

RC36

Daniel Montgomery

From: Henry D. Tiffany IV <henry@alaskanperimeter.com>
Sent: Sunday, March 09, 2014 2:42 PM
To: Tony Kavalok
Cc: Doug Vincent-Lang; Bob Mumford; Kelly Vrem; Dan Montgomery; Sue Entsminger
Subject: Proposal 146 / GCA Proposed Changes for March BOG Meeting

Dear Tony,

As the March BOG meeting fast approaches I wanted to again touch base regarding proposal 146 and the work we have done together in the GCA Sub-committee. Unfortunately, I do not believe I will be able to attend the March BOG meetings but I do believe that, aside from my GCA Sub-Committee co-chair Mr. Bob Mumford and yourself as a GCA Sub-Committee member that Mr. Kelly Vrem, Mr. Dan Montgomery, Ms. Sue Entsminger (all of whom are GCA Sub-Committee members) and others will be in attendance to support you in your efforts and those of the GCA Sub-Committee.

It has been suggested to me that while the BOG may very well accept and adopt ADF&G's proposal 146 to eliminate the "Guide – Client Agreement" (GCA) we **MUST** offer them an acceptable solution, which is what the GCA Sub-Committee was tasked with doing and I believe we are all in agreement that while perhaps not perfect the GCA Sub-Committee has developed an acceptable solution. Perhaps it is only a shorter term solution until more time and resources can be devoted to the effort but I believe we are all in agreement that what the GCA Sub-Committee has developed thus far will work and prevent there from being any "gap" in the system should the requirement for the "Guide-Client Agreement" be eliminated. We really must have something to fill that "gap" and I believe, based on all of our discussions and work, that the following may fill that gap.

In short, if the BOG adopts regulations requiring properly licensed, authorized and area certified guides (per 12 AAC 75.260 regulations) to register for drawing hunts on behalf of their non-resident applicants then the BGCSB could amend 12 AAC 75.260 requiring guides to have a contract in place before applying a non-resident applicant for a drawing hunt; this would eliminate the Guide-Client Agreement and replace it with a Hunt Contract, which is already in regulation (whereas the Guide-Client Agreement is not) and the Hunt Contract requirements could be amended to support the BOG regulation changes.

It has further been suggested that the best approach to rectifying this situation would be to offer an RC to proposal 146 and the best person to offer the RC, as outlined below, would be you as a ADF&G representative. To that end, below please find the regulations that I believe the BOG could amend or change to implement the sub-committees agreed upon desire and intent. This relieves the ADF&G of their responsibility and liability to verify that guides are authorized to operate in an area and puts the responsibility on the guides themselves. If the BOG adopts the necessary language, as outlined below, in their regulations then I believe the BGCSB could then make changes to 12 AAC 75.260 (as outlined below) to support and enforce the BOG regulation changes but the BGCSB cannot make changes to their current regulations that would support currently non-existent regulations.

I make no claims to being a regulations specialist so offer the below as the suggested language we have discussed previously but I again do believe we are all in agreement as to the intent and desires of what needs to be accomplished with these regulations changes and it is hoped that the BOG can, and will, fully understand and appreciate the need for the below regulation changes so that the solution we were taxed with finding can be implemented and helps to solve the problem addressed in proposal 146. As a note, there are no references to any changes to "Second Degree of Kindred" hunts in the below, as it was agreed that at this time that while still a very significant issue, the "Second Degree of Kindred" system should not be addressed by these proposed regulation changes.

Proposed language is [in red text] and sections that contain proposed language have been highlighted in yellow while the greyed areas remain unchanged. In some cases language that may no longer be appropriate or necessary in ~~struck through~~. Again, please keep in mind that I am not a regulation specialist but I have made my best effort to identify which regulations should be changed to then allow the BGCSB to amend 12 AAC 75.260 to support those changes but would encourage a regulation specialist to review these proposed changes for accuracy and clarification.

