



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

Board Packet

December 4-6, 2023

DRAFT

Big Game Commercial Services Board

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

DRAFT



Big Game Commercial Services Board - Winter Meeting

Alaska Division of Corporations, Business and Professional Licensing
Dec 4, 2023, at 9:00 AM AKST to Dec 6, 2023, at 3:00 PM AKST
The Lakefront Anchorage: 4800 Spenard Rd. Anchorage, AK 99517

Meeting Details:

<https://us02web.zoom.us/j/87571432977?pwd=Z0o2RWlLdmlyemUxL0FQRzVZd3BHQT09>

Call In: 669-900-6833

Meeting ID: 875 7143 2977

Passcode: 441201

TENTATIVE MEETING AGENDA (DAY 1) **December 4, 2023**

Agenda

- I. 9:00am Roll call/Call to Order**
- II. 9:05am Review Agenda**
- III. 9:10am Ethics Review**
- IV. 9:15am Review/Approve Meeting Minutes**
 - A. December 2022**
 - B. March 2023**
 - C. November 2023**
- V. 9:30am State & Federal Agency Updates**
 - A. Dept. of Fish & Game - Ryan Scott**
 - B. Dept. of Natural Resources - Candy Snow**
 - C. Bureau of Land Management - Zach Million**
 - D. Mental Health Trust - Cole Hendrickson**
 - E. US Forest Service - (might have a representative)**
 - F. US Fish & Wildlife Service - Kathey Virgin and Cody Smith**
 - G. Board of Game - Dave Lorrington**
- VI. 12:00pm Lunch Break**
- VII. 1:30pm Division Update**
 - A. Current Fiscal Report - FY23 3rd/4th Quarters**
- VIII. 2:00pm Investigations Unit**
 - A. Probation Monitor Report**
 - B. Investigative Report**

C. Executive Session

1. Case No. 2021-000315, 2022-000176, 2023-000415

2. Case No. 2022-000170, 2022-000441, 2022-000442, 2022-000444

3. Case No. 2022-000179

IX. 4:00pm Recess

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TENTATIVE MEETING AGENDA (DAY 2)

December 5, 2023

X. 9:00am Roll Call

XI. 9:05am Agenda Review

XII. 9:10 am Summary/Motions from Executive Session

XIII. 9:30am Public Comment

XIV. 10:00am BREAK

XV. 10:15am Subcommittee Updates/Formation of New Committees

A. Exams - Jason Bunch

B. Transporters - Mike Flores

C. Concession Program - Jason Bunch

XVI. 10:45am Ongoing Task List Review

A. Transporter Information Letter

B. Education Letter for Hunt Planners and Booking Agents

C. Online Self-Service Tools Education

D. Guide Number System

XVII. 12:00pm Lunch Break

XVIII. 1:00pm Discussion with Director Robb

A. IT Request

B. Legislation for EA Position

C. Regulations Process

XIX. 2:00pm BREAK

XX. 2:30pm Public Comment

XXI. 3:00pm Education Seminar

- A. Legal Moose**
 - B. Legal Sheep**
- XXII. 4:00pm Recess**

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Big Game Commercial Services Board - Winter Meeting

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TENTATIVE MEETING AGENDA (DAY 3)

December 6, 2023

XXIII. 9:00am Roll Call

XXIV. 9:05am Review Agenda

XXV. 9:15am Public Comment

XXVI. 9:45am Break

XXVII. 10:00am Alaska Wildlife Troopers - Aaron Frenzel

XXVIII. 10:30am Board Business

A. New Business

1. Hunt Record/Transporter Activity Report Database Update

2. Complaint Matrix

B. Tabled Business

XXIX. 12:00pm Lunch

XXX. 1:30pm Regulation Projects

A. Amending 12 AAC 75.260(d)

XXXI. 2:30pm Task List

XXXII. 2:45pm Administrative Business

XXXIII. 3:00pm Adjourn

State of Alaska
DEPARTMENT OF LAW

ETHICS ACT PROCEDURES FOR BOARDS & COMMISSIONS

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

Who Is My Designated Ethics Supervisor (DES)?

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

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

What Do I Have To Disclose?

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

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

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

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

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

How Do I Avoid Violations of the Ethics Act?

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

What Are The Disclosure Procedures for Board and Commission Members?

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

Procedure for declaring actual or potential conflicts.

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

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

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

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

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

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

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

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

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

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

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

Procedures for Other Member Disclosures

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

What Are The Disclosure Procedures for Executive Directors and Staff?

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

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

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

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

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

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

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

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

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

What Are The Procedures for Quarterly Reports?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6/14

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

Alaska Department of Law

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Ethics Disclosure Form

<p style="text-align: center;">CONFIDENTIAL REQUEST FOR ETHICS DETERMINATION</p>
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TO: _____, Designated Ethics Supervisor

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

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

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

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

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

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

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

(Signature)

(Date)

(Printed Name)

(Division, Board, Commission)

(Position Title)

(Location)

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

Ethics Disclosure Form

Receipt of Gift

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

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

1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?

Yes No

2. Can I take or withhold official action that may affect the person or entity that gave me the gift?

Yes No

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

The gift is _____

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

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

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

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

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

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

(Signature)

(Date)

(Printed Name)

(Division)

(Position Title)

(Location)

Ethics Supervisor Determination: Approve Disapproved

Designated Ethics Supervisor*

(Date)

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



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

BIG GAME COMMERCIAL SERVICES BOARD

MINUTES OF MEETING
December 05-07, 2022

These draft minutes were prepared by staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the Board.

By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting (teleconference) of the Big Game Commercial Services Board was held December 06-08, 2022, at 550 W. 7th Ave, 15th Floor, Anchorage, AK.

Tuesday, December 05, 2022

Roll Call/Call to Order

The Chair, Jason Bunch, brought the meeting to order at 9:01 am

Board Members Present Constituting a Quorum:

Jason Bunch - Licensed Registered Guide - Board Chair
Aaron Bloomquist - Registered Guide Outfitter
Martin Boniek – Licensed Transporter
Pete Buist - Public Member (joined at 9:11 am)
Larry Kunder – Public Member
Mike Flores – Licensed Transporter
Clay Nordlum – Private Landowner

Board member(s) absent

Jerry Burnett - Board of Game Representative

Staff Members present:

Thomas Bay – Executive Administrator
Jennifer Summers – Senior Investigator
Lee Strout – Investigator
Katrina Eldred – Investigator, Probation Monitor

Members of the Public Present:

Mark Richards – Executive Director, Resident Hunters of Alaska
Sam Rohrer – President, Alaska Professional Hunters Association
Thor Stacey – Alaska Professional Hunters Association
James Smith
Zach Decker
Loren Karro
CBSS
Johnny Richardson
Josh Ellis
Pete Mueller
Wayne Kubat
Steve Perrins II
Candy Snow – DNR
Jacob Fletcher
Alison Osborne
Zach Million – BLM
Aaron Frenzel – AWT
Nathan Hawkaluk
Tim Booch
Peter Barela
Luke Milyard
Two unknown attendees

Review Agenda

The board reviewed the Day 1 agenda. Chairman Bunch informed the board that he wanted to add a regulation proposal to agenda item #6, “New Proposals Overview FOR Public Comment,” by creating a new subsection titled, “Providing Transportation Services While Simultaneously Providing Guide Services.” He also suggested the board remove agenda item #8(B), “United States Coast Guard,” from the “State and Federal Agency Updates” section of the agenda because the representative was already scheduled to provide a presentation on Day 2 of their meeting.

Upon a motion duly made by Aaron Bloomquist, seconded by Mike Flores, and approved unanimously without any objections, it was

RESOLVED to amend the agenda by adding a regulation proposal to agenda item #6, “New Proposals Overview FOR Public Comment,” by creating a new subsection titled, “Providing Transportation Services While Simultaneously Providing Guide Services,” and removing agenda item #8B, “United States Coast Guard” from the “State and Federal Agency Updates” section of the agenda.

Ethics Review

The board discussed a possible ethical disclosure from Aaron Bloomquist but found that the disclosure was not required to be disclosed.

Review/Approve Meeting Minutes

The board reviewed the draft minutes for their August 16, 2022, board meeting, which was held via teleconference.

Upon a motion duly made by Aaron Bloomquist, seconded by Martin Boniek, and approved unanimously without any objections, it was

RESOLVED to approve the meeting minutes as written.

Pending Regulation Proposals

Chairman Bunch informed the board that they had one pending regulation proposal, from their last meeting, titled, "Supervision and Participation." He reminded the board that they already had an at length discussion on the topic and that they needed to decide to move forward with it or not. He informed the board that if they did not want to move forward with it then they would just need to let it expire, which is what would happen if a year passed without the board taking action following the regulations project being sent out and returned from the public comment period. He also informed the board that a new "Supervision and Participation" regulation proposal would be discussed during agenda item #6, "New Proposals Overview FOR Public Comment," and that it would supersede the pending regulation proposal if the board decided not to take action on it. The board decided not to take action on the pending regulation proposal.

New Proposals Overview FOR Public Comment

Mr. Bloomquist presented the status of proposals that are being voted on at this meeting or the next. He asked for attendee awareness and input.

Supervision and Participation: Purpose is to improve communication among employees and clients while eliminating unnecessary and arbitrary borders. He added that 5G satellite communication should be possible this winter, making good supervision even more possible.

Guide/Transporter Boat/Plane Identification: Purpose is to require lettering to identify vessels/planes as transporter/guide assets. Law enforcement needs to be able to identify them, and the public needs to know whether who they see in the field is a licensee or not.

Marine Transporter Vessel: Provides the board with regulation mirroring the intent of the statute, which was written for liveaboard vessels, not six-packs. Aligns with Coast Guard safety regulations.

Guide Use Area Registration and Registered Guide Contracts: Addresses an issue that arose when someone purchased a business that closed after the first of the year, so they couldn't change areas. This affects other similar situations, avoiding waste of a year.

Helicopter Use: Clarifies that helicopters are not allowed in guiding.

Booking Agents and Hunt Planners: These individuals are not licensed by the board. The regulation seeks accountability to address issues in this area where a license may be required. This will be discussed with LAW during the meeting tomorrow.

Transporter Activity Report: Makes changes to the report form, collecting information about overnight trips for vessel-based crews. Eliminates collecting poundage.

Guides Providing Transportation Services: Issue arose with Alaska State Troopers (AST), and this regulation seeks to clarify that a certain practice is legal.

The chair noted that the board was 45 minutes ahead of schedule and recommended they spend the balance of time reviewing the proposed regulations.

The board discussed Guide/Transporter Boat/Plane Identification: Several members raised inter-agency logistical concerns that might arise. One member suggested use of a symbol instead of twelve-inch letters. Another suggested use of wording that aligns identification with FAA requirements as opposed to creating a new identification system within the guiding industry. The intent behind the regulation is for personnel on the ground to be able identify whether the vessels/planes are transporters or not—especially in matters of complaints or overcrowding. All air taxis currently have twelve-inch “N” numbers. Marine vessels could have a “G” or “T” in addition to their identification numbers. The chair said that ADF&G requires a placard on vessels. All vessels, including skiffs, should be included in the requirement. Important that the identifier be visible from a distance.

The board weighed alternatives. One member suggested the board use existing transporter activity reports to gather information about overcrowding. One member raised concern that this idea would not be within the purview of the board and might run afoul of federal identification requirements. Members discussed whether the cost of this regulation would be low- or no-impact on the board or on licensees. An oval black-and-white sticker used to be required in the 1990s. It was suggested that the print file for the sticker could be posted online so licensees could send to their printer. Members raised concern about placing more work on staff to produce and mail special identification. The chair suggested ADF&G might be willing to distribute on DCCED’s behalf.

At least one member was unclear of the purpose for this regulation and wanted to hear from transporters. A member explained that the board was hearing complaints about overcrowding but could not determine whether the crowding is from transporters or residents. Members felt that if this was true, the board should be seeing legitimate complaints through the investigative staff. The chair explained that competitive hunting is lawful, so overcrowding may be a problem but not be a legitimate violation.

The board recessed for a break at 10:15 a.m. and reconvened at 10:45 a.m. A quorum was maintained.

State and Federal Agency Updates

Alaska Department of Natural Resources; Division of Mining, Land and Water (DNR/MLW): Candy Snow, Permitting Unit Manager for the Southcentral Office. Ms. Snow encouraged licensees to ask questions of their regional office. The mapping and permitting/leasing feature is regularly updated, and they are happy to share what activity may be occurring in the area. She explained there are three types of land use authorizations:

- Commercial recreation day use registration can be obtained online or in the office. This includes visitor day use fees at the end of the season.

- Commercial recreation permit (CRP) allows overnight use up to 14 days. Both of these types of permits are good for a calendar year. She recommends applying in November or December for the coming year. This type of permit cannot be completed online and may take a couple of days to complete.
- For long-term, the Land Use Permit (LUP) is valid up to 5 years. This creates your “dot on the map.” This can take several weeks since it requires public notice. Landowner permission may be required for some permits, and fees increase with each permit type. Caching is also possible under this permit. Bonding, insurance, and annual reporting are required for the LUP. The division of DNR/MLW works with the BGCSB on enforcement and communication. They are working on streamlining the permitting processes, including more over-the-counter services. Annual and final reporting must be completed, including photos, or the permit can’t be closed and will continue to assess fees and DNR/MLW will retain the bond, assess penalties, or even end up in trespass. She encouraged users to contact the regional office if any questions arise.

She said there are some recent changes to spike camp permitting associated with CRPs and LUPs. She also explained that leasing is a different process than permitting, with leasing ultimately possibly leading to purchase of the property. There are also additional authorizations required for film crews. She clarified that spike camps associated with a permit do not have to be at specific locations—they may be mobile within the allowable radius. There were questions about bear baiting, so she said she would provide an update on those standards at the March meeting. One of the board members suggested DNR consider bundling complex services because it is very difficult for guides to work on state lands. Ms. Snow appreciated the feedback and mentioned a few areas where DNR has made improvements. She said she would carry that request forward to the Permitting Policy Team.

Bureau of Land Management: Zach Million, Program Lead for Recreation and Visitor Services. Mr. Million displayed a map of BLM field offices and encouraged guides to use their regional field office. There are twelve recreation staff in Alaska, in addition to permitting staff and facilities. He explained various permits available, which for guide-outfitters will almost exclusively be a commercial special recreation permit. Permitting must include a NEPA or environmental analysis. There is a minimum use fee plus 3% of gross receipts earned while on federal land. Currently, permits may be held from one to five years, and he anticipates growing to ten years. BLM has a lot of new staff and has filled most of their vacancies. They are working toward an online permitting service that is not yet functioning in Alaska. He explained that the NEPA process is the longest part of the application. One member said it took six months to get his permit, but it lasted for five years, which he appreciated.

Alaska State Troopers/Alaska Wildlife Troopers (AST/AWT): Captain Aaron Frenzel. Captain Frenzel reported that AST received three new positions in this year’s budget; recruitment and training can take up to two years. Troopers may be diverted to heavier use areas during particular events, like salmon runs, which leaves them underpopulated in other areas. He appreciated the good working relationship with the board. There is currently only one Office of Special Prosecutions (OSPA) prosecutor for wildlife cases for the entire state, so cases might be heard in other courts. This creates delays and can result in moving smaller or less complex matters to the civil arena—such as working with Investigator Strout and the board—instead of the criminal arena. The chair mentioned that the board has initiated several regulations projects to clarify matters that have created complications with law enforcement. He encouraged Captain Frenzel to review those and let the board know any concerns. Another board member registered concern about the differences in sentencing among similarly situated cases. Captain Frenzel explained some examples of where a criminal charge may be the same, but the facts of the case are different, which can affect outcomes. Cases referred to another jurisdiction—handled by a DA or magistrate—can lead to changes, as can plea agreements and Rule 11 agreements. Captain Frenzel stated that he appreciated the board’s support for additional positions in AST, as well as Department of Law.

Captain Frenzel asked if the Transporter Working Group had made progress in creating an informational packet. No one knew for sure, so Chairman Bunch said they would look into that during Old Business.

Alaska Mental Health Trust Authority Land Office: Pete Mueller. Mr. Mueller shared a PowerPoint presentation with the board outlining the new big game guide permitting program. There is one exclusive permit available per land tract to a master guide or a registered guide with 8+ years' experience and other qualifications. Bonding and insurance are required. It is valid for five years and is revocable and renewable. He explained additional requirements and details, as well as locations. There are also opportunities for licensed transporters. He also explained that AMHTA Land Office holds a land sale once a year, typically in the fall through sealed bid auction.

U.S. Fish and Wildlife Service: Nathan Hawkaluk. He spoke about guiding in the Arctic National Wildlife Refuge and recommended a few other personnel who would be useful to invite to future BGCSB meetings from his office. He said eight Guide Use Areas were open last cycle. Prospectuses are ranked and receive a list of "best qualified" and staff choose permittees from that list. He said there were fewer qualified applicants in the last year. He said that "hunt planner" activity has not hit his radar as dramatically this fall as it did in the spring, so they will continue to pay attention to that. He said there is a current proposal regarding property that has been unattended up to 12 months. This is not exclusive to guides and could be any type of property and was essentially a loophole. The current proposal would reduce "unattendance" to four months. He said there are fifteen refuges across the state and recommended inviting additional representatives to cover other areas in the state.

No other state or federal agencies were represented.

The board recessed for lunch at 11:56 p.m. and reconvened at 1:32 p.m. A quorum was maintained.

Division Update

Melissa Dumas, Administrative Operations Manager for the division, presented the board's FY22 year-end fiscal report of revenues and expenditures and a quick overview of the first quarter of FY23. She explained that the board ended FY22 with a surplus of \$940,195 heading into a non-renewal year. The chair asked about progress on creating an exam database and whether the board was paying for that service. Ms. Dumas said that the contractor had not worked on this program yet, so there was no cost to this program. She indicated she would provide Mr. Bay with an update to pass along to the board.

Ms. Dumas explained indirect cost allocation methodologies and reviewed the specific indirect expenses of this licensing program, which totaled \$160,000 for the year. She reviewed the fee analysis that had been presented to the board in March and indicated that she would recommend to the director to reduce the annual reporting fee from \$300 down to \$150. She encouraged the board to review and make recommendations; the chair indicated they would discuss further on Wednesday.

She let the board know that their requested upgrade to the Hunt Record database was in the department IT's workflow queue; this cost was an indirect expense that would not come out of their surplus. Chair Bunch said he did not trust the state to meet their needs; Ms. Dumas explained that it is on the IT list and she expected it would get done; she offered to discuss with the director and bring back additional information or provide it to Tom. A member asked whether the board had its own budget, and she explained how the division's expenditure authority is granted by the legislature. The member stated that ADF&G used an outside contractor for IT, so DCCED should be able to do that, too. The chair said he would ask the director his remaining questions about

the IT project. He asked what happened if fees were not reduced; Ms. Dumas explained that fees need to be reduced to meet statutory requirements. He said he would be fine to allow the surplus to grow to create an audit finding and place pressure on the division to do what the board wants.

Mr. Bay stated that the board wished to travel to Kodiak instead of Fairbanks next year. Ms. Dumas explained how travel costs are identified through the division's budget and how travel is requested and approved, including the travel plan process. The division's travel expenditure authority is shrinking, and the Administration's position is to hold more meetings via videoconference since most business can successfully take place online. One member explained that licensees are unlikely to attend a multi-day Zoom meeting and are more likely to attend in person if the meeting is within driving distance. Chair Bunch expressed unhappiness and frustration about the bad attitude and lack of service at the DNR venue and the Atwood Building and how spending several thousand dollars for a private venue was the only way to get licensees to engage at board meetings. Chair Bunch thanked Ms. Dumas and looked forward to additional information she would be bringing back to the board regarding the IT project.

Investigative Unit Update

Investigative Report

Investigator Lee Strout presented the written report to the board, showing 55 open cases and 19 closed cases during the reporting window. One member asked how many cases are open and never make it to board member review because they are not jurisdictional or another reason. Inv. Strout said that rarely happened; most cases do end up going through the investigative process. The board member stated that there are reasons why complainants may feel that "nothing happened"—the investigation takes time and needs to go through a formal process, which sometimes includes a criminal investigation, as well. He encouraged people who feel like cases are not progressing to have patience.

Probation Monitor Report

Investigator Katrina Eldred was available to present the report but had technical difficulties and was unable to be heard by the board. Mr. Bay shared his screen showing the probation report, and Inv. Strout explained there were 12 licensees on probation and two had been released. Most are in compliance with their terms; one licensee on probation essentially disappeared, and the division is working to prepare a license surrender in that case.

Executive Session

Upon a motion duly made by Aaron Bloomquist, seconded by Larry Kunder, and approved unanimously without any objections, it was

RESOLVED to enter Executive Session in accordance with AS 44.62.310(c) and Alaska Constitutional right to privacy laws to discuss matters that may prejudice the reputation and character of any person, provided they may request a public discussion, and matters which by law are required to be confidential. Executive Administrator Tom Bay and investigators Lee Strout, Katrina Eldred, and Jenni Summers are requested to remain during the session.

The board entered executive session at 2:39 p.m. and reconvened at 4:26 p.m. A quorum was maintained.

Without any further business on the agenda, the board recessed for the day at 4:27 p.m.

Roll Call/Call to Order

The Chair, Jason Bunch, brought the meeting to order at 9:00 am

Board Members Present Constituting a Quorum:

Jason Bunch - Licensed Registered Guide - Board Chair

Aaron Bloomquist - Registered Guide Outfitter

Martin Boniek – Licensed Transporter

Pete Buist - Public Member

Larry Kunder – Public Member

Mike Flores – Licensed Transporter

Clay Nordlum – Private Landowner

Board member(s) absent

Jerry Burnett - Board of Game Representative

Staff Members present:

Thomas Bay – Executive Administrator

Agenda Review

Upon a motion duly made by Aaron Bloomquist, seconded by Clay Nordlum, and approved unanimously without any objections, it was

RESOLVED to amend the agenda by adding a new item prior to public comment.

License Actions

The board discussed case 2022-000772, including the details of the offense and the terms of the consent agreement.

Upon a motion duly made by Pete Buist, seconded by Aaron Bloomquist, and approved unanimously without any objections, it was

RESOLVED to accept the consent agreement in case 2022-000772.

The board discussed case 2022-000248, including the details of the offense and the terms of the consent agreement.

Upon a motion duly made by Pete Buist, seconded by Aaron Bloomquist, and approved unanimously without any objections, it was

RESOLVED to accept the consent agreement in case 2022-000248.

The board discussed case 2022-000705, including the details of the offense and the terms of the consent agreement.

Upon a motion duly made by Pete Buist, seconded by Aaron Bloomquist, and approved unanimously without any objections, it was

RESOLVED to accept the consent agreement in case 2022-000705.

The board discussed case 2017-000993, including the details of the offense and the terms of the licensee's request.

Upon a motion duly made by Pete Buist to approve the licensee's request for an amended order, seconded by Aaron Bloomquist, and objected to by all members, it was

RESOLVED to deny the request for an amended order in case 2017-000993.

The board discussed case 2022-000168, including the details of the investigation and how it was resolved.

Upon a motion duly made by Pete Buist, seconded by Aaron Bloomquist, and approved unanimously without any objections, it was

RESOLVED to issue the transporter license applied for in case 2022-000168.

The board recessed for a short break at 9:25 a.m. and reconvened at 9:46 a.m. A quorum was maintained.

Hunt Record Database

The chair reminded attendees that the board discussed a request to the division to enhance the hunt record database during the previous day's business. He did not have anything further to report this morning.

Public Comment

Mark Richards, Resident Hunters of Alaska: Stated members are frustrated over Unit 19C sheep hunting by non-resident hunters. They have been working with Alaska Professional Hunters Association, who says there are no conservation concerns, but the problems are over allocation. RHAK would like 19C to be closed and is making that proposal to the Board of Game. He does not believe guides can self-limit. He would like the BGCSB to penalize guides who take sublegal sheep. He is seeking data from AST/AWT regarding sublegal sheep. The Palmer/Anchorage AST/AWT office penalized two resident hunters and did not penalize four non-resident hunters for taking sublegal sheep. RHAK would like guides to support draw hunts and find a way to compromise when it comes to sheep because conservation is an issue. He also registered concern that the in-person meeting was cancelled, and the public was not informed, so he lost money on flights. He hopes more in-person meetings will be held, especially in Fairbanks, because they are more productive. He would like to hear from Jerry Burnett and the Board of Game on the sheep issues.

Mike Flores responded and asked for patience since the program is understaffed. The sudden cancellation was by the venue, not the board. He would also like to meet in Kodiak, as well as Fairbanks. Tom Bay mentioned that he did not know about the mailing list as a new board liaison and would use it in the future. It takes time to locate and procure a venue, so there was no time for that to happen quickly. He encouraged people to listen to the board's discussion about meetings scheduled the next day. He said a new licensing examiner was hired a week ago.

Tim Booch: Agreed that in-person meetings are preferable and would like to see a meeting in Kodiak. He would like the board to focus on the topics of helicopters and hunt planners/booking agents. He mentioned that spike camps were part of the congestion problem and would like to eliminate DNR permits that allow multiple spike camps to be located anywhere. A Guide Concession Program might be less necessary if everyone knew where the spike camps were located ahead of time and adhered to those locations. He complained about guide use of YouTube and Rumble.

Wayne Kubat: Commented on the supervision proposal, saying that communication was not the “silver bullet” solution and was inferior to improved distance definitions. He mentioned several potential changes to definitions that he would provide during public comment on the regulations.

James Smith: Commented on the supervision proposal, saying that the current regulations are fine. He encouraged the board to ensure all regulations are clear so there is little room for multiple interpretations.

Aaron Bloomquist thanked Mr. Booch for his involvement with board matters, especially as a younger, newer licensee.

Dick Rohrer: Reviewed financial data that was publicly available and that had been provided to the board by staff. He suggested the \$300 record filing fee be eliminated because the board had a large surplus and could anticipate more revenue during FY23. He anticipated the board would have nearly \$1.4 million in revenue this fiscal year with just under \$600,000 in expenditures. Division data plus numbers from the APHA/McDowell Report indicates the filing fee generates about \$100,000 in revenue, which the board does not need. He also stated that he opposed the addition of daily communication requirements to supervision regulations.

Aaron Bloomquist thanked Mr. Rohrer and reminded the attendees that Investigator Strout anticipated up to \$500,000 in hearing costs next year, given the pending cases. Mr. Rohrer reminded the board that licensees should be paying what the program costs, not more.

Steve Perrins, Sr.: Would like to be involved in board subcommittees. He has been involved in transporter issues in Kodiak and would like to be brought up to speed on what is happening with transporters in that area. He said there are a lot of guides also operating as transporters who are decimating the deer population in Kodiak. He stated that an RHAK official told him that *they* do not want to compromise. The conservation issue should be most important and doesn't see RHAK engaging in compromise discussions. He said that people are confused about when and for how long and for what purposes helicopters can be used. It is difficult to get the correct information. He is concerned about apparent age discrimination with the proposed communication requirements in supervision regulations. He believes the businessman should be responsible for running his business—supervision is not a problem and new proposed requirements are overregulation. He looks forward to additional discussion.

One board member said there are several transporter proposals on the table for discussion and the board looks forward to his participation. The board is aware of transporter conflicts in Kodiak. Board subcommittee processes have changed slightly and are often formed in response to the most present issues. Mr. Perrins stated that Department of Fish and Game (DFG) says his lodge is not “in the field”; Mr. Bloomquist clarified that this board has its own definition of “in the field” and the chair asked Mr. Perrins to review the BGCSB statutes and regulations related to guiding. Different agencies have different regulations, so it is important to cite the *relevant* source.

