

STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC  
DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

BIG GAME COMMERCIAL SERVICES BOARD

MINUTES OF THE MEETING ON  
March 6<sup>th</sup> – 8<sup>th</sup>, 2017

Monday, March 6<sup>th</sup>, 2017

By the authority of AS 08.01.070(2) and AS 08.86.030, and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Big Game Commercial Services Board was held on March 6<sup>th</sup>, 2017 at the Department of Environmental Conservation building located at 610 University Drive in Fairbanks, Alaska.

These are DRAFT minutes prepared by the staff of the Division of Corporations, Business, and Professional Licensing. These minutes have not been reviewed or approved by the Board.

Board Members Present, Constituting a Quorum:

Nicholas Jackson, *Private Landholder*  
James David Jones, *Transporter (GUIT1003)*  
Henry D. Tiffany IV, *Master Guide (GUIM144)*  
Michele Metz, - Vice President - *Private Landholder*  
Kelly Vrem, *President - Master Guide (GUIM102)*  
James "Tom" Atkins, *Transporter (GUIT978)*  
Thomas Sullivan, *Public Member*

Board Members Absent:

Adam Trombley, *Public Member*

Staff Members Present

Laura Carrillo, *Records & Licensing Supervisor*  
Heather Noe, *Occupational Licensing Examiner*  
Lee Strout, *Investigator*  
Amber Whaley, *Investigator*  
Martha Hewlett, *Administrative Officer*

Public/Licensees Present:

Aaron Bloomquist, *GUIR1259*  
Loren Karro, *GUIR941*  
Dan Montgomery, *GUIM173*  
Mark Richards, *Resident Hunters of Alaska*

Alaska Big Game Commercial Services Board  
Meeting of March 6<sup>th</sup> – 8<sup>th</sup>, 2017  
Fairbanks, Alaska

Lt. Paul Fussey, *Department of Public Safety, Wildlife Trooper*  
John "Thor" Stacey, Alaska Professional Hunters Association, (GUIR1194)  
Virgil Umphenour (GUIM151)  
Coke Wallace (GUIM172)  
Debra Curnow (GUIR1285)  
James Kedrowski (GUIM186)

**Agenda Item 1                      Call to Order/Roll Call                      9:01 a.m.**

Chairman Vrem called the meeting to order at 9:01 a.m. Mr. Sullivan introduced himself to the board, indicating the he has retired from the Air Force and is currently an IT manager with the Department of Health and Social Services. Mr. Sullivan further added that he has volunteered with the Wildlife Conservation and has loved hunting since he was a boy.

**Agenda Item 2                      Review/Approve Agenda                      9:02 a.m.**

The chair approved the agenda with unanimous consent.

**Agenda Item 3                      Review/Approve Meeting Minutes                      9:05 a.m.**

Chairman Vrem then moved to reviewing the past meeting minutes from their December 2016 and February 2017 meetings.

**On a motion duly made by Michele Metz, seconded by Henry D. Tiffany IV, and approved unanimously, it was**

**RESOLVED to approve the December 5-8<sup>th</sup>, 2016 meeting minutes.**

**On a motion duly made by James "David" Jones, seconded by Henry D. Tiffany IV, and approved unanimously, it was**

**RESOLVED to approve the February 15<sup>th</sup>, 2017 teleconference meeting minutes.**

**Agenda Item 4                      Ethics Disclosure                      9:06 a.m.**

**Agenda Item 5                      Investigations                      9:07 a.m.**

Amber from investigations gives the probation report, there are some changes made to her report. There are currently 49 on probation; 5 that are on hold due to license being in lapsed status. The only change to her report is that 3 probationers have been added and they are Stuart Stevens, Melvin Gillis, and Fredrick Bogart which were approved by the board. The two out of compliance are Scott McRae and Joseph Miller; submitted requests for extension of time.

Per chairman Vrem, the Board will go into executive session at 1:00 pm.

## State and Federal Agency Reports

9:21 a.m.

First, Ms. Carrillo commented to the Board that the GCI line was not functioning and as such, the meeting was not open to the public as required with the Open Meetings Act. Ms. Carrillo indicated she would continue to get the line open for the public.

**Nikki Potter (DNR)** – stipulations on permits; annual fees (anniversary date is the effective date on the permit); 10.25% of annual fee (the service fee); new bonding matrix; increase of bonds; annual reports are due to DNR – failure to provide report may require field inspection; courtesy notices for renewal and payment of fees. Chairman Vrem inquired about the permit fee, to which Nikki commented is dependent upon the matrix and the stipulation of their permit. Virgil from the public inquired about a permit with the state and asked Nikki if it was still valid, to which she indicated it was.

## DPS Wildlife Troopers – Lt. Fussey

Lt. Fussey commented to the Board that not much has changed since the December meeting, but that the department is anticipated to lose two additional positions due to the state's budget, bringing down the wildlife trooper count to 89. Lt. Fussey added that the vessels are also down short and reiterated the lack of resources. Chairman Vrem inquired as to how DPS wildlife troopers are funded, to which Lt. Fussey indicated they receive general funds. 7 vacant commission positions; 5 field troops; DPS has shortened work time and have restricted travel for training and attendance at other meetings due to the limited budget.