5 AAC 92.057

5 AAC 92.057. Special provisions for Dall sheep and mountain goat drawing permit hunts

✚ (a) In a sheep drawing permit hunt specified in this section, a [properly licensed, authorized and area certified Registered or Master Guide must apply on behalf of a non-resident applicant] ~~nonresident may apply~~ for and obtain a permit only as follows:

(1) the department may issue a drawing permit under this section only to a successful nonresident applicant who meets the requirements of this section;

(2) the department shall enter, in a nonresident drawing, each complete application from a [properly licensed, authorized and area certified Registered or Master Guide who has applied on behalf of a non-resident applicant] ~~nonresident~~ [and] who will be accompanied by a guide; the department may enter an application for the applicable hunt only to a nonresident applicant [whose application was properly submitted by a properly licensed, authorized and area certified Registered or Master Guide ~~who presents proof at the time of application that the applicant~~] ~~certifies and agrees that they~~ will be accompanied by a

(A) resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407 (a); or

(B) guide, as required under AS 16.05.407 or 16.05.408, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, [and 12 AAC 75.260] ~~for the applicable guide use area during the season the drawing permit is valid.~~

(b) The department shall issue Dall sheep permits as follows:

(1) Units 12, 13(C), and 20(D), Tok Management Area: the department shall issue a maximum of 10 percent of the drawing permits to nonresidents and a minimum of 90 percent of the drawing permits to residents; a maximum of 50 percent of the nonresident permits may be issued to nonresidents accompanied by a resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407 (a);

(2) Unit 13(D): the department shall issue a maximum of 20 percent of the drawing permits to nonresidents and a minimum of 80 percent of the drawing permits to residents;

(3) Unit 14(A): the department shall issue a maximum of 10 percent of the drawing permits to nonresidents and a minimum of 90 percent of the drawing permits to residents;

(4) Unit 14(C): the department shall issue a maximum of five percent of the archery drawing permits to nonresidents and a maximum of 13 percent of the remaining drawing permits to nonresidents;

(5) Units 13(B), 20(A) and 20(D), those portions within the Delta Controlled Use Area: the department shall issue a maximum of 10 percent of the drawing permits to nonresidents and a minimum of 90 percent of the drawing permits to residents; in the Delta Controlled Use Area a nonresident does not have to meet the requirements in (a) of the section.

(c) In a goat drawing permit hunt in Unit 13(D), Unit 14(A), and Unit 14(C), a nonresident may apply for and obtain a permit only as follows:

(1) the department may issue a drawing permit under this subsection only to a successful nonresident applicant who meets the requirements of this section;

(2) the department shall enter, in a nonresident drawing, each complete application from a [properly licensed, authorized and area certified Registered or Master Guide who has applied on behalf of a non-resident applicant] ~~nonresident~~ [and] who will be accompanied by a guide; the department may enter an application for the applicable hunt only to a nonresident applicant [whose application was properly submitted by a properly licensed, authorized and area certified Registered or Master Guide] ~~who presents proof at the time of application that the applicant [certifies and agrees that they] will be accompanied by a~~

(A) resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407 (a); or

(B) guide, as required under AS 16.05.407 or 16.05.408, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, [and 12 AAC 75.260] ~~for the applicable guide use area during the season the drawing permit is valid.~~

✚ History: Eff. 12/1/2006, Register 180; am 12/2/2007, Register 184; am 7/1/2008, Register 186; am 1/1/2010, Register 192; am 7/1/2011, Register 198; add'l am 7/1/2011, Register 198; am 7/1/2012, Register 202

✚ Authority: AS 16.05.255

AS 16.05.407

AS 16.05.408

5 AAC 92.061

5 AAC 92.061. Special provisions for brown bear drawing permit hunts

✚ (a) In the Unit 8 general brown bear drawing permit hunt, the department shall issue permits, and a hunter may apply for a permit, as follows:

(3) the department shall enter, in a guided nonresident drawing, each complete application from a [properly licensed, authorized and area certified Registered or Master Guide who has applied on behalf of a non-resident applicant] ~~nonresident~~ who will be accompanied by a guide; the department may enter an application and issue a drawing permit for the general hunt only to a successful nonresident applicant ~~who presents proof at the time of application that the applicant [certifies and agrees that they] will be accompanied by a guide, as required under~~ AS 16.05.407 or 16.05.408, [and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, [and 12 AAC 75.260]

(4) the following provisions apply to a guided nonresident drawing under this section:

(A) an applicant for a guided nonresident drawing permit may apply for only one such permit per application period;

(B) after the successful applicants have been selected by drawing, the department shall create an alternate list by drawing the remaining names of applicants for a specific hunt and placing the names on the alternate list in the order in which the names were drawn;

(C) if a successful applicant cancels the guided hunt, the person whose name appears first on the alternate list for that hunt shall be offered the permit; if an alternate applicant cancels the guided hunt, the permit must be offered in turn to succeeding alternate applicants until the alternate list is exhausted;

(D) if a guided nonresident drawing permit is available, but the alternate list is exhausted, the permit becomes available, by registration at the Kodiak ADF&G office, to the first applicant furnishing proof that the applicant will be accompanied by a guide;

(5) repealed 7/1/2007.

