of the bill amends AS 08.54.750 to prohibit registered guide-outfitters from withdrawing or amending a use area registration during a calendar year, to allow the Big Game Commercial Services Board to amend the boundaries of use areas, and to make technical changes necessary to conform to the replacement of the term "registered guide" with "registered guide-outfitter" and with the transfer of authority from the Department of Community and Economic Development to the Big Game Commercial Services Board.

**Section 30** of the bill adds new subsections to AS 08.54.750 to provide that registered guide-outfitters may register for additional use areas to guide hunts for certain big game predator species under certain conditions and that transporters may be required to provide advance notice to the Department of Community and Economic Development before providing transportation services in a use area.

**Section 31** of the bill amends AS 08.54.760 to provide that the Department of Community and Economic Development may make hunt records and activity reports available to federal and other law enforcement agencies and to make technical changes necessary to conform to the replacement of the term "registered guide" with "registered guide-outfitter" and with the transfer of authority from the Department of Community and Economic Development to the Big Game Commercial Services Board.

**Section 32** of the bill amends AS 08.54.770 to make technical changes necessary to conform to the replacement of the term "registered guide" with "registered guide-outfitter" and to clarify that the Department of Fish and Game is responsible for issuing hunting licenses.

**Section 33** of the bill amends AS 08.54.790 to make technical changes necessary to conform to the replacement of the term "registered guide" with "registered guide-outfitter" and to add a definition of "board."

**Sections 34 - 38** amend AS 16.05.407(a), 16.05.407(f), 16.05.408(a), 16.05.408(c), and AS 23.10.055, respectively, to make technical changes necessary to conform to the replacement of the term "registered guide" with "registered guide-outfitter."

**Section 39** of the bill amends AS 39.50.200(b) by adding the Big Game Commercial Services Board to the list of boards and commissions whose members are subject to public officers financial disclosure.

Representative Ralph Samuels  
January 19, 2005  
Page 5

**Section 40** of the bill amends AS 41.23.420(d) by substituting the Big Game Commercial Services Board for a reference to the Department of Community and Economic Development.

**Section 41** of the bill amends AS 44.62.330(a)(35) by substituting the Big Game Commercial Services Board for a reference to the Department of Community and Economic Development in the list of agencies that are subject to the administrative adjudication provisions of the Administrative Procedure Act.

**Section 42** of the bill provides for the initial appointment of the members of the Big Game Commercial Services Board.

**Section 43** of the bill provides for the issuance of registered guide-outfitter licenses and master guide-outfitter licenses to persons who currently hold registered guide licenses and master guide licenses.

**Section 44** of the bill is the Saving Clause.

**Section 45** of the bill provides that secs. 3, 17, and 42 - 44 of the bill take effect immediately.

**Section 46** of the bill provides that the remaining provisions of the bill take effect on the day that the Big Game Commercial Services Board holds its first meeting.

If I may be of further assistance, please advise.

GU:jad  
05-026.jad

March 18, 2003

Senate President Gene Theriault  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, AK 99801-1182

House Speaker Pete Kott  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, AK 99801-1182

Dear Senator Theriault and Speaker Kott:

The Board of Game met in Anchorage from March 6 - March 15, 2003. One of the miscellaneous topics discussed in detail was the necessity for the reestablishment of a Big Game Commercial Services Board. The Board would once again like to request that this issue be seriously considered by the Legislature.

The Board of Game and the Department of Fish and Game are responsible for managing Alaska's varied wildlife resources. While the Department has the responsibility for implementation of the state's management programs, the Board has the responsibility for establishing hunting and trapping regulations in concert with the dictates of the Constitution and the statutes. We are also responsible for identifying and establishing intensive management programs, predator control programs and plowing through convoluted subsistence processes and procedures to establish coherent wildlife management policies and programs. One of the biggest stumbling blocks has been the inability of the state to establish some reasonable controls on the guiding and transporter industries.

