

Original sponsor: Specking

Offered: 5/7/75
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 118

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 re-
10 sources 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 a resident of the state;

19 (2) is familiar with the terrain and transportation problems
20 in the district or districts for which the license is requested;

21 (3) obtains a business license to do business as a trans-
22 porter under AS 43.70.030;

23 (4) meets additional qualifications which the board may
24 require.

25 Sec. 08.54.144. RESTRICTION TO TRANSPORTATION. (a) A licensed
26 transporter may transport persons whose primary purpose is the taking
27 of game or the associated removing of game meat or parts of game, with
28 the intent of receiving monetary or material remuneration for the
29 transportation. However, no person licensed as a transporter may engage

1 in any manner in guiding, as defined in sec. 240 of this chapter.

2 (b) Air taxi commercial operators who transport persons between
3 airports, landing strips or other landing areas officially listed in the
4 United States government Flight Information Publication, Alaska Supple-
5 ment, as revised, or the United States government Sectional Aeronautical
6 Charts, as revised, are exempted from the license requirements for
7 transporters under this chapter but shall comply with the reporting
8 provisions as prescribed in AS 02.05.170(f).

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; (3) an estimate of the quantity of
12 meat transported; (4) the date of transporting; and (5) if known, the
13 locality where the game was taken. The report shall be submitted to the
14 Department of Fish and Game within 30 days after transporting the game.
15 After receiving a report required under this section, the Department of
16 Fish and Game shall send a copy of it to the Department of Public
17 Safety.

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

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

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

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

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

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

1 * Sec. 6. AS 08.54.210 is amended to read:

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

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

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

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

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

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

23 (b) A person who violates this section is guilty of a misdemeanor
24 and upon conviction is punishable by a fine of not more than \$1,000 or
25 by imprisonment for not more than one year, or by both, and may have
26 his license revoked for a period up to five years. However, a person
27 who engages in [OUTFITTING OR] guiding or transporting activity during
28 the period his license is suspended or revoked under [OF DISCIPLINARY
29 ACTION UNDER SEC. 200(e) OF] this chapter is guilty of a felony punish-

1 able by a fine of not more than \$5,000 and by imprisonment for not less
2 than one year nor more than three years. In addition to punishment
3 for a felony [UNDER SEC. 200(e) OF THIS CHAPTER], all guns, fishing
4 tackle, boats, aircraft, automobiles or other vehicles, camping gear
5 and other equipment and paraphernalia used in or in aid of guiding
6 or transporting activity engaged in during the period of suspension
7 or revocation [A VIOLATION OF SEC. 200(e) OF THIS CHAPTER] shall be
8 confiscated by persons authorized to enforce this chapter.

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

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

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

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

23 * Sec. 9. AS 02.05.170 is amended by adding a new subsection to read:

24 (f) The commission shall require air taxi operators who act as
25 transporters under AS 08.54.240 who transport persons between airports,
26 landing strips or other landing areas officially listed in the United
27 States government Flight Information Publication, Alaska Supplement, as
28 revised, or the United States government Sectional Aeronautical Charts,
29 as revised, to comply with the provisions of AS 08.54.146 relating to

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the filing of game transporter reports with the Department of Fish and Game. Air taxi operators maintaining regularly scheduled service between designated points are exempt from the reporting requirement of this subsection when engaged in regularly scheduled service.

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