



**State of Alaska
Department of Commerce, Community &
Economic Development Division of Corporations,
Business, and Professional Licensing
Big Game Commercial Services Board**

Board Packet

March 26-28, 2024

DRAFT

Big Game Commercial Services Board

Name	Appointed	Reappointed	Expires
Bloomquist, Aaron (Copper Center) Licensed Registered Guides-Outfitters	03/01/2021		03/01/2025
Boniek, Martin (Glennallen) Licensed Transporters	03/01/2021		03/01/2025
Buist, Peter (Fairbanks) Public	05/21/2019	03/01/2021	03/01/2025
Bunch, Jason (Kodiak) Licensed Registered Guides-Outfitters	03/02/2018	03/01/2019	03/01/2023
Flores, Michael (Soldotna) Licensed Transporters	05/11/2020	03/08/2023	03/01/2027
Kunder, Larry (Anchorage) Public	05/25/2022		03/01/2026
Nordlum, Clay (Kotzebue) Private Landholders/Restricted	06/25/2021	03/01/2022	03/01/2026
Vacant () Private Landholders/Restricted			03/01/2024
Lorring, Dave Designated Game Board Member/Restricted	03/01/2023		03/01/2027

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Big Game Commercial Services Board - Spring Meeting

Alaska Division of Corporations, Business and Professional Licensing
Mar 26, 2024, at 9:00 AM AKDT to Mar 28, 2024, at 2:30 PM AKDT
Pike's Waterfront Lodge: 1850 Hoselton Rd. Fairbanks, AK 99709

Meeting Details:

<https://us02web.zoom.us/j/85119244407?pwd=NzBaaHpZTldCZytWRXQ4WU95NTc2QT09>

Call-In: 669-900-6833

Meeting ID: 851 1924 4407

Passcode: 437968

TENTATIVE MEETING AGENDA (DAY 1)

March 26, 2024

Agenda

- 1. 9:00am Roll call/Call to Order**
- 2. 9:05am Review Agenda**
- 3. 9:10am Ethics Review**
- 4. 9:15am Review/Approve Meeting Minutes**
 - A. February 2023**
 - B. December 2023 - Regulations Excerpt**
 - C. February 2024 - Pending**
- 5. 9:30am State & Federal Agency Updates**
 - A. Dept. of Fish & Game - Darren Bruning/Mark Burch**
 - B. Dept. of Natural Resources - Dianna Leinberger**
 - C. US Forest Service - Jason Anderson**
- 6. 10:30am Break**
- 7. 10:45am Division Update**
 - A. Current Fiscal Report - FY24 1st/2nd Quarters**
- 8. 11:00am Discussion with Director Robb**
 - A. Division Annual Expenditures Allowance**
 - B. Online Self-Service Tools Education**
 - i. Update IT Project for Data Query**
- 9. 12:00pm Lunch Break**
- 10. 1:30pm APHA Update**

11. 2:30pm Investigations Unit

A. Probation Monitor Report

B. Investigative Report

C. Consent Agreement Review Panel

D. Matrix Review and Update - Add Sublegal Harvest Criteria

E. Executive Session

i. Case No. 2023-0001192

ii. Case No. 2024-000001

iii. Case No. 2024-000018

iv. Case No. 2024-000207

12. 4:00pm Recess

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TENTATIVE MEETING AGENDA (DAY 2)

March 27, 2024

- 13. 9:00am Roll Call**
- 14. 9:05am Agenda Review**
- 15. 9:10 am Summary/Motions from Executive Session**
- 16. 9:30am Public Comment**
- 17. 10:00am BREAK**
- 18. 10:15am Subcommittee Updates/Formation of New Committees**
 - A. Exams - Jason Bunch**
 - i. Work Project: GMU Exams, Recommendations for RGO Exam Update**
 - B. Transporters - Mike Flores**
 - i. Update from Kodiak AC Transporter Subcommittee**
 - C. Concession Program - Jason Bunch**
 - D. Workgroups for Jason Bunch**
- 19. 11:15am Break**
- 20. 11:30am Ongoing Task List Review**
 - A. Transporter Information Letter (division concern, 90-day public notice, Facebook request) - Jason Bunch**
 - B. Education Letter for Hunt Planners and Booking Agents - Aaron Bloomquist**
 - C. Survivorship Legislation for Next Year - Aaron Bloomquist**
- 21. 12:30pm Lunch Break**
- 22. 1:30pm Public Comment**
- 23. 2:00pm Regulations Projects Update**
 - A. 12 AAC 75.405 - Marking of Aircraft and Vessels Used by Guides and Transporters**
- 24. 2:30pm Recess**



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TENTATIVE MEETING AGENDA (DAY 3)

March 28, 2024

- 25. 9:00am Roll Call**
- 26. 9:05am Review Agenda**
- 27. 9:10am Alaska Wildlife Troopers - Aaron Frenzel**
- 28. 9:45am Break**
- 29. 10:00am Public Comment**
- 30. 10:30am GUA Boundary Changes**
- 31. 11:00am Board Business**
 - A. Board Vote on Chairperson and Vice Chairperson**
 - B. GUA 25-03A and 25-03B**
 - C. Correspondence**
 - i. Days in Field for RGO License**
 - D. Website Changes, Updated GUA Maps, Delete Assistant Guide Schools Information**
- 32. 12:00pm Lunch**
- 33. 1:30pm Business as Needed**
- 34. 2:00pm Administrative Business**
- 35. 2:15pm Task List**
- 36. 2:30pm Adjourn**

State of Alaska
DEPARTMENT OF LAW

ETHICS ACT PROCEDURES FOR BOARDS & COMMISSIONS

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act¹ has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.²

What Do I Have To Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The executive director of the board or commission and its staff, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

- For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *“Ethics Information for Members of Boards and Commissions.”* The executive director and staff should refer to the guide, *Ethics Information for Public Employees.* Both guides and disclosure forms may be found on the [Department of Law’s ethics website](#).

How Do I Avoid Violations of the Ethics Act?

- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter!³
- When in doubt, disclose and seek advice!
- Follow the advice of your DES!

What Are The Disclosure Procedures for Board and Commission Members?

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act **on the public record** and **in writing to the chair**.

Disclosure on the public record. Members must identify actual and potential conflicts orally at the board or commission’s public meeting **in advance** of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.⁴
- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair.

Disclosure in writing at a public meeting. In addition to an oral disclosure at a board or commission meeting, members’ disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved **and** there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict submits a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter.⁵
- If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting.⁶

Determinations at the public meeting. When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- *Exception:* A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating or participating in the matter.⁷

If the chair identifies a potential conflict, the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first

made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

Procedures for Other Member Disclosures

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the [Department of Law's ethics website](#).

What Are The Disclosure Procedures for Executive Directors and Staff?

Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

Notices of Potential Violations. Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

Other Disclosures. The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

How Are Third Party Reports of Potential Violations or Complaints Handled?

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted in **writing** and **under oath**.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist.⁸
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- **These matters are confidential**, unless the subject waives confidentiality or the matter results in a public accusation.

What Are The Procedures for Quarterly Reports?

Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law Ethics Attorney by e-mail at ethicsreporting@alaska.gov and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

How Does A DES or Board or Commission Get Ethics Advice?

A DES or board or commission may make a **written request** to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides **advice by phone or e-mail** to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

¹ The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

² The governor has delegated the DES responsibility to Guy Bell, Administrative Director of the Office of the Governor.

³ You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.

⁴ In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

⁵ The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.

⁶ In this manner, a member's detailed personal and financial information may be protected from public disclosure.

⁷ When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

⁸ The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible,

the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

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The Attorney General and Department of Law staff may not provide legal advice to private citizens or organizations. Please contact an attorney if you need legal advice. The [Alaska Lawyer Referral Service](#) or your local bar association may be able to assist you in locating a lawyer.

Alaska Department of Law

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Ethics Disclosure Form

**CONFIDENTIAL
REQUEST FOR ETHICS DETERMINATION**

TO: _____, Designated Ethics Supervisor

(Identify Your Department, Agency, Public Corporation, Board, Commission)

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- AS 39.52.120, Misuse of Official Position
- AS 39.52.130, Improper Gifts
- AS 39.52.140, Improper Use or Disclosure of Information
- AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- AS 39.52.160, Improper Representation
- AS 39.52.170, Outside Employment Restricted
- AS 39.52.180, Restrictions on Employment after Leaving State Service
- AS 39.52.190, Aiding a Violation Prohibited

I understand that I should refrain from taking any official action relating to this matter until I receive your advice. If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division, Board, Commission)

(Position Title)

(Location)

Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.

Ethics Disclosure Form

Receipt of Gift

TO: _____, Designated Ethics Supervisor, _____
(Agency, Public Corporation, Board, Commission or Council)

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

- 1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?
 Yes No
- 2. Can I take or withhold official action that may affect the person or entity that gave me the gift?
 Yes No

(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)

The gift is _____

Identify gift giver by full name, title, and organization or relationship, if any:

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

My estimate of its value is \$ _____ The date of receipt was _____

The gift was received by a member of my family. Who? _____

If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division)

(Position Title)

(Location)

Ethics Supervisor Determination: Approve Disapproved

Designated Ethics Supervisor*

(Date)

**Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

BIG GAME COMMERCIAL SERVICES BOARD

CONDENSED MINUTES OF THE MEETING HELD FEBRUARY 6, 2024

By authority of AS 08.01.070(2) and in compliance with the provision of AS 44.62, Article 6, a scheduled meeting (teleconference) of the Big Game Commercial Services Board was held on February 6, 2024, at 333 Willoughby Avenue, 9th Floor, Juneau, AK.

Date:	February 6, 2024
Time:	10:02am
Location:	Online teleconference ran from 333 Willoughby Avenue, 9 th Floor, Juneau, AK
Board Members Present:	Jason Bunch, Aaron Bloomquist, Martin Boniek, Larry Kunder, Pete Buist, Dave Lorring
Board Members Absent:	Mike Flores, Clay Nordlum
Division/SOA Staff Present:	Thomas Bay (Executive Administrator), Janet Brown (Occupational Licensing Examiner)
Present from the Public:	None

1. Review Agenda		
Brief Discussion:	There was no discussion to amend the agenda.	
Motion:	Move to accept the agenda as written (First: Bloomquist; Second: Kunder).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Absent
	Bunch - Yes	Lorring - Yes
	Flores - Absent	Bloomquist - Yes
2. Ethics Review		
Brief Discussion:	There were no ethical disclosures by any board members or staff.	