(b) In the Unit 10 brown bear drawing permit hunt, a [properly licensed, authorized and area certified Registered or Master Guide must apply on behalf of a non-resident applicant] ~~nonresident may apply~~ for and obtain a permit only as follows:

(1) the department may issue a drawing permit under this section only to a successful nonresident applicant who meets the requirements of this section;

(2) repealed 7/1/2013;

(3) the department shall enter, in a guided nonresident drawing, each complete application from a [properly licensed, authorized and area certified Registered or Master Guide who has applied on behalf of a non-resident applicant] ~~nonresident~~ who will be accompanied by a guide; the department may enter an application and issue a drawing permit for the general hunt only to a successful nonresident applicant who ~~presents proof at the time of application that the applicant~~ *[certifies and agrees that they]* will be accompanied by a guide, as required under AS 16.05.407 or 16.05.408, [and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, [and 12 AAC 75.260]

(A) resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407 (a); or

(B) guide, as required under AS 16.05.407 or 16.05.408, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, [and 12 AAC 75.260] ~~for the applicable guide use area during the season the drawing permit is valid.~~

✚ **History:** Eff. 7/5/85, Register 95; am 8/20/89, Register 111; am 7/7/94, Register 131; am 5/25/95, Register 134; am 7/1/2005, Register 174; am 7/1/2007, Register 182; am 12/2/2007, Register 184; am 7/1/2009, Register 190; am 7/1/2013, Register 206

✚ **Authority:** AS 16.05.255

AS 16.05.407

AS 16.05.408

Editor's note: Before 8/20/89, Register 111, the substance of 5 AAC 92.061 was contained in former 5 AAC 83.230. The history note for 5 AAC 92.061 includes the history of the provision before 8/20/89.

5 AAC 92.069

5 AAC 92.069. Special provisions for moose drawing permit hunts

☞ (a) In a moose drawing permit hunt specified in this section, a [properly licensed, authorized and area certified Registered or Master Guide must apply on behalf of a non-resident applicant] ~~nonresident may apply for and obtain a permit only as follows:~~

(1) the department may issue a drawing permit under this section only to a successful nonresident applicant who meets the requirements of this section;

(2) the department shall enter, in a nonresident drawing, each complete application from a [properly licensed, authorized and area certified Registered or Master Guide who has applied on behalf of a non-resident applicant] ~~nonresident~~ [and] who will be accompanied by a guide; the department may enter an application for the applicable hunt only to a nonresident applicant [whose application was properly submitted by a properly licensed, authorized and area certified Registered or Master Guide] ~~who presents proof at the time of application that the applicant [certifies and agrees that they] will be accompanied by a~~

[(A) resident over 19 years of age who is the spouse or other relative of the applicant within the second degree of kindred, as described in AS 16.05.407 (a); or]

(B) guide, as required under AS 16.05.407 or 16.05.408, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, [and 12 AAC 75.260] ~~for the applicable guide use area during the season the drawing permit is valid.~~

(3) the department shall enter in a non-guided nonresident drawing all other complete applications from nonresidents.