Unregulated guiding operations and uncontrolled access by transporters to the remote areas of our state have created significant and unnecessary conflicts. Congestion, wanton waste, complaints from clients, safety concerns and major conflicts with local hunters has created a climate of hostility in some areas. In addition, the present situation does little to improve the image of Alaskan fish and wildlife management programs and the users dependent on them.

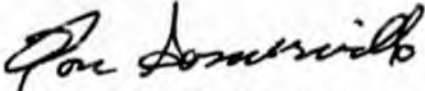
The most logical solution is to recreate a Board that has the function of overseeing the big game guiding and transporter industries. Standards for licensing of guides, safety standards, testing where appropriate, monitoring and investigating client complaints, enforcing reporting requirements and the establishment and enforcement of ethics standards are some of the responsibilities that could be delegated to a Commercial Services Board.

Bd. of Game Support

With the complexities surrounding wildlife management in Alaska today, it only makes sense to exercise some regulatory control over all substantial commercial and non-commercial activities that create serious user conflicts and contribute to growing management problems. In addition, the maintenance of both healthy and well-regulated guide and transporter industries are important to the state.

Thank you for considering this recommendation from the Board of Game.

Sincerely,



Ron Somerville, Vice Chair  
Board of Game

cc: Senator Scott Ogan  
Representative Bud Fata  
Acting Commissioner Kevin Duffy

# STATE OF ALASKA

FRANK H. MURKOWSKI  
GOVERNOR

DEPARTMENT OF FISH AND GAME  
OFFICE OF THE COMMISSIONER

P.O. BOX 25526  
JUNEAU, AK 99802-5526  
PHONE: (907) 465-4100  
FAX: (907) 465-2332

November 7, 2003

Pat Davidson, Legislative Auditor  
Legislative Budget and Audit Committee  
Division of Legislative Audit  
P.O. Box 113300  
Juneau, AK 99811-3300

Dear Mr. Davidson:

Thank you for the opportunity to review the preliminary audit report on Occupational Licensing and Oversight of Alaska Big Game Guides and Transporters. Your report is accurate, thorough, and well-written. The Department of Fish and Game agrees with the recommendation that the legislature consider reestablishment of a guide/transporter services licensing board (Guide Board). Creation of a Guide Board with authority to regulate guide/transporter activities would improve wildlife management, benefit hunters, and bolster the economy of the state.

The Guide Board should have the authority to determine how many hunters a transporter can drop off in an area. The Guide Board and the Board of Game would work cooperatively to insure that Alaska wildlife are harvested at the appropriate level to safeguard sustained yield, and that hunters can enjoy a high quality hunting experience without unnecessary crowding.

The Big Game Commercial Services Board, before it ceased to exist, did an excellent job of monitoring the ethical behavior and business practices of guides. A new Guide Board could fill that same role. It is important that hunters hiring the services of a guide have confidence that their guide meets high standards of conduct.

Each year, about 11,000 non-residents hunt in Alaska, and about two-thirds hire a guide. Their activities generate over \$100 million dollars to the Alaska economy, provide about 800 year-round jobs and many more seasonal jobs. I believe that establishing a Guide Board will help insure the long-term viability of the guiding industry in Alaska.

Sincerely yours,

Wayne Regelin  
Deputy Commissioner

October 16, 2003

Members of the Legislative Budget  
and Audit Committee:

In accordance with the provisions of Title 24 of the Alaska Statutes, the attached report is submitted for your review.

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF OCCUPATIONAL LICENSING  
GUIDES AND TRANSPORTERS

October 16, 2003

Audit Control Number

08-30025-03

This audit report addresses the specific areas related to game guiding enforcement such as determining the implications the absence of a board has had on enforcement of current guiding statutes and regulations; assessing the sufficiency of current-level enforcement activity related to illegal guiding; and, presumably, game violations. In addition, we reviewed the permit and evaluation process used by the various federal agencies in their respective game management areas.

In our opinion, the public protection and consumer safety aspects of the current guide service statutes should be improved. The legislature should also consider reestablishing a guide/transporter service licensing board.