Dan Montgomery: Commented on the supervision proposal. He doesn't think daily communication is necessary to mandate; his business typically communicates daily. He thinks there should be exceptions for medical issues,

second degree of kindred, like guides do in other situations. He supports twelve-inch numbers on boats and aircraft but doesn't think it will make a difference. Flying through the mountains during sheep season equates to spotting sheep and no one has ever been prosecuted. It is a waste of time and effort. Transporters need to be regulated more tightly. Guides with three-year registrations should be able to change GUAs the same year if the area has not been used that year. He supports in-person meetings and more subcommittee meetings because they create better regulations and solve problems.

Aaron Bloomquist asked Tom Bay if the board could allow same-year changes of GUAs if they had not been used prior to April 1. Tom said that is really a matter for the board to consider and that they should ask the attorney for legal guidance on whether it would be possible. He didn't think it would be a problem as long as it was legal.

Steve Perrins II: Thanked the board for their engagement and hard work. He also thanked Mr. Rohrer for his analysis and agreed that the \$300 filing fee should be eliminated. He believed everyone was aware of the competition in Kodiak and how the deer population is being negatively affected. He would like the transporters on the board to lead on this issue. He said that per AST/AWT transporter data on Kodiak last year, out of 127 hunters, only 12 were residents. Limiting transporter use areas or making them more identifiable will help. Transporters should care about conservation. He understands that things take time to get accomplished and encouraged open discussions with guides on important topics like the Guide Concession Program. He said that he would like to see guide license numbers go back to the way they were. He thanked Tom for his work as the new board liaison.

Mike Flores said he had looked into some transporter statute changes and anticipated this board would address transporter issues at this meeting. Board of Game is anticipating limitations on Kodiak deer. He asked what type of boats Mr. Perrins was seeing in Kodiak. Mr. Perrins said they seemed to be liveboards that would send Zodiacs to the shore.

The board discussed changes in license numbers for the past several years.

James (last name unclear): Has anyone heard concern from the refuge about transporting?

Chair Bunch said the refuge is involved with the Kodiak Advisory Committee, which is collecting transporter data. It includes a variety of stakeholders.

Registered Guide Exam

Chair Bunch reviewed the testing times and locations for the week and said he believed all six proctors had been secured. If anyone else was available, they should let him know.

Subcommittee Updates

Exam Subcommittee has not been very active because Chair Bunch does not have time. Feedback he has heard is that people would like more practical, theoretical questions, such as injuries and when a sublegal animal is shot. These questions are often ones that reveal lack of knowledge and experience. Questions need to have a source reference. The chair reviewed the work Lauren Kara had done and his plan to evaluate questions that are repeatedly problematic. He suggested that the division's consultant might be able to help organize the effort.

Transporter Subcommittee has not met recently since Mike Flores was serving on the governor's bycatch committee. Multiple proposals will be discussed that afternoon, focusing on public safety. They are evaluating a

mock-up of a new Transporter Activity Report. There needs to be further discussion about marine vs. air. He did not believe there was support to pursue limited entry.

Guide Concession Program or limited guide use are registration program is ongoing. The purpose would be to limit guiding on state land. Chair Bunch had selected Rick Green from DFG, Christy Colles from DNR, Ted Spraker as a public member, Coke Wallace as an interior guide, and himself as a maritime guide. They had looked at the previous 2013 proposal, which had a variety of hurdles, including whether legislation is needed. The biggest hurdle is staff time and resources to support the effort. It needs to be compliant with the Constitution, per the Owsich decision. It needs to be a public process yet streamlined to manage the information coming in. Meetings should be publicized. He hopes to kick it off in January and have a plan before the board by the March meeting for further discussion. Tom Bay clarified that the board had approved the chair to form the committee at the last meeting and no further approval was required. He said the first meeting would need to be publicly noticed.

Partnerships Subcommittee is being organized by Aaron Bloomquist. They held one meeting about nine months ago to gather information about how people are doing partnerships. Everyone is doing it differently, and not everyone is consistent with the law. He plans to write a proposal for the board to consider but is unsure whether regulations are necessary or helpful. He would appreciate input on methods that might assist guides who are working on these partnerships, especially since there are legal cases involving them.

The board recessed for lunch at 11:28 a.m. and reconvened at 1:00 p.m. A quorum was maintained.

USCG Vessel Presentation: Luke Milliard, U.S. Coast Guard Vessel Inspector, Kodiak Marine Safety Detachment. Mr. Milliard shared a brief presentation on passenger safety. He appreciated being invited since he was learning about transporters and understood that many transporters and guides may not be aware of federal regulations pertaining to “uninspected passenger vessels (UPVs),” which is what the USCG considers to be a transporter vessel. He explained differences between “passengers” (crew or friends) and “passengers for hire” (customers) and some regulations pertaining to fishing vessels that have been modified for overnight accommodations. He discussed additional mandatory endorsements, registration, licenses, drug testing, firefighting, and documentation required to carry passengers for hire and for specific vessel weights. Transporters will likely require many of these elements to legally operate. He discussed “safe harbor” and when 24-hour watch is required. Property or environmental damage, injury, death, marine casualty, and other circumstances may require additional drug/alcohol testing and reporting. He reminded the board that a UPV must always be under the command and control of licensed individuals if passengers are on board. He described ways the Jones Act may impact transporters, especially pertaining to vessels not constructed in the U.S. There are many regulations pertaining to operating marine vessels, so he encouraged guides and transporters who operate marine vessels to contact their sector or marine safety detachment to ensure they are aware of the rules and to maintain compliance.

Review of Regulations Proposals

AAG Harriet Milks joined the meeting to assist the board in discussion of potential regulations projects.

Supervision and Participation

Mr. Bloomquist explained that he and Chair Bunch had made a few revisions to the draft after it had gone out for public notice. Since the changes were extensive, his intent was to replace the prior version with the new version he was presenting. Mr. Bay displayed the new version on the screen for the board and attendees to follow.

AAG Milks suggested the board recommend updating the definition of “field” in a future statutory change.

Mr. Bloomquist stated that supervision is all about communication in various ways. He reminded everyone that satellite-enabled cell phones would be available statewide within the next year. While that had both negative and positive implications on the wilderness experience, communication anytime and anywhere would be possible. Mr. Bloomquist also stated that experienced contracting guide board members, in concert with Investigator Strout, should be able to determine whether the guide could be reasonably responsive according to the situation, unit, and other factors.

Chairman Bunch said he had read the legislative testimony on the statute that implemented “primarily in the field” expressly so the board could provide for exceptions to being in the field. He remembered that the board at that time interpreted the phrase to mean more than 50% of the hunt. He also reminded the board that each member would need to weigh in and be involved in the decision on what to move forward.

Guide and Transporter Boat and Plane Identification

Chairman Bunch reiterated that the intent of the regulation is to make identification of licensees in the field easier by persons on the ground and summarized the previous day’s conversation. Members reiterated their discussion regarding pros and cons of the proposal. Mr. Bloomquist provided ideas to implement use of a sticker while reducing administrative burden on staff. The chair suggested the proposal be revamped for official consideration the following day. Mr. Flores said he believed the overcrowding concerns stemmed from hunting pressure, not the means of access to the hunting location. Mr. Bloomquist said he would revise for the board’s consideration the next day.

The board recessed for a break at 3:25 p.m. and reconvened at 3:29 p.m. A quorum was maintained.

Public Comment

Thor Stacey provided comment on behalf of the Alaska Professional Hunters Association (APHA). At their last meeting their membership discussed the proposed regulations and ultimately agreed that the problems the regulations intended to address were legitimate problems in need of a regulatory solution. Members had questions about the specifics of various regulations, especially regarding helicopters, supervision, and GUA registration. He provided a high-level overview of his recollection of the “primarily in the field” statute, since it was one of his first bills as lobbyist for APHA. He reinforced the chair’s perception that the “primarily” concept was to provide the board with some wiggle room to consider and regulate circumstances times when the guide may not be in the field.

Zach Decker offered comments on the hunting climate in Southeast Alaska and generally supporting the proposal to require licensees to mark their vessels. He agreed that good business owners are already utilizing strong communication and adequate supervision as the situation dictates. He warned the board about criminalizing lack of communication because someone’s battery dies.

Wayne Kubat had concerns about the chair’s definitions of “supervise” and “conduct” as stated earlier in the meeting.

Taj Baker said that he was not in favor of the daily communication proposal. Some clients had complained about guides texting more than glassing.

Dan Montgomery spoke about concerns with the supervision proposal. He felt daily communication was a good business practice but should not be mandated.

Steve Perrins II cautioned the board against adopting a guide concession program and felt state land operators were not adequately represented in the working group.

Tim Booch offered perspectives on various proposals.

Coke Wallace offered perspective on the sheep hunting climate in 19C.

The board recessed for the day at 4:31 p.m.

Thursday, December 07, 2022

Roll Call/Call to Order

The Chair, Jason Bunch, brought the meeting to order at 9:00 am

Board Members Present Constituting a Quorum:

Jason Bunch - Licensed Registered Guide - Board Chair

Aaron Bloomquist - Registered Guide Outfitter

Martin Boniek – Licensed Transporter

Pete Buist - Public Member

Larry Kunder – Public Member

Mike Flores – Licensed Transporter (excused)

Clay Nordlum – Private Landowner

Board member(s) absent

Jerry Burnett - Board of Game Representative

Staff Members present:

Thomas Bay – Executive Administrator

Upon a motion duly made by Aaron Bloomquist, seconded by Clay Nordlum, and approved unanimously without any objections, it was

RESOLVED to amend the agenda as discussed.

Public Comment

Tim Booch made a few comments regarding topic the board may consider.

Zach Decker commented on hunting in Southeast as it relates to identification of vessels and licensees' responsibility to report potential violations.

Mark Richards addressed the sheep hunting situation in 19C.

Wayne Kubat offered additional concerns about potential supervision regulations.

Steve Perrins, Sr. offered perspectives about potential supervision regulations. He wondered what problems are occurring that require guide supervision to be so tightly regulated when businesses are already practicing daily/regular communication. When the statute was passed, the technology was dramatically less and safety for guiding was very different. He also pointed out that helicopter activity exists that is unrelated to hunting and cautioned the board regarding wording of regulations.

Dan Montgomery commented on Mr. Perrins' statements and mentioned an altercation he had with an unlicensed person who was acting as a guide, which the division had declined to investigate on grounds of lack of evidence. He encouraged the board to increase enforcement.

The board recessed for a break at 10:00 a.m. and reconvened at 10:08 a.m. A quorum was maintained.

Review of Regulations Proposals

Providing Transportation While Providing Guide Services: 12 AAC 75.200

Chairman Bunch discussed some examples of why the regulation change is needed. Mr. Bloomquist offered additional concerns that enforcement has been inconsistent and that this issue is only recently being enforced. He stated 12 AAC 75.250(d)(2) is already in place. Chairman Bunch felt that the issue was with 12 AAC 75.200. He encouraged clarity in regulation to make interpretation by guides and enforcement easier. Mr. Kunder asked whether "guide-outfitter" means the licensee or an unlicensed person representing the guide. Mr. Buist stated he thought it was any licensed guide, and Mr. Bloomquist thought it encompassed any employee, including an unlicensed packer. Mr. Bloomquist felt the regulation would allow guides to transport in any GUA. Chairman Bunch clarified that the draft is not intended to allow that but instead to limit to the GUA in which the guide is registered.

Chairman Bunch asked whether a guide-outfitter could delegate transportation service to an unlicensed employee, and AAG Milks said it did under the legal principal of agency, which allows delegation. She indicated that LAW would be able to make drafting changes to improve the wording while maintaining the board's intent. Mr. Kunder asked if a stop along the way outside the guide's GUA would be allowable under subsection (2). He could see examples of how "terminate" could be interpreted differently. He also asked if the words "under contract" should be added, and AAG Milks said that she believed it was already implied since guides would not be performing these duties without a contract. Mr. Bloomquist stated that exemptions for weather already exist. Mr. Kunder asked why this regulation is necessary if 12 AAC 75.250(d) already requires guides to provide transportation.

Helicopter Use

Mr. Bloomquist presented this new proposed regulation to address incidental use that may not be related to activity under the guide-outfitter's license. Examples included helicopter use for flightseeing or for persons residing in rural areas that are served by helicopters. People are finding loopholes by using a helicopter to do unrelated tasks like flying in building materials, then using the resulting structure for hunting. AAG Milks weighed in that Board of Game regulations under 5 AAC do not hamper this board's ability to regulate licensees. She encouraged clarity in regulations. She reviewed the upcoming change in Department of Law's regulations process and said they would perform a full review. Mr. Buist suggested adopting language that would be wider, encompassing all services, and AAG Milks offered a wording suggestion. Mr. Buist wondered if someone could build a cabin with a helicopter, then sell it to a guide, would the guide be in trouble. AAG Milks said no because the guide did not use a helicopter. Mr. Bloomquist said many licensees were contacting him with theoretical examples of potential loopholes. The board discussed how intent is relevant to activities conducted by helicopter.

GUA Registration and RGO Contract Requirements

The proposal would amend 12 AAC 75.230 and 12 AAC 75.260. Mr. Bloomquist said the intent is to eliminate some regs that no longer apply, as well as to address situations where someone could change a GUA if they buy a new business, have a new concession, or other qualifying event.

Hunt Planners and Booking Agents

Mr. Bloomquist presented the draft of a new regulation and explained the business of hunt planners: Persons selling and outfitting—and sometimes transporting—DIY hunts that skirt the edge of the law. Booking agents are contracting for hunts without licenses and knowledge of who the registered guide may be. AAG Milks explained that the board was created in AS 08.54.591 to oversee licensees and regulating their activities. Its ability to regulate commercial services outside of licensure is limited and does not cover these related services. She suggested that the board reword the regulation to say that these activities require a license; however, this board doesn't have the ability to enforce it. Mr. Bloomquist asked if the board could write a letter to the Department of Law and Alaska State Troopers to enforce unlicensed practice or if the board could put a notice on the web site. AAG Milks said this is already covered in AS 08.54.720(11) and the board could post an advisory on its web site. She also showed the board that, under their statutes, violating this law is a misdemeanor. Mr. Bloomquist stated that he intends to set this proposal aside to work on the issue later.

The board recessed for lunch at 11:53 a.m. and reconvened at 1:00 p.m. A quorum was maintained.

Marine Transporters

The proposed language would add a sticker to vessels licensed by the board. Mike Flores reported that the DFG “green football” sticker is printed in Anchorage. He recommended that this board use the existing program but use a different color, where the “football” color would indicate guide who is transporting and the year indicator (such as “22”) would indicate a transporter. Mr. Bloomquist suggested a regular vinyl sticker would be better than using a foil-backed sticker (like DFG's) on a fabric airplane.

Mr. Boniek asked for clarification on what types/sizes of boats this would apply to. Chairman Bunch said that would be useful feedback to receive during the regulatory public comment period. Mr. Boniek said he didn't feel a sticker program would solve the current problems between guides and transporters. Chairman Bunch said that guides in SE Alaska and Kodiak have requested this program in particular to help identify the credentials of the captain/pilot. It might help reduce false accusations about licensees. Chairman Bunch reminded the board that there was a similar program in place when the previous iteration of the board was sunset. He encouraged members to research that language and how it worked, if they wished. Mr. Flores said he would take on the research project and report back to the board.

Air Transporters

The proposed language would add a sticker to aircraft licensed by the board. Mr. Boniek said he wasn't sure he wanted the proposal to be adopted but would like it to move forward to public comment so he could hear the thoughts of licensees.

Marine Transporter Vessel and Captain Requirements

Chairman Bunch reviewed the board's proposal to set specifications for liveaboard vessels. Mr Flores said he spoke with the sponsor of the legislation that enacted AS 08.54.650, and her intent was for there to be permanent living conditions on these boats. Mr. Boniek asked how many of these requirements are duplicates of USCG requirements already in place. Mr. Flores said that (a)(1) is unique to the board. His opinion is that (a)(2) is the most important element of the proposal because the vessel contains all of the survival gear necessary to the crew and clients. Subsection (a)(3) is also a safety measure. Subsection (b)(1) supports AS 08.54.650(b) that requires permanent quarters, and Mr. Flores said that is not often the case. Chairman Bunch said that defined specifications would help enforcement. Mr. Flores and Mr. Bloomquist each said the galley and sanitation

requirements of subsection (b)(2) and (3) are also something that many boats do not have but benefit the safety of the crew and fulfill the intent of the statute. Mr. Boniek stated that this seemed like something that should be worked out in the marketplace. He mentioned that guides don't have to meet these standards. Chairman Bunch agreed. He suggested the regulations could be separated into safety standards and commercial standards. Mr. Bloomquist said the intent he and Mr. Flores had in drafting this was solely to clarify the existing statute.

Chairman Bunch asked AAG Milks if the requirement in (a)(3) needed to be separately in regulation if it will also be adopted in the transporter activity report. She said yes, it would, because it changes the obligations of the licensee. Chairman Bunch said it could be removed from this section and added to 12 AAC 75.400 relating to transporter activity reports, and AAG Milks said that would be a good idea. Mr. Bay asked if the information in the transporter activity report that is not stated in regulation could be required. AAG Milks said no, that it needs to be in the regulation. Aaron Bloomquist asked if the form could be adopted by reference, relieving the board of needing to adopt regulations. AAG Milks said that the transporter activity report was a form provided by the department by statute, so the board would be discouraged from doing that. Putting the requirements in regulation would also relieve the board from having to wade into the realm of form design.

The board continued with a discussion of potential changes to the transporter activity report, which was then laid on the table until the next meeting. AAG Milks advised the board to pursue any changes to the form via regulation.

The board recessed at 2:11 p.m. and reconvened at 2:26 p.m. A quorum was maintained.

Professional Ethics Standards for Transporters

The board discussed a proposal related to professional ethics standards for transporters, specifically restricting services in areas where clients are not legally permitted to hunt. The focus is to mirror a guide regulation prohibiting drop-off on tidelands if the client can't hunt in adjacent uplands. Mr. Buist pointed out that there are legal differences in wording between freshwater and saltwater which may affect the draft. Mr. Bloomquist stated that AS 08.54.600(c)(1) provides the authority for the board to establish transporter ethics. Mr. Boniek posed a question about what happens if the allowable land is inaccessible at the intended drop-off point. Board members indicated that the transporter should find a different allowable location. Mr. Boniek also raised concerns about this regulation being contested in the court system because transporters are not personally trespassing in these situations, whereas guides would be.

AAG Milks said the best way to address theoretical situations posed by licensees is to put a proposal out for public comment. She discussed the upcoming changes to the LAW review process and timeline for next steps in the regulations process. Regulations Specialist Alison Osborne explained the importance of board approval after drafting to ensure the version that is publicly noticed is accurate.

Upon a motion duly made by Aaron Bloomquist, seconded by Mike Flores, and approved unanimously without objections, it was

RESOLVED to approve to send to the drafter the proposed regulations project to amend 12 AAC 75.440, Professional Ethics Standards for Providers of Transportations Services, with the intent of approving the language at the March meeting.

The board proceeded to take action on regulations they discussed earlier in the meeting.

Upon a motion duly made by Aaron Bloomquist, seconded by Mike Flores, and approved unanimously without objections, it was

RESOLVED to approve to send to the drafter the proposed regulations project to create a new regulation pertaining to marine transporter safety provisions, except for subsection (a)(3).

Mr. Flores left the meeting, but quorum was maintained.

Upon a motion duly made by Aaron Bloomquist, seconded by Martin Boniek, and approved unanimously without objections, it was

RESOLVED to approve to send to the drafter the proposed regulations project to create a new regulation relating to supervision and participation.

Mr. Boniek clarified that this is a different project than was sent out earlier in the year.

Upon a motion duly made by Aaron Bloomquist, seconded by Clay Nordlum, and approved unanimously without objections, it was

RESOLVED to approve to send to the drafter the proposed regulations project to create a new regulation pertaining to marking of aircraft and boats used by guides and transporters, which will require a sticker on the side of a licensee's boat.

Mr. Boniek dropped off the call due to technical difficulties, preventing a quorum. The board recessed at 3:05 and reconvened at 3:10. Mr. Boniek stated he intended to vote "no" on the regulation regarding 12-inch numbers on aircraft, although he would like to receive public comment.

Upon a motion duly made by Aaron Bloomquist, seconded by Clay Nordlum, and approved by all members present with one objection by Mr. Boniek, it was

RESOLVED to approve to send to the drafter the proposed regulations project to create a new regulation pertaining to marking of aircraft and boats used by guides and transporters, which will require 12-inch stickers on guide and transporter aircraft.

Chairman Bunch suggested a wording change to the proposal to amend 12 AAC 75.230 regarding Unique Verification Codes (UVCs). Mr. Bloomquist commented on the chair's suggestion, which was withdrawn.

Upon a motion duly made by Aaron Bloomquist, seconded by Martin Boniek, and approved unanimously without objections, it was

RESOLVED to approve to send to the drafter the proposed regulations project to amend 12 AAC 75.230, Guide Use Area Registration.

Mr. Flores rejoined the meeting. Chairman Bunch offered a change "any class of licensed guide or transporter may not use a helicopter in any manner relating to the provision of services under this section, including transportation to, or from, the field of any unprocessed game or parts of game, any hunter or hunting gear, or any equipment, including vehicles, building materials, shelters, equipment for building runways, animal feed, furniture, etc; this paragraph does not apply to transportation of a hunter, hunting gear, or game during an emergency rescue operation in a life-threatening situation or to remove a wrecked aircraft from the field"

Mr. Bloomquist raised concerns that this might be used retroactively, which AAG Milks stated was unlikely to happen because of due process and existing legal precepts.

Upon a motion duly made by Aaron Bloomquist, seconded by Mike Flores, and approved unanimously without objections, it was

RESOLVED to approve to send to the drafter the proposed regulations project to create a new regulation prohibiting the use of helicopters for guiding or transporting purposes.

Chairman Bunch wished to postpone the discussion of the Transporter Activity Report until the March meeting. There was no objection.

The board discussed changes they wanted to make to the published draft of 12 AAC 75.200, including removing subsection (3) and the “or” preceding it, and leaving the word “only” at the top of subsection (a).

Upon a motion duly made by Aaron Bloomquist, seconded by Clay Nordlum, and approved unanimously without objections, it was

RESOLVED to approve to send to the drafter the proposed amendment to 12 AAC 75.200, Registered Guide-Outfitter Providing Services, which will allow registered guide-outfitters the ability to transport clients to and from their guide use areas.

Staff Update

Mr. Bunch updated the board that Janet Bunch had joined the team as occupational licensing examiner. He mentioned that Director Chambers was moving to the commissioner’s office to help boards with policy governance and regulations. Sylvan Robb would join the division as director.

Board Business

Pete Buist provided a brief update on the Wood Bison Planning Team in Fairbanks in October, at which he represented the board.

Mr. Bloomquist asked AAG Milks to refresh the board on their discussion regarding a letter advising hunt planners and booking agents that they may be acting inconsistent with statute. She stated that any action taken regarding unlicensed activity would be handled in a civil case, not by this board, but that the board can be firm in encouraging these actors follow the law. She offered to review Mr. Bloomquist’s draft letter. The board discussed sending the letter to the Alaska State Troopers and posting on the web site, as well as sending to any known hunt planners and booking agents.

Upon a motion duly made by Aaron Bloomquist, seconded by Clay Nordlum, and approved unanimously without objections, it was

RESOLVED to write an advisory letter regarding appropriate concerns that the BGCSB has regarding booking agents and hunt planners and provide it to the public.

The board discussed locations for the meeting to be held March 28-30, 2023.

Aaron Bloomquist moved to hold the March meeting in Kodiak. Seconded by Mike Flores.

Mr. Bay offered some reasons why the meeting might be difficult to hold in Kodiak. Mr. Bloomquist said that the Board of Fish and the Board of Game regularly hold meetings in Kodiak and that he was willing to advocate “up the chain” for this trip. Mr. Buist stated that he had already counted on the meeting traditionally being held in Fairbanks and could not attend in Kodiak. Another member also stated he could not attend on those dates.

The motion was withdrawn.

The chair confirmed the meeting would be held in Fairbanks and they would plan meetings out far enough to be able to work with the division on planning a Kodiak meeting. Mr. Bloomquist said he heard that APHA would schedule their meeting in conjunction with the BGCSB meeting to encourage attendance at the board meeting. The board discussed concerns about holding the December meeting too early since Kodiak and Southeast guides are likely still in the field.

Upon a motion duly made by Aaron Bloomquist, seconded by Mike Flores, and approved unanimously without objections, it was

RESOLVED to hold the December 5-7, 2023, meeting in Anchorage with the intent of holding the spring 2024 meeting in Kodiak.

Administrative Operations Manager Melissa Dumas joined the meeting to discuss the proposed fee analysis. The chair mentioned that various projections put the board at \$700,000-\$800,000 surplus by the end of the fiscal year. He reminded everyone that the division’s intent was to eliminate the hunt record filing fee once the debt was relieved. He did not want the filing fee to go away and had plans for spending the surplus and that half of the surplus could be eaten up by legal expenses, per Investigator Strout’s estimation. Ms. Dumas indicated that the board would not be charged for IT’s work on the hunt records database since they don’t use a cost accounting model; the expense would be reflected in the division’s indirect cost. Mr. Bloomquist reminded the board that legal expenses are high and volatile, and a fee reduction should wait. Chairman Bunch suggested a fee reduction might be appropriate in March.

Ms. Dumas explained the timeline for changing this regulation and that now is the time for the board to provide the division its input for the change to occur in spring 2023. She suggested changing the fee to \$150 and count any \$300 payments as two years of payments. The chair suggested that any fee change occur after March 2023.

Mr. Bloomquist registered concern that a fee reduction may not be possible for March 2024 given the looming legal expenses. Mr. Bunch also suggested a sliding scale for filing fees, depending on the number of hunts a guide performed. The board did not propose a motion on this subject.

Task List

- Chairman Bunch will send final regulation wording to Mr. Bay.
- Mr. Bay will complete the paperwork for three consent agreements, a denial letter, and several regulations projects.
- Mr. Bloomquist will draft a letter for AAG Milks to review.

The board adjourned at 4:14 p.m.

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

BIG GAME COMMERCIAL SERVICES BOARD

CONDENSED MINUTES OF THE MEETING HELD MARCH 28-30, 2023

By authority of AS 08.01.070(2) and in compliance with the provision of AS 44.62, Article 6, a scheduled meeting of the Big Game Commercial Services Board was held March 28-30, 2023, at Pike’s Waterfront Lodge, 1850 Hoselton Rd., Fairbanks, Ak.

