

SENATE BILL NO. 190

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY SENATOR HUGGINS

Introduced: 2/21/14

Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act permitting a guide-outfitter to delegate certain guide services to a person who is**
2 **not licensed by the Big Game Commercial Services Board."**

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

4 *** Section 1.** AS 08.54 is amended by adding a new section to read:

5 **Sec. 08.54.635. Delegation of guide services.** (a) A registered guide-outfitter
6 may, under regulations adopted by the board, delegate to a person not licensed under
7 this chapter the service of packing, preparing, salvaging, or caring for a client's meat,
8 except for the packing and preparing of meat that is required to properly and safely
9 load the meat onto a mode of transportation used by a transporter.

10 (b) For training purposes established by the board in regulation, a guide-
11 outfitter may delegate to a person who is not licensed under this chapter the guide
12 services of stalking, pursuing, tracking, killing, or attempting to kill big game and
13 using guiding or outfitting equipment, including spotting scopes and firearms, for the
14 benefit of a hunter. Tasks delegated under this subsection may only be delegated while

1 the guide-outfitter is physically present with the unlicensed person who is performing
2 the guide services.

3 (c) A person who does not hold a license issued under this chapter may
4 provide the services identified under this section only if the person meets requirements
5 adopted by the board. A person who provides guide services delegated under this
6 section may receive compensation for providing the services.

7 * **Sec. 2.** AS 08.54.720(a) is amended to read:

8 (a) It is unlawful for a

9 (1) person who is licensed under this chapter to knowingly fail to
10 promptly report, unless a reasonable means of communication is not reasonably
11 available, to the Department of Public Safety, and in no event later than 20 days, a
12 violation of a state or federal wildlife or game, guiding, or transportation services
13 statute or regulation that the person reasonably believes was committed by a client or
14 an employee of the person;

15 (2) person who is licensed under this chapter to intentionally obstruct
16 or hinder or attempt to obstruct or hinder lawful hunting engaged in by a person who
17 is not a client of the person;

18 (3) class-A assistant guide or an assistant guide to knowingly guide a
19 big game hunt except while employed and supervised by a registered guide-outfitter;

20 (4) person who holds any class of guide license or transporter license
21 to knowingly enter or remain on private, state, or federal land without prior
22 authorization during the course of providing big game hunting services or
23 transportation services;

24 (5) registered guide-outfitter to knowingly engage in providing big
25 game hunting services outside of

26 (A) a game management unit for which the registered guide-
27 outfitter is certified; or

28 (B) a use area for which the registered guide-outfitter is
29 registered under AS 08.54.750 unless the registration requirement for the area
30 has been suspended by the Department of Fish and Game;

31 (6) person to knowingly guide without having a current registered

1 guide-outfitter, class-A assistant guide, or assistant guide license and a valid Alaska
2 hunting license in actual possession;

3 (7) registered guide-outfitter to knowingly fail to comply with
4 AS 08.54.610(e);

5 (8) person who is licensed under this chapter to knowingly

6 (A) commit or aid in the commission of a violation of this
7 chapter, a regulation adopted under this chapter, or a state or federal wildlife or
8 game statute or regulation; or

9 (B) permit the commission of a violation of this chapter, a
10 regulation adopted under this chapter, or a state or federal wildlife or game
11 statute or regulation that the person knows or reasonably believes is being or
12 will be committed without

13 (i) attempting to prevent it, short of using force; and

14 (ii) reporting the violation;

15 (9) person without a current registered guide-outfitter license to
16 knowingly guide, advertise as a registered guide-outfitter, or represent to be a
17 registered guide-outfitter, **except as provided by AS 08.54.635**;

18 (10) person without a current master guide-outfitter license to
19 knowingly advertise as, or represent to be, a master guide-outfitter;

20 (11) person without a current registered guide-outfitter license to
21 knowingly outfit a big game hunt, provide outfitting services, advertise as an outfitter
22 of big game hunts, or represent to be an outfitter of big game hunts;

23 (12) person to knowingly provide transportation services to big game
24 hunters without holding a current registered guide-outfitter license or transporter
25 license;

26 (13) person without a current transporter license to knowingly
27 advertise as, or represent to be, a transporter;

28 (14) class-A assistant guide or an assistant guide to knowingly contract
29 to guide or outfit a hunt;

30 (15) person licensed under this chapter to knowingly violate a state
31 statute or regulation prohibiting waste of a wild food animal or hunting on the same

1 day airborne;

2 (16) person to knowingly provide big game hunting services or
3 transportation services during the period for which the person's license to provide that
4 service is suspended or revoked;

5 (17) registered guide-outfitter, except in the defense of life or property,
6 to knowingly personally take

7 (A) big game while accompanying a client in the field; or

8 (B) a species of big game if the registered guide-outfitter is
9 under contract with a client to provide a guided hunt for that species of big
10 game and the client is in the field;

11 (18) person who is licensed as a registered guide-outfitter, a class-A
12 assistant guide, or an assistant guide, except in the defense of life or property, to
13 knowingly personally take big game while a client of the registered guide-outfitter by
14 whom the person is employed is in the field unless the person is not participating in,
15 supporting, or otherwise assisting in providing big game hunting services to a client of
16 the registered guide-outfitter by whom the person is employed; or

17 (19) person who is licensed as a transporter, or who provides
18 transportation services under a transporter license, to knowingly accompany or remain
19 in the field with a big game hunter who is a client of the person except as necessary to
20 perform the specific duties of embarking or disembarking big game hunters, their
21 equipment, or big game animals harvested by hunters; this paragraph does not apply to
22 a person who holds both a transporter license and a registered guide-outfitter license
23 issued under this chapter when the person has a contract to provide guiding services
24 for the client.

25 * **Sec. 3.** AS 08.54.740(a) is amended to read:

26 (a) A registered guide-outfitter who contracts to guide or outfit a big game
27 hunt is equally responsible under AS 08.54.710 for a violation of a state or federal
28 wildlife or game or guiding statute or regulation committed by a person while **the**
29 **person provides guide services for the guide-outfitter under AS 08.54.635 or**
30 **during** [IN] the course of the person's employment for the registered guide-outfitter.