

Byron Mallott  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520 465.5400 Fax  
WWW.LTGOV.ALASKA.GOV




530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
907.269.7460 269.0263  
LT.GOVERNOR@ALASKA.GOV

OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA

MEMORANDUM

**TO:** Jun Maiquis  
Department of Commerce, Community and Economic Development

**FROM:** Scott Meriwether, Office of the Lieutenant Governor   
465.4081

**DATE:** October 28, 2016

**RE:** Filed Permanent Regulations: Department of Commerce, Community and Economic Development

Regulations re: occupational licensing fees for professions regulated by the Big Game Commercial Services Board (12 AAC 02.230(a)(8),(c)(4))

---

Attorney General File:	JU2016200698
Regulation Filed:	October 27, 2016
Effective Date:	November 26, 2016
Print:	220, January 2017

cc with enclosures: Linda Miller, Department of Law  
Micaela Fowler, Department of Commerce, Community & Economic Development  
Dianne Blumer, Administrative Regulation Review Committee  
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO  
REGULATIONS OF THE DEPARTMENT OF COMMERCE,  
COMMUNITY, AND ECONOMIC DEVELOPMENT

The attached one page of regulations, dealing with occupational licensing fees for professions regulated by the Big Game Commercial Services Board, is adopted and certified to be a correct copy of the regulation changes that the Department of Commerce, Community, and Economic Development adopts under the authority of AS 08.01.010, AS 08.01.065, AS 08.01.100, AS 08.54.650, AS 08.54.750, AS 08.54.760, and AS 08.54.770 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Commerce, Community, and Economic Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: October 3, 2016  
Juneau, Alaska

  
\_\_\_\_\_  
Janey Hovenden, Director  
Division of Corporations, Business and  
Professional Licensing

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on October 27, 2016 at 110 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

  
\_\_\_\_\_  
Byron Mallott, Lieutenant Governor

Effective: November 26, 2016

Register: 220, January 2017



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

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

OFFICE OF THE COMMISSIONER

P.O. Box 110800  
Juneau, Alaska 99811-0800  
Main: 907.465.2500  
Programs fax: 907.465.5442

**ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND  
ECONOMIC DEVELOPMENT**

**Delegation of Authority**

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations, outside of the Division of Corporations, Business and Professional Licensing (CBPL), but for the Department of Commerce, Community, and Economic Development (DCCED), under the Alaska Administrative Procedure Act, is hereby delegated to:

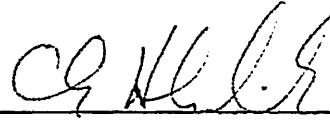
Micaela Fowler  
Legislative Liaison  
Office of the Commissioner  
DCCED  
P.O. Box 110800  
Juneau, AK 99811-0800  
907-465-2503  
*Micaela Fowler*

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations of the Division of Corporations, Business and Professional Licensing, under the Alaska Administrative Procedure Act, is hereby delegated to:

Janey Hovenden  
Director  
CBPL  
DCCED  
P.O. Box 110806  
Juneau, AK 99811-0806  
907-465-2538  
*Janey Hovenden*

This Delegation of Authority will remain in effect until modified or revoked by a subsequent delegation. This Delegation supersedes and revokes all delegations preceding it.

Dated the 16<sup>th</sup> day of March, 2015

A handwritten signature in black ink, appearing to read "CHLADICK", written over a horizontal line.

Chris Hladick  
Commissioner  
Department of Commerce, Community,  
and Economic Development

Chapter 02. General Occupational Licensing Functions.

12 AAC 02.230(a)(8) is amended to read:

*''' Publisher: Existing lead-in language of 12 AAC 02.230(a) is unchanged. '''*

~~12 AAC 02.230. Big Game Commercial Services Board. (a) The following fees are established for registered and master guide-outfitters:~~

(8) hunt record annual filing fee, \$300 [\$50];

12 AAC 02.230(c)(4) is amended to read:

*''' Publisher: Existing lead-in language of 12 AAC 02.230(c) is unchanged. '''*

~~(c) The following fees are established for transporter licenses:~~

(4) transporter activity report annual filing fee, \$300 [\$50].

