

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

BIG GAME COMMERCIAL SERVICES BOARD

CONDENSED MINUTES OF THE MEETING HELD FEBRUARY 29, 2024

By authority of AS 08.01.070(2) and in compliance with the provision of AS 44.62, Article 6, a scheduled meeting (teleconference) of the Big Game Commercial Services Board was held on February 29, 2024, at 333 Willoughby Avenue, 9th Floor, Juneau, AK.

Date:	February 29, 2024
Time:	9:00 a.m. (9:14 a.m.)
Location:	Online teleconference ran from 333 Willoughby Avenue, 9th Floor, Juneau, AK
Board Members Present:	Jason Bunch, Aaron Bloomquist, Martin Boniek, Pete Buist, Larry Kunder
Board Members Absent:	Dave Lorrington, Mike Flores, Clay Nordlum
Division/SOA Staff Present:	Thomas Bay (Executive Administrator), Janet Brown (Occupational Licensing Examiner), Lee Strout (Investigator), Jennifer Summers (Senior Investigator), Chase Evans (Investigator)
Present from the Public:	None

1. Review Agenda		
Brief Discussion:	Chairman Jason Bunch added an agenda item after "Exam Update" for "Additional Board business" as needed.	
Motion:	Move to accept the agenda as amended (First: Bloomquist; Second: Buist).	
Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	
2. Ethics Review		
Brief Discussion:	There were no ethical disclosures by any board members or staff.	
3. Probation Report		
Brief Discussion:	Senior Investigator Jennifer Summers was in attendance to provide the board with their probation report. First, she introduced Chace Evans, a newly hired investigator, to the board and told them that he was in attendance to observe the board meeting process. Ms.	

	<p>Summers informed the board that there were eight licensees on probation and that six licensees were released from probation since their last probation report. Chairman Bunch asked what was being done about the out of compliance licensees. She said that one of the two licensees had a licensing action that would be pending very soon, while the other one had a fine issue. Chairman Bunch asked at what point would an out of compliance licensee come back before the board for a decision of what to do, such as license suspension. Ms. Summers said that she would get a little more information for the board, regarding the out of compliance licensees, so they could make a decision on what to do with them. With nothing left, the board thanked Ms. Summers for their probation report.</p>	
<p>4. Investigative Matters for Review: Executive Session</p>		
<p>Brief Discussion: Off Record: 9:26 a.m.</p>	<p>The board moved into executive session for discussion of investigative matters.</p>	
<p>Motion:</p>	<p>I, Pete Buist, move that the Alaska State Big Game Commercial Services Board enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; and matters which by law, municipal charter, or ordinance are required to be confidential. Board staff Thomas Bay, Janet Brown, Lee Strout, Jennifer Summers, and Chace Evans to remain during the session (First: Buist; Second: Boniek).</p>	
<p>Recorded Votes:</p>	<p>Buist - Yes</p>	<p>Kunder - Yes</p>
	<p>Boniek - Yes</p>	
	<p>Bloomquist - Yes</p>	
	<p>Bunch - Yes</p>	
<p>Brief Discussion: On Record: 11:59 a.m.</p>	<p>No action was taken during executive session.</p>	
<p>5. Summary/Motions from Executive Session</p>		
<p>Case No. 2021-000627</p>		
<p>Motion:</p>	<p>Move to accept consent agreement for Case No. 2021-000627 (First: Buist; Second: Bloomquist).</p>	
<p>Brief Discussion:</p>	<p>The board considered the proposed consent agreement for Case No. 2021-000627: A master guide-outfitter (MGO) employed an assistant guide without a renewed license. He received a \$2,000 federal fine, which triggers the MGO revocation statute (AS 08.54.710(k)(2)(B)). The MGO also did not disclose the offense on his renewal application. Chairman Bunch said that the consent agreement includes an agreement for the MGO to turn in his license and receive a lesser RGO license, a fine of \$6,000 (\$3,000 suspended), a three-year probation, and a board reprimand. Mr. Bloomquist said that the federal fines are getting a little out of hand, resulting in guides losing their licenses and/or receiving higher fines than should be handed out. He said that he would be approving the consent agreement because of the revocation statute.</p>	
<p>Recorded Votes:</p>	<p>Buist - Yes</p>	<p>Kunder - Yes</p>

