

**SENATE BILL NO. 253**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

**BY SENATOR KAUFMAN**

**Introduced: 2/21/24**

**Referred: Resources, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to a big game guide commercial concession permit program on land in**  
2 **the state; establishing a big game guide commercial concession area pilot project; and**  
3 **providing for an effective date."**

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

5 \* **Section 1.** AS 38.05 is amended by adding a new section to read:

6 **Sec. 38.05.022. Big game guide commercial concession permit program. (a)**

7 The commissioner shall implement a big game guide commercial concession permit  
8 program to limit the number of individuals authorized to conduct big game  
9 commercial guiding on land in the state.

10 (b) The commissioner shall establish big game guide commercial concession  
11 use areas under this section using the boundaries of areas administered by the  
12 Department of Fish and Game as game management units on January 1, 2024.  
13 Notwithstanding the commissioner's authority to implement a big game guide  
14 commercial concession permit program under (a) of this section, the commissioner of

1 fish and game shall determine, based on management objectives and historical data,  
2 the number and type of concession permits that may be provided in each game  
3 management unit, subject to the requirement that at least two concession permits be  
4 offered for each game management unit.

5 (c) The commissioner, in consultation with the Big Game Commercial  
6 Services Board established under AS 08.54.591 and the Department of Fish and  
7 Game, shall adopt by regulation qualifications necessary for the department to issue a  
8 concession permit under this section and shall issue concession permits to qualified  
9 individuals. The annual fee for a concession permit shall be set by the department in  
10 regulation. A concession permit issued under this subsection is valid for 10 years from  
11 the date issued.

12 (d) A big game guide may not hold more than three concession permits at a  
13 time and may not hold more than one concession permit for the same game  
14 management unit. If a big game guide holds a comparable concession permit or  
15 comparable concession permits issued by the United States Department of the Interior,  
16 Bureau of Land Management, to conduct big game commercial guiding on federal  
17 land within the state, the number of concession permits available to the big game  
18 guide under this section shall be reduced by the number of federal concession permits  
19 held by the big game guide.

20 (e) Subject to (d) of this section and the approval of the commissioner, a big  
21 game guide who holds a concession permit under this section may, during the term of  
22 the permit, transfer the concession permit to another individual qualified under  
23 regulations adopted under this section.

24 (f) The commissioner, in consultation with the Big Game Commercial  
25 Services Board established under AS 08.54.591 and the commissioner of fish and  
26 game, may issue, renew, transfer, suspend, or revoke a concession permit issued under  
27 this section. If a permittee violates the terms of a concession permit issued under this  
28 section, the commissioner may suspend or revoke the concession permit after  
29 providing the permittee with written notice and an opportunity to be heard.

30 (g) The commissioner is responsible for enforcement of this section and may  
31 delegate that authority as appropriate. The department may issue a citation for a

1 violation of this section or a regulation adopted under this section.

2 (h) In this section,

3 (1) "concession permit" means a permit granting a big game guide the  
4 right to conduct commercial big game hunts on state land within a geographic area  
5 defined by the department;

6 (2) "game management unit" has the meaning given in AS 08.54.790.

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

9 **BIG GAME GUIDE COMMERCIAL CONCESSION AREA PILOT PROJECT;**  
10 **REPORT TO THE REVISOR.** (a) The commissioner of natural resources shall establish a big  
11 game guide commercial concession area pilot project under which the commissioner of  
12 natural resources shall limit the number of individuals authorized to provide big game  
13 commercial guiding services within the boundaries of the region administered by the  
14 Department of Fish and Game as Game Management Unit 19C on January 1, 2024.

15 (b) Notwithstanding the authority of the commissioner of natural resources to  
16 implement a big game guide commercial concession area pilot project under (a) of this  
17 section, the commissioner of fish and game shall determine, based on management objectives  
18 and historical data, the number and type of concession permits that may be provided in the  
19 area, subject to the requirement that at least two concession permits be offered.

20 (c) The commissioner of natural resources, in consultation with the Big Game  
21 Commercial Services Board established under AS 08.54.591 and the Department of Fish and  
22 Game, shall adopt by regulation qualifications necessary for the Department of Natural  
23 Resources to issue a concession permit under this section and shall issue concession permits  
24 to qualified individuals. The department shall set an annual fee for a concession permit in  
25 regulation.

26 (d) A big game guide may not hold more than one concession permit for the pilot  
27 project. Subject to the approval of the commissioner of natural resources, a big game guide  
28 who holds a concession permit under this section may, during the term of the concession  
29 permit, transfer the concession permit to another individual qualified under regulations  
30 adopted under this section.

31 (e) The commissioner of natural resources, in consultation with the Big Game

1 Commercial Services Board established under AS 08.54.591 and the commissioner of fish  
2 and game, may issue, renew, transfer, suspend, or revoke a concession permit issued under  
3 this section. If a permittee violates the terms of a concession permit issued under this section,  
4 the commissioner of natural resources may suspend or revoke the concession permit after  
5 providing the permittee with written notice and an opportunity to be heard.

6 (f) The commissioner of natural resources is responsible for enforcement of this  
7 section and may delegate that authority as appropriate. The Department of Natural Resources  
8 may issue a citation for a violation of this section or a regulation adopted under this section.

9 (g) The commissioner of natural resources, in consultation with the Big Game  
10 Commercial Services Board established under AS 08.54.591 and the commissioner of fish  
11 and game, shall maintain the pilot project for a period of two years. After the pilot project has  
12 been established for two years, the commissioner of natural resources, in consultation with the  
13 Big Game Commercial Services Board established under AS 08.54.591 and the Department  
14 of Fish and Game, shall evaluate the big game guide commercial concession area pilot project  
15 and determine whether

16 (1) the pilot project has furthered, or will further, constitutionally mandated  
17 land use and game management objectives; and

18 (2) a big game guide commercial concession permit program should be  
19 established on a statewide basis.

20 (h) The Department of Natural Resources, the Department of Fish and Game, and the  
21 Big Game Commercial Services Board established under AS 08.54.591 may adopt regulations  
22 necessary to implement this section.

23 (i) The pilot project established under this section and any concession permits issued  
24 under the project terminate December 31, 2027.

25 (j) In this section, "concession permit" means a permit granting a big game guide the  
26 right to conduct commercial big game hunts on state land within the boundaries of the region  
27 administered by the Department of Fish and Game as Game Management Unit 19C on  
28 January 1, 2024.

29 \* **Sec. 3.** Section 2 of this Act is repealed January 1, 2028.

30 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
31 read:

1           CONDITIONAL EFFECT; NOTIFICATION. (a) Section 1 of this Act takes effect  
2 only if the commissioner of natural resources determines that a big game guide commercial  
3 concession permit program should be established on a statewide basis under sec. 2(g)(2) of  
4 this Act before January 1, 2028.

5           (b) If the commissioner of natural resources determines that a big game guide  
6 commercial concession permit program should be established on a statewide basis under sec.  
7 2(g)(2) of this Act, the commissioner of natural resources shall notify the revisor of statutes in  
8 writing within 30 days after the determination.

9           \* **Sec. 5.** If, under sec. 4 of this Act, sec. 1 of this Act takes effect, it takes effect on the day  
10 after the date on which the commissioner of natural resources determines that a big game  
11 guide commercial concession permit program should be established on a statewide basis.

12           \* **Sec. 6.** Section 2 of this Act takes effect immediately under AS 01.10.070(c).