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Referred: Resources and
Judiciary

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2

SENATE BILL NO. 139

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act repealing the licensing of big game trans-
7 porters."

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

9 * Section 1. AS 08.54.190(a) is amended to read:

10 (a) A master guide, registered guide, class-A assistant guide,
11 or assistant guide [OR TRANSPORTER] license expires on December 31,
12 following issuance.

13 * Sec. 2. AS 08.54.200(d) is amended to read:

14 (d) No person who is disciplined under this section may engage
15 in any guiding [OR TRANSPORTING] activity during the period of license
16 revocation or disciplinary action. No person licensed under this
17 chapter may hire or work for a guide whose license is suspended or
18 revoked under this section.

19 * Sec. 3. AS 08.54.210 is amended to read:

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

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

1 guide's [OR TRANSPORTER'S] sight without attempting to prevent it,
2 short of using force, and without reporting it;

3 (3) a person to guide [OR TRANSPORT] as defined in this
4 chapter without being licensed under this chapter and without having
5 the license in actual possession; [HOWEVER, FOR PURPOSES OF TRANSPORT-
6 ING BY AIR, IN THE CASE OF A CORPORATION, COMPANY, PARTNERSHIP OR
7 OTHER BUSINESS ENTITY, THE LICENSE MAY REMAIN AT THE PRINCIPAL PLACE
8 OF BUSINESS OF THE BUSINESS ENTITY;]

9 (4) a person to advertise as or represent to be a licensed
10 master guide, registered guide, class-A assistant guide, or assistant
11 guide [OR TRANSPORTER] without being currently licensed, or to falsely
12 advertise services;

13 (5) a person to guide as defined in this chapter without
14 having a current valid hunting and fishing license in the person's
15 possession; [.]

16 (6) a master or registered guide to employ or supervise
17 more than three assistant guides at the same time; [.]

18 (7) a person to guide as defined in this chapter without
19 paying a fee as prescribed in AS 16.05.340(e).

20 (b) A person who violates (a)(1) - (6) of this section is guilty
21 of a misdemeanor and upon conviction is punishable by a fine of not
22 more than \$1,000 or by imprisonment for not more than one year, or by
23 both, and the person's license may be revoked for a period up to five
24 years. However, a person who engages in guiding [OR TRANSPORTING]
25 activity during the period the person's license is suspended or re-
26 voked under this chapter is guilty of a felony punishable, upon con-
27 viction, by a fine of not more than \$5,000 and by imprisonment for not
28 less than one year nor more than three years. In addition to punish-
29 ment for a felony, all guns, fishing tackle, boats, aircraft,

1 automobiles or other vehicles, camping gear and other equipment and
2 paraphernalia used in, or in aid of, guiding [OR TRANSPORTING] activi-
3 ty engaged in during the period of suspension or revocation shall be
4 confiscated by persons authorized to enforce this chapter. A person
5 who violates (a)(7) of this section, upon conviction, is subject to
6 the same license revocation provision as for a violation of (a)(1) -
7 (6) of this section and, in addition, is punishable by a fine of not
8 more than \$5,000, or by imprisonment for not more than one year, or by
9 both.

10 * Sec. 4. AS 08.54.142, 08.54.144, 08.54.146, 08.54.170(c), and 08.54.-
11 240(5) are repealed.