

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



**March 2021 Regulations Proposals**

Big Game Commercial Services Board  
**REGULATION PROPOSAL**

JAN 25 2021

CBPL

If you wish your proposal to be considered by the Board at the next scheduled meeting, the proposal must be received by the Division by close of business 45 days before the first day of the scheduled meeting. You may photocopy this form if necessary.

**Proposals must be typed or printed legibly in ink.**

Is this a proposal for a new regulation?  YES  NO

If "yes", which Alaska Statute (AS) under 08.54 supports your new regulation? AS 08.54. \_\_\_\_\_

Is this proposal an amendment to an existing regulation?  YES  NO

If "yes", what is the regulation number? AAC 75. 460

Proposal: to include in the regulation for qualifying for a new species:

"Personally Harvested a minimum of three for that species."

Who is it likely to benefit: Experienced Registered Guide-Outfitters who are actively in the field guiding.

Who is likely to suffer? none

What will happen if nothing is done? There is the potential to send hunters with an inexperienced assistant guide rather than a registered Guide-Outfitter with species specific experience.

If your proposal is an amendment to an existing regulation, you must provide the regulation number to the proposed amendment. If your proposal is for new regulation you must provide the Alaska Statute number under 08.54 that supports your proposal. Failure to provide this information along with your printed name will result in your proposal not being submitted to the Board for consideration.

Proposed by: Nathan B. Peterson Date: 01/14/2021  
(Printed Name)

Mailing Address: 4575b Porter Rd. B32 Kenai, AK 99611

Telephone Number (optional): (907) 598-5286

Email Address (optional): petersons@askanaguides@gmail.com

**Mail To: Big Game Commercial Services Board  
PO Box 110806  
Juneau, AK 99811-0806**

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If "yes", which Alaska Statute (AS) under 08.54 supports your new regulation? AS 08.54.

Is this proposal an amendment to an existing regulation?  YES  NO

If "yes", what is the regulation number? AAC 75. AS 08.54.720

Proposal: 5 MILE BOUNDARY AROUND PERMENT YEAR ROUND LODGE'S

IN G.M.U. 13-A (13-02)

(SEE PAPER WORK)

Who is it likely to benefit: LODGE OWNER AND HUNTER'S COMING TO ALASKA, SAFER FOR HUNTER AND CAMPER.

Who is likely to suffer? NO ONE

What will happen if nothing is done? HUNTING EXPERIENCES DO TO DISRUPTING CAMP AND HUNTER DROPE IN THE FIELD ON TOP OF THE LODGE UNDER THE FIVE MILE LIMIT

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Proposed by: FRANK DANFORD  
(Printed Name)

Date: 12/1/2020

Mailing Address: PO BOX 24183 ANCHORAGE AK 99524

Telephone Number (optional): 907-230-0176

Email Address (optional): \_\_\_\_\_

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Juneau

DEC 03 2020

Division of Corporations, Business  
and Professional Licensing

AS 08.54.720

Requires all class of Guides to  
allow appropriate buffer areas  
between hunters and campers ~~to~~  
in order to avoid disrupting  
hunts and hunting experiences

Fish & Game Rules

Page 17

Hunter Harassment Law

AS 16.05.790

obstruct or hinder another  
person lawful hunting

Five mile boundary -

LAS #

Fee's

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Is this proposal an amendment to an existing regulation?  YES  NO

If "yes", what is the regulation number? AAC 75.450 (b) (13); 450(b)(10)

Proposal: To amend the current regulation by eliminating a comma (character), and deleting three words  
"or game processing", and adding the word "or" immediately in front of the proceeding word "hunting".

(See new language proposed attached.)

75.450(b)(10) word "filed" should be corrected to "field".

Who is it likely to benefit: Public (clients and guests); Part 135 operators, and licensed transporters

Who is likely to suffer? Public (clients and guests); licensed transporters

What will happen if nothing is done? Cost of administrative investigation processes for civil violations will  
continue to increase as the number of new and renewal licensee requests are made. The potential for  
meat spoilage will continue to be an issue if game meat is not properly cared for after cutting. Not all  
transporters may offer this service, but being a good steward of the resource is critical to industry success.

