

1 State of Alaska  
2 Department of Commerce, Community and Economic Development  
3 Division of Corporations, Business and Professional Licensing  
4

5 BIG GAME COMMERCIAL SERVICES BOARD  
6

7 MINUTES OF THE MEETING  
8 Monday, December 2<sup>nd</sup>, 2019 – Wednesday, December 4<sup>th</sup>, 2019  
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11 By the authority of AS 08.01.070(2) and AS 08.86.030, and in compliance with the provisions  
12 of AS 44.62, Article 6, a scheduled meeting of the Big Game Commercial Services Board was  
13 held at the Robert Attwood Building, Room 102, Anchorage, Alaska.  
14

15 Monday, December 2, 2019  
16

17 **Agenda Item 1** Roll Call & Intro to New Staff  
18

19 The meeting was called to order by acting Chairman, Jason Bunch, at 9:37 a.m. on Monday,  
20 December 2<sup>nd</sup>, 2019. Mr. Bunch welcomed new staff Renee Hoffard and Jean Bennett. Board  
21 members Henry Tiffany and Nicholas Jackson were not present; however, the rest of the board was  
22 present, constituting a quorum.  
23

24 Board Members Present Constituting a Quorum:  
25

26 Jason Bunch – Registered Guide Outfitter (*acting Chair*)  
27 Larry Van Daele – Board of Game Representative  
28 Michelle Heun – Licensed Transporter  
29 Cash Joyce – Licensed Transporter  
30 Adam Trombley – Public Member (*via teleconference*)  
31 Peter Buist – Public Member  
32

33 Board Members absent:

34 Henry Tiffany – Master Guide Outfitter  
35 Nicholas Jackson – Private Land Owner – UNEXCUSED  
36

37 Staff Members present:

38 Renee Hoffard – Records and Licensing Supervisor  
39 Jean Bennett – Occupational Licensing Examiner  
40 Megyn Weigand – Department of Law  
41

42 Present from the Public:

43 Wayne Kubat  
44 Steve H. Perrins II  
45 Mark Richards – Resident Hunters of Alaska  
46 Mark Enyeart  
47 Aaron Bloomquist

48 Tisha Valentine – Department of Natural Resources

49

50 **Agenda Item 2** **Review the Agenda**

51

52 Discussion: Acting Chair Jason Bunch asked the board to review the agenda for Monday.  
53 Mr. Bunch had one recommendation under item 10 regulations review, would like to add 12 AAC  
54 75.230.

55

56 **On a motion duly made by Larry Van Daele, seconded by Peter Buist, requesting**  
57 **unanimous consent, and approved unanimously without any objections, it was**

58

59 **RESOLVED to approve the agenda as amended for Monday.**

60

61 **Agenda Item 3** **Ethics Review**

62

63 Acting Board Chair, Jason Bunch, asked if there were any issues regarding ethics that needed to be  
64 brought forward. Hearing none, Mr. Bunch continued to approval of the minutes.

65

66

67 **Agenda Item 4** **Review/Approve Meeting Minutes**

68

69 Mr. Bunch moved the board's attention to the drafted meeting minutes from the April 2019 and July  
70 2019 meetings. Peter Buist abstained from approving the April 2019 minutes, as he was not a board  
71 member at that time.

72

73 **On a motion duly made by Larry Van Daele, seconded by Peter Buist, requesting**  
74 **unanimous consent, and approved by roll call without any objections, it was**

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76 **RESOLVED to approve the April 2019 minutes.**

77

78 **Pete Buist abstained from voting; he was not an appointed board member for the**  
79 **April 2019 board meeting.**

80

81

82 **On a motion duly made by Larry Van Daele, seconded by Peter Buist, requesting**  
83 **unanimous consent, and approved unanimously without any objections, it was**

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85 **RESOLVED to approve the July 2019 minutes.**

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87

88 **Agenda Item 5** **Division/Fiscal Update** **Time: 9:46 a.m.**

89

90 Division Director Sara Chambers joined the meeting via telephone. Ms. Chambers discussed the  
91 position of Executive Administrator that would take over supervision of the board's licensing  
92 examiner as well as the Marine Pilot's program. Mr. Bunch asked about the cost of this position to  
93 the board. Ms. Chambers discussed how this position would be splitting their time between this

94 board and the Marine Pilot’s program. Ms. Chambers believes this will be a benefit to the program,  
95 providing continuity and expertise; however, she reminded the board if it does not work out they  
96 can reevaluate how they staff the board. Mr. Bunch agreed that this is something the board has  
97 wanted and believes it will be successful.

98  
99 Ms. Chambers reviewed the board's End of FY2019 and 1<sup>st</sup> Quarter 2020 fiscal reports. Ms.  
100 Chambers went through all aspects of the report and commended the board again on their fiscal  
101 conservancy. FY2018 was the board’s first year in the black in many years. Ms. Chambers pointed  
102 out that FY2019 is a renewal year resulting in lower revenues. Additionally, approximately 1,100  
103 licensees at this time have still not renewed. Mr. Chambers reminded the board there is a year over  
104 year deficit, so FY2020 should be a much higher number in revenue. Mr. Van Daele thanked the  
105 division for their transparency.

106  
107 Ms. Chambers said she could go over the next agenda item, the Salitan Settlement, in general for the  
108 public, but to go into more detail the board should go into executive session. General comments  
109 were that the board lost their appeal in this case. The cost of this case was approximately \$30,000 in  
110 legal fees.

111  
112 **In a motion duly made by Larry Van Daele, seconded by Peter Buist, with unanimous**  
113 **consent, it was**

114  
115 **RESOLVED to enter into executive session under AS 44.62.310(C)(2) to discuss**  
116 **the Salitan Settlement. Director Sara Chambers, board staff, and Investigator Lee**  
117 **Strout are requested to remain in the session. Public members at this time are**  
118 **asked to vacate the room.**

119  
120 *The board entered executive session at 10:25 a.m.*

121  
122 *The board left executive session at 10:54 a.m.*

123  
124 *Back on Record 11:02 a.m.*

125  
126

127 **Agenda Item 6** **Public Comment**

128 Mr. Wayne Kubat was the only member of the public to sign up for the 10:30 a.m. public comment  
129 period. Mr. Kubat offered to reserve his comments for the 3:30 p.m. public comment allowing the  
130 board to proceed to the next agenda item and remain on schedule.

131  
132

133 **Agenda Item 7** **Master Guide Regulations (Senate Bill 43)**

134 Megyn Weigand from Department of Law joined the meeting to discuss regulations. Investigator  
135 Lee Strout also remained present. Mr. Bunch reviewed the changes of this statute with the addition  
136 of the word “hold”. The board discussed the definition of “convicted” with Ms. Weigand to clarify  
137 their understanding how it applies to the statute. The board also discussed the threshold for fines  
138 and suspended fines to meet the restrictions of SB43 with Investigator Strout. There was a brief

139 overview of the new requirements and restrictions.

140

141 **In a motion duly made by Larry Van Daele, seconded by Peter Buist, with unanimous**  
142 **consent, it was**

143

144 **RESOLVED to approve amendment to agenda to recess for lunch at 12:21 p.m.**  
145 **and return at 1:30 p.m.**

146

147 *The board recesses for lunch at 12:21 p.m.*

148

149 *The board resumes at 1:32 p.m.*

150

151 *Adam Trombley not yet present. Jun Maiquis, Regulations Specialist is present via telephone.*

152

153 The board continued with discussion of Master Guide Regulations started before lunch.

154

155 **Agenda Item 8** **Regulation Review**

156 Update of Current Projects:

157 Website is up to date with current regulations. Mr. Bunch asked Mr. Maiquis for clarification on the  
158 process of regulations review. Mr. Maiquis explained after the board adopts regulations, the  
159 regulations specialist reviews the proposed regulation, then it goes to Department of Law for final  
160 review. If approved from there, it goes to the Lieutenant Governor for filing.

161

162 **In a motion duly made by Larry Van Daele, seconded by Peter Buist, and approved by roll**  
163 **call it was**

164

165 **RESOLVED to make structural changes as recommended by Department of Law**  
166 **to 12 AAC 75.920(b) for clarity.**

167

168

Board Member	Approve	Deny	Recuse
Henry Tiffany	X		
Jason Bunch	X		
Larry Van Daele	X		
Peter Buist	X		
Michelle Heun	X		
Cash Joyce	X		
Adam Trombley		X	

169

170 Proposed Regulations Changes:

171

172 Mr. Bunch read a proposal asking that the board wave the three years of experience requirement for  
173 a natural person to become a registered guide. Mr. Bunch was against adopting the regulation feeling  
174 that the three-year requirement gives guides time to learn and mature. Mr. Joyce agrees with Mr.  
175 Bunch. Ms. Heun noted how much she learned after her third and fourth year. Mr. Van Daele  
176 agreed that this is a complex profession and three years is a fair amount of time to learn.

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**On a motion duly made by Larry Van Daele, seconded by Cash Joyce, requesting unanimous consent, it was**

**DENIED to adopt regulations proposal as outline in page 77 of the board packet.**

12 AAC 75.260(e) – RGO Contract Requirements

Ms. Weigand commented that end of hunt can be subjective and cause ambiguity. She brought up this could cause some enforcement problems. The board discussed differing opinions on when the hunt ends. The board concluded that the date complete as written on the hunt record is sufficient.

**In a motion duly made by Larry Van Daele, seconded by Peter Buist, requesting unanimous consent, it was proposed to amend of 12 AAC 75.260(e) to add a subsection as written in page 78 of the board packet. Discussion took place; the motion failed.**

**In a motion duly made by Larry Van Daele, seconded by Cash Joyce, requesting unanimous consent, it was**

**RESOLVED to table 12 AAC 75.260(e) to tomorrow.**

**12 AAC 75.400(e) – Transporter Activity Reports (TAR)**

Ms. Heun and Mr. Joyce discussed the purposed of transporter reports. Mr. Joyce, both a transporter and registered guide, explained what is required on a TAR. Mr. Bunch asked for clarification on what the differences are in requirements of hunt records and TARs. Mr. Joyce would like to see a spot for pilot names on the TARs. He also discussed the lack of clarity between air taxis versus transporters.