(Eff. 3/6/86, Register 97; am 4/3/88, Register 105; am 3/25/89, Register 109; am 8/29/90, Register 115; am 2/25/93, Register 125; am 10/29/94, Register 132; am 5/24/96, Register 138; am 10/19/96, Register 140; am 11/28/99, Register 152; am 12/16/2001, Register 160; am 11/18/2006, Register 180; am 12/21/2007, Register 184; am 11/26/2009, Register 192; am 11/30/2013, Register 208; am 11/20/2015, Register 216; am 11 / 26 / 2016, Register 220)

Authority: AS 08.01.010 AS 08.54.650 AS 08.54.760  
AS 08.01.065 AS 08.54.750 AS 08.54.770  
AS 08.01.100



# MEMORANDUM


State of Alaska  
Department of Law

To: Hon. Byron Mallott  
Lieutenant Governor

Date: October 24, 2016

File No.: JU2016200698

Tel. No.: 465-3600

From: Steven C. Weaver   
Sr. Assistant Attorney General  
and Assistant Regulations Attorney  
Legislation and Regulations Section

Re: Regulations re: occupational licensing  
fees for professions regulated by the  
Big Game Commercial Services  
Board (12 AAC 02.230(a)(8), (c)(4))

We have reviewed the attached regulations from the Department of Commerce, Community, and Economic Development against the statutory standards of the Administrative Procedure Act. I have reviewed this project under a specific delegation dated October 24, 2016 from the Regulations Attorney. The regulations update fees for professions that the Big Game Commercial Services Board licenses and regulates, specifically fees for filing hunt records and transporter activity reports.

We find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The August 5, 2016 public notice and the October 3, 2016 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

Hon. Byron Mallott, Lieutenant Governor  
Our file: JU2016200698

October 24, 2016  
Page 2

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc: (via email)

Hon. Chris Hladick, Commissioner  
Department of Commerce, Community, and Economic Development

Micaela Fowler, Regulations Contact  
Department of Commerce, Community, and Economic Development

Janey Hovenden, Director  
Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, and Economic Development

Jun Maiquis, Regulations Specialist  
Division of Corporations, Business, and Professional Licensing  
Department of Commerce, Community, and Economic Development

Harriet Dinegar Milks, Assistant Attorney General  
Commercial and Fair Business Section

# MEMORANDUM

## State of Alaska Department of Law

TO: Hon. Byron Mallott  
Lieutenant Governor

DATE: October 24, 2016

FILE NO.: JU2016200698

TELEPHONE NO.: 465-3600

FROM: Susan R. Pollard *SRP*  
Chief Assistant Attorney General  
& Regulations Attorney  
Legislation/Regulations Section—Juneau

SUBJECT: Specific delegation of authority  
regarding regulations review on  
Department of Commerce,  
Community, and Economic  
Development regulations  
re: occupational licensing fees  
for professions regulated by the  
Big Game Commercial Services  
Board (12 AAC 02.230(a)(8),  
(c)(4))

By this memorandum, I am delegating my authority as Regulations Attorney under AS 44.62 to Assistant Attorney General Steven C. Weaver for the above-referenced regulations project. Under this delegation of authority, Steven Weaver has my full authority under AS 44.62 to conduct the legal review under AS 44.62 and take necessary actions on this regulations project.

If you have questions, please let me know.

SCW

cc w/enc:

Scott C. Meriwether, AAC Coordinator  
Office of the Lieutenant Governor

Steven C. Weaver  
Sr. Assistant Attorney General and  
Assistant Regulations Attorney  
Legislation/Regulations Section



STATE OF ALASKA                                 )  
FIRST JUDICIAL DISTRICT                    ) ss.

**AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS  
AND FURNISHING OF ADDITIONAL INFORMATION**


I, Jun Maiquis, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 12 AAC 02.230, dealing with occupational licensing fees for professions regulated by the Big Game Commercial Services Board, has been given by being:

1. published in a newspaper or trade publication;
2. furnished to interested persons;
3. furnished to appropriate state officials;
4. furnished to the Department of Law, along with a copy of the proposed regulations;
5. electronically transmitted to incumbent State of Alaska legislators;
6. furnished to the Legislative Affairs Agency, Legislative Legal and Research Services;
7. posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
8. furnished electronically, along with a copy of the proposed regulations, to the Legislative Affairs Agency, the chair of the Labor and Commerce Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.


As required by AS 44.62.190(d), additional regulations notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulations notice information also has been posted on the Alaska Online Public Notice System.

DATE: 10/7/16  
Juneau, Alaska

  
\_\_\_\_\_  
Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 7th day of October, 2016.



  
\_\_\_\_\_  
Notary Public in and for the  
State of Alaska  
My commission expires: at office

STATE OF ALASKA                     )  
FIRST JUDICIAL DISTRICT       ) ss.

## AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Jun Maiquis, Regulations Specialist for the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being duly sworn, state the following:

In compliance with AS 44.62.215, the Department of Commerce, Community, and Economic Development has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Commerce, Community, and Economic Development regulations on dealing with occupational licensing fees for professions regulated by the Big Game Commercial Services Board.

DATE: 10/7/16  
Juneau, Alaska

  
Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 7<sup>th</sup> day of October, 2016.

*Dale Ames*  
 \_\_\_\_\_  
 Notary Public in and for the  
 State of Alaska  
 My commission expires: *11/01/2022*



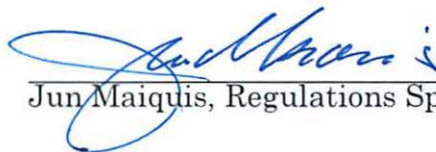
STATE OF ALASKA }  
FIRST JUDICIAL DISTRICT } ss.

AFFIDAVIT OF DEPARTMENT CONSIDERATION OF  
BOARD RECOMMENDATIONS

I, Jun Maiquis, Regulations Specialist for the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being duly sworn, state the following:

As required by AS 08.01.065(c), the Department of Commerce, Community, and Economic Development has considered the recommendations of the Big Game Commercial Services Board before adopting changes to the fees in 12 AAC 02.230.

DATE: 10/7/16  
Juneau, Alaska

  
\_\_\_\_\_  
Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 7th day of October, 2016.

  
\_\_\_\_\_  
Notary Public in and for the  
State of Alaska

My commission expires: at office





**NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR  
PROFESSIONS REGULATED BY THE BIG GAME COMMERCIAL SERVICES  
BOARD IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE,  
COMMUNITY, AND ECONOMIC DEVELOPMENT**

**BRIEF DESCRIPTION:** The Department of Commerce, Community, and Economic Development proposes to establish an annual hunt record and transporter activity report filing fee for registered and master guide-outfitters and transporters.

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 02 of the Alaska Administrative Code, dealing with occupational licensing fees for professions regulated by the Big Game Commercial Services Board, including the following:

**12 AAC 02.230, Big Game Commercial Services Board**, is proposed to be changed to establish an annual hunt record and transporter activity report filing fee for registered and master guide-outfitters and transporters.

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 Department 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/182415>, and using the comment link. **The comments must be received not later than 5:00 p.m. on September 7, 2016.** Comments received after this deadline will not be considered by the Department.

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 Department will aggregate its response to substantially similar questions and make the questions and responses available on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BigGameCommercialServicesBoard.aspx> or on the Alaska Online Public Notice System. The Department 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 August 31, 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/GUI-HR-TAR-Fees-0816.pdf>.

