

CS FOR SENATE BILL NO. 303(FIN) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Amended: 4/28/04

Offered: 4/20/04

Sponsor(s): THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND
AUDIT COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Big Game Commercial Services Board and to the regulation of**
2 **big game hunting services and transportation services; and providing for an effective**
3 **date."**

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

5 * **Section 1.** AS 08.01.010(7) is amended to read:

6 (7) **Big Game Commercial Services Board (AS 08.54.591)**
7 [REGULATION OF BIG GAME GUIDES AND TRANSPORTERS UNDER
8 AS 08.54];

9 * **Sec. 2.** AS 08.03.010(c) is amended by adding a new paragraph to read:

10 (22) Big Game Commercial Services Board (AS 08.54.591) -- June 30,
11 2007.

12 * **Sec. 3.** AS 08.54 is amended by adding new sections to article 1 to read:

13 **Sec. 08.54.591. Creation and membership of board.** (a) For the purposes
14 of licensing and regulating the activities of providers of commercial services to big

1 game hunters in the interest of the state's wildlife resources, there is created the Big
 2 Game Commercial Services Board. For administrative purposes, the board is in the
 3 Department of Community and Economic Development.

4 (b) The board consists of seven members as follows:

5 (1) two members who are current, licensed registered guide-outfitters;

6 (2) two members who are licensed transporters;

7 (3) one member of the Board of Game who is chosen by the Board of
 8 Game and who does not hold a guide or transport license;

9 (4) one member who represents private landholders affected by guided
 10 hunting activities or transportation services and who does not hold a license issued
 11 under this chapter; and

12 (5) one public member.

13 **Sec. 08.54.595. Board assistance.** The Department of Fish and Game,
 14 Department of Natural Resources, Department of Law, and Department of Public
 15 Safety shall provide the board with information, data, or technical assistance requested
 16 by the board for the purposes of licensing and regulating the activities of providers of
 17 commercial services to big game hunters.

18 * **Sec. 4.** AS 08.54.600 is amended to read:

19 **Sec. 08.54.600. Duties of board [DEPARTMENT].** (a) The **board**
 20 [DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT] shall

21 (1) prepare **and** [,] grade [, AND ADMINISTER]

22 (A) a qualification examination for a registered **guide-outfitter**
 23 [GUIDE] license that requires demonstration that the applicant is qualified
 24 generally to provide guided and outfitted hunts and, in particular, possesses
 25 knowledge of fishing, hunting, and guiding laws and regulations; and

26 (B) a certification examination for each game management unit
 27 in which the registered **guide-outfitter** [GUIDE] intends to provide big game
 28 hunting services; the examination must require demonstration that the
 29 registered **guide-outfitter** [GUIDE] is qualified to provide guided and outfitted
 30 hunts in the game management unit for which the registered **guide-outfitter**
 31 [GUIDE] seeks to be certified and, in particular, must require demonstration

1 that the registered **guide-outfitter** [GUIDE] possesses knowledge of the
 2 terrain, transportation problems, game, and other characteristics of the game
 3 management unit;

4 (2) **authorize the issuance of** [ISSUE] registered **guide-outfitter**
 5 [GUIDE], master **guide-outfitter** [GUIDE], class-A assistant guide, assistant guide,
 6 and transporter licenses;

7 (3) [COMPILE, MAINTAIN, AND PUBLISH AN ANNUAL
 8 ROSTER OF REGISTERED GUIDES AND MASTER GUIDES LICENSED
 9 UNDER THIS CHAPTER; A PERSON LISTED IN THE ROSTER WHOSE
 10 LICENSE IS REVOKED OR SUSPENDED SHALL BE REMOVED FROM THE
 11 ROSTER WHILE THE PERSON'S LICENSE IS REVOKED OR SUSPENDED;

12 (4) impose appropriate disciplinary sanctions on a licensee under
 13 AS 08.54.600 - 08.54.790;

14 (4) [(5)] require an applicant for issuance or renewal of any class of
 15 guide license or of a transporter license to state in a written and signed document
 16 whether the applicant's right to obtain, or exercise the privileges granted by, a hunting,
 17 guiding, outfitting, or transportation services license is revoked or suspended in this
 18 state or another state or in Canada;

19 (5) [(6)] regularly disseminate information regarding examinations and
 20 other qualifications for all classes of guide licenses to residents of the rural areas of the
 21 state;

22 (6) [(7)] adopt procedural and substantive regulations required by this
 23 chapter;

24 (7) **provide for administration of** [(8) ADMINISTER] examinations
 25 for registered **guide-outfitters** [GUIDES] at least twice a year [; AN
 26 EXAMINATION MAY NOT BE GIVEN WITHIN 90 DAYS AFTER THE
 27 PREVIOUS EXAMINATION; AT LEAST ONCE EVERY OTHER YEAR THE
 28 DEPARTMENT SHALL GIVE THE EXAMINATION AT A LOCATION OTHER
 29 THAN ANCHORAGE].

30 (b) The **board** [DEPARTMENT] shall provide for administration of an oral
 31 examination for a registered **guide-outfitter** [GUIDE] license or for a game

1 management unit certification if **requested at the time of application for the license**
 2 [AN APPLICANT EXPERIENCES A SPECIFIC LANGUAGE DISABILITY].

3 * **Sec. 5.** AS 08.54.600 is amended by adding a new subsection to read:

4 (c) The board may adopt regulations as the board considers appropriate to

5 (1) establish a code of ethics for professions regulated by the board;

6 (2) establish requirements for the contents of written contracts to
 7 provide big game hunting services and transportation services to clients;

8 (3) authorize the department to request a copy of a big game hunting
 9 services or transportation services contract entered into by a person licensed under this
 10 chapter.

11 * **Sec. 6.** AS 08.54.605(a) is amended to read:

12 (a) Notwithstanding AS 08.54.610, 08.54.620, 08.54.630, 08.54.650, and
 13 08.54.660, a person may not receive or renew a registered **guide-outfitter** [GUIDE]
 14 license, master **guide-outfitter** [GUIDE] license, class-A assistant guide license,
 15 assistant guide license, or transporter license if

16 (1) the person has been convicted of

17 (A) a violation of a state **or federal** hunting, guiding, or
 18 transportation services statute or regulation [WITHIN THE LAST FIVE
 19 YEARS] for which the person was

20 (i) [FINED MORE THAN \$1,000 OR] imprisoned for
 21 more than five days **within the previous five years;**

22 **(ii) fined more than \$1,000 in the previous 12**
 23 **months;**

24 **(iii) fined more than \$3,000 in the previous 36**
 25 **months; or**

26 **(iv) fined more than \$5,000 in the previous 60**
 27 **months;**

28 (B) a felony within the last five years; or

29 (C) a felony offense against the person under AS 11.41 within
 30 the last 10 years; or

31 (2) the person's right to obtain, or exercise the privileges granted by, a

1 hunting, guiding, outfitting, or transportation services license is suspended or revoked
2 in this state or another state or in Canada.

