

ALASKA STATE LEGISLATURE

Session
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SENATOR LESIL MCGUIRE

Changes to SB 24 (27-LS0278\A) in CS SB 24 (27-LS0278\I)

Please note that this analysis is not an authoritative interpretation of changes to the bill. The bill itself is the best statement of its contents.

The following references are to the A version of SB 24

Title

The following changes were made to the Title of the bill:
1. No changes.

Section 1

The following changes were made to section 1:
1. Inserted new subsection (b) which expresses legislative intent that the funding for the electronic systems required under section 6 are to come from general funds.

Section 2

The following changes were made to section 2:
1. No changes.

Section 3

Inserted new subsection 3 inserting the Sport Fish Guide Services Board established in section 4 to the list of Boards and Commissions in AS 08.03.01(c) that provides for termination dates (2018) and transition provisions upon termination.

Section 4

The following changes were made to section 3 (new section 4):

1. Deleted language on p. 3 lines 10-18 authorizing the board to adopt a certification examination for unit areas.
2. Inserted new language (I version, p. 2, lines 24-28) requiring one member from each of the major sport fish regions; southeast, southcentral and interior.
3. Inserted new language (I version, p. 3, lines 5-6) prohibiting the public member from having held a commercial fishing license or permit.
4. Inserted new requirements (I version, p. 4, lines 7-13) that the board make recommendations to the legislature on the impact of sport fishing on the state's economy and how to mitigate constraints on the industry to the legislature and the governor.
5. Deleted language on p. 4, lines 11-18 allowing the board to establish guide use units.

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6. Inserted new language requiring board approval before a regulation that limits entry to sport fishing guides can go into effect (I version, p. 4, lines 20-22)
7. Inserted new language (I version, p. 4, lines 23-26) requiring that the examination must be offered electronically and that an applicant who fails the examination may immediately retake the examination.
8. Changed the name of license established on p. 4, line 27 from "Sport Fishing-Guide Outfitter" to "Sport Fishing Guide."
9. Changed the sport fishing guide license from a biennial to an annual license.
10. Deleted the requirement on p. 5, line 11-12 to pass a certification examination on guide use units in order to obtain a "sport fishing guide license."
11. Deleted the requirement on p. 5, lines 13-15 to be licensed for three years as an assistant guide in order to obtain a "sport fishing guide license."
12. Deleted the requirement on p. 5, lines 16-17 to satisfy "all additional requirements" established by the board in order to obtain a "sport fishing guide license."
13. Deleted the authorization on p. 5, lines 26-28 authorizing a sport fishing guide to operate as an assistant guide.
14. Changed the language on p. 5, line 31 from "directly supervise" to "supervise or employ" to describe relationship between assistant guide and a sport fishing guide.
15. Deleted the language on p. 6, line 2-3 authorizing a sport fishing guide supervise another guide operating in a unit.
16. Changed the Sport Fishing Outfitter license from a biennial license to an annual license.
17. Deleted the requirement on p. 7, line 8-9 that a person pass a qualification examination in order to receive a Sport Fishing Outfitter license.
18. Deleted the requirement on p. 7, line 9-10 that a person pass a qualification examination for the unit they are operating in to receive a Sport Fishing Outfitter license.
19. Deleted the requirement on p. 7, line 12-13 that a person satisfy "all additional requirements" adopted by the board to get a Sport Fishing Outfitter license.
20. Clarified on p. 7, line 17 that a Sport Fishing Guide, as well as a Sport Fishing Outfitter can provide sport fishing outfitter services.

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21. Changed the age limit to become a Sport Fishing Assistant Guide on p. 8, line 5 to 16 years old from 18.
22. Added "or supervises" to the requirement that an assistant guide show proof of employment by a person with a Sport Fishing Guide license to the language on p. 8, line 15-17.
23. Deleted the requirement on p. 8, line 18-19 that a person satisfy "all additional requirements" in order to obtain an assistant guide license.
24. Changed the language from "supervision and employ" to "supervision or employ" on p. 8, line 25 to clarify relationship between a Sport Fishing Guide and an Assistant Guide.
25. Changed the language on p. 9, line 7-8 to require an assistant guide to carry proof of "employment or supervision by a currently licensed sport fishing guide.
26. Deleted the language prohibiting the department from granting a renewal to a person who has not maintained their license (p. 10, lines 18-31).
27. Deleted the language on p. 11, line 1-4 relating to a sport fishing guide or assistant guide personally piloting an aircraft.
28. Deleted the language on p. 11, lines 17-19 allowing a guide to be disciplined by the board for breaching an agreement with a client.
29. Deleted the language on p. 11, lines 20-21 allowing a guide to be disciplined by the board for failing to comply with limitations or conditions of professional practice of the licensee.
30. Added new language (I version, p. 11, lines 8-10) allowing the board to notify state or federal agencies if a disciplinary action has been taken.
31. Deleted the language on p. 13, lines 4-8 prohibiting a guide from operating in a unit for which the guide has not been licensed.
32. Removed "assistant guide" from the responsibility section (p. 14, line 31 – p. 15 line 15).
33. Changed the "department of fish and game" on page 15, line 26-27 to "the department" of commerce, community and economic development.

Section 5

The following changes were made to Section 4:

1. No changes.

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- Section 6** The following changes were made to Section 5:
1. Changed “may” to “shall” on p. 19, line 20 to require sport fishing logbook records to be electronic.
- Section 7** The following changes were made to Section 6:
1. Added language from AS 16.480.280(c) that prohibits falsification of information on logbook forms.
- Section 8** The following changes were made to Section 7:
1. No changes.
- Section 9** The following changes were made to Section 8:
1. Changed the repeal date for the existing guide program from January 1, 2013 to January 1, 2015.
- Section 10** The following changes were made to Section 9:
1. No changes.
- Section 11** The following changes were made to Section 10:
1. No changes.
- Section 12** The following changes were made to Section 11:
1. Changed the effective date of the examination required under AS 08.57.030(a)(1) to 2015.
- Section 13** The following changes were made to Section 12:
1. No changes.

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Section 14

The following changes were made to Section 13:

1. Changed effective date of certain sections to January 1, 2013 for the following sections and statutes:
 - a. Section 1 (legislative intent)
 - b. Section 2 (centralized licensing)
 - c. Section 3 (termination dates for regulatory boards)
 - d. Section 11 (uncodified law)
 - e. Section 12 (repeal of section 32, ch. 58, SLA 10)
 - f. AS 08.57.010 (creation and membership of the board)
 - g. AS 08.57.020 (board assistance)
 - h. AS 08.57.030 (powers and duties of the board)
 - i. (a)(1), (preparation of the examination)
 - ii. (a)(6), (adoption of regulation)
 - iii. (a)(8), (meet at least twice annually)
 - iv. (b)(1), (establish code of ethics)
 - i. 08.57.240 (license and examination fees)
 - j. 08.57.490 (definitions)

Section 15

The following changes were made to Section 14:

1. The effective date was changed from January 1, 2013 to January 1, 2015, except as provided in section 14.

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