## Other Agency Reports 9:34 a.m.

FAA – hearing nothing further regarding department and federal reports, Chairman Vrem moved to discussion on the FAA guidelines prepared by Howard Martin. Chairman Vrem requested that these be posted to the Board's website. Chairman Vrem indicated that being a transporter license requires much less guiding expertise than required with a guide license. James Tom Atkins commented that he would be more afraid of insurance companies covering liability when using a pilot or plane that did not meet FAA guidelines. A public member asked if a guide could fly under Part 91, James Tom Atkins commented that the contracting guide could fly his plane under part 91, hiring another pilot and their plane would have to be Part 135, according to the FAA. How long can a guide stay in the field if they're transporting a client for a contracting guide? Is transporter outfitting acceptable under part 91? Chairman Vrem indicated that is somewhat gray but indicated there are a few exemptions, for example, if a client needed immediate attention. Chairman Vrem added he is in favor of a transporter license; in 1989 there was a lot of thought and effort into creating this license type but added that there should be more clarification added to the definitions section of the regulations in 12 AAC 75.990. James Atkins stated there is a lot of confusion, but basically if you're not guiding that hunter and only outfitting and are just providing air transportation, will need to have a part 135 certificate. James David Jones commented that this subject has been asked a lot and that it should be available to the Board on the FAQ's website. James Atkins commented that many people have inquired about the requirements for transporters, and agreed that this information should be added to the Board's website. Loren Karro stated that a lot of it is interpretation and stated that it's

important to attend the meeting to gain clarification and a more unified interpretation of transporting requirements. Henry Tiffany inquired to Lt. Fussey if someone is in clear violation of an FAA violation, does that need to be referred to Wildlife Troopers, to which Lt. Fussey stated that FAA regulations part 135 are not enforced by the troopers but that they can document when notifications of potential violations are brought to their attention and that they can forward the complaint on to FAA. Mr. Tiffany also inquired as to whether the request to DPS wildlife troopers has to explicitly indicate a request to be referred to FAA, to which Lt. Fussey stated they are generally automatically referred to FAA.

#### **TASK**

The Licensing Examiner will post the FAA guidelines to the Board's website

*Chairman Vrem called for break at 9:52 a.m.*

*Chairman Vrem called for a return of break at 9:56 a.m.*

Upon return from break, Laura Carrillo inquired about the protocol for allowing applicants to submit or take a portion of the exam late, for example, submitting a caping video outside of the testing window for which the applicant has been approved for. Mr. Tiffany commented that the applicant should have all their ducks in a row and be prepared to take the exam, to which the Board agreed. Ms. Carrillo suggested discussing this in executive session.

The Board then discussed practicing with a lapsed license, to which Ms. Carrillo commented that guides cannot practice with a lapsed license and must therefore renew in order to book guided hunts. A member of the public inquired as to whether an individual who has had a lapsed license for several years will need to pay the renewal fee for each year their license is lapsed.

Ms. Carrillo commented to the Board that with other professions, it is not necessary to have a paper license in order to practice, but was unsure whether it is specifically required in statute or regulation as to whether this Board requires a paper copy in hand while out in the field. Investigator Lee Strout informed the Board that according to AS 08.54.720(a)(6), a person cannot knowingly guide without a valid license in their possession.

Jim Pedrowski inquired as to whether a guide can hang a specific species tag on a different species, for example, if it's okay to tag a bear with a sheep tag. Another public member commented that this has been acceptable and that there are certain monetary bonuses to the state for using the tag regardless of what species it is tagged on, and that troopers should not be citing them for this. He added that guides have been fined for doing this in the past, but based on precedence this should be acceptable. Joe (public member) asked why a guide would allow their client to shoot a species without a specific tag, commenting that the bottom line is that the contracting guide should make sure there are sufficient species-specific tags before the harvest is completed. Chairman Vrem stated that guides must have their harvest ticket in advance. Henry Tiffany stated that guides need to make sure they have enough tags and harvest tickets ahead of time.

*The Board entered into Executive Session – 10:25 a.m.*

*The Board left Executive Session at 12:04 p.m.*



The motion carried.

Case #2016 – 000148 (Christopher Carr)

On a motion duly made by Henry D. Tiffany, seconded by James David Jones, and approved unanimously, it was

**RESOLVED** to adopt the consent agreement for case# 2016 – 000148 as amended to change the agreement to one year instead of two years.

Discussion: Henry Tiffany commented that the consent agreement should be one year instead of two years.

	Approved	Denied	Tabled	Recuse
Nicholas Jackson	X			
James David Jones	X			
Henry Tiffany	X			
Michele Metz	X			
Kelly Vrem	X			
James Tom Atkins	X			
Thomas Sullivan	X			

The motion carried.

Case #2016 – 001360 (Alan Hornberger)

On a motion duly made by Henry D. Tiffany, seconded by James David Jones, and approved unanimously, it was

**RESOLVED** to adopt the consent agreement for case# 2016 – 001360.

Discussion: Henry Tiffany commented that he believes it's an appropriate consent agreement and is consistent with the Board's historical decisions

	Approved	Denied	Tabled	Recuse
Nicholas Jackson	X			
James David Jones	X			
Henry Tiffany	X			
Michele Metz	X			
Kelly Vrem	X			
James Tom Atkins	X			
Thomas Sullivan	X			

Motion carries.

Extension Requests

Hearing nothing further on consent agreements, Henry D. Tiffany IV then addressed requests from Scott McRae and Miller, which was previously submitted to the Board for review during the December 2016 meeting.

**On a motion duly made by Henry Tiffany, seconded by Nicholas Jackson, and approved unanimously, it was**

**RESOLVED to accept the request from J. Scott McRae, GUIR1149 for the Board to grant a one-year fine payment extension to be due on**

Discussion: David Jones commented that one of the respondents did make a payment, which demonstrates good faith that he is wanting to comply with the agreement.