3 * **Sec. 7.** AS 08.54.605(c) is amended to read:

4 (c) A person may not receive a certification for a game management unit if the
5 person is prohibited by (a) of this section from receiving or renewing a registered
6 **guide-outfitter** [GUIDE] license or master **guide-outfitter** [GUIDE] license.

7 * **Sec. 8.** AS 08.54.610 is amended to read:

8 **Sec. 08.54.610. Registered guide-outfitter [GUIDE] license.** (a) A natural
9 person is entitled to a registered **guide-outfitter** [GUIDE] license if the person

10 (1) is 21 years of age or older;

11 (2) has practical field experience in the handling of firearms, hunting,
12 judging trophies, field preparation of meat and trophies, first aid, photography, and
13 related guiding and outfitting activities;

14 (3) either

15 (A) has passed the qualification examination prepared [AND
16 ADMINISTERED] by the **board** [DEPARTMENT] under AS 08.54.600; or

17 (B) provides evidence of 25 years of experience as a class-A
18 assistant guide or class-A assistant guide-outfitter;

19 (4) has passed a certification examination prepared [AND
20 ADMINISTERED] by the **board** [DEPARTMENT] under AS 08.54.600 for at least
21 one game management unit;

22 (5) has legally hunted **big game** in the state for part of each of any five
23 years in a manner directly contributing to the person's experience and competency as a
24 guide;

25 (6) has been licensed as and performed the services of a class-A
26 assistant guide or assistant guide, or of a class-A assistant guide-outfitter or assistant
27 guide-outfitter under former AS 08.54.300 - 08.54.590, in the state for a part of each
28 of three years;

29 (7) is capable of performing the essential duties associated with
30 guiding and outfitting;

31 (8) has been favorably recommended in writing by eight big game

1 hunters whose recommendations have been solicited by the department from a list
 2 provided by the applicant, including at least two favorable recommendations for each
 3 year of any three years during which the person was a class-A assistant guide or
 4 assistant guide, or a class-A assistant guide-outfitter or assistant guide-outfitter under
 5 former AS 08.54.300 - 08.54.590;

6 (9) has provided proof of financial responsibility if required by the
 7 department under AS 08.54.680; and

8 (10) has applied for a registered **guide-outfitter** [GUIDE] license on a
 9 form provided by the department and paid the license application fee and the
 10 registered **guide-outfitter** [GUIDE] license fee.

11 (b) A master **guide-outfitter** [GUIDE] license authorizes a registered **guide-**
 12 **outfitter** [GUIDE] to use the title master **guide-outfitter** [GUIDE], but is for all other
 13 purposes under this chapter a registered **guide-outfitter** [GUIDE] license. A natural
 14 person is entitled to receive a renewable master **guide-outfitter** [GUIDE] license if
 15 the person

16 (1) is, at the time of application for a master **guide-outfitter** [GUIDE]
 17 license, licensed as a registered **guide-outfitter** [GUIDE] under this section;

18 (2) has been licensed in this state as a registered guide or a guide-
 19 outfitter, under former AS 08.54.010 - 08.54.240, former AS 08.54.300 - 08.54.590, or
 20 this chapter, for at least 12 of the last 15 years, including the year immediately
 21 preceding the year in which the person applies for a master **guide-outfitter** [GUIDE]
 22 license;

23 (3) submits a list to the department of at least 25 clients for whom the
 24 person has personally provided guiding or outfitting services and the person receives a
 25 favorable evaluation from 10 of the clients selected from the list by the department;
 26 and

27 (4) applies for a master **guide-outfitter** [GUIDE] license on a form
 28 provided by the department and pays the application fee, if any.

29 (c) A registered **guide-outfitter** [GUIDE] may contract to guide or outfit
 30 hunts for big game and may provide transportation services, personally or through an
 31 assistant, to big game hunters who are clients of the **registered guide-outfitter**

1 [GUIDE].

2 (d) A person who is licensed as a registered **guide-outfitter** [GUIDE] may be
 3 employed by another registered **guide-outfitter** [GUIDE] to perform the functions of
 4 a registered **guide-outfitter** [GUIDE] or class-A assistant guide in the game
 5 management unit for which the person is certified under AS 08.54.600 or of an
 6 assistant guide in any game management unit.

7 (e) A registered **guide-outfitter** [GUIDE] who contracts for a guided hunt
 8 shall be

9 (1) physically present in the field with the client at least once during
 10 the contracted hunt; and

11 (2) in the field and participating in the contracted hunt, unless the hunt
 12 is being conducted by a class-A assistant guide or a registered **guide-outfitter**
 13 [GUIDE] employed by the contracting registered **guide-outfitter** [GUIDE].

14 * **Sec. 9.** AS 08.54.620 is amended to read:

15 **Sec. 08.54.620. Class-A assistant guide license.** (a) A natural person is
 16 entitled to a class-A assistant guide license if the person

17 (1) is 21 years of age or older;

18 (2) applies for a class-A assistant guide license on a form provided by
 19 the department and pays the license application fee and the license fee; [AND]

20 (3) **possesses a current first aid card issued by the Red Cross or a**
 21 **similar organization; and**

22 **(4)** either

23 (A) has

24 (i) been employed during at least three calendar years as
 25 any class of licensed guide in the game management unit for which the
 26 license is sought; and

27 (ii) at least 10 years' hunting experience in the state;
 28 military service outside of the state for not more than three years shall
 29 be accepted as part of the required 10 years' hunting experience; [OR]

30 (B) provides

31 (i) evidence that the person physically resides in the

1 game management unit in which the person is to be employed;

2 (ii) evidence that the person has had at least 15 years'
3 hunting experience in the game management unit in which the person is
4 to be employed; military service outside of the state for not more than
5 three years shall be accepted as part of the required 15 years' hunting
6 experience; and