3. Emergency Regulations		
GUA Registrations (12 AAC 75.230) & RGO Contract Requirements (12 AAC 75.260)		
Brief Discussion:	Chairman Jason Bunch reminded the board that they were meeting to discuss whether or not to have their current emergency regulations project be sent to the Lt. Governor's office for signing and to become permanent. He also reminded them that the emergency regulations were only in effect for 120 days and that if they did not move forward with them to go to the Lt. Governor's office, they would expire after the 120 days was over, causing their old regulations to go back into effect. Chairman Bunch reminded the board that the emergency regulations updated the requirements for guides awarded special federal use permits to conduct guided hunting in specific locations in Alaska by removing timing conflicts by allowing guides to obtain a Unique Verification Code in the first year of their concession and changing the deadline by which a guide use area can be changed or withdrawn. After a brief discussion, the board unanimously approved the emergency regulations be sent to the Lt. Governor's office for signing and to become permanent.	
Motion:	After considering public comments received and having no additional costs to private persons, move to adopt the language in the board's emergency regulations project, pertaining to 12 AAC 75.230(a)(6), 12 AAC 75.230(b), 12 AAC 75.230(c), and 12 AAC 75.260(d), to go to the Lt. Governor's office for signing and to become permanent. (First: Bloomquist; Second: Lorrington).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Absent
	Bunch - Yes	Lorrington - Yes
	Flores - Absent	Bloomquist - Yes
Brief Discussion:	The board decided to discuss updating their registered guide-outfitter written exam.	
4. Registered Guide-Outfitter Exam		
Brief Discussion:	The board discussed updating their registered guide-outfitter written exam before their upcoming exams in March 2024. Chairman Bunch reminded the board that the exam was created in 2018. He said that the ADF&G and BGCSB statute/regulation questions needed updated, so they conform to current statutes/regulations. After discussion, the board decided to have Pete Buist, Larry Kunder, Aaron Bloomquist, and Jason Bunch update the exam, each taking on a portion of the exam questions. Each of them will contact Mr. Bay, as not to violate the Open Meetings Act.	
Motion:	Move to have Pete Buist, Larry Kunder, Aaron Bloomquist, and Jason Bunch update the registered guide-outfitter written examination (First: Bloomquist; Second: Kunder).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Absent
	Bunch - Yes	Lorrington - Yes
	Flores - Absent	Bloomquist - Yes

Brief Discussion:	With nothing left to discuss, the board adjourned.
Adjourn:	11:08 a.m.

Date Final Minutes Approved by the Board: <input type="checkbox"/> Meeting <input type="checkbox"/> OnBoard	
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Big Game Commercial Services Board

12/06/23 Meeting Minutes Excerpt for Regulations Project

Regulation Projects	
12 AAC 75.200: REGISTERED GUIDE-OUTFITTER PROVIDING SERVICES; 12 AAC 75.230(g): GUIDE USE AREA REGISTRATION; 12 AAC 75.400(a): TRANSPORTER ACTIVITY REPORT	
Brief Discussion:	<p>The board welcomed Alison Osborne, one of the division’s regulations specialists, to the meeting.</p> <p>The board began discussion on the board’s regulation projects, first starting with an amendment to 12 AAC 75.200. REGISTERED GUIDE-OUTFITTER PROVIDING SERVICES. Chairman Jason Bunch explained that the changes to the regulation were in response to a request from the Alaska Wildlife Troopers, to amend the regulations so they allow registered guide-outfitters to provide transportation services through guide use areas they are not registered in, as long as the transportation services originate or terminate in a guide use area for which the guide-outfitter is registered.</p> <p>The board moved onto another regulation project, a repeal of 12 AAC 75.230(g). GUIDE USE AREA REGISTRATION. The board stated that the intent of the regulation was for the purpose of guide-outfitters being able to have a Spring brown bear season in Game Management Unit (GMU) 9 in 2021 instead of 2020 and was only created because of guiding/hunting complications due to COVID-19.</p> <p>The board moved onto another regulation project, an amendment to 12 AAC 75.400(a). TRANSPORTER ACTIVITY REPORT. The board stated that this was merely an update to the transporter activity report (TAR), changing some of the required information that is provided by a transporter when they are transporting clients. After discussion, the board decided to change the type of services provided (#2 on the form), located at the top of the new form, to read as:</p> <ul style="list-style-type: none">• You Must Check all that Apply: Drop Off, Pick Up, Marine Drop Off & Pickup w/ Overnight <p>Ms. Osborne informed the board that, because the form is adopted by reference, they only needed to change the revised date on the form, and that the form could be used immediately. She also said that the revised date must be in advance of their public notice. The board discussed using the form immediately. Mr. Bay informed the board that they had roughly 3,000 TARs left, and suggested moving over to the new form when they start running low. Chairman Bunch asked Ms. Osborne if they could still use the TARs they have left if they decided on a revised date of December 2023, to which she said yes. The board agreed to a revised date of December 2023 for the new form and would move forward with it when they run low on the number of TARs they currently have. Mr. Bay asked Ms. Osborne if the board should have a motion for each regulation project or do them</p>

	separately, to which she said it depended on whether or not the board would be substantially changing the presented regulations she drafted or not. The board decided to create a motion for each of their regulation projects, unless there was no discussion to amend any of the drafted language. Ms. Osborne informed the board that they would need to have two motions to move forward with their revised TAR, the first being a motion to revise the proposed TAR as amended and the second being a motion to adopt the TAR as revised for the purposes of going for public comment.	
Motion:	Move to revise the proposed transporter activity report form as amended (First: Lorrington; Second: Flores).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Motion:	Move to adopt the transporter activity report form as revised for the purposes of going to public comment (First: Lorrington; Second: Flores).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	Mr. Bloomquist reminded the board that they still needed to motion to amend the regulation itself, not just the form.	
Motion:	Move to approve the language regarding 12 AAC 75.400(a) as amended for public comment, unless substantive changes are made by the regulations specialist or Department of Law (First: Bloomquist; Second: Flores).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	Mr. Bay reminded the board that they still needed to create motions for their earlier discussions regarding 12 AAC 75.200 and 12 AAC 75.230(g).	
Motion:	Move to approve the language of the proposed regulation change regarding 12 AAC 75.200 as presented for public comment, subject to approval by Department of Law (First: Buist; Second: Flores).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes

	Flores - Yes	Bloomquist - Yes
Motion:	Move to approve the repeal of the proposed regulation change regarding 12 AAC 75.230(g) as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Lorrington).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
12 AAC 75.405: MARKING OF AIRCRAFT AND BOATS USED BY GUIDES AND TRANSPORTERS		
Brief Discussion:	Moving along, the board motioned to approve a regulations project to create new regulations for the marking of aircraft and boats used by guides and transporters, specifically under 12 AAC 75.405. MARKING OF AIRCRAFT AND BOATS USED BY GUIDES AND TRANSPORTERS , with a discussion to follow.	
Motion:	Move to approve the language of the proposed regulation change regarding 12 AAC 75.405 as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - No	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	The board reviewed the drafted language and found that it did not match what they approved at their previous meeting. After discussion, the board decided to change the term 'boats' to vessels in the title and terminology within the regulations. They decided to change the length of the vessel required to have 12-inch numbers in subsection (b) to 16 feet instead of the drafted 24 feet. They decided to change the language in subsection (c) to simply state that a guide or transporter shall display an authorized sticker on a vessel used for the purposed of transportation and provided a copy of the board approved design that must be used. The board agreed that they should provide a first round of stickers to their licensees and that, after finding out how much of a cost it is to the board, follow up with a fee for additional stickers. The board decided to change subsection (d) to read that an authorized sticker or more may be provided to the licensee. Having amended the drafted language in their previous motion, the board followed up with a subsidiary motion.	
Motion:	Move to amend the previous motion by approving the language of the proposed regulation change regarding 12 AAC 75.405 as revised for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - No	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes

	Flores - Yes	Bloomquist - Yes
12 AAC 75.440: PROFESSIONAL ETHICS STANDARDS FOR PROVIDERS OF TRANSPORTATION SERVICES		
Brief Discussion:	Moving along, the board motioned to approve a regulations project to create new sections under 12 AAC 75.440. PROFESSIONAL ETHICS STANDARDS FOR PROVIDERS OF TRANSPORTATION SERVICES , with a discussion to follow.	
Motion:	Move to approve the language of the proposed regulation change regarding 12 AAC 75.440 as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Nordlum).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Excused	Bloomquist - Yes
Brief Discussion:	Mr. Bloomquist reminded the board that this regulation mirrored the language the board already has in place for guides regarding the inability to advertise or sell big game services to be conducted solely on tidelands or below mean high water mark in fresh water, except for those lands that are immediately adjacent to uplands on which a licensee's clients are legally permitted to hunt. With nothing to change, the board moved onto their next regulations project.	
12 AAC 75.455: Helicopter Use		
Brief Discussion:	Moving along, the board motioned to approve a regulations project to create new regulations for prohibiting any type of helicopter use for the purposes of guiding or transporting, specifically under 12 AAC 75.455. HELICOPTER USE , with a discussion to follow.	
Motion:	Move to approve the language of the proposed regulation change regarding 12 AAC 75.455 as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	The board discussed the drafted language and told Ms. Osborne they wanted to amend it with the intention of making it so licensee's cannot use a helicopter in any manner, outside of an emergency rescue operation in a life-threatening situation or to remove a wrecked aircraft from the field. The board tabled discussion on this topic until later in the meeting, to allow Ms. Osborne time to draft the language, with the intent to have a subsidiary motion to follow, and moved onto their next regulations project.	
12 AAC 75.655: BOAT-BASED TRANSPORTERS WITH LIVING ACCOMMODATIONS ON SALTWATER		