**In a motion duly made by Larry Van Daele, seconded by Michelle Heun, requesting unanimous consent, it was**

**RESOLVED to adopt 12 AAC 75.400(e) amended as written in page 79 of board packet.**

*The board recesses at 3:20 p.m.*

*The board resumes at 3:35 p.m.*

**Agenda Item 9 Public Comment**

Wayne Kubat

“Okay, thank you board, thank you. You know you’ve got copies of certain regulations. We’ve all struggled with supervision, statutes and regs forever, you know for decades. There’s a lot of different interpretations out there. I think a lot of the problem is that there have been some changes, a lot of people are assuming stuff. And another issue that happens is that when you have a

223 supervision regulation dealing with an assistant, there's usually stuff written in the Class-A section  
224 and then the statute, and then the registered guide section maybe in the supervision, and a regulation  
225 someplace and we only deal with one statute and don't look where else its addressed so a change is  
226 made to one place and is not made to another place so I'm just going to go through the regs and  
227 point a couple things out. I know Tom Sullivan, we spent the whole day going through the whole  
228 book and he had a bunch of recommended changes. We are all scared to death of opening up the  
229 statutes. Jason did an OnBoard presentation in April where we kind of started on pretty much what  
230 we you've got here on these pages. And we drew some stuff on the board but you know very few  
231 people got to see that so I'm just going to start there and I'm going to start on page 3 of 08.54610  
232 it's a registered guide statutes, if you go down to d(1) it's on page 3, it says a class-a assistant guide  
233 and a game management unit, it says, well D1, d says notwithstanding 08.54750 with dealing with  
234 registering for guide use areas, 'a person who is licensed as a registered guide-outfitter may be  
235 employed by another registered guide-outfitter to provide the services of (1) a class-A assistant guide  
236 in a game management unit if the registered guide-outfitter providing the services of a class-A  
237 assistant guide is able to demonstrate, to the satisfaction of the board, adequate knowledge of and  
238 experience in the game management unit.' You know, when I got my license in 1986 a registered  
239 guide could be a, could provide guide services, take charge of a camp, supervise assistants any place  
240 in the state. that changed in about 1995 when we had no board and this part 1 said a registered guide  
241 can only perform the services of a class- a guide in game management units in which he is certified  
242 in and that was in there for until 2013 and then it disappeared that was, when we got a board, that  
243 was one of the first statue change we tried to make as a board. Was to make it back to a registered  
244 guide to be a, to perform the services of, to take charge of a camp, I mean I don't know, I'm not  
245 going to go there. But anyway, but anyhow that language disappeared so this deal on... I think that's  
246 irrelevant and I'll get to that later when we get down to the class-a statute, there's already a statue  
247 that allows that. So why do we need a regulation if we already have a statue? You know, they say  
248 statue trumps regulation. Ok so I think when we go through that, I think that, just ignore that. I  
249 mean it's there, don't change it, just there's another statue that applies more properly I think. So 2d  
250 an assistant guide in any game management, ok now d, now e, 'A registered guide-outfitter who  
251 contracts for a guided hunt shall be primarily in the field supervising and participating in the  
252 contracted hunt. The contracting registered guide-outfitter shall also.' I'm going to stop there. So,  
253 this is what changed in 2013 too. Prior to this you were required, the contracting guide was, required  
254 to perform a once in the field participation, cause you know... you know. So, this was changed in  
255 2013 too. But I mean it's confusing what it says. Take the second, so a registered guide outfitter who  
256 contracts for a hunt shall be primarily in the field supervising and participating in the contract hunt.  
257 Now I think that second sentence just needs to be ignored. It says that the contracting registered  
258 guide outfitter shall also conduct the hunt, unless the hunt under regulations adopted by the board is  
259 being conducted by a class a assistant. Well we got some definitions here. Supervises and conduct  
260 mean the exactly the same thing. Conduct is a synonym of supervise, supervise is a synonym of  
261 conduct. On the page... here I got 12 boxes that are synonyms, they both are just as confusing as all  
262 get out and I would propose that you don't wanna establish those regulations, because if you did  
263 then the contracting would no longer need to supervise those people. I don't think you want to go  
264 there. So anyway, that's a couple points on that. Moving down to the class a section. A class a 'shall  
265 be employed by and under the supervision of a registered guide-outfitter who has contracted with  
266 the client for whom the class-A assistant guide is conducting the hunt' he '(3) may take charge of a  
267 camp and provide guide services from the camp without the contracting registered guide-outfitter  
268 being in the field and participating in the contracted hunt if the contracting registered guide-outfitter

269 is supervising the guiding activities’ So this tells me, and I was part of a subcommittee, and Jason  
270 was years ago, we were trying find a, where a guide had to be we settled on ...game management  
271 unit, but so many people didn’t like the idea of a guide, a contracting guide being in two parts of the  
272 statement. Whether we like it or not statute says he can if he has a class a guide he doesn’t have to  
273 be in the field for participating. That’s what the statutes says. You know, I go farther than that. I feel  
274 a registered guide, can do anything an assistant, a class a assistant guide can. You know, supervision  
275 was not, that was so a lower-class guide could have a little extra ... it was not for measure so anyway  
276 I’m going to, ok, so that says that a class a guide can take charge of a camp without the registered  
277 guide being in the field. The registered, the contracting guide, still has to supervise. Ok, so then we  
278 go down to the assistant guide class licenses, on page 4, It says an assistant, b(2), ‘shall be employed  
279 by a registered guide-outfitter and under the supervision of a registered guide-outfitter or class-A  
280 assistant guide while the assistant guide is in the field’ Ok ‘ a registered guide outfitter, not a  
281 registered guide outfitter...game management unit, not you know, not...just under the supervision  
282 of a registered guide outfitter. That’s what the statute says. Or a Class a assistant guide while an  
283 assistant guide is in the field. Also, an assistant ‘may not take charge of a camp or provide guide  
284 services unless the contracting registered guide-outfitter is in the field and participating in the  
285 contracted’ so that means to me is if the contracting registered guide outfitter is in the field, and  
286 participating in the contracted hunt, then an assistant guide can take charge to provide guide  
287 services. Ok, the definition of in the field in the statue is anywhere in the state that is not been a city  
288 town or village or on a road system. In our regulations, which we’ll get to on page or two, is ....  
289 game management unit plus 50 miles. So, by what that says there, if a contracting registered guide is  
290 operating, in the same or neighboring game management unit, plus 50 miles, I don’t feel the need to  
291 ...class As or registered. ... just need consistency. However, the next part of it says, the second half  
292 of three is, or a registered guide outfitter. Again ...certified in a game management unit registered  
293 guide outfitter or Class A assistant guide employed by the is physically present. Well we don’t  
294 operate that way.

295  
296

297 Mark Richards

298

299 “Good afternoon board members, my name is Mark Richards, I’m the executive director of  
300 Resident Hunters of Alaska. A few things, and I don’t mean any disrespect to this, but I was  
301 completely offended when I walked in the room today, and saw the format of this meeting. I’ve  
302 been to a lot of meetings, over the years: school board, Board of Game, Big Game Commercial  
303 Services Board, and never have I seen where the board sits, away from the public and faces the wall,  
304 and puts the public behind them. I urge you to change the format of this room in the next couple  
305 days, because it’s, I’ve never seen anything like it. Really, it’s hard to hear you, you are talking away  
306 from us, it’s just I’ve never seen anything like that. I would like to bring your attention to a letter. I  
307 received an anonymous letter this summer from somebody in Southeast Alaska about some guide  
308 changes in unit 4. I’ve made Mr. Bunch aware of the letter, and we’ve communicated on this, maybe  
309 he has some more information but in particular the handout you have, the Mitchel Bay section of  
310 that, that’s what caught my attention because in the Mitchell bay is closed to all brown bear hunting.  
311 And so to see this on the Forest Service document that they had authorized this guide to take more  
312 brown bear hunts in the Mitchell bay closed area, was, I wanted to bring it to your attention. I  
313 notified Eddie Grasser about it. I’ve notified Chairman Speaker about it. Apparently, Mr. Bunch  
314 looked into it, and it was a mistake on the Forest Service’s part. But I would urge you guys, you have

315 , see you have an MOU with the Forest Service here in your document packet that's between this  
316 board and the Department of Fish and Game and the U.S. Forest Service and there's things like  
317 communicate, coordinate, process change of ownership requests and will contemplate the following  
318 actions on a big game hunting permit, request to change guide use areas, requests to add or modify  
319 contract registered guide outfitters, consult and seek advice and recognition from ADFG, it doesn't  
320 seem like any of that is happening in assembly. Otherwise they would have, this would have been  
321 fixed before it happened. If the Forest Service had contacted you or the department but, I don't  
322 want anybody to get into trouble and there needs to some kind of public correction ...in Forest  
323 Service so this guide knows if he actually cannot take brown bears from Mitchell Bay closed area,  
324 you know. That the Forest Service cannot usurp the Board of Game or your regulations as well so  
325 the other issue in that which was that the anonymous letter that I won't give you was concern about  
326 was the selling of these permits. They're not supposed to be transferrable. It appears that this permit  
327 was sold and unlike DNR the Forest Service doesn't have, doesn't issue these to a natural born  
328 person. So you have LLCs, what's happening is say you have a guide starting a business, forms an  
329 LLC, applies to a permit with the Forest Service and he hires a bunch of guides to take over the, the  
330 permit so if that's something you guys are concerned with or that's ok with you that's fine, but if not  
331 then I would like to see you guys talk to the Forest Service ..try to modify their permitting  
332 requirements so it actually has to go to a natural born person, to a guide, who is issuing the permit.  
333 Before I go on, Jason did you want to add any comments on that?  
334

335 Cash Joyce: "I have a forest permit but I was a natural born person.  
336

337 Jason Bunch: "I have an agenda change you know for when this is for old business so we can  
338 discuss this. I have lots of information to pass on this. I applaud Mr. Richards for catching it and  
339 bringing it to our attention.  
340

341 Mark Richards: "Transporters, you guys brought up transporters again and there really is no reason  
342 to ask for that information. That's already on the hunt record that the hunter fills out. It's on guide  
343 reports and the reason that came about was back when you guys were reinstated in 2005, there was a  
344 big push, oh my god we're going to regulate transporters. We're going to make them have  
345 concessionaries like guides. We're finally going to get rid of all these bad apple guys that are  
346 dumping people everywhere willy nilly. I was fully behind that. I remember I think we were the first  
347 transporter members on this committee and we tried to deal with it and we found out that you can  
348 not legally regulate and industry that's regulated by the FAA. You just can't do it. The only reason  
349 that's still on the books is because nobody has sued you yet. I guarantee that if somebody sued you  
350 the courts would decide, no you can't tell a private business whether they can advertise on the  
351 internet or not. You can't tell them who, who they can bring and when and where. It's regulated by  
352 the federal government. It's just, the whole transporter thing, I would really like to see you guys do  
353 away with. Sara didn't mention this time but you know last year when these bills where up you lost  
354 40% of the transporters after you raised your fees. And everybody knows, I mean that's why is not a  
355 transporter. The biggest hunting air taxi in the state is not a transporter. Why? Because they don't  
356 have to be. And everybody is starting to recognize that. Why should I fill out this paperwork? Why  
357 should I pay these fees if I don't have to do it. So, I think that's eventually the road we're going to  
358 see is that, I would like to see this board just be the guide board and realize that we're never going to  
359 regulate transporters. It's just, there's no legal means to do it. And another thing Joe Shuster told me  
360 at one of these meetings here Cash mentioned he's an air taxi and a transporter. And the way Joe



