

Original sponsors: Coghill and Faiks

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 CS FOR SENATE BILL NO. 191 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to guide licensing fees; amending
7 the definition of big game guiding; prohibiting
8 compensation of an unlicensed person for guiding; and
9 prohibiting a person not licensed as a guide from
10 advertising as or representing to be an outfitter."
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
12 * Section 1. AS 08.01.065 is amended by adding a new subsection to
13 read:
14 (e) Notwithstanding other provisions of this section, the de-
15 partment shall establish the amount of a fee for a nonresident guide
16 license at three times the amount of the fee for a resident guide
17 license.
18 * Sec. 2. AS 08.54.210 is amended to read:
19 Sec. 08.54.210. UNLAWFUL ACTS. (a) It is unlawful for
20 (1) a master guide, registered guide, special guide,
21 class-A assistant guide, or assistant guide to fail to timely report
22 to the Department of Public Safety, division of fish and wildlife
23 protection, and in no event later than 30 days, a violation of a state
24 fish, game, or guiding statute or regulation that the guide reasonably
25 believes was committed by a client or an employee of the guide;
26 (2) a guide to commit or aid the commission of a violation
27 of this chapter or of a state game or guiding statute or regulation or
28 to permit the commission of a violation that the guide knows or rea-
29 sonably believes is being or will be committed without attempting to

1 prevent it, short of using force, and without reporting it;

2 (3) a person to guide without having a current valid guide
3 license and resident hunting license in actual possession;

4 (4) a person to advertise as or represent to be an out-
5 fitter or a guide without holding a current valid registered or master
6 guide license;

7 (5) a guide to intentionally obstruct or hinder or attempt
8 to obstruct or hinder lawful hunting engaged in by a person who is not
9 a client of the guide;

10 (6) a person to guide without being validly licensed as a
11 guide under this chapter and as a resident hunter under AS 16;

12 (7) an assistant guide to contract to conduct a guided
13 hunt;

14 (8) an assistant guide to be in the field on a guided hunt
15 except while employed and supervised by a registered or master guide;

16 (9) a person to compensate or agree to compensate another
17 person for guiding in violation of (6) of this subsection.

18 (b) A person who violates (a)(1) - (5) or (9) of this section is
19 guilty of a misdemeanor and upon conviction is punishable by a fine of
20 not more than \$2,000 [\$1,000] or by imprisonment for not more than one
21 year, or by both, and the person's license may be revoked for a period
22 up to five years. However, a person who engages in guiding activity
23 during the period for which the person's license is suspended or
24 revoked under this chapter, or who violates (a)(6) - (8) of this
25 section, is guilty of a felony punishable, upon conviction, by a fine
26 of not more than \$5,000 and by imprisonment for not less than one year
27 nor more than three years. In addition to punishment for a felony,
28 all guns, fishing tackle, boats, aircraft, automobiles or other vehi-
29 cles, camping gear and other equipment and paraphernalia used in, or

1 in aid of, guiding activity engaged in during the period of suspension
2 or revocation may be seized by persons authorized to enforce this
3 chapter and may be forfeited to the state as provided under AS 16.05.-
4 195.

5 * Sec. 3. AS 08.54.240(3) is repealed and reenacted to read:

6 (3) "guide" or "guiding" means accompanying or being pre-
7 sent with, or providing an established camp for, a hunter in the
8 field, personally or through an assistant, for compensation or with
9 the intent or an agreement to receive compensation and for the purpose
10 of directing the hunter to spot, stalk, pursue, track, kill, or
11 attempt to kill big game; "guide" or "guiding" does not include accom-
12 panying or being present with a hunter

13 (A) in a boat with living quarters;

14 (B) at a permanent lodge or a lawfully established
15 cabin; or

16 (C) while providing transportation to or from the
17 field, if the persons providing transportation and the persons
18 being transported do not stalk, pursue, track, kill, or attempt
19 to kill big game, or spot with the intent to stalk, pursue,
20 track, or kill big game, on the way to or from the field;

21 * Sec. 4. AS 08.54.240 is amended by adding a new paragraph to read:

22 (7) "compensation" means any money, thing of value, or
23 economic benefit conferred on or received by a person in return for
24 services rendered or to be rendered by the person for another.