7 (iii) a written recommendation from a registered **guide-**
8 **outfitter** [GUIDE, STATE TROOPER, STATE FISH AND
9 WILDLIFE LAW ENFORCEMENT OFFICER, OR STATE FISH OR
10 GAME BIOLOGIST WHO IS FAMILIAR WITH THE PERSON OR]
11 who intends to employ the person as a class-A assistant guide; **or**

12 **(C) provides evidence that the person**

13 **(i) physically resides in the game management unit**
14 **in which the person is to be employed;**

15 **(ii) has at least 10 years' hunting experience in the**
16 **state; military service outside of the state for not more than three**
17 **years shall be accepted as part of the required 10 years' hunting**
18 **experience; and**

19 **(iii) has passed a class-A assistant guide training**
20 **course approved by the board.**

21 (b) A class-A assistant guide

22 (1) may not contract to guide or outfit a big game hunt;

23 (2) shall be employed by and under the supervision of a registered
24 **guide-outfitter** [GUIDE] who has contracted with the client for whom the class-A
25 assistant guide is conducting the hunt;

26 (3) may take charge of a camp and **provide** [CONDUCT] guide
27 **services** [ACTIVITIES] from the camp without the contracting registered **guide-**
28 **outfitter** [GUIDE] being in the field and participating in the contracted hunt if the
29 contracting registered **guide-outfitter** [GUIDE] is supervising the guiding activities;

30 (4) may not perform functions of a class-A assistant guide outside of
31 the game management unit for which the license is issued; and

1 (5) may be employed by a registered **guide-outfitter** [GUIDE] to
 2 perform the functions of an assistant guide in any game management unit.

3 * **Sec. 10.** AS 08.54.630 is amended to read:

4 **Sec. 08.54.630. Assistant guide license.** (a) A natural person is entitled to an
 5 assistant guide license if the person

6 (1) is 18 years of age or older;

7 (2) has legally hunted **big game** in the state during two calendar years;

8 (3) possesses a first aid card issued by the Red Cross or a similar
 9 organization;

10 (4) **either**

11 **(A)** obtains a written recommendation from a registered **guide-**
 12 **outfitter** [GUIDE, STATE TROOPER, STATE FISH AND WILDLIFE LAW
 13 ENFORCEMENT OFFICER, OR STATE FISH OR GAME BIOLOGIST
 14 WHO IS FAMILIAR WITH THE PERSON OR] who intends to employ the
 15 person as an assistant guide; **or**

16 **(B) provides evidence that the person passed an assistant**
 17 **guide training course approved by the board;** and

18 (5) applies for an assistant guide license on a form provided by the
 19 department and pays the license application fee and the license fee.

20 (b) An assistant guide

21 (1) may not contract to guide or outfit a big game hunt;

22 (2) shall be employed by a registered **guide-outfitter** [GUIDE] and
 23 under the supervision of a registered **guide-outfitter** [GUIDE] or class-A assistant
 24 guide while the assistant guide is in the field on guided hunts; and

25 (3) may not take charge of a camp or **provide** [CONDUCT] guide
 26 **services** [ACTIVITIES] unless the contracting registered **guide-outfitter** [GUIDE] is
 27 in the field and participating in the contracted hunt or a registered **guide-outfitter**
 28 [GUIDE] or class-A assistant guide employed by the contracting guide is physically
 29 present and supervising the hunt.

30 * **Sec. 11.** AS 08.54.640(a) is amended to read:

31 (a) Notwithstanding AS 08.54.610 - 08.54.630 and except as provided in (b)

1 of this section, a person may not hold, or earn experience credits to apply for, a
 2 registered **guide-outfitter** [GUIDE] license under this chapter, while the person is a
 3 law enforcement officer and for three months after terminating the person's status as a
 4 law enforcement officer.

5 * **Sec. 12.** AS 08.54.640(b) is amended to read:

6 (b) A registered **guide-outfitter** [GUIDE] license, class-A assistant guide
 7 license, or assistant guide license issued under this chapter, or under former provisions
 8 of AS 08.54.300 - 08.54.590, after May 16, 1992, is suspended if the person to whom
 9 the license is issued subsequently becomes a law enforcement officer. A person
 10 whose license is subject to suspension under this subsection shall notify the
 11 department that the person has become a law enforcement officer within 30 days after
 12 becoming a law enforcement officer. The suspension of a license under this
 13 subsection remains in effect until three months have elapsed from the date on which
 14 the licensee provides written notification to the department of the fact that the person
 15 is no longer a law enforcement officer. A person whose license is suspended under
 16 this subsection is not required to renew the license or pay license renewal fees for the
 17 period of suspension. Once a suspension of a license is terminated, the licensee may
 18 provide, without further payment of a guide license fee, the guide services authorized
 19 by the license for the remainder of the licensing period in which the suspension is
 20 terminated. Notwithstanding other provisions of this subsection, if a person whose
 21 license is suspended under this subsection fails to notify the department within one
 22 year after the person is no longer a law enforcement officer, the person's license lapses
 23 and the person is eligible for reissuance of the license only as provided in
 24 AS 08.54.670. The **board** [DEPARTMENT] may adopt regulations to implement this
 25 subsection.

26 * **Sec. 13.** AS 08.54.650(c) is amended to read:

27 (c) A transporter shall provide an annual activity report on a form provided by
 28 the department. An activity report must contain **all** information required by the **board**
 29 [DEPARTMENT] by regulation.

30 * **Sec. 14.** AS 08.54.660 is amended to read:

31 **Sec. 08.54.660. Renewal of guide and transporter licenses.** (a) An

1 applicant for renewal of a registered **guide-outfitter** [GUIDE], class-A assistant
2 guide, assistant guide, or transporter license shall submit

3 (1) a request for renewal of the license on a form provided by the
4 department; and

5 (2) the appropriate license fee for the next licensing period.

6 (b) The department may not renew a registered **guide-outfitter** [GUIDE]
7 license under this section unless all fees have been paid in full and **the registered**
8 **guide-outfitter has signed an affidavit that** all hunt records due during the term of
9 the current license have been filed with the department.

10 (c) The department may not renew a transporter license unless all fees have
11 been paid in full and **the transporter has signed an affidavit that** all activity reports
12 due during the term of the current license have been filed with the department.

