

HOUSE BILL NO. 229

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE FEIGE

Introduced: 4/6/11

Referred:

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to activities, including violations and penalties, under the supervision
2 of the Big Game Commercial Services Board."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 08.54.610(d) is amended to read:

5 (d) Notwithstanding AS 08.54.750, a [A] person who is licensed as a
6 registered guide-outfitter may

7 (1) be employed by another registered guide-outfitter to perform the
8 functions of a registered guide-outfitter in a [OR CLASS-A ASSISTANT GUIDE IN
9 THE] game management unit for which the other person is certified as a registered
10 guide-outfitter under AS 08.54.600; or

11 (2) provide the services of a class-A [OF AN] assistant guide in any
12 game management unit.

13 * **Sec. 2.** AS 08.54.610(e) is amended to read:

14 (e) A registered guide-outfitter who contracts for a guided hunt shall be

1 [(1) PHYSICALLY PRESENT IN THE FIELD WITH THE CLIENT
2 AT LEAST ONCE DURING THE CONTRACTED HUNT; AND

3 (2)] in the field and participating in the contracted hunt, unless the hunt
4 is being conducted by a class-A assistant guide or a registered guide-outfitter
5 employed by the contracting registered guide-outfitter.

6 * **Sec. 3.** AS 08.54.710 is amended by adding a new subsection to read:

7 (j) The board may suspend or permanently revoke a transporter license or any
8 class of guide license if the board finds after a hearing that the licensee engaged in
9 conduct involving unprofessionalism, moral turpitude, or gross immorality.

10 * **Sec. 4.** AS 08.54.720(d) is amended to read:

11 (d) In addition to a disciplinary sanction imposed under AS 08.54.710, a
12 person who commits an offense set out in (a)(15) or (16) of this section is guilty,

13 (1) for a first offense, of a misdemeanor and is punishable by a fine of
14 not more than \$30,000 or by imprisonment up to one year, or both;

15 (2) for a second or subsequent offense, of a class C felony.

16 * **Sec. 5.** AS 08.54.720(f) is amended to read:

17 (f) In addition to the penalties set out in (b) - (d) [(b) - (e)] of this section and
18 a disciplinary sanction imposed under AS 08.54.710,

19 (1) the court may order the board to suspend the guide license or
20 transporter license of a person who commits a misdemeanor offense set out in (a)(1),
21 (3) - (5), (7), (8), (17), (18), or (19) of this section for a specified period of not more
22 than three years;

23 (2) the court shall order the board to suspend the guide license or
24 transporter license of a person who commits a misdemeanor offense set out in (a)(2) or
25 (9) - (14) [(8) - (14)] of this section for a specified period of not less than one year and
26 not more than five years;

27 (3) the court shall order the board to suspend the guide license or
28 transporter license for a specified period of not less than three years, or to permanently
29 revoke the guide license or transporter license, of a person who commits an offense set
30 out in (a)(15) or (16) of this section; and

31 (4) all guns, fishing tackle, boats, aircraft, automobiles, or other

vehicles, camping gear, and other equipment and paraphernalia used in, or in aid of, a violation of (a) of this section may be seized by persons authorized to enforce this chapter and may be forfeited to the state as provided under AS 16.05.195.

* **Sec. 6.** AS 12.55.125(e) is amended to read:

(e) Except as provided in (i) of this section, a defendant convicted of a class C felony may be sentenced to a definite term of imprisonment of not more than five years, and shall be sentenced to a definite term within the following presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

(1) if the offense is a first felony conviction and does not involve circumstances described in (4) of this subsection, zero to two years; a defendant sentenced under this paragraph may, if the court finds it appropriate, be granted a suspended imposition of sentence under AS 12.55.085, and the court may, as a condition of probation under AS 12.55.086, require the defendant to serve an active term of imprisonment within the range specified in this paragraph;

(2) if the offense is a second felony conviction, two to four years;

(3) if the offense is a third felony conviction, three to five years;

(4) if the offense is a first felony conviction, and the defendant violated

AS 08.54.720(a)(15) or (16), one to two years.

* **Sec. 7.** AS 08.54.720(e) is repealed.