Brief Discussion:	Moving along, the board motioned to approve a regulations project to create new regulations for providing overnight accommodations to big game hunters on a boat with permanent living quarters located on saltwater, specifically under 12 AAC 75.655. BOAT-BASED TRANSPORTERS WITH LIVING ACCOMMODATIONS ON SALTWATER , with a discussion to follow.	
Motion:	Move to approve the language of the proposed regulation change regarding 12 AAC 75.655 as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	After discussion, the board amended the drafted language to include a definition for 'captain' as related to the section. With nothing left to discuss, the board approved the amended language.	
Motion:	Move to amend the previous motion by approving the language of the proposed regulation change regarding 12 AAC 75.655 as revised for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Kunder).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion: Off Record: 3:45pm	Before moving onto their next agenda item, the board decided to take a short break.	
12 AAC 75.455: HELICOPTER USE		
Brief Discussion: On Record: 3:57pm	Back from break, Ms. Osborne informed the board that she had finished drafting language for their helicopter regulations, and it was ready for review. After reviewing the language, the board decided to add a licensee and entity license holder as the providers of services under the section, instead of an individual. They also changed the language at the end of section (a) from "...for the purposes of providing those services," to, "for the purposes of providing, assisting, or enabling those services." With nothing left to discuss, the board approved the amended language.	
Motion:	Move to amend the previous motion by approving the language of the proposed regulation change regarding 12 AAC 75.455 as presented and amended for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes

	Flores - Yes	Bloomquist - Yes
12 AAC 75.240: SUPERVISION; 12 AAC 75.250: PARTICIPATION IN A HUNT		
Brief Discussion:	Moving along, the board motioned to approve a regulations project to amend, repeal, and readopt current regulations, while also adding a new section, specifically under 12 AAC 75.240. SUPERVISION and 12 AAC 75.250. PARTICIPATION IN A HUNT , with a discussion to follow.	
Motion:	Move to approve the language of the proposed regulation change regarding 12 AAC 75.240 and 12 AAC 75.250 as presented for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Nordlum).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Loring - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	After discussion, the board amended the drafted language in 12 AAC 75.240(i) by changing 'may' to 'shall.' With nothing left to discuss, the board approved the amended language.	
Motion:	Move to amend the previous motion by approving the language of the proposed regulation change regarding 12 AAC 75.240 and 12 AAC 75.250 as revised for public comment, subject to approval by Department of Law (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Loring - Yes
	Flores - Yes	Bloomquist - Yes
Brief Discussion:	In addition to written public comment, the board decided to have an oral hearing, scheduled for their March 2024 board meeting, for all of the regulation projects approved to go out for public comment.	
Motion:	Move to have oral testimony for the board's regulation projects at the board's March 2024 meeting (First: Bloomquist; Second: Buist).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Loring - Yes
	Flores - Yes	Bloomquist - Yes

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Big Game Commercial Services Board, Guide-Outfitters	FY 18	FY 19	Biennium	FY 20	FY 21	Biennium	FY 22	FY 23	Biennium	FY 24 1st QTR
	Revenue									
Revenue from License Fees	\$ 1,122,760	\$ 405,090	\$ 1,527,850	\$ 1,061,930	\$ 458,520	\$ 1,520,450	\$ 1,193,160	\$ 314,340	\$ 1,507,500	\$ 63,970
General Fund Received				\$ -	\$ -	\$ -	\$ 27,909	\$ 5,342	\$ 33,251	\$ -
Allowable Third Party Reimbursements	-	-	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL REVENUE	\$ 1,122,760	\$ 405,090	\$ 1,527,850	\$ 1,061,930	\$ 458,520	\$ 1,520,450	\$ 1,221,069	\$ 319,682	\$ 1,540,751	\$ 63,970
Expenditures										
Non Investigation Expenditures										
1000 - Personal Services	103,082	85,533	188,615	116,391	128,509	244,900	191,468	153,104	344,572	39,781
2000 - Travel	10,047	10,107	20,154	9,328	3,751	13,079	12,731	11,843	24,574	-
3000 - Services	35,454	28,371	63,825	50,200	23,671	73,871	20,872	16,907	37,779	1,734
4000 - Commodities	3,092	2,560	5,652	41	165	206	2,283	2,108	4,391	-
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-
Total Non-Investigation Expenditures	151,675	126,571	278,246	175,960	156,096	332,056	227,354	183,962	411,316	41,515
Investigation Expenditures										
1000-Personal Services	118,456	146,016	264,472	150,184	148,053	298,237	165,989	169,735	335,724	33,257
2000 - Travel	-	-	-	1,099	-	1,099	-	996	996	-
3023 - Expert Witness	-	-	-	-	2,981	2,981	-	-	-	-
3088 - Inter-Agency Legal	101,433	167,574	269,007	46,637	59,243	105,880	8,084	25,718	33,802	-
3094 - Inter-Agency Hearing/Mediation	7,138	69,542	76,680	20,485	38,084	58,569	4,140	7,387	11,527	-
3000 - Services other	-	1,524	1,524	1,730	612	2,342	3,969	345	4,314	4
4000 - Commodities	-	270	270	49	300	349	54	-	54	-
Total Investigation Expenditures	227,027	384,926	611,953	220,184	249,273	469,457	182,236	204,182	386,417	33,262
Total Direct Expenditures	378,702	511,497	890,199	396,144	405,369	801,513	409,590	388,144	797,733	74,777
Indirect Expenditures										
Internal Administrative Costs	69,514	65,321	134,835	70,156	59,162	129,318	66,247	68,383	134,630	17,096
Departmental Costs	48,099	47,629	95,728	39,754	37,509	77,263	48,863	39,472	88,335	9,868
Statewide Costs	24,759	24,123	48,882	35,119	37,959	73,078	44,929	35,108	80,037	8,777
Total Indirect Expenditures	142,372	137,073	279,445	145,029	134,630	279,659	160,039	142,963	303,002	35,741
TOTAL EXPENDITURES	\$ 521,074	\$ 648,570	\$ 1,169,644	\$ 541,173	\$ 539,999	\$ 1,081,172	\$ 569,629	\$ 531,107	\$ 1,100,735	\$ 110,518
Cumulative Surplus (Deficit)										
Beginning Cumulative Surplus (Deficit)	\$ (508,729)	\$ 92,957		\$ (150,523)	\$ 370,234		\$ 288,755	\$ 940,195		\$ 728,770
Annual Increase/(Decrease)	601,686	(243,480)		520,757	(81,479)		651,440	(211,425)		(46,548)
Ending Cumulative Surplus (Deficit)	\$ 92,957	(150,523)		\$ 370,234	\$ 288,755		\$ 940,195	\$ 728,770		\$ 682,222
Statistical Information										
Number of Licenses for Indirect calculation	1,730	1,467		1,624	1,446		1,635	1,521		

Additional information:

- General fund dollars were received in FY21-FY23 to offset increases in personal services and help prevent programs from going into deficit or increase fees.
- Most recent fee change: Fee reduction FY24
- Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program changes per AS 08.01.065.

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Appropriation Name (Ex)	(Multiple Items)
Sub Unit	(All)
PL Task Code	GUI1

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)		Grand Total
	1000 - Personal Services	3000 - Services	
1011 - Regular Compensation	37,406.20		37,406.20
1014 - Overtime	6.65		6.65
1021 - Allowances to Employees	47.77		47.77
1023 - Leave Taken	8,926.60		8,926.60
1028 - Alaska Supplemental Benefit	2,843.44		2,843.44
1029 - Public Employee's Retirement System Defined Benefits	8,188.84		8,188.84
1030 - Public Employee's Retirement System Defined Contribution	727.13		727.13
1034 - Public Employee's Retirement System Defined Cont Health Reim	409.90		409.90
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	138.53		138.53
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	2,151.04		2,151.04
1040 - Group Health Insurance	9,346.70		9,346.70
1042 - Worker's Compensation Insurance	315.43		315.43
1047 - Leave Cash In Employer Charge	1,070.40		1,070.40
1048 - Terminal Leave Employer Charge	741.20		741.20
1053 - Medicare Tax	660.66		660.66
1077 - ASEA Legal Trust	37.63		37.63
1079 - ASEA Injury Leave Usage	16.99		16.99
1080 - SU Legal Trst	3.66		3.66
3035 - Long Distance		11.43	11.43
3036 - Local/Equipment Charges		12.81	12.81
3044 - Courier		4.34	4.34
3046 - Advertising		550.58	550.58
3057 - Structure, Infrastructure and Land - Rentals/Leases		1,159.38	1,159.38
Grand Total	73,038.77	1,738.54	74,777.31