13 * **Sec. 15.** AS 08.54.670 is amended to read:

14 **Sec. 08.54.670. Failure to renew.** The department may not issue a license to
15 a person who held a registered **guide-outfitter** [GUIDE], class-A assistant guide, or
16 assistant guide license and who has failed to renew the license under this chapter for
17 four consecutive years unless the person again meets the qualifications for initial
18 issuance of the license.

19 * **Sec. 16.** AS 08.54.680(b) is amended to read:

20 (b) If a registered **guide-outfitter** [GUIDE], class-A assistant guide, or an
21 assistant guide personally pilots an aircraft to transport clients during the provision of
22 big game hunting services, the registered **guide-outfitter** [GUIDE], class-A assistant
23 guide, or assistant guide shall have a commercial pilot's rating or a minimum of 500
24 hours of flying time in the state.

25 * **Sec. 17.** AS 08.54.680 is amended by adding a new subsection to read:

26 (c) On or after January 1, 2005, a registered guide may not provide big game
27 hunting services and a transporter may not provide transportation services unless the
28 registered guide or transporter has entered into a written contract with the client for the
29 provision of those services.

30 * **Sec. 18.** AS 08.54.710(a) is amended to read:

31 (a) The **board** [DEPARTMENT] may impose a disciplinary sanction in a

1 timely manner under (c) of this section if the **board** [DEPARTMENT] finds after a
 2 hearing, that a licensee

3 (1) is convicted of a violation of **any** [A] state **or federal** statute or
 4 regulation relating to hunting or to provision of big game hunting services or
 5 transportation services; [OR]

6 (2) has failed to file records or reports required under this chapter;

7 **(3) has negligently misrepresented or omitted a material fact on an**
 8 **application for any class of guide license or a transporter license; or**

9 **(4) has breached a contract to provide big game hunting services**
 10 **or transportation services to a client.**

11 * **Sec. 19.** AS 08.54.710(b) is amended to read:

12 (b) The **board** [DEPARTMENT] may impose a disciplinary sanction in a
 13 timely manner under (c)(3) - (7) of this section if the **board** [DEPARTMENT] finds,
 14 after a hearing, that a licensee **has acted unethically** [IS INCOMPETENT] as a
 15 registered **guide-outfitter** [GUIDE], class-A assistant guide, assistant guide, or
 16 transporter.

17 * **Sec. 20.** AS 08.54.710(c) is amended to read:

18 (c) The **board** [DEPARTMENT] may impose the following disciplinary
 19 sanctions, singly or in combination:

20 (1) permanently revoke a license;

21 (2) suspend a license for a specified period;

22 (3) censure or reprimand a licensee;

23 (4) impose limitations or conditions on the professional practice of a
 24 licensee;

25 (5) impose requirements for remedial professional education to correct
 26 deficiencies in the education, training, and skill of the licensee;

27 (6) impose probation requiring a licensee to report regularly to the
 28 **board** [DEPARTMENT] on matters related to the grounds for probation;

29 (7) impose a civil fine not to exceed **\$5,000** [\$1,000].

30 * **Sec. 21.** AS 08.54.710(d) is amended to read:

31 (d) The **board** [DEPARTMENT] shall permanently revoke a transporter

1 license or any class of guide license if the **board** [DEPARTMENT] finds after a
 2 hearing that the license was obtained through fraud, deceit, or [INNOCENT]
 3 misrepresentation.

4 * **Sec. 22.** AS 08.54.710(e) is amended to read:

5 (e) The **board** [DEPARTMENT] shall suspend or permanently revoke a
 6 transporter license or any class of guide license without a hearing if the court orders
 7 the **board** [DEPARTMENT] to suspend or permanently revoke the license as a
 8 penalty for conviction of an unlawful act [UNDER AS 08.54.720]. If the **board**
 9 [DEPARTMENT] suspends or permanently revokes a license under this subsection,
 10 the **board** [DEPARTMENT] may not also impose an administrative disciplinary
 11 sanction of suspension or permanent revocation of the same license for the same
 12 offense for which the court ordered the suspension or permanent revocation under
 13 AS 08.54.720.

14 * **Sec. 23.** AS 08.54.710(h) is amended to read:

15 (h) If the **board** [DEPARTMENT] revokes a license under this section, the
 16 person whose license has been revoked shall immediately surrender the license to the
 17 department.

18 * **Sec. 24.** AS 08.54.710(i) is amended to read:

19 (i) The **board** [DEPARTMENT] may summarily suspend a licensee from
 20 practice of the profession under this chapter, for a period of not more than 30 days,
 21 before a final hearing is held or during an appeal if the **board** [DEPARTMENT] finds
 22 that the licensee poses a clear and immediate danger to the public health and safety. A
 23 person is entitled to a hearing before the **board** [DEPARTMENT] to appeal the
 24 summary suspension within seven days after the order of suspension is issued. A
 25 person may appeal an adverse decision of the **board** [DEPARTMENT] on an appeal
 26 of summary suspension to a court of competent jurisdiction.

27 * **Sec. 25.** AS 08.54.720(a) is amended to read:

28 (a) It is unlawful for a

29 (1) person who is licensed under this chapter to knowingly fail to
 30 promptly report, **unless a reasonable means of communication is not reasonably**
 31 **available,** to the Department of Public Safety, [DIVISION OF FISH AND

1 WILDLIFE PROTECTION,] and in no event later than 20 days, a violation of a state
 2 **or federal wildlife or** game, guiding, or transportation services statute or regulation
 3 that the person reasonably believes was committed by a client or an employee of the
 4 person;

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

8 (3) class-A assistant guide or an assistant guide to knowingly guide a
 9 **big game** hunt except while employed and supervised by a registered **guide-outfitter**
 10 [GUIDE];

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

15 (5) registered **guide-outfitter** [GUIDE] to knowingly engage in
 16 providing big game hunting services outside of

17 (A) a game management unit for which the registered **guide-**
 18 **outfitter** [GUIDE] is certified; or

19 (B) a use area for which the registered **guide-outfitter**
 20 [GUIDE] is registered under AS 08.54.750 unless the registration requirement
 21 for the area has been suspended by the Department of Fish and Game;

22 (6) person to knowingly guide without having a current registered
 23 **guide-outfitter** [GUIDE], class-A assistant guide, or assistant guide license and **a**
 24 **valid Alaska** hunting license in actual possession;

25 (7) registered **guide-outfitter** [GUIDE] to knowingly fail to comply
 26 with AS 08.54.610(e);

