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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Sara Chambers, Department of Commerce, Community and Economic Development

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

**DATE:** February 20, 2024

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

Big Game Commercial Services Board Emergency Regulations Being Made Permanent  
re: special federal use permits (12 AAC 75.230, .260)

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Attorney General File:	2023200554
Regulation Filed:	2/20/2024
Effective Date:	11/27/2023
Print:	249, April 2024

cc with enclosures: Colleen Bailey, Department of Law  
Judy Herndon, LexisNexis  
Sylvan Robb, Division Director  
Alison Osborne, Regulations Specialist  
Stefanie Davis, Regulations Specialist



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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February 8, 2024

The Honorable Nancy Dahlstrom  
Lieutenant Governor  
State of Alaska  
P.O. Box 110015  
Juneau, AK 99811-0015

Re: *12 AAC 75.230 and 12 AAC 75.260 - Big Game Commercial Services  
Board - EMERGENCY*  
Our file: 2023200554

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Big Game Commercial Services Board against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The Big Game Commercial Services Board adopted the regulations on November 15, 2023 as emergency regulations under AS 44.62.250. The lieutenant governor's office filed the regulations on November 27, 2023 and they expire on March 25, 2024 unless made permanent. The Big Game Commercial Services Board would like to make the regulations permanent and has complied with AS 44.62.040(c), 44.62.060, and 44.62.190 - 44.62.215, as required under AS 44.62.260(a) and (b).

The regulations update the requirements for guides awarded special federal use permits to conduct guided hunting in specific locations in Alaska and remove timing conflicts by allowing guides to obtain a Unique Verification Code in the first year of concession. Because the harm to guide-outfitters and communities constitutes a manifest

threat to the general welfare if the timing conflicts cannot be resolved before more developed regulations are in place, we respectfully request that the lieutenant governor's office file these regulations before they expire.

The November 15, 2023 emergency adoption order, the December 3, 2023 public notice, and the February 7, 2024 certification of compliance all state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR  
ATTORNEY GENERAL

By: Rebecca C. Polizzotto  
Rebecca C. Polizzotto  
Chief Assistant Attorney General  
Legislation, Regulations, and  
Legislative Research Section

Digitally signed by  
Rebecca C. Polizzotto  
Date: 2024.02.08  
11:10:07 -09'00'

RCP/SCW

CC w/enclosure: Alison Osborne, Regulations Specialist  
Department of Commerce, Community and Economic Development

Stefanie Davis, Regulations Specialist  
Department of Commerce, Community and Economic Development

Steven C. Weaver, Assistant Attorney General  
Department of Law

CERTIFICATION OF COMPLIANCE

I, Jason Bunch, Chair Big Game Commercial Services Board, certify that, as required by AS 44.62.260 in order to make the attached two pages of regulations permanent, as of this date a legal opinion of the Department of Law has been requested under AS 44.62.060, a notice conforming to AS 44.62.200 was issued in compliance with AS 44.62.190, and an opportunity for public comment was provided under AS 44.62.210, for the following emergency regulation:

12 AAC 75.230 and 12 AAC 75.260 are amended dealing with requirements for federal concession permits for guide-outfitters and master guide-outfitters.

This regulation originally was filed as an emergency regulation on November 27, 2023.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Big Game Commercial Services Board paid special attention to the cost to private persons of the regulatory action being taken.


Date: 2/7/2024

DocuSigned by:  
  
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Jason Bunch,  
Chair Big Game Commercial Services Board

FILING CERTIFICATION

*April Simpson for*

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on February 20, 2024, at 11:05am., I filed the attached regulation according to the provisions of AS 44.62.

  
for Nancy Dahlstrom, Lieutenant Governor

Register: 249, April 2024.

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

**I, NANCY DAHLSTROM, 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:**

**April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.**



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM  
LIEUTENANT GOVERNOR**

The emergency repeal of 12 AAC 75.230(a)(6) is made permanent:

(6) repealed 11 / 27 / 2023.

The emergency amendment of 12 AAC 75.230(b) is made permanent to read:

(b) A registration expires on December 31 of the last year for which it is issued. To re-register, the registered guide-outfitter must again submit a complete application under (a) of this section.

The emergency amendment of 12 AAC 75.230(c) is made permanent to read:

(c) A registered guide-outfitter may register for a maximum of five calendar years ending on December 31, including the calendar year in which the registration becomes effective. A registration for multiple calendar years may be withdrawn or changed annually before April 1, if the GUA being withdrawn or changed has not been used in the that year. This includes attempting to get hunters drawn for limited entry drawings for that GUA, in which case the guide must have been registered for the GUA in the year of the December draw application period and the year the hunt would have taken place. Both years will be considered used and may not be withdrawn. No refunds will be issued for the years left on a multiple year registration if it is withdrawn.

(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; am 11/28/2020, Register 236; am 11/27/2023, Register 248**)

**Authority:** AS 08.54.600 AS 08.54.750

The emergency amendment of 12 AAC 75.260(d) is made permanent to read:

(d) A contracting registered or master guide who is signing the hunt contract, and who intends to apply a client for a drawing hunt permit for a hunt conducted under regulations required under AS 16.05, shall obtain a unique verification code for each guide use area in which a unique verification code is required from the department before entering an application for the client. Unique verification codes will only be issued to registered or master guides who are registered in a guide use area located in the hunt area the year the application is made and the years the permit is valid; except a contracting guide may receive a code and apply a client in a new concession area in which the permit for the concession is authorized but not valid until the year of the hunt as long as the concessionaire registers for the guide use area before providing services. Unique verification codes will be current until the associated guide use area registration expires or is withdrawn or amended. Unique verification codes can only be utilized by the contracting registered or master guide who is applying clients for a drawing hunt permit.

(Eff. 7/30/2006, Register 179; am 6/8/2007, Register 182; am 4/16/2016, Register 218; am 7/16/2020, Register 235; am 3/24/2022, Register 241; am 11/27/2023, Register 248)

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