361 Shuster deals with this is if some guy calls him and he says 'I want to go out to XX Lake' and Joe  
362 says okay then I'm an air taxi. But if the guy calls and says 'I want to go where the moose are, tell me  
363 where the moose are' and Joe says okay I'm a transporter. And that's the definition he uses. Now I  
364 work for an air taxi up north...and...happy valley, course hunters come in and they tell you 'I want  
365 to go where the caribou are.' But we weren't a transporter, we were an air taxi so we had troopers  
366 come out, come ask, they landed at all of our client's camps, asked them these questions and  
367 Trooper Buck came back and we got into it again and the ...thing is statute. I said 'Look, my boss  
368 wants you to take us to court. Take us to court. If you're saying that we have to be a transporter  
369 when somebody says I want to go where the caribou are, then we have to be a transporter, well  
370 that's fine. That's your interpretation of it. That's ridiculous really. Because that's what everybody  
371 does. When you see where the caribou are, you tell them where the caribou are and you land and  
372 that's where you go. I just think this whole transporter thing is out of hand and I think you guys are  
373 going to lose more transporters and eventually you're going to have to get out of the transporter  
374 aspect of this board. The guide concession program, so as you know, we have opposed the guide  
375 concession program for many years, yet you guys keep supporting it. After all the years, 10 years  
376 have gone by where this board has said there are too many guides on state land, there are too many  
377 guides on state lands. They're hurting the wildlife, they're hurting resident hunter opportunities.  
378 They're causing too much conflict. Yet you won't do anything about it. You're the board that has  
379 the authority to do something about it. First time I saw you use that authority was in Unit 9. Well  
380 you recently passed a regulation that if you're going to guide in Unit 9, you've got to sign up for  
381 more than one year. However, you added this clause in there which is exemption which I thought  
382 was ridiculous because that doesn't mean anything. A guide can opt out of it. But, in talking to Coke  
383 Wallace, who is a friend, and others who live... they would happily sign on for a lifetime in Unit 20  
384 and it's in Unit 20a and 19c where we have these issues. And RHAC our organization hasn't gone  
385 and proposed this, but I mean if you guys are truly concerned as you said, for the last decade, that  
386 there are too many guides and you have the authority to limit them, then why aren't you doing it? I  
387 mean there's no reason not to do it other than you're afraid you're going to piss off the guides. Same  
388 thing with the board of game. Same deal. They have the opportunity to limit nonresident hunters  
389 that would solve it too but they won't do it. They keep pushing for this guide concession program  
390 that will never happen so I would like to see you guys really consider, talk to the guys in 20a, 19c,  
391 but I don't see why you couldn't pass the same regulation you did in Unit 9. And say look if you're  
392 going to guide in 20a or 19c, five years commitment, no opt out though. And that's cause we do  
393 have guides that are moving on just like in Unit 9 who move on to other areas, and they rape and  
394 ruin and they don't have any stewardship responsibilities whatsoever. So I would really like to see  
395 this board take action on that issue if you are truly concerned about it. Another thing, moving  
396 forward, this board seems to move very slowly. Like you guys, I thought you had passed some of  
397 these regulations last time you know I didn't realize they were tabled until this meeting again and it  
398 just seems like you move slowly. I don't know why, but it would be nice if you could take care of  
399 these issues and pass them and move them out and then you know come through with the next set  
400 of regulations instead of tabling things all the time. Cause I really thought a lot of these things  
401 already passed. I was shocked, actually, you guys hadn't actually passed them. And if your finances, I  
402 see you're in the hole now about \$150,000 since it's not a biennial year but meetings in Fairbanks.  
403 You stopped the meetings in Fairbanks because of your budget concern and I really feel it's a  
404 disservice to the guides in the interior and up north. They can't afford to come down here or they  
405 don't have the time, but I would really like to see you guy hold your two meetings again in Fairbanks  
406 and Anchorage each year, December meeting here and the March meeting in Fairbanks, however

407 you wish to do it. I'm sure we can find some free state building. I mean I know its been a problem  
408 in the past with some of the venues but it seems like it wouldn't be that much more to, you don't all  
409 live here, I mean to fly well I guess a few of you do live close here, but I would really like to see you  
410 guys do that again. I think it would be better all-around for the people you represent. That's it unless  
411 you have any questions. Thank you for your service you guys. I do appreciate you. I really do."

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413 Jason Bunch: "Thank you, Mr. Richards. Thank you."

414

415 Aaron Bloomquist: "Oh some of the stuff you guys went over answered some of my questions.  
416 Aaron Bloomquist for the record. I guess one thing I just wanted to bring up, and I wasn't sure  
417 when the appropriate time would be, but first of all Wayne has been harping on this supervision  
418 thing for a hundred, how old are you Wayne? No, really but there's so much confusion and mess in  
419 there and you know there's been, it feels like the troopers have tried in like fits and starts to if not  
420 actually try to enforce some of the stuff at least to push a few guys around that they think might be  
421 on the edges or something. I mean Wayne's the guy to go through that stuff. I've spent a ton of time  
422 with him previously. I kind of took the year off last year on this stuff but do what you can to figure  
423 out where we need to be as business owners and supervisors and make it clear because we could  
424 probably sit down every person in this room and write down a whole bunch of scenarios and we  
425 would all come up with a different answer to them. And we're the ones who pay attention. You  
426 know we're not the ones that are out there, you know half our industry has probably never been to  
427 one of these meetings. They just go about their business and they're honest business men and  
428 women. So, just to back up what Wayne's saying. I mean its hard to sit down and explain, I mean  
429 I've sat through dozens and dozens of meetings with Wayne about it and I didn't understand a word  
430 he was saying when he was up here talking to you guys, but he's right. And that's the bottom line. So  
431 on that issue I'll help out if you need me you know I'm sure Wayne will get another committee  
432 going and we'll work on some of it. The other issue I want to talk about is assistant guides and I'm  
433 pretty lucky. I have a situation where my spring camp kind of provides me with an assistant guide  
434 factory and I can bring in a bunch of new guys that don't know anything and have them in my camp  
435 and just help out teach them and you know I have a pretty ready supply of assistant guides but I've  
436 got three or four friends in the industry this year that were really in panic mode when you know, a  
437 guide couldn't make a hunt or somebody got hurt. Its getting really hard to find employees out there  
438 and there's a couple of things I think one of them is just this whole regulatory mess that we're  
439 dealing with, it's probably not going anywhere. But, and I missed the presentation on the financial  
440 stuff this morning. From what I understand this year or next year we should be out of the red pretty  
441 soon. The first place I want to see, if we can ease any fees, is in that assistant guide arena. I know  
442 I've lost not this year and its you know it hasn't affected me and my business too much, but I've lost  
443 three guys, that are local guys, Valley, Anchorage, you know some guys with gray in their hair that  
444 are really good hunters and really good with people, but they have real day jobs. They can't afford to  
445 feed their whole family on an assistant guide wage. They do one or two guide hunts a year and  
446 they're valuable employees, really valuable employees. And they just said to heck with it because the  
447 fees have gotten to the point that it's not worth it for one or two hunts a year. You know, it's just,  
448 so anything we can do to make it where, I mean I could go into a whole tangent about I ought to be  
449 able to hire whoever the heck I want, you know, but which is a way the assistant guide thing worked  
450 for many, many years and worked ok. But anyway, we can make it easier for guys to get, to keep  
451 their licenses especially and you know I think getting a license is fairly reasonable right now but  
452 other than those fees, anything we can do to keep assistant guides in the system because we're you

453 know we're kind of losing, we're losing registered guides by attrition, you know I mean that's one  
454 thing you know people don't mention is our numbers are dwindling. And as soon as you know guys  
455 Pete's age and a little bit younger all decide to retire they're going to dwindle really fast. We're going  
456 to have a lot less registered guides up here, but is happening ...again with assistant guides too and  
457 maybe not so much by baby boomers retiring but just by guides not being able to make it and not  
458 having as many guides to work for so anyway that's my two cents for the day guys. Thanks for  
459 helping out. I'm heading home.

460  
461 Jason Bunch: "Thank you."

462  
463 Steve Perrins II: "My name is Steve Perrins II. Thanks to everybody that serves on this board. I  
464 know it takes a lot of time and I appreciate it just got a few quick things. First of all I appreciate how  
465 much detail we are starting to take and time on making sure that these regulations are done correctly  
466 especially for people that are newer to the board or just haven't seen it. It seems like time and time  
467 again we put something out there with a certain intent and it comes back at the last minute not how  
468 we had written it or not how we intended it and so anything we can do to just double check that  
469 stuff is going to be huge. We already have a mess with the way our statutes come back and trying to  
470 regulate our industry. So in regards to that one of the things we talked about, that big issue this  
471 morning, if you look on page 61 of your packet they changed it from 25 days to 45 days and you  
472 guys probably already know this but we need to adjust something in the regs on page 12 which is 12  
473 AAC 75.105 number three there needs to be changed 25 to 45. I don't know what it takes to change  
474 that, but that'll just... with the statutes.

475  
476 Jason Bunch: "What page was that?"

477  
478 Steve Perrins II: "Page 12 of the regs. 75.105 number 3 says a list of 25 big game hunters and it  
479 looks like we need to change that to 45 now because of the statute. And then the only thing I'd like  
480 to bring up for people to think about is a guide license number. The division changed that a few  
481 years ago without any notice or discussion they just changed the whole guide numbering system.  
482 And that number was something that was important to a lot of guides. They use it in their  
483 advertising. You know I'm guide number 1295 and I have it branded on my hat, on my scabbard,  
484 Bucky who works for us is registered guide number 34. That's a really important thing in people's  
485 business and now our new guides are 603217 and it's just meaningless. From what I was told by one  
486 person the division can't change that back because it has to do with all of the other licensing. I  
487 would like to try and find another way that we could have guide licenses, you know maybe the State  
488 has their license number that they issue and the Big Game Commercial Service Board has a guide  
489 number that's separate of that that they issue.

490  
491 Renee Hoffard: "If I may address it?"

492 Jason Bunch: "Go ahead."

493 Renee Hoffard: "The numbers are automatically generated by the databased that we collect all of the  
494 information in and record it. We have no say so on the number that's being issued. If Jean starts a  
495 record for a new guide application that came in and then I open one for a chiropractor that came in,  
496 their number is going to fall right after that guide number. That's where that number designation  
497 came in. Those licenses were all issued before we moved to our paperless database which allows for  
498 the online renewals and you guys being able to upload your hunt records and everything directly to

499 us without having to mail them in. We would pretty much have to create a whole new database just  
500 for the guide program. The division may be able to give you a number as to how much money it  
501 costs to do that because it was written in house and customized for the division for what we needed  
502 it to do. So it would be almost impossible I think to be able to get that and I understand where  
503 you're coming from, but this was a measure to make licensing more efficient for every profession  
504 That is why it changed that numbering system and I know it's not the greatest thing, but its helped  
505 with some other areas where they were having issues with getting everything sent in.”

506  
507 Steve Perrins II: “I'm wondering, I'm just trying to brain storm other options because I'm sure the  
508 States not going to change that thing so I don't know if the Big Game Commercial Service Board on  
509 its own, separate from that, just keep record of the guide numbers and have that added on as a line  
510 call when you fill out your information or something. You know I'm trying to think of another way  
511 where we can keep that going that's important to the guides and their ranking without costing a  
512 bunch of money or messing with the State's system. So, if anyone else has any ideas you guys are  
513 familiar system better and, but I just feel its very important to the industry and a lot of guides were  
514 really hurt when the State had their own reasons for doing it, not blaming them, but it hurt a lot of  
515 guides in the process so. Anyways those are my comments for now. If anyone has any questions or  
516 anything? Alright thank you.

517  
518 Jason Bunch: “Thank you Steve.”

