



Regulation Position Statement

1. **SUBJECT:** Supervision exception for “Emergency Situation” regarding “family medical condition”.

2. **APPLICABILITY:** This policy applies to contracting guide outfitters who are expecting the birth of their child within dates of contracted hunts.

3. **STATUTES AND REGULATIONS AFFECTED:** AS 08.54.600, AS 08.54.605, AS 08.54.630, AS 08.54.635, AS 08.54.790, 12 AAC 75.240

4. **INTENT:** To provide further direction to contracting guides, law enforcement, division of commerce, land managers and clients concerning supervision regulation 12 AAC 75.240 (f)(1)(h)(4).

- (f) The contracting registered-guide outfitter or a non-contracting registered guide-outfitter or class A assistant guide supervising an assistant guide shall be available in the same guide use area, or an adjacent guide use area with a common border, to direct and monitor the big game hunting services provided to the client, except during times when:
- (1) an emergency situation exists that requires the guide's assistance;
 - (h) in this section, "emergency situation" means a situation in which a person is in a remote area and
 - (4) the guide's presence is necessary for a family medical condition.

5. **POSITION:** Under provisions of regulation 12 AAC 75.240 it is the position of the Big Game Commercial Services Board that the birth of a child is included in the definition of a “family medical condition”.

6. **RECOMMENDATIONS:**

- a. Contracting guides should provide a letter to the client informing them of their absence during their hunt. This letter should be signed by the client and kept with the hunt contract in the case conflicts arise.
- b. Parameters of Statute 08.54.610 (e) and Regulation 12 AAC 75.240 (i)(2) should be adhered to when a planned childbirth is used for constituting the contracting guides absence.