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Big Game Commercial Services Board, Guide-Outfitters	FY 18		FY 19	Biennium		FY 20		FY 21	Biennium		FY 22		FY 23	Biennium		FY 24				
																1st & 2nd QTR				
Revenue																				
Revenue from License Fees	\$	1,122,760	\$	405,090	\$	1,527,850	\$	1,061,930	\$	458,520	\$	1,520,450	\$	1,193,160	\$	314,340	\$	1,507,500	\$	606,050
General Fund Received								\$	-				\$	27,909	\$	5,342		33,251		-
Allowable Third Party Reimbursements		-		-		-		\$	-				\$	-		-		-		-
TOTAL REVENUE	\$	1,122,760	\$	405,090	\$	1,527,850	\$	1,061,930	\$	458,520	\$	1,520,450	\$	1,221,069	\$	319,682	\$	1,540,751	\$	606,050
Expenditures																				
Non Investigation Expenditures																				
1000 - Personal Services		103,082		85,533		188,615		116,391		128,509		244,900		191,468		153,104		344,572		91,896
2000 - Travel		10,047		10,107		20,154		9,328		3,751		13,079		12,731		11,843		24,574		-
3000 - Services		35,454		28,371		63,825		50,200		23,671		73,871		20,872		16,907		37,779		2,698
4000 - Commodities		3,092		2,560		5,652		41		165		206		2,283		2,108		4,391		886
5000 - Capital Outlay		-		-		-		-		-		-		-		-		-		-
Total Non-Investigation Expenditures		151,675		126,571		278,246		175,960		156,096		332,056		227,354		183,962		411,316		95,480
Investigation Expenditures																				
1000-Personal Services		118,456		146,016		264,472		150,184		148,053		298,237		165,989		169,735		335,724		71,196
2000 - Travel		-		-		-		1,099		-		1,099		-		996		996		-
3023 - Expert Witness		-		-		-		-		2,981		2,981		-		-		-		-
3088 - Inter-Agency Legal		101,433		167,574		269,007		46,637		59,243		105,880		8,084		25,718		33,802		3,394
3094 - Inter-Agency Hearing/Mediation		7,138		69,542		76,680		20,485		38,084		58,569		4,140		7,387		11,527		-
3000 - Services other		-		1,524		1,524		1,730		612		2,342		3,969		345		4,314		11
4000 - Commodities		-		270		270		49		300		349		54		-		54		-
Total Investigation Expenditures		227,027		384,926		611,953		220,184		249,273		469,457		182,236		204,182		386,417		74,601
Total Direct Expenditures		378,702		511,497		890,199		396,144		405,369		801,513		409,590		388,144		797,733		170,081
Indirect Expenditures																				
Internal Administrative Costs		69,514		65,321		134,835		70,156		59,162		129,318		66,247		68,383		134,630		34,192
Departmental Costs		48,099		47,629		95,728		39,754		37,509		77,263		48,863		39,472		88,335		19,736
Statewide Costs		24,759		24,123		48,882		35,119		37,959		73,078		44,929		35,108		80,037		17,554
Total Indirect Expenditures		142,372		137,073		279,445		145,029		134,630		279,659		160,039		142,963		303,002		71,482
TOTAL EXPENDITURES	\$	521,074	\$	648,570	\$	1,169,644	\$	541,173	\$	539,999	\$	1,081,172	\$	569,629	\$	531,107	\$	1,100,735	\$	241,563
Cumulative Surplus (Deficit)																				
Beginning Cumulative Surplus (Deficit)	\$	(508,729)	\$	92,957			\$	(150,523)	\$	370,234			\$	288,755	\$	940,195			\$	728,770
Annual Increase/(Decrease)		601,686		(243,480)				520,757		(81,479)				651,440		(211,425)				364,487
Ending Cumulative Surplus (Deficit)	\$	92,957		(150,523)			\$	370,234	\$	288,755			\$	940,195	\$	728,770			\$	1,093,257
Statistical Information																				
Number of Licenses for Indirect calculation		1,730		1,467				1,624		1,446				1,635		1,521				
Additional information:																				
<ul style="list-style-type: none"> • General fund dollars were received in FY21-FY23 to offset increases in personal services and help prevent programs from going into deficit or increase fees. • Most recent fee change: Fee reduction FY24 • Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program changes per AS 08.01.065. 																				

Appropriation Name (Ex)	(Multiple Items)
Sub Unit	(All)
PL Task Code	GUI1

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)			Grand Total
	1000 - Personal Services	3000 - Services	4000 - Commodities	
1011 - Regular Compensation	86,681.62			86,681.62
1014 - Overtime	1,196.30			1,196.30
1016 - Other Premium Pay	4.94			4.94
1021 - Allowances to Employees	128.47			128.47
1023 - Leave Taken	13,482.90			13,482.90
1028 - Alaska Supplemental Benefit	6,223.85			6,223.85
1029 - Public Employee's Retirement System Defined Benefits	17,471.09			17,471.09
1030 - Public Employee's Retirement System Defined Contribution	1,687.40			1,687.40
1034 - Public Employee's Retirement System Defined Cont Health Reim	946.78			946.78
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	321.54			321.54
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	5,016.46			5,016.46
1040 - Group Health Insurance	23,750.92			23,750.92
1041 - Basic Life and Travel	16.59			16.59
1042 - Worker's Compensation Insurance	690.29			690.29
1047 - Leave Cash In Employer Charge	2,313.99			2,313.99
1048 - Terminal Leave Employer Charge	1,602.61			1,602.61
1053 - Medicare Tax	1,443.51			1,443.51
1077 - ASEA Legal Trust	87.94			87.94
1079 - ASEA Injury Leave Usage	16.99			16.99
1080 - SU Legal Trst	7.96			7.96
3035 - Long Distance			26.21	26.21
3036 - Local/Equipment Charges			22.59	22.59
3044 - Courier			10.80	10.80
3046 - Advertising			620.61	620.61
3057 - Structure, Infrastructure and Land - Rentals/Leases			1,159.38	1,159.38
3088 - Inter-Agency Legal			4,263.25	4,263.25
4002 - Business Supplies				886.00
Grand Total	163,092.15	6,102.84	886.00	170,080.99



PROBATION REPORT

DATE: March 20, 2024
TO: Alaska Big Game Commercial Services Board
THROUGH: Erika Prieksat, Chief Investigator
FROM: Jennifer Summers, Senior Investigator
SUBJECT: Probation Report for the March 28, 2024 Meeting

The following is a complete list of individuals on probation for this Board. All individuals are in compliance with their agreements except as noted below. There are currently **fifteen (15)** licenses on probation as of the date of this document. Since the last probation report, **two (2)** licenses were released from probation. All personnel are in compliance except as noted below.

<u>Name</u>	<u>Case Number</u>	<u>Start of Probation</u>	<u>End of Probation</u>	<u>Status</u>
*Cavner, Preston	2020-000741	07/22/2020	09/21/2022	Out of Compliance
*Walker, John	2020-001047	07/22/2020		Suspended
Roberts, Clayton	2021-000255	03/24/2021	03/24/2024	
Vanstrom, Michael	2023-000199	12/05/2022	12/06/2028	
Pitts, Riley	2023-000201	02/28/2023	02/28/2025	
Swift, Mark	2023-000206	02/28/2023	02/28/2025	
Huntington, Gilbert	2022-000797	08/16/2022	08/16/2028	
Porter, James	2023-000917-Prb	02/29/2024	02/29/2025	
Ram Aviation	2022-000170-Prb	TBD	TBD	
King, Gary	2021-000627-Prb	02/29/2024	02/29/2027	

Shrum, Zachary	2023-000998-Prb	02/29/2024	02-29-2026
Brewer, Joel	2023-000980-Prb	02/29/2024	02/29/2025
McDonough, Patrick	2023-001051-Prb	02/29/2024	02/29/2025
Daniels, Darrell	2024-000019-Prb	02/29/2024	02/29/2025
Brayton, Erika	2023-001154-Prb	02/29/2024	02/29/2025

RELEASE FROM PROBATION:

<u>Name</u>	<u>Case Number</u>	<u>Start of Probation</u>	<u>Release Date</u>
Daniels, Kelly	2023-000202	02/28/2023	02/28/2024
Welker, Roland	2023-000204	02/28/2023	02/28/2024

DRAFT



MEMORANDUM

DATE: March 20, 2024
TO: Big Game Commercial Services Board
THRU: Erika Prieksat, Chief Investigator
RE: Investigative Report for the March 26, 2024 Meeting

The following information was compiled as an investigative report to the Board for the period of November 28, 2023 thru March 20, 2024; this report includes cases, complaints, and intake matters handled since the last report.

Matters opened by the Paralegals in Anchorage and Juneau, regarding continuing education audits and license action resulting from those matters are covered in this report.

OPEN - 70

<u>Case Number</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Status Date</u>
ASSISTANT GUIDE			
2024-000233	Unprofessional conduct	Intake	03/14/2024
2024-000246	License Application Problem	Intake	03/18/2024
2023-000749	License Application Problem	Complaint	07/14/2023
2023-001034	Criminal action - no conviction	Complaint	11/22/2023
2023-001103	Falsified application	Complaint	10/30/2023
2024-000018	Criminal action - conviction	Complaint	01/11/2024
2024-000067	Criminal action - no conviction	Complaint	03/12/2024
2024-000068	Criminal action - no conviction	Complaint	03/12/2024
2024-000247	License Application Problem	Complaint	03/20/2024
2023-001192	Criminal action - no conviction	Investigation	12/12/2023

2024-000145	Criminal action - no conviction	Investigation	02/21/2024
2024-000207	Criminal action - conviction	Investigation	03/05/2024
2023-000225	Contested license denial	Litigation Initiated	03/15/2023

GUIDE-OUTFITTER

2024-000020	License Application Review/Referral	Intake	01/08/2024
2024-000148	Criminal action - conviction	Intake	02/13/2024
2024-000149	License Application Review/Referral	Intake	02/14/2024
2024-000150	Violation of Profession Statute or Regulation	Intake	02/14/2024
2024-000185	Violation of Profession Statute or Regulation	Intake	02/26/2024
2024-000213	Violation of Profession Statute or Regulation	Intake	03/11/2024
2022-000906	Violation of licensing regulation	Complaint	11/22/2022
2023-000241	Violation of licensing regulation	Complaint	03/20/2023
2023-000270	Violation of licensing regulation	Complaint	04/03/2023
2023-000697		Complaint	07/05/2023
2023-000900	Criminal action - no conviction	Complaint	08/21/2023
2023-000918	Criminal action - no conviction	Complaint	08/23/2023
2023-000997	Violation of licensing regulation	Complaint	09/25/2023
2023-001042	Criminal action - no conviction	Complaint	10/09/2023
2023-001126	Violation of licensing regulation	Complaint	12/07/2023
2023-001137	Violation of licensing regulation	Complaint	11/16/2023
2023-001145	Violation of licensing regulation	Complaint	12/27/2023
2024-000010	Criminal action - no conviction	Complaint	01/04/2024
2024-000162	Violation of Profession Statute or Regulation	Complaint	03/12/2024
2024-000229	Violation of licensing regulation	Complaint	03/13/2024
2021-000624	Criminal action - no conviction	Monitor	
2022-000222	Criminal action - no conviction	Monitor	
2022-000244	Criminal action - conviction	Monitor	
2022-000406	Criminal action - no conviction	Monitor	
2022-000407	Criminal action - conviction	Monitor	
2022-000686	Criminal action - conviction	Monitor	