Dates:	March 28-30, 2023
Time:	March 28: 9:00 a.m. (9:01 a.m.); March 29: 9:00 a.m. (9:01 a.m.); March 30: 9:00 a.m. (9:03 a.m.)
Location:	Pike’s Waterfront Lodge: 1850 Hoselton Rd., Fairbanks, Ak
Board Members Present:	Jason Bunch, Aaron Bloomquist, Jerry Burnett, Martin Boniek, Mike Flores, Clay Nordlum, Pete Buist (days two and three)
Board Members Absent:	Aaron Bloomquist (day two: Excused at 3:22 p.m.; day 3: Excused until 11:17 a.m.), Jerry Burnett (day two: excused until 2:00 p.m.), Pete Buist (day one: Excused), Mike Flores (day three: Excused), Larry Kunder (excused for entire meeting)
Division/SOA Staff Present:	Thomas Bay (Executive Administrator), Janet Brown (Occupational Licensing Examiner), Lee Strout (Investigator) Megyn Weigand (Senior Assistant Attorney General), Alison Osborne (Regulation Specialist), Melissa Dumas (Administrative Operations Manager), Sylvan Robb (Division Director), Glenn Saviers (Deputy Director), Mandy Bonefeld (Legislative Auditor)
Present from the Public (all three days):	Dianna Leinberger (DNR), Jim Wessel (DNR), AJ Michaels (DNR), Jason Anderson (USFS), Zach Million (BLM), Cody Smith (USFWS), Virgil Umphenour, Wayne Kubat, Al Barrette, Austin Atkinson, James Smith, Michelle Heun, “Smokey” Don Duncan, Tim Booch, Zach Decker, Josh Ellis, Justin Horton, Mike Zweng, Michael Sciotti, Cabot Pitts, Dan Montgomery, Deborah Moore, Rob Jones, Zach Basmajian, Cole Hendrickson, Bill Kaltschnee, Dan Valentine, Gabe Davis, Jason Semler, Phil Byrd, Nate Turner, Mark Richards, Coke Wallace, Steve Perrins, 1(907)538-1368, 1(979)820-9169, 1(907)252-4090, 1(907)355-4822, 1(631)678-7743, 1(907)390-0048

Day One		
1. Review Agenda		
Brief Discussion:	No discussion to amend the agenda.	
Motion:	Move to accept the agenda as written (First: Flores; Second: Nordlum).	
Recorded Votes:	Buist - Absent	Burnett – Absent (arrived at 9:07 a.m.)
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Absent
	Bunch - Yes	Nordlum - Yes
2. Ethics Review		

Brief Discussion:	There were no ethical disclosures by any board members or staff.	
3. Review/Approve Meeting Minutes:		
Brief Discussion: -December 2022 -February 2023	Mr. Bay informed the board that he had been extremely busy with competing priorities and their December 2022 meeting minutes were still in process. He informed the board that the meeting minutes from their short meeting in February 2023 were finished, which the board reviewed.	
Motion:	Move to accept the February minutes as written (First: Flores; Second: Nordlum).	
Recorded Votes:	Buist - Absent (excused)	Burnett - Absent
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Absent (excused)
	Bunch - Yes	Nordlum - Yes
4. State & Federal Agency Updates		
Brief Discussion: -Department of Natural Resources -Division of Mining, Land and Water	<p>Dianna Leinberger, a natural resource land manager, in the Northern region, from the Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), was in attendance to provide an update for the board. She introduced Jim Wessel, the primary adjudicator for permits for guide-outfitters, transporters, and trapping cabin permits in the Northern region. She also introduced AJ Michaels, a new land manager on the permits and easements team for DMLW. Ms. Leinberger said that most guides/transporters understand DMLW's framework process very well, but that she understands that it is creating frustration for some. She informed the board that they are committed to partnering with the industry to find solutions to resolve conflict in the field by professional guides/transporters to the extent that they can do it through permitting. While eliminating a type of permit or instituting buffers between camps might work in reducing some user conflict in the field, it is unlikely that alone will accomplish it. She said that they have to work within the framework of the constitution and the statutes created by the legislature, and that they cannot operate outside their authority. She said that she believes that they need to get at the fundamental issues causing conflict, that they understand that the issues directly impact the livelihoods of guides/transporters, and that they are critically important. While they are committed to working on solutions, She said that it will take a coordinated effort between ADF&G, DNR, DCCED, the Big Game Commercial Services Board (BGCSB), and the Alaska Wildlife Troopers (AWT) to find effective solutions to reduce conflict, address conflict issues, and maintain a world-class professional hunting industry in Alaska. She informed the board that DNR field presence, in the Northern region, would be increasing to ensure compliance or address compliance issues. She reminded the board that DNR does not have enforcement authority and that they have to rely on guides/transporters to conduct themselves with professionalism and integrity. She said that when guides/transporters do not obtain the authorizations they need for the use of state land or adhere to the terms of their authorizations, they will work closely with AWT, the BGCSB, and DCCED to address noncompliance. To be clear, she said that their goal is always compliance, that they will continue to authorize the activity if the user is compliant, and that they do not dispense penalties or punishment. In closing, she reiterated that the</p>	

answers to issues on state land are not simple and that it will take a coordinated effort, and that they are committed to working together with everybody as professionals to find solutions. Chairman Bunch thanked Ms. Leinberger for the update and informed everybody in attendance that DNR was working with the Guide Concessions Program workgroup, that they have been very helpful, and that they have the right people in the right positions to create solutions to issues on state land. Mr. Flores asked Ms. Leinberger how many acres they covered in the Northern region, to which she said that, while she was not exactly sure, there was about 60 million acres. He asked her how they hear about conflicts in the field, to which she said that it depended on the conflict, and that this is where people get frustrated, and it gets complicated. She said that DNR is only allowed to work on issues directly related to their authorizations under AS 38.05.850, which allows them to issue permits for commercial use of state land. She said that if they hear about conflicts that they do not have authority to enforce, they contact who does, such as ADF&G for Title IX offenses, and AWT, for criminal offenses. On the flip side, she said that they are contacted for questions about authorizations on state land from the enforcement authority. Mr. Flores asked if there had been an increase with conflicts in the field recently, to which she said no, but there had been an increase in noncompliance. She said that this is where frustration with guides/transporters comes in. They get frustrated because some guides/transporters go years without an authorization and, when they get caught, they simply have to get authorizations moving forward, and do not receive punishment because DNR does not have enforcement authority to enforce noncompliance. The Board's investigator, Lee Strout, said that it is difficult for the board to enforce noncompliance from their licensees, related to authorization on state land, because of DNR's inability to enforce noncompliance. However, he said that the board has gone after some licensees in the past, as it relates to nonpayment of permit fees. Ms. Leinberger said that, while they can work with AWT for criminal trespass, AWT is often very busy with their own job of hunting enforcement. She said that it is rare that AWT issues a citation for criminal trespass and the AG's Office has wanted to take it on. Chairman Bunch said that the board is aware of licensees having issues with how DNR deals with noncompliance, that it is on their radar, and that their good relationship with DNR should provide for some type of solution in the future. He asked Ms. Leinberger if she was willing to speak on some topics/issues that had been brought up from licensees, to which she said yes. He informed her that a licensee would like to eliminate the no cause revocation clause that DNR applies to all commercial recreation permits (CRPs) and asked her thoughts. She said that, although the CRPs are revocable, she did not remember revoking a single one in her 17 years with DNR. She said that she thought the issue revolved more about having interest in the land rather than the policy itself, and that someone that wanted more infrastructure with their camps should look into getting a lease instead of a CRP because CRPs are supposed to be short-term whereas leases are supposed to be long-term. He asked about the possibility of requiring a latitude/longitude GPS in township-range location that would apply to the maximum of two spike camps that are currently allowed under a CRP. She said that DNR has not required them because guides do not know where they are going to be while in the field. Mr. Bloomquist asked her where DNR was at with guide permitting in regard to bear baiting, as he had received different answers over the years. She said that bear baiting could be included in the terms of a CRP if it was for commercial use. He asked her about bear baiting with clients who stay on private property without a CRP and it only

	<p>being for day-use, to which she said that you would need day-use registration. She said that the confusion comes in when a bear baiting station stays on state land for more than 14 days, which requires land use authorization. She said that there had been frustration in the past over inconsistencies between the different regions that DNR oversees, and that a permit policy team was created to ensure everybody was on the same page. He asked what the fees were going to be for bear baiting permits, to which she said she was unsure. However, she informed the board that DNR had recently received approval for providing over-the-counter storage permits, which would allow guides to keep their bear baiting equipment in the field outside of the season. Chairman Bunch asked her if she thought that guides, who have traditionally used land use permits (LUPs) for their business, need leases. She said that there are certain operations that would benefit from a lease because their camps have grown over time and would not be able to be removed within 48 hours, a requirement of an LUP. She said there are two types of leases. One is a noncompetitive, short-term lease for 10 years or less, which can be renewed for another 10 years, and one is competitive, a long-term lease for 10 years or longer. The competitive lease, she said, has the benefit of being eligible, at the end of your lease, to submit for a preference rights sale, which is to purchase the land from the state. With nothing left to discuss, the board thanked Ms. Leinberger for her time and moved onto the next agency update.</p>
<p>-U.S. Forest Service</p>	<p>Jason Anderson, a recreation supervisor for the United States Forest Service (USFS), was in attendance to provide an update for the USFS. Mr. Anderson informed the board that USFS was planning on doing an advertisement for a big game hunting prospectus in 2023, and that they were working with the state to identify the potential for new guided hunt opportunities for big game species across the forest. He said that they anticipated sending a letter out in the Spring (2023) to all existing USFS big game hunting permit holders, to give them a heads up about the prospectus, so they could provide feedback on the potential complications for offering additional guided hunt opportunities on public lands. Based on that feedback, he said, they would hopefully have the prospectus ready by June or early July (2023). Chairman Bunch asked if they were anticipating all forest or just specific areas for the prospectus, to which he said it would be the Tongass National Rainforest. Mr. Anderson reminded the board that they had been working with big game guides and tourism operators on small to medium vessels that work in the same area, to reduce conflict in the field and operate effectively. He informed the board that, after speaking with smaller cruise lines, there is a lot of demand/traffic for Southeast Alaska. Something related, he said, was the Southeast Alaska Sustainable Strategy, an initiative launched by the U.S. Department of Agriculture, a few years ago to emphasize the economic well-being of Southeast Alaska in context of how the USFS is managing public lands, putting a lot of emphasis on economic areas such as tribal relations to deliver various economic benefits in and around the region. He said that various partners of the organization were able to apply for funds through that sustainability strategy. One specific funding source he was working with was the Juneau Economic Development Council (JEDC), with a goal to reengage the Visitor Products Cluster Working Group. He said that they found a variety of sectors affecting the broader recreation and tourism industry, one being the demand for smaller cruise lines. He said that, through past experiences, there is an importance of keeping an open conversation between the guide-outfitter community and the tourism industry. He informed the board that there were discussions about building a recreation summit in Fall 2023, after the tour season is over and most of the</p>

	<p>hunting season is over, to have a current check-in with all recreation providers across all business sectors, in regard to where they see the region heading. He said that, although the JEDC is running it, it would be important for the big game guiding community to be aware of it and to participate in it as they can. Chairman Bunch said that he knew that guides in Southeast Alaska are going to want to be involved in the recreation summit and asked Mr. Anderson if they would be doing their own outreach, to which he said yes, that they would be reaching out directly to their permit holders because they are an important piece of the broader regional economy attached to recreation. Mr. Bunch asked him if there were any issues with transporters and guides in Southeast Alaska, to which he said there were none that he could think of. With nothing left to discuss, the board moved onto the next agency update.</p>
<p>-U.S. Department of the Interior -Bureau of Land Management</p>	<p>Zach Million, Program Lead for recreation for the U.S. Department of the Interior, Bureau of Land Management (BLM) for Alaska, was in attendance to provide an update for the BLM. Mr. Million said that the BLM oversees approximately 70 million acres that are split between three districts and five field offices. He said that they currently have 133 Special Recreation Permits (SRPs) statewide, and that approximately 1/3 of them are for commercial hunting. He informed the board that there was no change in their fee structure, but that there would likely be a slight change in their base fee for an SRP, going from \$115 a year to \$120 (not counting the 3 percent of gross receipts after \$3,800 of income). He reminded the board that the BLM had created the Recreation Application Permitting Tracking and Online Reporting (RAPTOR) system, a new online system that all of the BLM offices in the nation were transitioning to, in order to streamline the application process. He said that one of their offices would transition in 2023 and that all offices nationwide should be finished transitioning by 2026. Chairman Bunch asked if the BLM has had any issues or foresee any issues with RAPTOR, as it relates to older guides using their system that may not be tech savvy. He said that there has been a lot of latitude with applicants and that they are working with all applicants. He said that the real force behind the online applications is a mandate that BLM has to abide by, which is to convert all of their paper records to digital records. He informed the board that there would be some considerable Department of Transportation highway construction along the Richardson Highway and some popular areas, which will lead to delays. For the Eastern Interior office, he said that they had completed a travel management plan to primarily affect the Steese National Conservation Area, which includes new off-highway vehicle regulations, one being a weight restriction in regard to summer vehicles. With nothing left to discuss, the board moved onto the next agency update.</p>
<p>-Board of Game</p>	<p>Jerry Burnett, the designated Board of Game (BOG) representative on the board, provided an update for the BOG. He thanked board members Aaron Bloomquist and Mike Flores for attending their recent BOG meeting. He said that Aaron had testified in regard to the state's Guide Concession Program (GCP), and that, although the BOG seemed supportive, they need more details as the program moves forward. He said that the BOG took action on a few items that affect transporters and guides. He said that they reduced the nonresident deer limits in units 4 and 8 because they received a lot of testimony and public comment in regard to how many transporters were in the area and the fact that a lot of nonresident hunters do not take the meat home after a successful hunt. He said that the BOG also decided to close the 19C area to nonresident sheep hunting, starting in 2023, because of the depletion of sheep in the area. With the topic being very controversial, he</p>

	<p>informed the board that there should be discussion on it when they meet in the Fall. He said that the BOG is planning on meeting in Kotzebue and Fairbanks in 2024. Lastly, he informed the board that they did not make any changes to the bear management plans for Southeast Alaska or Kodiak. Chairman Bunch said that, as a resident of Kodiak (not as a board member), the community had been looking to the BOG for ways to limit transporters in the area. He thanked the BOG for listening to the surrounding villages and residents of Kodiak. He also said that he does not think that the issue with unit 19 should be a BGCSB issue, but instead be something that the BOG and ADF&G deals with together. With nothing left to discuss, the board moved onto the next agency update.</p>
<p>-U.S. Fish and Wildlife Service</p>	<p>Cody Smith, a Senior Federal Wildlife Officer from the United States Fish and Wildlife Service (USFWS), was in attendance to provide an update for the USFWS. He informed the board that he would not be able to answer any questions about permitting, but that he was able to speak to the law enforcement side of things, as it relates to USFWS. He said that the USFWS is increasing their numbers statewide, so guides/transporters might be seeing new officers in the field that might not have a full grasp on the statutes and regulations. He said he had talked to multiple people over the past year that were uncomfortable/hesitant with reporting violations in the field and wanted everybody to know that the USFWS has a 100 percent anonymous tip hotline for reporting violations. For those who operate on national wildlife refuges, he asked that they get to know who their local federal wildlife officer is and report nonemergent incidents to them because they have reporting and tracking requirements in the refuges. Chairman Bunch asked if the USFWS had any helicopters at their disposal, to which officer Smith said they did not, but that they should have one in 2024. Chairman Bunch informed him that guides are already having issues with helicopters hindering hunting operations in the field and warned him that additional helicopters probably would not go over well with the guide industry. However, he noted that if helicopters are used with discretion, there were instances that made sense, such as using a helicopter to get to an area that a fixed wing plane could not. Officer Smith said that, while they are likely to get a helicopter in the future, most of their flights should be by fixed wing planes, only using helicopters when needed. With no other agency left to provide an update, the board went to lunch.</p>
<p>5. Lunch Off Record: 11:03 a.m.</p>	
<p>6. Prioritize Current Regulation Projects</p>	
<p>Brief Discussion: On Record: 1:02 p.m.</p>	<p>Chairman Bunch informed everybody in attendance that they added a slot on the agenda to prioritize their current regulation projects in an attempt to prioritize important regulation projects that needed to be addressed sooner than later. Mr. Bay informed the board that Alison Osborne, one of the division's regulation specialists, was in attendance. Ms. Osborne introduced herself. She informed the board that the regulation process had changed since their last meeting, and that the Department of Law (LAW) would review regulation projects before they go out for public notice. The board informed her that they had a lot of regulation changes that they were trying to accomplish and asked if it would be faster if they broke them into two regulation projects instead of one, to which she said yes, especially if they were time-sensitive. The board gave her an overview of the regulation projects they discussed at their last meeting. During the overview, Chairman Bunch informed the board that there was an issue with 12 AAC 75.260(d) in regard to providing</p>

<p>Off Record: 2:21 p.m.</p>	<p>unique verification codes (UVCs) and that they could amend their current regulation project, which includes the same regulation, to address it. He said the issue was with the language, “Unique verification codes will only be issued to registered or master guides who are in a guide use area located in the hunt area the year the application is made and the years the permit is valid,” and undersubscribed hunts, which are tags that nobody applied for, for the December 15th deadline, and become available on a first-come first-serve basis through ADF&G through a second application process. He explained that the second application process was new to the board and the intention of their regulation never meant to allow for additional UVC codes to be provided for a second application deadline for the same hunts as the original December deadline. Unfortunately, with the current language, the board is required to provide UVC codes for the second application deadline. After updating Ms. Osborne on their regulation projects, Chairman Bunch informed the board that the division was working on a sort of checklist/spreadsheet called, “Prioritization Framework,” for boards to get their ideas in order and prioritize what is most important, and that they would be using it the next day of the meeting to prioritize their most important regulation projects. Having nothing left to discuss, the board decided to take a break before moving onto the probation monitor report.</p>
<p>7. Investigations Unit/Tabled Applications</p>	
<p>Probation Monitor Report</p>	
<p>Brief Discussion: On Record: 2:33 p.m.</p>	<p>Back from break, the board began discussion on their probation monitor report. Investigator Lee Strout was in attendance to provide the report for the probation monitor. Mr. Strout informed the board that there were currently 22 licensees on probation, as of the date of the report, and that zero licensees were released from probation since the last report. He informed the board that both Shawn Huffman, a master guide-outfitter who is on probation, and Gilbert Huntington, a registered guide-outfitter who is on probation, had not yet made any payments on their fines, with both of their first payments supposed to have been paid by February 12, 2023, and that the probation monitor was in the process of contacting both of them. Mr. Strout updated the board on John Walker’s, a master guide-outfitter, suspension. He reminded the board that Mr. Walker had been on probation and non-compliant with his fines since January 22, 2021, and that the division, after numerous attempts to contact him, put his license in suspended status on July 23, 2021. Mr. Walker was finally served by the Alaska State Troopers (AST) on January 7, 2022, where he reported that he does not intend to guide in the future. The division, Mr. Strout said, was in communication with the AST to serve Mr. Walker with a voluntary surrender of license, and that there would be more information on it in the future. With nothing left to discuss, the board moved onto their investigative report.</p>
<p>Investigative Report</p>	
<p>Brief Discussion: Off Record: 2:59 p.m.</p>	<p>The board’s investigator, Lee Strout, provided the board with their investigative report, which was for the period of November 22, 2022, thru March 14, 2023. He informed the board that there were currently 48 open cases and 24 that closed since their last report. With nothing left to discuss for the investigative report, the board took a break before entering into executive session to discuss confidential investigative matters.</p>
<p>Executive Session</p>	

Brief Discussion: On Record: 3:17 p.m.	Returning from break, the board decided to go into executive session to review confidential investigative matters.	
Motion: Off Record: 3:18 p.m.	I, Martin Boniek, move that the Alaska State Big Game Commercial Services Board enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; and matters which by law, municipal charter, or ordinance are required to be confidential. Board staff Thomas Bay, Janet Brown, and Lee Strout, and legislative auditor Mandy Bonefeld to remain during the session (First: Boniek; Second: Flores).	
Recorded Votes:	Buist - Absent (excused)	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder – Absent (excused)
	Bunch - Yes	Nordlum - Yes
Brief Discussion: On Record: 3:47 p.m.	No action was taken during executive session. The board left executive session to go back on the record and have Senior Assistant Attorney General Megyn Weigand join them for a confidential discussion regarding an application.	
Motion: Off Record: 3:49 p.m.	I, Martin Boniek, move that the Alaska State Big Game Commercial Services Board enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; and matters which by law, municipal charter, or ordinance are required to be confidential. Board staff Thomas Bay, Janet Brown, and Lee Strout, legislative auditor Mandy Bonefeld, and Senior Assistant Attorney General Megyn Weigand to remain during the session (First: Boniek; Second: Flores).	
Recorded Votes:	Buist - Absent (excused)	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder – Absent (excused)
	Bunch - Yes	Nordlum - Yes
Brief Discussion: On Record: 4:03 p.m. Off Record: 4:04 p.m.	No action was taken during executive session. With nothing left to discuss for the day, the board recessed until the next morning.	
Day Two		
1. Review Agenda		
Brief Discussion:	After discussion, the board decided to amend the agenda by adding a “transporter stickers” discussion under “Regulation Proposals – New Proposals” on the agenda.	
Motion:	Move to accept the agenda as amended (First: Boniek; Second: Flores).	
Recorded Votes:	Buist - Yes	Burnett - Absent (excused, arrived at 2 p.m.)

	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Absent (excused)
	Bunch - Yes	Nordlum - Yes
2. Summary/Motions from Executive Session		
Brief Discussion:	Chairman Bunch informed the audience that the board would be voting on investigative matters that were discussed in executive session at the end of day one.	
Case No. 2020-001017		
Brief Discussion:	The board considered the surrender of license for Case No. 2020-001017. Licensee requested to surrender his license instead of agree to a consent agreement and the stipulations that would come with it. There was no discussion.	
Motion:	Move to accept the surrender of license for Case No. 2020-001017 (First: Boniek; Second: Flores).	
Recorded Votes:	Buist - Abstain	Burnett - Absent (excused)
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Absent (excused)
	Bunch - Yes	Nordlum - Yes
Case No. 2022-001194		
Brief Discussion:	The board considered an assistant guide application for licensure for Case No. 2022-001194. Chairman Bunch said that the application was for an applicant who was in the middle of dealing with pending charges in court and could not, at the time, be in possession of a firearm, which is a direct conflict with the boards statutes and regulations, including AS 08.54.720(a)(8)(A) and 12 AAC 75.340(b)(1), (c)(1), and (d)(2).	
Motion:	Move to approve an assistant guide application for licensure for Case No. 2022-001194 (First: Boniek; Second: Flores).	
Recorded Votes:	Buist - Abstain	Burnett - Absent (excused)
	Boniek - No	Flores - No
	Bloomquist - No	Kunder - Absent (excused)
	Bunch - No	Nordlum - No
3. Public Comment		
Brief Discussion:	Being ahead of schedule, the board moved into public comment early at 9:10 a.m. Mr. Bay created a list of attendees that wanted to provide public comment. The board began public comment.	
Virgil Umphenour	Virgil Umphenour, a master guide-outfitter, suggested having additional board packets available for the public at the BGCSB meetings so they can review the regulation proposals that will be discussed during the meeting. He acknowledged that there is always one available, but that it is not enough on its own, as there needs to be enough for everyone.	

	<p>He said that the regulation proposals need to be sent out to all licensees prior to a board meeting, so they can be reviewed ahead of time. The board agreed with Mr. Umphenour, that there should be more available proposals readily available at the meetings and ensured him that there would be moving forward. The board also said that the regulation proposals, via the board packet, are available to the public on their website and to everybody who signs up for the ListServ. The board thanked Mr. Umphenour for his testimony.</p>
<p>Chris Zwolinski</p>	<p>Chris Zwolinski, a master guide-outfitter, advocated for what Chairman Bunch had said the previous day, that they need to pay attention to the resource, to the animals. He suggested that guides be limited on the animals they can take, as well as the number of clients a guide or transporter can take into the field. He said that there are guides out there that overbook clients, knowing that the resource is not available to all of them, because they can, and it makes them a lot of money, so they continue to do it. He said that guides are not going to limit themselves, so the board needs to figure out a solution to the problem. Mr. Bloomquist said that it is difficult to limit the resource because the board has no statutory authority to limit the number of animals a client of a guide can take. Mr. Zwolinski acknowledged the same thing and said that the main reason he brought it up was to begin a conversation on it, in hopes that the board could discuss the issue with the Board of Game, as they would be more likely to listen to the Big Game Commercial Services Board than a single guide. The board thanked Mr. Zwolinski for his testimony.</p>
<p>“Smokey” Don Duncan</p>	<p>“Smokey” Don Duncan, a retired master guide-outfitter, expressed his frustration with the BGCSB trying to pass a new supervision regulation, stating that he was on a previous committee years ago for the same topic, and that it did not work because a few influential people wanted the regulation drafted to their liking and did not care how it affected other people’s operations. He said that he kept hearing the word ‘conflict’ during the meeting when discussing issues in the field, and that the correct word to use is ‘competition,’ as guides are competing for the same areas. He addressed the board trying to accomplish a guide concessions program, saying that he knew why they were again attempting to limit guides in areas, that guides do not like to deal with other guides in ‘their’ area. He said the problem is that it is not ‘their’ area. He said that prior attempts to accomplish a guide concessions program have all failed because of the common use clause in the constitution. Mr. Duncan also expressed his frustration with the BGCSB over the years, including past boards, with overregulating and their disciplinary matrix, which, in his opinion, is much too steep. He used a paperwork violation as an example, stating that it could result in hundreds or thousands of dollars in fines. The board thanked Mr. Duncan for his testimony.</p>
<p>Tim Booch</p>	<p>Tim Booch, a master guide-outfitter, offered his insight on conflict resolution. He suggested the following changes to the DNR commercial land use permitting guidelines:</p> <ol style="list-style-type: none"> 1. The elimination of the no cause revocation clause that applies to all of DNR’s current commercial recreation land use permits (CRPs). 2. The elimination of the one-year duration current CRP that does not require a LAT/LONG GPS or township in range location device and does not go to public comment prior to its use.

	<ol style="list-style-type: none"> 3. The elimination of the 14-day use period mandate that applies to all current recreation land use permits and specifies at that use period, that the camp be moved for a period of time before it can be redeployed. 4. The elimination of non-transferability clause for all CRPs. 5. The adoption and application of a spatial separation distancing stipulation of 5-10 miles between existing recreation land use permitted camps, whose permittees are in good standing, and any/all new land use permits. 6. Require a LAT/LONG GPS or township in range location device applied to the maximum of two spike camps that are currently allowed for CRP permitted base camps. <p>Chairman Bunch informed Mr. Booch that he had already began discussions with DNR on his suggested changes and that it would not fall off his radar. The board thanked Mr. Booch for his testimony.</p>
<p>Wayne Kubat</p> <p>Off Record: 10:18 a.m.</p>	<p>Wayne Kubat, a master guide-outfitter, said that he was disappointed with the recent supervision subcommittee, stating that the process fell way short with only one subcommittee meeting before a draft proposal was reviewed at the December 2021 meeting and further discussed at the March 2022 meeting, where it received significant public criticism specific to excessive communication mandates and concerns that it allowed assistant guides to be supervised at extreme distances. Despite the public concern, and without any further subcommittee meetings or discussion, a similar proposal showed up in the board packet for the December 2022 meeting, and the board approved it to move forward as a regulations project. Mr. Kubat said that the new proposal felt rushed and severely lacked wide industry support, something that other guides had voiced to him as well. He said that “In the field” and “physically present” are phrases that are heard often when the topic of supervision comes up, but there is little or no agreement on what they mean. He said that the current proposal is more complicated and confusing than what is currently in the regulations, and that they need to have statutes and regulations that are clear and easy to understand if they are read once or twice. He informed the board that he submitted two regulation proposals of his own and that he could answer any questions that the board had, when topic was discussed later in the day. He strongly encouraged the board to park the current supervision proposal and reengage the subcommittee to come up with a better proposal that has wide industry support. The board thanks Mr. Kubat for his testimony and took a break.</p>
<p>4. Workgroup Updates/Formation of New Committees/Workgroups</p>	
<p>Brief Discussion: On Record: 10:34 a.m.</p>	<p>Back from break, the board began discussion on current workgroups and the formation of new committees/workgroups.</p>
<p>Exams</p>	
<p>Brief Discussion:</p>	<p>Chairman Bunch said that the Game Management Unit (GMU) exams are a bit outdated because of updates to ADF&G’s hunting regulations being updated over the years, and that a workgroup was created to update them. He said that the workgroup discussed what type of questions are important to any GMU, realized that there are around 25 universal questions that apply to every GMU, and that each exam would be updated with the questions. He said that the change will be good for a multitude of reasons, one of which</p>

	<p>would be future boards having to update the exams, and that they would continue to update the exams, with the hope that they would be updated and ready for board review by the December 2023 meeting.</p> <p>Chairman Bunch said that the RGO exams also need revised. He said that they were looking at changing some of the format for the RGO exams, to make it easier to proctor them, but without simplifying them. There was no date provided for when the exam changes might be ready for board review.</p> <p>Chairman Bunch said that the workgroup was looking into statistics regarding assistant guide issues in the field, such as taking sublegal species, to see if an exam should be created, instead of only utilizing the jurisprudence questionnaire for licensure. Aaron Bloomquist said that he had not seen a lot of assistant guides getting in trouble and that he did not think it was an issue.</p> <p>Pete Buist said that it is important not only to know the answers to the questions on the exams, but to know where to find the source material for the answers because things change so often.</p>
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Transporters

Brief Discussion:	Mike Flores said that there would be a new regulation proposal, introduced later in their meeting, to amend 12 AAC 75.400(a). TRANSPORTER ACTIVITY REPORT. , to get rid of items that are nonessential and to add essential items that are not currently on the transporter activity report form.
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Supervision

Brief Discussion:	Aaron Bloomquist said that the reason he did not have a lot of meetings with the supervision workgroup, as mentioned earlier, was because the board had discussed the issue during board meetings at length, and, with competing priorities between many guides, it had not really moved anywhere. He said that it was time to send it out for public comment and get the public’s opinion.
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Concession Program Update

Brief Discussion:	Jason Bunch said that the guide concession workgroup had met a few times and were in the beginning stages of the process. He said that they were figuring out what did not work for the previous guide concession workgroup and why, stating that a lot of the groundwork had already been established. He said that, with all of the agencies (ADF&G, DNR, DCCED) in the workgroup working together, there was a sense of trust between everybody, and he felt positive about getting something done. Having nothing left to discuss, he said that the board would be going to lunch and that the first order of business when they returned would be discussion on new regulation proposals.
Off Record: 11:15 a.m.	