	Approved	Denied	Tabled	Recuse
Nicholas Jackson	X			
James David Jones	X			
Henry Tiffany	X			
Michele Metz	X			
Kelly Vrem	X			
James Tom Atkins	X			
Thomas	X			

Sullivan				
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The motion carried.

Henry Tiffany then addressed the extension request from Joseph Miller, who requested the Board to extend his fine payment deadline to January 27<sup>th</sup>, 2019 or until the end of his probation period. Mr. Tiffany noted to the Board that no payment has been received thus far.

**On a motion duly made by Henry Tiffany, seconded by James David Jones, and approved unanimously, it was**

**RESOLVED to extend the fine payment date for Joseph Miller, GUIM200 until November 2<sup>nd</sup>, 2017, with an additional stipulation that the full fine payment must be received in order to renew his license.**

Discussion: Henry Tiffany commented that this was part of a serious case, and that it would be unwise of the Board to follow Mr. Miller's request, but that it would be reasonable to approve an extension of the fine payment until November 2<sup>nd</sup>, 2017. Mr. Tiffany also suggested that the Board not issue his license until the full payment is received.

	Approved	Denied	Tabled	Recuse
Nicholas Jackson	X			
James David Jones	X			
Henry Tiffany	X			
Michele Metz	X			
Kelly Vrem	X			
James Tom Atkins	X			
Thomas Sullivan	X			

The motion carried.

Examination Preparation

Hearing nothing further on requests from licensees, the Board moved to discussion on other Board business.

**On a motion duly made by Henry Tiffany, seconded by James "David" Jones, and approved unanimously, it was**

**RESOLVED** to state for the record that an exam applicant must submit all requirements or be present for all portions of the exam during the testing window in which they have been approved for.

Discussion: Kelly Vrem reiterated Henry Tiffany's comment the importance of making sure the applicant is prepared for the exam.

**Agenda Item 7          Other Agency/Organizational Reports          1:40 p.m.**

*Alaska Professional Hunters Association (APHA)*

John "Thor" Stacey joined the room telephonically at 1:40 p.m. to discuss the annual report, which was included in the Board packet as "The Economic Importance of Hunters Visiting Alaska – Alaska's Guided Hunting Industry 2015". This report indicated a total guide industry economic output of \$87.2 million in total guided hunting industry economic activity, with which a total of \$37.5 million includes labor income, with the remaining \$49.7 million in goods & services.

Mr. Stacey then addressed the document titled, "Meat Sharing is a Long-Standing Tradition in Alaska" which was also included in the Board's packet. This report indicated that 230,000 pounds of game meat was shared with Alaska residents in 2015, and that an estimated \$1.1 million of monetary value of replacing this game meat with beef. Mr. Stacey further indicated that 13% of the hunters are visiting hunters, and of that number, 3,200 are guided clients (3,000 nonresident and 200 residents). Only 3% are accompanied by a licensed guide; by an allocation perspective, there is only a small percentage (3%) of guided client, such that the total allocation of monetary funds is minimal even though the activity accounts for a large percentage of economic activity in the State. Mr. Stacey indicated that these numbers were compiled by the McDowell group from aggregated hunt record data provided by the Division. With that Mr. Stacey thanked the Division for their efforts to provide McDowell group with the numbers needed to compile the economic report.

Henry Tiffany thanked Mr. Stacey for the APHA report and inquired as to whether the agency expects to receive aggregated data on a continuous basis, and asked for clarification as to the frequency of requests for such information. Mr. Stacey indicated to the Board that ideally, APHA would like to receive data to compile reports on an annual basis for subsequent years, and to update their reports as needed.

Moving on to the next topic, Mr. Stacey addressed the costs of investigations, which impacts the licensing costs to receive and maintain a license. To combat the rising costs of license fees, Mr. Stacey brought up HB90, which aims to minimize investigative costs to the Board by spreading investigative costs to all professions regulated by the Division, regardless of the profession's license base or incurred costs for investigations. The Board did not have a response to HB90 at this time.

Mr. Stacey encouraged the Board to reform their practices to improve efficiency in administering the profession, suggesting that the Board consider an executive director.

Chairman Vrem commented that the Investigations section has done a tremendous job in reducing costs to the Board, but that investigative costs is to be expected due to the nature of this profession.

**Agenda Item 10**

**Public Comment**

**2:08 p.m.**

Mark Richards, Executive Administrator, Resident Hunters of Alaska (RHAK)

Mark Richards, EA of Resident Hunters of Alaska, concerns about guides in state lands, further adding that the Board has supported the concession program. Mr. Richards presented two options to the Board that would help to combat the problem of guides hunting in multiple guide use areas. The first option was for the Board to limit the amount of guide use areas a guide can register for. Option 2) limit the amount of species a guide can hunt. Mr. Richard indicated that Resident Hunters of Alaska have thought about contacting legislators to make this change, but that the most appropriate route might be to present such options to the Board.

