

1 State of Alaska
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATION, BUSINESS AND PROFESSIONAL LICENSING
4

5 BIG GAME COMMERCIAL SERVICES BOARD
6 Minutes of the meeting on Thursday, July 26th 2018
7

8 By the authority of AS 08.01.070(2) and AS 08.86.030, and in compliance with the provisions of AS 44.62,
9 Article 6, a scheduled meeting of the Big Game Commercial Services Board was held via teleconference
10 on Thursday, July 26th, 2018.

11
12 **The Chair brought the meeting to order at 9:02 am**
13

14 **Board Members Present via teleconference, constituting a quorum:**
15

16 Cash Joyce, Licensed Transporter
17 Thomas Sullivan-Public Member
18 Henry Tiffany-Licenses Registered Guide-Board Chair
19 Adam Trombley-Public Member-Board vice Chair
20 Larry Van Daele-Board of Game Representative
21 Michelle Heun-Licensed Transporter
22 Jason Bunch-Licensed Registered Guide
23 Nicolas Jackson-Private Land Owner
24

25 **Staff Members present:**

26 Lee Strout-Investigator
27 Dawn K Hannasch-Occupational Licensing Examiner
28 Megyn Weigand-Department of Law
29 Lawrence Pederson-Administrative Law Judge
30

31 **Members of the public present:**

32 Mark Richards
33 Mark Enyart
34 Aaron Frenzel
35 Mont Mahoney
36
37
38
39

40 **Review the Agenda:**
41

42 The board reviewed the agenda. No changes were made. The agenda was reviewed and approved by
43 the Board Chair, Henry Tiffany via email, June 25, 2018. However, Board Member Larry Van Daele
44 recommended that in the future all items that may require executive session, be placed on the agenda

45 at the end of the day, so the public may better plan their attendance. Board Chair Henry Tiffany stated
46 that he would work with staff for future meetings to make this the new standard.

47

48 **Ethics Review:**

49

50 Board Chair, Henry Tiffany opened the floor for any ethics disclosures. Board Member Adam Trombley
51 informed the board that later in the meeting, under agenda items "exam concerns", Mr. Trombley's
52 uncle Glen Trombley's concerns will be presented. Board member Trombley plans to recuse himself fully
53 from that portion of board business. Board Chair Tiffany accepted the recusal.

54

55 Board Member Larry Van Daele disclosed that he was the managing biologist consulted during an
56 investigation that has subsequently resulted in a consent agreement for a licensee. Board Chair Tiffany,
57 did not believe that this was an ethics issue and appreciated Mr. Van Daele's disclosure.

58

59 **Review & Approve Past Meeting Minutes:**

60

61 Hearing nothing further, Mr. Tiffany moved the board onto the next agenda item.

62

63 Board Member Van Daele thanked staff member, Dawn Hannasch for the good work she does on the
64 minutes. He did point out a misspelled word that would need to be corrected on line 109 (widdling to
65 whittling).

66

67 **In a motion duly made by Larry Van Daele and seconded by Michelle Heun, with unanimous consent,**
68 **it was resolved to approve the meeting minutes as amended, from the March 21st & 22nd 2018**
69 **meeting.**

70

71 **Investigative Issues:**

72

- 73 • **Definition of "emergency situation" in regards to 12 AAC 75.240(f)(1)(h)(4):**

74

75 Board Chair Henry Tiffany opened the discussion regarding emergency medical situations for
76 family members of guides and transporters, while the licensee is in the field. The regulations in
77 question are below for reference:

78

79 (f) The contracting registered-guide outfitter or a noncontracting registered guide-outfitter or class-A
80 assistant guide supervising an assistant guide shall be available in the same guide use area, or an adjacent
81 guide use area with a common border, to direct and monitor the big game hunting services provided to
82 the client, except during times when

83 **(1) an emergency situation exists that requires the guide's assistance; or**

84

85 (h) In this section, "emergency situation" means a situation in which a person is in a remote area and

86 (1) is involuntarily experiencing an absence of food, water, shelter, or medical care required to
87 sustain life or health;

88 (2) is lost;

89 (3) is unable to perform the functions necessary for survival, leading to a high risk of death or serious
90 and permanent health problems without the assistance of the guide; or
91 **(4) the guide's presence is necessary for a family medical condition.**

92
93 The Alaska Wildlife Troopers requested that the board clarify the intend and definition so that
94 they can apply the information while conducting investigations in the field if needed. Board
95 Member Jason Bunch, after many hours of research, provided the board with a draft of a positions
96 Statement clarifying for the AST's, the board investigator and the licensees, the purpose and intent
97 of the regulation, specifically as it relates to the child birth.
98

99 Regulation Position Statement

100
101 1. **SUBJECT:** Supervision exception for "Emergency Situation" regarding "family medical
102 condition".