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Proposed by: Michelle Heun Date: December 17, 2020  
*(Printed Name)*

Mailing Address: PO Box 1092, Palmer, AK 99645

Telephone Number (optional): (907) 745-2368

Email Address (optional): HighLakeLodge@gmail.com

**Mail To: Big Game Commercial Services Board**  
**PO Box 110806**  
**Juneau, AK 99811-0806**

DEC 21 2020

**12 AAC 75.450. TRANSPORTER CONTRACT REQUIREMENTS.** (a) A transporter or a registered guide-outfitter contracting solely to provide transportation services shall deliver a written contract to the client (1) within 90 days after receipt of a deposit, and before transportation services are provided; or (2) as soon as possible, and before transportation services are provided, if a deposit is received less than 90 days before transportation services are to be provided. (b) A written contract to provide transportation services must (1) include the name, license number, and signature of the transporter or guide-outfitter, and must include the name of the transporter's or guide-outfitter's business if it is different from the name of the individual transporter or guide-outfitter; (2) include the name and signature of the client; (3) list each big game animal to be hunted; (4) state the cost, payment schedule, and specific weight limitation, if any; (5) set out the deposit refund or transfer policy upon cancellation; (6) state that services are for transportation only; (7) state that guide services are not provided; (8) state that the client is responsible for salvage of the meat during the hunt; (9) state that the client is responsible for salvage of the meat after the hunt unless the meat is legally transferred to a third party; (10) identify the methods of communication with the transporter during the time clients are in the field, such as use of a satellite phone, VHF radio, overflight, or signal device; (11) state who is responsible for the cost of extra trips to transport meat if necessary; (12) include the following statement: "A licensed transporter may provide transportation services with accommodations only at a permanent lodge, house, or cabin owned by the transporter or on a boat with permanent living quarters located on salt water. A licensed transporter may not accompany or remain in the field with a big game hunter who is a client of the transporter except as necessary to perform transportation services"; and (13) include the following statement: "A licensed transporter may not provide vehicles, fuel, camping, or hunting, or game processing equipment, or any hunting services such as skinning, caping, or cleaning of game, glassing, and packing in the field, including from a permanent structure or on a boat on salt water." (c) A transporter shall retain a copy of the contract for at least four years. (d) During portions of a hunt, a transporter is exempt from transporter contracting requirements of this section when providing transportation services for a client to, from, or in between specific locations operated by another transporter or registered guide-outfitter who has contracted this same hunt with the same client

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Is this a proposal for a new regulation?  YES  NO

If "yes", which Alaska Statute (AS) under 08.54 supports your new regulation? AS 08.54.610

Is this proposal an amendment to an existing regulation?  YES  NO

If "yes", what is the regulation number? AAC 75.240

Proposal: Allow a Master Guide to supervise a non-contracting registered guide certified in the GMU to  
conduct/guide a hunt from any where in the state of Alaska as along as the contracting Master Guide is as  
follows: in the field conducting hunts in another one of his GUA's, and is having daily communication with the  
non-contracting registered guide who is conducting/guiding the hunt. THE NON-CONTRACTING CERTIFIED  
REGISTARD GUIDE MUST BE ACCOMPANYING AND PERSONALLY GUIDING THE CLIENT.  
Who is it likely to benefit: Master Guides who have GUA's that do not have a GMU common border and have  
overlapping seasons. Non-contracting registered guides as their value and pay will increase as there license  
status will become more valuable.

Who is likely to suffer? None

What will happen if nothing is done? Master guides who purchased businesses under "meeting the client once  
in the field" regulation. The removal of the "Meeting the client once in the field" had unforeseen consequence  
and now common business practices are illegal even though the Department of Law stated that they would  
not be. The department of Law was incorrect, and therefore businesses suffered.

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Proposed by: Lance Kronberger Date: 1-21-21  
(Printed Name)

Mailing Address: 4005 Delores Dr. Eagle River AK 99577

Telephone Number (optional): 907-854-2822

Email Address (optional): FreelanceOA@mac.com

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**PO Box 110806**  
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If "yes", which Alaska Statute (AS) under 08.54 supports your new regulation? AS 08.54.600 (c) \_\_\_\_\_

Is this proposal an amendment to an existing regulation?  YES  NO

If "yes", what is the regulation number? AAC 75.? \_\_\_\_\_

Proposal: Professional development for all classes of guides and transporters. The board shall provide an open  
online or by mail that can be taken until passed to refresh general knowledge of statutes and regulations.  
\_\_\_\_\_  
\_\_\_\_\_

Who is it likely to benefit: All licensees, the intent is to ensure knowledge of statutes and regulations.  
Licensees will benefit from a refresher of new statutes and regs and also the statutes and regs the board has  
has taken action under. Investigative Costs can be curbed. Licensing costs can go down.  
\_\_\_\_\_

Who is likely to suffer? No one. The division will be responsible for ensuring all licensees have the ability  
to take the refresher course by electronic mail, online or paper.  
\_\_\_\_\_

What will happen if nothing is done? Licensing will continue to have increasingly high costs. Investigations will  
continue to be at a number that is burdensome. Licensees will continue to make administrative mistakes  
that result in board disciplinary action. The board will continue to spend valuable time on discipline when it  
could be working to make the program better.  
\_\_\_\_\_

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Proposed by: Professional Development Subcommittee Date: 2/1/2021  
*(Printed Name)*