Mr. Richards also informed the board that he listened to the hearing of HB90, wherein Senator Kito commented that this would require licensees to pay a surcharge of \$55.00 to go towards investigations costs. Mr. Richards then informed the Board that 200 guides have been licensed in the last two years, which appears to be like a high number of licensees in such a short period of time, with which he believes is the result of an influx of non-resident guides applying for licensure in this state. Mr. Tiffany commented that the numbers don't seem to add up with the number of guides, given the frequency of registered guide tests and the average number of candidates who participate in said exams. Mr. Tiffany inquired whether the report was including all guide license types, or only registered guide licenses, to which Mr. Richards said includes all licensed types. Mr. Tiffany asserted that disclosing license types is a very important distinction to make when presenting reports, to which Chairman Vrem agreed. Mr. Richards then commented on meat sharing, which he believes is a legalized form of proxy hunting, adding that it might potentially set the Board up for criticism, as a lot of people take issue with this data which seems to imply that rural villages do not hunt for subsistence. The Board continued to discuss this issue.

AL Barrette, (license number)

Al Barrette commented on criminal investigations and concerns of duplicate reprimanding for the professional license as well as for criminal convictions. Chairman Vrem indicated the professional licenses need to be reprimanded. The Board continued to discuss fines and reprimands.

Dan Montgomery (GUIM173)

Dan Montgomery introduced himself to the Board and commented on hunt records under 12 AAC 75.210 and suggested that the Board make amendments to eliminate requirements to sign the hunt records attesting to the agreement of only guided in the guide use area for which they are registered for. Mr. Montgomery then addressed issues with sheep hunting.

**Agenda 9**

**Board Business**

The Board entertained public comment before discussion Board business, but did not have a discussion on the Board business topics: 12 AAC 75.920, 12 AAC 75.260, and 12 AAC 75.210 as publically noticed for this day (see minutes for March 7<sup>th</sup>).

**Agenda Item 11      Budget Report**

**3:09 p.m.**

*Martha Hewlett, Administrative Officer joined the room telephonically at 3:10 a.m.*

*Martha Hewlett, Administrative Officer left the room telephonically at 3:55 p.m.*

Martha Hewlett, Administrative Officer joined the room telephonically at 3:10 a.m. to discuss the 1<sup>st</sup> and 2<sup>nd</sup> quarters of the FY17 budget report. Martha addressed the total direct expenditures, with which the board ended with a surplus of \$104,430 for the 2<sup>nd</sup> quarter. Ms. Hewlett informed the Board that the 3<sup>rd</sup> quarter report will be available after March 31<sup>st</sup>, 2017. James David Jones inquired to Ms. Hewlett the indirect costs for the first three quarters, to which Ms. Hewlett explained that the number is based on the expenses from the prior 3<sup>rd</sup> quarter and that it's only used as a "place holder". The Board then discussed the annual filing fee; Henry Tiffany inquired to Ms. Carrillo whether guides were given proper notice that the annual filing fee of \$300 would be due between January 1<sup>st</sup> and March 31<sup>st</sup> of every year, to which the Board was informed that in addition to the information being posted online, guides would have been sent a notice in the mail regarding fee changes.

Hearing nothing further regarding the FY17 budget report, Chairman Vrem commented that the micromanagement of travel is ending up costing the Board more money in the long-run. Mr. Henry D. Tiffany IV then addressed how the Board's budget was cut in half, to which Ms. Hewlett commented that she does not have the expertise to expound upon the Board's fee analysis. Mr. Tiffany wanted to make it clear for the record that the state of the Board's finances are due to the state, adding his concern that the numbers need to add up by the time of legislative audit. Chairman Vrem then addressed Director's Hovenden's recommendation to not have meetings in Fairbanks to save on costs to the Board, however, Chairman Vrem believes Fairbanks meetings provide a more convenient venue for which licensees who live around the area to attend. Ms. Hewlett reiterated Governor Walker's initiative to take cost-saving measures wherever possible. Martha acknowledged the oversight in accounting procedures during years prior to her coming on board with the Division, and commented to the Board that procedures are in place to make sure such accounting errors do not happen again.

**TASK:**

The licensing examiner will enumerate regulation proposals on the agenda in the future. e.g.: "17-1" for year 2017 and the *first* proposal submitted for that year.

**Agenda Item 12**

**Adjournment**

**4:03 p.m.**

Chairman Vrem adjourned the meeting at 4:03 p.m.

STATE OF ALASKA  
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BIG GAME COMMERCIAL SERVICES BOARD

MINUTES OF THE MEETING ON  
March 6<sup>th</sup> – 8<sup>th</sup>, 2017

Tuesday, March 7<sup>th</sup>, 2017

By the authority of AS 08.01.070(2) and AS 08.86.030, and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Big Game Commercial Services Board was held on March 7<sup>th</sup>, 2017 at the Department of Environmental Conservation building located at 610 University Drive in Fairbanks, Alaska.

These are DRAFT minutes prepared by the staff of the Division of Corporations, Business, and Professional Licensing. These minutes have not been reviewed or approved by the Board.

Board Members Present, Constituting a Quorum:

Nicholas Jackson, *Private Landholder*  
James David Jones, *Transporter (GUIT1003)*  
Henry D. Tiffany IV, *Master Guide (GUIM144)*  
Michele Metz, - *Vice President - Private Landholder*  
Kelly Vrem, *President - Master Guide (GUIM102)*  
James "Tom" Atkins, *Transporter (GUIT978)*  
Thomas Sullivan, *Public Member*

Board Members Absent:

Adam Trombley, *Public Member*

Staff Members Present

Laura Carrillo, *Records & Licensing Supervisor*  
Heather Noe, *Occupational Licensing Examiner*  
Lee Strout, *Investigator*

Public/Licensees Present:

Loren Karro, *(GUIR941)*  
Dan Montgomery, *(GUIM173)*  
Gary Wall, *(GUIR1182)*

Alaska Big Game Commercial Services Board  
Meeting of March 6<sup>th</sup> – 8<sup>th</sup>, 2017  
Fairbanks, Alaska

Mark Richards, *Resident Hunters of Alaska*  
Jason Oles *Bureau of Land Management*  
James Kedrowski (GUIM186)  
Coke Wallace (GUIM172)

**Agenda Item 1** **Call to Order** **9:01 a.m.**

Chairman Vrem called the meeting to order at 9:01 a.m.