519  
520 Steve Perrins II: “If I may say one more quick thing. As an APHA board member, one of the most  
521 common complaints I hear is the lack of regulations on transporters and it's a huge issue and I don't  
522 know the answer to it, but I would just encourage us to keep brainstorming ways that keep the  
523 transporters having reputable people in, but also keep the riffraff out and I think it's important and  
524 can be done. You know the Federal government says we can't regulate or can't sell pot yet the State  
525 of Alaska says we can so I think that there's ways we can do what we need to. Thank you.

526  
527 Jason Bunch: “Thank you.”

528 Michelle Heun: “Through the chair can I make a comment?”

529 Jason Bunch: “Sure.”

530 Michelle Heun: “Mr. Perrins on behalf of the transporters, and I understand there's a lot of concern  
531 about what is out there and, but from my personal experience on the board I have only reviewed  
532 one complaint in the two years that I've been on the board. So, if there is issues it could be a matter  
533 of communication of somebody needs to report it. Just like with the guides. If you see it, and it's a  
534 violation, then report it. Otherwise it don't, my language kind of regresses, it doesn't come back to  
535 us and Cash and I don't see anything.”

536 Steve Perrins II: “Ok, that's good to know.”

537 Michell Heun: “Thanks.”

538 Cash Joyce: “It's hearsay, but on paper it means a lot.

539 Steve Perrins II: “That's good to know.”

540 Jason Bunch: “Thank you Steve.”

541  
542 Mel Gillis: Same old complaint. You know, you've got a cabin, been there a long time, I've got a pint  
543 that's 1.2 miles from my cabin. We always go to the point and glass. This year 1.7 miles from the  
544 cabin were four tents that were set up by another guide. You know, only thing I can do is more or

545 less abandon the cabin ...and move it someplace else. Number one you got ethics. Nobody's ever  
546 done anything on ethics, ever. But that's kind of unethical. Another thing that's unethical is to have  
547 a guide in an area right next to you, but also an air taxi and it's amazing how many people ask him to  
548 drop, to be dropped off in my area instead of his. So that's something I would like to address. If  
549 there's a guide that is an air taxi and a transporter, at one time we had it where they had to do all  
550 their transporting in their own area. But you know when I get up every morning and look down the  
551 beach and see other people walking around that's just a little too damn close. And again, should  
552 have something in there about ethics. And I'd like to see something done about that. If you're gonna  
553 guide and transport and you have a guide area, transport them in your own area instead of another  
554 guides area. That's about all I have to say. I'll talk on the subcommittee tomorrow with Cash and get  
555 something kind of hammered out. We've been, like he said, we've been talking about this and talking  
556 about it and talking about it, that's all we ever do. Hell, it's time to either crap or get off the pot. So  
557 let's get on with it."

558  
559 Jason Bunch: "Thank you sir."

560  
561 *The board ends public comment at 4:19 p.m.*

562  
563

564 **Agenda Item 10** **Regulation Review (Continued)**

565  
566 *To be continued tomorrow at the scheduled time.*

567  
568

568 **Agenda Item 11** **Recess**

569  
570 *The board recesses for the day at 4:20 p.m. to return at 9 a.m.*

571  
572

573  
574

575 **Tuesday, December 3, 2019**

576  
577

578 **Agenda Item 12** **Roll Call**

579  
580

580 The meeting was called to order by Chairman, Henry Tiffany, at 9:11 a.m. on Tuesday, December  
581 3<sup>rd</sup>, 2019.

582  
583

583 Board Members Present Constituting a Quorum:  
584 Henry Tiffany – Master Guide Outfitter – Board Chair

585 Jason Bunch – Registered Guide Outfitter

586 Larry Van Daele – Board of Game Representative

587 Michelle Heun – Licensed Transporter

588 Cash Joyce – Licensed Transporter

589 Adam Trombley – Public Member – *(via teleconference)*

590 Peter Buist – Public Member

591

592 Board Members absent:

593 Nicholas Jackson – Private Land Owner – UNEXCUSED

594

595 Staff Members present:

596 Renee Hoffard – Records and Licensing Supervisor

597 Jean Bennett – Occupational Licensing Examiner

598 Jun Maiquis – Regulations Specialist

599

600 Present from the Public:

601 Wayne Kubat

602 Aaron Bloomquist

603 Tom Atkins

604 Loren Karro

605 Dan Montgomery

606 Mel Gillis

607 Steve H. Perrins II

608 Zach Decker - *Telephonically*

609 Steve Perrins - *Telephonically*

610

611 **Agenda Item 13**

**Review Agenda**

612

613 Mr. Tiffany added 12 AAC 75.230 under regulation review.

614

615

616 **Agenda Item 14**

**Regulation Review**

617

618 Mr. Tiffany reviewed with Mr. Maiquis what the public could and could not comment on without  
619 sending out another public notice.

620

621 ***12 AAC 75.260***

622 The board discussed when is a hunt concluded. Mr. Tiffany feels it should be when the client is in  
623 the field. Mr. Buist discussed the Board's intent for contracts to be amended before the client leaves  
624 the field. Ms. Heun says in her experience she does not change the contract, but adds additional  
625 information as needed. Mr. Van Daele echoed what Mr. Tiffany said on the Board's intent. Ms.  
626 Hoffard reminded the board of yesterdays' discussion that it could be added "as per the hunt  
627 record." Mr. Tiffany felt that that does not clarify. Mr. Joyce points out that guides can always write  
628 a new contract so it does not matter what the Board changes the language to.

629

630 *Megan Weigand arrives at 9:35 a.m.*

631

632 It was discussed with Mr. Maiquis and Ms. Weigand whether or not it would require another public  
633 notice to add "as indicated on the hunt record." Both Mr. Maiquis and Ms. Weigand agreed it was  
634 within the subject matter and would not require re-notice.

635

636 **On a motion duly made by Jason Bunch, seconded by Peter Buist, and approved unanimously,**  
637 **it was**

638  
639 **RESOLVED to amend 12 AAC 75.260(e) to add “as reported on the hunt record, with the**  
640 **signature of the contracting guide.”**

641  
642 *12 AAC 75.400(d)*

643  
644 The Board took a moment to read comments sent to the Board regarding the regulations. This included  
645 communication from Lieutenant Frenzel recommending removing the word filing as well as change the  
646 word “sites”. Ms. Weigand recommended using language referencing the language they already have in  
647 regulation, which would be location instead of site. Mr. Tiffany would like to add “under the  
648 requirements of this section.” The Board discussed what is meant by third party and who is responsible  
649 for filling out the transporter activity report and/or hunt record. Ms. Heun says regardless if someone is  
650 being transported by under her supervision, she fills out a transporter activity report. In some cases, she  
651 would fill out a transfer of possession form if needed. Ms. Weigand brings up another issue raised by  
652 Lieutenant Frenzel regarding same day air travel. The board discussed the issue and felt it has already  
653 been addressed but current regulations. The Board discussed another concern brought up by Lieutenant  
654 Frenzel on whether the contract needs to be amended on the original contract or if it can be simply  
655 written on a napkin for example. Ms. Weigand brought up the Board does not need to rewrite contract  
656 law. Contract law already requires both parties to sign. The intent of the board is that contracts should  
657 have 2 signatures, reference the original hunt contract that does not have to present, any amendments  
658 made and must be available for inspection if requested. It was agreed that there should be more  
659 education regarding contracts within the licensing program.

660  
661 **On a motion duly made by Jason Bunch, seconded by Larry Van Daele, and approved**  
662 **unanimously by a roll call, it was**

663  
664 **RESOLVED to amend 12 AAC 75.400(e) to read “during portions of the hunt a transporter is**  
665 **exempt from transporter activity report requirements of this section when providing**  
666 **transportation services for a client to, from, or in between specific locations operated by another**  
667 **transporter or registered guide who has contracted this same hunt with the same client.”**

668  
669 *12 AAC 75.450(d)*

670  
671 **On a motion duly made by Jason Bunch, seconded by Cash Joyce, and approved**  
672 **unanimously, it was**

673  
674 **RESOLVED to open discussion regarding amending 12 AAC 75.450(d)**

675  
676 Chair Tiffany’s interpretation is that 12 AAC 75.450(e) is a mirror of 75.400(e) but to ensure that the  
677 regulations are consistent the board should consider amending 450 as well.

678 **On a motion duly made by Jason Bunch, seconded by Larry Van Daele, and approved**  
679 **unanimously by a roll call, it was**

680  
681 **RESOLVED to amend 12 AAC 75.450(d) to read “during portions of the hunt a transporter is**  
682 **exempt from transporter activity report requirements of this section when providing**  
683 **transportation services for a client to, from, or in between specific locations operated by another**  
684 **transporter or registered guide who has contracted this same hunt with the same client.”**

685  
686 Ms. Heun asked if they need to do a new regulations project to make the regulation match the new  
687 statute requiring to update the number of letters required for Master Guide license applications as  
688 brought forward by Mr. Perrins during public comment the day before. SB43 increased the number  
689 of letters from 25 to 45. Jun Maiquis stated that it would need to be a new regulations project. The  
690 board determined the change would be brought forth by the statutes and regulations subcommittee.

691  
692 Chair called recess at 10:25

693  
694 *Off record at 10:25 am*  
695 *Return to record at 10:47 am*

696  
697 **12 AAC 75.230 (f)and(g)**

698  
699 The board had previously adopted amendments of 12 AAC 75.230 but in light of new information  
700 the board discussed the need to amend the section.

701  
702 **On a motion duly made by Jason Bunch, seconded by Larry Van Daele, and approved**  
703 **unanimously, it was**

704  
705 **RESOLVED to adopt 12 AAC 75.230 for possible amendments.**

706  
707 Mr. Bunch discussed the divisions administrative process regarding the application for guide use area  
708 registrations and the history of why the amendments were proposed. He brought forth issues that  
709 have been brought to the attention of the board by various other regions. The Board discuss a  
710 natural person using a land permit vs. a corporation or entity. The board discussed this at length  
711 and Ms. Weigand brings up that this could be dipping into Department of Natural Resources  
712 territory. She would like to do further research regarding definitions used by other state and federal  
713 agencies. The understanding of the board is that Guide Use Area registrations only apply to natural  
714 persons as only natural persons can hold a registered guide-outfitter license.

715  
716 The discussion moved to 12 AAC 75.230(g) and the addition of requiring 3 years of registration.  
717 Mr. Van Daele and Chair Tiffany provided background information about why the board had  
718 proposed the amendments. Mr. Van Daele also provided the solutions that the Board of Game  
719 have proposed to address population of certain species. Mr. Bunch brings up what is known as  
720 “prospecting.” He says it was never the Board’s intent to have guides move from area to area  
721 providing services. Ms. Weigand says they would be on stronger ground to approach it from a  
722 safety perspective. The Board discuss issues in Unit 9 and why that regulation should or shouldn’t  
723 apply to all units. A member from the audience, Loren Karro , stated that it used to be statewide and  
724 that it changed at some point. Mr. Joyce brought up that there are more issues in other areas than in  
725 Unit 9. He goes on to say Unit 9 is hard to get to making it less of an issue than other areas. The  
726 boards intent is that they are attempting to address issues that have been raised by many of the  
727 licensees.