	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	
Case Nos. 2022-000170, 2022-000441, 2022-000442, 2022-000443, and 2022-000444		
Motion:	Move to accept consent agreement for Case Nos. 2022-000170, 2022-000441, 2022-000442, 2022-000443, and 2022-000444 (First: Buist; Second: Bloomquist).	
Brief Discussion:	The board considered the proposed consent agreement for Case Nos. 2022-000170, 2022-000441, 2022-000442, 2022-000443, and 2022-000444: A transporter recovered equipment from a client who was dropped off and who had to be rescued by the USCG. The transporter refused to cooperate with the clients to return the gear. It became an investigation with AWT, which the transporter did not cooperate with. AWT found the gear in possession of the transporter and their employees. The consent agreement includes a one-year license suspension, restitution back to the clients for the gear they took, which was around \$40,000, a \$3,000 fine (\$2,000 suspended), one-year of probation, and a board reprimand. Mr. Boniek said that this case was discussed in length at their last meeting and said that the only reason it was back up for discussion was because the previous consent agreement had a typo. It had an "or" instead of "and" when it came to returning the clients' property and monetary restitution. Chairman Bunch clarified that the one-year suspension would be lifted if the property was returned, and the restitution paid.	
Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	
Case No. 2023-000336		
Motion:	Move to accept the consent agreement for Case No. 2023-000336 (First: Buist; Second: Bloomquist).	
Brief Discussion:	The board considered a voluntary surrender of a master guide-outfitter license for Case No. 2023-000336: An assistant guide received a trapping violation in Maine. The consent agreement includes a \$200 fine with a board reprimand. There was no discussion.	
Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	
Case No. 2023-000404		
Motion:	Move to accept consent agreement for Case No. 2023-000404 (First: Buist; Second: Bloomquist).	

Brief Discussion:	The board considered the proposed consent agreement for Case No. 2023-000404: A transporter dropped off two clients for an elk hunt but did not return with all of the meat. The remaining meat was left behind an electric fence but was not retrieved. AWT fined them and referred the failure to report case to the board. The consent agreement includes a \$2,000 fine (\$1,000 suspended) and a board reprimand.	
Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	
Case No. 2023-000917		
Motion:	Move to accept consent agreement for Case No. 2023-000917 (First: Buist; Second: Bloomquist).	
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2023.000917: An assistant guide applicant failed to disclose on an application a series of convictions dating back to 1995 thru 2019 in the state of Wyoming. The consent agreement includes a recommendation to issue the license with a \$1000 fine (\$500 suspended), one-year suspension, and a board reprimand. Chairman Bunch said that the applicant disclosed a violation but did not disclose several convictions or supporting documentation, as required in the licensing process.	
Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	
Case No. 2023-000980		
Motion:	Move to accept consent agreement for Case No. 2023-000980 (First: Buist; Second: Bloomquist).	
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2023-000980: An assistant guide did not register a black bear bait station. The same black bear bait station was not his. The consent agreement includes a \$2,000 fine (\$1,000 suspended), one-year probation, and a board reprimand. Mr. Bloomquist said that this case was beyond precedence for the board but was blatant and should have been more.	
Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	

Case No. 2023-000998		
Motion:	Move to accept consent agreement for Case No. 2023-000998 (First: Buist; Second: Bloomquist).	
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2023-000998: An assistant guide provided 10 hunts without his professional license in possession. He received a \$3,000 fine (\$2,000 suspended) and placed on criminal probation for two years, through the courts. The consent agreement, through the board's matrix, includes a \$6,000 fine (\$3,000 suspended), two-year probation, and a board reprimand. Mr. Bloomquist said that this was a repeater type of situation and thought the consent agreement was a little light. He said that one of the assistant guide's registered guide-outfitters was also a repeat offender and wanted to see more accountability. Mr. Kunder agreed with him, also suggesting that none of the fines for repeat offenders get suspended.	
Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	
Case No. 2023-001051		
Motion:	Move to accept consent agreement for Case No. 2023-001051 (First: Buist; Second: Bloomquist).	
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2023-001051: An assistant guide directed the harvest of a sublegal moose and did not leave evidence of sex on the moose. The consent agreement includes a \$1,000 fine (\$500 suspended), one-year probation, and a board reprimand. Mr. Bloomquist said that this is a good example of an outfitter who has a good relationship with the troopers, resulting in his assistant guide receiving a pretty light conviction.	
Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	
Case No. 2023-001089		
Motion:	Move to accept consent agreement for Case No. 2023-001089 (First: Buist; Second: Bloomquist).	
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2023-001089: An assistant guide directed the harvest of a sublegal moose. He received a \$2,250 federal fine, which triggers AS 08.54.605(a)(1)(A)(ii), resulting in a one-year suspension of his assistant guide license. The board said that the fine was very steep, essentially federal overreach, for a first-time offense for a sublegal animal. The board decided to suspend the license, in accordance with the statute, but take no further action.	

Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	
Case No. 2023-001154		
Motion:	Move to accept consent agreement for Case No. 2023-001154 (First: Buist; Second: Bloomquist).	
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2023-001154: A new assistant guide directed the harvest of a sublegal Dall sheep. The consent agreement includes a \$1,000 fine (\$500 suspended), one-year probation, and the assistant guide is restricted from guiding Dall sheep hunts by herself until she provides evidence, via hunt records, of her participation as a packer in two successful guided Dall sheep harvests with another licensed guide present at all times. Mr. Bloomquist said that this is a new precedent for the board, restricting a guide from hunting for certain species, and that the purpose of it is to use it as a learning tool. Mr. Boniek and Mr. Kunder agreed with Mr. Bloomquist's opinion.	
Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	
Case No. 2024-000019		
Motion:	Move to accept consent agreement for Case No. 2024-000019 (First: Buist; Second: Bloomquist).	
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2024-000019: An assistant guide used a prohibited game camera at a black-bear bait station that possessed the ability to send messages through wireless communication that could be used to aid in a harvest. The consent agreement includes a \$1,000 fine (\$500 suspended), one-year probation, and a board reprimand. Mr. Bloomquist said this was an easy case to prove and would be voting in approval of it.	
Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	
Case No. 2021-000759		
Motion:	Move to accept the voluntary surrender of a license for Case No. 2021-000759 (First: Buist; Second: Bloomquist).	

Brief Discussion:	The board considered the voluntary surrender of an assistant guide license for Case No. 2021-000759: An assistant guide received multiple convictions and was not cooperative with the division's investigation. The recommended consent agreement would have included a \$5,000 fine (\$0 suspended), three-year probation, and a board reprimand. Chairman Bunch said that he likely would have supported board action of pursuing license suspension.	
Recorded Votes:	Buist - Yes	Kunder - Yes
	Boniek - Yes	
	Bloomquist - Yes	
	Bunch - Yes	

6. Regulations Update

Brief Discussion:	Chairman Bunch said that there are a lot of excuses for the board not having their regulations package not coming to them in March and ready to go out for public comment/oral comment. He informed the board that their regulations specialist was unexpectedly out of the office, with the packet just getting to their executive administrator, Mr. Bay. The packet still needed reviewed and the Project Opening Questionnaire (POQ) sheets, one for each added/amended regulation, still needed completed by the board. He informed the board that the division said they could have their other regulations specialist work with them, but that he said no because it would have been a nightmare due to how many regulations are in their package and how much time they've already gone back and forth with their regulations specialist. Additionally, he said that Mr. Bay works for two busy boards, and that, specifically during the time after their last board meeting to now, he had been working on follow up from their last exams (grading exams and getting people licensed), dealing with renewals for their program, while also running board meetings and exams for his other board. Moving on, he showed the board a copy of the POQ sheets that needed completed by the board. With nothing left to discuss, the board moved onto their next agenda item.
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7. Exam Update

Brief Discussion:	Chairman Bunch informed the board that the RGO exams were being updated and were almost complete, and that they were working to update the study material on the website. Mr. Bloomquist suggested making the RGO exam shorter, by removing some of the questions from the written RGO exam and having RGO applicants take the regular online hunter education course/exam as a prerequisite to take the RGO exams, to which Chairman Bunch and Mr. Kunder agreed. As for the GMU exams, Chairman Bunch said that he thought he was going to be able to update them before the March exams, but that it would not happen. He said that a lot of ideas were thrown around on how to update the exams. In a perfect world, he said that they would scratch the statute that says they are required to have GMU exams, and instead increase the minimum requirements for registering a game management unit certification. However, the problem is that it would be a statute change and they already have multiple bills in legislation. He said that the idea moving forward is to have the same 20 questions for each GMU. He said that there have been discussions on having it online (open book) instead of doing it in-person, but that it
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	probably will not happen. He said that, unfortunately, a lot of the questions are outdated, which will require board review of any failed GMU exams until they are updated. He asked Mr. Bay to inform applicants of the same.
8. Additional Board Business	
Brief Discussion:	Mr. Bay reminded the board that they needed to fill out their APOC filings before the upcoming deadline. Chairman Bunch informed the board that their transporter informational letter that they approved to go out to all transporters via their website was refused by the division because the regulations were not close to being finished yet. Basically, he said that the division thought of it as putting an incomplete/unfinished letter out to licensees that would create stress and tension, although the letter does state that the regulations are ongoing and has a copy of the last set that was discussed. He said that he would be fighting to get the letter out because he did not like that the division was putting itself between them and their licensees. Mr. Bay informed the board that Deputy Director Glenn Saviers would be reaching out to Chairman Bunch to get together with him, Director Robb, and Mr. Bay to discuss the topic. With nothing left to discuss the board adjourned.
Adjourn:	1:08 p.m.

Date Final Minutes Approved by the Board: <input type="checkbox"/> Meeting <input checked="" type="checkbox"/> OnBoard	November 29, 2024
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