**Agenda Item 2** **Review/Approve Agenda** **9:02 a.m.**

Chairman Vrem indicated that there was no need for break, which was publically noticed for 10:10. With unanimous approval, the chair indicated approval of the agenda as amended.

**Agenda Item 3** **Break**

The Board eliminated the need for break during Agenda Item 2.

**Agenda Item 4** **Board discussion** **9:03 a.m.**

*Transporter Activity Report/ Transporter Contract Requirements*

Hearing nothing further on the agenda, Chairman Vrem moved to discussion on the regulation proposals submitted during the December meeting. Chairman Vrem informed the Board and the public that only one of the regulation proposals went through the Department of Law review without further comments, but that the proposed amendments to 12 AAC 75.400, 12 AAC 75.450, 12 AAC 75.902(b), and 12 AAC 75.920(c) came back from LAW as further clarification is necessary. Chairman Vrem commented that he is fully supportive of the regulation but that the proposals need to be clearer. James David Jones commented on 12 AAC 75.400 and 12 AAC 75.450, which deals with transporter filing requirements. The intent behind the proposed changes to these regulations are to eliminate duplicate filing of transporter reports for transporters who are only transporting clients that have already contracted with another transporter. Mr. Jones further added that it places an unnecessary burden on individuals who have an air taxi certificate. Tom Atkins commented that what Harriet may not understand, is that the hunter being transported, is a client of the guide! The guide hires the transporter to transport his clients to his camp. Kelly Vrem indicated he would like attorney, Harriet Milks to weigh in to help guide the Board in making the regulation verbiage more clear.

*Hunting, Guiding, & Practical Experience*

Chairman Vrem moved to discussion on 12 AAC 75.920(b), commenting that the days in the field should be cumulative; that the experience can be accumulated over the period of more than 2 years and that 30 days in a spike camp can count for the required experience.

*Survivorship*

Chairman Vrem then moved to discussion of the survivorship subcommittee, commenting that the lead subcommittee member is no longer on the Board, but that the intent behind this is to allow a licensed guide to be able to take over the guiding business for a guide who has passed away or has

Alaska Big Game Commercial Services Board

Meeting of March 6<sup>th</sup> – 8<sup>th</sup>, 2017

Fairbanks, Alaska



STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC  
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BIG GAME COMMERCIAL SERVICES BOARD

MINUTES OF THE MEETING ON  
March 6<sup>th</sup> – 8<sup>th</sup>, 2017

Wednesday, March 8<sup>th</sup>, 2017

By the authority of AS 08.01.070(2) and AS 08.86.030, and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Big Game Commercial Services Board was held on March 6<sup>th</sup>, 2017 at the Department of Environmental Conservation building located at 610 University Drive in Fairbanks, Alaska.

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Board Members Present, Constituting a Quorum:

Nicholas Jackson, *Private Landholder*  
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Board Members Absent:

Adam Trombley, *Public Member*

Staff Members Present

Laura Carrillo, *Records & Licensing Supervisor*  
Heather Noe, *Occupational Licensing Examiner*  
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Public/Licensees Present:

Loren Karro, (GUIL941)  
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Alaska Big Game Commercial Services Board  
Meeting of March 6<sup>th</sup> – 8<sup>th</sup>, 2017  
Fairbanks, Alaska



Transporter Subcommittee Update

The Board returned from break to continue with the subcommittee update. James “David” Jones informed the Board and the public that feedback from LAW was provided, wherein the Board was asked for further clarification on the proposed regulation changes to 12 AAC 75.400 and 12 AAC 75.450 (Tom’s proposal), which is in regards to transporters and was approved by the Board for legal review during their December 5-8<sup>th</sup>, 2016 meeting. Mr. Jones added that because Rolan’s proposal #1 is tied to these regulations, it would need to be put on hold until the Board can better clarify the transporter regulations. Mr. Jones then asked for the Board’s permission to speak with LAW regarding their feedback, to which the Board agreed. Ms. Carrillo informed the Board that she had already sent LAW an e-mail request asking for Mr. Jones to speak about the proposed regulations.

**TASK**

James “David” Jones will contact attorney, Harriet Milks with the Department of Law regarding the feedback provided on the proposed changes to 12 AAC 75.400(e) and 12 AAC 75.450(c).

Guide School Subcommittee Update, Gary Wall (GUIR1182)

Gary provided an update on the Guide School Subcommittee, wherein “60 days” rather than any reference to years is proposed to count for experience required for an assistant guide license, but that it can’t count towards 30 days in a guide camp.

Test Re-Write Subcommittee, Loren Karro (GUIR941)

Loren informed the Board that the written registered guide-outfitter (qualifying) exam re-write needs to be an *entire* re-write rather than a revision effort. Included in the re-write is a need to update all the reference and preparation materials that are currently posted to the Board’s examination website. Ms. Karro added that the subcommittee has identified many areas of the test that are in need of changing, adding that the subcommittee was reticent to involve members of the hunting industry due to confidentiality concerns of examination content. Ms. Karro added that the subcommittee will approach this re-write by first identifying resource materials and then building the test based upon such resources. Chairman Vrem suggested that Idaho, Nevada, Montana, Utah, Wyoming, and New Mexico are ideal states from which to collect potential examination materials from to use as a re-write guide. Ms. Karro commented that Wyoming has different guide license laws and as such may not be as useful relative to the other states. Chairman Vrem thanked Ms. Karro for her continued efforts to update the examination. Ms. Karro informed the Board that the practical (oral) tests have been updated and are not in need of any revisions at this time.