728  
729 **In a motion duly made by Larry Van Daele, seconded by Peter Buist, and approved by roll**  
730 **call it was**

731  
732 **RESOLVED to amend the proposed language for 12 AAC 75.230(g) to read; (g) A**



733 registered guide-outfitter must register for three calendar years to obtain registration for  
734 guide use areas statewide.  
735

Board Member	Approve	Deny	Recuse
Henry Tiffany		X	
Jason Bunch	X		
Larry Van Daele		X	
Peter Buist	X		
Michelle Heun	X		
Cash Joyce	X		
Adam Trombley	X		

736  
737

738 In a motion duly made by Peter Buist, seconded by Michelle Heun and approved  
739 unanimously it was

740  
741 **RESOLVED** to adopt 12 AAC 75.230(f) as written.  
742

743 In a motion duly made by Larry Van Daele, seconded by Peter Buist, and unanimously it was,  
744

745 **RESOLVED** to resolved to withdraw the proposed amendment to 12 AAC 75.230(g)  
746 previously voted on so that it will be added to the new regulations project in order to accept public  
747 comment.  
748

749 Loren Karro, with permission from the board, addressed the public. She requested proctors for  
750 reviewing caping videos during the board's scheduled executive session this afternoon. Chair  
751 Tiffany reminded the public that it is imperative that licensees continue to give back to the industry  
752 by being proctors for the practical exams. It has been proposed that the board will intend to require  
753 continuing education in the future and that some of the continuing education will be accrued by  
754 proctoring the exams.  
755

756 *Lunch recess at 12:11 pm*

757 *Back on record at 1:30 pm*  
758

759 **Agenda Item 15** **Subcommittee Meeting's**  
760

761 Chair Tiffany announced that the subcommittee meetings for Assistant Guide Qualifications and  
762 Survivorship will not occur; the following subcommittees will be meeting. The public was invited to  
763 join any subcommittee meeting that interested them.

764 *A. Exam Re-write; Jason Bunch*

765 *B. Transporter; Michelle Heun and Cash Joyce*

766 *C. Statutes and Regulations/ Continuing Education; Henry Tiffany and Peter Buist*  
767

768 *Off record at 1:41pm for subcommittee break-out.*

769 *Back on record at 2:32 pm*  
770

771 **Agenda Item 16** **Public Comment**

772

773 The chair announced that due to the number of attendees signed up for comment, each person will  
774 have 4 minutes to speak.

775

776 Wayne Kubat: Thanked the board. He spoke about 12 AAC 75.920(e) requirement for days of  
777 experience. Board passed the regulation December 2015, it was brought back to the board January  
778 2019. The language that passed was not what was intended by the industry. He referenced a hand-  
779 out he provided of statutes and regulations. There are several statutes that refer to the requirements  
780 that do not dictate experience. There may consequences for limiting who can provide supervision.

781

782 Aaron Bloomquist: Thank you to the board and committee. Has a request that the board write a  
783 letter to Fish and Game. Currently when a hunter buys license online they do not automatically get  
784 a harvest ticket. Clients do not know the difference between tags and harvest tickets. Would  
785 appreciate the board addressing the issue as tickets are being issued for this. Addressed public  
786 opinion of “prospecting”; he uses 2 to 3 guide use areas per year and rotates between areas  
787 depending on how heavy an area was hunted/harvested the prior hunt season. He wants the board  
788 to consider exceptions for the 3-year requirement discussed earlier in the day. Try to avoid a bunch  
789 of different classes with the same license. Board member Pete Buist asked that Aaron provide a  
790 draft letter regarding the harvest ticket issue for the board to consider.

791

792 Tom Atkins: Question for clarification. Guide use areas are established by the board; if you have a  
793 guide use area and lease of native lands – if the native lands extend beyond your guide use area what  
794 is your boundary? Some believe it is the boundary of the native land. Jason Bunch – guide use areas  
795 do not apply to federal native lands. A guide can only hunt on that native land if they are registered  
796 in the guide use area beside it. Jason Bunch also informed the group that if they know someone is  
797 operating outside of their guide use area registration, they have the obligation to report illegal activity  
798 to either Inv. Strout or the Alaska State Troopers. Chair Henry also reminded everyone that if  
799 something doesn’t appear to be right and is never brought to the attention of the board or  
800 investigations then it cannot be corrected.

801

802 Mel Gillis: State he was going to bring up the same topic he has brought up for last 10 years. The  
803 space between cabins. When someone is in close proximity to his cabin, it makes it rough. The best  
804 thing to do is just move. He has asked that anyone that has had a cabin in place since before 2010  
805 should have a space of 5 miles around their cabin to reduce conflict between guides. He would like  
806 to see the addition of a specific date and space to the regulations. Hopes the board will take some  
807 action within the next 5 years. Chair Henry – either resurrect the proposal from 2010 and resubmit  
808 it or submit a new proposal. The best way to take an action is for the public to bring it to the board.  
809 Mr. Gillis stated the proposal had been presented to the board and tabled in July 2019. Renee was  
810 tasked with adding the proposal to the March 2020 board meeting agenda.

811

812 Steve Perrins II: Agrees with Mr. Gillis, would like to see that un-tabled. When the board discusses  
813 natural persons/corporations; he wants to make sure everyone understands that there are many  
814 different kinds of businesses and it is important to offer that variety to clients. Some hunters want to  
815 come and have more rustic camping experience; some want to stay in a luxury lodge or yacht.  
816 Would like the board to keep that in mind moving forward. Should be looking to benefit the

817 industry. Chair Tiffany asked about the accountability – should a business or the guide be  
818 disciplined when needed. Mr. Perrins stated that he feels the guide is the responsible party.

819  
820 Zach Decker (*telephonically*): From Southeast, Alaska Glacier Guides, Inc., has been listening to  
821 conversation this morning and feels that about 90% of what was said about Southeast and the  
822 Forest Service is false. The perception is that you are a corporation and Forest Service is the land  
823 manager. They manage the permit and the land. They give the authorization to conduct that  
824 business in Southeast and at that point you have to demonstrate who is the operating guide. The  
825 Forest service regulates the specific number of hunts per species. A permit has been issued to his  
826 company every year since 1996. The last chair of Big Game Commercial Services was told that the  
827 board cannot regulate corporations. He doesn't understand why every few years there is a push to  
828 end a business that has been in place for over 50 years. He would be happy to sit down and talk  
829 about this with anyone to clarify this. To the point of who is liable, both parties; the guide and the  
830 corporation. He would be held accountable by this board and the Forest Service can take action  
831 against him as a member of the corporation. Larry Van Daele asked if the contact number on Mr.  
832 Decker's website is the best contact should anyone be available to discuss this further with him; he  
833 confirmed that it was.

834  
835 Steve Perrins I (*telephonically*): Mr. Perrins was not on the line so was skipped.

836  
837 Mark Richards: Executive Director, Resident Hunters of Alaska. Wanted to speak on the board  
838 discussion before lunch regarding unit 9 issue and will keep hammering on this issue the board has  
839 known about for a long time but never taken care of. You sent letters acknowledging the problems  
840 in 20A, specifically with too many guides and how it is hurting resident hunters and their success  
841 rates; creating conflicts in the field. And yet the board has only ever supported this one solution, the  
842 guide concession program; which for the last 10 years has been the pie in the sky and not likely to  
843 happen. He did a lot of research on the decision from 1989, he believes Pete Buist was on the guide  
844 license and control board when that happened. Jay Hammond stated, "If the board does not limit  
845 guides to just one guide use area on state lands, we're gonna be screwed." He also recommended  
846 that the size of the guide use area be reduced, make them smaller; this would make for less conflict.  
847 He agrees with Cash Joyce – how can you make this change in unit 9 but not unit 20. He would like  
848 to see a 5-year commitment. It would prevent these prospecting guides from coming in with this  
849 rape, ruin and not stewardship thing. He would really like the board to come up with something to  
850 address this for those units in the interior where there are these known problems that have been  
851 acknowledged for the past decade. Jason Bunch – thank you for your testimony. Do you think the  
852 discussion from earlier making the change to statewide doesn't address the issue? Mr. Richards – no  
853 because this issue isn't in all areas. We don't have issues in all areas of the state, I don't think it is  
854 necessary statewide, just address the problem areas. Chair Henry stated that he did vote against the  
855 amendment before lunch but, that there may be a ripple effect of just addressing certain areas, if  
856 there are restrictions on one area then people will move to the next one and cause the same problem  
857 there. This would lead to the board potentially adopting new areas to the change each year. If the  
858 board is going all in, just go all in. Mr. Richards stated that he wished the board had not added the  
859 exemption for Unit 9, he was informed that during the vote before lunch that section as removed  
860 and the amendment was withdrawn from the current regulations project so it will be sent out for  
861 public comment before the board takes further action.

862

863 Chair Henry announced there would be another opportunity for public comment Wednesday at 1:30  
864 pm, anyone interested should sign-up and sign-up early, don't wait until 1:30.

865  
866 The board asked if Mr. Perrins as on the phone line; he was not. Chair Tiffany closed public  
867 comment.

868

869 **Agenda Item 17** **Investigative Issues**

870

871 Investigator Lee Strout provided his report of investigative activities for the period of July 30, 2019  
872 through November 1, 2019. There are 44 open cases for this review period. Chair Tiffany  
873 commended Inv. Strout for his work and dedication for the program.

874

875 Probation monitor Ryan Gill presented the probation report. There are 26 licenses in probation  
876 status which is down from 32, 18 of those are in-compliant and 8 are not in compliance. 2 of the  
877 licenses will expire and he anticipates releasing 1 within this week. Chair Tiffany asked Mr. Gill to  
878 explain what "probation on hold" means. Mr. Gill explained that while a license is on probation the  
879 license must be current; if it is not renewed, that time does not count towards the time period the  
880 license is required to be on probation. The time clock will start again once the license has been  
881 renewed.

882

883 *Break, off record at 3:17 pm*

884 *On Record at 3:32 pm*

885

886 **On a motion duly made by Jason Bunch, seconded by Michelle Heun, requesting**  
887 **unanimous consent, it was**

888

889 **RESOLVED to enter into executive session in accordance with the provision of**  
890 **Alaska Statute 44.62.310(c) for the purpose of discussing subjects that tend to prejudice the**  
891 **reputation and character of any person, provided the person may request a public**  
892 **discussion. Board staff to remain during executive session.**

893

894 *Off record at 3:33 pm*

895 *On record at 4:20 pm*

896

897 Board member Peter Buist requested to be recused from discussion and/or action for case #149850.  
898 Chair Tiffany thanked him for his candor and excused him from the meeting until the board  
899 completes the discussion. Peter Buist left the meeting at 4:21 pm.

900

901 **On a motion duly made by Jason Bunch, seconded by Larry Van Daele, requesting**  
902 **unanimous consent, it was**

903

904 **RESOLVED to enter into executive session in accordance with the provision of**  
905 **Alaska Statute 44.62.310(c) for the purpose of discussing subjects that tend to prejudice the**  
906 **reputation and character of any person, provided the person may request a public**  
907 **discussion. Board staff to remain during executive session.**

908

909 *Off record at 4:23 pm*

910 *On record at 4:31 pm*

911  
912 Pete Buist rejoined the board. Chair Tiffany thanked Ms. Weigand for her assistance and advise, the  
913 board appreciates her insight and input. Chair Tiffany intends to request that she be in attendance  
914 for future meetings.