After the public comment period ends, the Department 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 regulation may be different from that of the proposed regulation. **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 08.01.010; AS 08.01.065; AS 08.01.100; AS 08.54.650; AS 08.54.750; AS 08.54.760; AS 08.54.770

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 08.01.010; AS 08.01.065; AS 08.01.100; AS 08.54.650; AS 08.54.750; AS 08.54.760; AS 08.54.770

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: 8/4/16


  
Jun Maiquis, Regulations Specialist  
Division of Corporations, Business and  
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

**ADDITIONAL REGULATION NOTICE INFORMATION**  
(AS 44.62.190(d))

1. **Adopting agency:** Department of Commerce, Community, and Economic Development – Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Occupational licensing fees.
3. **Citation of regulation:** 12 AAC 02.230.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Compliance with state statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**  
A private person: \$300 hunt record and transporter activity report annual filing fee.  
Another state agency: None known.  
A municipality: None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**  
No costs are expected in FY 2017 or in subsequent years.
9. **The name of the contact person for the regulation:**  
Sara Chambers, Division Operations Manager  
Division of Corporations, Business and Professional Licensing  
Department of Commerce, Community, and Economic Development  
Telephone: (907) 465-2144  
E-mail: sara.chambers@alaska.gov
10. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.
11. **Date:** 8/4/16

Prepared by:

  
Jun Maiquis  
Regulations Specialist  
(907) 465-2537



268972  
0001390684  
\$428.30

RECEIVED  
Juneau

AUG 12 2016

CBPL

# AFFIDAVIT OF PUBLICATION

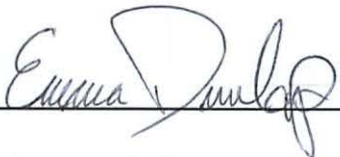
STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Emma Dunlap  
being first duly sworn on oath deposes and  
says that he/she is a representative of the  
Alaska Dispatch News, a daily newspaper.  
That said newspaper has been approved  
by the Third Judicial Court, Anchorage,  
Alaska, and it now and has been published  
in the English language continually as a  
daily newspaper in Anchorage, Alaska, and  
it is now and during all said time was  
printed in an office maintained at the  
aforesaid place of publication of said  
newspaper. That the annexed is a copy of  
an advertisement as it was published in  
regular issues (and not in supplemental  
form) of said newspaper on

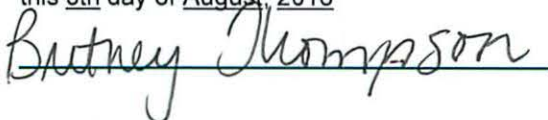
August 05, 2016

and that such newspaper was regularly  
distributed to its subscribers during all of  
said period. That the full amount of the fee  
charged for the foregoing publication is not  
in excess of the rate charged private  
individuals.

Signed



Subscribed and sworn to before me  
this 5th day of August, 2016



Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

2/23/2019

Notary Public  
BRITNEY L. THOMPSON  
State of Alaska  
My Commission Expires Feb 23, 2019

## NOTICE OF PROPOSED CHANGES TO OCCUPATIONAL LICENSING FEES FOR PROFESSIONS REGULATED BY THE BIG GAME COMMERCIAL SERVICES BOARD IN THE REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

The Department of Commerce, Community, and Economic Development (Department) proposes to adopt regulation changes in Title 12, Chapter 02 of the Alaska Administrative Code, dealing with occupational licensing fees for professions regulated by the Big Game Commercial Services Board, including the following:

**12 AAC 02.230, Big Game Commercial Services Board**, is proposed to be changed to establish an annual hunt record and transporter activity report filing fee for registered and master guide-outfitters and transporters.

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 Department 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/182415>, and using the comment link. **The comments must be received not later than 5:00 p.m. on September 7, 2016.** Comments received after this deadline will not be considered by the Department.

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 Department will aggregate its response to substantially similar questions and make the questions and responses available on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BigGameCommercialServicesBoard.aspx> or on the Alaska Online Public Notice System. The Department 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 August 31, 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/GUI-HR-TAR-Fees-0816.pdf>.