**TASK**

Loren Karro will request exam materials from Idaho, Nevada, Montana, Utah, and Wyoming for the purpose of re-developing the Registered Guide-Outfitter Qualification exam.

Executive Administrator Discussion

Chairman Vrem addressed the concern about the Board’s need for an executive administrator, asserting that the Board and the profession are at a position where an executive administrator would be of significant benefit. Ms. Carrillo commented that the Alaska Pharmacy Board has recently been dealing with a desire to have an executive administrator.

## TASK

The licensing examiner will contact the licensing examiner for the Pharmacy Board to gain information as to how the discussion of an Executive Administrator can be initiated.

Chairman Vrem called for break at 10:56 a.m.

Chairman Vrem called back from break at 11:08 a.m.

### **Agenda Item 7 (March 6<sup>th</sup>)                      State/Federal Agency Reports                      10:10 a.m.**

Chairman Vrem informed the Board that Nikki Potter from the Department of Natural Resources had an additional topic to discuss for Agenda Item 7 from the March 6<sup>th</sup> agenda.

#### Nikki Potter, DNR

Nikki Potter from the Department of Natural Resources informed the Board that an issue was brought to her attention regarding revenue and billing. The individual inquired to Ms. Potter was under the impression that DNR is obligated to remind permit holders to pay their fees. Ms. Potter indicated for the record that this is a manual process to check whether a permit holder has renewed and that the Anchorage office only sends out courtesy notices, and does not send invoices at specific intervals. Ms. Potter shared in the frustration of the user-friendliness of the current system, as finding out exactly what the land use permit holder owes is a complicated process that requires shifting through several documents rather than it being an automated system. It was further added that if a permit holder is unsure of what s/he owes, it is strongly advised to contact Nikki directly.

### **Agenda Item 4                                      Subcommittee Update                                      10:18 a.m.**

#### Hunt Record Subcommittee

The Board returned to discussion on subcommittees, as there was a new subcommittee establishment to discuss and amend the Hunt Record form.

The Board, through Henry Tiffany, turned their attention to the proposed hunt record (sample 4.3) that was provided by Dan Montgomery (GUIM173) during the subcommittee breakout sessions. Henry D. Tiffany that the proposed hunt record change includes the information that is required in statute, and amends the form such that it is made more clear than optional answers can be provided rather than providing a specific response, e.g.: the proposed hunt record 4.3 would allow documentation of either a "yes" or "no" response in regards to whether a species was harvested. The form is also proposed to change such that law enforcement cannot lock guides into any specific date range based upon the date in which a hunt was completed. Often, guides may choose to stay out in the field even after they've harvested an animal. To this end, Tom Atkins asked for the definition of "Date hunt was completed"! Chairman Vrem clarified that the Date the hunt was complete needs to correspond to what is included in the client-guide contract. Henry Tiffany reiterated Michele Metz comments regarding the requirement to submit the hunt record within 60 days. Investigator Strout inquired to Henry D. Tiffany why the communication line had been removed in sample 4.3, to which Mr. Tiffany indicated it was removed because of the language

regarding unsworn falsification and because of the fact that the portion and contract need to be completed after the hunt. Investigator Strout reminded the Board of the 10-day requirement to establish communication with the client. In addressing this issue, Henry Tiffany suggested adding a line for the date for the communication requirement and another line for the guide to sign and date. The Board continued to discuss proposed amendments to the hunt record. Ultimately, Henry Tiffany commented that he is inclined to leave sample 4.3 as is.

Ms. Carrillo then addressed LAW's feedback regarding changes to hunt records, namely changes to species and harvest tags. LAW indicated that the regulation doesn't necessarily dictate whether such information can be amended at any time, rather it is the way the current form reads. Ms. Carrillo commented that in regards to other issues with the form, such as hunt record sharing between other guides, such transmission is restricted due to language requiring hunt records to be used only by the guide for which the hunt records are assigned. Ms. Carrillo clarified that the hunt records are numbered and that the Division uses the numbers to manually assign them to a licensed guide and that it is tied to their license file. Investigator Strout informed the Board that 12 AAC 75.205(a) specifically requires that hunt records be uniquely assigned to the Board, such that the Board's ways they are assigned are based upon the number listed on the hunt record.

#### **TASK**

The licensing examiner will be sure to add to the agenda for the next in-person meeting the following subcommittees: Test-Rewrite; Hunt Record Form; Transporter; and Guide School.

#### **Agenda Item 7**

#### **Board Discussion and Voting**

**12:14 p.m.**

**On a motion duly made by Henry D. Tiffany, seconded by, Tom Atkins, and with unanimous consent it was**

**RESOLVED to approve sample 4.3 as presented to the Board during the Subcommittee Update.**

Discussion: Henry Tiffany commented that the Hunt Record subcommittee started in December and has since gone through 6 versions. Henry Tiffany added that the amended hunt record (sample 4.3) includes requirements specified in statute and regulation, and allows the guide to report, at their discretion, whether they want to report tag information. Mr. Tiffany stated it is in line with what the guide industry should be reporting. Mr. Jones commented that he intends to support the motion, adding that it replaces the current record that requires the species to be declared prior to the hunt. Mr. Jones added that the amendment makes an important change, which is for guides to be able to document a species after the hunt, since guided hunts don't always unfold in such a way that the intended animal is actually harvested. Mr. Jones further reminded the Board and the public that LAW clarified that the old (current) form can be amended because its specific content requirements are not tied to statute or regulation.