103
104 2. **APPLICABILITY:** This policy applies to contracting guide outfitters who are expecting the birth
105 of their child within dates of contracted hunts.
106

107 3. **STATUTES AND REGULATIONS AFFECTED:** AS 08.54.600, AS 08.54.605, AS 08.54.630, AS
108 08.54.635, AS 08.54.790, 12 AAC 75.240
109

110 4. **INTENT:** To provide further direction to contracting guides, law enforcement, division of
111 commerce, land managers and clients concerning supervision regulation 12 AAC 75.240
112 (f)(1)(h)(4).

113 (f) The contracting registered-guide outfitter or a non-contracting registered guide-outfitter or
114 class A assistant guide supervising an assistant guide shall be available in the same guide use area,
115 or an adjacent guide use area with a common border, to direct and monitor the big game hunting
116 services provided to the client, except during times when:

117 (1) an emergency situation exists that requires the guide's assistance;

118 (h) in this section, "emergency situation" means a situation in which a person is in a remote area
119 and

120 (4) the guide's presence is necessary for a family medical condition.
121

122 5. **POSITION:** Under provisions of regulation 12 AAC 75.240 it is the position of the Big Game
123 Commercial Services Board that the birth of a child is included in the definition of a "family
124 medical condition".
125
126
127
128

129 **6. RECOMMENDATIONS:**

130 a. Contracting guides should provide a letter to the client informing them of their absence during
131 their hunt. This letter should be signed by the client and kept with the hunt contract in the case
132 conflicts arise.

133 b. Parameters of Statute 08.54.610 (e) and Regulation 12 AAC 75.240 (i)(2) should be adhered to when a
134 planned childbirth is used for constituting the contracting guides absence.

135
136 **In a motion duly made by Jason Bunch and seconded by Adam Trombley, with a roll call vote, it was**
137 **resolved to adopt the position statement as written, using the same format as the Board of Game**
138 **position statements and adding a numbering system for this and all position statements in the future.**

139
140 **Cash Joyce-YES**
141 **Thomas Sullivan-YES**
142 **Henry Tiffany-YES**
143 **Adam Trombley-YES**
144 **Larry Van Daele-YES**
145 **Michelle Heun-YES**
146 **Jason Bunch-YES**
147 **Nicolas Jackson-YES**

148
149
150 **• Consent agreements**

151
152 Hearing no further discussion on the above matter, Board Chair Tiffany moved onto the next
153 agenda item. The board had 17 consent agreements to review along with Investigator Lee Strout.
154 Each consent agreement was reviewed and discussed by the board.

155
156 **In a motion duly made by Larry Van Daele and seconded by Michelle Huen, with a roll call vote, it was**
157 **resolved to accept the consent agreement for Michael J. Colpo case #2018-000082.**

158
159 **Cash Joyce-YES**
160 **Thomas Sullivan-YES**
161 **Henry Tiffany-YES**
162 **Adam Trombley-YES**
163 **Larry Van Daele-YES**
164 **Michelle Heun-YES**
165 **Jason Bunch-YES**
166 **Nicolas Jackson-YES**

167
168 **In a motion duly made by Adam Trombley and seconded by Larry Van Daele, with a roll call vote, it was**
169 **resolved to accept the consent agreement for Thomas J. DeBlauw case #2018-000076.**

170
171 **Cash Joyce-YES**
172 **Thomas Sullivan-YES**
173 **Henry Tiffany-YES**
174 **Adam Trombley-YES**
175 **Larry Van Daele-YES**
176 **Michelle Heun-YES**
177 **Jason Bunch-YES**
178 **Nicolas Jackson-YES**

