

CS FOR HOUSE BILL NO. 364(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered: 3/23/98
Referred: Finance

Sponsor(s): REPRESENTATIVE IVAN

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to transporters of big game hunters, moose hunting orientation
2 courses, and nonresident big game tags for moose; and providing for an effective
3 date."

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

5 * **Section 1.** AS 08.54.650 is amended by adding a new subsection to read:

6 (d) In order to maximize the use of game taken by clients of transporters, a
7 transporter shall contact clients at least once every three days while the clients are in
8 the field and, if necessary, transport meat of game taken by the clients out of the field
9 before waste or spoilage can occur.

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

11 (a) It is unlawful for a

12 (1) person who is licensed under this chapter to knowingly fail to
13 promptly report to the Department of Public Safety, division of fish and wildlife
14 protection, and in no event later than 20 days, a violation of a state game, guiding, or

1 transportation services statute or regulation that the person reasonably believes was
2 committed by a client or an employee of the person;

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

6 (3) class-A assistant guide or an assistant guide to knowingly guide a
7 hunt except while employed and supervised by a registered guide;

8 (4) person who holds any class of guide license to knowingly enter or
9 remain on private land without prior authorization during the course of providing big
10 game hunting services;

11 (5) registered guide to knowingly engage in providing big game hunting
12 services outside of

13 (A) a game management unit for which the registered guide is
14 certified; or

15 (B) a use area for which the registered guide is registered under
16 AS 08.54.750 unless the registration requirement for the area has been
17 suspended by the Department of Fish and Game;

18 (6) person to knowingly guide without having a current registered
19 guide, class-A assistant guide, or assistant guide license and hunting license in actual
20 possession;

21 (7) registered guide to knowingly fail to comply with AS 08.54.610(e);

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

23 (A) commit or aid in the commission of a violation of this
24 chapter, a regulation adopted under this chapter, or a state game statute or
25 regulation; or

26 (B) permit the commission of a violation of this chapter, a
27 regulation adopted under this chapter, or a state game statute or regulation that
28 the person knows or reasonably believes is being or will be committed without

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

30 (ii) reporting the violation;

31 (9) person without a current registered guide license to knowingly

1 guide, advertise as a registered guide, or represent to be a registered guide;

2 (10) person without a current master guide license to knowingly
3 advertise as, or represent to be, a master guide;

4 (11) person without a current registered guide license to knowingly
5 outfit a big game hunt, advertise as an outfitter of big game hunts, or represent to be
6 an outfitter of big game hunts;

7 (12) person to knowingly provide transportation services to big game
8 hunters without holding a current registered guide license or transporter license;

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

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

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

16 (16) person to knowingly provide big game hunting services
17 [SERVICE] or transportation services during the period for which the person's license
18 to provide that service is suspended or revoked;

19 (17) registered guide, except in the defense of life or property, to
20 knowingly personally take

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

22 (B) a species of big game if the registered guide is under
23 contract with a client to provide a guided hunt for that species of big game and
24 the client is in the field;

25 (18) person who is licensed as a registered guide, a class-A assistant
26 guide, or an assistant guide, except in the defense of life or property, to knowingly
27 personally take big game while a client of the registered guide by whom the person
28 is employed is in the field unless the person is not participating in, supporting, or
29 otherwise assisting in providing big game hunting services to a client of the registered
30 guide by whom the person is employed; [OR]

31 (19) person who is licensed as a transporter, or who provides

1 transportation services under a transporter license, to knowingly accompany or remain
 2 in the field with a big game hunter who is a client of the person except as necessary
 3 to perform the specific duties of embarking or disembarking big game hunters, their
 4 equipment, or big game animals harvested by hunters; this paragraph does not apply
 5 to a person who holds both a transporter license and any class of guide license issued
 6 under this chapter; or

7 (20) person who is licensed as a transporter to knowingly fail to
 8 comply with AS 08.54.650(d).

9 * **Sec. 3.** AS 08.54.720(b) is amended to read:

10 (b) In addition to a disciplinary sanction imposed under AS 08.54.710, a
 11 person who commits an offense set out in (a)(1) - (7) or (17) - (20) [(a)(1) - (7), (17),
 12 (18), OR (19)] of this section is guilty of a misdemeanor and is punishable by a fine
 13 of not more than \$10,000 or by imprisonment up to one year, or both.

14 * **Sec. 4.** AS 08.54.720(f) is amended to read:

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

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

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

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

29 (4) all guns, fishing tackle, boats, aircraft, automobiles, or other
 30 vehicles, camping gear, and other equipment and paraphernalia used in, or in aid of,
 31 a violation of (a) of this section may be seized by persons authorized to enforce this

1 chapter and may be forfeited to the state as provided under AS 16.05.195.

2 * **Sec. 5.** AS 16.05.050 is amended by adding a new paragraph to read:

3 (20) to provide moose hunting orientation courses for residents and
4 nonresidents.

5 * **Sec. 6.** AS 16.05.340(a)(15) is amended to read:

6 (15) Nonresident big game tags

7 A nonresident may not take a big game animal without previously purchasing a
8 numbered, nontransferable, appropriate tag, issued under this paragraph. The tag must
9 be affixed to the animal immediately upon capture and must remain affixed until the
10 animal is prepared for storage, consumed, or exported. A tag issued but not used for
11 an animal may be used to satisfy the tagging requirement for an animal of any other
12 species **except moose** for which the tag fee is of equal or less value.

- 13 (A) Bear, black, each \$ 225
- 14 (B) Bear, brown or grizzly, each 500
- 15 (C) Bison, each 450
- 16 (D) Caribou, each 325
- 17 (E) Deer, each 150
- 18 (F) Elk, each 300
- 19 (G) Goat, each 300
- 20 (H) Moose, each 400

21 **A nonresident may not obtain a moose tag unless the nonresident furnishes proof**
22 **of completion of a moose hunting orientation course offered by the department**
23 **or furnishes an affidavit showing that the nonresident will be personally**
24 **accompanied while moose hunting by**

25 **(i) a person who is licensed as a registered guide,**
26 **master guide, class-A assistant guide, or assistant guide under**
27 **AS 08.54; or**

28 **(ii) a resident over 19 years of age who is either the**
29 **spouse of the nonresident or related to the nonresident, within and**
30 **including the second degree of kindred, by marriage or blood.**

- 31 (I) Sheep, each 425

1 (J) Wolf, each 30

2 A nonresident is not required to have a nonresident wolf tag to take a wolf in a game
3 management unit if the Board of Game has adopted an intensive management program
4 under AS 16.05.255 for all or a portion of the game management unit.

5 (K) Wolverine, each 175

6 (L) Musk oxen, each 1,100

7 * **Sec. 7.** This Act takes effect January 1, 1999.