	Approved	Denied	Tabled	Recuse
Nicholas Jackson	X			
James David Jones	X			
Henry Tiffany	X			
Michele Metz	X			
Kelly Vrem	X			
James Tom Atkins	X			
Thomas Sullivan	X			

The motion carried.

On a motion duly made by Henry D. Tiffany, seconded by, Tom Atkins, and with a quorum approval vote, it was

**RESOLVED to amend 12. AAC 75.205(b) to remove the entire current language and to replace the wording to read: “The hunt records must be used by the assigned registered guide outfitter. Blank hunt records may be transferred to another registered contracting guide provided the transferee notifies the Department within 60 days that a transfer has taken place”.**

Discussion: Henry D. Tiffany commented that there are certainly circumstances where a contracting guide can find themselves in a situation, however infrequent, where their hunt record is destroyed or not available. In such situations, Mr. Tiffany strongly asserted that a contracting guide should be able to transfer their hunt record to that other contracting guide who is in need of one or more hunt records. Chairman Vrem and Tom Atkins indicated they would support this motion, however, James Jones stated he would not support this regulation as the proposed companion language that the scrutiny was put in place for a reason and does not understand eliminating hunt record sharing. Mr. Jones also expressed concern in the immediacy at which this change was presented to the Board, to which Mr. Tiffany clarified this was a first step that would be followed by LAW vetting and input from the public. Michele Metz commented that she would support the motion because it used to happen in the field, and that it might be worth it to revert back that option for guides.

STATE OF ALASKA, DEPARTMENT OF COMMERCE, COMMUNITY, & ECONOMIC DEVELOPMENT, DIVISION OF CORPORATIONS,  
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	Approved	Denied	Tabled	Recuse
Nicholas Jackson	X			
James David Jones		X		
Henry Tiffany	X			
Michele Metz	X			
Kelly Vrem	X			
James Tom Atkins	X			
Thomas Sullivan	X			

The motion carried.



State of Alaska Big Game Commercial Services Board  
Department of Commerce, Community, and Economic Development  
P.O. Box 110806, Juneau, Alaska 99811-0806  
Telephone: (A - K) (907) 465-2543 (L - Z) (907) 465 2691

REGISTERED GUIDE/OUTFITTER HUNT RECORD

(This form must be submitted to the department within 60 days after hunt is completed)

GUIDE/CLIENT INFORMATION TO BE COMPLETED PRIOR TO HUNT

(Please Print) \*Incomplete Form Will Be Returned for Completion\*

1 Name of Contracting Registered Guide-Outfitter: \_\_\_\_\_ Guide License # \_\_\_\_\_  
 YOU MUST CHECK ONE:  GUIDED  TRANSPORTED ONLY  OUTFITTER ONLY

2 Client Name: \_\_\_\_\_ Hunting License Number: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 Resident  Non Resident  Country: \_\_\_\_\_ Telephone No: ( ) \_\_\_\_\_

I hereby certify that all the information provided on this form that pertains to my activities are true and correct. (WARNING: A person may also be subject to criminal charges for unsworn falsification under AS 11.56.210)

CLIENT SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

SUPPLEMENTAL INFORMATION TO BE COMPLETED AFTER HUNT

Name and License of ANY Registered Guide-Outfitter, Class-A, Assistant Guide or Packer Accompanying Client in the Field:

3 Name: \_\_\_\_\_ Lic. # \_\_\_\_\_ Name: \_\_\_\_\_ Lic. # \_\_\_\_\_  
 Name: \_\_\_\_\_ Lic. # \_\_\_\_\_ Name: \_\_\_\_\_ Lic. # \_\_\_\_\_  
 Name: \_\_\_\_\_ Lic. # \_\_\_\_\_ Name: \_\_\_\_\_ Lic. # \_\_\_\_\_

4 DATES CLIENT WAS IN THE FIELD FROM: \_\_\_\_\_ TO: \_\_\_\_\_ DATE HUNT WAS COMPLETE \_\_\_\_\_

TRANSPORTATION USED	SPECIES HUNTED <i>*If Bear, specify Brown or Black Bear.</i>	HARVEST	GUIDE USE AREA
BOAT <input type="checkbox"/>	_____	Y / N	_____
AIRCRAFT <input type="checkbox"/>	_____	Y / N	_____
OTHER _____	_____	Y / N	_____
		Y / N	

MUST BE SIGNED BY THE CONTRACTING REGISTERED GUIDE-OUTFITTER AFTER HUNT IS COMPLETE

I certify that I am approved to conduct guiding or outfitting activities in the guide use areas listed and I have complied with the communication requirement in 12 AAC 75.240. (WARNING: Making a false statement or omitting a material fact is subject to disciplinary action under AS 08.54.710 and 12 AAC 75.210. I understand that it is a Class A Misdemeanor under AS 11.56.210 to falsify and commit the crime of unsworn falsification.

