

*Annual Report*  
*Fiscal Year 2015*

**BIG GAME COMMERCIAL SERVICES  
BOARD**



**DIVISION OF CORPORATIONS, BUSINESS  
AND PROFESSIONAL LICENSING**

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This Annual Performance Report is presented in accordance with Alaska Statute 08.01.070(1) and Alaska Statute 37.07.080(b). Its purpose is to report the accomplishments, activities, and the past and present needs of the licensing program.

**ALASKA STATE BIG GAME COMMERCIAL SERVICES BOARD  
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**ALASKA STATE BIG GAME COMMERCIAL SERVICES BOARD**  
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**ALASKA STATE BIG GAME COMMERCIAL SERVICES BOARD**  
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**NARRATIVE STATEMENT**

The Big Game Commercial Services Board (BGCSB) has three scheduled public meetings per year, December in Anchorage, March in Fairbanks, July teleconference. We held six teleconferences in FY15. The public meetings in Anchorage and Fairbanks are well attended by guides and public with thirty to seventy five attendees. The December meetings are attended by State of Alaska Wildlife Troopers, the Department of Natural Resource, the Department of Fish and Game and the Department of Commerce, Community and Economic Development. Federal agencies included the Bureau of Land Management, U.S. Fish and Wildlife Service, USDA Forest Service, U.S National Park Service and the Federal Aviation Administration. These interactions are a useful tool for all concerned because of overlapping regulatory issues. Our board also has a seat reserved for a Board of Game member; an extremely useful cross membership since our boards influence each other regulations; therefore, close ties are vital to a seamless regulatory fit between the departments.

BGCSB has many areas of responsibility. We must protect the natural resources of the state, establish and enforce professional standards and minimize conflicts between public and commercial big game hunter.

Public protection concerns for Alaska residents are primarily over-crowding in some areas of the state by guides. Localized overuse may be caused by transporters as well as guides. Game harvest levels are sustainable in most areas of the state. There are some local areas of concern primarily on state owned land. On federal land guiding pressure is strictly regulated to preserve the wild nature of the land and visitor experience.

The big game guiding industry creates about \$80 million in economic activity the state No figures are available for transporters but a good estimate would be in the \$40-50 million range. About 1,600 jobs with \$13 million in wages and \$12 million spent in rural areas for goods and services can be attributed to the guiding industry in Alaska. In addition to guide fees our clients indirectly spend approximately \$29.5 million.

The BGCSB has an ongoing regulatory program. Alaska is at the forefront of a worldwide commercial wildlife service provider industry. We have no national standards to reference in our regulation development process so we look to other countries in some aspects of developing regulations. Professional standards can be somewhat similar but national policies, politics, geography and conservation issues are widely dissimilar.

## Licensure

### FY14 License Statistics

New Master Guide (Resident)	9
New Master Guide (Non-Resident)	1
Renew Master Guide (Resident)	123
Renew Master Guide (Non-Resident)	12
New Registered Guide (Resident)	14
New Registered Guide (Non-Resident)	2
Renew Registered Guide (Resident)	394
Renew Registered Guide (Non-Resident)	58
New Class-A Asst Guide (Resident)	6
New Class-A Asst Guide (Non-Resident)	1
Renew Class-A Asst Guide (Resident)	120
Renew Class-A Asst Guide (Non-Resident)	13
New Assistant Guide (Resident)	52
New Assistant Guide (Non-Resident)	47
Renew Assistant Guide (Resident)	565
Renew Assistant Guide (Non-Resident)	366
New Transporter (Resident)	20
New Transporter (Non-Resident)	2
Renew Transporter (Resident)	166
Renew Transporter (Non-Resident)	6
Exam Prep Packet	1
Retired Master/Reg Guides	6
Retired Class-A Asst Guides	0

In FY14 there were two opportunities for the Registered Guide examination and three for Game Management Unit exams.