After the public comment period ends, the Department 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 regulation may be different from that of the proposed regulation. **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 08.01.010; AS 08.01.065; AS 08.01.100; AS 08.54.650; AS 08.54.750; AS 08.54.760; AS 08.54.770  
Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.010; AS 08.01.065; AS 08.01.100; AS 08.54.650; AS 08.54.750; AS 08.54.760; AS 08.54.770

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: 8/4/16

/s/  
Jun Maiquis, Regulations Specialist  
Division of Corporations, Business and  
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

10 Commission Street, 2nd Floor  
Boston, MA 02109  
617-552-3212  
BRIAN L. THOMAS  
Attorney at Law



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND  
PROFESSIONAL LICENSING

P.O. Box 110806  
Juneau, Alaska 99811-0806  
Main: 907.465.2550  
Fax: 907.465.2974

October 7, 2016

Dear licensees and interested parties:

In August, I wrote to you outlining the fee proposal for guides and transporters and alerting you to the beginning of the public comment period. I appreciate the thoughtful feedback submitted during this process.

After careful review of the public comments received, and taking into consideration the statutory responsibility and the clear direction from the legislature in HB 254 to establish a plan for financial solvency, I have determined that the flat \$300 Hunt Record/Transporter Activity Report (HR/TAR) fee is the most effective fee structure for adoption at this time. However, it was clear from the comments received that the due date originally proposed was incompatible with the industry. Thus, the fee due date has been changed to March 31 of each calendar year beginning in 2017, as it is between seasons and after most hunt draws are known.

One of the reasons the flat fee was deemed the most effective path forward is that there are administrative costs associated with the "per form" fee which are billed back to the program, which works against the effort to reach financial solvency. Further, a flat fee also removes the appearance of a financial disincentive to filing HR/TAR forms.

The Division works closely with boards on setting fees for their programs and serious consideration is given to board recommendations. The Division has a statutory responsibility in AS 08.01.065 to set fees that approximately equal the occupation's costs. It is my strong belief that this is a workable compromise, and I want to thank you for participating in this important process.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janey Hovenden".

Janey Hovenden, Director  
Division of Corporations, Business and Professional Licensing

---

**NOTICE**

**"Contracting Guides Only"  
2017 UVC Reminder**

Please contact our office to request your 2017 Unique Verification Code for the ADF&G draws that require a guide-client contract. Guides must be registered in the GUA for 2016 and 2017, the year of the drawing and the year of the hunt. Email [biggamecommercialservicesboard@alaska.gov](mailto:biggamecommercialservicesboard@alaska.gov) or call (907) 465-2543.





THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

## Department of Commerce, Community, and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND  
PROFESSIONAL LICENSING

P.O. Box 110806  
Juneau, Alaska 99811-0806  
Main: 907.465.2550  
Fax: 907.465.2974

### Big Game Commercial Services Board Proposed Regulations - FAQ

---

August 2016

#### 1. Why are new fees being proposed?

By law, fees must be analyzed annually and set to approximately recover the cost of program operations. Alaska's professional licensing statutes (AS 08.01.065) require the Division of Corporations, Business and Professional Licensing (CBPL) to "annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections related to that occupation." Alaska's licensing fee statutes go on to say, "If the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations ... to implement the adjustments."

This program has been in deficit for many years, and the liability will only grow if fees are not adjusted. In November 2015, a hunt record and transporter activity report (HR/TAR) filing fee became effective. However, larger transporters raised concerns about the thousands of dollars this reporting fee would cost their businesses. This debate unfolded as both the Division of Legislative Audit and the Legislature voiced concerns that fees for this program are not being set high enough to comply with the statutory requirements mentioned above.

The division and the Big Game Commercial Board have held numerous meetings to work out a fair and equitable alternative to the HR/TAR report filing fee. A Transporter Subcommittee was formed to look at the issue, and the board has discussed it at meetings over the last several months. The division has considered the recommendations of the board and proposes to abolish the per-form fee for HRs/TARs and establish an annual report filing fee.