(b) The department shall issue permits as follows:

(1) in Units 21(D) and 24, the Koyukuk Controlled Use Area,

(A) the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 50 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of guided nonresidents applying for permits is insufficient to award 50 percent of the available nonresident drawing permits, the department may award the remaining available nonresident drawing permits to non-guided nonresidents;

(B) an applicant for a guided nonresident drawing permit may apply for only one permit per application period;

(C) after the successful applicants have been selected by drawing, the department shall create an alternate list by drawing the remaining names of applicants for a specific hunt and placing the names on the alternate list in the order in which the names were drawn;

(D) if a successful applicant cancels the guided hunt, the person whose name appears first on the alternate list for that hunt shall be offered the permit; if an alternate applicant cancels the guided hunt, the permit must be offered in turn to succeeding alternate applicants until the alternate list is exhausted;

(E) if a guided nonresident drawing permit is available, but the alternate list is exhausted, the department shall issue permits by registration at the Fairbanks division of wildlife conservation office, to the next succeeding non-guided nonresident, awarded in the order in which the names were drawn, until the alternate list is exhausted;

(2) in Unit 21(D), outside the Koyukuk Controlled Use Area, if the drawing permit hunt is allocated between residents and nonresidents, the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 50 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of guided nonresidents applying for permits is insufficient to award 50 percent of the available nonresident drawing permits, the department may award the remaining available nonresident drawing permits to non-guided nonresidents;

(3) in Unit 21(B), that portion within the Nowitna River drainage upstream from the Little Mud River drainage and within the corridor extending two miles on either side of and including the Nowitna River, the drawing permit hunt is allocated 50 percent to residents and 50 percent to nonresidents; the department shall issue a maximum of 75 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 25 percent of the available nonresident drawing permits to non-guided nonresidents; if the number of nonresidents applying for permits for either nonresident hunt is insufficient to award the required percentage, the department may award the remaining available nonresident drawing permits to the other nonresident hunt;

(4) in Unit 23, that portion south of the north bank of the Kobuk River and Melvin Channel downstream of the Kobuk Valley National Park boundary below the Kallarichuk River mouth, the Selawik River drainage, the Kauk River drainage, and the Baldwin Peninsula; the department shall issue a maximum of 50 percent of the available nonresident drawing permits to guided nonresidents, and a minimum of 50 percent of the available nonresident drawing permits to non-guided nonresidents.

☞ **History:** Eff. 11/1/2004, Register 172; am 12/30/2004, Register 172; am 12/1/2006, Register 180; am 7/1/2007, Register 182; am 12/2/2007, Register 184; am 7/1/2008, Register 186; am 7/13/2012, Register 203

☞ **Authority:** AS 16.05.255

AS 16.05.407

AS 16.05.408

Editor's note: The division of wildlife conservation office in Fairbanks is located at 1300 College Road, Fairbanks, Alaska.

5 AAC 92.050

5 AAC 92.050. Required permit hunt conditions and procedures

☞ (a) The following conditions and procedures for permit issuance apply to each permit hunt:

(1) the applicant or the applicant's agent shall complete the application form; a permit application that is incomplete, or that does not include, if required, an Alaska big game hunting license number, or that contains a false statement, is void; the applicant must obtain or apply for an Alaska big game hunting license before submitting a drawing permit application;

[(A) Where required, only a properly licensed, authorized and area certified Registered or Master Guide must apply for a non-resident applicant; as required under AS 16.05.407 or 16.05.408, and that the guide has a guide use area registration on file with the Department of Commerce, Community, and Economic Development in accordance with AS 08.54.750 and 12 AAC 75.230, [and 12 AAC 75.260]

(2) except as provided in 5 AAC 92.061 and 5 AAC 92.069, a person may not

(A) apply for more than three different drawing permit hunts for the same species per regulatory year, except that a person may apply for up to six moose drawing permit hunts, with no more than three for bull moose hunts;

(B) submit more than one application for the same drawing permit hunt during a regulatory year;

(C) apply for more than one moose drawing permit for a nonresident in Unit 23 per regulatory year; or

(D) hold more than one drawing permit for the same species per regulatory year;

(3) the commissioner shall void all duplicate applications, all applications by one person for more than three hunts for the same species, except moose as described in (2)(A) of this subsection, and all applications by one person for more than one moose hunt for a nonresident in Unit 23;

(4) permit issuance:

(A) the department shall issue registration permits in the order applications are received, and drawing permits on a lottery basis;

(B) a successful applicant

(i) shall obtain the permit within the time specified by the department in a notification; and

(ii) who is a nonresident or a nonresident alien and who, under AS 16.05.407 or 16.05.408, must be accompanied by a licensed guide-outfitter, shall [have their application submitted on their behalf by a properly licensed, authorized and area certified Registered or Master Guide] ~~provide written verification~~, within the time specified by the department in the permit application form, that the required guide-outfitter has been hired; the requirement of this clause does not apply if the successful applicant is a nonresident and will be accompanied by a resident over 19 years of age who is a spouse or a relative within the second degree of kindred, as described in AS 16.05.407 (a);