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

28 (A) commit or aid in the commission of a violation of this
 29 chapter, a regulation adopted under this chapter, or a state **or federal wildlife**
 30 **or** game statute or regulation; or

31 (B) permit the commission of a violation of this chapter, a

1 regulation adopted under this chapter, or a state **or federal wildlife or** game
 2 statute or regulation that the person knows or reasonably believes is being or
 3 will be committed without

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

5 (ii) reporting the violation;

6 (9) person without a current registered **guide-outfitter** [GUIDE]
 7 license to knowingly guide, advertise as a registered **guide-outfitter** [GUIDE], or
 8 represent to be a registered **guide-outfitter** [GUIDE];

9 (10) person without a current master **guide-outfitter** [GUIDE] license
 10 to knowingly advertise as, or represent to be, a master **guide-outfitter** [GUIDE];

11 (11) person without a current registered **guide-outfitter** [GUIDE]
 12 license to knowingly outfit a big game hunt, **provide outfitting services**, advertise as
 13 an outfitter of big game hunts, or represent to be an outfitter of big game hunts;

14 (12) person to knowingly provide transportation services to big game
 15 hunters without holding a current registered **guide-outfitter** [GUIDE] license or
 16 transporter license;

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

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

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

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

27 (17) registered **guide-outfitter** [GUIDE], except in the defense of life
 28 or property, to knowingly personally take

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

30 (B) a species of big game if the registered **guide-outfitter**
 31 [GUIDE] is under contract with a client to provide a guided hunt for that

1 species of big game and the client is in the field;

2 (18) person who is licensed as a registered **guide-outfitter** [GUIDE], a
 3 class-A assistant guide, or an assistant guide, except in the defense of life or property,
 4 to knowingly personally take big game while a client of the registered **guide-outfitter**
 5 [GUIDE] by whom the person is employed is in the field unless the person is not
 6 participating in, supporting, or otherwise assisting in providing big game hunting
 7 services to a client of the registered **guide-outfitter** [GUIDE] by whom the person is
 8 employed; or

9 (19) person who is licensed as a transporter, or who provides
 10 transportation services under a transporter license, to knowingly accompany or remain
 11 in the field with a big game hunter who is a client of the person except as necessary to
 12 perform the specific duties of embarking or disembarking big game hunters, their
 13 equipment, or big game animals harvested by hunters; this paragraph does not apply to
 14 a person who holds both a transporter license and **a registered guide-outfitter** [ANY
 15 CLASS OF GUIDE] license issued under this chapter **when the person has a**
 16 **contract to provide guiding services for the client.**

17 * **Sec. 26.** AS 08.54.720(f) is amended to read:

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

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

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

28 (3) the court shall order the **board** [DEPARTMENT] to suspend the
 29 guide license or transporter license for a specified period of not less than three years,
 30 or to permanently revoke the guide license or transporter license, of a person who
 31 commits an offense set out in (a)(15) or (16) of this section; and

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

5 * **Sec. 27.** AS 08.54.730 is amended to read:

6 **Sec. 08.54.730. Injunction against unlawful action.** When in the judgment
 7 of the **board** [DEPARTMENT], a person has engaged in an act in violation of
 8 AS 08.54.620(b), 08.54.630(b), 08.54.650(b), 08.54.710(g), or 08.54.720(a) or the
 9 regulations adopted under these statutes, the **board** [DEPARTMENT] may apply to
 10 the appropriate court for an order enjoining the action. Upon a showing by the **board**
 11 [DEPARTMENT] that the person is engaging in the act, the court shall grant
 12 injunctive relief or other appropriate order without bond.

13 * **Sec. 28.** AS 08.54.740 is amended to read:

14 **Sec. 08.54.740. Responsibility of guide or transporter for violations.** (a) A
 15 registered **guide-outfitter** [GUIDE] who contracts to guide or outfit a big game hunt
 16 is equally responsible under AS 08.54.710 for a violation of a state **or federal wildlife**
 17 **or game or** [,] guiding [, OR TRANSPORTATION SERVICES] statute or regulation
 18 committed by a person while in the course of the person's employment for the
 19 registered **guide-outfitter** [GUIDE].

20 (b) A transporter who provides transportation services is equally responsible
 21 under AS 08.54.710 for a violation of a state **or federal wildlife or** game, guiding, or
 22 transportation services statute or regulation committed by a person while in the course
 23 of the person's employment for the transporter.

24 * **Sec. 29.** AS 08.54.750 is amended to read:

25 **Sec. 08.54.750. Use area registration.** (a) At least 30 days before
 26 conducting big game hunting services within a guide use area, a registered **guide-**
 27 **outfitter** [GUIDE] shall inform the department, in person or by registered mail on a
 28 registration form provided by the department, that the **guide-outfitter** [GUIDE] will
 29 be conducting big game hunting services in the use area. **A registered guide may not**
 30 **withdraw or amend a guide use area registration during the calendar year in**
 31 **which the registration was submitted to the department.**

1 (b) A registered **guide-outfitter** [GUIDE] may not register for, or conduct big
2 game hunting services in,

3 (1) more than three guide use areas during a calendar year; or

4 (2) a guide use area that is outside of a game management unit for
5 which the registered **guide-outfitter** [GUIDE] is certified under AS 08.54.600.

6 (c) Notwithstanding (a) and (b) of this section, a registered **guide-outfitter**
7 [GUIDE] may register to conduct big game hunting services within a guide use area at
8 any time before beginning operations in the guide use area and may conduct big game
9 hunting services in a guide use area, or for a big game species in a guide use area, that
10 is not one of the three guide use areas for which the registered **guide-outfitter**
11 [GUIDE] has registered under (b) of this section if the Department of Fish and Game
12 has determined by regulation that it is in the public interest to suspend the registration
13 requirements for that guide use area or for all guide use areas in a game management
14 unit or game management subunit for a big game species within those guide use areas.

15 (d) Notwithstanding (b) of this section, a registered **guide-outfitter** [GUIDE]
16 who is registered in three guide use areas may also register for and conduct big game
17 hunting services in a portion of one additional guide use area on federal land adjacent
18 to a guide use area in which the registered **guide-outfitter** [GUIDE] is already
19 registered if the **board** [DEPARTMENT] finds that the portion of the adjacent guide
20 use area for which the registered **guide-outfitter** [GUIDE] is seeking to be registered
21 would otherwise remain unused by a registered **guide-outfitter** [GUIDE] because the
22 boundaries of guide use areas do not coincide with boundaries of federal big game
23 guide concession or permit areas.

