

Original sponsors: Coghill and Faiks

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 CS FOR SENATE BILL NO. 191 (2d 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; deleting  
7 the requirement that a guide hold and carry a resi-  
8 dent hunting license; amending the definition of big  
9 game guiding; and prohibiting compensation of an  
10 unlicensed person for guiding; and providing for an  
11 effective date."

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

13 \* Section 1. AS 08.01.065 is amended by adding a new subsection to  
14 read:

15 (e) Notwithstanding other provisions of this section, the de-  
16 partment shall establish the amount of a fee for a nonresident guide  
17 license at three times the amount of the fee for a resident guide  
18 license.

19 \* Sec. 2. 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, special guide,  
22 class-A assistant guide, or assistant guide to fail to timely report  
23 to the Department of Public Safety, division of fish and wildlife  
24 protection, and in no event later than 30 days, a violation of a state  
25 fish, game, or guiding statute or regulation that the guide reasonably  
26 believes was committed by a client or an employee of the guide;

27 (2) a guide to commit or aid the commission of a violation  
28 of this chapter or of a state game or guiding statute or regulation or  
29 to permit the commission of a violation that the guide knows or

1 reasonably believes is being or will be committed without attempting  
2 to prevent it, short of using force, and without reporting it;

3 (3) a person to guide without having a current valid guide  
4 license and [RESIDENT] hunting license in actual possession;

5 (4) a person to advertise as or represent to be a guide  
6 without holding a current valid registered or master 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 big game hunter in  
8 the field, personally or through an assistant, for compensation or  
9 with the intent or an agreement to receive compensation; "guide" or  
10 "guiding" does not include accompanying or being present with a hunter

11 (A) in a boat with living quarters;

12 (B) at a permanent lodge or structure; or

13 (C) while providing transportation to or from the  
14 field, if the persons providing transportation and the persons  
15 being transported do not stalk, pursue, track, kill, or attempt  
16 to kill big game;

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

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

21 \* Sec. 5. This Act takes effect January 1, 1988.