5. Regulation Proposals - New Proposals

Hunt Planners

Brief Discussion: On Record: 1:05 p.m.	Back from lunch, Chairman Bunch gave the floor to Larry Bartlett, a hunt planner who provided a regulation proposal for managing hunt planners. Mr. Bartlett thanked the board for being able to speak, provided some background on himself, what a hunt planner does,
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and how the industry is doing now. He said that he started a self-publishing company to elbow his way into the hunting industry, created a how-to float hunting book, which put him on the map as somewhat of an expert in the field. He said that, as a hunt planner, he is slowly moving towards retirement because of self-imposed restrictions, high conservation ethics, and encroaching hunt planners. He said the problem with hunt planners is that there is no regulation, nothing besides self-restriction to prevent overbooking clients, which in turn creates overcrowding and overharvesting in the field. He said that if everyone was aware of how fast the moose areas in the state are getting swamped by hunt planners, without any regulation or conservation ethics, it would frighten them. He said that, as a hunt planner, he could drop six to eight clients on top of a guide in the field. He said that he would obviously not do that because of his conservation ethics, but that other hunt planners are. He compared the situation to providing hunt planners with a loaded gun, as there are no restrictions, and it creates conflict with guides and other hunt planners. He said that he used to send 35 groups of hunters into the field but now is down to six because of his conservation ethics due to the depleting amount of game in the field. He said that he does not know what to do about the situation, but that he was available for any workgroup or any type of goal towards legislation. Mike Flores asked him how the board would restrict hunt planners, if they licensed them, to which he said he would model it somehow after the guide use areas (GUAs), which would restrict the number of hunters being dropped in certain areas around the state. He said that it would also require hunt planners to know the areas around the state, something that a lot of hunt planners from outside of Alaska do not. He said that there are a lot of hunt planners from outside of Alaska that simply hire a pilot to drop their clients off in an area, not knowing or caring about who else is already there, which causes conflicts in the field. Martin Boniek asked how many hunt planners there are, to which Mr. Bartlett said there are around 30 and not even half of them live in Alaska. Chairman Bunch asked him to explain what a hunt planner is. Mr. Bartlett said that a hunt planner is someone who likely has at least some geographical awareness of where they are dropping clients, likely has some knowledge of GMUs in the Alaska state regulations, likely does not know what the cooperation of the land management requires or appreciates, what law enforcement officers are monitoring for in unhealthy trends, and has no prior knowledge other than what is available to kill and how many people they can get into the field. Mr. Bloomquist agreed with Mr. Bartlett, that the increasing industry of hunt planners is affecting the entire guiding industry, with most of them having no conservation background, dropping people in areas they have almost no knowledge of, and ruining experiences for a lot of people. Unfortunately, he said, there really is not a lot the board can do about it with their current statutes and regulations, adding that there is an argument that hunt planners are really acting as unlicensed guide-outfitters and/or transporters because they are advertising as such. He said that regulating hunt planners would require legislative approval, something he would like to see happen. Chairman Bunch suggested that the board create a workgroup, at a later time because of their current workload, and get the backing of LAW to begin discussion on the topic. Mr. Boniek asked for a raise of hands from the audience on whether they thought it was a big problem, to which most of the audience raised their hands. The board thanked Mr. Bartlett for his time and decided to take a break before the next regulation proposal.

Off Record: 1:43 p.m.

Supervision		
Brief Discussion: On Record: 2:00 p.m.	<p>Back from break, the board began discussion on two new proposals regarding supervision, both provided by Wayne Kubat. Chairman Bunch gave him the floor. Mr. Kubat said that his first proposal is an amendment to 12 AAC 75.240. SUPERVISION(f)., for allowing a registered guide-outfitter or class-A assistant guide the ability to supervise an assistant guide within 200 miles of their location. He said that it would be beneficial to assistant guides because they would no longer be passed over as often just because their class of guide license is insufficient, as the current regulations often times require a class-A assistant guide or registered guide-outfitter be hired because of GUA boundaries. His second proposal is an amendment to 12 AAC 75.240. SUPERVISION(f), (i), and (j)., to clean up regulation that will help guides not be undeservedly investigated and/or prosecuted and shows the industry in a positive light by requiring reasonable proximity to clients and hunts. Mr. Bloomquist said that everybody has their own perception of what supervision should be, so there are many differing perceptions, and that he would be fine with continuing with the workgroup on it but that he had been working on it for years and was tired of it not going anywhere. He said that he would not be approving the regulation proposal. Chairman Bunch said that the original intent of the statute has to be considered, something that would need discussed, and said that he would not be considering either of the proposals. Mr. Kubat said that he was not expecting the board to approve his proposals but wanted to keep the conversation moving along. He said that he believed a final proposal was very close to being finished, something that may only be a few hours away with the workgroup. He thanked the board for their time.</p>	
Transporter Activity Report Revision		
Brief Discussion:	<p>The board reviewed an updated version of the Transporter Activity Report (TAR) that Mr. Flores created. Mr. Flores reminded the board that the reason for the new version was to clean up the TAR so that it required information vital to the board versus information that the board does not use. He informed the board that the updated version would require the person transporting to write their name in addition to signing it, so it was clear who was transporting. He said that the “Estimated Pounds of Meat Transported” was going to be changed to the “Number of Animals.” He also said that the new form would have a checkbox at the top of the form, for the type of transporting being done, titled, “Marine Drop-Off & Pick-Up w/ Overnight.” He said that they would also be adding a marine only section on the bottom right, to include all crew members because of the regulation project requiring two captains onboard. The board approved of the changes.</p>	
Motion:	<p>Move to approve to send to the drafter the proposed regulation project to amend 12 AAC 75.400, to replace the Transporter Activity Report with the provided revision. (First: Flores; Second: Boniek).</p>	
Recorded Votes:	Buist - Yes	Burnett - Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Absent (excused)
	Bunch - Yes	Nordlum - Yes
Transporter Sticker		

Brief Discussion:	Mr. Flores presented the board with a sticker he developed for their regulation project for marine vessel identification.	
Motion:	Move to approve to add the provided sticker to the current regulation project for marine vessel identification for guides and transporters (First: Flores; Second: Buist).	
Brief Discussion:	Mr. Flores presented the board with a sticker he developed for their regulation project for marine vessel identification. Mr. Boniek stated that he was in approval for the sticker to be added to marine vessels, but that he was not in approval for a sticker to be added to planes, which was another current regulation project. Mr. Bloomquist said that he would not be voting for approval of the sticker because he does not believe there is a need for guides to be required to have stickers on their boats, most of which are smaller boats, such as skiffs. Chairman Bunch reminded the board that there was a lot of uncertainty when they voted to add this as a regulation project, and that the main goal was to garner public comment and go from there.	
Recorded Votes:	Buist - Yes	Burnett - Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Absent (excused)
	Bunch - Yes	Nordlum - Yes
Brief Discussion: Off Record: 2:37 p.m.	Being ahead of schedule, the board decided to take a break.	
6. Public Comment		
Brief Discussion: On Record: 3:01 p.m.	Back from break, the board began their second public comment period of the day. Mr. Bay created a list of attendees that wanted to provide public comment. The board began public comment.	
Mark Richards	<p>Mark Richards, Executive Director of the Resident Hunters of Alaska (RHAK), said that he would not be able to attend the Guide Concession Program (GCP) meeting later in the day and provided his thoughts on the topic. He said that he had not heard the board express what the problem was for needing the GCP, so he provided information from 2008 that was the cause for the formation of the previous GCP that failed. He read a statement from the Alaska Professional Hunters Association (APHA), which stated, "Currently, overcrowding of guides on state lands combined with decreasing wildlife populations is stimulating social disorder between hunter user groups and biological harm to our wildlife, which leads to establishment of restrictive drawing permit hunts." He said he assumes this is the same reason for another attempt to get a GCP established. If so, he said that RHAK opposes the need for having a GCP because the problem is not overcrowding of guides. Instead, he said, the issue has always been too many nonresident hunters that are required to hire a guide and given unlimited opportunity to hunt and harvest certain species by the BOG. He said that, over the years, RHAK has requested that the BOG limit nonresident hunters, but that the BOG has consistently said that there is only one solution, the GCP. He said that he has always believed that the BGCSB has the authority to regulate guides, but do not. He said that DNR's first alternative to the GCP is the BOG further restricting nonresident hunter opportunities, something that RHAK has been saying the entire time. He said that DNR's first alternative to the GCP, regarding the BGCSB, is to have</p>	

	<p>the BGCSB reduce the number of GUAs that a guide can register for, which would reduce the number of guides in GUAs as well as reduce the amount of user conflict in the field. He said that DNR's second alternative to the GCP, regarding the BGCSB, is to have the BGCSB increase the overall number of GUAs by subdividing and reducing the size of existing GUAs, which would provide the same amount of GUAs that are currently allowed but would also provide for smaller areas. He said that the point is that the BGCSB is supposed to regulate guides and the BOG is supposed to regulate hunters and deal with conservation issues. He said that the BGCSB has the authority to do what they are trying to get done with the GCP, and that the GCP is never going to work because of the legalities of the situation. He asked the board to do their job and regulate guides through their existing regulations instead of trying to create a program that will not work. Mr. Bloomquist agreed that the board could remap GUAs, which would not be an easy task, but was an option. With nothing left to discuss the board thanked Mr. Richards for his testimony. Mr. Bloomquist left the meeting for the remainder of the meeting. A quorum was still established.</p>
<p>Coke Wallace</p>	<p>Coke Wallace, a master guide-outfitter, said that this is not the first time the board's had a game animal problem in Alaska. He said that in 1945 the USFWS said hunters were astonished to find but a fraction of the sheep they had seen in the past, and that the difference between then and now is that the government, in the past, trusted the private individual to take care of the problem, and, after taking that right away, the government is not doing a good job of it right now. He said the biologists are doing the best they can do, but they are also playing politics just as much as they are managing game. He acknowledged that humans are the problem, and you cannot legislate ethics. He said he has frustratingly seen the board allow guides to keep their licenses when everyone knows they are not a good representative of industry. He said that, while he understands that the board does not have a hammer to swing at those types of guides, something has to be done soon with them and game management in general or there will be nothing left to guide for. He said that there are a lot of problems with guides in his units, including jumping in right next to him and hunting with airplanes. He said the problem is that the board does not enforce the rules evenly, stating that the big issues in the field get swept under the rug while the little issues, such as paperwork violations and self-turn-ins, are enforced at a high degree. He said that there needs to be something done with the GCP or everybody will be forced to turn to permitting on everything. He questioned the closing of 19C by the Board of Game and said that it has forced guides into his areas, and that, while he is self-regulating, he has to try and produce some sheep this year. He said that he was shocked to hear what Larry Bartlett said about hunt planners and he thinks it is a bigger issue than some of the other issues the board is currently dealing with. Chairman Bunch asked him what he thought of Mark Richards' comments regarding the possibility of decreasing the size of current GUAs, to which he said that they are already too small. Chairman Bunch asked him what he thought about reducing the amount of GUAs for a guide from three to two, to which he said that he would be onboard if it helped the industry. Chairman Bunch asked him if he thought DNR could, through permitting, help with some of the issues he addressed, to which he said that he was unsure because of his past experiences with DNR. Chairman Bunch said that, as far as the big versus little issues problem goes, the board cannot do anything unless AWT acts on them. He said that the only way for things to change, in his opinion, is for all of the agencies to get together, build relationships, and gain trust amongst each other, to bring valid, realistic issues, and garner</p>

	<p>a little bit of attention to maybe push those agencies to do better, or to look for change in their own agencies. Mr. Wallace finished by saying that he is very angry that his son is not going to have the same opportunities that he had during his career as a guide, and that the board needs to charge nonresident guides 10 times the amount of a resident guide's license fee, instead of the current two times the amount. The board thanked Mr. Wallace for his testimony.</p>
<p>Al Barrette</p>	<p>Al Barrette, a class-A assistant guide and member of the BOG, said that he was not representing the BOG at the meeting and that his comments were his own. He said that the hunt planner issue is something that needs tended to immediately. He said that hunt planners are getting bolder and bolder in the areas he guides, and the hunters are getting upset. He said that hunt planners are sending too many hunters into the field and leaving them in the field too long, which has turned into violations and citations because hunters are leaving the field before the meat from their harvests. He said that they also use and are burning out pilots that do not know the weather conditions in the area very well. He said that it has created a lot of competition with the local communities, as it affects their livelihood. He said that hunt planners need to self-regulate. Referring to the conversation earlier in the day in regard to trying to get more licensees involved in the industry and having a better turnout to board meetings and important discussions, he suggested that the board maybe create an incentive, such as an online class that would reduce licensing fees at renewal. Mike Flores said that if the board were to license hunt planners it would not affect the flow of hunters and asked him what his thoughts were on it, to which he said he was still working on a solution and that he just wanted to the board to know that it really is a growing industry that was not an issue 10 years ago but now is. The board thanked Mr. Barrette for his testimony.</p>
<p>Phil Byrd</p>	<p>Phil Byrd, a registered guide-outfitter, said that he was in attendance to talk about the supervision proposal. He said that, when he was an up-and-coming guide, he tried to come up with language for supervision in regulation, and that it was not easy. He said that the current proposal is nearly two pages long and suggested that it could be reduced to half a paragraph. He also said that he is in full disagreement of being able to supervise a hunt statewide, saying that you cannot provide the quality of experience that hunters deserve while supervising from anywhere in Alaska because you are just supervising a supervisor at that point. He said that, while access to communication has evolved with technology, it is important to have the guide-outfitter available, in-person, during certain times when a guided hunt does not go well, and the client needs reassurance to stay in the field for the duration of the hunt. He said that the board, over the years, has continuously tried to fix problems in the field that happen to a very low percentage of the overall industry, and it has caused the industry to regulate themselves out of business. He said that the topic of supervision has been discussed for years and that what they have now in regulation works fairly well. Lastly, he said that the hunt planner issue needs to be addressed but was not sure if it could even be done legally. Chairman Bunch asked him what he thought about the possibility of decreasing the size of current GUAs, to which he said he was undecided and that he would have to think about it. Chairman Bunch asked him what he thought about the possibility of going to two GUAs, to which he said it might work, but it depends on the individual guide and where they are guiding. The board thanked Mr. Byrd for his testimony.</p>

<p>Tim Booch</p>	<p>Tim Booch, who had previously provided public comment, said that Mr. Bartlett’s testimony regarding hunt planners was the most shocking testimony he has heard in 42 years of guiding, and said that it is the most important issue before the board. He also suggested that the board create a workgroup, with board member Pete Buist included because of his previous experience working for DNR and address the DNR commercial land use permitting guideline changes he discussed earlier in the meeting. The board thanked Mr. Booch for his testimony.</p>
<p>Nate Turner</p>	<p>Nate Turner, a registered guide-outfitter, said that he agreed with a lot with Phil Byrd’s testimony. He said that loosening supervision actually moves it more towards hunt planning, ironically, and that contracting guides need to have a direct interaction with their clients and be held accountable. He said that Al Barrette had a great idea, to incentivize continuing education, and that it has a lot of merit because a lot of guides do not know that they should know more about the industry than they already do. Regarding the GCP, he said that it needs to be understood that DNR, during the first GCP try, had previously said that they did not know a lot about the guiding industry, and caused a lot of fear to the industry. He said that the GCP needs to be established. Chairman Bunch asked him to elaborate on his opinion regarding supervision, to which he said that, as a contracting guide, you should be available in the field at any time to be held accountable, to fix situations that come up with clients, and that it is the only way to run a successful guiding business. The board thanked Mr. Turner for his testimony.</p>
<p>Zach Decker</p>	<p>Zach Decker, a registered guide-outfitter, said that his operation is a little different than most operations in the state. He said that making some of the changes discuss during the meeting would really affect operations in Southeast Alaska. He reminded the board that some islands only have one or two species and that everything is spread out. He said the idea of reducing GUA’s in the state would likely be beneficial in some areas, but that it would dramatically affect the service that Southeast Alaska guides provide. He informed the board that there has been an issue with the number of black bears in Southeast Alaska and that it is related to hunt planners bringing in several new groups of nonresident hunters every year. He said that, as far as the stickers on boats go, he wished that the board excluded guides from the requirement because they already have issues with being mixed with transporters. He said that he thinks, for all transporters, their boats and planes should have some type of identifying feature indicating that they are transporters. Regarding the GCP, he said that he believes there needs to be some sort of state land lease deal, that there needs to be viable business opportunities, and that it would look completely different if they started from scratch, something he thinks they should do because there is contention and confusion behind the current one. He informed the board that he sent a proposal to the BOG to request that an eight-mile stretch of beach, that is closed May 20th-31st, be opened during that time, so they can use that portion of their GUA. The recommendation from the chairman of the BOG was that he contact the BGCSB to move the GUA boundary line. Chairman Bunch said that he was more than welcome to submit a suggested boundary change that the board could review at a future meeting. Lastly, he said that he agreed with some of the other commenters, that the industry would rather regulate itself out of business than allow for some flexibility. The board thanked Mr. Decker for his testimony.</p>

<p>Steve Perrins</p>	<p>Steve Perrins, a master guide-outfitter, said that he has been in business for a long time and has seen how guiding and hunting has evolved over the years. He thanked the board for their openness and involvement with the industry and said that he feels more comfortable with the board now than probably the last ten years. He thanked the board for reaching out and establishing relationships and trust with licensees. He said, unfortunately, that was not the case with DNR and the last go around with the GCP. He reminded everybody in attendance that DNR had previously taken away guide camps that were historically there forever, basically accusing guides of illegally squatting on state land, and had Commerce not renew guide licenses until those guides removed their camps. The following year DNR said those guides can have their camps, but that they had to get them permitted. He said that because of the trust that was lost with DNR, having DNR as a partner for the new GCP, there is hesitancy from the guide community. However, he said that he felt DNR has been much more open recently, and them showing up to the meeting in-person was extremely important to mending relationships. He said, as far as splitting up GUAs, that it could be done in certain areas but not all of them. He said that if areas are split up and/or guides are limited in certain areas, that affected guides should be given time to change their business plans. He also said that hard choices need to be made regarding the GCP and that the board should not be afraid of being sued for making difficult choices. He said that not everybody is going to be happy with the GCP and that whatever comes of it, if it is implemented, someone is going to sue, and that the board should let the Department of Law deal with it. He said that he appreciates the communication with the ListServ, but that the board should send out correspondence via postage mail to the roughly 33% of guides that do not use it. Mr. Flores asked him how many sheep hunts he was likely to have this year, to which he responded that he had three sheep hunts scheduled and that, while they hunt out of three camps, they are likely going to have to explore sheep hunts through two additional camps he has because of how bad the available resource is. While one of those camps is viable, he stated, the other has not been for two years because of a mining company that has been all over the area with their equipment being flown in and out and having riggs on the ground only eight miles away from their camp, which DNR permitted. With nothing left to discuss, the board thanked Mr. Perrins for his testimony.</p>
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Day Three

1. Review Agenda

Brief Discussion:	No discussion to amend the agenda.
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Motion:	Move to accept the agenda as written (First: Boniek; Second: Buist).
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Recorded Votes:	Buist - Yes	Burnett - Yes
	Boniek - Yes	Flores – Absent (excused)
	Bloomquist - Absent (excused)	Kunder - Absent (excused)
	Bunch - Yes	Nordlum - Yes

2. Public Comment

Brief Discussion:	Being ahead of schedule, the board moved into public comment early at 9:07 a.m.
Steve Perrins	Mr. Perrins said that guides are likely going to be bouncing around to different areas because of the closure to 19C, limited resources, and overcrowding, and asked if there could be a moratorium on new GUAs or possibly increasing the number of years a contracting guide has to register for, changing the current minimum number of years from three to five. Chairman Bunch said the three-to-five-year minimum number of years to register for a GUA is doable and the freeze on issuing GUA's might be possible, but that both would require regulation projects which would likely not be done for a year or two. Mr. Perrins said that the issue and his suggestions should be raised with the GCP. The board thanked Mr. Perrins for his testimony.
Wayne Kubat	Mr. Kubat voiced his concern with having a fair GCP program, saying that he is worried that established registered guides will have an unfair advantage compared to incoming registered guides simply because of their experience. He suggested that something be in place that is equivalent to the PFD, so that everybody is created equal and has the same chance to get the same areas. He said he disagrees with getting rid of DNR over-the-counter permits because interior regions only accessible to bush aircraft have small pockets of game spread across wide areas where guides have to be flexible. He said that he would prefer the BGCSB limit guides to two areas and make GUAs smaller rather than go through the process of a GCP program and coming out with nothing through a limited draw process. The board thanked Mr. Kubat for his testimony.
James Smith	James Smith, a registered guide-outfitter, said he was commenting on some of the things other guides commented on the day before. He said that, in regard to guides not knowing what is going on in the industry, there is good communication from the board and staff, as well as other guides, and that if people do not get involved then it is their own fault. He said that, in regard to Larry's Bartlett's testimony, newer hunt planners are hiring more and more out of state pilots who do not know the areas they are flying into, and that they are jumping around the state right on top of guides and hunters. He said that something needs to be done. He said that, in regard to conflict in the field with state and federal land users, that if you have a federal concession and know that there are good guides on bordering state land, you should not even be going on that state land. However, he said that if you know the state land is not being used, feel free to use it. He said that, in regard to the supervision proposal, the board should keep the current regulations overseeing supervision because the proposal would only help a small number of guides and the majority of guides do not want it. Lastly, regarding the GCP, he said that if there was any doubt for it being passed, the board should do something now to ensure what happened to guides in 19C does not happen to the rest of the industry because of limited resources. The board thanked Mr. Smith for his testimony.
Michael Sciotti	Michael Sciotti, a registered guide-outfitter, said that he is largely against the GCP. He said that he was hearing a lot of guides concerned about other guides jumping into their areas, basically overnight, because of overcrowding and/or lack of resources in other areas. He said that the concern is not necessarily legitimate because of the barriers to entry already in place to get a new area, such as building time in a unit, taking and passing a GMU exam which is only available twice a year, getting land use authorizations, getting a GUA through the BGCSB, etc. He said that, if the board uses retired and/or currently licensed guide-outfitters as part of the judging process to receive state concessions, there could be a

	<p>serious issue with the GCP because of potential conflict-of-interest scenarios, such as a guide-outfitter either liking or disliking an applicant and having an influence on their application. He said that he is worried about the availability of the opportunity for newly licensed and recently licensed registered guides and that, for the industry, there needs to be an obvious structure of growth and advancement. He said that, if the board is going to continue with the GCP, heavy preference should be given to resident registered and master guides, and even more consideration to resident registered and master guides who employ resident assistant guides. His biggest concern is that, if the GCP goes into effect, Alaskan residents lose their businesses on Alaska land to operators that do not reside in the state. If that were to happen, he said, the State of Alaska and the BGCSB has failed to uphold the Alaskan constitution. He said that resident guides are vital to the economy of Alaska for obvious reasons, such as receiving money from outside of Alaska and using it to create wealth to resident communities, instead of sending that money out-of-state. He said that providing preference to resident hunters would be an incentive for nonresident guides to move to Alaska, further aiding the industry because it would force them to get involved with their communities and be better at managing their guide use areas because they would far better understand the local and Alaskan perspective of animals and land use. Without this, he said, the system would quickly turn to look like guiding in Canada or the fishing industry in Alaska, with all of the money, power, and influence going to nonresidents. He suggested that the permits for a GCP should be transferrable, which would allow a guide-outfitter to sell his business. He suggested that there also needs to be a limit on transporters if the board decides to move forward with the GCP. Lastly, he said that the big problem areas, and reason for discussion about creating a GCP, are localized parts of Alaska and that the entire state should not be included in the GCP. Pete Buist said that he agrees with Mr. Sciotti's suggestion to give resident guide-outfitters heavy preference over nonresidents, but that he learned, during the previous GCP try, that it is likely not legal to do so, as LAW did not approve it. The board thanked Mr. Sciotti for his testimony.</p>
<p>Tim Booch</p>	<p>Mr. Booch thanked Chairman Booch for saying, at the GCP meeting the night before, that the guide industry is directly dependent on DNR and their management and overseeing of them. He said that he remembers, during that same meeting, a guide saying that DNR owns state land, and said that is not true. He said the people are the owners of state land and that DNR is a contracted government service provider. He said that before they can work with DNR they need to be able to trust them, and the immediate removal of a guide camp that was permitted by DNR, which allowed a helicopter access to build a camp right next to Coke Wallace's camp, would be a good faith effort to repair the relationship. He said that it comes down to the six points that he provided during public comment on day one of the board meeting. Chairman Bunch informed him that he forwarded his six points to DNR and the GCP workgroup. The board thanked Mr. Booch for his testimony.</p>
<p>Mike Zweng</p>	<p>Mike Zweng, a registered guide-outfitter, said that he had been listening to everyone's opinions on the GCP and the possibility of going down to two GUAs, and said that there are pros and cons to each of them. He said that writing a prospectus does not always select the most qualified guide to hunt in the area and the two GUA option is kind a broad brush and does not scale well to guides that are not hunting on state land and contributing to congestion. He suggested that the board assign a numerical cost to each GUA to register for them, a system where guide-outfitters are allocated points on a yearly basis. Each</p>