The audit was conducted in accordance with generally accepted government audit standards. Fieldwork procedures utilized in the course of developing the findings and discussion presented in this report are discussed in the Objectives, Scope, and Methodology section.

Pat Davidson, CPA  
Legislative Auditor

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## OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Titles 24 of the Alaska Statutes and a special request of the Legislative Audit and Budget Committee, we conducted a review of the licensing and/or permitting of guides and transporters by the Division of Occupational Licensing; Division of Mining, Land, and Water; federal agencies such as the National Park Service, National Wildlife Refuge, United States Forest Service; and, Bureau of Land Management.

### Objectives

Our specific audit objectives were:

1. To determine the implications the absence of a board has had on enforcement of current guiding statutes and regulations.
2. To assess the sufficiency of current-level enforcement activity related to illegal guiding violations by both licensed and unlicensed guides.
3. To determine the purpose for transporter activity reports and if these reports are sufficiently comprehensive and timely to meet achieve the intended purpose.

### Scope:

We focused our review on the permitting process by state and federal agencies during 2002 and 2003, hunt reports and transporter activity reports in 2002, and complaint case investigation from 1997 to 2003.

### Methodology:

To accomplish the audit objectives the following documents were reviewed:

- Applicable federal regulations and state guiding/transporter statutes and regulations
- Other states' guide-outfitter statutes and regulations
- Annual reports
- Licensing and investigation files for guides and transporters
- Professional hunter publications
- 2002 Sunset Review of the Colorado Office of Outfitters Registration

We also compared 1995 provisions of the former Big Game Commercial Services Board (BGCSB) statute and regulations with the currently active guide/transporter statutes and regulations.

We interviewed the following individuals:

- Members of the Alaska Professional Hunters Association
- Staff of the Division of Occupational Licensing, Department of Community and Economic Development
- Staff of the Division of Mining, Land and Water, Department of Natural Resources
- Staff of the Division of Fish and Wildlife Protection, Department of Public Safety
- Staff at the Department of Fish and Game
- Staff of the U.S. Forest Service, National Park Service, U.S Fish and Wildlife Service, and U.S. Department of the Interior's Bureau of Land Management

Additionally, we conducted a survey of guide and transporter clients. Our survey sought responses to issues such as consumer protection, safety, fair guide practices, and overall hunt experiences.

## ORGANIZATION AND FUNCTION

The Big Game Commercial Services Board (BGCSB) was allowed to sunset on June 30, 1994. Under AS 08.03.020, the board continued in existence until June 30, 1995 in order to conclude its administrative operations. Chapter 33, Section 3, SLA 1996 transferred the board's regulatory responsibility for guides and transporters to the Department of Commerce and Economic Development (DCED).<sup>1</sup> Guides and transporters are regulated by the department through the Division of Occupational Licensing (OccLic).

A licensing examiner at OccLic is assigned the function of administering and grading the guide and game management unit examinations, issuing initial and renewal licenses for all classes of guides and transporters, reviewing hunt and transporter activity reports from guide and transporter licensees, and referring violations to the investigation section.

An investigator at OccLic is assigned to conduct investigations of complaints received from guide and transporter clients, other guides and transporters, the licensing examiner, and other state or federal agencies. Investigations resulting in accusations<sup>2</sup> are sent to the Attorney General's office for review and acceptance. The accusation is then filed and sent to the respondent<sup>3</sup> who may request a hearing or default by not responding.

### Duties of DCED

DCED's statutory responsibilities include:

1. Preparing, grading, and administering a qualification examination for a registered guide license and a certification examination for each game management units where registered guides intend to provide big game hunting services.
2. Issuing registered guide, master guide, class-A assistant guide, assistant guide, and transporter licenses.
3. Compiling, maintaining, and publishing an annual roster of registered guides and master guides licensed.
4. Impose appropriate disciplinary actions on a guide and transporter licensee.

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<sup>1</sup> The department was renamed Department of Community and Economic Development in 1999.