180 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
181 **resolved to accept the consent agreement for Rudy J. Martin case #2018-000159**

182
183 **Cash Joyce-YES**
184 **Thomas Sullivan-YES**
185 **Henry Tiffany-YES**
186 **Adam Trombley-YES**
187 **Larry Van Daele-YES**
188 **Michelle Heun-YES**
189 **Jason Bunch-YES**
190 **Nicolas Jackson-YES**

191
192 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
193 **resolved to accept the consent agreement for Wayne W. Woods case #2018-000072**

194
195 **Cash Joyce-YES**
196 **Thomas Sullivan-YES**
197 **Henry Tiffany-YES**
198 **Adam Trombley-YES**
199 **Larry Van Daele-YES**
200 **Michelle Heun-YES**
201 **Jason Bunch-YES**
202 **Nicolas Jackson-YES**

203
204 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
205 **resolved to accept the consent agreement for Thomas J. DeBlauw case #2018-000076.**

206
207 **Cash Joyce-YES**
208 **Thomas Sullivan-YES**
209 **Henry Tiffany-YES**
210 **Adam Trombley-YES**
211 **Larry Van Daele-YES**
212 **Michelle Heun-YES**
213 **Jason Bunch-YES**
214 **Nicolas Jackson-YES**

215
216 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, to accept**
217 **the consent agreement for case #2016-001240,**

218
219 **Cash Joyce-NO**
220 **Thomas Sullivan-NO**
221 **Henry Tiffany-YES**
222 **Adam Trombley-YES**
223 **Larry Van Daele-NO**
224 **Michelle Heun-NO**
225 **Jason Bunch-NO**
226 **Nicolas Jackson-NO**

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The motion was denied

Board members Larry Van Daele and Jason Bunch stated that a more severe fine would be more appropriate considering the importance of submitting hunt records timely and with accurate information.

In a motion duly made by Larry Van Daele and seconded by Michelle Heun, with unanimous consent, it was resolved to request the fine be changed to \$250 per violation, equaling \$2000, with \$1000 suspended.

In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was resolved to accept the consent agreement for Mitchell R. Davis case #2018-000164

- Cash Joyce-YES**
- Thomas Sullivan-YES**
- Henry Tiffany-YES**
- Adam Trombley-YES**
- Larry Van Daele-YES**
- Michelle Heun-YES**
- Jason Bunch-RECUSED**
- Nicolas Jackson-YES**

In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was resolved to accept the consent agreement for Tad K. Gilbert case #2018-000427

- Cash Joyce-YES**
- Thomas Sullivan-YES**
- Henry Tiffany-YES**
- Adam Trombley-YES**
- Larry Van Daele-YES**
- Michelle Heun-YES**
- Jason Bunch-YES**
- Nicolas Jackson-YES**

Board members Henry Tiffany and Cash Joyce stated that the unsuspended portion of the fine for Mr. Gilbert should be more due to the nature of the violation.

In a motion duly made by Jason Bunch and seconded by Cash Joyce, with a roll call vote, it was resolved to lower the unsuspended fine amount to \$500, as there was no maliciousness in the violation for case #2018-000449

- Cash Joyce-YES**
- Thomas Sullivan-YES**
- Henry Tiffany-NO**
- Adam Trombley-YES**
- Larry Van Daele-NO**

274 **Michelle Heun-NO**
275 **Jason Bunch-YES**
276 **Nicolas Jackson-YES**

277
278 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
279 **resolved to accept the consent agreement, with the afore mentioned change, for Jeff J. Kruse case**
280 **#2018-000449**

281
282 **Cash Joyce-YES**
283 **Thomas Sullivan-YES**
284 **Henry Tiffany-YES**
285 **Adam Trombley-YES**
286 **Larry Van Daele-YES**
287 **Michelle Heun-YES**
288 **Jason Bunch-YES**
289 **Nicolas Jackson-YES**

290
291 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
292 **resolved to accept the consent agreement for Michael K. Petersen case #2018-000036**

293
294 **Cash Joyce-YES**
295 **Thomas Sullivan-YES**
296 **Henry Tiffany-YES**
297 **Adam Trombley-YES**
298 **Larry Van Daele-YES**
299 **Michelle Heun-YES**
300 **Jason Bunch-YES**
301 **Nicolas Jackson-YES**

302
303 Board member Jason Bunch stated that Mr. Petersen failed on every level of the required paperwork and
304 then was uncooperative when requested by the Division to provide information. He stated that
305 compliance with the paperwork requirements are just as important as the work done in the field.

