

Original sponsor: Specking

Offered: 5/7/75  
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 118 am re-engrossed

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND 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 and 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 Public Safety, division of fish and wildlife protection  
6 [FISH AND GAME], and in no event later than 30 days, violations by a  
7 client of a state fish, game or guiding statute or 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 AS 16.05 [CH. 5 OF THIS TITLE] or a  
11 regulation promulgated under either chapter, or permit the commission of  
12 a violation in his sight without attempting to prevent it, short of  
13 using 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 guiding or transporting activity during the period his  
28 license is suspended or revoked under this chapter is guilty of a felony  
29 punishable, upon conviction, by a fine of not more than \$5,000 and by

1 imprisonment for not less than one year nor more than three years. In  
2 addition to punishment for a felony, all guns, fishing tackle, boats,  
3 aircraft, automobiles or other vehicles, camping gear and other equip-  
4 ment and paraphernalia used in, or in aid of, guiding or transporting  
5 activity engaged in during the period of suspension or revocation shall  
6 be 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 and 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;

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

22 (f) The commission shall require air taxi operators who act as  
23 transporters under AS 08.54.240 who transport persons between airports,  
24 landing strips or other landing areas officially listed in the United  
25 States government Flight Information Publication, Alaska Supplement, as  
26 revised, or the United States government Sectional Aeronautical Charts,  
27 as revised, to comply with the provisions of AS 08.54.146 relating to  
28 the filing of game transporter reports with the Department of Fish and  
29 Game. Air taxi operators maintaining regularly scheduled service

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between designated points are exempt from the reporting requirement of this subsection when engaged in regularly scheduled service.