2023-000151	Violation of licensing regulation	Monitor	
2023-000158	Violation of licensing regulation	Monitor	
2023-000974	Violation of licensing regulation	Monitor	
2023-000983	Violation of licensing regulation	Monitor	
2021-000706	Violation of licensing regulation	Investigation	11/23/2022
2021-000712	Violation of licensing regulation	Investigation	11/29/2022
2021-000873	Violation of licensing regulation	Investigation	11/29/2022
2021-001082	Criminal action - no conviction	Investigation	05/16/2022
2022-001145	Violation of licensing regulation	Investigation	01/03/2023
2024-000001	Criminal action - conviction	Investigation	02/20/2024

MASTER GUIDE-OUTFITTER

2022-000577	Criminal action - no conviction	Complaint	06/16/2022
2023-000008	Violation of licensing regulation	Complaint	01/04/2023
2023-000023	Violation of licensing regulation	Complaint	01/17/2023
2023-000977	Violation of licensing regulation	Complaint	10/09/2023
2023-000978	Violation of licensing regulation	Complaint	10/17/2023
2024-000215	Criminal action - conviction	Complaint	03/11/2024
2020-000135		Monitor	
2022-000100	Criminal action - no conviction	Monitor	
2022-000615	Criminal action - conviction	Monitor	
2021-000623	Criminal action - no conviction	Investigation	12/26/2022
2022-000099	Violation of licensing regulation	Investigation	07/24/2023
2022-000210	Violation of licensing regulation	Investigation	10/06/2022

TRANSPORTER

2023-000705	Violation of licensing regulation	Complaint	07/06/2023
2023-001048	Violation of licensing regulation	Complaint	10/18/2023
2023-001049	Violation of licensing regulation	Complaint	10/17/2023
2023-001193		Complaint	12/14/2023
2024-000212	Criminal action - no conviction	Complaint	03/07/2024
2019-000483	Criminal action - no conviction	Investigation	04/06/2022

2019-000589	Falsified application	Investigation	04/06/2022
2020-000486	Violation of licensing regulation	Investigation	05/26/2020
2020-000924	Violation of licensing regulation	Investigation	01/14/2021

Closed - 37

<u>Case #</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Closed</u>	<u>Closure</u>
ASSISTANT GUIDE				
2023-001174		Closed-Intake	03/11/2024	Review Complete
2023-001223		Closed-Intake	03/11/2024	Review Complete
2024-000003		Closed-Intake	03/11/2024	Incomplete Complaint
2024-000072		Closed-Intake	03/11/2024	Review Complete
2024-000141		Closed-Intake	03/11/2024	Review Complete
2021-000759	License Application Problem	Closed-Investigation	03/19/2024	License Action
2023-000336	Criminal action - conviction	Closed-Investigation	03/05/2024	License Action
2023-000917	License Application Problem	Closed-Investigation	03/05/2024	License Action
2023-000980	Criminal action - conviction	Closed-Investigation	03/05/2024	License Action
2023-000998	Criminal action - conviction	Closed-Investigation	03/05/2024	License Action
2023-001051	Criminal action - conviction	Closed-Investigation	03/05/2024	License Action
2023-001089	Criminal action - conviction	Closed-Investigation	03/19/2024	License Action
2023-001154	Criminal action - conviction	Closed-Investigation	03/05/2024	License Action
2024-000019	Criminal action - conviction	Closed-Investigation	03/05/2024	License Action

GUIDE-OUTFITTER

2023-001117		Closed-Intake	03/14/2024	Incomplete Complaint
2021-001029	Criminal action - no conviction	Closed-Complaint	01/26/2024	No Action - No Violation
2022-000192	Violation of licensing regulation	Closed-Complaint	03/15/2024	No Action - No Violation
2023-000415		Closed-Complaint	12/07/2023	License Action
2023-001127	Violation of licensing regulation	Closed-Complaint	03/05/2024	No Action - No Violation
2021-000315		Closed-Investigation	12/07/2023	License Action

2022-000176		Closed-Investigation	12/07/2023	License Action
2023-000490	Criminal action - no conviction	Closed-Investigation	02/14/2024	Advisement Letter

MASTER GUIDE-OUTFITTER

2022-000576	Violation of licensing regulation	Closed-Complaint	01/26/2024	No Action - No Violation
2022-001050	Violation of licensing regulation	Closed-Complaint	03/15/2024	No Action - No Violation
2021-000627	Criminal action - no conviction	Closed-Investigation	03/05/2024	License Action
2022-000179	Violation of licensing regulation	Closed-Investigation	12/20/2023	License Action
2023-000222	Criminal action - no conviction	Closed-Investigation	02/14/2024	Advisement Letter

REGISTERED GUIDE-OUTFITTER

2023-001222		Closed-Intake	03/11/2024	Review Complete
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TRANSPORTER

2024-000093		Closed-Intake	03/11/2024	Review Complete
2023-000805		Closed-Complaint	01/11/2024	No Action - No Violation
2023-000907	Violation of licensing regulation	Closed-Complaint	01/26/2024	Incomplete Complaint
2022-000170	Criminal action - no conviction	Closed-Investigation	03/18/2024	License Action
2022-000441	Criminal action - no conviction	Closed-Investigation	03/18/2024	License Action
2022-000442	Criminal action - no conviction	Closed-Investigation	03/18/2024	License Action
2022-000443	Criminal action - no conviction	Closed-Investigation	03/18/2024	License Action
2022-000444	Criminal action - no conviction	Closed-Investigation	03/18/2024	License Action
2023-000404	Criminal action - no conviction	Closed-Investigation	03/05/2024	License Action

END OF REPORT



Big Game Commercial Services Disciplinary Guidelines and Precedence

DISCLAIMER: The information contained within product was developed, by the Division of Corporations, Business and Professional Licensing (DCBPL), at the request of the Big Game Commercial Services (BGCS) Board, to capture recent historical discipline taken (within the preceding ten years) which allows the Board to consistently apply discipline, as provided for in accordance with (IAW) AS 08.01.075(f). The guidelines herein are a reference for Board consideration during a circumstance that may merit censure or discipline. However, each matter is considered on its individual merits. These guidelines are comprised of a range of penalties, which allow for discretion by the Board based upon the individual case specifics.

VIOLATIONS		Case Precedence (Previous Action Taken by the Board)		
STATUTE/REGULATION	CRIMINAL SANCTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
AS 08.54.710(a)(1) is convicted of a violation of any state or federal statute or regulation relating to hunting or to provision of big game hunting services or transportation services;		2X Criminal Fine Probation up to 1 year Reprimand	3X Criminal Fine Probation up to 2 years Reprimand	\$5000 Fine Suspension 1-3 years Probation up to 2 years Reprimand
AS 08.54.710(a)(2) has failed to file records or reports required under this chapter;		Letter of Advisement or \$500-\$5000 Fine Probation up to 1 year Reprimand	2X Previous Fine Probation up to 2 years Reprimand	2X Previous Fine Suspension 1 year Probation up to 5 years Reprimand
AS 08.54.710(a)(3) has negligently misrepresented or omitted a material fact on an application for any class of guide license or a transporter license;		\$500-\$5000 Fine Probation up to 1 year Reprimand	\$2500 to 5000 Fine Suspension 2-5 years Probation up to 5 years Reprimand	Permanent Revocation
AS 08.54.710(a)(4) has breached a contract to provide big game hunting services or transportation services to a client.		Client Restitution Probation up to 1 year Reprimand	Client Restitution \$500-\$5000 Fine Probation up to 2 years Reprimand	Client Restitution \$500-\$5000 Fine and/or Suspension 1-3 years Probation up to 5 years Reprimand
08.54.720(a)(1) person who is licensed under this chapter to knowingly fail to promptly report, unless a reasonable means of communication is not reasonably available, to the Department of Public Safety, and in no event later than 20 days, a violation of a state or federal wildlife or game, guiding, or transportation services statute or regulation that the person reasonably believes was committed by a client or an employee of the person	08.54.720(b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	\$500-\$5000 Fine Probation up to 2 years Reprimand	\$500-\$5000 Fine Suspension up to 1 year Probation up to 2 years Reprimand	\$5000 Fine Suspension 2-5 years Probation up to 5 years Reprimand
	08.54.720(f)(1) the court may order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense for a specified period of not more than three years;			

VIOLATIONS		Case Precedence (Previous Action Taken by the Board)		
STATUTE/REGULATION	CRIMINAL SANCTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
AS 08.54.720(a)(2) person who is licensed under this chapter to intentionally obstruct or hinder or attempt to obstruct or hinder lawful hunting engaged in by a person who is not a client of the person	08.54.720(b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	Letter of Advisement or \$500-\$5000 Fine Probation up to 5 years Reprimand	2X Previous Fine up to \$5000 and/or Suspension 1 year Probation up to 5 years Reprimand	\$5000 Fine Suspension 1 year Probation up to 5 years Reprimand
	08.54.720(f)(2) the court shall order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense of this section for a specified period of not less than one year and not more than five years;			
08.54.720(a)(3) class-A assistant guide or an assistant guide to knowingly guide a big game hunt except while employed and supervised by a registered guide- outfitter;	08.54.720(b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	Client Restitution Suspension 1 year Probation up to 5 years Reprimand	Client Restitution Up to \$5000 Fine Suspension 2-5 years Probation up to 5 years Reprimand	Client Restitution \$500-\$5000 Fine and/or Suspension 1-3 years Probation up to 5 years Reprimand
	08.54.720(f)(1) the court may order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense for a specified period of not more than three years;			
08.54.720(a)(4) person who holds any class of guide license or transporter license to knowingly enter or remain on private, state, or federal land without prior authorization during the course of providing big game hunting services or transportation services;	08.54.720 (b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	\$500-\$5000 Fine Probation up to 5 years Reprimand	Up to \$5000 Fine Suspension 1-2 years Probation up to 5 years Reprimand	Permanent Revocation
	08.54.720 (f) (1) the court may order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense for a specified period of not more than three years;			
08.54.720(a)(5)(A) registered guide-outfitter to knowingly engage in providing big game hunting services outside of (A) a game management unit for which the registered guide-outfitter is certified;	08.54.720(b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	\$500-\$5000 Fine Probation up to 3 years Reprimand	Up to \$5000 Fine Suspension 1 year Probation up to 5 years Reprimand	\$5000 Fine Suspension 2-5 years Probation 5 years Reprimand
	08.54.720 (f) (1) the court may order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense for a specified period of not more than three years;			

