

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

CS FOR HOUSE BILL NO. 229(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/5/12

Referred: Today's Calendar

Sponsor(s): REPRESENTATIVES FEIGE, Holmes, Pruitt

SENATOR Menard

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; creating a retired status license for certain retired guides
4 and outfitters; and providing for an effective date."

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

1 chapter.

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

3 **Sec. 08.54.608. Retired status license.** (a) On retiring from guiding or
4 outfitting, or both, and on payment of an appropriate one-time fee, an individual who
5 has held a license issued under AS 08.54.610, 08.54.620, or 08.54.630 that has not
6 been suspended or revoked under AS 08.54.710 may apply for a retired status license.
7 The retired status license shall indicate whether the individual was licensed as a master
8 guide-outfitter, registered guide-outfitter, class-A assistant guide, or assistant guide.
9 An individual holding a retired status license may not guide, outfit, or take charge of a
10 camp in the state under the retired status license. A retired status license is valid for
11 the life of the license holder and does not require renewal.

12 (b) An individual with a retired status license issued under (a) of this section
13 may apply for a new registered guide-outfitter license under AS 08.54.610, a new
14 class-A assistant guide license under AS 08.54.620, or a new assistant guide license
15 under AS 08.54.630.

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

17 (d) **Notwithstanding AS 08.54.750, a** [A] person who is licensed as a
18 registered guide-outfitter may be employed by another registered guide-outfitter to
19 **provide the services of**

20 **(1) a class-A assistant guide in a game management unit if the**
21 **registered guide-outfitter providing the services of a class-A assistant guide is**
22 **able to demonstrate, to the satisfaction of the board, adequate knowledge of and**
23 **experience in the game management unit; and**

24 **(2) an**

25 [PERFORM THE FUNCTIONS OF A REGISTERED GUIDE-OUTFITTER OR
26 CLASS-A ASSISTANT GUIDE IN THE GAME MANAGEMENT UNIT FOR WHICH
27 THE PERSON IS CERTIFIED UNDER AS 08.54.600 OR OF AN] assistant guide in any
28 game management unit.

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

30 (e) A registered guide-outfitter who contracts for a guided hunt shall be

31 [(1) PHYSICALLY PRESENT IN THE FIELD WITH THE CLIENT

1 AT LEAST ONCE DURING THE CONTRACTED HUNT; AND

2 (2)] primarily in the field supervising and participating in the
 3 contracted hunt. The contracting registered guide-outfitter shall also conduct the
 4 hunt, unless the hunt, under regulations adopted by the board, is being conducted
 5 by a class-A assistant guide or a registered guide-outfitter employed by the contracting
 6 registered guide-outfitter.

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

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

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

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

14 (1) the court may order the board to suspend the guide license or
 15 transporter license of a person who commits a misdemeanor offense set out in (a)(1),
 16 (3) - (5), (7), (8), (17), (18), or (19) of this section for a specified period of not more
 17 than three years;

18 (2) the court shall order the board to suspend the guide license or
 19 transporter license of a person who commits a misdemeanor offense set out in (a)(2) or
 20 (9) - (14) [(8) - (14)] of this section for a specified period of not less than one year and
 21 not more than five years;

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

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

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

31 (a) The department shall set fees under AS 08.01.065 for each of the

1 following:

2 (1) registered guide-outfitter license;

3 (2) class-A assistant guide license;

4 (3) assistant guide license;

5 (4) transporter license;

6 (5) **retired status license;**

7 **(6)** license application fee.

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

9 (11) "any class of guide license" does not include a retired status
10 license issued under AS 08.54.608;

11 (12) "licensee" means a person to whom a license, other than a retired
12 status license, has been issued under this chapter.

13 * **Sec. 9.** Sections 3 - 5 of this Act take effect April 1, 2013.

14 * **Sec. 10.** Except as provided in sec. 9 of this Act, this Act takes effect immediately under
15 AS 01.10.070(c).