24 (e) In this section, "guide use area" means a geographic area of the state
25 identified as a guide-outfitter use area by the former Big Game Commercial Services
26 Board **established under former AS 08.54.300** and described on a set of maps titled
27 Guide-Outfitter Use Area Maps, dated June 22, 1994, **as amended by the board as**
28 **the board considers necessary.**

29 * **Sec. 30.** AS 08.54.750 is amended by adding new subsections to read:

30 (f) Notwithstanding (b) of this section, a registered guide who is registered in
31 three guide use areas may also register for and conduct big game hunting services for

1 wolf, black bear, brown bear, or grizzly bear in guide use areas within a game
 2 management unit or portion of a game management unit where the Board of Game has
 3 identified predation by wolf, black bear, brown bear, or grizzly bear as a cause of the
 4 depletion of a big game prey population or a reduction of the productivity of a big
 5 game prey population that is the basis for the establishment of an intensive
 6 management program in the game management unit or portion of the game
 7 management unit or for the declaration of the biological emergency in the game
 8 management unit or portion of the game management unit. A registered guide may
 9 only conduct hunts in a guide use area under this subsection for the big game species
 10 identified by the Board of Game as the cause of the depletion or reduction of
 11 productivity a big game prey population.

12 (g) At least 60 days before providing transportation services to, from, or in an
 13 area as may be determined by the board, a transporter shall inform the department, in
 14 person or by registered mail on a registration form provided by the department, that
 15 the transporter will be providing transportation services to, from, or in the use area.
 16 The board may establish transporter use areas and adopt regulations to implement this
 17 subsection as the board considers necessary.

18 * **Sec. 31.** AS 08.54.760 is amended to read:

19 **Sec. 08.54.760. Hunt records; confidentiality of hunt records and activity**
 20 **reports.** (a) The department shall collect and maintain hunt records provided by a
 21 registered **guide-outfitter** [GUIDE]. A registered **guide-outfitter** [GUIDE] shall
 22 submit to the department a hunt record for each contracted hunt within **60** [30] days
 23 after the completion of the hunt. A hunt record must include a list of all big game
 24 hunters who used the guiding or outfitting services of the registered **guide-outfitter**
 25 [GUIDE], the number of each big game species taken, and other information required
 26 by the **board** [DEPARTMENT]. The department shall provide forms for reporting
 27 hunt records.

28 (b) The department shall make hunt records received under this section, and
 29 activity reports received under AS 08.54.650, available to state agencies, [AND]
 30 federal **law enforcement agencies and other** [FISH AND WILDLIFE] law
 31 enforcement agencies [CHARGED WITH THE ENFORCEMENT OF STATUTES]

1 AND REGULATIONS RELATING TO GUIDING, OUTFITTING,
 2 TRANSPORTATION SERVICES, OR GAME OR WITH MANAGEMENT OF
 3 GAME] if requested [FOR GAME MANAGEMENT OR LAW ENFORCEMENT
 4 PURPOSES]. Aggregated data compiled from hunt records and activity reports may
 5 be included in reports by the department. For all other purposes, the hunt records and
 6 activity reports are confidential and are not subject to inspection or copying under
 7 AS 40.25.110 - 40.25.125.

8 * **Sec. 32.** AS 08.54.770 is amended to read:

9 **Sec. 08.54.770. License and examination fees.** (a) The department shall set
 10 fees under AS 08.01.065 for each of the following:

- 11 (1) registered **guide-outfitter** [GUIDE] license;
- 12 (2) class-A assistant guide license;
- 13 (3) assistant guide license;
- 14 (4) transporter license;
- 15 (5) license application fee.

16 (b) The license fee for the registered **guide-outfitter** [GUIDE], class-A
 17 assistant guide, or assistant guide license is in addition to the fee required for a hunting
 18 license **issued by the Department of Fish and Game under AS 16.05.340.**

19 (c) An applicant for a qualifying examination for a registered **guide-outfitter**
 20 [GUIDE] license shall pay a fee established by regulations adopted under
 21 AS 08.01.065.

22 (d) The fee for the transporter license must be equal to the fee for the
 23 registered **guide-outfitter** [GUIDE] license.

24 (e) **The** [FOR LICENSES ISSUED UNDER THIS CHAPTER FOR 1997
 25 AND SUBSEQUENT YEARS, THE] amount of the license fee for a nonresident shall
 26 be two times the amount of the license fee for a resident.

27 * **Sec. 33.** AS 08.54.790 is amended to read:

28 **Sec. 08.54.790. Definitions.** In this chapter,

29 (1) "big game" means brown bear, grizzly bear, caribou, moose, black
 30 bear, bison, Sitka blacktail deer, elk, mountain goat, musk-ox, and mountain or Dall
 31 sheep; "big game" includes wolf and wolverine when taken under hunting regulations;

1 (2) "big game hunting service" means a service for which the provider
 2 of the service must obtain a registered **guide-outfitter** [GUIDE], class-A assistant
 3 guide, or assistant guide license; "big game hunting service" includes guiding services
 4 and outfitting services;

5 (3) **"board" means the Big Game Commercial Services Board;**

6 (4) "compensation" means payment for services including wages or
 7 other remuneration but not including reimbursement for actual expenses incurred;

8 (5) [(4)] "department" means the Department of Community and
 9 Economic Development;

10 (6) [(5)] "field" means an area outside of established year-round
 11 dwellings, businesses, or other developments [USUALLY] associated with a city,
 12 town, or village; "field" does not include permanent hotels or roadhouses on the state
 13 road system or state or federally maintained airports;

14 (7) [(6)] "game management unit" means one of the 26 geographic
 15 areas defined by the Board of Game for game management purposes;

16 (8) [(7)] "guide" means to provide, for compensation or with the intent
 17 or with an agreement to receive compensation, services, equipment, or facilities to a
 18 big game hunter in the field by a person who accompanies or is present with the big
 19 game hunter in the field either personally or through an assistant; in this paragraph,
 20 "services" includes

21 (A) contracting to guide or outfit big game hunts;

22 (B) stalking, pursuing, tracking, killing, or attempting to kill
 23 big game;

24 (C) packing, preparing, salvaging, or caring for meat, except
 25 that which is required to properly and safely load the meat on the mode of
 26 transportation being used by a transporter;

27 (D) field preparation of trophies, including skinning and
 28 caping;