<sup>2</sup> According to *Black's law dictionary, Centennial Edition (1891- 1991)*, an accusation is defined as "A formal charge against a person, to the effect that he is guilty of a punishable offense, laid before a court or magistrate having jurisdiction to inquire into the alleged crime."

<sup>3</sup> According to *Black's law dictionary, Centennial Edition (1891- 1991)* a respondent is "In appellate practice, the party who contends against an appeal or the party against whom the appeal is taken."

5. Requiring that an applicant seeking issuance or renewal of any class of guide or transporter licenses provide a signed statement declaring whether his right to obtain a hunting, guiding, outfitting, or transporting license has been revoked in Alaska or any other state and Canada.
6. Regularly disseminating information regarding examinations and other qualifications for all classes of guide licenses to the residents of the rural areas of the state.
7. Adopting procedural and substantive regulations.
8. Administering examinations for registered guides at least twice a year.

## BACKGROUND INFORMATION

Alaska Statutes 16.05.407 and .408 require nonresident U.S. citizens and nonresident foreign nationals to be accompanied by a licensed guide when hunting specified species of big game in Alaska.<sup>4</sup> To hunt brown bear, grizzly bear, mountain goat or sheep in Alaska, nonresident U.S. citizens must obtain services of a guide unless they are accompanied by a state resident over 19 years of age who is within the "second degree of kindred."<sup>5</sup> In addition to game listed for nonresident U.S. citizens, hunters who are foreign nationals must be accompanied by a licensed guide to hunt black bear, bison, caribou, deer, elk, moose, musk ox, wolf,<sup>6</sup> or wolverine.

### In 1973, the Legislature established the Guide Licensing and Control Board

In 1973, the legislature created the Guide Licensing and Control Board (GLCB).<sup>7</sup> The board was responsible for establishing guidelines for different classes of guide licenses, defining unlawful acts, and providing for the disciplining of guides. The board also had the authority to regulate guide activities through the adoption of regulations.

The prime sponsor of the legislation testified that the purpose of the board was to better manage the state's fish and game, in addition to seeking out competent guides for licensure. The board of seven was to be made up of "no more than three" individuals who were guides and the remaining four members were to have "general knowledge of the game resources of the state." All members were required to have "a minimum of 10 years residence in the state."

### In 1976, the Legislature authorized establishment of Exclusive Guide Areas

In 1976, the legislature authorized the establishment of exclusive guide areas (EGAs).<sup>8</sup> Under the authority of the new law, GLCB adopted regulations to establish a more uniform and consistent criteria for awarding EGAs that included a point system based on demonstrated prior hunting or guiding experience in a given region or area.

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<sup>4</sup> Licensed Guide refers to all licensing categories: a registered guide, master guide, class A assistant guide, and assistant guides. Class A assistants and assistant guides are typically employed by a registered or master guide.

<sup>5</sup> According to an Alaska Department of Fish and Game hunter information publication, a second-degree of kindred means in relation to the hunter. The other individual may be: father, mother, brother, sister, son, daughter, spouse, grandparent, grandchild, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in-law, stepfather, stepmother, stepsister, stepbrother, stepson, or stepdaughter.

<sup>6</sup> A guide is not required for hunting wolves in Game Management Units 13, 19, and 20.

<sup>7</sup> Chapter 17, SLA 1973

<sup>8</sup> Chapter 133, SLA 1976

Under the EGA system, licensed guides were given exclusive rights to conduct commercial hunts within a designated geographic area. Assignment of EGAs was done after the board evaluated criteria such as occupancy, historical use, and financial value of the guide's infrastructure in an area.

After nine years of litigation, the Alaska Supreme Court declared EGAs unconstitutional

In April 1979, a licensed guide and lodge owner named Owsichuk filed a lawsuit in Superior Court challenging the constitutionality of EGAs. Owsichuk sought authorization from GLCB to guide clients in a specific region and had been denied permission because another guide had exclusive rights to guide in that same area of the state.

