



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce,
Community, and Economic
Development**

DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

Big Game Commercial Services Board

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1. **SUBJECT:** When a guide-outfitter license may be granted to an applicant with a felony conviction.
2. **APPLICABILITY:** This policy applies to applications for all classes of guide-outfitter license.
3. **STATUTES AND REGULATIONS AFFECTED:** AS 08.54.605, AS 08.54.610, AS 08.54.620, AS 08.54.630, AS 08.54.660, AS 08.54.710, AS 08.54.720, 12 AAC 75.100, 12 AAC 75.105, 12 AAC 75.120, 12 AAC 75.130, 12 AAC 75.340
4. **INTENT:** To provide clarification and direction to an applicant for any class of guide-outfitter license that licensees are required to be in compliance with state and federal laws affecting the provision of services for which the license is granted.

12 AAC 75.340(b) **Professional ethics standards for guides.** (b) Compliance with law. All classes of guides shall
 - (1) comply with applicable state and federal statutes and regulations. . .
12 AAC 75.340(c) **Client and employee care standards.** All classes of guide shall
 - (1) take every reasonable measure to assure the safety and comfort of the client...
12 AAC 75.340(d) **Field care standards.** All classes of guide shall...
 - (2) use every lawful means at the licensee's disposal to bag a wounded animal while it is in danger of escaping, or, on serious emergency, while human life or well-being is endangered...
5. **POSITION:** The Board has determined that under 12 AAC 75.340(c)(1)(2) and 12 AAC 75.340(d)(2) a guide-outfitter in the field with a client must be in possession of a firearm to adequately protect the safety of the client and to be prepared to efficiently dispatch a wounded animal. A guide-outfitter must be legally authorized to possess and carry a firearm while in the field with a client.

The Board licenses and regulates the activities of providers of commercial services to big game hunters in Alaska. Licensees, their clients, and the firearms and ammunition used in the service of clients come to Alaska from all over the world. The Board recognizes that federal law 18 United States Code § 922 was enacted

pursuant to the federal commerce power, and under 18 U.S.C. § 922(g) a person who has been convicted of a felony may not possess a firearm or ammunition. Under Alaska statutes, a person may not legally possess a firearm if convicted of: 1) a felony against a person, or 2) a felony, other than an offense against a person, unless 10 years have elapsed from the date of unconditional discharge from probation and parole.

Therefore, it is the Board's position that any class of guide-outfitter license which requires the possession of a firearm may not be granted to an applicant who has been convicted of a felony, unless the applicant provides legal documentation that the right to possess a firearm has been restored under both state and federal law.

6. RECOMMENDATIONS: An applicant for any class of guide-outfitter license who has been convicted of a felony in any jurisdiction must provide proof that he or she is legally allowed under both state and federal law to possess and carry a firearm.