29 (E) selling, leasing, or renting goods when the transaction
 30 occurs in the field;

31 (F) using guiding or outfitting equipment, including spotting

1 scopes and firearms, for the benefit of a hunter; and

2 (G) providing camping or hunting equipment or supplies **that**
3 [WHICH] are already located in the field;

4 **(9)** [(8)] "outfit" means to provide, for compensation or with the intent
5 to receive compensation, services, supplies, or facilities to a big game hunter in the
6 field, by a person who neither accompanies nor is present with the big game hunter in
7 the field either personally or by an assistant;

8 **(10)** [(9)] "transportation services" means the carriage for
9 compensation of big game hunters, their equipment, or big game animals harvested by
10 hunters to, from, or in the field; "transportation services" does not include the carriage
11 by aircraft of big game hunters, their equipment, or big game animals harvested by
12 hunters

13 (A) on nonstop flights between airports listed in the Alaska
14 supplement to the Airmen's Guide published by the Federal Aviation
15 Administration; or

16 (B) by an air taxi operator or air carrier for which the carriage
17 of big game hunters, their equipment, or big game animals harvested by
18 hunters is only an incidental portion of its business; in this subparagraph,
19 "incidental" means transportation provided to a big game hunter by an air taxi
20 operator or air carrier who does not

21 (i) charge more than the usual tariff or charter rate for
22 the carriage of big game hunters, their equipment, or big game animals
23 harvested by hunters; or

24 (ii) advertise transportation services or big game
25 hunting services to the public; in this sub-subparagraph, "advertise"
26 means soliciting big game hunters to be customers of an air taxi
27 operator or air carrier for the purpose of providing air transportation to,
28 from, or in the field through the use of print or electronic media,
29 including advertising at trade shows, or the use of hunt broker services
30 or other promotional services.

31 * **Sec. 34.** AS 16.05.407(a) is amended to read:

1 (a) It is unlawful for a nonresident to hunt, pursue, or take brown bear, grizzly
2 bear, mountain goat, or sheep in this state, unless personally accompanied by

3 (1) a person who is licensed as

4 (A) a registered **guide-outfitter** [GUIDE] or a master **guide-**
5 **outfitter** [GUIDE] under AS 08.54 and who is providing big game hunting
6 services to the nonresident under a contract with the nonresident; or

7 (B) a class-A assistant guide or an assistant guide under
8 AS 08.54 and who is employed by a registered **guide-outfitter** [GUIDE] or a
9 master **guide-outfitter** [GUIDE] who has a contract to provide big game
10 hunting services to the nonresident; or

11 (2) a resident over 19 years of age who is

12 (A) the spouse of the nonresident; or

13 (B) related to the nonresident, within and including the second
14 degree of kindred, by marriage or blood.

15 * **Sec. 35.** AS 16.05.407(f) is amended to read:

16 (f) An applicant for a nonresident hunt permit for the taking of an animal
17 specified in (a) of this section shall, if requested by the department, first furnish to the
18 department proof of prior authorization to use federal, **state**, or private land where the
19 permit hunt will occur. The authorization shall be provided to the applicant by the
20 registered **guide-outfitter** [GUIDE] or master **guide-outfitter** [GUIDE] with whom
21 the applicant has contracted to guide the permit hunt.

22 * **Sec. 36.** AS 16.05.408(a) is amended to read:

23 (a) It is a class A misdemeanor for a nonresident alien to hunt, pursue, or take
24 a big game animal as defined by the Board of Game unless personally accompanied by

25 (1) a registered **guide-outfitter** [GUIDE] or a master **guide-outfitter**
26 [GUIDE] licensed under AS 08.54 who is providing big game hunting services to the
27 nonresident alien under a contract with the nonresident alien; or

28 (2) a class-A assistant guide or an assistant guide licensed under
29 AS 08.54 who is employed by a registered **guide-outfitter** [GUIDE] or a master
30 **guide-outfitter** [GUIDE] who has a contract to provide big game hunting services to
31 the nonresident alien.

1 * **Sec. 37.** AS 16.05.408(c) is amended to read:

2 (c) Before obtaining a nonresident hunt permit for the taking of an animal
3 specified in (a) of this section, a nonresident alien shall, if requested by the
4 department, first furnish to the department proof of prior authorization to use federal
5 or private land where the permit hunt will occur. The authorization shall be provided
6 to the nonresident alien by the registered **guide-outfitter** [GUIDE] or master **guide-**
7 **outfitter** [GUIDE] with whom the nonresident alien has contracted to guide the permit
8 hunt.

9 * **Sec. 38.** AS 23.10.055 is amended to read:

10 **Sec. 23.10.055. Exemptions.** The provisions of AS 23.10.050 - 23.10.150 do
11 not apply to

12 (1) an individual employed in agriculture, which includes farming in
13 all its branches and, among other things, includes the cultivation and tillage of the soil,
14 dairying, the production, cultivation, growing, and harvesting of any agricultural or
15 horticultural commodities, the raising of livestock, bees, fur-bearing animals, or
16 poultry, and any practices, including forestry and lumbering operations, performed by
17 a farmer or on a farm as an incident to or in conjunction with the farming operations,
18 including preparation for market, delivery to storage or to market or to carriers for
19 transportation to market;

20 (2) an individual employed in the catching, trapping, cultivating, or
21 farming, netting or taking of any kind of fish, shellfish, or other aquatic forms of
22 animal and vegetable life;

23 (3) an individual employed in the hand picking of shrimp;

24 (4) an individual employed in domestic service, including a baby-
25 sitter, in or about a private home;

26 (5) an individual employed by the United States or by the state or
27 political subdivision of the state, except as provided in AS 23.10.065(b), including
28 prisoners not on furlough detained or confined in prison facilities;

29 (6) an individual engaged in the nonprofit activities of a nonprofit
30 religious, charitable, cemetery, or educational organization or other nonprofit
31 organization where the employer-employee relationship does not, in fact, exist, and

1 where services rendered to the organization are on a voluntary basis and are related
 2 only to the organization's nonprofit activities; for purposes of this paragraph,
 3 "nonprofit activities" means activities for which the nonprofit organization does not
 4 incur a liability for unrelated business income tax under 26 U.S.C. 513, as amended;

5 (7) an employee engaged in the delivery of newspapers to the
 6 consumer;

7 (8) an individual employed solely as a watchman or caretaker of a
 8 plant or property that is not in productive use for a period of four months or more;

