

Introduced: 2/4/75  
Referred: Resources and  
Judiciary

1 IN THE HOUSE

BY SPECKING

2 *SES* *CS* HOUSE BILL NO. 118 *am re-engrossed*  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the licensing of transporters."  
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. PURPOSE. It is the purpose of this Act to protect the  
9 safety of the citizens of the state and better manage and protect its  
10 resources by licensing persons who transport hunters for hire so that reason-  
11 able standards and guildelines will be met and activities affecting the  
12 state's game resources will be more accurately monitored and assessed.

13 \* Sec. 2. AS 08.54 is amended by adding new sections to read:

14 Sec. 08.54.142. QUALIFICATION FOR TRANSPORTER LICENSE. No person  
15 may engage in the activity of transporting unless he is licensed as a  
16 transporter under this chapter. A person may be licensed as a trans-  
17 porter if he

- 18 (1) is 19 years of age or more;  
19 (2) is a resident of the state;  
20 (3) is familiar with the terrain and transportation problems  
21 in the district or districts for which the license is requested;  
22 (4) obtains a business license to do business as a trans-  
23 porter under AS 43.70.030;  
24 (5) meets additional qualifications which the board may  
25 require.

26 Sec. 08.54.144. RESTRICTION TO TRANSPORTATION. (a) A licensed  
27 transporter may transport persons whose primary purpose is the taking  
28 of game or the associated removing of game meat or parts of game, with  
29 the intent of receiving monetary or material remuneration for the

1 transportation. However, no person licensed as a transporter may engage  
2 in any manner in guiding, as defined in sec. 240 of this chapter.

3 (b) Air taxi commercial operators who transport persons between  
4 airports, landing strips or other landing areas officially listed in  
5 the United States government Flight Information Publication, Alaska  
6 Supplement, as revised, or the United States government Sectional  
7 Aeronautical Charts, as revised, are exempted from the license require-  
8 ments for transporters under this chapter.

9 Sec. 08.54.146. TRANSPORTER REPORT. A transporter shall maintain  
10 a record of (1) the names and addresses of all persons he transports;  
11 (2) the type of game transported; and (3) an estimate of the quantity  
12 of meat transported. The report shall be submitted to the Department  
13 of Fish and Game annually. After receiving a report required under  
14 this section, the Department of Fish and Game shall send a copy of  
15 it to the Department of Public Safety.

16 \* Sec. 3. AS 08.54.170 is amended by adding a new subsection to read:

17 (c) The license fee for a transporter is \$10.

18 \* Sec. 4. AS 08.54.190(a) is amended to read:

19 (a) A master guide, registered guide, class-A assistant guide,  
20 [OR] assistant guide or transporter license expires on December 31,  
21 following issuance.

22 \* Sec. 5. AS 08.54.200(d) is amended to read:

23 (d) No person who is disciplined under this section may engage  
24 in any guiding or transporting activity during the period of license  
25 revocation or disciplinary action. No person licensed under this  
26 chapter may hire or work for a guide whose license is suspended or  
27 revoked under this section.

28 \* Sec. 6. AS 08.54.210 is amended to read:

29 Sec. 08.54.210. UNLAWFUL ACTS. (a) It is unlawful for

1 (1) a master guide, registered guide, class-A assistant  
2 guide, [OR] assistant guide or transporter to fail to timely report to  
3 the Department of Fish and Game, and in no event later than 30 days,  
4 violations by a client of a state fish, game or guiding statute or  
5 regulation;

6 (2) a master guide, registered guide, class-A assistant  
7 guide, [OR] assistant guide or transporter to aid the commission of a  
8 violation of this chapter or of ch. 5 of this title or a regulation  
9 promulgated under either chapter, or permit the commission of a viola-  
10 tion in his sight without attempting to prevent it, short of using  
11 force, and without reporting it;

12 (3) a person to guide or transport as defined in this chapter  
13 without being licensed under this chapter and without having the  
14 license in his actual possession;

15 (4) a person to advertise as or represent himself to be a  
16 licensed master guide, registered guide, class-A assistant guide,  
17 [OR] assistant guide or transporter without being currently licensed,  
18 or to falsely advertise services;

19 (5) a person to guide as defined in this chapter without  
20 having a current valid hunting and fishing license in his possession.

21 (b) A person who violates this section is guilty of a misdemeanor  
22 and upon conviction is punishable by a fine of not more than \$1,000 or  
23 by imprisonment for not more than one year, or by both, and may have  
24 his license revoked for a period up to five years. However, a person  
25 who engages in [OUTFITTING OR] guiding or transporting activity during  
26 the period his license is suspended or revoked under [OF DISCIPLINARY  
27 ACTION UNDER SEC. 200(e) OF] this chapter is guilty of a felony punish-  
28 able by a fine of not more than \$5,000 and by imprisonment for not less  
29 than one year nor more than three years. In addition to punishment

1 for a felony [UNDER SEC. 200(e) OF THIS CHAPTER], all guns, fishing  
2 tackle, boats, aircraft, automobiles or other vehicles, camping gear  
3 and other equipment and paraphernalia used in or in aid of guiding  
4 or transporting activity engaged in during the period of suspension  
5 or revocation [A VIOLATION OF SEC. 200(e) OF THIS CHAPTER] shall be  
6 confiscated by persons authorized to enforce this chapter.

7 \* Sec. 7. AS 08.54.240 is amended by adding a new paragraph to read:

8 (5) "transporting" or the "activity of transporting" means  
9 conveying a person by any lawful means to an area for remuneration or  
10 material benefit in excess of normal operating costs, when the primary  
11 purpose of the person being conveyed is the taking of game and the  
12 associated removing of game meat or parts of game after game has been  
13 taken.

14 \* Sec. 8. AS 08.54.240(2) is amended to read:

15 (2) "guide", "guides" or "guiding" means [ACCOMPANYING,  
16 GUIDING, OR] assisting another person to take game with the intent of  
17 receiving monetary or material remuneration for the services, by accom-  
18 panying and directing that person personally or through a licensed  
19 assistant guide for the duration of a hunt, and not solely for the  
20 purpose of providing transportation services;