

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



530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Jun Maiquis
Department of Commerce, Community & Economic Development

FROM: Scott Meriwether, Office of the Lieutenant Governor
465.4081

A handwritten signature in black ink, likely belonging to Scott Meriwether.

DATE: April 3, 2018

RE: Filed Permanent Regulations: Big Game Commercial Services Board

Big Game Commercial Services Board regulations re: transfer of hunt records and update to adopted-by-reference hunt record form (12 AAC 75.205(b); 12 AAC 75.210(a))

Attorney General File: JU2017200649

Regulation Filed: 4/2/2018

Effective Date: 5/2/2018

Print: 226, July 2018

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO REGULATIONS
OF THE BIG GAME COMMERCIAL SERVICES BOARD

The attached two pages of regulations, dealing with distribution and use of hunt records, registered guide-outfitter hunt record form, and transporter activity report, are hereby certified to be a correct copy of the regulation changes that the Big Game Commercial Services Board adopted at its December 4-6, 2017 meeting, under the authority of AS 08.54.600, AS 08.54.650, AS 08.54.660, and AS 08.54.760 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.

On the record, in considering public comments, the Big Game Commercial Services Board paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in 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: 12/8/2017
Anchorage, Alaska


Henry Tiffany, Chair
Big Game Commercial Services Board

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on April 2, 2018 at 12:50 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.


Byron Mallott, Lieutenant Governor

Effective: May 2, 2018
Register: 226, July 2018

Chapter 75. Big Game Commercial Services Board.

12 AAC 75.205(b) is amended to read:

(b) The hunt records must be used [ONLY] by the assigned registered guide-outfitter.

Blank hunt [HUNT] records may [NOT] be transferred to another (registered contracting
guide-outfitter, if
guide, provided the transferee notifies the department within 60 days that a transfer has
taken place [SHARED].

*all Trans-
ferees!!!*

(Eff. 11/24/2007, Register 184; am 3/21/2010, Register 193; am 12/2/2012, Register 204;
am 5 / 2 / 2018, Register 226)

Authority: AS 08.54.600 AS 08.54.660 AS 08.54.760

12 AAC 75.210(a) is amended to read:

(a) The hunt record required by AS 08.54.760 must be on a form provided by the department, titled *Registered Guide-Outfitter Hunt Record*, dated **December 2017** [OCTOBER 2012], and adopted by reference. This form is established by the board for review of the information required to be submitted by registered guide-outfitters.

(Eff. 5/24/96, Register 138; am 10/19/96, Register 140; am 12/25/96, Register 140; am 12/2/99, Register 152; am 4/6/2001, Register 158; am/readopt 7/30/2006, Register 179; am 11/24/2007, Register 184; am 4/13/2013, Register 206; am 5 / 2 / 2018, Register 226)

Authority: AS 08.54.600 AS 08.54.660 AS 08.54.760

Editor's note: Copies of the *Registered Guide-Outfitter Hunt Record* Form, adopted by reference in 12 AAC 75.210, may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Big

Game Commercial Services Board, 333 Willoughby Avenue, Juneau, AK 99801; telephone:

(907) 465-2543; Internet:

[https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BigGameCommercialSe](https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BigGameCommercialServicesBoard.aspx)

[rvicesBoard.aspx](https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BigGameCommercialServicesBoard.aspx) [HTTP://COMMERCE.ALASKA.GOV/OCC/PGUI.HTM].

ca Publisher: Please retain the second paragraph of the editor's note that follows 12 AAC 75.210.

2 12 AAC 75.400 is amended by adding a new subsection to read:

(e) During portions of a hunt, a transporter, who is also an FAA certified part 135 air taxi, should not report air transportation services for a client to, from, or in between sites operated by a marine transporter, a ground based transporter, or a registered guide who is required to complete a hunt record or a transporter activity report for this same hunt with this same client. (Eff.