306
307 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
308 **resolved to accept the consent agreement for Max K. Johnson, Jr case #2014-001068**

309
310 **Cash Joyce-YES**
311 **Thomas Sullivan-YES**
312 **Henry Tiffany-YES**
313 **Adam Trombley-YES**
314 **Larry Van Daele-YES**
315 **Michelle Heun-YES**
316 **Jason Bunch-NO**
317 **Nicolas Jackson-YES**

318

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319 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
320 **resolved to lower the unsuspended fine amount to \$300, to keep consistency with the level of violation**
321 **in case #2018-000407**

322

323 **Cash Joyce-YES**
324 **Thomas Sullivan-YES**
325 **Henry Tiffany-YES**
326 **Adam Trombley-YES**
327 **Larry Van Daele-YES**
328 **Michelle Heun-YES**
329 **Jason Bunch-YES**
330 **Nicolas Jackson-YES**

331

332 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
333 **resolved to postpone the review of case #2018-000377 until the review of the application file is**
334 **completed during the next agenda item.**

335

336 **Cash Joyce-YES**
337 **Thomas Sullivan-YES**
338 **Henry Tiffany-YES**
339 **Adam Trombley-YES**
340 **Larry Van Daele-YES**
341 **Michelle Heun-YES**
342 **Jason Bunch-YES**
343 **Nicolas Jackson-YES**

344

345 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
346 **resolved to accept the consent agreement for Colton V. Hodson case #2018-000424**

347

348 **Cash Joyce-YES**
349 **Thomas Sullivan-YES**
350 **Henry Tiffany-YES**
351 **Adam Trombley-YES**
352 **Larry Van Daele-YES**
353 **Michelle Heun-YES**
354 **Jason Bunch-YES**
355 **Nicolas Jackson-YES**

356

357 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
358 **resolved to postpone the review of case #2018-000631 until the review of the application file is**
359 **completed during the next agenda item.**

360

361 **Cash Joyce-YES**
362 **Thomas Sullivan-YES**
363 **Henry Tiffany-YES**
364 **Adam Trombley-YES**
365 **Larry Van Daele-YES**

366 **Michelle Heun-YES**
367 **Jason Bunch-YES**
368 **Nicolas Jackson-YES**
369

370 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote,**
371 **it was resolved to postpone the review of case's #2013-002250, 2016-000654 & 2016-000774**
372 **until the board consults with the Administrative Law Judge at 2:40 pm, agenda item 11.**
373

374 **Cash Joyce-YES**
375 **Thomas Sullivan-YES**
376 **Henry Tiffany-YES**
377 **Adam Trombley-YES**
378 **Larry Van Daele-YES**
379 **Michelle Heun-YES**
380 **Jason Bunch-YES**
381 **Nicolas Jackson-YES**
382

383 **In a motion duly made by Jason Bunch and seconded by Larry Van Daele, with a roll call vote, it was**
384 **resolved to raise the suspended fine amount from \$1250 to \$1900, as there was no maliciousness in the**
385 **violation for case #2018-000043**
386

387 **Cash Joyce-YES**
388 **Thomas Sullivan-YES**
389 **Henry Tiffany-YES**
390 **Adam Trombley-YES**
391 **Larry Van Daele-YES**
392 **Michelle Heun-YES**
393 **Jason Bunch-YES**
394 **Nicolas Jackson-YES**
395

396 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
397 **resolved to accept the consent agreement, with the afore mentioned change, for Stanley Parkerson**
398 **case #2018-000043**
399

400 **Cash Joyce-YES**
401 **Thomas Sullivan-YES**
402 **Henry Tiffany-YES**
403 **Adam Trombley-YES**
404 **Larry Van Daele-YES**
405 **Michelle Heun-YES**
406 **Jason Bunch-YES**
407 **Nicolas Jackson-YES**
408

409 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
410 **resolved to accept the consent agreement for Douglas L. Zweifel case #2018-000515**
411