## Board accomplishments FY 14

- Held face to face meetings and six teleconferences.
- Adjudicated thirty-four cases in FY14
- Created a template after examining outdated information in the Game Management Unit exams. The template will assure test consistency and make updating the test more efficient.
- Updated 20 of the 26 Game Management Unit exams.
- Reviewed regulation portions of the Registered Guide exam and revised the content and format.
- Revised testing content in the Aging and Sexing exam, Trophy Judging exam and the scoring portions of the Registered Guide practical exam.
- Reviewed and revised professional standards as conditions warranted. The Board offers educational seminars during the Anchorage and Fairbanks meetings such as wildlife trophy judging, wilderness first aid seminars, best business practices, ethics and records requirements.
- Collaborated with the Investigative office to develop an information packet to assist Registered Guides with guide- client contracts and remain compliant with the requirements set forth in statute and regulations.
- Received public comment regarding proposed regulations.
- Developed training requirements for non-licensed persons with two sub-committees.
- Reviewed sanctions for the BGCSB guidelines and precedence document. This tool is used to maintain consistency in disciplinary actions.
- Examined common violations with the Investigative office for overt purposeful evasion of compliance and inadvertent violations.
- Took steps to create new guidance and education for licensees. We believe this has begun to pay off in reduced violations and will save significant investigation and legal costs for the board.

**ALASKA STATE BIG GAME COMMERCIAL SERVICES BOARD**

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**BUDGET RECOMMENDATIONS FOR FY 2016**

**TRAVEL REQUESTS:** ranked in order of the board's priority. Provide the best estimates based on past actuals and seasonal trends in travel, such as summer hotel rooms or increased fuel costs. Calculate on full costs and note any third-party fiscal offsets. Expand the tables below as needed.

**Board Meetings**

Date	Location	# of Board Members	# of Staff	Total Estimated Cost (total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)
12/7-10	Anchorage	9	1	\$12,000
3/8-11	Fairbanks	9	1	\$14,000

**Travel Required to Perform Examinations**

Date	Location	# of Board Members	# of Staff	Total Estimated Cost (total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)
12/2015	Anchorage	9	1	Included in board meeting budget
Description of meeting and its role in supporting the mission of the board:  Adopt procedural and substantive regulations required; Provide for administration of examinations for registered guide-outfitters at least twice a year; Meet at least twice annually. Adopt regulations the board considers appropriate, including regulations to: <ul style="list-style-type: none"> <li>• establish a code of ethics for professions regulated by the board;</li> <li>• establish requirements for the contents of written contracts to provide big game hunting services and transportation services to clients.</li> </ul> Prepare and grade: <ul style="list-style-type: none"> <li>• 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</li> </ul> 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.				
3/2016	Fairbanks	9	1	Included in board meeting budget
Description of meeting and its role in supporting the mission of the board:				

Adopt procedural and substantive regulations required;  
 Provide for administration of examinations for registered guide-outfitters at least twice a year;  
 Meet at least twice annually.

Adopt regulations the board considers appropriate, including regulations to:

- establish a code of ethics for professions regulated by the board;
- establish requirements for the contents of written contracts to provide big game hunting services and transportation services to clients.

Prepare and grade:

- 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

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.

**Out-Of-State Meetings and Additional In-State Travel**

Rank in order of the board's priority. "Reimbursement" refers to payment to cover travel costs. "Direct" refers to an offer by a company to secure travel arrangements on behalf of the board member.

Rank	Date	Location	# of Board Members	# of Staff	Total Estimated Cost		Total Potential Third-Party Offset
					(total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)	Conference Fee	Reimbursement Direct
1	2016	Juneau	1	0	\$2000	0	
	Description of meeting and its role in supporting the mission of the board: Meet with elected officials about removing an exemption for air-taxis in Section 08.54.790(12)(B).						
2	2016	Fairbanks	1	0	\$2000.00		Reimbursement Direct
	Description of meeting and its role in supporting the mission of the board: Meet with the Board of Game.						
3							Reimbursement Direct
	Description of meeting and its role in supporting the mission of the board:						
4							Reimbursement Direct
	Description of meeting and its role in supporting the mission of the board:						

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 BUDGET RECOMMENDATIONS FOR FY 2016 CONTINUED**

**NON-TRAVEL BUDGET REQUESTS**

**Dues/Memberships/Resources/Online Training/Teleconferences/Examination Contracts**

Provide details of the budgetary request. Break down into specific events, where applicable.