CONTRACTING REGISTERED GUIDE-OUTFITTER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

OPTIONAL SUPPLEMENTAL INFORMATION ONLY—NOT REQUIRED NOR SWORN TO

6 HARVEST TICKET/PERMIT NUMBER \_\_\_\_\_ B/G GAME TAG NUMBER \_\_\_\_\_

ORIGINAL: MAIL TO ADDRESS ABOVE PINK: POST HUNT CLIENT COPY YELLOW: CLIENT FIELD COPY GREEN: POST HUNT GUIDE COPY

Proposed Hunt Record Form change (Sample 4.3) submitted by Dan Montgomery, GUIM173 during the Hunt Record Subcommittee meeting. The proposed change was approved for initiation of a regulation change by a quorum approval vote by the Board.

**On a motion duly made by Henry D. Tiffany, seconded by, Michele Metz, and approved unanimously, it was**

**RESOLVED to approve guide school guidelines such that after completion of a guide school program, a student may receive two days of in-field credit for each day of guide school training. The training cannot exceed 30 days.**

Discussion: This is subject to Board approval on an individual basis; a student may receive 30 days of credit but is not meant to replace in-field requirements that are currently in regulation.

	Approved	Denied	Tabled	Recuse
Nicholas Jackson	X			
James David Jones	X			
Henry Tiffany	X			
Michele Metz	X			
Kelly Vrem	X			
James Tom Atkins	X			
Thomas Sullivan	X			

The motion carried.

**On a motion duly made by Henry D. Tiffany, seconded by, Tom Atkins, and with a quorum approval vote, it was**

**RESOLVED to consider development of a position statement draft regarding first offense actions and second offense actions.**

Discussion: Mr. Tiffany commented that currently, it's unclear what constitutes a second offense, and how it differentiates from a first or concurrent offense. The intent behind the position statement is to better clarify what the Board considers a first offense: option one is that a guide has to commit the first violation twice (two of similar violations) in order to receive a second offense. Sublegal sheep violations in the past are the precipitant from which a need for clarification of offenses is needed.

	Approved	Denied	Tabled	Recuse
Nicholas Jackson	X			
James David Jones	X			
Henry Tiffany	X			
Michele Metz	X			
Kelly Vrem		X		
James Tom Atkins	X			
Thomas Sullivan	X			

The motion carried.

**TASK**

Licensing Examiner, Heather Noe will create a position statement tab on the Board's website.

**TASK**

Licensing Examiner, Heather Noe will send Henry Tiffany a position statement template.

**TASK**

Henry Tiffany will draft a position statement on offenses and will send the draft to Heather Noe, who will forward the draft to the Board for approval before it is placed on the Board's website under the position statement tab.

**On a motion duly made by Henry D. Tiffany, seconded by Michele Metz, and with a quorum approval vote, it was**

**RESOLVED to instruct Investigator Lee Strout to add to the Investigator matrix ethics violation standards to be used as a guideline and precedence for which to base and refer to ethics disciplinary actions.**

Discussion: Henry Tiffany commented that a Board member could work with Investigator Strout on a matrix for ethics violations, which would be made available to the public. This would establish precedence in regards to the Board taking action on ethical violations that were not otherwise enforced before. Tom Atkins indicated he would support this change given the fact that wildlife troopers do not currently enforce ethics violations in 12 AAC 75.340. As an example, Henry Tiffany pointed to 12 AAC 75.340(c)(1)(C), which states that "All classes of guides shall take every reasonable measure to assure the safety and comfort of the client, including ensuring that during the hunt, adequate supplies are present to provide for emergencies, including food, clothing, and a source of heat". Mr. Tiffany firmly reiterated the importance of this black and white ethics standard, which he believes has probably been violated before. Mr. Tiffany additionally added that he believes there is likely a lot of ethics violations occurring and continuing because of the fact that the Board

hasn't necessarily pursued such violations. Chairman Vrem stated he would approve the motion; however, he does have some reservations about going after certain ethics violations as there could potentially be good reason why a violation has occurred.

	Approved	Denied	Tabled	Recuse
Nicholas Jackson	X			
James David Jones	X			
Henry Tiffany	X			
Michele Metz	X			
Kelly Vrem		X		
James Tom Atkins	X			
Thomas Sullivan	X			

The motion carried.

The Board then moved to discussion on 12 AAC 75.920(c), which is in regards to Hunting, Guiding, and Practical experience. Chairman Vrem stated that the intent behind this language is for 60 days of guiding experience to be required for a <sup>Assistant</sup> ~~registered~~ guide license, of which 30 of which can be accrued with participation around a guide camp as a packer.

Chairman Vrem stated this discussion would be tabled until July.

#### TASK

Heather Noe will add 12 AAC 75.920(c) to the agenda for July.

#### Election of Officers

Mr. Tiffany stated that he would like Chairman Vrem to remain as president. Tom Atkins nominated Henry Tiffany as president, to which Chairman Vrem stated he could nominate him at the December meeting. Chairman Vrem stated he believed Chairman Vrem would be an ideal president.

- Chairman/President – Chairman Vrem
- Vice Chair/Vice President – Michele Metz

Agenda Item 9

Adjournment

1:22 p.m.

STATE OF ALASKA, DEPARTMENT OF COMMERCE, COMMUNITY, & ECONOMIC DEVELOPMENT, DIVISION OF CORPORATIONS,  
BUSINESS & PROFESSIONAL LICENSING

On a motion duly made by Tom Atkins, seconded by Henry Tiffany and approved unanimously

Respectfully submitted:

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Laura Carrillo, Records & Licensing Supervisor

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Heather Noe, Licensing Examiner



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Kelly Vrem, Board President