412 **Cash Joyce-YES**

413 **Thomas Sullivan-YES**
414 **Henry Tiffany-YES**
415 **Adam Trombley-YES**
416 **Larry Van Daele-YES**
417 **Michelle Heun-YES**
418 **Jason Bunch-YES**
419 **Nicolas Jackson-YES**

420
421 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
422 **resolved to accept the surrender of license number GUIR1 belonging to Urban E. Rahoi, case #2017-**
423 **000699**

424
425 **Cash Joyce-YES**
426 **Thomas Sullivan-YES**
427 **Henry Tiffany-YES**
428 **Adam Trombley-YES**
429 **Larry Van Daele-YES**
430 **Michelle Heun-YES**
431 **Jason Bunch-NO**
432 **Nicolas Jackson-YES**

433
434 Board Chair, Henry Tiffany spoke on behalf of the entire board by saying that Mr. Rahoi has been a part
435 of the fabric of hunting in Alaska longer than he can remember. It is with a sad heart that the board accept
436 the surrender of Mr. Rahoi's license.

437
438 **Break 11:03 am – 11:11 am**

439
440 **• Definition of “emergency situation” in regards to 12 AAC 75.240(f)(1)(h)(4)**

441
442 After breaking for 8 minutes, Chairmen Tiffany brought the meeting back to order. He also
443 invited Alaska Wildlife Trooper, Lt Aaron Frenzel to join the meeting with questions regarding
444 the position statement that was approved by the board earlier in their meeting.

445
446 Lt. Frenzel thanked the board for their time in clarifying that child birth will be considered an
447 emergency as it pertains to 12 AAC 75.240(f)(1)(h)(4). He went on to caution the board on
448 allowing the licensee to determine when to leave the field and when to return. He stated that
449 because birth is somewhat planned, the AST's would like a more defined time line to adhere to.
450 Board Chair, Henry Tiffany stated that, like other emergencies and accidents, there really is no
451 way of knowing what may or may not happen in child birth. The board is not in the business of
452 “micro managing” it's licensees in situations like these. It is possible that there will be those that
453 abuse this situation, but that would need to be judged on a case by case situation. Mr Van Daele
454 provided the board with the definition of “emergency”: a situation requiring immediate attention
455 and remedial action.

456
457 The entire board agreed that as long as the client was notified prior to coming out into the field,
458 informed of any current situations and the licensee has planned accordingly, then there would

459 seem to be no violation. However, each case would need to be looked at in its entirety if the AWT's
460 believe a violation may have occurred.

461

462 **Application Review:**

463

464 Mr. Tiffany thanked Lt. Frenzel for all of his work. He then moved the board's attention onto the 5
465 applications that need to be reviewed.

466

467 **In accordance with the provision of Alaska Statute 44.62.310(c), I Larry Van Daele move to go into**
468 **executive session for the purpose of discussing (2) subjects that tend to prejudice the reputation and**
469 **character or any person, provided the persons may request a public discussion. Investigator Lee**
470 **Strout, board counsel Megyn Weiland, AWT Lt Aaron Frenzel and Dawn Hannasch board staff to**
471 **remain in the room. The motion was seconded by Adam Trombley with unanimous consent.**

472

473 **Entered into executive session at 11:31 am**

474 **Exited executive session at 1:07 pm**

475

476 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
477 **resolved to approve the application for Chad Reel as a Master Guide Outfitter**

478

479 **Cash Joyce-YES**

480 **Thomas Sullivan-YES**

481 **Henry Tiffany-NO**

482 **Adam Trombley-YES**

483 **Larry Van Daele-YES**

484 **Michelle Heun-YES**

485 **Jason Bunch-NO**

486 **Nicolas Jackson-NO**

487

488 Board Chair, Henry Tiffany made the following statement on behalf of the entire board regarding the
489 approval of Mr. Reel's Master Guide Outfitter license:

490

491 It is the opinion of this board that with the amount of violations Mr. Reel has received, he has not
492 presented himself as a good example of a Master Guide Outfitter. A Master Guide Outfitter is an
493 honorarium title that many have worked hard for and have remained beyond reproach in their business
494 practices. It is with regret that this board must approve this application for license. This board does not
495 feel that Mr. Reel is deserving at this time of this honor, but he has meet the requirements of statute and
496 regulations.