<b>Product or service:</b> N/A	<b>Provider:</b>	<b>Cost per event:</b>
Description of item and its role in supporting the mission of the board:		
<b>Product or service:</b>	<b>Provider:</b>	<b>Cost per event:</b>
Description of item and its role in supporting the mission of the board:		

**Other Items with a Fiscal Impact:**

<b>Product or service:</b> N/A	<b>Provider:</b>	<b>Cost per event:</b>
Description of item and its role in supporting the mission of the board:		
<b>Product or service:</b>	<b>Provider:</b>	<b>Cost per event:</b>
Description of item and its role in supporting the mission of the board:		

**Summary of FY16 Fiscal Requests**

Board Meetings	<b>\$26,000</b>
Travel for Exams	
Out-Of-State and Additional In-State Travel	<b>\$4,000</b>
Dues/Memberships/Resources/Online Training/Teleconferences	
Total Potential Third-Party Offset	
Other	
<b>Total Requested:</b>	<b>\$30,000</b>

**Additional information:**

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**RECOMMENDATIONS FOR PROPOSED LEGISLATION FOR FY 2015**

**Focus Area (Check all that apply)**

- Economic Development
- Government Within Our Means
- National Regulatory/Industry Changes
- Enhance Public Protection

**1. Subject and Proposed Language (include intent and statutory reference)**

In March of 2015 the BGCSB voted to propose the removal of an exemption for air-taxi in Section 08.54.790(12)(B).

(12) "transportation services" means the carriage for compensation of big game hunters, their equipment, or big game animals harvested by hunters to, from, or in the field; "transportation services" does not include the carriage by aircraft of big game hunters, their equipment, or big game animals harvested by hunters

(A) on nonstop flights between airports listed in the Alaska supplement to the Airmen's Guide published by the Federal Aviation Administration; or

(B) by an air taxi operator or air carrier for which the carriage of big game hunters, their equipment, or big game animals harvested by hunters is only an incidental portion of its business; in this subparagraph, "incidental" means transportation provided to a big game hunter by an air taxi operator or air carrier who does not

(i) charge more than the usual tariff or charter rate for the carriage of big game hunters, their equipment, or big game animals harvested by hunters; or

(ii) advertise transportation services or big game hunting services to the public; in this sub-subparagraph, "advertise" means soliciting big game hunters to be customers of an air taxi operator or air carrier for the purpose of providing air transportation to, from, or in the field through the use of print or electronic media, including advertising at trade shows, or the use of hunt broker services or other promotional services.

**2. Explain the benefits the proposed legislation would provide.**

Level the playing field for all off-airport service providers who transport hunters and game parts. The original intent of the exemption was to permit scheduled air carriers in rural Alaska who only provided village to village transportation of passengers, mail and freight from reporting requirements and any unnecessary regulations. Some air services are circumventing the intent by artful advertising. They exist to provide air service to off airport landing sites. They do not provide year round services for rural areas of the state; their equipment is stored for the winter. This put the legitimate on-demand air-taxis at an economic disadvantage to comply with transporter regulations.

**3. Explain the consequences, if any, of not implementing the proposed statutory change.**

Air-taxis would continue to operate in an irresponsible manner and have a negative impact on a natural resource.

**4. Describe any potential negative impacts of this legislation and how they would be minimized.**

Air-taxis would have to become regulated if they transport big game hunters.

**5. Who do you anticipate will support the bill and why? Include municipalities, groups, etc...**

Guides will support the bill. Several ANSCA village and regional Corporations have expressed interest.

**6. Who do anticipate will oppose the bill and why?**

**Some** Air-taxis will oppose the bills because they do not want to be regulated as Transporters.

**7. What other state departments will be affected by this legislation? Have you discussed the impact with the affected departments, and if so who and do they support this bill?**

Alaska Dept of Fish and Game, Alaska Department of Public Safety, Department of Natural Resources. None of the departments have issued an official statement of support.

**8. Identify and describe any previous state or federal legislation or similar efforts in other states which affect or relate to this proposal.**

There are none.

**9. Has this bill topic been previously introduced in the legislature? If so, what was the final outcome and why?**

No.

**10. In the event questions should be raised during review of this request, please indicate below which board member should be contacted:**

Henry D. Tiffany IV. Kelly Vrem

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REGULATION RECOMMENDATIONS FOR FY 2016**

12 AAC 75.260 Drawing hunt application. This is a collaboration with the Board of Game and the Alaska Department of Fish and Game.