5/24/96, Register 138; am 10/19/96, Register 140; am 12/2/99, Register 152; am 4/6/2001,

Register 158; am/readopt 7/30/2006, Register 179; am 11/24/2007, Register 184; am 12/2/2012,

Register 204; am 4/13/2013, Register 206; am ____/____/____, Register ____)

Authority: AS 08.54.600 AS 08.54.660 AS 08.54.760


AS 08.54.650


Disapproved 3/30/2018. ACX

MEMORANDUM

State of Alaska Department of Law

To: The Honorable Byron Mallott
Lieutenant Governor

From: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

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

Date: March 30, 2018

File No.: JU2017200649

Tel. No.: 465-3600

Re: Big Game Commercial Services
Board regulations re: transfer of hunt
records and update to adopted-by-
reference hunt record form (12 AAC
75.205(b); 12 AAC 75.210(a))

We have reviewed the attached regulations from the Big Game Commercial Services Board against the statutory standards of the Administrative Procedure Act. The regulations allow, under certain conditions, the transfer of blank hunt records from one registered guide-outfitter to a different contracting registered guide-outfitter. The regulations also update the adopted-by-reference hunt record form that registered guide-outfitters submit as required under AS 08.54.760.

Except for the board's proposal to adopt 12 AAC 75.400(e), we find no legal problems with the regulations. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the rest of the attached regulations.

We have disapproved proposed 12 AAC 75.400(e). Proposed 12 AAC 75.400(e) would have provided that "a transporter, who is also an FAA certified part 135 air taxi, should not report air transportation services for a client to, from, or in between sites" operated by certain transporters or guides required to complete a hunt record or transporter activity report for the same hunt with the same client. Although the purpose of the proposed provision is to avoid duplicative reporting by the air taxi, AS 08.54.650(c) states, without exceptions on the statute's face, that "[a] transporter shall provide an annual activity report on a form provided by the department." Therefore, we have disapproved the language proposed as 12 AAC 75.400(e).

Our disapproval does not necessarily block other routes by which the board might address problems arising from duplicative information on transporter activity reports. For instance, AS 08.54.650(c) also provides that "[an] activity report must contain all information required by the board by regulation." Perhaps the board might provide for a transporter and an air taxi to submit their activity reports on a single form, in which the transporter reports the activity

for which that transporter is responsible, while the air taxi reports the activity for which the air taxi is responsible.

If this route or another were available, the board and the Department of Commerce, Community, and Economic Development would need to work closely with the assistant attorneys general who advise on professional licensure matters, so that the result would pass legal muster. Wholly excluding a transporter from the annual activity report requirement would require an amendment to AS 08.54.650(c).

Also, the board would have to explain what the phrase "an FAA certified part 135 air taxi" means. Though the board may understand the shorthand phrase, the regulations would need to spell out "Federal Aviation Administration" and would need to provide more details on what federal regulations provide for certification of air taxis. The phrase "part 135" likely refers to a part of the Code of Federal Regulations, but proper citation format requires that the title number of the federal regulations and the initials "C.F.R." precede "Part 135." Again, the assistant attorneys general who advise on professional licensure matters can assist regarding proper citation format.

Finally, under state drafting conventions for legislation and regulations, the word "should" is avoided, because it invites confusion whether statutory or regulatory text actually creates an enforceable requirement. In any follow-up regulation, the board may wish to consider "is not required to" as a functional alternative.

The September 27, 2017 public notice and the December 8, 2017 certification of 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: JU2017200649

March 30, 2018
Page 3

We have made some technical corrections to 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)

Henry Tiffany, Chair
Big Game Commercial Services Board
(via email through Jun Maiquis)

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

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

Sara Chambers, Operations Manager
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

Dawn Hannasch, Licensing Examiner
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

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

NOTICE OF PROPOSED CHANGES RELATING TO DISTRIBUTION AND USE OF HUNT RECORDS, UPDATING HUNT RECORD FORM, AND TRANSPORTER ACTIVITY REPORT IN THE REGULATIONS OF THE BIG GAME COMMERCIAL SERVICES BOARD

BRIEF DESCRIPTION: The Big Game Commercial Services Board proposes to update regulations relating to distribution and use of hunt records, transporter activity report, and to adopt by reference the updated registered guide-outfitter hunt record form.

The Big Game Commercial Services Board (Board) proposes to adopt regulation changes in Title 12, Chapter 75 of the Alaska Administrative Code including the following:

1. **12 AAC 75.205. Distribution and use of hunt records**, is proposed to be changed to alter the requirements for distribution and use of hunt records.
2. **12 AAC 75.210. Hunt record**, is proposed to be changed to adopt by reference the updated Registered Guide-Outfitter Hunt Record form.
3. **12 AAC 75.400. Transporter activity report**, is proposed to be changed to alter the requirements for submitting transporter activity report, by adding a new subsection relating to air taxis.