497

498 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
499 **resolved to approve the application for Zachary Davis as an Assistant Guide**

500

501 **Cash Joyce-YES**

502 **Thomas Sullivan-YES**

503 **Henry Tiffany-YES**

504 **Adam Trombley-YES**

505 **Larry Van Daele-YES**

506 **Michelle Heun-YES**

507 **Jason Bunch-YES**

508 **Nicolas Jackson-YES**

509

510 Board member Michelle Heun stated that although she voted “yes” to approve Mr. Davis’ application, she
511 does so with some apprehension.

512

513 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
514 **resolved to approve the application for John Markham as an Assistant Guide**

515

516 **Cash Joyce-YES**

517 **Thomas Sullivan-YES**

518 **Henry Tiffany-YES**

519 **Adam Trombley-YES**

520 **Larry Van Daele-YES**

521 **Michelle Heun-YES**

522 **Jason Bunch-YES**

523 **Nicolas Jackson-YES**

524

525 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
526 **resolved to accept the consent agreement for John Markham case #2018-000377**

527

528 **Cash Joyce-YES**

529 **Thomas Sullivan-YES**

530 **Henry Tiffany-YES**

531 **Adam Trombley-YES**

532 **Larry Van Daele-YES**

533 **Michelle Heun-YES**

534 **Jason Bunch-YES**

535 **Nicolas Jackson-YES**

536

537 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
538 **resolved to approve the application for Philip Runkle as a Class-A Assistant Guide**

539

540 **Cash Joyce-YES**

541 **Thomas Sullivan-NO**

542 **Henry Tiffany-YES**

543 **Adam Trombley-YES**

544 **Larry Van Daele-YES**

545 **Michelle Heun-YES**

546 **Jason Bunch-YES**

547 **Nicolas Jackson-YES**

548

549 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
550 **resolved to accept the consent agreement for Philip J. Runkle case #2018-000631**

551

552 **Cash Joyce-YES**
553 **Thomas Sullivan-NO**
554 **Henry Tiffany-YES**
555 **Adam Trombley-YES**
556 **Larry Van Daele-YES**
557 **Michelle Heun-YES**
558 **Jason Bunch-YES**
559 **Nicolas Jackson-YES**

560
561 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with a roll call vote, it was**
562 **resolved to approve the guide use area registration, fourth portion exemption request for E. Mont**
563 **Mahoney**

564
565 **Cash Joyce-YES**
566 **Thomas Sullivan-YES**
567 **Henry Tiffany-YES**
568 **Adam Trombley-YES**
569 **Larry Van Daele-YES**
570 **Michelle Heun-YES**
571 **Jason Bunch-YES**
572 **Nicolas Jackson-YES**

573
574 **Regulation/Statute Review:**

575
576 **• Update on HB267**

577
578 Board staff reported that the bill is on Governor Walker's desk. The division anticipates him signing it
579 before the end of July 2018. Once it is signed, it will become law 90 days later. Division staff is working
580 to prepare the database so that a report can be generated, for a fee, upon request from the
581 municipalities of Alaska.

582
583 **• Continuing Education**

584
585 Board Chair, Henry Tiffany presented his purposed regulation change, adding continuing education
586 requirements to licensure. There was a brief discussion where the board expressed its support of this
587 change and recommended that it go to the Statute & Regulations Subcommittee for further action.

588
589 **In a motion duly made by Adam Trombley and seconded by Jason Bunch, with unanimous consent, it**
590 **was resolved to move the purposed regulations change for continuing education onto the Statute and**
591 **Regulations subcommittee.**

592
593 **• Guide Use Area 9 and update to the sworn statement form**

594
595 Board member Jason Bunch presented the following recommended changes to guide use area
596 Registration:

597

- 598 (a) The department will register an applicant in a guide use area if the applicant meets
599 the requirements of AS 08.54.750 and this section. For each guide use area for which a
600 registered guide-outfitter is registering, the registered guide-outfitter shall submit the
601 following information on a form provided by the department:
- 602 (1) The applicant's registered guide-outfitter license number
 - 603 (2) The guide use area for which the registered guide-outfitter is registering
 - 604 (3) **Certification in the game management unit in which the registered guide-outfitter**
605 **is applying within**
 - 606 (4) **Sworn Statement by applicant attesting to the required Land Use**
607 **Authorization**
 - 608 (5) **Sworn Statement by applicant attesting to the ability to provide services on**
609 **at least 5000 contiguous acres of uplands in the guide use area(s)**
610 **requested.**
 - 611 (6) whether registration is for a single calendar year or multiple calendar years.
- 612 (b) Unless it is issued for multiple calendar years, a guide use area registration issued
613 under AS 08.54.750 and this section expires on December 31 of each year. A registration
614 for multiple calendar years expires on December 31 of the last year for which it is issued.
615 To re-register, the registered guide-outfitter must again submit a complete application
616 under (a) of this section.
- 617 (c) A registered guide-outfitter may register for a maximum of five calendar years
618 ending on December 31, including the calendar year in which the registration becomes
619 effective. A registration for multiple calendar years may be withdrawn or changed
620 annually, with the withdrawal or change to take effect on or after January 1 of the next
621 calendar year.
- 622 (d) In accordance with AS 08.54.750, a registration will be considered effective 30 days
623 after the date the registration is submitted to the department, or 30 days after the date
624 the application is considered complete, whichever is later.
- 625 (e) A registered guide-outfitter who is registered in three guide use areas may register
626 for and conduct big game hunting services in a portion of one additional guide use area
627 on federal land adjacent to a guide use area for which the registered guide-outfitter is
628 already registered if the registered guide-outfitter meets the requirements of (a)(1) –
629 (4) of this section, and submits
- 630 (1) the guide use area map that identifies the portion of the additional guide use
631 area that is located on federal land and is adjacent to a guide use area for which
632 the registered guide-outfitter is currently registered; and
 - 633 (2) a letter from the federal landholder that states that the area would otherwise
634 remain unused by a registered guide-outfitter because the boundaries do not
635 coincide with boundaries of a federal big game guide concession or permit area.
- 636 (f) **A registered guide-outfitter may not register for, or provide services within, a**
637 **guide use area unless the applicant has written authorization by the landowner**
638 **or appropriate representative in the form of a permit, registration or letter to**
639 **provide big game hunting services on at least 5,000 contiguous acres of uplands**
640 **in the guide use area.**
- 641 (g) **A registered guide-outfitter must register for three calendar years to obtain**
642 **registration for Guide Use Areas within Game Management Unit 9. Withdrawal**

643 **from a guide use area within Game Management Unit 9;**
644 **(1) can occur one time within the three year registration period, with the**
645 **withdrawal or change to take effect on or after January 1 of the next**
646 **calendar year. See 12 AAC 75.230 (c).**

647
648 The purposed new language for the sworn statement, if approved would read:

649
650 *"I attest to having obtained land use authorization in writing form the land manger to provide big game*
651 *hunting services on at least 5000 continues acres of uplands within the guide use area(s) requested*
652 *above. I understand that if the department issues my guide use area registration application(s) based on*
653 *this sworn statement I will be held fully responsible for providing services according to all Alaska guide*
654 *and hunting statutes and regulations and other laws as applicable"*

655
656 **In a motion duly made by Jason Bunch, seconded by Michelle Huen, with a roll call vote, it was**
657 **resolved to approve both the GUA 9 and sworn statement wording as written**

658
659 **Cash Joyce-NO**
660 **Thomas Sullivan-YES**
661 **Henry Tiffany-YES**
662 **Adam Trombley-YES**
663 **Larry Van Daele-YES**
664 **Michelle Heun-YES**
665 **Jason Bunch-YES**
666 **Nicolas Jackson-absent**

667
668 **• Harvest vs Take**

669
670 Board Chair, Henry Tiffany requested that each board member research the definitions for
671 "harvest" and "take" in regards to big game hunting. He has requested that the topic be put
672 onto the December 2018 agenda and that each member report on what they have discovered.

673
674 **• Update on current regulations projects**

675
676 Board staff will be meeting with the division's regulations specialist to obtain an update on all
677 current projects. Staff will provide the board with this information at the December 2018
678 meeting.

