

CS FOR SENATE BILL NO. 190(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 3/21/14

Referred: Rules

Sponsor(s): SENATOR HUGGINS

A BILL

FOR AN ACT ENTITLED

1 **"An Act permitting certain persons who are not licensed by the Big Game Commercial**
2 **Services Board to provide or assist in providing certain guide services."**

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. Guide services provided by unlicensed persons.** (a) A
6 registered guide-outfitter who contracts to guide a big game hunt may, under
7 regulations adopted by the board, delegate to a person not licensed under this chapter
8 the services of

9 (1) packing, preparing, salvaging, or caring for a client's meat;

10 (2) packing trophies; and

11 (3) packing camping equipment.

12 (b) For training purposes established by the board in regulation, a person who
13 is not licensed under this chapter may assist in providing the guide services of field
14 preparation of trophies, stalking, pursuing, tracking, killing, or attempting to kill big

1 game, and using guiding or outfitting equipment, including spotting scopes and
 2 firearms, for the benefit of a hunter. An unlicensed person may only assist in
 3 providing a guide service under this subsection if a licensed registered guide-outfitter,
 4 class-A assistant guide, or assistant guide is physically present and the class-A
 5 assistant guide or assistant guide is employed by and under the supervision of the
 6 registered guide-outfitter who contracted for the big game hunt.

7 (c) A person who does not hold a license issued under this chapter may
 8 provide, or assist in providing, the services identified under this section only if the
 9 person meets requirements adopted by the board. A person who provides, or assists in
 10 providing, guide services under this section may receive compensation for providing
 11 the services.

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

13 (a) It is unlawful for a

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

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

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

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

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

31 (A) a game management unit for which the registered guide-

1 outfitter is certified; or

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

5 (6) person to knowingly guide without having a current registered
6 guide-outfitter, class-A assistant guide, or assistant guide license and a valid Alaska
7 hunting license in actual possession;

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

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

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

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

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

19 (ii) reporting the violation;

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

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

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

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

31 (13) person without a current transporter license to knowingly

1 advertise as, or represent to be, a transporter;

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

4 (15) person licensed under this chapter to knowingly violate a state
5 statute or regulation prohibiting waste of a wild food animal or hunting on the same
6 day airborne;

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

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

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

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

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

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

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

31 (a) A registered guide-outfitter who contracts to guide or outfit a big game

1 hunt is equally responsible under AS 08.54.710 for a violation of a state or federal
2 wildlife or game or guiding statute or regulation committed by a person while **the**
3 **person provides guide services for the guide-outfitter under AS 08.54.635 or**
4 **during** [IN] the course of the person's employment for the registered guide-outfitter.