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. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/187168>, and using the comment link. **The comments must be received not later than 5:00 p.m. on October 27, 2017.**

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 5, 2017, 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 9:00 a.m. and will end when those who have signed up before 9:00 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 RegulationsAndPublicComment@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 and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BigGameCommercialServicesBoard.aspx>. 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 RegulationsAndPublicComment@alaska.gov not later than October 20, 2017 to ensure that any necessary accommodation 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 RegulationsAndPublicComment@alaska.gov, or go to

<https://www.commerce.alaska.gov/web/portals/5/pub/BGCSB-0917.pdf>.

A copy of the material proposed for adoption by reference is available on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BigGameCommercialServicesBoard.aspx>.


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 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 08.54.600; AS 08.54.650; AS 08.54.660; AS 08.54.760

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.54.600; AS 08.54.650; AS 08.54.660; AS 08.54.760

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


DATE: 9/26/17



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:** Big Game Commercial Services Board – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Distribution and use of hunt records, hunt record form, and transporter activity report.
3. **Citation of regulation:** 12 AAC 75.205, 12 AAC 75.210, and 12 AAC 75.400.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Update and clarification of current regulations.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**
A private person: None known.
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 2018 or in subsequent years.
9. **The name of the contact person for the regulation:**
Tracy Wiard, Licensing Examiner
Big Game Commercial Services Board
Division of Corporations, Business and Professional Licensing
Telephone: (907) 465-2543
E-mail: tracy.wiard@alaska.gov
10. **The origin of the proposed action:** Big Game Commercial Services Board.
11. **Date:** 9/26/17 **Prepared by:** 
Jun Maiquis
Regulations Specialist
(907) 465-2537

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 75.205, 12 AAC 75.210, and 12 AAC 75.400, dealing with distribution and use of hunt records, transporter activity report, and registered guide-outfitter hunt record form, has been given by being:

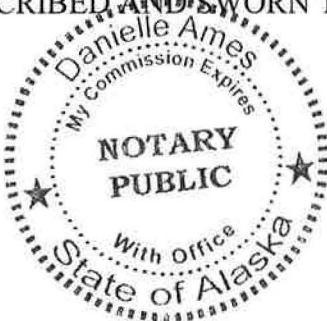
1. published in a newspaper or trade publication;
2. furnished to interested persons;
3. furnished to appropriate state officials;
4. furnished to the Department of Law, along with a copy of the proposed regulations;
5. electronically transmitted to incumbent State of Alaska legislators;
6. furnished 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: 2/7/18
Juneau, Alaska


Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 7 day of Feb., 2018.



D Jones
Notary Public in and for the
State of Alaska
My commission expires: *12/01/2024*

STATE OF ALASKA

FIRST JUDICIAL DISTRICT

}
} ss.
}

AFFIDAVIT OF ORAL HEARING

I, Dawn Hannasch, Licensing Examiner of the Big Game Commercial Services Board, being sworn, state the following:

The Big Game Commercial Services Board presided over the following public hearing held in accordance with AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to 12 AAC 75.205, 12 AAC 75.210, and 12 AAC 75.400 dealing with distribution and use of hunt records, registered guide-outfitter hunt record form, and transporter activity report.

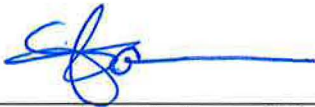
December 5, 2017, at 9:00 a.m., at the Atwood Building, 550 West 7th Avenue, Room 104, Anchorage, Alaska.

Date: January 22, 2018
Juneau, Alaska


Dawn Hannasch, Licensing Examiner

SUBSCRIBED AND SWORN TO before me this MON day of January 22, 2018.




Notary Public in and for the
State of Alaska
My Commission Expires: W / OFFICE

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss.

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

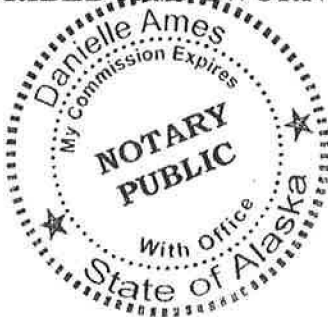
I, Jun Maiquis, Regulations Specialist for the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being duly sworn, state the following:

In compliance with AS 44.62.215, the Big Game Commercial Services Board has kept a record of its use or rejection of factual or other substantive information that was submitted in writing and orally as public comment and that was relevant to the accuracy, coverage, or other aspect of the Big Game Commercial Services Board regulations on dealing with distribution and use of hunt records, transporter activity report, and registered guide-outfitter hunt record form.

DATE: 2/7/18
Juneau, Alaska


Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 7 day of Feb., 2018.