9 (9) an individual employed in a bona fide executive, administrative, or
 10 professional capacity or in the capacity of an outside salesman or a salesman who is
 11 employed on a straight commission basis;

12 (10) an individual employed in the search for placer or hard rock
 13 minerals;

14 (11) an individual under 18 years of age employed on a part-time basis
 15 not more than 30 hours in a week;

16 (12) employment by a nonprofit educational or child care facility to
 17 serve as a parent of children while the children are in residence at the facility if the
 18 employment requires residence at the facility and is compensated on a cash basis
 19 exclusive of room and board at an annual rate of not less than

20 (A) \$10,000 for an unmarried person; or

21 (B) \$15,000 for a married couple;

22 (13) an individual who drives a taxicab, is compensated for taxicab
 23 services exclusively by customers of the service, whose written contractual
 24 arrangements with owners of taxicab vehicles, taxicab permits, or radio dispatch
 25 services are based upon flat contractual rates and not based on a percentage share of
 26 the individual's receipts from customers, and whose written contract with owners of
 27 taxicab vehicles, taxicab permits, or radio dispatch services specifically provides that
 28 the contract places no restrictions on hours worked by the individual or on areas in
 29 which the individual may work except to comply with local ordinances;

30 (14) a person who holds a license under AS 08.54 and who is
 31 employed by a registered **guide-outfitter** [GUIDE] or master **guide-outfitter**

1 [GUIDE] licensed under AS 08.54, for the first 60 work days in which the person is
 2 employed by the registered **guide-outfitter** [GUIDE] or master **guide-outfitter**
 3 [GUIDE] during a calendar year;

4 (15) an individual engaged in activities for a nonprofit religious,
 5 charitable, civic, cemetery, recreational, or educational organization where the
 6 employer-employee relationship does not, in fact, exist, and where services are
 7 rendered to the organization under a work activity requirement of AS 47.27 (Alaska
 8 temporary assistance program); or

9 (16) an individual who

10 (A) provides emergency medical services only on a voluntary
 11 basis;

12 (B) serves with a full-time fire department only on a voluntary
 13 basis; or

14 (C) provides ski patrol services on a voluntary basis.

15 * **Sec. 39.** AS 39.50.200(b) is amended by adding a new paragraph to read:

16 (58) Big Game Commercial Services Board (AS 08.54.591).

17 * **Sec. 40.** AS 41.23.420(d) is amended to read:

18 (d) The provisions of AS 41.23.400 - 41.23.510 do not affect the authority of

19 (1) the Department of Fish and Game, the Board of Fisheries, the
 20 Board of Game, or the **Big Game Commercial Services Board** [DEPARTMENT OF
 21 COMMUNITY AND ECONOMIC DEVELOPMENT] under AS 08.54, AS 16, or
 22 AS 41.99.010;

23 (2) the Department of Environmental Conservation under AS 46.03; or

24 (3) state agencies and municipalities under AS 46.39.010 and
 25 AS 46.40.100.

26 * **Sec. 41.** AS 44.62.330(a)(35) is amended to read:

27 (35) **Big Game Commercial Services Board** [DEPARTMENT OF
 28 COMMUNITY AND ECONOMIC DEVELOPMENT UNDER AS 08.54 AS TO
 29 LICENSING AND RELATED FUNCTIONS FOR BIG GAME GUIDES AND
 30 TRANSPORTERS];

31 * **Sec. 42.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 INITIAL APPOINTMENT OF MEMBERS OF THE BIG GAME COMMERCIAL
3 SERVICES BOARD. (a) Notwithstanding AS 08.54.591, added by sec. 3 of this Act, and
4 AS 39.05.055, the initially appointed members of the Big Game Commercial Services Board
5 shall be appointed by the governor to terms as follows: one member serves for one year, two
6 members serve for two years, two members serve for three years, and two members serve for
7 four years.

8 (b) The governor shall appoint the initial members of the Big Game Commercial
9 Services Board, as provided for under AS 08.54.591(a), added by sec. 3 of this Act, before
10 December 1, 2004.

11 (c) The governor shall appoint persons who are active, licensed registered guides at
12 the time of appointment to fill the initial registered guide-outfitter positions on the Big Game
13 Commercial Services Board.

14 * **Sec. 43.** The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 TRANSITION: LICENSES. (a) Notwithstanding AS 08.54.610(a), as amended by
17 sec. 8 of this Act, a person who holds a registered guide license in good standing on the day
18 before the first meeting of the Big Game Commercial Services Board established under
19 AS 08.54.591, added by sec. 3 of this Act, shall, after the effective date of sec. 8 of this Act,
20 be considered to hold a registered guide-outfitter license issued under AS 08.54.610, as
21 amended by sec. 8 of this Act and may renew the license as a registered guide-outfitter license
22 under AS 08.54.660, as amended by sec. 14 of this Act.

23 (b) Notwithstanding AS 08.54.610(b), as amended by sec. 8 of this Act, a person who
24 holds a master guide license in good standing on the day before the first meeting of the Big
25 Game Commercial Services Board established under AS 08.54.591, added by sec. 3 of this
26 Act, shall, after the effective date of sec. 8 of this Act, be considered to hold a master guide-
27 outfitter license issued under AS 08.54.610, as amended by sec. 8 of this Act and may renew
28 the license as a master guide-outfitter license under AS 08.54.660, as amended by sec. 14 of
29 this Act.

30 * **Sec. 44.** The uncodified law of the State of Alaska is amended by adding a new section to
31 read:

1 SAVING CLAUSE. Litigation, hearings, investigations, and other proceedings
2 pending under a law amended or repealed by this Act, or in connection with functions
3 transferred by this Act, continue in effect and may be continued and completed
4 notwithstanding a transfer or amendment or repeal provided for by this Act. Regulations
5 adopted under authority of a law amended or repealed by this Act remain in effect for the term
6 adopted or until repealed or otherwise amended under the provisions of this Act.

7 * **Sec. 45.** Sections 3, 17, and 42 - 44 of this Act take effect immediately under
8 AS 01.10.070(c).

9 * **Sec. 46.** Except as provided in sec. 45 of this Act, this Act takes effect on the day on
10 which the Big Game Commercial Services Board convenes its first meeting. The
11 commissioner of community and economic development shall inform the revisor of statutes
12 and the lieutenant governor of the date on which the Big Game Commercial Services Board
13 convenes its first meeting.