	<p>guide-outfitter would get three points to spend on GUAs. If a GUA does not have state land on it, the board could assign a cost of one point to it, which would allow a guide with three federal concessions to have three GUAs. If a GUA does have state land on it, the board could assign a cost of one and a half points to it. This would reduce the number of guides on state land, while not affecting guides who do not guide on state land, reducing the highly congested areas, the entire goal of the GCP. The board could also assign more points to specific GUAs that are congested, such as three points for a single GUA, which would require a guide to spend all of their points on and limit them to a single GUA, reducing the number of guides that would want to register for that unit while not eliminating them entirely. This would be an alternative to having an immediate GCP and would also be a good way to bring guides to underutilized areas because the board could assign lower costs to them, making them more desirable. For GUAs with both state and federal land, if a guide is on federal land only, that guide would only be required to spend one point, but if that same guide wanted to also guide on state land in that same GUA, they would be required to spend one and a half points for the entire unit, only leaving them with another one and a half points and reducing the amount of GUAs they would be able to guide in for the year. This model would also allow the board to reduce points for violations on specific guides, using it as a tool to influence guide behavior. He said that it would be simple to implement while also reducing the burden on the BGCSB. He suggested setting up a website that allows you to shop like you do for licenses or drawing applications, where guides can go online once a year and spend whatever points they have on qualified GUAs. Chairman Bunch thanked him for thinking outside the box and asked him to forward his idea in writing to Mr. Bay. The board thanked Mr. Zweng for his testimony.</p>
<p>Gabe Davis</p>	<p>Gabe Davis, a registered guide-outfitter, said that all of the guides in GMU 17 have a good relationship but are having an issue with an ex-licensed guide and transporter working as an air taxi and who is taking more moose hunters than ever. He said that none of the GCP language so far talks about the aspects of air taxis. He also said that the GCP might be a good idea in some areas but not needed in others, such as GMU 17, and would create bigger problems. He said that if GUAs were reduced to two and were remapped to be smaller, that transporters and air taxis would just take more people into the field. He finished by saying that GMU 17 has become a brown bear predator control designated area and that the state is spending a bunch of money to fly in helicopters and shoot brown bears. That, combined with the possibility of restricting the size of the area and guides in the area to hunt bears, creates a monetary issue because state money is being spent on both ends to accomplish different things. He said that besides the GCP being area specific it also needs to be species specific. The board thanked Mr. Davis for his testimony.</p>
<p>Zach Basmajian</p>	<p>Zach Basmajian, an assistant guide, asked if a guide were to get approval on state land through the GCP, if only brown bear was listed on their license, for example, would the other animal resources in the area go to waste. He was concerned for an avenue of advancement for an assistant guide within the GCP, if it came to fruition. He was concerned that guide-outfitters might go out of business if they did not get a state-issued concession. He was also concerned that newly licensed guide-outfitters might have to wait years for areas to become available, only to take GMU exams while waiting for an opportunity to be selected for an area that they might not get. Pete Buist thanked him for providing testimony as an assistant guide, something that does not happen often.</p>

<p>Austin Atkinson</p>	<p>Austin Atkinson, a nonresident class-A assistant guide, said that Alaska is the pinnacle of hunting and wildlife conservation in the West, and that a lot of other states use Alaska as an example. He asked that the board consider the costs of hunting in Alaska and be careful not to have their industry turn into something like Canada, where it is run by corporations. He said that, when costs go up and there is inflation, it really effects the everyday hunter and in turn effects resident hunters and Alaska’s first right to hunt the resource. He really wants incoming ethical and honest registered guides to be able to earn an area, do a good job, and live the Alaska dream. He asked that something gets done with the GCP quickly, so as to create clarity for the industry. Regarding hunt planners, he said that he works in an industry where he acts as a booking agent and requested that whatever the board decides to do, if they end up having authority over hunt planners, there needs to be clarity on what can be provided, what should be provided, and what should not be provided, as well as what can and cannot be provided while outside of the field. Chairman Bunch said that there really are no rules on hunt planners right now and asked him what his thoughts were on it, to which Mr. Atkinson said that his worry is that hunt planners push registered guides out of their areas simply because there is no limit to how many hunters can be sent out by a hunt planner, which causes congestion in the field. He said that hunt planners could probably be regulated and forced to play fair.</p>
<p>“Smokey” Don Duncan</p> <p>Off Record: 10:34 a.m.</p>	<p>Mr. Duncan, in regard to the two GUA suggestion in the GCP, suggested calling guide use areas game use areas because game use areas includes both state and federal land. He said that he has long promoted having a program to educate assistant guides because they are the ones doing a lot of the work in the field. He said there should be an exam with a lot of questions, they should be given the answers ahead of time, and, if they cannot get a high score, then they do not pass or get licensed and should have a penalty associated with the answers they miss. He said that there were two words being used interchangeably the day before at the meeting which should have not been, in regard to transporter stickers, and they were ‘marine’ and ‘boats.’ He said that marine deals with a boat on saltwater versus a boat on both saltwater and freshwater. Lastly, he said that he was not in favor of the transporter stickers because he was required to have one in the past on his camouflage boat and moose would notice it and leave the area. The board thanked Mr. Duncan for his testimony. With nobody else to provide testimony, Chairman Bunch closed public comment.</p>
<p>3. Position Statements</p>	
<p>Helicopters</p>	
<p>Brief Discussion: On Record: 11:17 a.m.</p>	<p>Chairman Bunch said that he did not think they needed to write a position statement on helicopters because of their regulation proposal but kept it on the agenda to make sure that the board was not moving forward with Aaron Bloomquist’s input. Mr. Bloomquist did not think the board needed to discuss the topic any further. Chairman Bunch asked the board if they thought writing a position statement on enforcement, regarding the use of helicopters, would be good in the interim. Mr. Bloomquist said he did not think there needed to be a position statement. Martin Boniek asked why not since there is confusion around the original intent of the use of helicopters. Mr. Bloomquist changed his mind. Pete Buist disagreed because a position statement does not hold any legal weight and would not be considered in court. Mr. Bloomquist suggested writing a proposal to the BOG, for review at their state meeting in 2024, and having it passed with them, saving time and</p>

	<p>probably getting it passed before the BGCSB could. Jerry Burnett, the BOG representative on the BGCSB, said the statewide meeting will not happen until 2025, so it would have to be an Agenda Change Request (ACR), and he did not know if this topic would fit as an ACR or if the board would approve it. However, he did support having a position statement on findings anytime there is an ambiguous regulation because courts do look at board findings when adjudicating regulations. Chairman Bunch asked if it would be easier if ADF&G submitted an ACR to the BOG, which Mr. Burnett said it would. Chairman Bunch suggested tabling the discussion until he could talk to ADF&G, to see if they would be willing to submit an ACR and find the best solution to getting a proposal to the BOG, to which the board agreed. Martin Boniek volunteered to discuss the topic with ADF&G and get back to the board.</p>
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<p>Partnerships</p>	
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<p>Brief Discussion:</p>	<p>Mr. Bloomquist said that, while the partnerships discussion is important, most people are not worried about how they are being run at the moment, and that he was not sure what a position statement would say other than the board saying that they do not care how licensees run their partnerships as long as they make sure that whoever’s GUA they are using that they have a hunt record and financial contract for it. Chairman Bunch suggested tabling the discussion until a later time and that when they do write a position statement it has instructions on what is legal and what is not, to which the board agreed.</p>
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<p>Hunt Record Signing</p>	
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<p>Brief Discussion:</p>	<p>Chairman Bunch said that he added this topic to the agenda because it was a previous board discussion, and he did not want it to fall to the floor. He said that it is actually related to and goes with the topic of partnerships, so it should also be tabled included with the position statement on partnerships, to which the board agreed.</p>
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<p>4. Prioritizing Ongoing Projects (continued)</p>	
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<p>Brief Discussion: Off Record: 11:45 a.m. On Record: 11:57 a.m.</p>	<p>Chairman Bunch said that he had been filling out the Prioritization Framework spreadsheet that he mentioned on day one of the meeting and needed a break because of technical difficulties getting the spreadsheet up on the screen. The board discussed different options regarding how to split up their regulation proposals in the hopes to have a high priority project ready to go out for public comment at their July meeting. The board asked division regulations specialist Alison Osborne what the timeline would be on getting a high priority project through to LAW, to which she said it depended on when she received the proposals and FAQ worksheets, which the board is required to help write, from the board’s executive administrator, Thomas Bay. Mr. Bay informed the board that he was extremely busy and needed to finish their December 2022 minutes before he could get the required paperwork to Ms. Osborne. Unfortunately, he said, the board did not create clear motions on the record from that meeting, so he had to go through almost all three days of the recording to get the board’s intent. Also, he reminded them that he was pretty much going to be unavailable during all of April because he had to catch up with his other board before their upcoming board meeting. Chairman Bunch asked Mr. Bay if he thought it was possible for the high priority project to get to the regulations specialist by June, which he said it probably could. Ms. Osborne said that receiving the regulations project in June would not leave enough time for LAW’s review and the 30-day public comment period before their</p>
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	<p>July meeting, and that it would be August at the earliest. Mr. Bloomquist asked how long it would likely take after the board adopts a regulations project after public comment, for the regulations to take effect, to which Ms. Osborne said it was currently taking two to three months. With that information, Mr. Bloomquist suggested sending their two regulation proposals (really three, as listed below), which were already drafted to their liking, to the regulations specialist as a high priority project. After discussion, the board decided to prioritize their regulation projects into two projects, a high priority project and a lower priority project:</p> <p><u>High Priority</u></p> <ol style="list-style-type: none"> 1. 12 AAC 75.200 – REGISTERED GUIDE-OUTFITTER PROVIDING SERVICES 2. 12 AAC 75.230 – GUIDE USE AREA REGISTRATION 3. 12 AAC 75.260 – REGISTERED GUIDE-OUTFITTER CONTRACT REQUIREMENTS <p><u>Lower Priority</u></p> <ol style="list-style-type: none"> 1. 12 AAC 75.240 – SUPERVISION 2. 12 AAC 75.250 – PARTICIPATION IN A HUNT 3. 12 AAC 75.400 – TRANSPORTER ACTIVITY REPORT 4. 12 AAC 75.440 – PROFESSIONAL ETHICS STANDARDS FOR PROVIDERS OF TRANSPORTATION SERVICES 5. 12 AAC 75.XXX – HELICOPTER USE 6. 12 AAC 75.XXX – MARINE TRANSPORTER VESSEL AND CAPTAIN REQUIREMENTS 7. 12 AAC 75.XXX – MARKING OF AIRCRAFT FOR GUIDES AND TRANSPORTERS 8. 12 AAC 75.XXX – MARKING OF BOATS FOR GUIDES AND TRANSPORTERS <p>Off Record: 12:39 p.m. After prioritizing their regulations projects, the board took lunch.</p>
Lunch	
5. Division Update	
Current Fiscal Report	
<p>Brief Discussion: On Record: 1:02 p.m.</p>	<p>Back from lunch, the board welcomed the division’s administrative operations manager, Melissa Dumas, to the meeting. Ms. Dumas provided the board with their 2023 1st/2nd quarter fiscal reports, which ultimately came to a very large surplus, something she said would need to be discussed during their fee analysis. Division Director Sylvan Robb joined the meeting, introduced herself as the new division director, and thanked the board for their willingness to be on the board. Director Robb began discussion on the next agenda item.</p>
Information Technology Project/Request for Expenditure Authority	
<p>Brief Discussion:</p>	<p>Director Robb informed the board that they had met with the division’s IT staff to work on their IT project and that they hoped to get something implemented within a few years. She said that the division needed more information on exactly what the board would be using the data for and wanted to make sure that the data entered is being used and is not more than what is statutorily required in AS 08.54.760. Chairman Bunch said that they would be using the information for investigative matters and AWT matters, to enforce the board’s regulations, mostly. However, he added, the board wants a self-service tool that guides can</p>

use to submit their own hunt records, which would ease the burden on board staff immensely. Chairman Bunch asked the board's investigator, Lee Strout, to elaborate on why the information would be helpful to his investigations. Mr. Strout said that the hunt record is a very important tool that has a bunch of data used for his investigations, and that AWT also uses them. The hunt record, he said, is a real-time record of a commercial hunt that has taken place in the field, which includes type of hunt, the names of guides, clients, when they hunted, where they hunted, any game that was harvested, type of transportation used, and attestation signatures by the guide and client certifying the information on the hunt record is true and correct. Mr. Strout said that hunt records are relied upon heavily during prosecutions if there are violations. Ms. Dumas said that the division was hoping to have less data points for a guide to enter into the self-service tool, and suggested up to four data points, making it less cumbersome for a guide to have to fill out. Chairman Bunch expressed his frustration with having a small amount of data points. He said that different agencies contact the board often for data, such as the number of transporters in a certain GMU/GUA for a certain year, how many guides provided services in a GMU/GUA and were successful for a certain year, etc. He said that staff should be able to search for any of the information on hunt records. As an example, he said that staff is unable to search to see if a guide had three successful harvests on a certain species-specific big game animal (sheep, moose, brown bear, mountain goat), which is a requirement to add them to their license as an animal they are allowed to guide for. Instead, staff has to go through all of the hunt records on file with a guide's name on it, one by one, to find out if they have had three successful hunts, a time-consuming task. Another example he provided was the ability to find out how many days in the field an assistant guide has. If an assistant guide applies to become a registered guide-outfitter, they are required to have 125 days in the field guiding experience, which can only be confirmed using hunt records. The current process is for staff to go through hunt records with the assistant guide's name on them and count the days their client went into the field and left the field, which is a very time-consuming process. He said that there needs to be a database that allows board staff to go in and quickly pull information that confirms an applicant is allowed to sit for the RGO exams. Ms. Dumas said that any information that is entered into the database can be pulled from IT through a request for a report from staff, and that no reports had been requested since 2008, and that she was unaware that the board wanted more reporting. She asked if a self-service tool would really save staff time in the long run if they had to go in and confirm the hunt record is complete and the information provided is correct, to which he said yes, because you can require the fields on the form to be filled in before moving forward and filling anymore information in on the hunt record, have all guides sign an affidavit attesting the information is true and correct, and require them to upload a copy of the hunt record. This would not require board staff to confirm that the hunt records are complete and accurate. Director Robb asked if it was a reasonable request to put the burden of entering information into a database on behalf of the board's licensees, to which Chairman Bunch said it is because it is not that big of a burden and has such a good benefit for everybody involved, the most being a benefit to board staff, which would allow more time for other board matters to get resolved. Mr. Bloomquist said that he has talked to programmers that have created much larger databases/self-service tools than what their board is requesting, and that they said a request like this could likely be done in a week and only cost around \$10,000. Director

	<p>Robb said that she could hear the board’s frustration and apologized because it sounded like the board has been dealing with this issue for quite some time. She assured them that they will not be continuing to have the same discussion and that the division will work with them moving forward. Chairman Bunch apologized for the board’s frustration and thanked Director Robb for acknowledging the situation. After stating that she only had a short amount of time left before she had to leave the meeting, Chairman Bunch said that the board has a lot of extra money that they would like to spend and asked her if there was a way to do that. She informed the board that the division is required, through statute, to charge enough fees to cover the administrative expenses of the program and that they require expenditure authority through the legislature to spend any money, something they do not have right now to spend any excess money that the board has. Mr. Bloomquist also expressed his frustration with not being able to use the board’s money, but for things like having meetings in different locations and having to go to BOG meetings with no reimbursement.</p>
<p>Executive Administrator Position</p>	
<p>Brief Discussion:</p>	<p>Chairman Bunch informed Director Robb that the board was interested in creating their own Executive Administrator position, so that they would have a full-time position dedicated to their program instead of splitting time with the Board of Marine Pilots and asked her what the process entailed. Director Robb reminded the board that although Mr. Bay was their Executive Administrator, the position did not actually exist because the board did not have statutory authority for an Executive Administrator. She informed the board that they would need to go on the record and make a motion to pursue legislation for an Executive Administrator and nominate someone as the board’s spokesperson with the legislature. Deputy Director Glenn Saviers informed the board that she could provide Mr. Bay with the statutory language from the other Executive Administrator positions in the division, so they could use the language to draft their own statutory language. The board thanked Director Robb and Deputy Director Saviers for the information and their time. Having nothing left to discuss, Director Robb and Deputy Director Saviers left the meeting.</p>
<p>Part-Time Investigator</p>	
<p>Brief Discussion:</p>	<p>The board decided to table this discussion.</p>
<p>Fee Analysis</p>	
<p>Brief Discussion:</p>	<p>Moving onto the next topic, the board’s fee analysis, Chairman Bunch apologized to Ms. Dumas for the board’s frustration. Ms. Dumas said that she understood the board’s frustration, reiterated that the division was unaware that the board wanted more reporting, but now that they know, they are going to help find a solution moving forward. She also said that she did not know that board staff was sifting through individual hunt records to complete applications and that the division will work to streamline the process. Ms. Dumas started discussion on the board’s fee analysis, reminding them that they were up for renewal at the end of the year, and, because of their very large surplus in revenue and the statutory requirement to try to keep the board’s revenue approximately even, they needed to lower some of their fees. She also reminded the board that, during their last meeting, they discussed possibly eliminating the \$300 Annual Filing Fee because the fee was originally created to help increase the board’s revenue when it was in a deficit.</p>

Off Record: 2:36 p.m.	After discussion between the board and Ms. Dumas, and after using an Excel sheet to test out fee adjustments, the board decided to eliminate the \$300 Annual Filing Fee and reduce both the assistant guide and class-A assistant guide license fees by \$100. The board thanked Ms. Dumas for her help and took a break.	
Executive Administrator Position		
Brief Discussion: On Record: 3:07 p.m.	The board discussed the pay range for the Executive Administrator position. Chairman Bunch suggested the board create a high pay range, specifically a range 23. He said the range would make the position more valuable, easily fillable if Mr. Bay ever left the board, and support longevity.	
Motion:	Move to pursue legislation to create a range 23 Executive Administrator position for the Big Game Commercial Services Board. Pete Buist will be the board's liaison and spokesperson (First: Pete Buist; Second: Martin Boniek).	
Recorded Votes:	Buist - Yes	Burnett - Yes
	Boniek - Yes	Flores - Absent (excused)
	Bloomquist - Yes	Kunder - Absent (excused)
	Bunch - Yes	Nordlum - Yes
Fee Analysis		
Brief Discussion:	Having already discussed their fee changes, the board motioned to approve them.	
Motion:	Move to approve a fee change, as proposed by the board, which includes eliminating the \$300 Annual Filing Fee and the reduction of class A assistant guide licenses and assistant guide license fees by \$100 (First: Pete Buist; Second: Clay Nordlum).	
Recorded Votes:	Buist - Yes	Burnett - Yes
	Boniek - Yes	Flores - Absent (excused)
	Bloomquist - Yes	Kunder - Absent (excused)
	Bunch - Yes	Nordlum - Yes
Board Business		
Annual Report		
Brief Discussion:	Mr. Bay reminded the board that they needed to write their FY23 annual report and that he needed help from the board. After discussion, the board decided to have Jason Bunch, Aaron Bloomquist, Martin Boniek, and Mike Flores help Mr. Bay draft the FY23 annual report.	
Motion:	Move to appoint board members Jason Bunch, Aaron Bloomquist, Martin Boniek, and Mike Flores to help Mr. Bay draft the FY23 annual report (First: Pete Buist; Second: Clay Nordlum).	
Recorded Votes:	Buist - Yes	Burnett - Yes
	Boniek - Yes	Flores - Absent (excused)

	Bloomquist - Yes	Kunder - Absent (excused)
	Bunch - Yes	Nordlum - Yes
Administrative Business		
Brief Discussion:	After discussion, the board decided to hold their December 2023 board meeting at the Coast Inn at Lake Hood Hotel December 5 th - 7 th .	
Task List		
Brief Discussion:	<p>Mr. Bay provided the board their task list from the meeting:</p> <ol style="list-style-type: none"> 1. Finish December 2022 meeting minutes (Bay) 2. Write March 2023 meeting minutes (Bay) 3. Write the denial letter for the license application that was denied (Bay) 4. Add the new regulation projects to the board's current projects, split them into high and low priority projects, and get them to the regulations specialist (Bay) 5. Get the fee change motion to the division (Bay) 6. Annual Report (Bay, Bunch, Bloomquist, Boniek, Flores) 	
10. Adjourn		
Brief Discussion:	Having nothing left to discuss, the board adjourned.	
Adjourn:	3:31 p.m.	

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

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

BIG GAME COMMERCIAL SERVICES BOARD

CONDENSED MINUTES OF THE MEETING HELD NOVEMBER 14, 2023

By authority of AS 08.01.070(2) and in compliance with the provision of AS 44.62, Article 6, a scheduled meeting (teleconference) of the Big Game Commercial Services Board was held on November 14, 2023, at 333 Willoughby Avenue, 9th Floor, Juneau, AK.

Date:	November 14, 2023
Time:	9:01 a.m.
Location:	Online teleconference ran from 333 Willoughby Avenue, 9 th Floor, Juneau, AK
Board Members Present:	Jason Bunch, Mike Flores, Martin Boniek, Larry Kunder, Clay Nordlum, Pete Buist, Dave Lorrington (9:13 a.m.)
Board Members Absent:	Aaron Bloomquist
Division/SOA Staff Present:	Thomas Bay (Executive Administrator), Janet Brown (Occupational Licensing Examiner)
Present from the Public:	None

1. Review Agenda		
Brief Discussion:	There was no discussion to amend the agenda.	
Motion:	Move to accept the agenda as written (First: Flores; Second: Nordlum).	
Recorded Votes:	Boniek - Yes	Kunder - Yes
	Burnett - Yes	Nordlum - Yes
	Bunch - Yes	Lorrington - Yes
	Flores - Yes	Bloomquist - Absent
2. Ethics Review		
Brief Discussion:	There were no ethical disclosures by any board members or staff.	
3. Emergency Regulations		
GUA Registrations (12 AAC 75.230) & RGO Contract Requirements (12 AAC 75.260)		

<p>Brief Discussion:</p>	<p>Chairman Jason Bunch informed the board that they were meeting to discuss having the division pursue emergency regulations to amend GUA Registrations (12 AAC 75.203) and RGO Contract Requirements (12 AAC 75.260) because they are affecting registered guide-outfitters and master guide-outfitters who have been awarded special federal use permits to conduct guided hunting in specific locations in Alaska and are caught in an impossible situation due to inherent conflicts in the timing required by the federal permits and what is required by state regulations. These amendments would allow affected guides to receive a Unique Verification Code (UVC) from the division and put their clients in the Alaska Department of Fish and Game state drawing hunt, a state lottery that awards hunting permits. He said that the emergency regulations, which are only effective for 120 days and then expire, were only being discussed because the same amendments are a part of their current regulations project, which will not be effective by the draw deadline. He reminded the board that the original intent of the UVC code was for state land users, not federal land users, but that federal land users, thru public comment, did not want to be excluded because they did not want the regulation to be divisive and split up state land users versus federal land users. He admitted that the exemption should have been finished by now, but reminded the board that with staff turnover and the amount of regulation projects they have in the cue, the process has taken longer than anticipated. Mr. Bay informed the board that the division had written a Finding of Emergency for them to adopt, if they wished to do so, and provided them a copy. The board read the Finding of Emergency, which detailed the discussion above and the significant financial impact on a guide-outfitter's business if they were not able to utilize their newly awarded concession, such as significant potential loss of income, loss of opportunity for non-resident hunters to hunt on federal land, lost income to local businesses, and a disadvantage to the permit holders when they have to reapply for their next prospectus due to the reduced usage of the permit. There would also be a loss of income to the state because of the federal Pittman-Robertson Act, which provides funding to manage wildlife. After reviewing the language drafted by the regulations specialist, Chairman Bunch suggested changing 'hunting' to 'providing services' under 12 AAC 75.206(d), as to stay inline with the board's authority in statute/regulation. Mr. Bay asked the board if they wanted to keep 12 AAC 75.230(g) in the emergency regulations package because they were only for repealing outdated regulations, to which he was told to keep them in because they were a part of the same overall regulation, unless LAW decided to remove them, which they were okay with. Having nothing left to discuss, the board approved the Finding of Emergency and Certification Order.</p>	
<p>Motion:</p>	<p>I move to adopt the Finding of Emergency and Certification Order regarding amendments to 12 AAC 75.230(a)(6), (b), (c), (g) and 12 AAC 75.260(d), as presented by the division. (First: Buist; Second: Flores).</p>	
<p>Recorded Votes:</p>	<p>Boniek - Yes</p>	<p>Kunder - Yes</p>
	<p>Burnett - Yes</p>	<p>Nordlum - Yes</p>
	<p>Bunch - Yes</p>	<p>Lorryng - Yes</p>
	<p>Flores - Yes</p>	<p>Bloomquist - Absent</p>
<p>Brief Discussion:</p>	<p>Mr. Bay reminded the board that their winter meeting in Anchorage was less than three weeks away. With nothing left to discuss, the board adjourned.</p>	

Adjourn:	9:32 a.m.
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Date Final Minutes Approved by the Board: <input type="checkbox"/> Meeting <input type="checkbox"/> OnBoard	
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DRAFT

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

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Big Game Commercial Services Board, Guide-Outfitters	FY 16		FY 17		Biennium		FY 18		FY 19		Biennium		FY 20		FY 21		Biennium		FY 22		FY 23		
																						1st - 3rd QTR	
Revenue																							
Revenue from License Fees																							
General Fund Received																							
Allowable Third Party Reimbursements																							
TOTAL REVENUE	\$ 1,057,847	\$ 485,669	\$ 485,894	\$ 1,543,516	\$ 225	\$ 1,122,760	\$ 405,090	\$ 1,527,850	\$ 1,122,760	\$ 405,090	\$ 1,527,850	\$ 1,061,930	\$ 458,520	\$ 1,520,450	\$ 1,061,930	\$ 458,520	\$ 1,520,450	\$ 1,193,160	\$ 240,215	\$ 27,909	\$ -	\$ 240,215	
Expenditures																							
Non Investigation Expenditures																							
1000 - Personal Services	118,573	78,939	197,512	188,615	197,512	103,082	85,533	188,615	103,082	85,533	188,615	116,591	128,509	244,900	116,591	128,509	244,900	191,468	99,105	12,731	3,936	12,731	
2000 - Travel	17,545	14,814	32,359	20,154	32,359	10,047	10,107	20,154	10,047	10,107	20,154	9,328	3,751	13,079	9,328	3,751	13,079	12,731	3,936	20,872	8,889	20,872	
3000 - Services	49,702	24,199	73,901	63,825	73,901	35,454	28,371	63,825	35,454	28,371	63,825	50,200	23,671	73,871	50,200	23,671	73,871	20,872	8,889	2,283	2,108	2,283	
4000 - Commodities	1,518	212	1,730	5,652	1,730	3,092	2,560	5,652	3,092	2,560	5,652	41	165	206	41	165	206	2,283	2,108				
5000 - Capital Outlay																							
Total Non-Investigation Expenditures	187,338	118,164	305,502	278,246	305,502	151,675	126,571	278,246	151,675	126,571	278,246	175,960	156,096	332,056	175,960	156,096	332,056	227,354	114,038			114,038	
Investigation Expenditures																							
1000-Personal Services	124,462	127,020	251,482	264,472	251,482	118,456	146,016	264,472	118,456	146,016	264,472	150,184	148,053	298,237	150,184	148,053	298,237	165,989	113,768			113,768	
2000 - Travel																							
3023 - Expert Witness																							
3088 - Inter-Agency Legal	85,834	23,942	109,776	269,007	109,776	101,433	167,574	269,007	101,433	167,574	269,007	46,637	59,243	105,880	46,637	59,243	105,880	8,084	2,643			8,084	
3094 - Inter-Agency Hearing/Mediation	21,387	5,318	26,705	76,680	26,705	7,138	69,542	76,680	7,138	69,542	76,680	20,485	38,084	58,569	20,485	38,084	58,569	4,140	-			4,140	
3000 - Services other																							
4000 - Commodities	231,683	156,280	387,963	611,953	387,963	227,027	384,926	611,953	227,027	384,926	611,953	1,730	1,524	2,342	1,730	1,524	2,342	3,969	178			3,969	
Total Investigation Expenditures	419,021	274,444	693,465	890,199	693,465	378,702	511,497	890,199	378,702	511,497	890,199	396,144	405,369	801,513	396,144	405,369	801,513	409,590	230,628			409,590	
Total Direct Expenditures	\$ 537,296	\$ 395,123	\$ 932,419	\$ 1,169,644	\$ 932,419	\$ 521,074	\$ 648,570	\$ 1,169,644	\$ 521,074	\$ 648,570	\$ 1,169,644	\$ 541,173	\$ 539,999	\$ 1,081,172	\$ 541,173	\$ 539,999	\$ 1,081,172	\$ 569,629	\$ 350,657			\$ 350,657	
Indirect Expenditures																							
Internal Administrative Costs	59,545	51,116	110,661	134,835	110,661	69,514	65,321	134,835	69,514	65,321	134,835	70,156	59,162	129,318	70,156	59,162	129,318	66,247	49,685			66,247	
Departmental Costs	43,045	46,041	89,086	95,728	89,086	48,099	47,629	95,728	48,099	47,629	95,728	39,754	37,509	77,263	39,754	37,509	77,263	48,863	36,647			48,863	
Statewide Costs	15,685	23,522	39,207	48,882	39,207	24,759	24,123	48,882	24,759	24,123	48,882	35,119	37,959	73,078	35,119	37,959	73,078	44,929	33,697			44,929	
Total Indirect Expenditures	118,275	120,679	238,954	279,445	238,954	142,372	137,073	279,445	142,372	137,073	279,445	145,029	134,630	279,659	145,029	134,630	279,659	160,039	120,029			160,039	
TOTAL EXPENDITURES	\$ 537,296	\$ 395,123	\$ 932,419	\$ 1,169,644	\$ 932,419	\$ 521,074	\$ 648,570	\$ 1,169,644	\$ 521,074	\$ 648,570	\$ 1,169,644	\$ 541,173	\$ 539,999	\$ 1,081,172	\$ 541,173	\$ 539,999	\$ 1,081,172	\$ 569,629	\$ 350,657			\$ 350,657	
Cumulative Surplus (Deficit)																							
Beginning Cumulative Surplus (Deficit)																							
Annual Increase/(Decrease)	\$ (1,120,051)	\$ (599,500)	\$ (599,500)	\$ (599,500)	\$ (599,500)	\$ (508,729)	\$ 92,957	\$ (508,729)	\$ (508,729)	\$ 92,957	\$ (508,729)	\$ (150,523)	\$ (150,523)	\$ (150,523)	\$ (150,523)	\$ (150,523)	\$ (150,523)	\$ (150,523)	\$ (150,523)	\$ (150,523)	\$ (150,523)	\$ (150,523)	\$ (150,523)
Ending Cumulative Surplus (Deficit)	\$ (599,500)	\$ (508,729)	\$ (508,729)	\$ (508,729)	\$ (508,729)	\$ 92,957	\$ (150,523)	\$ (508,729)	\$ 92,957	\$ (150,523)	\$ (508,729)	\$ (370,234)	\$ (370,234)	\$ (370,234)	\$ (370,234)	\$ (370,234)	\$ (370,234)	\$ (370,234)	\$ (370,234)	\$ (370,234)	\$ (370,234)	\$ (370,234)	\$ (370,234)
Statistical Information																							
Number of Licenses for Indirect calculation	1,770	1,574				1,730	1,467		1,730	1,467		1,624	1,446		1,624	1,446		1,635					
Additional information:																							
• Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses *																							
• Most recent fee change: New fee added FY19																							
• Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and f.																							