Notary Public in and for the
State of Alaska
My commission expires: w/o office

268972
0001410949
\$512.96

RECEIVED
Juneau

OCT 10 2017

CBPL

AFFIDAVIT OF PUBLICATION

STATE OF ALASKA

THIRD JUDICIAL DISTRICT

Joleesa Stepetin

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

September 27, 2017

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

Joleesa Stepetin

Subscribed and sworn to before me
this 28th day of September, 2017

Britney Thompson

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 RELATING TO DISTRIBUTION AND USE OF HUNT RECORDS, UPDATING HUNT RECORD FORM, AND TRANSPORTER ACTIVITY REPORT IN THE REGULATIONS OF THE BIG GAME COMMERCIAL SERVICES BOARD

The Big Game Commercial Services Board (Board) proposes to adopt regulation changes in Title 12, Chapter 75 of the Alaska Administrative Code including the following:

1. **12 AAC 75.205. Distribution and use of hunt records**, is proposed to be changed to alter the requirements for distribution and use of hunt records.
2. **12 AAC 75.210. Hunt record**, is proposed to be changed to adopt by reference the updated Registered Guide-Outfitter Hunt Record form.
3. **12 AAC 75.400. Transporter activity report**, is proposed to be changed to alter the requirements for submitting transporter activity report, by adding a new subsection relating to air taxis.

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. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/187168>, and using the comment link. **The comments must be received not later than 5:00 p.m. on October 27, 2017.**

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 5, 2017, 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 9:00 a.m. and will end when those who have signed up before 9:00 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 RegulationsAndPublicComment@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 and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BigGameCommercialServicesBoard.aspx>. 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 RegulationsAndPublicComment@alaska.gov not later than October 20, 2017 to ensure that any necessary accommodation 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 RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/BGCSB-0917.pdf>.

A copy of the material proposed for adoption by reference is available on the Board's website at

907-398-2752 or 907-230-3362
Free Estimates!

Chain Link
Wood Fence
Residential
Commercial
• Total fence replacement
• 3-day turnaround
• Courtesy kennel for pets
• We also have rental panels for construction site

The FENCE GUY

FIRST JUDICIAL DISTRICT

AFFIDAVIT OF BOARD ACTION

I, Dawn Hannasch, Licensing Examiner for the Big Game Commercial Services Board, being duly sworn, state the following:

The attached motion dealing with distribution and use of hunt records, registered guide-outfitter hunt record form, and transporter activity report was passed by the Big Game Commercial Services Board during its December 4-6, 2017 meeting.

Date: January 22, 2018
Juneau, Alaska

Dawn Hannasch
Dawn Hannasch, Licensing Examiner

SUBSCRIBED AND SWORN TO before me this MOO day of JANUARY 22, 2018.



Notary Public in and for the
State of Alaska
My commission expires: W / OFFICE

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
December 4th & 5th 2017

Monday, December 4th, 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 December 4th and December 5th 2017 at the Robert Atwood Building in Anchorage, Alaska.

These are a 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)
Kelly Vrem, Master Guide (GUIM102)
Adam Trombley, Public Member
Larry Van Daele, Board of Game
Thomas Sullivan, Public Member (via teleconference)

Staff Members Present:

Dawn K Hannasch, Occupational Licensing Examiner
Sara Chambers, Deputy Division Director
Lee Strout, Investigator
Greg Francois, Chief Investigator
Chase Parkey, Records and Licensing Supervisor (via teleconference)
Shalome Cederberg, Office of the Governor
Harriot Milks, Board Council

Public/Licensee's Present:

Mark Richards, Registered Hunters Alaska
Thor Stacey, GUIL1194
Mark Enyeart, GUIL1335
Darwin Vander Esch
Andy Pevehouse

Mark Enyeart:

Mr. Enyeart, Registered Guide outfitter, spoke to the Board about his proposed regulation changes to 12 AAC 75.460 (B) (2). He believes that the Board should consider a "grandfathering in" process for people like himself that have been hunting in Alaska for many years, but does not meet the requirements.

Sam Rohrer:

Mr. Rohrer, Master Guide #GUIRM204 and the President of the Alaska Professional Hunters Association (APHA), however his testimony was only offered as a licensee. Mr. Rohrer offered his support to the Board in having the Boards Counsel attend all Board meetings. He also spoke on the Board acquiring an Executive Administrator and his opinion that this would be a great benefit to the Board and the license base.