(C) repealed 7/1/2007;

(D) the department will issue Tier II subsistence hunting permits as provided in 5 AAC 92.062(b) and (c);

(E) the department may issue additional drawing hunt permits or Tier II subsistence hunting permits for specific hunts, in excess of the number established by other regulation, in order to correct administrative error in processing permit applications that has resulted in the denial of a permit to an applicant entitled to receive one;

(F) an individual who is a successful applicant for a specific drawing permit hunt is ineligible to apply for a permit for that specific hunt the following year;

(G) an individual who is a successful applicant for a Koyukuk Controlled Use Area moose drawing permit is ineligible to apply for a Koyukuk Controlled Use Area moose drawing permit the following year;

(H) a resident who is a successful applicant for a bison drawing permit hunt is ineligible to apply for another bison drawing permit for 10 years; a nonresident who is a successful applicant for a bison drawing permit hunt is ineligible to apply for another bison drawing permit;

(I) no more than one Unit 13 Tier I subsistence permit for caribou may be issued per household every regulatory year, the head of household, as defined in 5 AAC 92.071(b), and any member of the household obtaining a Unit 13 Tier I subsistence permit in a regulatory year for caribou may not hunt caribou or moose in any other location in the state during that regulatory year;

(5) except as provided in (6) of this subsection, a permit is nontransferable; however, the department may reissue an invalidated Tier II subsistence hunting permit to the highest-ranked applicant remaining in the original pool of eligible applicants;

(6) the commissioner may reissue or transfer a permit as follows:

(A) a permit may be transferred for scientific purposes;

(B) a person that is on active duty in a branch of the military under United States Department of Defense deployment orders to a combat zone designated by executive order issued by the President of the United States and that has been issued a

(i) drawing permit, and is prevented from using the drawing permit due to being out of the state on active duty, may be reissued the same drawing permit when the person returns to this state from active duty under this subparagraph, under procedures set out in the applicable permit hunt supplement;

(ii) Tier II permit may transfer that Tier II permit only during the same regulatory year to a substitute resident hunter while the person is out of the state on active duty under this subparagraph, under procedures set out in the applicable permit hunt supplement;

(7) immediately after killing a big game animal for which a permit is required, the permittee, or his or her proxy under 5 AAC 92.011, shall cancel the permit by removing the permit day and month on which the kill was made, without obliterating or destroying any other day and month printed on the permit;

(8) a person who has been issued a permit, or that person's proxy under 5 AAC 92.011, shall return the permit harvest report to the department within the time period stated on the permit; in addition to other penalties provided by law for failure to report harvest, and except as provided in this paragraph and (c) of this section, if a permittee or the permittee's proxy fails to provide the required report for a drawing permit, registration permit, Tier I subsistence permit, or Tier II subsistence permit, the permittee will be ineligible to be issued a drawing, registration, Tier I subsistence, or Tier II subsistence permit during the following regulatory year; notwithstanding the provisions of this paragraph, the department may determine that, for specific hunts, it is administratively impracticable, to apply the penalty for failure to report;

(9) an applicant for a certified bowhunters only permit hunt must successfully complete a department-approved bowhunter education course before submitting a permit application;

(10) beginning July 1, 2007, an applicant for a certified muzzleloader hunter only permit hunt must have successfully completed a department approved muzzleloader certification course before submitting a permit application.

(b) The department may issue annually one bull bison permit for Unit 20(D) through a raffle or lottery conducted by a "qualified organization" as defined in AS 16.05.343. In addition to (a)(3) and (a)(5) - (a)(8) of this section, the following applies to the permittee:

(1) the permittee is not eligible for another bison drawing permit in the same regulatory year;

(2) if the permittee is a nonresident, the fee for the nonresident bison locking tag is to be paid from the proceeds of the raffle or lottery;

(3) a bison taken under a permit issued under this subsection does not count against the regular bag limit of one bison every five years; however, no person may take more than one bison, statewide, per regulatory year.