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

Sum of Budgetary Expenditures	Object Type Name (Ex)	2000 - Personal Services	2000 - Travel	3000 - Services	4000 - Commodities	Grand Total
1011 - Regular Compensation	1000 - Personal Services	114,927.14				114,927.14
1014 - Overtime		84.69				84.69
1021 - Allowances to Employees		115.50				115.50
1023 - Leave Taken		16,884.40				16,884.40
1028 - Alaska Supplemental Benefit		8,093.01				8,093.01
1029 - Public Employee's Retirement System Defined Benefits		19,844.50				19,844.50
1030 - Public Employee's Retirement System Defined Contribution		2,748.69				2,748.69
1034 - Public Employee's Retirement System Defined Cont Health Reim		1,709.18				1,709.18
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical		570.00				570.00
1037 - Public Employee's Retirement Sys Defined Cont Retiree Medical		7,824.73				7,824.73
1040 - Group Health Insurance		30,239.79				30,239.79
1042 - Worker's Compensation Insurance		1,056.09				1,056.09
1047 - Leave Cash In Employer Charge		2,576.12				2,576.12
1048 - Terminal Leave Employer Charge		2,577.49				2,577.49
1053 - Medicare Tax		1,880.30				1,880.30
1077 - ASEA Legal Trust		117.97				117.97
1079 - ASEA Injury Leave Usage		15.50				15.50
1080 - SU Legal Trst		7.89				7.89
1970 - Personal Services Transfer		1,600.47				1,600.47
2000 - In-State Employee Airfare				693.82		693.82
2001 - In-State Employee Surface Transportation				330.09		330.09
2002 - In-State Employee Lodging				1,975.68		1,975.68
2003 - In-State Employee Meals and Incidentals				599.40		599.40
2005 - In-State Non-Employee Airfare				291.60		291.60
2009 - In-State Non-Employee Taxable Per Diem				45.00		45.00
3035 - Long Distance				39.54		39.54
3036 - Local/Equipment Charges				47.95		47.95
3044 - Courier				52.52		52.52
3045 - Postage				144.49		144.49
3046 - Advertising				337.29		337.29
3085 - Inter-Agency Mail				1,283.53		1,283.53
3088 - Inter-Agency Legal				9,805.47		9,805.47
4002 - Business Supplies				2,108.00		2,108.00
Grand Total		212,873.46		3,935.59	11,710.79	230,627.84

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Big Game Commercial Services Board, Guide-Outfitters	FY 16		FY 17		FY 18		FY 19		FY 20		FY 21		FY 22		FY 23		Biennium		
Revenue																			
Revenue from License Fees		\$ 1,057,847	\$ 485,669	\$ 1,543,516	\$ 1,122,760	\$ 405,090	\$ 1,527,850	\$ 1,061,930	\$ 458,520	\$ 1,520,450	\$ 1,061,930	\$ 458,520	\$ 1,520,450	\$ 1,193,160	\$ 314,340	\$ 1,507,500			
General Fund Received														\$ 27,909	\$ 5,342	\$ 33,251			
Allowable Third Party Reimbursements			225	225															
TOTAL REVENUE		\$ 1,057,847	\$ 485,894	\$ 1,543,741	\$ 1,122,760	\$ 405,090	\$ 1,527,850	\$ 1,061,930	\$ 458,520	\$ 1,520,450	\$ 1,061,930	\$ 458,520	\$ 1,520,450	\$ 1,221,069	\$ 319,682	\$ 1,540,751			
Expenditures																			
Non Investigation Expenditures																			
1000 - Personal Services		118,573	78,939	197,512	103,082	85,533	188,615	116,391	128,509	244,900	116,391	128,509	244,900	191,468	153,104	344,572			
2000 - Travel		17,545	14,814	32,359	10,047	10,107	20,154	9,328	3,751	13,079	9,328	3,751	13,079	12,731	11,843	24,574			
3000 - Services		49,702	24,199	73,901	35,454	28,371	63,825	50,200	23,671	73,871	50,200	23,671	73,871	20,872	16,907	37,779			
4000 - Commodities		1,518	212	1,730	3,092	2,560	5,652	41	165	206	41	165	206	2,283	2,108	4,391			
5000 - Capital Outlay																			
Total Non-Investigation Expenditures		187,338	118,164	305,502	151,675	126,571	278,246	175,960	156,096	332,056	175,960	156,096	332,056	227,354	183,962	411,316			
Investigation Expenditures																			
1000-Personal Services		124,462	127,020	251,482	118,456	146,016	264,472	150,184	148,053	298,237	150,184	148,053	298,237	165,989	169,735	335,724			
2000 - Travel								1,099		1,099			1,099		996	996			
3023 - Expert Witness										2,981			2,981						
3088 - Inter-Agency Legal		85,834	23,942	109,776	101,433	167,574	269,007	46,637	59,243	105,880	46,637	59,243	105,880	8,084	25,718	33,802			
3094 - Inter-Agency Hearing/Mediation		21,387	5,318	26,705	7,138	69,542	76,680	20,485	38,084	58,569	20,485	38,084	58,569	4,140	7,387	11,527			
3000 - Services other								1,730	612	2,342	1,730	612	2,342	3,969	345	4,314			
4000 - Commodities		231,683	156,280	387,963	227,027	384,926	611,953	49	300	349	220,184	249,273	469,457	182,236	204,182	386,417			
Total Investigation Expenditures		419,021	274,444	693,465	378,702	511,497	890,199	396,144	405,369	801,513	396,144	405,369	801,513	409,590	388,144	797,733			
Total Direct Expenditures		\$ 606,359	\$ 392,608	\$ 1,000,000	\$ 537,378	\$ 638,068	\$ 1,168,445	\$ 552,104	\$ 561,465	\$ 1,133,569	\$ 552,104	\$ 561,465	\$ 1,133,569	\$ 636,954	\$ 572,106	\$ 1,208,053			
Indirect Expenditures																			
Internal Administrative Costs		59,545	51,116	110,661	69,514	65,321	134,835	70,156	59,162	129,318	70,156	59,162	129,318	66,247	68,383	134,630			
Departmental Costs		43,045	46,041	89,086	48,099	47,629	95,728	39,754	37,509	77,263	39,754	37,509	77,263	48,863	39,472	88,335			
Statewide Costs		15,685	23,522	39,207	24,759	24,123	48,882	35,119	37,959	73,078	35,119	37,959	73,078	44,929	35,108	80,037			
Total Indirect Expenditures		118,275	120,679	238,954	142,372	137,073	279,445	145,029	134,630	279,659	145,029	134,630	279,659	160,039	142,963	303,002			
TOTAL EXPENDITURES		\$ 724,634	\$ 513,287	\$ 1,238,954	\$ 679,750	\$ 775,141	\$ 1,447,890	\$ 697,133	\$ 696,095	\$ 1,413,228	\$ 697,133	\$ 696,095	\$ 1,413,228	\$ 801,993	\$ 715,069	\$ 1,511,055			
Cumulative Surplus (Deficit)																			
Beginning Cumulative Surplus (Deficit)																			
Annual Increase/(Decrease)		\$ (1,120,051)	\$ (599,500)	\$ 90,771	\$ (508,729)	\$ 92,957	\$ 234,234	\$ (243,480)	\$ (81,479)	\$ 370,234	\$ (150,523)	\$ 370,234	\$ 234,234	\$ 288,755	\$ 940,195	\$ 1,007,950			
Ending Cumulative Surplus (Deficit)		\$ (599,500)	\$ (508,729)	\$ 90,771	\$ 92,957	\$ (150,523)	\$ 234,234	\$ 92,957	\$ 288,755	\$ 370,234	\$ 234,234	\$ 288,755	\$ 508,729	\$ 797,480	\$ 1,737,675	\$ 2,745,625			
Statistical Information																			
Number of Licenses for Indirect calculation		1,770	1,574		1,730	1,467		1,624	1,446		1,624	1,446		1,635	1,521				
Additional information:																			
• General fund dollars were received in FY21-FY23 to offset increases in personal services and help prevent programs from going into deficit or increase fees.																			
• Most recent fee change: Fee reduction FY24																			
• Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program changes per AS 08.01.065.																			

Sub Unit (All)
 PL Task Code GUI1

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)				Grand Total
	1000 - Personal Services	2000 - Travel	3000 - Services	4000 - Commodities	
1011 - Regular Compensation	169,791.02				169,791.02
1014 - Overtime	928.34				928.34
1016 - Other Premium Pay	668.32				668.32
1021 - Allowances to Employees	200.00				200.00
1023 - Leave Taken	27,113.67				27,113.67
1028 - Alaska Supplemental Benefit	12,180.46				12,180.46
1029 - Public Employee's Retirement System Defined Benefits	31,713.70				31,713.70
1030 - Public Employee's Retirement System Defined Contribution	3,743.51				3,743.51
1034 - Public Employee's Retirement System Defined Cont Health Reim	2,302.66				2,302.66
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	775.45				775.45
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	10,682.67				10,682.67
1040 - Group Health Insurance	49,417.56				49,417.56
1042 - Worker's Compensation Insurance	1,383.08				1,383.08
1047 - Leave Cash In Employer Charge	3,830.10				3,830.10
1048 - Terminal Leave Employer Charge	3,465.43				3,465.43
1053 - Medicare Tax	2,826.03				2,826.03
1077 - ASEA Legal Trust	187.34				187.34
1079 - ASEA Injury Leave Usage	15.50				15.50
1080 - SU Legal Trst	13.54				13.54
1970 - Personal Services Transfer					
2000 - In-State Employee Airfare	1,600.47				1,600.47
2001 - In-State Employee Surface Transportation		2,360.62			2,360.62
2002 - In-State Employee Lodging		330.09			330.09
2003 - In-State Employee Meals and Incidentals		3,516.84			3,516.84
2005 - In-State Non-Employee Airfare		1,529.40			1,529.40
2007 - In-State Non-Employee Lodging		2,091.57			2,091.57
2008 - In-State Non-Employee Meals and Incidentals		1,935.00			1,935.00
2009 - In-State Non-Employee Taxable Per Diem		1,030.00			1,030.00
3035 - Long Distance		45.00			45.00
3036 - Local/Equipment Charges			65.43		65.43
3044 - Courier			78.12		78.12
3045 - Postage			77.00		77.00
3046 - Advertising			313.21		313.21
3057 - Structure, Infrastructure and Land - Rentals/Leases			460.16		460.16
3085 - Inter-Agency Mail			2,400.00		2,400.00
3088 - Inter-Agency Legal			2,944.45		2,944.45
3094 - Inter-Agency Hearing/Mediation			36,632.22		36,632.22
4002 - Business Supplies			7,387.20		7,387.20
Grand Total	322,838.85	12,838.52	50,357.79	2,108.00	388,143.16

Name	Task Code	Direct Revenues	General Fund Received	3rd Party Reimbursement	Total Revenues	Direct Expense	Percentage of board licenses/total licenses:	Department certified transactions % by Fiscal Revenue \$	Indirect Expense (Total Non-PCN Allocated)	Percentage of program direct Personal Services:	Total Indirect Expenses	Total Expenses
Acupuncture	ACU1	\$ 34,852	\$ 5,187	\$ -	\$ 40,039	\$ 11,380	\$ 3,108	\$ 703	\$ 3,811	3,488	\$ 7,299	\$ 18,679
Architects, Engineer	AEL1	\$ 153,720	\$ 4,700	\$ 6,500	\$ 164,920	\$ 346,067	\$ 206,216	\$ 3,329	\$ 209,545	87,608	\$ 297,153	\$ 643,220
Athletic Trainers	ATH1	\$ 2,510	\$ 1,027	\$ -	\$ 3,537	\$ 1,634	\$ 1,594	\$ 398	\$ 1,992	502	\$ 2,494	\$ 4,128
Audiology and Speech Pathologists	AUD1	\$ 107,266	\$ 730	\$ -	\$ 107,996	\$ 47,806	\$ 26,644	\$ 2,058	\$ 28,702	13,603	\$ 42,305	\$ 90,111
Barbers & Hairdressers	BAH1	\$ 349,898	\$ 5,933	\$ -	\$ 355,831	\$ 387,195	\$ 188,232	\$ 3,845	\$ 192,077	110,579	\$ 302,656	\$ 689,851
Behavior Analysts	BEV1	\$ 15,700	\$ 139	\$ -	\$ 15,839	\$ 9,560	\$ 2,975	\$ 796	\$ 3,771	2,597	\$ 6,368	\$ 15,928
Chiropractors	CHI1	\$ 206,007	\$ 170,689	\$ -	\$ 376,706	\$ 174,518	\$ 9,430	\$ 1,576	\$ 11,006	31,673	\$ 42,679	\$ 217,197
Collection Agencies	COA1	\$ 15,285	\$ 325	\$ -	\$ 15,610	\$ 23,380	\$ 23,164	\$ 491	\$ 23,655	6,054	\$ 29,709	\$ 53,089
Concert Promoters	CPR1	\$ 10,538	\$ 7	\$ -	\$ 10,545	\$ 423	\$ 61	\$ 148	\$ 759	130	\$ 889	\$ 1,312
Construction Contractors	CON1	\$ 1,508,670	\$ 6,063	\$ -	\$ 1,514,733	\$ 589,725	\$ 273,343	\$ 3,871	\$ 277,214	112,997	\$ 390,211	\$ 979,936
Home Inspectors	HIN1	\$ 10,685	\$ 185	\$ -	\$ 10,870	\$ 11,217	\$ 3,772	\$ 453	\$ 4,225	3,457	\$ 7,682	\$ 18,889
Dental	DEN1	\$ 601,352	\$ 59,056	\$ -	\$ 660,408	\$ 350,245	\$ 61,655	\$ 2,927	\$ 64,582	75,589	\$ 140,171	\$ 490,416
Dietitians/Nutritionists	DTN1	\$ 11,360	\$ 148	\$ -	\$ 11,508	\$ 8,981	\$ 9,961	\$ 1,056	\$ 11,017	2,760	\$ 13,777	\$ 22,758
Direct Entry Midwife	MID1	\$ 82,680	\$ 320	\$ -	\$ 83,000	\$ 44,629	\$ 1,434	\$ 620	\$ 2,054	5,970	\$ 8,024	\$ 52,653
Dispensing Opticians	DOP1	\$ 35,253	\$ 468	\$ -	\$ 35,721	\$ 28,325	\$ 4,941	\$ 806	\$ 5,747	8,723	\$ 14,470	\$ 42,795
Electrical Administrator	EAD1	\$ 23,200	\$ 644	\$ -	\$ 23,844	\$ 67,215	\$ 23,801	\$ 1,139	\$ 24,940	12,006	\$ 36,946	\$ 104,161
Euthanasia Services	EUT1	\$ 3,650	\$ 15,007	\$ -	\$ 18,657	\$ 455	\$ 372	\$ 350	\$ 722	139	\$ 861	\$ 1,316
Geologists	GEO1	\$ 70	\$ 121,004	\$ -	\$ 121,074	\$ 207	\$ 266	\$ 225	\$ 491	64	\$ 555	\$ 762
Guardians/Conservators	GCO1	\$ 11,113	\$ 51	\$ -	\$ 11,164	\$ 3,306	\$ 584	\$ 478	\$ 1,062	941	\$ 2,003	\$ 5,309
Guide-Outfitters	GUI1	\$ 314,340	\$ 5,342	\$ -	\$ 319,682	\$ 388,143	\$ 40,404	\$ 2,992	\$ 43,396	99,567	\$ 142,963	\$ 531,106
Marine Pilots	MAR1	\$ 83,850	\$ 1,083	\$ -	\$ 84,933	\$ 86,116	\$ 4,330	\$ 969	\$ 5,299	20,194	\$ 25,493	\$ 111,609
Foreign Pleasure Craft	FPC1	\$ 50,750	\$ 43	\$ -	\$ 50,793	\$ 2,645	\$ -	\$ 183	\$ 183	801	\$ 984	\$ 3,629
Marital & Family Therapy	MFT1	\$ 125,100	\$ 848	\$ -	\$ 125,948	\$ 57,703	\$ 3,400	\$ 709	\$ 4,109	15,798	\$ 19,907	\$ 77,610
Massage Therapists	MAS1	\$ 79,870	\$ 27,675	\$ 1,516	\$ 109,061	\$ 198,204	\$ 32,727	\$ 2,112	\$ 34,839	49,866	\$ 84,705	\$ 282,909
Mechanical Administrator	MEC1	\$ 15,725	\$ 468	\$ -	\$ 16,193	\$ 131,651	\$ 15,248	\$ 780	\$ 16,028	8,719	\$ 24,747	\$ 156,398
Medical	MED1	\$ 2,876,309	\$ 173,090	\$ -	\$ 3,049,399	\$ 1,178,755	\$ 244,946	\$ 3,723	\$ 248,669	243,980	\$ 492,649	\$ 1,671,404
Mortuary Science	MOR1	\$ 24,478	\$ 159	\$ -	\$ 24,637	\$ 9,957	\$ 3,772	\$ 353	\$ 4,125	2,971	\$ 7,096	\$ 17,053
Naturopaths	NAT1	\$ 11,438	\$ 58	\$ -	\$ 11,496	\$ 3,775	\$ 1,488	\$ 475	\$ 1,963	1,089	\$ 3,052	\$ 6,827
Nurse Aides	NUA1	\$ 230,917	\$ 2,168	\$ -	\$ 233,085	\$ 209,268	\$ 107,106	\$ 2,189	\$ 109,295	40,405	\$ 149,700	\$ 358,968
Nursing Home Administrators	NUR1	\$ 5,334,057	\$ 21,450	\$ 1,487	\$ 5,356,994	\$ 1,777,062	\$ 747,432	\$ 4,064	\$ 751,496	399,810	\$ 1,151,306	\$ 2,928,368
Nursing Home Administrators	NHA1	\$ 11,985	\$ 8,050	\$ -	\$ 20,035	\$ 4,560	\$ 1,594	\$ 462	\$ 2,056	940	\$ 2,996	\$ 7,556
Optometry	OPT1	\$ 154,920	\$ 10,773	\$ -	\$ 165,693	\$ 49,577	\$ 6,641	\$ 697	\$ 7,338	14,399	\$ 21,737	\$ 71,314
Pawnbrokers	PAW1	\$ 1,100	\$ 124	\$ -	\$ 1,224	\$ 7,465	\$ 558	\$ 35	\$ 593	2,302	\$ 2,895	\$ 10,360
Pharmacy	PHA1	\$ 1,169,195	\$ 7,668	\$ 1,500	\$ 1,178,363	\$ 511,790	\$ 170,753	\$ 3,643	\$ 174,396	142,932	\$ 317,328	\$ 829,118
Physical/Occupational Therapy	PHY1	\$ 151,228	\$ 2,253	\$ -	\$ 153,481	\$ 143,745	\$ 69,013	\$ 2,398	\$ 71,411	41,999	\$ 113,410	\$ 257,155
Prescription Drug Monitoring Program	PDMP	\$ 885	\$ 15	\$ -	\$ 2,387	\$ 3,836	\$ -	\$ -	\$ -	-	\$ -	\$ 3,836
Professional Counselors	PCO1	\$ 76,006	\$ 2,554	\$ 237	\$ 78,797	\$ 179,057	\$ 27,281	\$ 1,823	\$ 29,104	47,604	\$ 76,708	\$ 255,765
Psychology	PSY1	\$ 159,021	\$ 1,894	\$ -	\$ 160,915	\$ 126,055	\$ 9,749	\$ 1,396	\$ 11,145	35,304	\$ 46,449	\$ 172,504
Public Accountancy	CPA1	\$ 136,860	\$ 3,621	\$ 6,304	\$ 146,785	\$ 238,569	\$ 44,627	\$ 1,461	\$ 46,088	67,490	\$ 113,578	\$ 352,147
Real Estate	REC1	\$ 228,875	\$ 4,854	\$ 2,500	\$ 236,229	\$ 393,263	\$ 114,677	\$ 1,682	\$ 116,359	86,742	\$ 203,101	\$ 596,364
Real Estate Appraisers	APR1	\$ 224,750	\$ 1,594	\$ -	\$ 226,344	\$ 118,163	\$ 12,432	\$ 1,615	\$ 14,047	29,713	\$ 43,760	\$ 161,923
Social Workers	CSW1	\$ 125,393	\$ 193,197	\$ 313	\$ 318,903	\$ 218,672	\$ 35,888	\$ 2,192	\$ 38,080	59,581	\$ 97,661	\$ 316,333
Storage Tank Workers	UST1	\$ 1,660	\$ 10,058	\$ -	\$ 11,718	\$ 3,527	\$ 1,514	\$ 112	\$ 1,626	1,088	\$ 2,714	\$ 6,241
Veterinary	VET1	\$ 332,214	\$ 252,343	\$ 2,871	\$ 587,428	\$ 155,695	\$ 25,422	\$ 1,887	\$ 27,309	43,677	\$ 70,986	\$ 226,681
No longer existent board/commission (ie Athletic)												
Totals All Boards		\$ 15,104,733	\$ 1,122,875	\$ 24,715	\$ 16,252,325	\$ 8,303,521	\$ 2,563,105	\$ 63,221	\$ 2,626,326	\$ 1,935,851	\$ 4,562,177	\$ 12,865,698

ABL & Corporations	080801005	\$ 8,405,310	\$ -	\$ -	\$ 8,405,310	\$ 1,236,980	\$ 240,649	\$ 8,621	\$ 249,270	\$ 198,151	\$ 447,421	\$ 1,684,401
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DIVISION INDIRECT EXPENSES	Total	Prof Lic	Corp & Bus Lic
Percentage of program direct Personal Services:			
Business Supplies	48,370	48,291	79
Office Equipment	48,418	46,229	2,189
State Vehicles	4,010	3,529	481
Storage and Archives	14,374	13,932	442
Legal Support	43,567	43,567	-
Central Mail Services Postage	43,515	22,450	21,065
Software Licensing and Maintenance	105,385	105,385	-
Division Administrative Expenses - all other	409,858	405,943	3,915
Division allocated by percentage of direct personal services:	717,497	689,326	28,171
Percentage of board licenses/total licensees:			
Investigations indirect Personal Services	381,908	355,061	26,847
Division Administration Personal Services	1,882,940	1,733,808	149,132
Division allocated by percentage of board licenses/total licensees:	2,264,848	2,088,869	175,979

Total Division Indirect Expenses	2,982,345	2,778,195	204,150
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DEPARTMENT INDIRECT EXPENSES	Total	Prof Lic	Corp & Bus Lic
Percentage of program direct Personal Services:			
Commissioner's Office	219,006	192,725	26,281
Administrative Services - Director's Office	65,907	57,998	7,909
Administrative Services - Human Resources	37,642	33,125	4,517
Administrative Services - Fiscal	94,276	82,963	11,313
Administrative Services - Budget	64,167	56,467	7,700
Administrative Services - Information Technology	130,385	114,739	15,646
Administrative Services - Information Technology - Network & Database	20,326	17,887	2,439
Administrative Services - Mail	9,087	7,997	1,090
Administrative Services - Facilities - Maintenance	-	-	-
Department allocated by percentage of direct personal services:	640,796	563,901	76,895
Percentage of board licenses/total licensees:			
Department administrative services support: Fiscal, IT, Procurement	538,906	474,236	64,670
Receipting transaction % by Personal Services:			
Department certified transactions % by Fiscal Revenue \$	71,842	63,221	8,621
Total DEPARTMENT INDIRECT EXPENSES	1,251,544	1,101,358	150,186

STATEWIDE INDIRECT EXPENSES	Total	Prof Lic	Corp & Bus Lic
Percentage of program direct Personal Services:			
Accounting and Payroll Systems	98,243	86,454	11,789
State Owned Building Rental (Building Leases)	206,467	181,691	24,776
State OIT Server Hosting & Storage	10,043	8,838	1,205
State OIT SQL	6,958	6,123	835
State Software Licensing	-	-	-
Human Resources	101,123	88,988	12,135
IT Non-Telecommunications (Core Cost)	318,301	280,105	38,196
IT Telecommunications	32,247	28,377	3,870
Risk Management	2,327	2,048	279
Statewide allocated by percentage of direct personal services:	775,709	682,624	93,085

FY22 TOTALS BY METHODOLOGY	Total	Prof Lic	Corp & Bus Lic
Percentage of program direct Personal Services:	2,134,002	1,935,851	198,151
Percentage of board licenses/total licensees:	2,803,754	2,563,105	240,649
Receipting transaction % by Personal Services:	71,842	63,221	8,621
Grand Total	5,009,598	4,562,177	447,421



PROBATION REPORT

DATE: November 29, 2023
TO: Alaska Big Game Commercial Services Board
THROUGH: Erika Prieksat, Chief Investigator ^{DS}
FROM: Jennifer Summers, Senior Investigator
SUBJECT: Probation Report for the December 4, 2023 Meeting

The following is a complete list of individuals on probation for this Board. All individuals are in compliance with their agreements except as noted below. There are currently **twenty-two (22)** licenses on probation as of the date of this document. Since the last probation report, **zero (0)** licenses were released from probation. All personnel are in compliance except as noted below.