AGENDA ITEM 10 REGULATIONS PROPOSED AND READY FOR BOARD ADOPTION

After reviewing all written public comments, oral testimony and suggestions by the Department of Law the Board decided to move as follows:

In a motion duly made by Kelly Vrem and seconded by Adam Trombley with a roll call vote, it was resolved to

Adopt 12 AAC 75.205(b) as purposed in the drafted language: (b) the hunt records must be used [ONLY] by the assigned registered guide-outfitter.

Blank hunt [HUNT] records may [NOT] be transferred to another registered contracting guide, provided the transferee notifies the department within 60 days that a transfer has taken place [SHARED].

Nicholas Jackson-Yea

David Jones-Yea

Adam Trombley-Yes

Kelly Vrem-Yea

Larry Van Daele-Yea

Henry Tiffany-Yea

In a motion duly made by Kelly Vrem and seconded by Adam Trombley, with a roll call vote, it was resolved to

Adopt 12 AAC 75.210(a) as amended with corrections to the form to provide consistency and accurate wording according to regulations:

- **Update the contact information**
- **Add a line for the date to confirm that the requirements of 12 AAC 75.240 was completed**

- Remove the “(“ next to the words warning
- Update revision date

Nicholas Jackson-Yea
David Jones-Yea
Adam Trombley-Yes
Kelly Vrem-Yea
Larry Van Daele-Yea
Henry Tiffany-Yea

In a motion duly made by Kelly Vrem and seconded by Adam Trombley, with a roll call vote, it was resolved to

Adopt 12 AAC 75.400(e) as written: (e) During portions of a hunt, a transporter, who is also an FAA certified part 135 air taxi, should not report air transportation services for a client to, from, or in between sites operated by a marine transporter, a ground based transporter, or a registered guide who is required to complete a hunt record or a transporter activity report for this same hunt with this same client. (Eff. 5/24/96, Register 138; am 10/19/96, Register 140; am 12/2/99, Register 152; am 4/6/2001, Register 158; am/readopt 7/30/2006, Register 179; am 11/24/2007, Register 184; am 12/2/2012, Register 204; am 4/13/2013, Register 206;

Nicholas Jackson-Yea
David Jones-Yea
Adam Trombley-Yes
Kelly Vrem-Yea
Larry Van Daele-Yea
Henry Tiffany-Yea

AGENDA ITEM 12 REGULATIONS PROPOSED-REQUIRING FURTHER REVIEW

- 12 AAC 75.260 Guide contracts
- 12 AAC 75.400 Transporter activity reports
- 12 AAC 75.450 Transporter contract requirements
- 12 AAC 75.920(b) Guiding experience
- 12 AAC 75.920(c) Guiding experience
- 12 AAC 75.920(d)(4) Guiding experience
- 12 AAC 75.920(e) Guiding experience

AGENDA ITEM 12 REGULATIONS PROPOSED BY THE PUBLIC AND REQUIRE FURTHER BOARD REVIEW

The Board moved onto a purposed regulations change to 12 AAC 75.460(B) (2)-Guide harvest affidavit. Board Chair Henry Tiffany informed the public and stated on the record that just because someone makes a proposal to change regulations doesn't mean that the Board will take action. The Board needs



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: <input type="checkbox"/> GUIDED <input type="checkbox"/> TRANSPORTED ONLY <input type="checkbox"/> OUTFITTED ONLY			
2	Client Name: _____	Hunting License Number:	_____
Address: _____		City: _____	State: _____ ZIP: _____
Resident <input type="checkbox"/> Non Resident <input type="checkbox"/>		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. # _____	
	Name: _____ Lic. # _____	Name: _____ Lic. # _____	
4 FROM: _____ TO: _____		DATE HUNT WAS COMPLETE _____	
5	TRANSPORTATION USED	SPECIES HUNTED <i>*If Bear, specify Brown or Black Bear.</i>	HARVEST
	BOAT <input type="checkbox"/>	_____	Y / N
	AIRCRAFT <input type="checkbox"/>	_____	Y / N
	OTHER _____	_____	Y / N
		_____	Y / N
		_____	Y / N
		_____	Y / N
		_____	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 on (date) _____. 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	BIG GAME TAG NUMBER
	_____	_____
	_____	_____
	_____	_____
	_____	_____

ORIGINAL: MAIL TO ADDRESS ABOVE

PINK: POST HUNT CLIENT COPY

YELLOW: CLIENT FIELD COPY

GREEN: POST HUNT GUIDE COPY