In October 1988, the state Supreme Court issued a decision that the statute and related regulations establishing EGAs were unconstitutional. The court determined that EGAs were contrary to the "common use clause" provision of the Alaska Constitution since they provided big game guides the exclusive use of state resources in perpetuity.

EGAs had been granted to big game guides based on a seniority system. Big game guides were not required to pay any fees to the state for the EGAs nor were they restricted as to how long they could use the area. GLCB allowed guides to transfer or sell EGAs to other guides for a profit as though it were private property in which the state had no interest.

Justice Rabinowitz, in writing for the unanimous court, found this aspect of EGAs of particular concern. He stated in the court's opinion:

*Nothing in this opinion is intended to suggest that leases and exclusive concessions on state lands are unconstitutional. The statutes and regulations of the Department of Natural Resources authorize leases and concession contracts of limited duration, subject to competitive bidding procedures and valuable consideration. ... In contrast, EGAs are not subject to competitive bidding, provide no remuneration to the state, are of unlimited duration, and are not subject to any other contractual terms or restrictions. Rather, ... they are granted essentially on the basis of seniority, with no rental or usage fee, for unlimited duration, and are administered in such a way that guides may transfer them for a profit as if they owned them. In these respects the EGAs resemble the type of royal grants the common use clause [of the state constitution] expressly intended to prohibit. Leases and concession contracts do not share these characteristics. [emphasis added]*

Even before the Owsichuk decision was issued, the legislature had begun to reconsider public policy related to the guiding industry. In May 1988, the legislature established the Interim Task Force on Guiding and Game. The central objective of the task force was to examine the various problems and issues surrounding the commercial taking of big game in the state. The task force was also directed to evaluate how to deal with the businesses or professions that provided goods and services to big game hunters in the state.

At this time, GLCB was dealing with problems such as:

1. the best way to regulate air taxi operators who were operating very much like guides – calling themselves “outfitters;”
2. complaints from the general public that the current system of licensing guides or obtaining an EGA required an individual to “have the right connections” rather than necessarily being qualified to operate in a given area; and,
3. problems the Division of Fish and Wildlife Protection was having in enforcing guiding laws, due to the vague way in which they were written. The enforcement problems were due in large part to the difficulty in defining what constituted unlicensed guiding activity.

The legislative task force was given the responsibility to examine these problems and develop a proposed alternative regulatory approach. The task force recommended a new regulatory game board should be established with expanded regulatory authority over guide-outfitters (the new term for guides) and a newly designated licensing group – transporters.

#### Creation of the Big Game Commercial Services Board and the licensing of transporters

In 1989, the legislature established a new board with expanded authority in the wake of the Owsichuk decision and other changes taking place in the guiding industry. The new board was named the Big Game Commercial Services Board (BGCSB). The name change reflected the expanded scope of the board's authority which, in addition to licensing guides and their assistants, now also licensed individuals who provided transportation services to hunters.

New legislation allowed for the establishment of guide use areas (GUAs)<sup>9</sup> which would permit certain license holders to guide in designated geographic areas within the state's 26 Game Management Units (GMU). GUAs would be assigned to guide-outfitters on a nonexclusive merit basis, replacing the unconstitutional EGA system.

The BGCSB legislation also restricted the commercial use of the term “outfitter” only to licensed guides, resulting in a new statutory title of guide-outfitter. This was done to reduce confusion over what services a consumer could expect when contracting for a big game hunt in Alaska. The term outfitter was used in most other licensing jurisdictions for an individual who performed services similar to those provided by guides in Alaska. Previously, some individuals who were not licensed guides, but were operating as unlicensed transporters, had begun using the term outfitter in their advertising.

Like its GLCB predecessor, BGCSB was organizationally placed under the auspices of the Division of Occupational Licensing in the Department of Commerce and Economic

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<sup>9</sup> GUAs, currently used, were developed by the Alaska Department of Fish and Game at the request of the Legislative Task Force on Guiding and Game.