VIOLATIONS		Case Precedence (Previous Action Taken by the Board)		
STATUTE/REGULATION	CRIMINAL SANCTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
08.54.720(a)(5)(B) registered guide-outfitter to knowingly engage in providing big game hunting services outside of (B) a use area for which the registered guide-outfitter is registered under AS 08.54.750 unless the registration requirement for the area has been suspended by the Department of Fish and Game	08.54.720 (b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	\$500-\$5000 Fine Probation up to 3 years Reprimand	Up to \$5000 Fine Suspension 1 year Probation up to 5 years Reprimand	\$5000 Fine Suspension 2-5 years Probation 5 years Reprimand
	08.54.720 (f) (1) the court may order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense for a specified period of not more than three years;			
08.54.720(a)(6) person to knowingly guide without having a current registered guide-outfitter, class-A assistant guide, or assistant guide license and a valid Alaska hunting license in actual possession;	08.54.720(b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	Letter of Advisement or \$500-\$5000 Fine Probation up to 3 years Reprimand	Up to \$5000 Fine Suspension 1 year Probation up to 5 years Reprimand	\$5000 Fine Suspension 2-5 years Probation up to 5 years Reprimand
08.54.720(a)(7) registered guide- outfitter to knowingly fail to comply with AS 08.54.610 (e);	08.54.720(b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	\$500-\$1500 Fine Probation up to 1 year Reprimand	2X Previous Fine Probation up to 2 years Reprimand	\$5000 Fine Suspension 1 year Probation up to 5 years Reprimand
	08.54.720(f)(1) the court may order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense for a specified period of not more than three years;			
08.54.720(a)(8)(A) person who is licensed under this chapter to knowingly (A) commit or aid in the commission of a violation of this chapter, a regulation adopted under this chapter, or a state or federal wildlife or game statute or regulation	08.54.720(c) a misdemeanor and is punishable by a fine of not more than \$30,000 or by imprisonment up to one year, or both.	\$1000-\$4000 Fine Probation up to 1 year Reprimand	2X Previous Fine Probation up to 2 years Reprimand	2X Previous Fine Suspension 1 year Probation up to 5 years Reprimand
	08.54.720(f)(1) the court may order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense for a specified period of not more than three years;			

VIOLATIONS		Case Precedence (Previous Action Taken by the Board)		
STATUTE/REGULATION	CRIMINAL SANCTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
08.54.720(a)(8)(B) person who is licensed under this chapter to knowingly (B) permit the commission of a violation of this chapter, a regulation adopted under this chapter, or a state or federal wildlife or game statute or regulation that the person knows or reasonably believes is being or will be committed without (i) attempting to prevent it, short of using force; and (ii) reporting the violation;	08.54.720(c) a misdemeanor and is punishable by a fine of not more than \$30,000 or by imprisonment up to one year, or both. the court shall order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense set out in (a)(2) or (9) - (14) of this section for a specified period of not less than one year and not more than five years	\$1000-\$4000 Fine Probation up to 1 year Reprimand	2X Previous Fine Probation up to 2 years Reprimand	2X Previous Fine Suspension 1 year Probation up to 5 years Reprimand
08.54.720(a)(9) person without a current registered guide-outfitter license to knowingly guide, advertise as a registered guide-outfitter, or represent to be a registered guide-outfitter	08.54.720(c) a misdemeanor and is punishable by a fine of not more than \$30,000 or by imprisonment up to one year, or both. 08.54.720(f)(2) the court shall order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense of this section for a specified period of not less than one year and not more than five years;	\$1000 to \$3000 Fine Restitution and/or Suspension 1 year Probation up to 5 years Reprimand	Up to \$5000 Fine Restitution and/or Suspension 1 - 3 years Probation up to 5 years Reprimand	\$5000 Fine Restitution and/or Suspension 2 - 5 years Probation 5 years Reprimand or Permanent Revocation
08.54.720(a)(10) person without a current master guide-outfitter license to knowingly advertise as, or represent to be, a master guide-outfitter;	08.54.720(c) a misdemeanor and is punishable by a fine of not more than \$30,000 or by imprisonment up to one year, or both. 08.54.720(f)(2) the court shall order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense of this section for a specified period of not less than one year and not more than five years;	\$1000 to \$3000 Fine Restitution and/or Suspension 1 year Probation up to 5 years Reprimand	Up to \$5000 Fine Restitution and/or Suspension 1 - 3 years Probation up to 5 years Reprimand	\$5000 Fine Restitution and/or Suspension 2 - 5 years Probation 5 years Reprimand or Permanent Revocation
08.54.720(a)(11) person without a current registered guide-outfitter license to knowingly outfit a big game hunt, provide outfitting services, advertise as an outfitter of big game hunts, or represent to be an outfitter of big game hunts	08.54.720(c) a misdemeanor and is punishable by a fine of not more than \$30,000 or by imprisonment up to one year, or both. 08.54.720(f)(2) the court shall order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense of this section for a specified period of not less than one year and not more than five years;	\$1000 to \$3000 Fine Restitution and/or Suspension 1 year Probation up to 5 years Reprimand	Up to \$5000 Fine Restitution and/or Suspension 1 - 3 years Probation up to 5 years Reprimand	\$5000 Fine Restitution and/or Suspension 2 - 5 years Probation 5 years Reprimand or Permanent Revocation

VIOLATIONS		Case Precedence (Previous Action Taken by the Board)		
STATUTE/REGULATION	CRIMINAL SANCTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
08.54.720(a)(12) person to knowingly provide transportation services to big game hunters without holding a current registered guide-outfitter license or transporter license	08.54.720(c) a misdemeanor and is punishable by a fine of not more than \$30,000 or by imprisonment up to one year, or both.	\$1000-\$4000 Fine Probation up to 1 year Reprimand	Up to \$5000 Fine Suspension 1 - 2 years Probation up to 5 years Reprimand	\$5000 Fine Suspension 2 - 5 years Probation 5 years Reprimand
	08.54.720(f)(2) the court shall order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense of this section for a specified period of not less than one year and not more than five years;			
08.54.720(a)(13) person without a current transporter license to knowingly advertise as, or represent to be, a transporter	08.54.720(c) a misdemeanor and is punishable by a fine of not more than \$30,000 or by imprisonment up to one year, or both.	\$500 to \$2000 Fine Probation up to 1 year Reprimand	2X Previous Fine Suspension 1 year Probation up to 5 years Reprimand	\$5000 Fine Suspension 2 - 5 years Probation 5 years Reprimand
	08.54.720(f)(2) the court shall order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense of this section for a specified period of not less than one year and not more than five years;			
08.54.720(a)(14) class-A assistant guide or an assistant guide to knowingly contract to guide or outfit a hunt	08.54.720(c) a misdemeanor and is punishable by a fine of not more than \$30,000 or by imprisonment up to one year, or both.	\$1000 to \$5000 Fine Suspension 1 - 3 years Probation up to 5 years Reprimand	Permanent Revocation	
	08.54.720(f)(2) the court shall order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense of this section for a specified period of not less than one year and not more than five years;			
08.54.720(a)(15) person licensed under this chapter to knowingly violate a state statute or regulation prohibiting waste of a wild food animal or hunting on the same day airborne	08.54.720(d)(1) for a first offense, of a misdemeanor and is punishable by a fine of not more than \$30,000 or by imprisonment up to one year, or both	\$3000 to \$5000 Fine Suspension 1 - 3 years Probation 5 years Reprimand	Permanent Revocation	
	08.54.720(d)(2) for a second or subsequent offense, of a class C felony			
	08.54.720(f)(3) the court shall order the board to suspend the guide license or transporter license for a specified period of not less than three years, or to permanently revoke the guide license or transporter license, of a person who commits an offense set out in (a)(15) or (16) of this section;	Per Court Order	Permanent Revocation	

VIOLATIONS		Case Precedence (Previous Action Taken by the Board)		
STATUTE/REGULATION	CRIMINAL SANCTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
08.54.720(a)(16) person to knowingly provide big game hunting services or transportation services during the period for which the person's license to provide that service is suspended or revoked	08.54.720(e) class C felony 08.54.720(f)(3) the court shall order the board to suspend the guide license or transporter license for a specified period of not less than three years, or to permanently revoke the guide license or transporter license, of a person who commits an offense set out in (a)(15) or (16) of this section;	Per Court Order	Permanent Revocation	
08.54.720(a)(17)(A) registered guide-outfitter, except in the defense of life or property, to knowingly personally take (A) big game while accompanying a client in the field;	08.54.720(b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	\$500 to \$1500 Fine Probation up to 1 year Reprimand	2X Previous Fine Probation up to 2 years Reprimand	\$5000 Fine Suspension 1 - 3 years Probation 5 years
	08.54.720(f)(1) the court may order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense for a specified period of not more than three years;	Per Court Order	Per Court Order	
08.54.720(a)(17)(B) registered guide-outfitter, except in the defense of life or property, to knowingly personally take (B) a species of big game if the registered guide-outfitter is under contract with a client to provide a guided hunt for that species of big game and the client is in the field	08.54.720(b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	\$500 to \$1500 Fine Probation up to 1 year Reprimand	2X Previous Fine Probation up to 2 years Reprimand	\$5000 Fine Suspension 1 year Probation 5 years Reprimand
	08.54.720(f)(1) the court may order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense for a specified period of not more than three years;	Per Court Order	Per Court Order	
08.54.720(a)(18) person who is licensed as a registered guide-outfitter, a class-A assistant guide, or an assistant guide, except in the defense of life or property, to knowingly personally take big game while a client of the registered guide-outfitter by whom the person is employed is in the field unless the person is not participating in, supporting, or otherwise assisting in providing big game hunting services to a client of the registered guide-outfitter by whom the person is employed;	08.54.720(b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	\$500 to \$1500 Fine Probation up to 1 year Reprimand	2X Previous Fine Probation up to 2 years Reprimand	\$5000 Fine Suspension 1 year Probation 5 years
	08.54.720(f)(1) the court may order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense for a specified period of not more than three years;	Per Court Order	Per Court Order	