12 AAC 75.340(d)(7) Rescind problematic language regarding guide camp separation standards.

12 AAC 75.400 adopt transporters use areas (08.54.750(f) authority.

License fee increases 08.54.770

Use area fees implementation 08.54.770. This is a measure to accelerate debt retirement.

12 AAC 75.130 training of non-licensed persons for licensure requirements per AS 08.54.605. Final adoption is anticipated in December 2015.

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**GOALS AND OBJECTIVES FOR FY 2016**

List the board's FY15 goals and objectives and how they were met:

- Regulate the big game hunting service providers, continued improvement of guide and transporter professional standards.

List the board's FY16 goals and objectives. Include any strengths, weaknesses, opportunities, and threats, as well as any resources needed:

- Improve non-resident guide required species drawing procedure in lottery hunts.
- Cooperation with ADF&G and the Board of Game to improve non-resident hunt drawing for guide required species. The past process was confusing and many opportunities had been lost due to non-resident drawing applicants applying for big game tags without realizing that a guide was required and the associated cost of a guided hunt. This resulted in many tags left unused and income opportunities lost by guides authorized to operate in drawing hunt areas. The new system requires non-residents to agree to the services of a qualified guide who then will place the applicants name in the drawing pool. This will clarify the cost and logistics involved for the hunters and result in less tags going unused.
- Identify regulation violation trends and prepare educational materials to reduce violations.
- Improvement of the Registered Practical exams.
- Debt reduction.

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**SUNSET AUDIT RECOMMENDATIONS**

Date of last Legislative Audit: September 13, 2011

Board sunset date: June 30, 2016

**2011 Audit Recommendation #1:**

The division director should ensure procedures are developed and that division staff adhere to them in order to provide efficient and effective support to the board's day-to-day operations.

Action taken: Coordinating staff responsibilities to better articulate expectations set forth in statute, regulation or policy. Staff has been reduced from two examiners to one examiner.
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Next Steps: The Supervisor will set up follow-up timelines to ensure items identified in the audit are being address.
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Date completed: 9/2012
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**2011 Audit Recommendation #2:**

The division director should ensure staff adhere to investigative case management procedures and develop additional procedures and reporting tools as necessary.

Action taken: An overall detailed management plan with role assignment and timelines was developed by the CBPL management team. Investigator responsibility was restructured to require that experience senior Investigators have oversight for proper handling of intakes, complaints, investigations and hearings. A caseload standard is under review to determine the optimum number of cases per Investigator.
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Next Steps: The Investigations system will be remediated. The procurement of Investigator resources is under consideration.
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Date completed: 9/2012
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**2011 Audit Recommendation #3:**

The division, in conjunction with the board, should increase licensing fees and/or reduce expenditures to mitigate the board's current and projected operating deficit.

Action taken: Identifying fee analysis issues provide standard reports on expenditures and revenues and develop a reliable fee setting methodology was conducted. An analysis of expenditures and revenues for all board was conducted. A propose fee structure was provided to the board for comment. The board did not object to the new fee structure which was approved and administered by the department.

Next Steps: Communication from the board to the Division to eradicate the continued deficit.

Date completed:7/2013

**2011 Audit Recommendation #4:**

The board should consider modifying regulatory first aid requirements to provide consistency between guide-outfitter licensee types.

Action taken: CBPD provided the board with draft regulations on first aid requirement for consideration at the December 2011 meeting.

Next Steps During the March 2013 board meeting the board determined that only first aid requirements for Assistant guides and no other licensees will remain the same.

Date completed: 3/2013

**2011 Audit Recommendation #5:**

The board should reconsider the electronic accumulation of information gathered from hunt records and transporter reports.

Action taken: An internal division team determined the uses of the information, the stakeholders and the cost associated with data collection, data entry and maintenance of the database. The HR and T forms were revised to eliminate non entry data and a new program significantly reduced the entry data time.

Next Steps: none

Date completed: 6/2013

**2011 Audit Recommendation #6:**

The division director should ensure controls over the database security of hunt records and the physical custody of hunt records and transporter reports are adequate.

Action taken: Confidentiality agreements now exist between the division and other agency individuals that are reviewed by the Operations Manager before approval to access to the hunt and transporter record form database.
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Next Steps: none
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Date completed: 1/2013
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