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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Amy Demboski  
Department of Commerce, Community, and Economic Development

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** June 16, 2020

**RE:** Filed Permanent Regulations: Big Game Commercial Services Board

Big Game Commercial Services Board regulations re: guide use areas, contracts, and transportation services (12 AAC 75.230; 12 AAC 75.260(e); 12 AAC 75.400(e); 12 AAC 75.450(d); 12 AAC 75.920)

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Attorney General File:	2019200527
Regulation Filed:	6/16/2020
Effective Date:	7/16/2020
Print:	235, October 2020

cc with enclosures: Harry Hale, Department of Law  
Judy Herndon, LexisNexis  
Jun Maiquis, Regulations Specialist

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

The attached five pages of regulations, dealing with guide use area registration, registered guide-outfitter contract requirements, transporter activity report and contract requirements, and hunting experience requirements, are hereby certified to be a correct copy of the regulation changes that the Big Game Commercial Services Board adopted at its December 2-4, 2019 meeting, under the authority of AS 08.54.600, AS 08.54.605, AS 08.54.610, AS 08.54.620, AS 08.54.630, AS 08.54.650, AS 08.54.660, AS 08.54.680, AS 08.54.720, AS 08.54.750, AS 08.54.760, and AS 08.54.790, 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: 5/14/2020  
Juneau, Alaska

  
\_\_\_\_\_  
Renee Hoffard, Executive Administrator  
Big Game Commercial Services Board

*April Simpson for*

FILING CERTIFICATION

I, <sup>↑</sup>Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on June 16<sup>th</sup>, 2020 at 9:36 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

*for*   
\_\_\_\_\_  
Kevin Meyer, Lieutenant Governor

Effective: July 16, 2020.

Register: 235, October 2020.

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,  
designate the following state employees to perform the Administrative Procedures Act  
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff  
Kady Levale, Notary Administrator  
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have  
signed and affixed the Seal of the State of  
Alaska, in Juneau, on December 11th,  
2018.**



A handwritten signature in blue ink, appearing to read "K. Meyer", followed by a horizontal dotted line.

**KEVIN MEYER  
LIEUTENANT GOVERNOR**

**Chapter 75. Big Game Commercial Services Board.**

12 AAC 75.230(a) is amended to read:

(a) The department will register an applicant in a guide use area if the applicant meets the requirements of AS 08.54.750 and this section. For each guide use area for which a registered guide-outfitter is registering, the registered guide-outfitter shall submit the following information on a form provided by the department:

- (1) the applicant's registered guide-outfitter license number;
- (2) the guide use area for which the registered guide-outfitter is registering;
- (3) **certification in the game management unit in which the registered guide-**

**outfitter is applying within** [THE LOCATION OF THE REGISTERED GUIDE-OUTFITTER'S CAMP];

- (4) **sworn statement by the applicant attesting to the required land use**

**authorization:**

- (5) **sworn statement by the applicant attesting to the ability to provide**

**services on at least 5,000 contiguous acres of uplands in the guide use area requested**

[DOCUMENTATION FROM THE LANDOWNER OR LAND MANAGER THAT THE APPLICANT HAS THE AUTHORIZATION TO PROVIDE BIG GAME HUNTING SERVICES ON AT LEAST 5,000 CONTIGUOUS ACRES OF THE UPLANDS IN THE GUIDE USE AREA; PROOF OF PRIOR YEAR AUTHORIZATION, IF STILL VALID, WILL BE ACCEPTED TO MEET THE REQUIREMENT OF THIS PARAGRAPH; A LETTER OF INTENT TO AUTHORIZE USE FOR THE CURRENT YEAR, FROM THE LANDOWNER OR LAND MANAGER, WILL BE ACCEPTED TO MEET THE REQUIREMENT OF THIS

PARAGRAPH];

(6) [(5)] whether registration is for a single calendar year or multiple calendar years.