VIOLATIONS		Case Precedence (Previous Action Taken by the Board)		
STATUTE/REGULATION	CRIMINAL SANCTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
08.54.720(a)(19) person who is licensed as a transporter, or who provides transportation services under a transporter license, to knowingly accompany or remain in the field with a big game hunter who is a client of the person except as necessary to perform the specific duties of embarking or disembarking big game hunters, their equipment, or big game animals harvested by hunters; this paragraph does not apply to a person who holds both a transporter license and a registered guide-outfitter license issued under this chapter when the person has a contract to provide guiding services for the client	08.54.720(b) guilty of a misdemeanor and is punishable by a fine of not more than \$10,000 or by imprisonment up to one year, or both.	\$500 to \$1500 Fine Probation up to 1 year Reprimand	2X Previous Fine Probation up to 2 years Reprimand	\$5000 Fine Suspension 1 year Probation 5 years
	08.54.720(f)(1) the court may order the board to suspend the guide license or transporter license of a person who commits a misdemeanor offense for a specified period of not more than three years;		Per Court Order	Per Court Order
AS 08.54.720(f)(4) all guns, fishing tackle, boats, aircraft, automobiles, or other vehicles, camping gear, and other equipment and paraphernalia used in, or in aid of, a violation of (a) of this section may be seized by persons authorized to enforce this chapter and may be forfeited to the state as provided under AS 16.05.195.				
AS 08.54.720(g) Upon conviction of a person for committing an offense set out in (a) of this section, the execution of sentence may not be suspended and probation may not be granted except on the condition that the minimum term of imprisonment is served. Imposition of sentence may not be suspended				
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EXECUTIVE SESSION MOTION

I, _____, move that the Alaska State Big Game Commercial Services Board enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing _____

Board staff member(s) _____ to remain during the session.

Off record: _____

On record: _____

Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

- matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
- **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;**
- **matters which by law, municipal charter, or ordinance are required to be confidential;**
- matters involving consideration of government records that by law are not subject to public disclosure.

Big Game Commercial Services Board

Name	Appointed	Reappointed	Expires
Bloomquist, Aaron (Copper Center) Licensed Registered Guides-Outfitters	03/01/2021		03/01/2025
Boniek, Martin (Glennallen) Licensed Transporters	03/01/2021		03/01/2025
Buist, Peter (Fairbanks) Public	05/21/2019	03/01/2021	03/01/2025
Bunch, Jason (Kodiak) Licensed Registered Guides-Outfitters	03/02/2018	03/01/2019	03/01/2023
Flores, Michael (Soldotna) Licensed Transporters	05/11/2020	03/08/2023	03/01/2027
Kunder, Larry (Anchorage) Public	05/25/2022		03/01/2026
Nordlum, Clay (Kotzebue) Private Landholders/Restricted	06/25/2021	03/01/2022	03/01/2026
Vacant () Private Landholders/Restricted			03/01/2024
Lorring, Dave Designated Game Board Member/Restricted	03/01/2023		03/01/2027

DRAFT



Big Game Commercial Services Board - Spring Meeting

Alaska Division of Corporations, Business and Professional Licensing
Mar 26, 2024, at 9:00 AM AKDT to Mar 28, 2024, at 2:30 PM AKDT
Pike's Waterfront Lodge: 1850 Hoselton Rd. Fairbanks, AK 99709

Meeting Details:

<https://us02web.zoom.us/j/85119244407?pwd=NzBaaHpZTldCZytWRXQ4WU95NTc2QT09>

Call-In: 669-900-6833

Meeting ID: 851 1924 4407

Passcode: 437968

TENTATIVE MEETING AGENDA (DAY 1)

March 26, 2024

Agenda

- 1. 9:00am Roll call/Call to Order**
- 2. 9:05am Review Agenda**
- 3. 9:10am Ethics Review**
- 4. 9:15am Review/Approve Meeting Minutes**
 - A. February 2023**
 - B. December 2023 - Regulations Excerpt**
 - C. February 2024 - Pending**
- 5. 9:30am State & Federal Agency Updates**
 - A. Dept. of Fish & Game - Darren Bruning/Mark Burch**
 - B. Dept. of Natural Resources - Dianna Leinberger**
 - C. US Forest Service - Jason Anderson**
- 6. 10:30am Break**
- 7. 10:45am Division Update**
 - A. Current Fiscal Report - FY24 1st/2nd Quarters**
- 8. 11:00am Discussion with Director Robb**
 - A. Division Annual Expenditures Allowance**
 - B. Online Self-Service Tools Education**
 - i. Update IT Project for Data Query**
- 9. 12:00pm Lunch Break**
- 10. 1:30pm APHA Update**

11. 2:30pm Investigations Unit

A. Probation Monitor Report

B. Investigative Report

C. Consent Agreement Review Panel

D. Matrix Review and Update - Add Sublegal Harvest Criteria

E. Executive Session

i. Case No. 2023-0001192

ii. Case No. 2024-000001

iii. Case No. 2024-000018

iv. Case No. 2024-000207

12. 4:00pm Recess

DRAFT



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Call-In: 669-900-6833

Meeting ID: 851 1924 4407

Passcode: 437968

TENTATIVE MEETING AGENDA (DAY 2)

March 27, 2024

- 13. 9:00am Roll Call**
- 14. 9:05am Agenda Review**
- 15. 9:10 am Summary/Motions from Executive Session**
- 16. 9:30am Public Comment**
- 17. 10:00am BREAK**
- 18. 10:15am Subcommittee Updates/Formation of New Committees**
 - A. Exams - Jason Bunch**
 - i. Work Project: GMU Exams, Recommendations for RGO Exam Update**
 - B. Transporters - Mike Flores**
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 - D. Workgroups for Jason Bunch**
- 19. 11:15am Break**
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 - A. Transporter Information Letter (division concern, 90-day public notice, Facebook request) - Jason Bunch**
 - B. Education Letter for Hunt Planners and Booking Agents - Aaron Bloomquist**
 - C. Survivorship Legislation for Next Year - Aaron Bloomquist**
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- 22. 1:30pm Public Comment**
- 23. 2:00pm Regulations Projects Update**
 - A. 12 AAC 75.405 - Marking of Aircraft and Vessels Used by Guides and Transporters**
- 24. 2:30pm Recess**



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Call-In: 669-900-6833

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Passcode: 437968

TENTATIVE MEETING AGENDA (DAY 3)

March 28, 2024

- 25. 9:00am Roll Call**
- 26. 9:05am Review Agenda**
- 27. 9:10am Alaska Wildlife Troopers - Aaron Frenzel**
- 28. 9:45am Break**
- 29. 10:00am Public Comment**
- 30. 10:30am GUA Boundary Changes**
- 31. 11:00am Board Business**
 - A. Board Vote on Chairperson and Vice Chairperson**
 - B. GUA 25-03A and 25-03B**
 - C. Correspondence**
 - i. Days in Field for RGO License**
 - D. Website Changes, Updated GUA Maps, Delete Assistant Guide Schools Information**
- 32. 12:00pm Lunch**
- 33. 1:30pm Business as Needed**
- 34. 2:00pm Administrative Business**
- 35. 2:15pm Task List**
- 36. 2:30pm Adjourn**

Chapter 75. Big Game Commercial Services Board.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 75 is amended by adding a new section to read:

AAC 75.405. Marking of aircraft and vessels used by guides and transporters (a)

aircraft used by a guide shall be marked with 12-inch FAA Registration numbers, not less than 1” thick in a color that contrasts with the background and is easily visible from a distance.

(b) any vessel over **16 feet in length** used by a guide or transporter must be marked with 12-inch numbers, on both sides of the vessel that are not less than 1” thick in a color that contrasts with the background and is easily visible from a distance. The number shall include the guide license number for guides prefixed by the letter “G”, and transporter license number for transporters prefixed by the letter “T”.

(c) a guide or transporter shall display an authorized sticker on a vessel used for the purposes of transportation. The following board approved design must be used by the guide or transporter



(d) an authorized sticker or more may be provided to the licensee.

Big Game Commercial Services Board

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DRAFT



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March 27, 2024

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- 16. 9:30am Public Comment**
- 17. 10:00am BREAK**
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TENTATIVE MEETING AGENDA (DAY 3)

March 28, 2024

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- 26. 9:05am Review Agenda**
- 27. 9:10am Alaska Wildlife Troopers - Aaron Frenzel**
- 28. 9:45am Break**
- 29. 10:00am Public Comment**
- 30. 10:30am GUA Boundary Changes**
- 31. 11:00am Board Business**
 - A. Board Vote on Chairperson and Vice Chairperson**
 - B. GUA 25-03A and 25-03B**
 - C. Correspondence**
 - i. Days in Field for RGO License**
 - D. Website Changes, Updated GUA Maps, Delete Assistant Guide Schools Information**
- 32. 12:00pm Lunch**
- 33. 1:30pm Business as Needed**
- 34. 2:00pm Administrative Business**
- 35. 2:15pm Task List**
- 36. 2:30pm Adjourn**

communicate personally by radio with the assistant guide, class-A assistant guide, or registered guide-outfitter involved in the contracted hunt.

Authority: AS 08.54.600 AS 08.54.620 AS 08.54.710
AS 08.54.610 AS 08.54.630

12 AAC 75.250. PARTICIPATION IN A HUNT. (a) Repealed 6/2/2011.

(b) A registered guide-outfitter who contracts to guide a hunt and who is participating in a hunt as required in AS 08.54.630(b)(3) shall be in communication, either personally or through an agent, with the assistant guide, who is in the field with the client, at least once during the hunt if the hunt is longer than five days.

(c) In this section, "communication" includes in-person contact, radio contact, telephone contact, and signaling.