<u>Name</u>	<u>Case Number</u>	<u>Start of Probation</u>	<u>End of Probation</u>	<u>Status</u>
*Cavner, Preston	2020-000741	07/22/2020	09/21/2022	Out of Compliance
*Walker, John	2020-001047	07/22/2020		Suspended
Roberts, Clayton	2021-000255	03/24/2021	03/24/2024	
Butler, Creig	2021-000646	07/27/2021	09/05/2023	
Mize, Sterling	2022-000786	08/16/2022	08/16/2023	
Stone, Jonathan	2022-000795	08/16/2022	08/16/2023	
Huntington, Gilbert	2022-000797	08/16/2022	08/16/2028	
Huffman, Shawn	2022-000802	08/16/2022	08/16/2023	
Elliott, Glenn	2022-000804	08/16/2022	08/16/2023	
*Vanstrom, Michael	2023-000199	12/05/2022	12/06/2028	Out of Compliance

<u>Name</u>	<u>Case Number</u>	<u>Start of Probation</u>	<u>End of Probation</u>	<u>Status</u>
Pitts, Riley	2023-000201	02/28/2023	02/28/2025	
Daniels, Kelly	2023-000202	02/28/2023	02/28/2024	
Welker, Roland	2023-000204	02/28/2023	02/28/2024	
Swift, Mark	2023-000206	02/28/2023	02/28/2025	

RELEASE FROM PROBATION:

<u>Name</u>	<u>Case Number</u>	<u>Start of Probation</u>	<u>Release Date</u>
Malone, Paul	2019-000173	08/12/2020	08/12/2023
Augustine, Ryan	2021-000252	03/24/2021	03/24/2023
Hyce, Richard	2021-000253	03/24/2021	03/24/2023
Burns, Bradford	2021-000278	03/24/2021	03/24/2023
Cates, Jerry	2021-000282	03/19/2020	03/19/2023
Whitehead, Kurt	2022-000321	03/30/2022	03/30/2023
Hedlund, Thomas	2022-000322	03/30/2022	03/30/2023
Pierce, Ernest	2022-000323	11/23/2022	11/23/2023



MEMORANDUM

DATE: November 27, 2023
TO: Big Game Commercial Services B^{DS}
THRU: Erika Prieksat, Chief Investigator ^{DS} [Signature]
FROM: Lee Strout, Investigator **LS**
RE: Investigative Report for the December 04, 2023 Meeting

The following information was compiled as an investigative report to the Board for the period of March 15, 2023 thru November 27, 2023; this report includes cases, complaints, and intake matters handled since the last report.

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

OPEN - 78

<u>Case Number</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Status Date</u>
ASSISTANT GUIDE			
2023-000382	License application problem	Intake	05/05/2023
2023-001154	Criminal action - conviction	Intake	11/27/2023
2023-000336	Criminal action - conviction	Complaint	04/26/2023
2023-000749	License application problem	Complaint	07/14/2023
2023-000917	License application problem	Complaint	10/16/2023
2023-000998	Criminal action - conviction	Complaint	10/19/2023
2023-001034	Criminal action - no conviction	Complaint	11/22/2023
2023-001103	Falsified application	Complaint	10/30/2023
2021-000759	License application problem	Investigation	10/25/2023
2023-000980	Criminal action - conviction	Investigation	10/24/2023

2023-001051	Criminal action - conviction	Investigation	10/24/2023
2023-001089	Criminal action - conviction	Investigation	10/24/2023
2023-000225	Contested license denial	Litigation Initiated	03/15/2023

GUIDE-OUTFITTER

2023-001117	Breach of fiduciary duty	Intake	11/07/2023
2023-001126	Violation of licensing regulation	Intake	11/13/2023
2023-001127	Violation of licensing regulation	Intake	11/13/2023
2023-001145	Violation of licensing regulation	Intake	11/21/2023
2021-001029	Criminal action - no conviction	Complaint	12/01/2021
2022-000176	Breach of fiduciary duty	Complaint	03/09/2022
2022-000906	Violation of licensing regulation	Complaint	11/22/2022
2023-000241	Violation of licensing regulation	Complaint	03/20/2023
2023-000270	Violation of licensing regulation	Complaint	04/03/2023
2023-000415	Breach of fiduciary duty	Complaint	05/31/2023
2023-000490	Criminal action - no conviction	Complaint	05/31/2023
2023-000697	Breach of fiduciary duty	Complaint	07/05/2023
2023-000900	Criminal action - no conviction	Complaint	08/21/2023
2023-000918	Criminal action - no conviction	Complaint	08/23/2023
2023-000997	Violation of licensing regulation	Complaint	09/25/2023
2023-001042	Criminal action - no conviction	Complaint	10/09/2023
2023-001137	Violation of licensing regulation	Complaint	11/16/2023
2021-000624	Criminal action - no conviction	Monitor	
2022-000222	Criminal action - no conviction	Monitor	
2022-000244	Criminal action - conviction	Monitor	
2022-000406	Criminal action - no conviction	Monitor	
2022-000407	Criminal action - conviction	Monitor	
2022-000686	Criminal action - conviction	Monitor	
2023-000151	Violation of licensing regulation	Monitor	
2023-000158	Violation of licensing regulation	Monitor	
2023-000974	Violation of licensing regulation	Monitor	

2023-000983	Violation of licensing regulation	Monitor	
2021-000315	Breach of fiduciary duty	Investigation	12/15/2021
2021-000706	Violation of licensing regulation	Investigation	11/23/2022
2021-000712	Violation of licensing regulation	Investigation	11/29/2022
2021-000873	Violation of licensing regulation	Investigation	11/29/2022
2021-001082	Criminal action - no conviction	Investigation	05/16/2022
2022-000192	Violation of licensing regulation	Investigation	04/11/2022
2022-001145	Violation of licensing regulation	Investigation	01/03/2023

MASTER GUIDE-OUTFITTER

2022-000576	Violation of licensing regulation	Complaint	07/06/2022
2022-000577	Criminal action - no conviction	Complaint	06/16/2022
2022-001050	Violation of licensing regulation	Complaint	10/25/2022
2023-000008	Violation of licensing regulation	Complaint	01/04/2023
2023-000023	Violation of licensing regulation	Complaint	01/17/2023
2023-000222	Criminal action - no conviction	Complaint	03/22/2023
2023-000977	Violation of licensing regulation	Complaint	10/09/2023
2023-000978	Violation of licensing regulation	Complaint	10/17/2023
2020-000135	Breach of fiduciary duty	Monitor	
2022-000100	Criminal action - no conviction	Monitor	
2022-000615	Criminal action - conviction	Monitor	
2021-000623	Criminal action - no conviction	Investigation	12/26/2022
2021-000627	Criminal action - no conviction	Investigation	09/26/2022
2022-000099	Violation of licensing regulation	Investigation	07/24/2023
2022-000179	Violation of licensing regulation	Investigation	08/28/2023
2022-000210	Violation of licensing regulation	Investigation	10/06/2022

TRANSPORTER

2023-000705	Violation of licensing regulation	Complaint	07/06/2023
2023-000805	Breach of fiduciary duty	Complaint	08/08/2023
2023-000907	Violation of licensing regulation	Complaint	09/06/2023
2023-001048	Violation of licensing regulation	Complaint	10/18/2023

2023-001049	Violation of licensing regulation	Complaint	10/17/2023
2019-000483	Criminal action - no conviction	Investigation	04/06/2022
2019-000589	Falsified application	Investigation	04/06/2022
2020-000486	Violation of licensing regulation	Investigation	05/26/2020
2020-000924	Violation of licensing regulation	Investigation	01/14/2021
2022-000170	Criminal action - no conviction	Investigation	04/03/2023
2022-000441	Criminal action - no conviction	Investigation	04/03/2023
2022-000442	Criminal action - no conviction	Investigation	04/03/2023
2022-000443	Criminal action - no conviction	Investigation	04/03/2023
2022-000444	Criminal action - no conviction	Investigation	04/03/2023
2023-000404	Criminal action - no conviction	Investigation	10/25/2023

Closed - 28

<u>Case #</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Closed</u>	<u>Closure</u>
ASSISTANT GUIDE				
2023-000253	License application problem	Closed-Intake	04/11/2023	Review Complete
2023-000282	License application problem	Closed-Intake	04/14/2023	Review Complete
2023-000374	License application problem	Closed-Intake	05/04/2023	Review Complete
2023-000393	License application problem	Closed-Intake	05/30/2023	Review Complete
2023-000394	License application problem	Closed-Intake	06/08/2023	Review Complete
2023-000693	License application problem	Closed-Intake	07/07/2023	Review Complete
2023-000700	License application problem	Closed-Intake	07/21/2023	Review Complete
2023-000897	License application problem	Closed-Intake	08/24/2023	Review Complete
2023-000898	License application problem	Closed-Intake	08/29/2023	Review Complete
2023-001125	License application problem	Closed-Intake	11/14/2023	Review Complete
2021-000314	Unlicensed practice or activity	Closed-Complaint	07/27/2023	No Action - No Violation
2023-000311	License application problem	Closed-Complaint	08/08/2023	Application Denied

2023-000899	License application problem	Closed-Complaint	10/26/2023	No Action - No Violation
2021-001101	Criminal action - conviction	Closed-Investigation	08/08/2023	License Action
2023-000327	License application problem	Closed-Investigation	07/17/2023	Advisement Letter

GUIDE-OUTFITTER

2023-000166	Violation of licensing regulation	Closed-Intake	03/29/2023	Incomplete Complaint
2023-000935	Violation of licensing regulation	Closed-Intake	10/16/2023	Incomplete Complaint
2021-000680	Violation of licensing regulation	Closed-Complaint	08/31/2023	No Action - No Violation
2022-000799	Violation of licensing regulation	Closed-Complaint	10/27/2023	No Action - No Violation
2020-001017	Violation of licensing regulation	Closed-Investigation	03/29/2023	License Action

MASTER GUIDE-OUTFITTER

2023-000243	License application problem	Closed-Intake	04/11/2023	Review Complete
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TRANSPORTER

2023-000297	License application problem	Closed-Intake	04/19/2023	Review Complete
2023-000694	License application problem	Closed-Intake	07/07/2023	Review Complete
2023-000748	License application problem	Closed-Intake	07/14/2023	Review Complete
2023-000777	Breach of fiduciary duty	Closed-Intake	09/15/2023	Incomplete Complaint
2023-000906	Violation of licensing regulation	Closed-Intake	10/17/2023	Incomplete Complaint
2023-001013	Violation of licensing regulation	Closed-Intake	11/02/2023	Incomplete Complaint
2022-000345	Breach of fiduciary duty	Closed-Complaint	08/31/2023	No Action - No Violation

END OF REPORT

EXECUTIVE SESSION MOTION

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

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

Off record: _____

On record: _____

Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

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

Big Game Commercial Services Board

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



Big Game Commercial Services Board - Winter Meeting

Alaska Division of Corporations, Business and Professional Licensing
Dec 4, 2023, at 9:00 AM AKST to Dec 6, 2023, at 3:00 PM AKST
The Lakefront Anchorage: 4800 Spenard Rd. Anchorage, AK 99517

Meeting Details:

<https://us02web.zoom.us/j/87571432977?pwd=Z0o2RWlLdmlyemUxL0FQRzVZd3BHQT09>

Call In: 669-900-6833

Meeting ID: 875 7143 2977

Passcode: 441201

TENTATIVE MEETING AGENDA (DAY 1)

December 4, 2023

Agenda

- I. 9:00am Roll call/Call to Order**
- II. 9:05am Review Agenda**
- III. 9:10am Ethics Review**
- IV. 9:15am Review/Approve Meeting Minutes**
 - A. December 2022**
 - B. March 2023**
 - C. November 2023**
- V. 9:30am State & Federal Agency Updates**
 - A. Dept. of Fish & Game - Ryan Scott**
 - B. Dept. of Natural Resources - Candy Snow**
 - C. Bureau of Land Management - Zach Million**
 - D. Mental Health Trust - Cole Hendrickson**
 - E. US Forest Service - (might have a representative)**
 - F. US Fish & Wildlife Service - Kathey Virgin and Cody Smith**
 - G. Board of Game - Dave Lorrington**
- VI. 12:00pm Lunch Break**
- VII. 1:30pm Division Update**
 - A. Current Fiscal Report - FY23 3rd/4th Quarters**
- VIII. 2:00pm Investigations Unit**
 - A. Probation Monitor Report**
 - B. Investigative Report**

C. Executive Session

1. Case No. 2021-000315, 2022-000176, 2023-000415

2. Case No. 2022-000170, 2022-000441, 2022-000442, 2022-000444

3. Case No. 2022-000179

IX. 4:00pm Recess

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Big Game Commercial Services Board - Winter Meeting

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Meeting Details:

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Call In: 669-900-6833

Meeting ID: 875 7143 2977

Passcode: 441201

TENTATIVE MEETING AGENDA (DAY 2)

December 5, 2023

X. 9:00am Roll Call

XI. 9:05am Agenda Review

XII. 9:10 am Summary/Motions from Executive Session

XIII. 9:30am Public Comment

XIV. 10:00am BREAK

XV. 10:15am Subcommittee Updates/Formation of New Committees

A. Exams - Jason Bunch

B. Transporters - Mike Flores

C. Concession Program - Jason Bunch

XVI. 10:45am Ongoing Task List Review

A. Transporter Information Letter

B. Education Letter for Hunt Planners and Booking Agents

C. Online Self-Service Tools Education

D. Guide Number System

XVII. 12:00pm Lunch Break

XVIII. 1:00pm Discussion with Director Robb

A. IT Request

B. Legislation for EA Position

C. Regulations Process

XIX. 2:00pm BREAK

XX. 2:30pm Public Comment

XXI. 3:00pm Education Seminar

- A. Legal Moose**
 - B. Legal Sheep**
- XXII. 4:00pm Recess**

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Big Game Commercial Services Board - Winter Meeting

Alaska Division of Corporations, Business and Professional Licensing
Dec 4, 2023, at 9:00 AM AKST to Dec 6, 2023, at 3:00 PM AKST
The Lakefront Anchorage: 4800 Spenard Rd. Anchorage, AK 99517

Meeting Details:

<https://us02web.zoom.us/j/87571432977?pwd=Z0o2RWlLdmlyemUxL0FQRzVZd3BHQT09>

Call In: 669-900-6833

Meeting ID: 875 7143 2977

Passcode: 441201

TENTATIVE MEETING AGENDA (DAY 3)

December 6, 2023

XXIII. 9:00am Roll Call

XXIV. 9:05am Review Agenda

XXV. 9:15am Public Comment

XXVI. 9:45am Break

XXVII. 10:00am Alaska Wildlife Troopers - Aaron Frenzel

XXVIII. 10:30am Board Business

A. New Business

1. Hunt Record/Transporter Activity Report Database Update

2. Complaint Matrix

B. Tabled Business

XXIX. 12:00pm Lunch

XXX. 1:30pm Regulation Projects

A. Amending 12 AAC 75.260(d)

XXXI. 2:30pm Task List

XXXII. 2:45pm Administrative Business

XXXIII. 3:00pm Adjourn

SEEKING LEGISLATION TO CREATE AN EXECUTIVE ADMINISTRATOR

Boards may choose to seek a dedicated professional-level position called an Executive Administrator (EA) to support their licensing program. EAs are employed by the division and report to the deputy director. They work closely with the board chair and perform day-to-day activities that support the licensing program and board projects, such as shepherding regulations, interacting with stakeholders, presenting at conferences, testifying on legislation, and interacting with attorneys on board matters. EA may supervise other division staff, such as licensing examiners or administrative assistants. Depending on the size and complexity of the program, the EA will likely replace the existing program coordinators(s); since they are shared staff, they will turn their attentions to other programs without this level of staffing.

Alaska boards with EA: AELS, Marine Pilots (shared with Big Game Commercial Services), Medical, Nursing, Pharmacy, Public Accountancy, Real Estate Commission (shared with Real Estate Appraisers). A Range 23A in partially exempt service will cost approximately \$155,868; \$98,943 in salary and \$56,925 in benefits.

NOTE: The funding the board obtained in the FY2024 budget for an EA position was one-time (i.e., one year) funding, and did not actually include the creation of the position. In order for this to becoming an existing position with reoccurring yearly funding, a legislative bill with the statute changes outlined below must be passed by the Alaska Legislature and signed by the Governor.

When drafting legislation to create this position, the division recommends you include the following language:

NEW Subsections: AS 08.54.600. DUTIES OF BOARD.

(a) The board shall

(1) prepare and grade

(A) a qualification examination for a registered guide-outfitter license that requires demonstration that the applicant is qualified generally to provide guided and outfitted hunts and, in particular, possesses knowledge of fishing, hunting, and guiding laws and regulations; and

(B) a certification examination for each game management unit in which the registered guide-outfitter intends to provide big game hunting services; the examination must require demonstration that the registered guide-outfitter is qualified to provide guided and outfitted hunts in the game management unit for which the registered guide-outfitter seeks to be certified and, in particular, must require demonstration that the registered guide-outfitter possesses knowledge of the terrain, transportation problems, game, and other characteristics of the game management unit;

(2) authorize the issuance of registered guide-outfitter, master guide-outfitter, class-A assistant guide, assistant guide, and transporter licenses after the applicant for the license satisfies the requirements for the license;

(3) impose appropriate disciplinary sanctions on a licensee under AS 08.54.600 - 08.54.790;

(4) require an applicant for issuance or renewal of any class of guide license or of a transporter license to state in a written and signed document whether the applicant's right to obtain, or exercise the privileges granted by, a hunting, guiding, outfitting, or transportation services license is revoked or suspended in this state or another state or in Canada;

(5) regularly disseminate information regarding examinations and other qualifications for all classes of guide licenses to residents of the rural areas of the state;

(6) adopt procedural and substantive regulations required by this chapter;

(7) provide for administration of examinations for registered guide-outfitters at least twice a year;

(8) meet at least twice annually);[.]

(9) establish the qualifications and duties of the executive administrator and delegate authority to the executive administrator that is necessary to conduct board business.

(b) The board shall provide for administration of an oral examination for a registered guide-outfitter license or for a game management unit certification if requested at the time of application for the license.

(c) In addition to the regulations required under (a) of this section, the board may adopt regulations the board considers appropriate, including regulations to

(1) establish a code of ethics for professions regulated by the board;

- (2) establish requirements for the contents of written contracts to provide big game hunting services and transportation services to clients;
- (3) authorize the department to request a copy of a big game hunting services or transportation services contract entered into by a person licensed under this chapter.

NEW Section: AS 08.54.xxx. EXECUTIVE ADMINISTRATOR OF THE BOARD.

- (a) The Department of Commerce, Community, and Economic Development, in consultation with the board, shall employ an executive administrator to carry out the duties established under (b) of this section. The executive administrator is the principal executive officer of the board. The executive administrator is in the partially exempt service under AS 39.25.120 and is entitled to receive a monthly salary equal to a step in Range 23 on the salary schedule set out in AS 39.27.011(a).
- (b) The executive administrator shall perform duties as prescribed by the board.

NEW Subsection: AS 39.25.120. PARTIALLY EXEMPT SERVICE.

- (c) The following positions in the state service constitute the partially exempt service:
 - (1) deputy and assistant commissioners of the principal departments of the executive branch, including the assistant adjutant general of the Department of Military and Veterans' Affairs;
 - (2) the directors of the major divisions of the principal departments of the executive branch and the regional directors of the Department of Transportation and Public Facilities;
 - (3) attorney members of the staff of the Department of Law, of the public defender agency, and of the office of public advocacy in the Department of Administration;
 - (4) one private secretary for each head of a principal department in the executive branch;
 - (5) employees of councils, boards, or commissions established by statute in the Office of the Governor or the office of the lieutenant governor, unless a different classification is provided by statute;
 - (6) not more than two special assistants to the commissioner of each of the principal departments of the executive branch, but the number may be increased if the partially exempt service is extended under [AS 39.25.130](#) to include the additional special assistants;
 - (7) the principal executive officer of the following boards, councils, or commissions:
 - (A) Alaska Public Broadcasting Commission;
 - (B) Professional Teaching Practices Commission;
 - (C) Parole Board;
 - (D) Board of Nursing;
 - (E) Real Estate Commission;
 - (F) Alaska Royalty Oil and Gas Development Advisory Board;
 - (G) Alaska State Council on the Arts;
 - (H) Alaska Police Standards Council;
 - (I) Alaska Commission on Aging;
 - (J) Alaska Mental Health Board;
 - (K) State Medical Board;
 - (L) Governor's Council on Disabilities and Special Education;
 - (M) Advisory Board on Alcoholism and Drug Abuse;
 - (N) Statewide Suicide Prevention Council;
 - (O) State Board of Registration for Architects, Engineers, and Land Surveyors;
 - (P) Alaska Health Care Commission;
 - (Q) Board of Pharmacy;
 - (R) Big Game Commercial Services Board**
 - (8) Alaska Pioneers' Home and Alaska Veterans' Home managers;
 - (9) hearing examiners in the Department of Revenue;
 - (10) the comptroller in the division of treasury, Department of Revenue;
 - (11) airport managers in the Department of Transportation and Public Facilities employed at the Anchorage and Fairbanks International Airports;
 - (12) the deputy director of the division of insurance in the Department of Commerce, Community, and Economic Development;

- (13) the executive director and staff of the Alaska Public Offices Commission;
- (14) the rehabilitation administrator of the division of workers' compensation;
- (15) guards employed by the Department of Public Safety for emergencies;
- (16) marine pilot coordinator of the Board of Marine Pilots;
- (17) guards employed by the Department of Corrections, other than in state correctional facilities, to carry out the responsibility of the commissioner of corrections under [AS 33.30.071\(b\)](#);
- (18) hearing officers and administrative law judges of the Regulatory Commission of Alaska;
- (19) the compact administrator appointed under [AS 33.36.130](#);
- (20) the chief administrative law judge and administrative law judges of the office of administrative hearings;
- (21) the executive secretary of the Board of Public Accountancy.

DRAFT

Existing Executive Administrator/Marine Pilot Coordinator Statutes

As of November 2023

Board of Registration for Architects, Engineers, and Land Surveyors

(Has a R18 EA, but the board is working to change it to a R23.)

Sec. 08.48.055. Executive Secretary of the Board; Investigator.

(a) The department, in consultation with the board, shall employ two persons who are not members of the board. One shall serve as the executive secretary of the board. The other shall serve as investigator for the board. The executive secretary is the principal executive officer of the board and is in the partially exempt service under AS 39.25.120.

(b) The executive secretary of the board shall perform duties as prescribed by the board.

(c) The investigator employed under (a) of this section

(1) shall conduct investigations into alleged violations of this chapter and into alleged violations of regulations and orders of the board;

(2) shall, at the request of the board, conduct investigations based on complaints filed with the department or with the board; and

(3) is directly responsible and accountable to the board, except that only the department has authority to terminate the investigator's employment, and the department shall provide day-to-day and administrative supervision of the investigator.

Board of Marine Pilot

(Has a R20 Marine Pilot Coordinator, which operates similarly to an EA.)

Sec. 08.62.050. Marine pilot coordinator.

(a) The department, with the approval of the board, may hire a marine pilot coordinator who is qualified to assist the board in administering and enforcing the provisions of this chapter. The coordinator is in the partially exempt service under AS 39.25.120.

(b) The person who is hired as coordinator may not

(1) be an active member of a pilot organization in the state;

(2) work as a pilot while employed as the coordinator, except to the extent required by official duties; or

(3) have a financial interest in a pilot organization or in a pilot vessel or other equipment used by a pilot organization.

(c) In addition to other duties as may be assigned by the board, the marine pilot coordinator may review applications for examination and licensure to ascertain whether the applicant satisfies the applicable requirements.

State Medical Board

(Has a R23 EA.)

Sec. 08.64.103. Investigator; executive secretary.

(a) After consulting with the board, the department shall employ two persons who are not members of the board; one shall be assigned as the investigator for the board; the other shall be assigned as the executive secretary for the board. The investigator shall

- (1) conduct investigations into alleged violations of this chapter and into alleged violations of regulations and orders of the board;
- (2) at the request of the board, conduct investigations based on complaints filed with the department or with the board; and
- (3) be directly responsible and accountable to the board, except that only the department has authority to terminate the investigator's employment and the department shall provide day to day and administrative supervision of the investigator.

(b) The executive secretary is the principal executive officer of the board and shall perform duties as prescribed by the board. The executive secretary is in the partially exempt service under AS 39.25.120 and is entitled to receive a monthly salary equal to a step in Range 23 on the salary schedule set out in AS 39.27.011(a).

Board of Nursing

(Has a R23 EA that must have a master's degree in nursing.)

Sec. 08.68.111. Executive administrator of the board.

(a) The Department of Commerce, Community, and Economic Development, in consultation with the board, shall employ a licensed registered nurse who holds, at a minimum, a master's degree in nursing and who is not a member of the board to serve as executive administrator of the board.

(b) The executive administrator shall perform duties as prescribed by the board.

Board of Pharmacy

(Has a R23 EA, though the salary may be higher if the EA is a pharmacist.)

Sec. 08.80.270. EXECUTIVE ADMINISTRATOR OF THE BOARD.

(a) The board shall employ an executive administrator to carry out the duties established under (b) of this section. The executive administrator is the principal executive officer of the board. The executive administrator is in the partially exempt service under AS 39.25.120 and is entitled to receive a monthly salary equal to a step in Range 23 on the salary schedule set out in AS 39.27.011(a). If the executive administrator has a pharmacist license, the executive administrator is entitled to a monthly salary based on the salary classification for pharmacists.

(b) The executive administrator shall

(1) perform duties associated with the licensing and regulation of licensees under this chapter as prescribed by the board; and

(2) serve as a liaison to the legislative and executive branches of state government, the media, and other state pharmacy boards.

Board of Public Accountancy

(Has a R23 EA.)

Sec. 08.04.055. Executive secretary of board.

(a) The department, in consultation with the board, shall employ a certified public accountant or person who has other accounting experience satisfactory to the board and who is not a member of the board to serve as executive secretary of the board.

(b) The executive secretary shall perform duties as prescribed by the board.

(c) The executive secretary of the board is in the partially exempt service and entitled to receive a monthly salary equal to a step in Range 23 on the salary schedule set out in AS 39.27.011(a)

Real Estate Commission

(Has a R19 EA, though we expect to see the range increase in the next year or two, TBD to what.)

Sec. 08.88.031. Executive secretary of commission.

The department shall, after consultation with the commission, employ a person, who is not a member of the commission, to serve as executive secretary for the commission. The executive secretary shall perform duties as assigned by the commission and may use the title "executive administrator" when performing the duties.

Other Boards Currently Considering an EA:

- Board of Dental Examiners, Range TBD (between Range 20-23)
- Board of Certified Real Estate Appraisers, Range TBD (between Range 20-23)

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TIPS FOR BOARDS SEEKING TO INITIATE LEGISLATIVE CHANGES

Prepared by Sara Chambers, DCCED Board Advisor, 2023

As a member of a professional licensing board or commission, you have considerable latitude—as well as responsibility—to recommend changes to your licensing program’s enabling statutes. Members of the public, consumers, other professionals, and your industry’s association confidently approach members of the legislature to affect the change they wish to see in your practice. Additionally, recognizing the need for statutory change and not pursuing it could become grounds for a legislative audit finding. Whether taking the initiative or reacting to an active bill, board members need to be prepared to champion their cause.

Initiating Legislation

When a board determines statutory change is needed after utilizing the right-touch regulation and decisionmaking strategies included in this guidance, it has the responsibility to shepherd the process. The division usually does not have the authority to spearhead a statutory change that a board governs unless there is a significant impact on licensing processes, staff, efficiency, or other administrative characteristics. Boards must be prepared to fully engage in the legislative process when it proposes a change in statute.