← ((insert new amendment to 12 AAC 75.230(e), written out on page 5, here)))

12 AAC 75.230 is amended by adding a new subsection to read:

(f) A registered guide-outfitter may not register for, or provide services within, a guide use area unless the applicant has written authorization by the landowner or appropriate representative in the form of a permit, registration or letter to provide big game hunting services on at least 5,000 contiguous acres of uplands in the guide use area. (Eff. 5/24/96, Register 138; am 10/19/96, Register 140; am 4/6/2001, Register 158; am/readopt 7/30/2006, Register 179; am 6/8/2007, Register 182; am 12/1/2007, Register 184; am 7 / 16 / 2020, Register 235)

Authority: AS 08.54.600 AS 08.54.750

12 AAC 75.260 is amended by adding a new subsection to read:

(e) A contract may be amended at any time before the conclusion of the hunt, as recorded on the hunt record, with the signature of the contracting guide and the client. (Eff. 7/30/2006, Register 179; am 6/8/2007, Register 182; am 4/16/2016, Register 218; am 7 / 16 / 2020, Register 235)

Authority: AS 08.54.600 AS 08.54.720 AS 08.54.790

AS 08.54.680

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

(e) During portions of a hunt, a transporter is exempt from transporter activity report

requirements of this section when providing transportation services for a client to, from, or in between specific locations operated by another transporter or registered guide<sup>co-outfitter</sup> who has contracted this same hunt with the 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

7 / 16 / 2020, Register 235)

**Authority:** AS 08.54.600 AS 08.54.660 AS 08.54.760  
AS 08.54.650

12 AAC 75.450 is amended by adding a new subsection to read:

(d) During portions of a hunt, a transporter is exempt from transporter contracting requirements of this section when providing transportation services for a client to, from, or in between specific locations operated by another transporter or registered guide<sup>co-outfitter</sup> who has contracted this same hunt with the same client. (Eff. 7/30/2006, Register 179; am 6/8/2007, Register 182; am 7 / 16 / 2020, Register 235)

**Authority:** AS 08.54.600 AS 08.54.680 AS 08.54.790  
AS 08.54.650 AS 08.54.720

12 AAC 75.920 is repealed and readopted to read:

**12 AAC 75.920. Hunting, guiding, and practical experience.** (a) The hunting, guiding, or practical field experience required under AS 08.54.610 – 08.54.630 will only be accepted by the board if the applicant's hunting and guiding licenses issued by this state were valid and unencumbered during the time period for which experience is claimed.

(b) For purposes of satisfying the hunting experience requirements in AS 08.54.620, the applicant must document at least 20 days of big game hunting activity in a calendar year in order to receive credit for one year.

(c) For the purposes of satisfying the guiding experience requirements in AS 08.54.620(a)(4)(A)(i), the applicant must document at least 60 days of big game guiding activity in three or more calendar years.

(d) For purposes of satisfying the requirements in AS 08.54.630(a)(2), the applicant must document at least 60 days of big game hunting activity during two or more calendar years. At least 30 of the 60 days must be in a guide camp or under the supervision of a licensed guide while performing guide-related duties. Documented passage of the assistant guide training course described in AS 08.54.630(a)(4)(B) may count for 10 days.

(e) For the purposes of the requirements in AS 08.54.630(a)(4)(A), the written recommendation must be signed by the registered guide-outfitter who intends to employ the person as an assistant guide and must attest to the fact that the applicant meets each of the following criteria:

- (1) has knowledge and experience in the safe operation of firearms;
- (2) has knowledge of guide statutes and regulations and game regulations;
- (3) has knowledge in trophy judging, capping, skinning, butchering, and meat and trophy care;
- (4) has directly participated in the spotting, stalking, and subsequent harvesting of at least three big game animals in this state;
- (5) has knowledge and experience concerning general safety and emergency protocol.



(f) For the purposes of the requirements in AS 08.54.610(d)(1), a person who is licensed as a registered guide-outfitter may be employed by another registered guide-outfitter to provide the services of a class-A assistant guide, statewide, <sup>if</sup> ~~providing that~~ the non-contracting registered guide-outfitter <sup>the non-contracting guide</sup> has had at least 10 days hunting experience in the game management unit that they will be assisting the contracting guide in.

(g) In this section, "big game hunting activity" includes working in a guide camp or under the supervision of a licensed guide while performing guide-related duties. (Eff. 12/2/99, Register 152; am 7/30/2006, Register 179; am 6/8/2007, Register 182; am 11/24/2007, Register 184; am 4/13/2013, Register 206; am 6/29/2013, Register 206; am 7/10/2020, Register 235)

**Authority:** AS 08.54.600

AS 08.54.610

AS 08.54.630

AS 08.54.605

AS 08.54.620

The introductory language of 12 AAC 75.230(e) is amended to read:

(e) A registered guide-outfitter who is registered in three guide use areas may register for and conduct big game hunting services in a portion of one additional guide use area on federal land adjacent to a guide use area for which the registered guide-outfitter is already registered if the registered guide-outfitter meets the requirements of (a)(1) - (5) and (f) [(a)(1) - (4)] of this section, and submits

...

«Insert circled text at place marked on page 2.»