915  
916 **On a motion duly made by Jason Bunch, seconded by Larry Van Daele, requesting**  
917 **unanimous consent, it was**

918  
919 **RESOLVED to enter into executive session in accordance with the provision of**  
920 **Alaska Statute 44.62.310(c) for the purpose of discussing subjects that tend to prejudice the**  
921 **reputation and character of any person, provided the person may request a public**  
922 **discussion. Board staff to remain during executive session.**

923  
924 *Off record at 4:34 pm*

925 *On record at 5:01 pm*

926  
927  
928 **In a motion duly made by Larry Van Daele, seconded by Michelle Heun and approved**  
929 **unanimously it was**

930  
931 **RESOLVED to adopt the consent agreement for case #2019-000626, Stanley**  
932 **Parkerson.**

933  
934  
935 **In a motion duly made by Larry Van Daele, seconded by Michelle Heun and approved**  
936 **unanimously it was**

937  
938 **RESOLVED to adopt the Voluntary Surrender of license for case #'s 2015-001251**  
939 **and 2018-001428, Jacob Barnett.**

940  
941  
942 **In a motion duly made by Larry Van Daele, seconded by Michelle Heun and approved**  
943 **unanimously it was**

944  
945 **RESOLVED to adopt the consent agreement for case #2015-001271, Daniel**  
946 **Graham.**

947  
948  
949 **In a motion duly made by Larry Van Daele, seconded by Michelle Heun and approved**  
950 **unanimously it was**

951  
952 **RESOLVED to adopt the revocation of license for case #2019-000791, Joe. S.**  
953 **Nichols.**

954

955  
956 **In a motion duly made by Larry Van Daele, seconded by Michelle Heun and approved**  
957 **unanimously it was**

958  
959 **RESOLVED to adopt the license surrender for case #2019-000914, Alaska Monster**  
960 **Moose.**

961  
962  
963 **In a motion duly made by Larry Van Daele, seconded by Michelle Heun and approved**  
964 **unanimously it was**

965  
966 **RESOLVED to table the consent agreement for case #2019-000473, until**  
967 **12/4/2019 pending more information from the investigations and Department of Law staff.**

968  
969  
970 **In a motion duly made by Larry Van Daele, seconded by Michelle Heun and voted on by**  
971 **roll-call it was**

972  
973 **RESOLVED to approve Assistant Guide license application for David Cornwall.**  
974 **Motion Failed; license is denied.**

975

Board Member	Approve	Deny	Recuse
Henry Tiffany		X	
Jason Bunch		X	
Larry Van Daele		X	
Peter Buist			X
Michelle Heun		X	
Cash Joyce		X	
Adam Trombley		X	

976  
977 **Board discussion: per 18 USC 922; Mr. Cornwall is not permitted to be in “possession” of a**  
978 **firearm. This would not allow him to carry a firearm nor be in the presence of anyone**  
979 **carrying a firearm; which would be in direct conflict of 12 AAC 75.340 and 12 AAC 75.440.**

980  
981 **In the matter of Joseph Miller, GUIM200. This license is currently suspended due to Mr. Miller not**  
982 **paying his \$5,000 fine. Mr. Miller has made a single payment of \$1000 since the board extended his**  
983 **suspension April 19, 2019. If Mr. Miller pays an additional \$4000 within 180 days that will make**  
984 **him compliant with the original terms of his consent agreement. If he does so the board will un-**  
985 **suspend his license for renewal; his license will be on probation and will suspend the remaining**  
986 **\$5000 of the original fine.**

987  
988 **In a motion duly made by Larry Van Daele, seconded by Michelle Heun and approved**  
989 **unanimously it was**

990  
991 **RESOLVED to the new conditions for Joseph Miller license GUIM200, as**  
992 **discussed.**

993

994 Chair Tiffany calls recess until 9:00 am 12/4/2019.

995

996 *Off record at 5:14 pm*

997

998

999

**Wednesday, December 4, 2019**

1000

1001

**Agenda Item 19**

**Roll Call**

1003

1004 The meeting was called to order by Chairman, Henry Tiffany, at 9:13 a.m. on Wednesday, December  
1005 3, 2019.

1006

**Board Members Present Constituting a Quorum:**

1008 Henry Tiffany – Master Guide Outfitter – Board Chair

1009 Jason Bunch – Registered Guide Outfitter

1010 Larry Van Daele – Board of Game Representative

1011 Michelle Heun – Licensed Transporter

1012 Adam Trombley – Public Member – *(via teleconference)*

1013 Peter Buist – Public Member

1014

**Board Members absent:**

1016 Cash Joyce – Licensed Transporter - Excused

1017 Nicholas Jackson – Private Land Owner – UNEXCUSED

1018

**Staff Members present:**

1020 Renee Hoffard – Records and Licensing Supervisor

1021 Jean Bennett – Occupational Licensing Examiner

1022

**Present from the Public:**

1024 Wayne Kubat

1025 Tom Atkins

1026 Loren Karro

1027 Dan Montgomery

1028 Mel Gillis

1029 Steve Perrins Sr.

1030 Steve H. Perrins II

1031

**Agenda Item 20**

**Review Agenda**

1033

1034 Jason Bunch – Old Business; still working with Southeast and Tongass National Forest.

1035 Larry Van Daele – one Investigative decision tabled from 12/3/19 – will be added to old business.

1036

1037 Renee - Proposed regulations changes: SB43, draft FAQ's – if one board member should be

1038 appointed to work on those with Renee, the regulations specialist and M. Weigand?





1084 **In a motion duly made by Jason Bunch, seconded by Peter Buist and approved**  
1085 **unanimously it was**

1086

1087 **RESOLVED to the amend the exam scoring policy to read: There are three**  
1088 **sections of the exam; written, practical and video. Each of the three sections of the exam**  
1089 **must be passed with a score of 75%. Sections not passed with a 75% must be retaken at the**  
1090 **next scheduled examination. This policy change is effective immediately.**

1091

1092 Board Discussion: Jason thanked the board for assisting with the draft of this policy. Previously an  
1093 applicant could score very high on one section and fail another portion but still have an overall score  
1094 high enough to pass the exam. The counter to that is an applicant could fail the exam based on one  
1095 section and was required to re-take all three sections of the exam.

1096

1097 **Agenda Item 22** **Old Business**

1098

1099 **A. UVC Issues**

1100 Jason Bunch states that there is no need for further discussion at the moment. He will continue  
1101 to work with staff on this issue and will bring it back to the board when appropriate. The  
1102 current regulations are true, accurate and precise. The application and co-operation between  
1103 board staff and Fish & Game are the areas to be addressed.

1104

1105 **B. Felons and Firearms**

1106 Chair Tiffany led the discussion – the board has and continues to receive applications from  
1107 convicted felons. This has been an issue the board has been tackling for some time. They feel  
1108 they have been misdirected or misinformed on this issue in the past. The board's interpretation  
1109 of their statutes and regulations are that a licensee must be able to legally carry a firearm; as  
1110 guides the number one priority is safety of the client. In many situations this would require the  
1111 guide to be in possession of a firearm.

1112

1113 Ms. Weigand from the Dept. of Law was asked to provide counsel to the board on this issue.  
1114 Ms. Weigand stated that per Federal Code 18 US Code 922 sub-section G; an individual  
1115 convicted of a felony not against a person is prohibited from possessing a firearm until at least  
1116 10 years has passed from the unconditional discharge from probation and parole. That is the  
1117 operative date that you count from; the former probationer will be issued a letter stating they  
1118 have been released. The division would need to receive that letter to confirm the applicant is  
1119 eligible to possess a firearm. Federal Code 18 US Code 922, sub-section G also states that an  
1120 individual convicted of a felony against a person it is a lifetime ban.

1121

1122 If a person with a felony conviction asks that their judgment be set aside and that has been  
1123 granted, this person would be eligible to possess a firearm. There is conflict with the state  
1124 statutes as it applies to subsistence hunting; Ms. Weigand's statement to the board is that in this  
1125 specific case the board follow the federal law. Professional licenses are not a right; they are a  
1126 privilege.

1127

1128 Larry Van Daele and Peter Buist were asked to draft a position statement/policy regarding  
1129 felons and firearms for the next board meeting.

1130  
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1175

Ms. Wiegand also recommended the board consider starting a statutory amendment to bring state statutes in-line with federal statute regarding this topic. Michelle Heun thanked Ms. Wigand for the clarity of her statements during this discussion.

**C. Wildlife judging/streaming**

Chair Tiffany stated this has been on the board’s agenda for some time. There is a written document on judging sheep but not a video, he asked Mr. Van Daele to encourage the Board of Game to work on providing the information in video format. Ms. Heun asked if this needed to stay on the agenda, Chair Tiffany stated that until there is some consistency with division staff it serves as a reminder for the board. Mr. Van Daele stated he would bring it before the Game Board during their scheduled work session in Nome that is coming up. He also suggested the board bring it to Commissioner Vincent-Lang’s attention later today and follow that up with a letter. He would also like it to be kept in the highlights to keep it on everyone’s radar. It was determined to keep it on the agenda for the time being.

**D. Approved training courses**

There have been no applications for approved training courses for a considerable amount of time. There are 2 schools but there is not current information on that. Mr. Bunch would like this to move forward; he would like to reach out to the 2 schools for a syllabus and to determine if they continue to have students. Chair Tiffany supported this effort as there has been no contact with either school for some time now.

**E. Tongass**

Jason Bunch; the Tongass is continuing their efforts. They invited a board member to their January meeting. Jason has been working with them and would like to continue his efforts. The MOU was accepted and he would like to participate as much as possible on this. Chair Tiffany thanked Mr. Bunch for the time and energy he has put in on the MOU and is support of that work continuing.

**F. SB43 Regulations Project**

Chair Tiffany appointed himself and Jason Bunch to work with staff to move these projects forward.

Mr. Van Daele read a portion of the Tongass MOU to the group to clarify the expectations of the program. Mr. Bunch stated that those conditions are currently being met.

Chair Tiffany asked the public in attendance to consider proctoring the examination; there are currently 14 applicants for the exam and only 7 proctors signed up. The new policy states that a minimum of 2 proctors per room are required. Chair Tiffany sincerely hopes the professional development regulations proposal that will be forthcoming will be approved and would like the industry to be proactive on accepting those responsibilities.

1176 Investigator Strout asked the board to consider entering executive session to discuss a probation  
 1177 case and more information that was requested by the board.

1178  
 1179 Chair Tiffany thanked the public for their patience and reminded them that public comment would  
 1180 be held at 1:30 pm; anyone interested in providing comment should sign up as soon as possible. He  
 1181 would grant a few moments for that before entertaining a motion to enter into executive session.