(c) A person aggrieved by a decision under (a)(8) of this section will be granted a hearing before the commissioner or the commissioner's designee, if the permittee makes a request for a hearing in writing to the commissioner within 60 days after the conclusion of the permit hunt for which the person failed to provide a report. The commissioner may determine that the penalty provided under (a)(8) of this section will not be applied if the permittee provides the information required on the report and if the commissioner determines that the failure to provide the report was the result of unavoidable circumstance, or that, in the case of subsistence permit, extreme hardship would result to the applicant.

(d) A permittee under this section must keep the permit in possession while hunting.

☒ **History:** Eff. 7/5/85, Register 95; am 7/3/86, Register 99; am 4/24/88, Register 106; am 8/12/90, Register 115; am 8/10/91, Register 119; am 7/1/92, Register 122; readopt 5/13/93, Register 126; am 7/1/93, Register 126; am 7/7/94, Register 131; am 7/8/95, Register 135; am 6/28/96, Register 138; am 1/1/97, Register 140; am 3/25/98, Register 145; am 7/1/2000, Register 154; add'l am 7/1/2000, Register 154; am 7/1/2004, Register 170; am 11/1/2004, Register 172; am 12/30/2004, Register 172; am 7/1/2005, Register 174; am 7/1/2006, Register 178; add'l am 7/1/2006, Register 178; am 1/14/2007, Register 181; am 7/1/2007, Register 182; am 1/1/2008, Register 184; am 7/1/2008, Register 186; am 7/1/2009, Register 190; am 2/4/2011, Register 197; am 7/1/2012, Register 202

☒ **Authority:** AS 16.05.255

AS 16.05.258

AS 16.05.330

AS 16.05.343

AS 16.05.407

Editor's note: At its November 9 - 11, 1992, January 19 - 28, 1993 meeting, the Board of Game readopted 5 AAC 92.050 in its entirety, without change, under ch. 1, SSSLA 1992 (the 1992 subsistence law), which repealed and reenacted AS 16.05.258.

Beginning in Register 140 (January 1997), the regulations attorney corrected 5 AAC 92.050(b) and (c) to correctly cite (a)(8) instead of (a)(7). These citations were inadvertently not corrected when (a)(7) was renumbered to (a)(8) in 1992.

For reference, below is the draft proposed change to 12 AAC 75.260, which would be presented to the BGCSB as soon as possible upon adoption of the above BOG regulations, for their consideration, and I do believe that should the BOG adopt the proposed regulation changes then the BGCSB would follow quickly in considering the below changes to 12 AAC 75.260 to support the requirements in the new BOG regulations.

12 AAC 75.260. REGISTERED GUIDE-OUTFITTER CONTRACT REQUIREMENTS. (a) A contracting registered guide-outfitter shall deliver a written contract to the client within 90 days after receipt of a deposit, or before services are provided, [or before applying for a drawing hunt for a non-resident applicant as required by (insert above mentioned BOG regulation number)], whichever is earlier.

(b) A contract must

(1) include the name, license number, and signature of the guide-outfitter, and must include the name of the guide-outfitter's business if it is different from the name of the individual guide-outfitter;

(2) include the name and signature of the client;

(3) list each big game animal to be hunted, and must identify the primary animal to be hunted;

(4) list the approximate times and dates that the client will be in the field;

(5) list the number of hunting days and dates for each species, if appropriate;

(6) state the cost and payment schedule;

(7) state the amount of the trophy fee, if any, and must identify who is responsible for the cost of the license

and tags;

(8) state the extra transportation cost, if any;

(9) include a statement of services provided, including lodging, meals, number of clients per guide, trophy care and shipping, care of meat, and clarification of who is responsible for what;

(10) set out the deposit refund or transfer policy upon cancellation;

(11) include a statement about compensation for any delay of the client arriving in the field on schedule or for

the client departing the field before the contracted hunt ends; and

(12) identify who is responsible for private and federal land use fees.

(c) A registered guide-outfitter shall retain a copy of the contract for at least four years.

[(d) For drawing hunts that the ADF&G requires a Registered or Master Guide to apply for a non-resident applicant, the contracting Registered or Master Guide that is signing the hunt contract and will be applying for the non-resident applicant must be registered for the Guide-Outfitter Use Area in which the non-resident application is being submitted for during the year the application is submitted and the year the hunt is to take place.]