

Introduced: 5/8/80
Referred: Resources

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 HOUSE BILL NO. 1032

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Guide Licensing
7 and Control Board, annulling regulations relating to
8 exclusive guide licensing areas, and amending the law
9 relating to the board's powers and responsibilities;
10 and providing for an effective date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 * Section 1. AS 08.54.010 is amended to read:

13 Sec. 08.54.010. CREATION AND MEMBERSHIP OF BOARD. There is created
14 in the division of fish and wildlife protection, Department of Public
15 Safety, the Guide Licensing and Control Board consisting of five [SEVEN]
16 members. Three [NO MORE THAN THREE] members of the board shall be master
17 guides or registered guides actively involved in guiding [HAVE A GUIDE
18 LICENSE]. The other members shall have a general knowledge of the game
19 resources of the state but may not (1) be engaged in guiding; (2) be
20 associated by legal contract with a guide except as a consumer of the
21 services provided by the guide; or (3) have a direct financial interest
22 in a guide business. A minimum of 10 years residence in the state is
23 required for all members of the board.

24 * Sec. 2. AS 08.540.020 is amended to read:

25 Sec. 08.54.020. APPOINTMENT AND TERM OF OFFICE. The members of
26 the board shall be appointed by the governor and confirmed by the legis-
27 lature for staggered terms of three years or until their successors are
28 appointed. [INITIAL TERMS ARE AS FOLLOWS: THREE MEMBERS FOR ONE YEAR,
29 TWO MEMBERS FOR TWO YEARS, AND TWO MEMBERS FOR THREE YEARS.] A member

1 may be removed at the pleasure of the governor. A person may not be
2 appointed to the board for more than two consecutive terms.

3 * Sec. 3. AS 08.54.030 is amended to read:

4 Sec. 08.54.030. CHAIRMAN OF BOARD. The board shall annually elect
5 one of its members as chairman and one of its members as vice-chairman.
6 A person elected as chairman may not serve for more than two consecutive
7 years.

8 * Sec. 4. AS 08.54.170(a) is amended to read:

9 (a) License fees for engaging in the profession of guiding are:

10 (1) master guide license, biennial [ANNUAL]. . . \$200 [\$75]

11 (2) registered guide license, biennial [ANNUAL]. \$200 [75]

12 (3) class-A assistant guide, biennial [ANNUAL] . \$ 50 [15]

13 (4) assistant guide license, biennial [ANNUAL] . \$ 30 [10]

14 * Sec. 5. AS 08.54 is amended by adding a new section to read:

15 Sec. 08.54.182. EXAMINATION. The qualification examination re-
16 quired to be passed by persons seeking licensure under AS 08.54.100 and
17 08.54.110 shall be administered twice a year in both Juneau and
18 Anchorage.

19 * Sec. 6. AS 08.54.190(a) is amended to read:

20 (a) A master guide, registered guide, class-A assistant guide, or
21 assistant guide [OR TRANSPORTER] license expires on December 31 of the
22 calendar year following the calendar year in which the license was issued
23 [FOLLOWING ISSUANCE].

24 * Sec. 7. AS 08.54.190(b) is amended to read:

25 (b) No license may be issued to a class-A assistant guide or
26 assistant guide who has failed to renew his license for four [TWO]
27 consecutive years unless he again meets the qualifications for initial
28 issuance of the license.

29 * Sec. 8. AS 08.54.200(a) is amended to read:

1 (a) The board shall hold a hearing to determine if disciplinary
2 action is necessary if

3 (1) complaints concerning the licensee have been filed with
4 the board from three or more clients of separate parties within the past
5 five years; or

6 (2) [A LICENSEE HAS BEEN CHARGED WITH A VIOLATION OF FEDERAL
7 OR STATE SPORT FISH, GAME OR GUIDE STATUTES OR REGULATIONS; OR]

8 (3) a licensee has been convicted of a violation of federal
9 or state sport fish, game or guide statute or regulation.

10 * Sec. 9. AS 08.54.200(c) is amended to read:

11 (c) After a hearing, the board shall revoke, suspend, or deny re-
12 newal of a license if the board finds that the licensee

13 (1) does not meet the qualifications specified by statute or
14 regulation for the class of license held;

15 (2) is incompetent as a master guide, registered guide,
16 class-A assistant guide, or assistant guide;

17 (3) has been convicted of two violations of federal or state
18 sport fish, game or guide statutes or regulations within the past five
19 years.

20 * Sec. 10. AS 08.54.210(a)(1) is amended to read:

21 (1) a master guide, registered guide, class-A assistant
22 guide, or assistant guide [OR TRANSPORTER] to fail to timely report to
23 the Department of Public Safety, division of fish and wildlife protec-
24 tion, and in no event later than 30 days, violations by a client of a
25 state fish, game or guiding statute or regulation;

26 * Sec. 11. AS 08.54.210(a)(2) is amended to read:

27 (2) a master guide, registered guide, class A assistant
28 guide, or assistant guide [OR TRANSPORTER] to aid the commission of a
29 violation of this chapter or of AS 16.05 or a regulation adopted [PROMUL-

1 GATED] under either chapter, or permit the commission of a violation in
2 his sight without attempting to prevent it, short of using force, and
3 without reporting it;

4 * Sec. 12. AS 08.54.210(a)(4) is amended to read:

5 (4) a person to advertise as or represent himself to be a
6 licensed master guide, registered guide, class-A assistant guide, or
7 assistant guide [OR TRANSPORTER] without being currently licensed, or to
8 falsely advertise services;

9 * Sec. 13. AS 44.41.020 is amended to read:

10 Sec. 44.41.020. DUTIES OF DEPARTMENT. (a) The Department of
11 Public Safety shall administer functions relative to the protection of
12 life and property.

13 (b) The Department of Public Safety shall administer the Guide
14 Licensing and Control Board established under AS 08.54.010.

15 * Sec. 14. AS 08.03.010(c) is amended by adding a new paragraph to read:

16 (2) Guide Licensing and Control Board (AS 08.54.010) --
17 June 30, 1984.

18 * Sec. 15. The terms of the members of the Guide Licensing and Control
19 Board appointed under AS 08.54.020 terminate on the effective date of this
20 Act. The governor shall appoint members to the board for the following
21 initial terms: one member for one year, two members for two years, and two
22 members for three years.

23 * Sec. 16. 12 AAC 38.051 - 12 AAC 38.058 are annulled.

24 * Sec. 17. AS 08.01.010(20); AS 08.03.010(b)(7); AS 08.54.040(a)(8),
25 08.54.100(5), 08.54.110(12), 08.54.142, 08.54.144, 08.54.146, 08.54.170(c),
26 08.54.240(5); and AS 16.05.340(e) are repealed.

27 * Sec. 18. This Act takes effect immediately in accordance with AS 01.10.-
28 070(c).