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Bullard
2/13/12

CS FOR HOUSE BILL NO. 229()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE FEIGE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the duties of the Big Game Commercial Services Board; relating to**
2 **activities, including violations and penalties, under the supervision of the Big Game**
3 **Commercial Services Board; and creating a retired status master guide-outfitter**
4 **license."**

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

6 *** Section 1.** AS 08.54.600(c) is amended to read:

7 (c) **In addition to the regulations required under (a) of this section, the**
8 **[THE] board may adopt regulations [AS] the board considers appropriate, including**
9 **regulations to**

- 10 (1) establish a code of ethics for professions regulated by the board;
11 (2) establish requirements for the contents of written contracts to
12 provide big game hunting services and transportation services to clients;
13 (3) authorize the department to request a copy of a big game hunting
14 services or transportation services contract entered into by a person licensed under this

chapter.

* **Sec. 2.** AS 08.54 is amended by adding a new section to read:

Sec. 08.54.608. Retired status master guide-outfitter license. (a) On retiring from guiding or outfitting, or both, and on payment of an appropriate one-time fee, an individual who has held a master guide-outfitter license issued under AS 08.54.610 that has not been suspended or revoked under AS 08.54.710 may apply for a retired status master guide-outfitter license. An individual holding a retired status master guide-outfitter license may not guide or outfit in the state under the retired status license. A retired status license is valid for the life of the license holder and does not require renewal.

(b) An individual with a retired status master guide-outfitter license may apply for a new registered guide-outfitter license under AS 08.54.610.

* **Sec. 3.** AS 08.54.610(d) is amended to read:

(d) **Notwithstanding AS 08.54.750, a** [A] person who is licensed as a registered guide-outfitter may be employed by another registered guide-outfitter to **provide the services of a class-A** [PERFORM THE FUNCTIONS OF A REGISTERED GUIDE-OUTFITTER OR CLASS-A ASSISTANT GUIDE IN THE GAME MANAGEMENT UNIT FOR WHICH THE PERSON IS CERTIFIED UNDER AS 08.54.600 OR OF AN] assistant guide in any game management unit.

* **Sec. 4.** AS 08.54.610(e) is amended to read:

(e) A registered guide-outfitter who contracts for a guided hunt shall be
[(1) PHYSICALLY PRESENT IN THE FIELD WITH THE CLIENT
AT LEAST ONCE DURING THE CONTRACTED HUNT; AND
(2)] in the field **supervising** and participating in the contracted hunt **and conducting the hunt**, unless the hunt is being conducted by a class-A assistant guide or a registered guide-outfitter employed by the contracting registered guide-outfitter.

* **Sec. 5.** AS 08.54.710 is amended by adding a new subsection to read:

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

1 * **Sec. 6.** AS 08.54.720(f) is amended to read:

2 (f) In addition to the penalties set out in (b) - (e) of this section and a
3 disciplinary sanction imposed under AS 08.54.710,

4 (1) the court may order the board to suspend the guide license or
5 transporter license of a person who commits a misdemeanor offense set out in (a)(1),
6 (3) - (5), (7), (8), (17), (18), or (19) of this section for a specified period of not more
7 than three years;

8 (2) the court shall order the board to suspend the guide license or
9 transporter license of a person who commits a misdemeanor offense set out in (a)(2) or
10 (9) - (14) [(8) - (14)] of this section for a specified period of not less than one year and
11 not more than five years;

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

16 (4) all guns, fishing tackle, boats, aircraft, automobiles, or other
17 vehicles, camping gear, and other equipment and paraphernalia used in, or in aid of, a
18 violation of (a) of this section may be seized by persons authorized to enforce this
19 chapter and may be forfeited to the state as provided under AS 16.05.195.

20 * **Sec. 7.** AS 08.54.770(a) is amended to read:

21 (a) The department shall set fees under AS 08.01.065 for each of the
22 following:

23 (1) registered guide-outfitter license;

24 (2) class-A assistant guide license;

25 (3) assistant guide license;

26 (4) transporter license;

27 (5) retired status master guide-outfitter license;

28 (6) license application fee.

29 * **Sec. 8.** AS 08.54.790 is amended by adding new paragraphs to read:

30 (11) "any class of guide license" does not include a retired status
31 master guide-outfitter license;

- 1 (12) "licensee" means a person to whom a license, other than a retired
2 status master guide-outfitter license, has been issued under this chapter.