Establish Clear Intent and Timeline

On the record, craft a statement and supporting points that illustrate the purpose of your proposal. It’s like your bill’s mission statement. Turn this into a letter from the board that includes the point person elected by the board and their contact information. This person should be ready to work with the sponsor, organize support, and call in to hearings. If the board is championing a piece of legislation, a history of the meeting minutes reflecting the issues and board’s perspective should be compiled by this leader and made available to board members and division management, who will be at every hearing. This research and history will be especially helpful to new board members who are appointed.

Begin NOW. Legislation may take multiple years, especially if it is not introduced at the start of a legislative session. If the two-year legislature ends before your bill passes, it dies and you have to start over...sometimes with new elected officials who are unfamiliar with you and your cause. Legislators have more time to work on legislation during the interim—if you wait until January to start shopping a new bill, it is likely too late to expect results that year.

Draft the Language

Legislators will expect you to know what language needs to change to accomplish your goal. They have attorneys who will edit and improve the document based on your stated intent, but they will want to see your thoughtful first draft. Some legislators will require the board to present a solid legal draft, especially if they are carrying a bill by request (as a favor) and not because they personally feel passionately about the cause. You may want to engage an agency attorney to assist with drafting if the legislation is especially complex or nuanced. Start as soon as possible.

In addition to drafting the content of the bill, the board will need to adopt a letter on the record that explains and supports the legislation. This document can live with the bill and be used by the sponsor to help educate their peers and promote passage. It will be published on the legislative web site to educate the public, and the board can share it with potential supporters who may, in turn write their own letters or testify favorably. Be sure to update the letter if the bill changes; committees or even floor votes can alter the language of a bill without notice.

Seek Supporters...and Know the Opposition

Identify who will be willing to write a letter and/or testify in support of your legislation. Ask them for ideas on who might oppose it. Sometimes, it’s clear, and the board will be ready for the fight. Sometimes, you are too close to your own profession and may not see the downsides to your legislation. Does it affect anyone negatively? Does it increase costs or paperwork? Does it limit the practice of the profession to certain individuals? Do those individuals have a reasonable argument? Engaging the industry, such as a state or national professional association, is often helpful—assuming they support the board’s proposal.

Seek a Sponsor

It's a great idea to find a representative (House) and a senator (Senate) since a bill has to pass both bodies before it can move to the governor's office for signature. Look for a legislator who may have an affinity for your program (is a professional licensee, is a health care provider), likely supports the goal of your bill (is pro-health care/building industry, has sponsored similar legislation in the past, is outspoken about government efficiency), or who represents your district. The board may wish to talk to a House or Senate committee chair about committee sponsorship of its proposal. The board can also discuss the potential for sponsorship by the governor; however, it must reach out to the division director a year in advance to ensure adequate review.

Communicate With Committees

Be available to testify, even on short notice. The board must identify board members who are authorized to speak on behalf of the bill. Contact legislators and committee members to ensure they understand and support your bill. If they don't support it, find out why and seek to aid their understanding...or be prepared for difficult questions.

Promote Your Bill

Everyone will vote on your bill, whether in a committee, on the floor, or both. Some members may vote in several committees, depending on how many times they hear the bill (usually two committees on each side— Finance and Labor and Commerce or Health and Social Services). So, it's helpful if they understand what the bill does and how it helps Alaskans. Legislators have an entire state to worry about, so they don't know the finer points of your licensing program or industry. You can help them understand the main points without dwelling on the details or overthinking it. Be prepared for all kinds of questions!

DRAFT

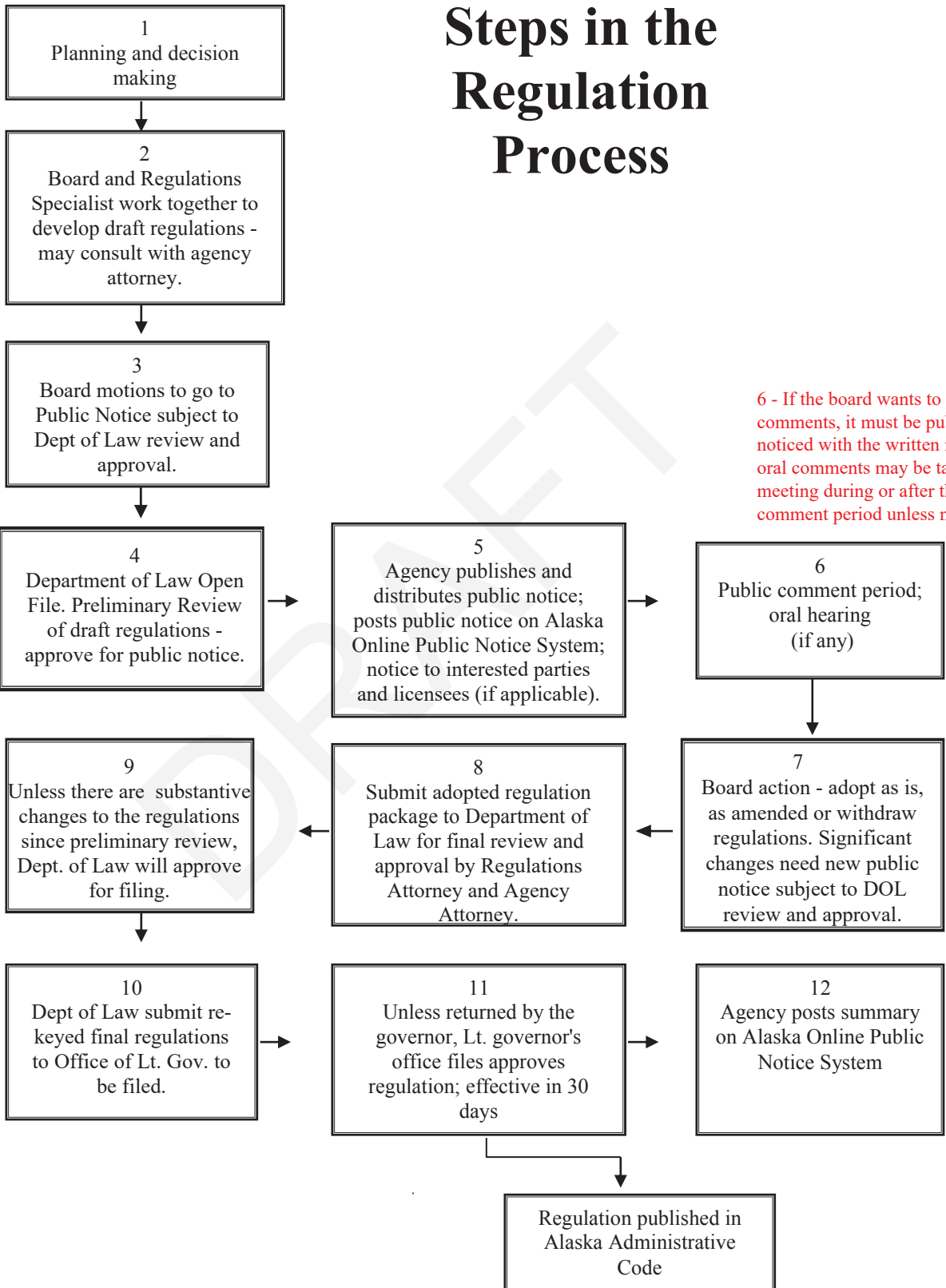
New motion

Move to pursue legislation to create a range 23 Executive Administrator position for the Big Game Commercial Services Board and move forward with the division's suggested statutory language. Pete Buist will be the board's liaison and spokesperson.

DRAFT

REGULATION ADOPTION PROCESS

Steps in the Regulation Process



2 - Consultation with the agency attorney would occur if the board would like assistance with a difficult or controversial subject, otherwise it's not usually necessary.

4- It is at this point that the attorney may contact the Reg Spec for more information, clarification, or changes that would need to be made.

6 - If the board wants to take oral comments, it must be public noticed with the written notice. No oral comments may be taken at a meeting during or after the public comment period unless noticed.

Big Game Commercial Services Board

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

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Big Game Commercial Services Board - Winter Meeting

Alaska Division of Corporations, Business and Professional Licensing
Dec 4, 2023, at 9:00 AM AKST to Dec 6, 2023, at 3:00 PM AKST
The Lakefront Anchorage: 4800 Spenard Rd. Anchorage, AK 99517

Meeting Details:

<https://us02web.zoom.us/j/87571432977?pwd=Z0o2RWlLdmlyemUxL0FQRzVZd3BHQT09>

Call In: 669-900-6833

Meeting ID: 875 7143 2977

Passcode: 441201

TENTATIVE MEETING AGENDA (DAY 1)

December 4, 2023

Agenda

- I. 9:00am Roll call/Call to Order**
- II. 9:05am Review Agenda**
- III. 9:10am Ethics Review**
- IV. 9:15am Review/Approve Meeting Minutes**
 - A. December 2022**
 - B. March 2023**
 - C. November 2023**
- V. 9:30am State & Federal Agency Updates**
 - A. Dept. of Fish & Game - Ryan Scott**
 - B. Dept. of Natural Resources - Candy Snow**
 - C. Bureau of Land Management - Zach Million**
 - D. Mental Health Trust - Cole Hendrickson**
 - E. US Forest Service - (might have a representative)**
 - F. US Fish & Wildlife Service - Kathey Virgin and Cody Smith**
 - G. Board of Game - Dave Lorrington**
- VI. 12:00pm Lunch Break**
- VII. 1:30pm Division Update**
 - A. Current Fiscal Report - FY23 3rd/4th Quarters**
- VIII. 2:00pm Investigations Unit**
 - A. Probation Monitor Report**
 - B. Investigative Report**

C. Executive Session

1. Case No. 2021-000315, 2022-000176, 2023-000415

2. Case No. 2022-000170, 2022-000441, 2022-000442, 2022-000444

3. Case No. 2022-000179

IX. 4:00pm Recess

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Big Game Commercial Services Board - Winter Meeting

Alaska Division of Corporations, Business and Professional Licensing
Dec 4, 2023, at 9:00 AM AKST to Dec 6, 2023, at 3:00 PM AKST
The Lakefront Anchorage: 4800 Spenard Rd. Anchorage, AK 99517

Meeting Details:

<https://us02web.zoom.us/j/87571432977?pwd=Z0o2RWlLdmlyemUxL0FQRzVZd3BHQT09>

Call In: 669-900-6833

Meeting ID: 875 7143 2977

Passcode: 441201

TENTATIVE MEETING AGENDA (DAY 2)

December 5, 2023

X. 9:00am Roll Call

XI. 9:05am Agenda Review

XII. 9:10 am Summary/Motions from Executive Session

XIII. 9:30am Public Comment

XIV. 10:00am BREAK

XV. 10:15am Subcommittee Updates/Formation of New Committees

A. Exams - Jason Bunch

B. Transporters - Mike Flores

C. Concession Program - Jason Bunch

XVI. 10:45am Ongoing Task List Review

A. Transporter Information Letter

B. Education Letter for Hunt Planners and Booking Agents

C. Online Self-Service Tools Education

D. Guide Number System

XVII. 12:00pm Lunch Break

XVIII. 1:00pm Discussion with Director Robb

A. IT Request

B. Legislation for EA Position

C. Regulations Process

XIX. 2:00pm BREAK

XX. 2:30pm Public Comment

XXI. 3:00pm Education Seminar

- A. Legal Moose**
 - B. Legal Sheep**
- XXII. 4:00pm Recess**

DRAFT



Big Game Commercial Services Board - Winter Meeting

Alaska Division of Corporations, Business and Professional Licensing
Dec 4, 2023, at 9:00 AM AKST to Dec 6, 2023, at 3:00 PM AKST
The Lakefront Anchorage: 4800 Spenard Rd. Anchorage, AK 99517

Meeting Details:

<https://us02web.zoom.us/j/87571432977?pwd=Z0o2RWlLdmlyemUxL0FQRzVZd3BHQT09>

Call In: 669-900-6833

Meeting ID: 875 7143 2977

Passcode: 441201

TENTATIVE MEETING AGENDA (DAY 3)

December 6, 2023

XXIII. 9:00am Roll Call

XXIV. 9:05am Review Agenda

XXV. 9:15am Public Comment

XXVI. 9:45am Break

XXVII. 10:00am Alaska Wildlife Troopers - Aaron Frenzel

XXVIII. 10:30am Board Business

A. New Business

1. Hunt Record/Transporter Activity Report Database Update

2. Complaint Matrix

B. Tabled Business

XXIX. 12:00pm Lunch

XXX. 1:30pm Regulation Projects

A. Amending 12 AAC 75.260(d)

XXXI. 2:30pm Task List

XXXII. 2:45pm Administrative Business

XXXIII. 3:00pm Adjourn

Chapter 75. Big Game Commercial Services Board.

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

12 AAC 75.200 is amended to read:

12 AAC 75.200. Registered guide-outfitter providing services. (a) In addition to the restrictions in AS 08.54.720 **and 12 AAC 75.340**, a registered guide-outfitter may provide transportation services [ONLY IN]

(1) within a guide use area for which the guide-outfitter is registered [, UNLESS THE GUIDE-OUTFITTER ALSO HOLDS A TRANSPORTER LICENSE]; **and**

(2) to and from a guide use area, as set out under AS 08.54.790 (7), if the transportation services originate or terminate in a guide use area for which the guide-outfitter is registered [UNLESS THE GUIDE-OUTFITTER ALSO HOLDS A TRANSPORTER LICENSE]. (Eff. 75/24/96, Register 138; am 10/19/96, Register 140; am 4/6/2001, Register 158; am/readopt 7/30/2006, Register 179; am ___/___/_____, Register _____).

Authority: AS 08.54.600 AS 08.54.610 AS 08.54.750

12 AAC 75.230 (g) is repealed:

(g) Repealed ___/___/_____. [A REGISTERED GUIDE-OUTFITTER OR MASTER GUIDE-OUTFITTER WHO WAS UNABLE TO HUNT A BROWN BEAR IN GAME MANAGEMENT UNIT 9 IN THE SPRING 2020 SEASON MAY REGISTER FOR THE 2021 SPRING BROWN BEAR SEASON IN GAME MANAGEMENT UNIT 9, IF

(1) THE REGISTERED GUIDE-OUTFITTER OR MASTER GUIDE-OUTFITTER REGISTERS ON A FORM PROVIDED BY THE DEPARTMENT;

(2) THE REGISTERED GUIDE-OUTFITTER OR MASTER GUIDE-OUTFITTER PROVIDES EITHER

(A) A CURRENT REGISTRATION, VALID AS OF APRIL 10, 2020, FOR THE SAME GUIDE USE AREA FOR WHICH THE REGISTRATION IS SUBMITTED; OR

(B) COPIES OF COMPLETED, SIGNED, AND DATED HUNT CONTRACTS FOR THE 2020 SPRING BEAR SEASON IN GAME MANAGEMENT UNIT 9 INDICATING THAT THE REGISTERED GUIDE-OUTFITTER OR MASTER GUIDE-OUTFITTER HAD BOOKED CLIENTS WHO WERE LATER UNABLE TO COMPLETE THE CONTRACTED HUNT AND AN ATTESTATION THAT THE REGISTERED GUIDE-OUTFITTER OR MASTER GUIDE-OUTFITTER WOULD HAVE REGISTERED BEFORE THE APRIL 10, 2020 DEADLINE; AND

(3) THE CLIENTS FOR WHOM THE REGISTERED GUIDE-OUTFITTER OR MASTER GUIDE-OUTFITTER WILL PROVIDE SERVICES HAVE NOT HUNTED BROWN BEAR IN A GUIDE USE AREA WITHIN GAME MANAGEMENT UNIT 9 SINCE MAY 10, 2020.] (Eff. 75/24/96, Register 138; am 10/19/96, Register 140; am 4/6/2001, Register 158; am/readopt 7/30/2006, Register 179; am 6/8/2007, Register 182; am 12/1/2007, Register 184; am 7/16/2020, Register 235; am 11/38/2020, Register 236; am ___ / ___ / _____, Register _____).

Authority: AS 08.54.600 AS 08.54.750

12 AAC 75.240(a) is amended to read:

(a) A registered guide-outfitter who contracts to guide a hunt shall plan, direct, and monitor the big game hunting services provided to the client. **The contracting registered guide-outfitter must be physically present in this state and able to respond to all communications and needs of the client and employees participating in currently contracted hunts.**

12 AAC 75.240(c) is amended to read:

(c) To comply with (b) of this section, the contracting registered guide-outfitter shall [VERBALLY] communicate, [BY TELEPHONE OR RADIO, OR IN PERSON,] with the client and the assistant guide, class-A assistant guide, or registered guide-outfitter involved in the hunt, separately or together, at least once within 10 days after the conclusion of the hunt. The contracting registered guide-outfitter shall obtain the necessary information to evaluate the performance of the assistant guide, the class-A assistant guide, or registered guide-outfitter and determine whether the big game hunting services were provided safely, in accordance with state and federal law, and to the satisfaction of the client.

12 AAC 75.240(d) is repealed:

(d) Repealed ; ____/____/_____. [THE CONTRACTING REGISTERED GUIDE-OUTFITTER SHALL MAKE A GOOD FAITH EFFORT TO VERBALLY COMMUNICATE WITH THE CLIENT TO OBTAIN THE NECESSARY INFORMATION TO EVALUATE THE PERFORMANCE OF THE ASSISTANT GUIDE, CLASS-A ASSISTANT GUIDE, OR REGISTERED GUIDE-OUTFITTER. IF THE ATTEMPT TO VERBALLY COMMUNICATE

WITH THE CLIENT IS UNSUCCESSFUL, THE CONTRACTING REGISTERED GUIDE-OUTFITTER SHALL WRITE TO THE CLIENT AND REQUEST THE NECESSARY INFORMATION TO EVALUATE THE PERFORMANCE OF THE ASSISTANT GUIDE, THE CLASS-A ASSISTANT GUIDE, OR REGISTERED GUIDE-OUTFITTER. THE CONTRACTING REGISTERED GUIDE- OUTFITTER SHALL WRITE TO THE CLIENT WITHIN 60 DAYS AFTER THE CONCLUSION OF THE HUNT.]

12 AAC 75.240(e) is amended to read:

(e) A registered guide-outfitter shall document on the hunt record the date the registered guide-outfitter complied with the [VERBAL, OR IF APPLICABLE THE WRITTEN,] client communication requirements in (c) [AND (d)] of this section.

12 AAC 75.240(f) is repealed and readopted to read:

(f) The contracting registered-guide outfitter or a noncontracting registered guide-outfitter or class-A assistant guide supervising an assistant guide shall be physically present in a location that allows for supervision of the contracted hunt by communication in person or by electronic means. The supervising guide must

(1) be available to communicate with assistant guides at all times and shall attempt to communicate with the assistant guides on a daily basis to direct and monitor the big game hunting services provided to the client, except

(A) during times when an emergency situation exists that requires the guide's assistance; or

(B) if the supervising guide's means of communication is malfunctioning for a reason out of the control of the supervising guide;

(2) be in the field, except when

(A) in transit with, or while processing meat or trophies from the current season of hunts;

(B) in transit with, or while acquiring, food, supplies, or clients directly associated with the current season of hunts;

(C) conducting important duties that are essential for the safe completion of the current season of hunts;

(D) conducting maintenance or repairs on vehicles necessary to complete the current season of hunts;

(E) conducting a hunt that primarily takes place in a location outside of the field as defined under AS 08.54.790(7); or

(F) conducting a hunt in which the clients are primarily housed outside of the field as defined under AS 08.54.790(7).

12 AAC 75.240(i) is amended to read:

(i) For purposes of the requirement in AS 08.54.610(e) for supervision of a contracted hunt, and in addition to the requirements of this section, the contracting registered guide-outfitter may plan, direct, and monitor a contracted hunt

(1) while in the field and present [IN]

(A) **with currently contracted clients; or** [THE SAME GAME MANAGEMENT UNIT IN WHICH THE CONTRACTED HUNT IS TAKING PLACE]

(B) **supervising assistant guide(s) and other staff; or** [A GAME MANAGEMENT UNIT ADJACENT TO AND SHARING A COMMON BORDER WITH THE UNIT IN WHICH THE CONTRACTED HUNT IS TAKING PLACE; OR

(C) A LOCATION THAT IS NO FURTHER THAN 50 MILES FROM THE NEAREST BOUNDARY OF AN AREA OR UNIT DESCRIBED IN (A) OR (B) OF THIS PARAGRAPH; AND]

(2) **while outside of the field if** [PERFORMING THOSE ACTIVITIES, WHILE IN THE FIELD AND PRESENT IN A LOCATION LISTED IN (1) OF THIS SUBSECTION, IS PRACTICABLE; FOR PURPOSES OF THIS PARAGRAPH, PLANNING, DIRECTING, AND MONITORING THE CONTRACTED HUNT IS NOT PRACTICABLE IF THE CONTRACTING REGISTERED GUIDE-OUTFITTER CANNOT COMMUNICATE IN PERSON, COMMUNICATE PERSONALLY BY TELEPHONE, OR COMMUNICATE PERSONALLY BY RADIO WITH THE ASSISTANT GUIDE, CLASS-A ASSISTANT GUIDE, OR REGISTERED GUIDE-OUTFITTER INVOLVED IN THE CONTRACTED HUNT.]

(A) a non-contracting, supervising registered guide-outfitter or class-A assistant guide is in the field as set out under AS 08.54.620(b)(3) and (f) of this section. The contracting guide must maintain daily communication and be available to communicate at all times with the supervising guide personally by telephone, radio, or satellite device; or

(B) conducting activities set out under (f)(2) of this section.

12 AAC 75.240 is amended by adding a new subsection to read:

(j) For the purposes of this section, “current season” means a period of consecutive or nearly consecutive hunts.

12 AAC 75.250(b) is amended to read:

(b) A registered guide-outfitter who contracts to guide a hunt and who is participating in a hunt as required in AS 08.54.630(b)(3) shall

(1) attempt to be in communication **daily**, either personally or through an agent, with the assistant guide, who is in the field with the client; **[, AT LEAST ONCE DURING THE HUNT IF THE HUNT IS LONGER THAN FIVE DAYS.]**

(2) provide the client with the contracting registered guide’s contact information prior to the hunt; and

(3) provide each client with access to an electronic communication device capable of calling or sending a message to the contracting registered guide. The device may be held by an assistant guide during the hunt and made available to the client upon request.

12 AAC 75.250(c) is amended to read:

(c) In this section, “communication” includes in-person contact, radio contact, telephone contact, **text messaging, email,** and signaling.

12 AAC 75.250(d)(2) is amended to read:

(2) [EITHER PERSONALLY OR THROUGH A CLASS-A ASSISTANT GUIDE, AN ASSISTANT GUIDE, OR A LICENSED TRANSPORTER,] transport **or arrange**

for the transportation of the client into and out of the field at the planned date, time, and location, unless prevented by weather, mechanical problems, or other safety concerns; and

Authority: AS 08.54.600 AS 08.54.620 AS 08.54.710

12 AAC 75.400(a) is amended to read:

(a) Each transporter activity report required by AS 08.54.650 must be on a form provided by the department, titled *Transporter Activity Report*, dated **January 2024** [OCTOBER 2012], and adopted by reference. This form is established by the board for review of the information required by AS 08.54.650.

Authority: AS 08.54.600 AS 08.54.660 AS 08.54.760

AS 08.54.650

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

12 AAC 75.405. Marking of aircraft and boats used by guides and transporters (a) aircraft used by a guide or transporter shall be marked with 12-inch FAA Registration numbers, not less than 1” thick in a color that contrasts with the background and is easily visible from a distance.

(b) any boat over 24 feet (length is a placeholder and should be discussed) in length used by a guide or transporter must be marked with 12-inch numbers, on both sides of the vessel that are not less than 1” thick in a color that contrasts with the background and is easily visible from a distance. The number shall include the guide license number for guides prefixed by the letter “G”, and Transporter license number for Transporters prefixed by the letter “T”.

(c) the sticker authorized for use by a guide or transporter must be of the following design that corresponds to the individual's profession or a substantially similar electronic or digital representation of that design; the license number noted on the sticker must be only the numeric characters of the guide or transporter's license number and exclude alpha characters:



12 AAC 75.440 is amended by adding two new subsections to read:

(e) if permitted to advertise or sell big game transportation services under AS 08.54, a transporter may not advertise or sell big game transportation services to be conducted solely on tidelands; a transporter may not provide big game transportation services on tidelands or below mean high water mark in fresh water, except on those tidelands and below mean high water mark lands that are immediately adjacent to uplands on which the transporter's clients are legally permitted to hunt.

(f) in this section "tidelands" has the meaning given in AS 38.05.965.

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

12 AAC 75.455 Helicopter Use (a) Transporters or guides of any level are prohibited from the use of a helicopter in any manner for the purposes of guiding or transporting, or to aid in guiding or transporting, including transportation to, or from, the field of any unprocessed game or parts of game, any hunter or hunting gear, or any equipment.

(b) For the purposes of this section “equipment” includes vehicles, building materials, shelters, equipment for building runways, animal feed, or furniture.

(c) This section does not apply to the transportation of a hunter, hunting gear, or game during an emergency rescue operation in a life-threatening situation or to remove a wrecked aircraft from the field.

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

12 AAC 75.655. Boat-based transporters with living accommodations on saltwater

(a) A licensed transporter may, under AS 08.54.650(b), provide overnight accommodations to big game hunters on a boat with permanent living quarters located on salt water. In providing this service, the transporter

(1) may only provide overnight accommodations to clients or crew up to the number of people intended to be accommodated in permanent berths as available on the boat;

(2) shall ensure that a captain is onboard the boat while clients are either onboard the boat or in the field. For the purposes of this section, any boat used to transport clients to and from the shore must be operated by a captain licensed by the United States Coast Guard. There

must also be a licensed captain that remains on the larger boat during the transportation to and from shore.

(b) for the purposes of AS 08.54.650(b) “boat with permanent living quarters” means a boat that has

(1) permanent berths intended exclusively for sleeping that are immovable, and not contained in a detachable pod, container, or other structure;

(2) a head that contains a toilet, shower and sink appropriate for daily bathing and sanitation; and

(3) a galley that includes a permanently installed cook stove, dining area, refrigerator, and sink with hot running water large enough for sanitation for the intended occupancy of the boat.

Authority: AS 08.54.600 AS 08.54.750

12 AAC 75.260(d) is amended to read:

(d) A contracting registered or master guide who is signing the hunt contract, and who intends to apply a client for a drawing hunt permit for a hunt conducted under regulations required under AS 16.05, shall obtain a unique verification code for each guide use area in which a unique verification code is required from the department before entering an application for the client. Unique verification codes will only be issued to registered or master guides who are registered in a guide use area located in the hunt area the year the application is made and the years the permit is valid; **except a contracting guide may receive a code and apply a client in a new concession area in which the permit for the concession is authorized but not valid until the year of the hunt as long as the Concessionaire registers for the guide use area before hunting.** Unique verification codes will be current until the associated guide use area registration expires or is withdrawn or amended. Unique verification codes can only be utilized by the contracting registered or master guide who is applying clients for a drawing hunt permit. (Eff. 7/30/2006, Register 179; am 6/8/2007, Register 182; am 4/16/2016, Register 218; am 7/16/2020, Register 235; am 3/24/2022, Register 241; am ____ / ____ / _____, Register _____)

Authority: AS 08.54.600 AS 08.54.720 AS 08.54.790
AS 08.54.680

2024 STATE CALENDAR

JANUARY

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

FEBRUARY

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25	26	27	28	29		

MARCH

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31						

APRIL

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28	29	30				

MAY

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26	27	28	29	30	31	

JUNE

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30						

JULY

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AUGUST

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SEPTEMBER

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OCTOBER


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27	28	29	30	31		

NOVEMBER

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17	18	19	20	21	22	23
24	25	26	27	28	29	30

DECEMBER

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

 Holiday  Payday

State Holidays

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

State Holidays

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

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