Mailing Address: Subcommittee chair, Jason Bunch

Telephone Number (optional): \_\_\_\_\_

Email Address (optional): \_\_\_\_\_

**Mail To: Big Game Commercial Services Board  
PO Box 110806  
Juneau, AK 99811-0806**



## Proposal for Professional Development

The subcommittee for Professional Development held two meetings to discuss the value and potential necessity for a professional development standard. The committee was represented by 3 Master Guides and 5 Registered Guides with experience covering the whole of the state. In order to steer focus for this first meeting I offered the following proposal as a starting point. It was vetted and discussed by all, resulting in unanimous consent of the “need” and a 5-3 decision in favor of recommended language. Those in opposition were (3 registered guides) who favored less BGCSB attendance requirements outlined in paragraph (c).

The BGCSB has historically used heavy fines to encourage discipline regarding knowledge of current statutes and regulations. Annual trends in unlawful administrative violations continue to be consistently higher than desired. These trends cause frustration from licensees and a higher workload for the department of public safety, division investigative services and department of law which ultimately results in higher costs to licensees and is the premise for discussion that more should be done by the BGCSB and its licensees to curb administrative infractions.

What infractions could be lowered with implementation of professional development standards?

1. Failure to disclose on license applications.
2. Failure to disclose a violation of a game or guide regulation.
3. Failure to renew bi-annual license.
4. Failure to renew Guide Use Area Registration.
5. Failure to follow contract regulations.
6. Failure to follow hunting regulations.
7. Failure to provide supervision as prescribed.
8. Failure to communicate as prescribed.
9. Failure to properly prepare hunt records and submit.
10. Failure to follow UVC requirements.

An argument could be made that simply expecting licensed Registered and Master Guide Outfitters to maintain current knowledge of policies, regulations, proposals and changes is not meeting the demand for self-discipline to mitigate unnecessary infractions. This, coupled with lack of participation and general understanding of the regulatory process, also has a diminishing effect on licensing standards and is thought by many to be a contributing factor in poor mentoring of assistant guides and an overall distrust of the process.

## Subcommittee Recommendation

### **12 AAC 75.150. Professional development for assistant guide, class A assistant guide, registered guide-outfitter, master guide-outfitter, and transporter licensees.**

- (a) For renewal of any class of license, the applicant must complete a refresher examination prepared by the board under AS 08.54.600.

(b) An applicant for a registered guide-outfitter license, must provide evidence of attendance to a minimum of three Big Game Commercial Services Board meetings either telephonically, through video conferencing, in person or by another means approved by the board.

(c) An applicant for a Master Guide-Outfitter license must provide evidence of attendance to a minimum of five Big Game Commercial Services Board meetings and participation as a proctor in at least three regularly scheduled registered guide oral exam sessions. For this requirement; participation refers to the willingness and availability to participate as attested by the chairperson of the board or a board member delegated with this responsibility.

(d) The requirements listed in this section will be documented on a form provided by the department and signed by the chairperson or a delegated board member at the time of completion.

The intent of the “refresher examination” listed in subsection (a) would be a tool to guide a licensee through the statutes and regulations to point out changes and those which disciplinary action was taken over the last two years. It would be online (or on paper if requested), could be taken as many times as required to successfully complete and posted near the beginning of the second year of the licensing period to provide adequate time for compliance. Once successfully completed the online tool would prompt the user to “submit” to BGCSB for filing. Approximately 20 questions are recommended with the intent of no more than 30 minutes to complete.

An example template can be found online at;

<https://www.adfg.alaska.gov/index.cfm?adfg=quiz.mountangoatquiz&screen=2> .

An example question;

1. **Sec. 08.54.760. HUNT RECORDS; CONFIDENTIALITY OF HUNT RECORDS AND ACTIVITY REPORTS.** (a) The department shall collect and maintain hunt records provided by a registered guide-outfitter. A registered guide-outfitter shall submit to the department a hunt record for each contracted hunt within \_\_\_\_ days after the completion of the hunt.
  - A. 20 days
  - B. 40 days
  - C. 60 days
  - D. 90 days

The intent of mandating at least three BGCSB meetings for a registered guide applicant is to ensure they see how the regulatory process works, meet others engaged and gain the experience to make an educated decision of whether participation is in their best interest.

The intent of mandating at least five BGCSB meetings and three proctoring sessions for Master guide applicants is to provide yet another layer of required professionalism to the upper tier of our guide licensing pyramid. Most will agree this license holder should possess an in-depth knowledge of the regulatory process and participating in the registered guide testing program. Not only does this provide an avenue to alleviate some of the burden of testing to the small group that has been taking responsibility for it but also provides current knowledge for mentoring the next generation.

Education and participation could be the answer to a healthier program that can be looked at from the outside-in with high regard. This small change could have a positive impact.

Jason Bunch,  
Subcommittee Chair