(d) A registered guide-outfitter who contracts to outfit a hunt shall

(1) before leaving a client in the field, advise the client of the date, time, and location at which the registered guide-outfitter will pick up the client and the course of action the client should follow if the registered guide-outfitter is unable to pick up the client as planned;

(2) either personally or through a class-A assistant guide, an assistant guide, or a licensed transporter, transport the client into and out of the field at the planned date, time, and location, unless prevented by weather, mechanical problems, or other safety concerns; and

(3) check on or communicate with a client in the field as agreed to before transporting that client.

Authority: AS 08.54.600 AS 08.54.620 AS 08.54.710
AS 08.54.610 AS 08.54.630

12 AAC 75.260. REGISTERED GUIDE-OUTFITTER CONTRACT REQUIREMENTS. (a) A contracting registered guide-outfitter shall deliver a written contract to the client within 90 days after receipt of a deposit, or before services are provided, whichever is earlier.

(b) A contract must

(1) include the name, license number, and signature of the guide-outfitter, and must include the name of the guide-outfitter's business if it is different from the name of the individual guide-outfitter;

(2) include the name and signature of the client;

(3) list each big game animal to be hunted, and must identify the primary animal to be hunted;

(4) list the approximate times and dates that the client will be in the field;

(5) list the number of hunting days and dates for each species, if appropriate;

(6) state the cost and payment schedule;

(7) state the amount of the trophy fee, if any, and must identify who is responsible for the cost of the license and tags;

(8) state the extra transportation cost, if any;

(9) include a statement of services provided, including lodging, meals, number of clients per guide, trophy care and shipping, care of meat, and clarification of who is responsible for what;

(10) set out the deposit refund or transfer policy upon cancellation;

(11) include a statement about compensation for any delay of the client arriving in the field on schedule or for the client departing the field before the contracted hunt ends; and

(12) identify who is responsible for private and federal land use fees.

(c) A registered guide-outfitter shall retain a copy of the contract for at least four years.

(d) A contracting registered or master guide who is signing the hunt contract, and who intends to apply a client for a drawing hunt permit for a hunt conducted under regulations required under AS 16.05, shall obtain a unique verification code for each guide use area in which a unique verification code is required from the department before entering an application for the client. Unique verification codes will only be issued to registered or master guides who are registered in a guide use area located in the hunt area the year the application is made and the years the permit is valid. Unique verification codes are current until the associated guide use area registration expires or is withdrawn or amended. Unique verification codes may only be utilized by the contracting registered or master guide who is applying clients for a drawing hunt permit.

(e) A contract may be amended at any time before the conclusion of the hunt, as recorded on the hunt record, with the signature of the contracting guide-outfitter and the client.

Authority: AS 08.54.600 AS 08.54.720 AS 08.54.790
AS 08.54.680

12 AAC 75.265. GUIDE USE AREA BOUNDARY CHANGES. (a) The board may propose to amend guide use area boundaries

(1) on its own motion;

(2) upon the recommendation of the Department of Fish and Game; or

(3) in response to a petition from another person.

(b) At least 90 days before the date of a board meeting at which guide use area boundaries changes are proposed, the department will publish, in a newspaper of general circulation, a notice soliciting petitions to propose amendments to guide use area boundaries. To be considered for proposal by the board at the board's next meeting, a petition must be received by the department no later than 60 days after the notice is published.

(c) If the board proposes to amend guide use area boundaries, the board will mail notice of the proposed amendment to

(1) each registered guide-outfitter with a valid license who is registered for a guide use area the boundaries of which are proposed for amendment;

(2) the Department of Natural Resources;

(3) the Department of Fish and Game; and

(4) the Department of Public Safety.

(d) The board may amend guide use area boundaries after considering whether

(1) the Department of Fish and Game objects to the proposed amendment; and

(2) amendment of existing guide use area boundaries is necessary in order to respond to

(A) big game conservation and management concerns, including

(i) abundance and diversity of big game;

(ii) the historical harvest of big game in an area; and

(iii) existing administrative boundaries established for wildlife management purposes;

(B) law enforcement concerns;

(C) land ownership in an area;

(D) administrative restrictions;

(E) the existence of boundaries that can be readily identified in the field;

(F) the accessibility of an area and other transportation considerations;

(G) the existence of complementary and noncomplementary land uses within an area;

(H) recommendations of the Department of Natural Resources;

(I) the existing facilities within the area;

(J) any public comment received; and

(K) other considerations relevant to the drawing of guide use area boundaries.

Authority: AS 08.54.600

AS 08.54.750

ARTICLE 3. PROFESSIONAL ETHICS STANDARDS FOR GUIDES.

Section

300. (Repealed)

310. (Repealed)

320. (Repealed)

330. (Repealed)

340. Professional ethics standards for guides

12 AAC 75.300. PROFESSIONAL COMPETENCE STANDARDS FOR GUIDES. Repealed 7/30/2006.

12 AAC 75.310. RESPONSIBILITIES OF GUIDES. Repealed 7/30/2006.

12 AAC 75.320. TRANSPORTING MEAT. Repealed 4/6/2001.

12 AAC 75.330. DUTIES OF A REGISTERED GUIDE. Repealed 4/6/2001.

12 AAC 75.340. PROFESSIONAL ETHICS STANDARDS FOR GUIDES. (a) **Unethical activities.** A master guide-outfitter, registered guide-outfitter, assistant guide, or class-A assistant guide may not participate in an unethical activity that may result in a disciplinary sanction under AS 08.54.710. In this subsection, "unethical activity"

(1) means failing to or being unfit to meet a professional standard of conduct that satisfactorily and safely implements, under field conditions, the knowledge, skills, qualifications, and judgment required for the license held; and

(2) includes

(A) failing to comply with the standards set out in (b) – (f) of this section;

(B) failing to fulfill a condition or requirement established as a disciplinary sanction under

AS 08.54.710;

(C) failing to fulfill the supervision, hunt participation, and other requirements of this chapter; and

(D) failing to report to the board, within 30 days after the date of conviction, a conviction in this state, another state, or the United States for a

March 5, 2024

Thomas Bay
Marine Pilot Coordinator–Board of Marine Pilots
Executive Administrator – Big Game Commercial Services Board
Division of Corporations, Business and Professional Licensing
(907)465-2543

Re: BGCSB Registered Guide-Outfitter Application Response Letter

Mr. Bay,

This letter is written in response to your e-mail sent February 6, 2024 and our phone conversation on February 8, 2024.

During the phone call we concluded that item (1) in your e-mail was not missing and you had acceptable data from forms submitted by Ellis Big Game Guides.

We talked at length about your request regarding item (2) in the e-mail. You noted that my notarized submittal from my Master Guide indicating I had more than 125 days “in field” did not suffice in order to allow me to sit for the RGO exam in March. I pointed out that there is not a clear position that defines my submittal was insufficient in allowing me to sit for the test in March. You indicated that I needed to summarize my points and position in a letter in order to allow the matter to be elevated because the current practice of approval only recognized “hunt records” submitted by someone other than me. These records are confidential and not subject to inspection or copying per Alaska Statute 08.54.760. I do not have knowledge, control, or any other pertinent details on the referenced “hunt records”. This is not the business, responsibility, or requirement of an Assistant Guide. In fact it could be argued that I was violating the law if I was involved with it because it is part of contracting a hunt.

The following lines out the intent of the statutes and regulations as it pertains to my application and the overall support of the position that I meet the requirements to sit for the RGO Exam:

First, I would like to clarify I submitted a complete application in October of 2023. All required items on Form 08-4013 (Rev. 6/28/18) were submitted and delineated with cover sheets.

The item in question is bullet number two on Form 08-4013 (Rev. 6/28/18):

“has been licensed as and performed the services of a Class A Assistant Guide or Assistant Guide, or a Class-A Assistant Guide Outfitter or Assistant Guide-Outfitter in Alaska for a part of each of three years for a total of 125 days “in field” guiding experience;”

On Form 08-4013c (Rev. 6/28/18) I submitted a notarized form indicating I had a total of 237 days in unit 12 “in the field” on “guided hunts”. The definition of “field” per Sec. 08.54.790. **DEFINITIONS** is:

“field” means an area outside established year-round dwellings, businesses, or other developments associated with city, town, or village; “field” does not include permanent hotels or roadhouses on the state road system or state or federally maintained airports;”

Please note that my experience in the application applies to days “in field” in Unit 12, per this definition given by the State of Alaska. I have a lot more days “in field” than this as a licensed Assistant Guide. Furthermore, there is not a reference in the statutes or regulation that defines the days “in field” by a “hunt record”, as indicated in your e-mail.

I kindly ask that you reconsider your position on my application. Based on the timeline so far, I will assume that clarification will not be reached in time for the March test, but I hope it can be cleared up in time for next December’s test. I was hoping to have qualified for my Guide License in time for Spring Bear Season, thus saving me the expense of having to renew my Class-A Assistant Guide License. In the spirit of getting to a working solution I will pay the fee for a renewed Assistant Guide License and appreciate any monetary concession that may be available upon the passing of my Guide testing next winter.

I appreciate your time and help with this matter, and I can be reached most hours of the day at [REDACTED] if you have any questions.

Kind Regards,



Jeff D. Miller
Alaskan Class A-Assistant Guide

DRAFT

2024 STATE CALENDAR

JANUARY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY

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MARCH

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31						

APRIL

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28	29	30				

MAY

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JUNE

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30						

JULY

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28	29	30	31			

AUGUST

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SEPTEMBER

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29	30					

OCTOBER

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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

NOVEMBER

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DECEMBER

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1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

 Holiday  Payday

State Holidays

Date	Holiday
01/01/24	New Year's Day
01/15/24	MLK Jr.'s Birthday
02/19/24	Presidents' Day
03/25/24	Seward's Day
05/27/24	Memorial Day
07/04/24	Independence Day

State Holidays

Date	Holiday
09/02/24	Labor Day
10/18/24	Alaska Day
11/11/24	Veterans' Day
11/28/24	Thanksgiving Day
12/25/24	Christmas Day

Please refer to appropriate collective bargaining unit agreement for more information regarding holidays.