679
680 **• Definition for permanent lodge, house or cabin:**

681
682 Due to time constraints, Board Chair Tiffany has requested that Lt. Aaron Frenzel provide more
683 information to the board at the December 2018 meeting. Board member Michelle Heun stated
684 that she would like to partner with Lt Frenzel to research this topic and report back in December
685 2018.

686
687 **Exam Concerns:**

688

689 At this time, Board Chair Henry Tiffany invited Mrs. Denise Trombley to address the board with the
690 concerns of her husband, registered guide outfitter applicant Glenn Trombley. Board member Adam
691 Trombley stated that he will be recusing himself completely from the conversation. Board Chair Tiffany
692 accepted his position.

693

694 Mrs. Trombley read a statement from Mr. Trombley outlining the concerns that he had after taking the
695 registered guide outfitter exam and unit 17 and unit 19 exams in March 2018. He highlighted the scoring
696 process, the capping video and the outdated unit exams.

697

698 Mr. Tiffany thanked Mr. & Mrs. Trombley for taking the time to provide very thoughtful, thorough and
699 professional concerns. He stated that at the March 2018 RGO exam, out of 7 candidates 3 passed.
700 Passing the exam is doable. The Board has been working to update the RGO exam. Once that is
701 completed, they will begin to work on the 26 unit exams. The board is so dedicated to this task that they
702 have a dedicated subcommittee working to rewrite and update the exams. Board member Jason Bunch
703 stated that he believes that the board should review Mr. Trombleys exams. However, Mr. Tiffany
704 reminded the Board that they have designated the review of exams to the Exam Superintendent. This is
705 their protocol. For consistency's sake, they must continue this practice.

706

707 **Fiscal Year 2018 3rd Quarter report:**

708

709 At the end of the 3rd quarter of fiscal year 2018, the board's surplus is \$144, 342. This confirmed for the
710 board that they are on track to be fiscally solvent by the end of fiscal year 2019. Board member Jason
711 Bunch state that he would like to see the division be able to provide all information requested by the
712 public. OLE Dawn Hannasch informed the board that there is not enough staff to provide information
713 that is not already generated in the division's database, such as "how many contracting guides are in
714 Alaska" and "how many licenses paid their \$300 annual filling fee for a particular year". At this time the
715 divisions database doesn't collect this information, therefore it would have to be collected by hand. The
716 board has one staff member that is already working at full capacity with current assignments, daily tasks
717 and responsibilities. Board member Jason Bunch requested that he and OLE Dawn Hannasch work
718 together to figure out a way to provide this information to the public.

719 **Board of Game Update**

720

721 Board Member Larry Van Daele provided the board with a summary from the Western Association of
722 Fish & Wildlife Agencies 2018 Annual Meeting. Mr. Van Daele also reported to the board about
723 upcoming BOG meetings and topics.

724

725 **Office of Administrative Hearing Case Review:**

726

727 His Honor, Judge Lawrence Pederson joined the meeting via teleconference to review a case with the
728 Board.

729

730 **In accordance with the provision of Alaska Statute 44.62.310(c), I Larry Van Daele move to go into**
731 **executive session for the purpose of discussing (2) subjects that tend to prejudice the reputation and**

732 character or any person, provided the persons may request a public discussion. Board staff is not to
733 remain in the room. The motion was seconded by Henry Tiffany with unanimous consent.
734

735 Entered into executive session at 2:42 pm

736 Exited executive session at 2:55 pm

737

738 In a motion duly made by Jason Bunch and seconded by Larry Van Daele, with a roll call vote, it was
739 resolved to accept the consent agreement for Matthew L. Owen case #2013-002250, 2016-000654 &
740 2016-000774

741

742 Cash Joyce-YES

743 Thomas Sullivan-YES

744 Henry Tiffany-YES

745 Larry Van Daele-YES

746 Michelle Heun-YES

747 Jason Bunch-YES

748

749 Hearing nothing further, Board Chair Henry Tiffany adjourned the meeting at 2:58 pm

750

751 Respectfully submitted,

752

753

754 Dawn K Hannasch

755 Occupational Licensing Examiner

756

757

758

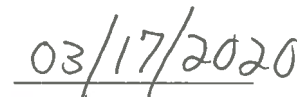
759 Henry Tiffany

760 Board Chair

761



Date



Date