

## NOTICE OF PROPOSED CHANGES TO ETHICS STANDARDS FOR GUIDES IN THE REGULATIONS OF THE BIG GAME COMMERCIAL SERVICES BOARD

**BRIEF DESCRIPTION:** The Big Game Commercial Services Board proposes to update regulations regarding ethics standards for guides.

The Big Game Commercial Services Board (Board) proposes to adopt regulation changes in Title 12, Chapter 75, of the Alaska Administrative Code, dealing with professional ethics standards for guides, including the following:

**12 AAC 75.340, Professional ethics standards for guides**, is proposed to be changed to alter the ethics standards requirements for guides.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/183326>, and using the comment link. **The comments must be received not later than 5:00 p.m. on November 23, 2016.**

Oral comments relevant to the proposed action, including the potential costs to private persons of complying with the proposed action, may also be given at a hearing to be held on December 6, 2016, at the Atwood Building, 550 W. 7th Avenue, Room 104, Anchorage, Alaska. **Written comments will not be accepted at the hearing.** If you wish to give your comments via telephone, please call 1-800-315-6338 access code 24272. The hearing will begin at 9:05 a.m. and will end when those who have signed up before 9:05 a.m. to give oral testimony have had the opportunity to comment. The chair of the Board may limit each participant's length of oral testimony to a time limit, determined by the chair before the hearing begins, to allow enough time for all those present and timely registered to give testimony.

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at [jun.maiquis@alaska.gov](mailto:jun.maiquis@alaska.gov). **The questions must be received at least 10 days before the end of the public comment period.** The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System or on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BigGameCommercialServicesBoard.a.spx>. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 or [jun.maiquis@alaska.gov](mailto:jun.maiquis@alaska.gov) not later than November 16, 2016 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or [jun.maiquis@alaska.gov](mailto:jun.maiquis@alaska.gov), or go to <https://www.commerce.alaska.gov/web/portals/5/pub/BGCSB-0716.pdf>.

After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

**Statutory Authority:** AS 08.54.600; AS 08.54.680; AS 08.54.710

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.54.600; AS 08.54.680; AS



**Chapter 75. Big Game Commercial Services Board.**

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 75.340(d) is amended to read:

(d) **Field craft standards.** All classes of guides shall

(1) **conduct themselves in a professional sportsman like manner, and treat wildlife, wild lands and all users with courtesy and respect;**

(2) use every lawful means at the licensee's disposal to bag a wounded animal while it is in danger of escaping, or, in a serious emergency, while human life or well-being is endangered;

(3) [(2)] barring unforeseen conditions, properly prepare according to generally accepted procedures, all antlers, horns, hides, and capes to be delivered to the taxidermist or to the client at the conclusion of a hunt in a satisfactory and unspoiled condition, unless the guide is providing only outfitting and transportation services for the client;

(4) [(3)] endeavor to salvage all meat of animals taken by clients, in accordance with state statutes and regulations;

(5) [(4)] except for brown bear, grizzly bear, wolves, and wolverine, transport the meat of a big game animal taken by the client in accordance with 5 AAC 92;

(6) [(5)] respect gear, equipment, food, shelter, and camps established by other users;

(7) [(6)] avoid staging unused or unattended camps and gear to discourage other users from utilizing a location;

(8) [(7)] allow appropriate buffer areas between hunters and camps in order to avoid disrupting hunts and hunting experiences;

**(9) refrain from using any mechanical powered equipment to knowingly herd, drive, chase or harass big game animals;**

**(10) refrain from making multiple, consecutive approaches in any mechanical powered equipment, near any game animal or group of game animals during any open hunting season for that species, to avoid altering the hunting experience of other hunters,** [(8) AVOID USING AN AIRCRAFT IN ANY MANNER TO SPOT BIG GAME FOR THE PURPOSE OF TAKING A SPECIFIC ANIMAL,] unless

(A) hunting brown, grizzly, or black bears from January 1 through June 30 in an area with an allowable harvest under 5 AAC 85 and 5 AAC 92, **of** [OR] one or more brown or grizzly bears per regulatory year; in this subparagraph, "regulatory year" has the meaning given in 5 AAC 92.990; or

(B) specifically authorized under another statute or regulation;

**(11)** [(9)] avoid utilizing [, IN ANY MANNER,] global positioning system (GPS) or other electronic devices to **locate and stalk** [ASSIST IN THE TAKING OF] a big game animal **for the purpose of harvest**; and

**(12)** [(10)] respond personally or through an assistant to requests for assistance communicated during the hunt; a contracting or employing guide must respond within a reasonable time based on the urgency of the request, weather conditions, and other safety factors.

(Eff. 7/30/2006, Register 179; am 6/8/2007, Register 182; am 11/24/2007, Register 184; am 6/26/2010, Register 194; am 6/2/2011, Register 198; am 1/13/2012, Register 201; am 12/2/2012, Register 204; am 4/13/2013, Register 206; am 4/16/2016, Register 218; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 08.54.600 AS 08.54.680 AS 08.54.710