

Introduced: 4/22/80
Referred: Commerce

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 SENATE BILL NO. 574

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 and amending the law relating to its
8 powers and responsibilities; and providing for an
9 effective date."

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

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

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

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

23 Sec. 08.54.020. APPOINTMENT AND TERM OF OFFICE. The members of
24 the board shall be appointed by the governor and confirmed by the legis-
25 lature for staggered terms of three years or until their successors are
26 appointed. Initial terms are as follows: three members for one year,
27 two members for two years, and two members for three years. A member
28 may be removed at the pleasure of the governor. Persons may not be
29 appointed to the board for more than two consecutive terms.

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

2 Sec. 08.54.030. CHAIRMAN OF BOARD. The board shall annually elect
3 one of its members as chairman and one of its members as vice-chairman.

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

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

- 6 (1) master guide license, annual \$200 [\$75]
7 (2) registered guide license, annual \$200 [75]
8 (3) class-A assistant guide, annual. \$ 50 [15]
9 (4) assistant guide license, annual. \$ 30 [10]

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

11 Sec. 08.54.182. EXAMINATION. The qualification examination re-
12 quired to be passed by persons seeking licensure under AS 08.54.100 and
13 08.54.110 shall be administered twice a year in both Juneau and
14 Anchorage.

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

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

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

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

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

26 (a) The board shall hold a hearing to determine if disciplinary
27 action is necessary if

- 28 (1) complaints concerning the licensee have been filed with
29 the board from three or more clients of separate parties within the past

1 five years; or

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

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

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

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

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

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

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

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

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

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

23 (2) a master guide, registered guide, class A assistant
24 guide, or assistant guide [OR TRANSPORTER] to aid the commission of a
25 violation of this chapter or of AS 16.05 or a regulation adopted [PROMU-
26 LGATED] under either chapter, or permit the commiss' on of a violation in
27 his sight without attempting to prevent it, short of using force, and
28 without reporting it;

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

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

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

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

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

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

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

14 * Sec. 15. AS 08.01.010(20); AS 08.03.010(b)(7); AS 08.54.100(5), 08.54.-
15 110(12), 08.54.142, 08.54.144, 08.54.146, 08.54.170(c), 08.54.240(5); and
16 AS 16.05.340(e) are repealed.

17 * Sec. 16. This Act takes effect June 30, 1980.

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