The Director of the Division of Corporations, Business and Professional Licensing will adopt fees after considering all public comments. Fees will become effective 30 days after signed by the Lieutenant Governor, and the new annual fee will become payable by December 31, 2016, and annually thereafter. The division will post this information on the website and begin sending out new activity report forms to current licensees at that time.

#### 2. Why is the licensing program in deficit?

The licensing program has been in deficit since before 2010. During 2011, the division revised its indirect cost allocation methodology to correct deficiencies noted in a special audit of DCBPL. Based on the

reallocation of indirect costs, the board's deficit increased by \$236,000, resulting in a beginning FY12 deficit of approximately \$610,000. (*Alaska State Legislature, Division of Legislative Audit, BGCSB, ACN 08-20093-15*)

Licensing fees were increased to cover program costs in 2013 and 2015, and further revenue collection is necessary to erase the historical deficit and place the program back on track. Once this is accomplished, it is the hope of the division and the board that fees will be reduced.

### 3. What are the proposed fees for licensure?

Fees **proposed** are below. Words or fees in **bold** and underlined are proposed; those without such treatment are current fees.

Fees for registered and master guide-outfitters:

- nonrefundable application fee for initial license, \$200;
- initial registered guide-outfitter qualification examination or retake examination fee, \$125;
- game management unit examination fee for taking initial examination, retaking examination, or adding game management units, \$400 per game management unit;
- registered or master guide-outfitter license fee, for all or part of the biennial license period, \$850;
- biennial registered or master guide-outfitter license renewal fee, \$850;
- examination preparation packet for registered guide-outfitter, \$100;
- retired status license fee, \$300;
- hunt record **annual** filing fee, **\$300** [\$50];
- guide use area registration fee, \$100.

Fees for Class-A assistant and assistant guides:

- nonrefundable application fee for initial license, \$200;
- Class-A assistant and assistant guide license fee for all or part of the initial biennial license period, \$410;
- Class-A assistant and assistant guide biennial license renewal fee, \$410;
- retired status license fee, \$175.

Fees for transporter licenses:

- nonrefundable application fee, \$200;
- transporter license fee, for all or part of the biennial license period, \$850;
- biennial transporter license renewal fee, \$850;
- transporter activity report **annual** filing fee, **\$300** [\$50].

### 4. How are the estimated costs determined? What do licensing fees pay for?



AS 08.01.065 requires all costs of regulating the profession to be borne by its licensees. The regulatory requirements enacted in other states have no bearing on Alaska's state statute; therefore, the cost of licensure in another state is not a reasonable barometer of what should be charged in Alaska.

The proposed fees are based on the known costs of a similarly sized and structured licensing program. The law requires licensees to adhere to many provisions, and it gives ample authority to the board to determine many of the requirements of licensure. For example:

- The agency must create, publish, and manage licensing application forms and fees, which entail adherence to the state's recordkeeping, security, payment, and refund policies and procedures.
- Requirement of licensees to meet professional fitness standards, which are evaluated by the license examiner and referred to the agency's investigative unit if necessary for further review.
- Enforcement of disciplinary sanctions available to the agency if a licensee violates the state licensing statutes or regulations or an individual practices the profession without a license. Because state law requires all costs of a licensing program to be borne by the licensees of that program (AS 08.01.065), any investigative, attorney, or appeal expenses of the state will be recovered in the licensing fee.
- Alaska statutes defer to the board to adopt necessary regulations for management of the licensing program. This requires board and investigator travel, legal support, and other resources the board and division needs to comply with the expectations of law. The Alaska Administrative Code prescribes the requirements for public notice and adoption of agency regulations, the cost of which is borne by the licensing program.

## **5. How do I find out more about program finances and the fee-setting process?**

The division director and CBPL staff walk through the program's latest fiscal reports regularly and are available to provide additional information or answer questions. The latest reports and historical data are available online at <https://www.commerce.alaska.gov/web/cbpl/AnnualPerformanceReports.aspx>.

Do you have a question that is not answered here? Please email [jun.maiquis@alaska.gov](mailto:jun.maiquis@alaska.gov) so it can be added.