1182  
 1183 Chair called recess  
 1184 *Off record at 11:20 am*  
 1185 *Back on record at 11:39 am*

1186  
 1187 **On a motion duly made by Jason Bunch, seconded by Michelle Heun, requesting**  
 1188 **unanimous consent, it was**

1189  
 1190 **RESOLVED to enter into executive session in accordance with the provision of**  
 1191 **Alaska Statute 44.62.310(c) for the purpose of discussing subjects that tend to prejudice the**  
 1192 **reputation and character of any person, provided the person may request a public**  
 1193 **discussion. Board staff to remain during executive session.**

1194  
 1195 *Off record at 11:39 am*  
 1196 *Back on record at 12:17 am*

1197  
 1198 Ms. Weigand let the board know that Jun had provided the re-typed regulations amendments. There  
 1199 as a phase left out of the amendment for 12 AAC 75.260, “as recorded on the hunt record”. This  
 1200 will not require a new vote or public comment. A member of the public noted a conforming change  
 1201 that needs to be made; this was corrected on 12/2/19 of the meeting. Ms. Weigand also brought up  
 1202 the amendment to 12 AAC 75.230(g) that was withdrawn by the board 12/3/19. The board is clear  
 1203 on where the regulations are at as far as timelines. The board discussed the original intent of SB43;  
 1204 the board feels that the end statute is unfair and unduly harsh. The board will seek statutory  
 1205 amendment but may not be successful. Investigator Strout explained the process of how the master  
 1206 guide license will be revoked. The division understanding is that the issuance of the registered guide  
 1207 license will be part of the summary adjudication revoking the master guide license. The board  
 1208 discussed several scenarios for moving forward with the revocations and simultaneous issuance of  
 1209 registered guide-outfitters licenses.

1210  
 1211 **In a motion duly made by Larry Van Daele, seconded by Michelle Heun and voted on by**  
 1212 **roll-call it was**

1213  
 1214 **RESOLVED to approve application for licensure of James Wasillie. Motion**  
 1215 **Failed; license is denied.**

1216

Board Member	Approve	Deny	Recuse
Henry Tiffany		X	
Jason Bunch		X	
Larry Van Daele		X	
Peter Buist		X	

Michelle Heun		X	
Cash Joyce		X	
Adam Trombley		X	

1217  
1218 **Board discussion: per 18 USC 922; Mr. Wasillie will not be permitted to be in “possession”**  
1219 **of a firearm until 2025. This would not allow him to carry a firearm nor be in the presence of**  
1220 **anyone carrying a firearm; which would be in direct conflict of 12 AAC 75.340 and 12 AAC**  
1221 **75.440. This denial of license removes the board’s authority to accept the consent**  
1222 **agreement presented for case #2019-000473 that was presented for board consideration at**  
1223 **this meeting; the board does not have authority over individuals not licensed by AS 08.54**  
1224

1225 *Lunch recess at 12:43 pm*  
1226 *Back on record at 1:31 pm*

1227  
1228 **Agenda Item 23** **Public Comment**

1229  
1230 The chair announced that due to the number of attendees signed up for comment, each person will  
1231 have 10 minutes to speak.

1232  
1233 Dan Montgomery: Master Guide 173 wanted to point out that on the Guide Use registration he  
1234 agrees with the board that the 3-year time commitment should be statewide. He feels the board  
1235 should develop a policy or process for withdrawing early from the commitment based on federal  
1236 permits and such. He agrees with Mr. Van Daele that at the time of application for any guide related  
1237 license, the applicant should be able to legally carry a fire-arm. He knows that in Alaska a muzzle-  
1238 loader is not considered a fire-arm.

1239  
1240 Jason Bunch – Thank you for always being present and participating in board meetings. Appreciate  
1241 your support and guidance.

1242  
1243 Wayne Kubat: Theodore Roosevelt “It is not the critic who counts; not the man who points out  
1244 how the strong man stumbles, or where the doer of deeds could have done them better. The credit  
1245 belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood;  
1246 who strives valiantly”, that’s you guys. We’re the critics. I’m Wayne Kubat, Master guide number  
1247 147. After talking to a lot of past and previous board member; they all agree with him that the  
1248 experience in the game management was never intended was never intended to downgrade or  
1249 measure against for registered guides. Registered guides should be able to do anything a class A  
1250 guide can without jumping through extra hoops. He believes the current statutes and regulations  
1251 allow them to do so. It doesn’t matter if you have hunted 10 or 20 miles away; if you haven’t had  
1252 boots on the ground in that camp it is going to be new to you. A 10 or 15-day hunt 200 miles away  
1253 in the same game unit 20 years ago doesn’t really qualify you to guide there; it is the total, over-all  
1254 experience that counts. Registered and master guides have a ton of experience, decades of it and  
1255 sometimes lifetimes. Already have numerous statutes and regulations that are confusing and in  
1256 conflict with each other, thinks we should correct those issues before adding new ones to the mix.  
1257 The board passed an amendment to 75.920(e) in July that he thinks confuses the issue and he would  
1258 like the board to reconsider that; pull it back before it goes any further.

1259

1260 Jason Bunch: Are you going to put forth a proposal for supervision and a proposed question and  
1261 answer?

1262

1263 Mr. Kubat: Anticipates putting forth a question and answer page with questions that seem to be  
1264 asked. Will try to have it submitted before the next meeting.

1265

1266 Mr. Bunch: Looks forward to that and hopes the DOL staff can assist with that to get resolution on  
1267 the issue.

1268

1269 Mr. Kubat: Doesn't feel that it would require statute change; a couple of changes in regulation  
1270 would clear up the issue.

1271

1272 Mr. Bunch: I would like to thank Mr. Kubat also for always being here and being so involved. He  
1273 always finds things that need to be fixed and points them out to the board without being upset.

1274

1275 Steve Perrins Sr.: Steve Perrins, Master guide 123. Owns and operates the oldest hunting lodge in  
1276 Alaska. Unfortunately, has not been in attendance the past couple of days but has been listening in  
1277 on the teleconference and his son has been keeping him abreast of the situation. Wants it on the  
1278 record that he feels the board has let them down in particular over the master guide issue with  
1279 regulations for SB43. In his business when there is a failure the buck stops with him. If one of his  
1280 guides takes a smaller animal that anticipated it is up to him to take responsibility and to correct the  
1281 issue. We have a serious problem and it is much more a problem for him as a master guide than it is  
1282 for registered guides. This new rule is giving the registered guide all the business authority where the  
1283 intent was to fix things that were a problem with the master guide. His understanding was that  
1284 SB43 was intended to get the board active again, to prevent sunseting. Yet, every time something is  
1285 brought up we seem to get something else brought up and thrown down our throat that is  
1286 detrimental to our industry. Feels this is the second time in a row we've had failure; part of him is  
1287 glad that this board has until 2025 and part sees where the other side doesn't want us to have a  
1288 board. He was better off before the board and we've got to get this fixed. Part of it is  
1289 communication; he knows everyone is busy when this all takes place. This was started back in  
1290 February but the repercussions of this weren't brought to the boards attention until Monday. His  
1291 understanding is the board is going to get working on this immediately and there should be some  
1292 harsh talks on this during the APHA meetings coming up on Friday and Saturday. We have to have  
1293 a way of knowing what is going on. He is angry and upset about this, feels like he has been let down  
1294 but needs to know where he can help. Everyone has resources that he feels weren't used. Have to  
1295 find a way to get the communication out. Doesn't want to think that at the tail end of his career a  
1296 paperwork violation could cause him to lose his license. Wants to end well and train his guides well.  
1297 With his business and his clientele has never had to pull a contract; when a client says this is what  
1298 you told me we make it right. He does the contracts because it is required by law because of the bad  
1299 apples. It seems that there are always new rules because of the bad apples but we can't seem to get  
1300 rid of the bad apples. We need to find a better way of doing that that doesn't strangle the rest of us.  
1301 We are paper worked to death. It is disappointing, you say we have had a 20% decrease in guides  
1302 from 2015-2018 from what I was told and a 40% decrease in transporters. That is wrong, those  
1303 guys are just operating as air-taxi; providing the same service under a different title. Wants to know  
1304 what the board is going to do to fix this problem and quickly, I've got meeting with 2 legislators  
1305 tonight and I plan to get in touch with Natasha Von Imhof. I don't know if anyone else is because

1306 we just found out about this. I plan to get on this, this is my lively hood; I've got 42 years and a lot  
1307 of money on the line that he doesn't need to be worried that a piece of paper could take his license  
1308 and lively hood. There has been more than 1 failure where they thought 1 thing was going to be put  
1309 in but it was something else. Dealing with the Kodiak permits right now and that mess with UVC  
1310 code ramifications. You've just got this done until 2025 and we've got to do better. Willing to help  
1311 get this fixed. Extremely disappointed.

1312  
1313 Larry Van Daele: SB43 has 3 parts; the 1<sup>st</sup> part is the renewal of the Big Game Commercial Services  
1314 board which you kinda agree with if we do our job right. The 2<sup>nd</sup> part raises the bar for the  
1315 requirements for Master guides; do you have a problem with that 2<sup>nd</sup> part.

1316  
1317 Mr. Perrins: I do and maybe it's because I'm not as familiar with the problems with master guides  
1318 that I'm just hearing about. To me, a master guide in statutes and regulations is exactly the same  
1319 thing as a registered guide except the ability to advertise as an old fart and you've been doing this a  
1320 long time, excuse my terminology. But it clearly says you cannot advertise as a master guide unless  
1321 you are one. A master guide says you've been doing this a long time. So if we're having a problem  
1322 with master guides maybe we needed to make a registered guide an assistant longer because all the  
1323 problems I'm seeing seem to stem from that. Doesn't understand why the increases are such a focal  
1324 point. Make the assistants have more experience before being registered guides. There is an  
1325 advantage of saying you're a master guide but make them stay registered guides longer. If your  
1326 wanting to fix the schools, get them out in the field. Get boots on the ground so they can learn.  
1327 Tired of the life where people are complaining about a small percentage of the problem that we have  
1328 to spend assets to go and put a band aid on it. What was the 3<sup>rd</sup> part?

1329  
1330 Mr. Van Daele: The 3<sup>rd</sup> part, that you have clearly expressed your opinion of, was the revocation of  
1331 master guide licenses for violations. The original idea behind this was to set the bar higher for  
1332 master guides, not make it just a honorary title for more experience. That is where we need to think  
1333 about is it worth it to raise that bar. What do you think about this part?

1334  
1335 Mr. Perrins: If that is the issue, then I think there is some merit to it but I still think it goes back to  
1336 the registered guide. You can be a registered guide for a long time, Bucky has been a registered  
1337 guide and is 77 years old. He guides in the field still. But I would not contract clients to go in the  
1338 field with him until I got another guide trained to go with him. The way the statutes are he has is  
1339 clearer to stay in business than I am, he just can't advertise as a master guide. The year I took my  
1340 test I was the only one the written test; the reaction was to make the test easier. Fix the issue at the  
1341 registered guide level. Find a way to fix this before they make it as master guides. Practical time in  
1342 the field and being trained in the field are what is important. I train all of our guides and I'm a little  
1343 disappointed every year in August I get emails from APHA looking for guides to finish the season. I  
1344 can probably guide a hunt almost anywhere but will be behind the curve of even an assistant guide  
1345 that has been walking the trails with a registered guide for years. I think when someone pays me  
1346 \$40,000 for a hunt the guide should know the trails and the area. If you want to set the bar higher  
1347 then make the time as an assistant higher. If the guys had enough training some of these issues  
1348 would be issues anymore.

1349  
1350 Chair Tiffany: I appreciate your frustration, your anger and your fear. I am a master guide too, have  
1351 been for a while and I'm scared. But I want the public to know, and many of you do, that has

1352 happened and can happen when you involve the legislature what you put into the hopper and make  
1353 very clear. We have documentation of was the boards intention was and what you get out can be 2  
1354 very different things. It was shocking and frustrating to the board. We thought we made it  
1355 abundantly clear and that is not what we got. We are going to make efforts to educate the legislature  
1356 on what the board's intentions were. Sitting here today it is what it is. We are making efforts and  
1357 are going to make efforts at the statutory level and regulatory level to change it. But we should all be  
1358 on notice that this is the law right now. Share and understand your frustration with the board. It  
1359 was not intentional. What was generated in statute was not generated by the board.

1360

1361 Mr. Perrins: Where was that generated?

1362

1363 Jason Bunch: During the sunset process we were asked to look at the master guide requirements by  
1364 the legislature to see if there was anything to expand on in light of cases they were hearing about.  
1365 The legislators felt they needed to do something so everyone felt better about moving forward with  
1366 this board. That is what sparked this statute change. We worked on it at the last meeting, spoke on  
1367 it all 3 days. I appreciate your input, if we would have had it last year we may have changed our  
1368 direction. We need experienced master guides, experienced registered guides who know the process  
1369 and have a ton of information to pass on. If we would have had your testimony 6 months ago, I  
1370 don't know that it would have changed anything but I would have felt better prepared. Appreciate  
1371 your testimony today, I'm better for having heard it. We need your input.

1372

1373 Mr. Perrins: This points back to me, at some point you need to let others take on these issues. I'm  
1374 at a point, my son is working towards taking over the business and I would rather spend time with  
1375 my grandkids. Try to stay on top of myself and this industry.

1376

1377 Mr. Bunch: I think we are all pointing at ourselves on this.

1378

1379 Mr. Perrins: How many master guides are there? They need to be getting the notice and  
1380 information out. Maybe that in itself, putting them on notice right now that there is a new sheriff in  
1381 town. If you mess up your going to lose your license.

1382

1383 Renee Hoffard: Through the Chair; Mr. Perrins had asked me during the break how many Master  
1384 guides and how many Registered guides we have. We have 127 Master Guides and 347 Registered  
1385 Guides. That is everyone active through 12/31/2019 and 12/31/2021.

1386

1387 Mr. Perrins: I think we are in an era of text or email; mostly text. Change in way we communicate.  
1388 I think this needs to be directed to the guides. We need to get this reversed and get this fixed.

1389

1390 Chair Tiffany: Thank you for your testimony, for us to stay on our agenda we need to move on.

1391

1392 Ms. Hoffard: If the board would like, we can send a letter to all master guides notifying them of the  
1393 statute change.

1394

1395 Chair Tiffany: Yes, please send the letter out as soon as possible.

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1397 **Agenda Item 24**

**State & Federal Agency Update**

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**A. *Department of Fish & Game-Doug Vincent-Lang, Eddie Grasser and Tony Kavalok***  
Commissioner Vincent-Lang: Fish & Game supports a healthy guiding industry for the Alaskan residents and economy. Recognizes challenges coming in the next couple of years due to budget concerns. F&G recognizes the value of the board. Responded to questions from the board. Mr. Bunch asked about the UVC code issue. Mr. Bunch explained the UVC process to the group. The board would like to work with F&G on creating a system of reviewing the UVC's for draw permits. Mr. Van Daele brought up the issue heard about during public comment about the lack of harvest tickets for online hunting permits. Chair Tiffany explained the issue typically happens to non-resident hunters. When they purchase their permit and hunt tags – the website does not say that by issuance of the tag that the applicant has to have a harvest ticket. Most guides have at least 1 hunter per season that shows up without the harvest ticket and the hunter has no idea what the guide is asking for. Hunters have had to literally fly back to an office to get the harvest ticket. The harvest ticket should be issued when the hunt tag is purchased. F&G stated they would look into the situation. Chair Tiffany would also like F&G to look into updating the streaming videos to include judging dall sheep. Mr. Bunch thanked the Commissioner and his staff for attending the meeting.

**B. *Department of Natural Resources, South-central Regional Land office-Cliff Larsen, Tisha Valentine and Nikki Potter***  
DNR explained briefly the services and permits they issue with explanations of each of the available permits. Fees have been increased and new fees will be charged at time of new contracts. Fees had not been increased since 2003. The new fees were provided. Bonding is being reassessed at time of permits; bonds are going up some. Working on a bear baiting permit; that will be coming in the future. Random check of hunt records for guides. This is not a punishment measure, just keeping guides in compliance. Filming – if you are filming yourself and your hunt that is fine; if you hire a company to film your hunt they will need a permit to be on the land as well. Mr. Buist was curious about the authority to issue bear baiting permits. Ms. Valentine explained it permits would not be for the bear baiting but the structure used on state land. There was a brief discussion as to the validity of such a permit. F&G representative spoke to F&G's concerns with temporary stands becoming "permanent" stands with hunters/guides claiming ownership. DNR's general use permit will be an attempt to avoid that issue on DNR lands. Chair Tiffany thanked DNR staff for their continued presence at meetings and the work they are doing with the mapping service. The board would like to enlist DNR to assist with new maps for the guide management unit exams. The board has been working for many years to update the exams, they have made improvements on the written exam but need assistance greatly with the maps. DNR stated they would be happy to help if they can; they will look into it and follow-up with staff.

**C. *Bureau of Land Management-Tom Bickaaskau***  
Tom Bickaaskau was unable to attend. Zack Milon spoke on behalf of BLM-Alaska. He provided a brief overview of services BLM offers with an overview of processes. He gave the fees; they don't anticipate the fees to change in the next few years. Chair Tiffany stated that it had been brought to his attention that a guide had notice activity on BLM lands that were not permitted and BLM was notified. The question is how strong is BLM enforcement



1444 and are they familiar with Inv. Strout. BLM does their best to do monitoring; they work  
1445 with law enforcement for violations. They try to take the issues as serious as they can.  
1446

1447 ***D. Mental Health Trust-Jusdi Doucet***

1448 Brief refresher of what the Mental Health Trust Authority is and what they do. Will be  
1449 working on a guide access program. At this time there is no commercial guiding on trust  
1450 land. Goal is to have program up and running by the fall 2020 season to benefit the trust  
1451 and guides in the state. The program is going to start in 6 areas. He explained the program  
1452 processes and fees. The plan is for the permit to be issued for 5 years with an option to  
1453 renew for 5 additional years. The board encourage the trust to have expertise when  
1454 reviewing the applications and perhaps use what the board has in line with guide use areas.  
1455

1456 Chair called recess

1457 *Off record at 3:00 pm*

1458 *Back on record at 3:10 pm*  
1459

1460 ***E. North Slope Borough Planning & Community Services Dept. - Allyson Atos***

1461 North Slope Borough did not attend to speak to the board.  
1462

1463 ***F. US Forrest service-Jennifer Mac Donald; Jason Anderson***

1464 Forrest Service thanked the board for their involvement in some issues over the past few  
1465 years. The engagement of the board has been a great demonstration with how all can work  
1466 together to benefit everyone. Mr. Anderson spoke about the work conducted at stake  
1467 holder meetings. The board would like to see consistency in permitting moving forward.  
1468

1469 ***G. Board of Game-Larry Van Daele***

1470 Mr. Van Daele provided an update on proposals the Board of Game is working on. A  
1471 planned work group session will be held in Nome and he will provide the Board of Game an  
1472 update on the work the Big Game Commercial Services Board has done. He read a letter  
1473 regarding a legal case. He also spoke to decisions for the Kodiak bears. Chair Tiffany was  
1474 asked to write a letter in support of Mr. Van Daele's reappointment as the Board of Game  
1475 designee if the Board chooses to retain him on this board after a brief discussion about the  
1476 value of Mr. Van Daele's presence on the board and his interest in continuing to serve on  
1477 the BGCSB.  
1478

1479 ***H. Alaska Wildlife Trooper-Lt. Aaron Frenzel***

1480 Lt. Frenzel provided an update on trooper personnel. Troopers have noticed an increase in  
1481 problems of failure to registers for GUAs. A plan is in place to cleans up regulations to be  
1482 clear on what "previously purchased" means. Lt. Frenzel addressed the concerns regarding  
1483 harvest tickets that have been spoken about during the meeting. Mr. Bunch thanked Lt.  
1484 Frenzel for his attendance and the input he provided from the trooper's standpoint during  
1485 the meeting. Mr. Van Daele thanked him for his input on the felons and firearms issue.  
1486 Chair Tiffany also thanked him for his input and perspective. The board appreciates the  
1487 work and thoughtfulness on the guide issues.  
1488

1489 **Agenda Item 25**

**Administrative Business**

- 1490 A. Correspondence – The board reviewed the letter sent by Chair Tiffany to the Board of  
1491 Game on the Spraker issue.  
1492 B. Review of tasks –  
1493 1. Letter to Fish and Game regarding sheep video and harvest ticket – Chair Tiffany.  
1494 2. Position statement felons and firearms – Buist/Van Daele and M. Weigand  
1495 3. New questions for exams  
1496 4. Matrix on transporter Q&A feedback for March meeting (subcommittee)  
1497 5. Written policy  
1498 6. SB43 regulations and correspondence to Sen. Von Imhof  
1499

1500 The board discussed the March board meeting. Ms. Heun explained that she had spoken with  
1501 Renee regarding the meeting being held in Fairbanks March 17-19, 2020. The board briefly  
1502 spoke about the pros and cons of holding the meeting in either Fairbanks or March in regards to  
1503 concerns of the board budget. If the state permits the March meeting will be held in Fairbanks.  
1504 As the board moves forward they would like to consider rotating at least 1 meeting around the  
1505 state in the future. Renee will work with Nikki Potter from DNR regarding meeting spaces in  
1506 Fairbanks and submit travel requests.  
1507

1508 **In a motion duly made by Michelle Heun, seconded by Peter Buist and approved**  
1509 **unanimously. it was**

1510  
1511 **RESOLVED to adjourn the meeting.**

1512  
1513 *Off record at 3:50 pm*

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1515 Respectfully Submitted,

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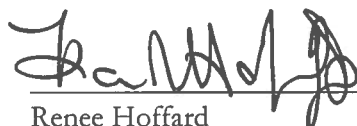
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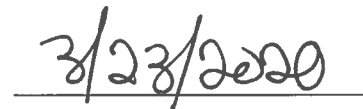
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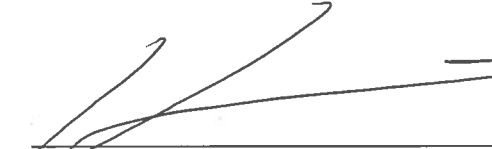
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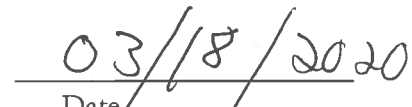
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\_\_\_\_\_  
Renee Hoffard  
Executive Administrator

  
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Date

  
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Henry Tiffany IV  
Board Chair

  
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Date