Amended: 4/26/89
Offered: 4/25/89

6-0401G

Original sponsor: Resources Committee

1 IN THE HOUSE BY THE RULES COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 112 (Rules) am S
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to big game hunting and to the
7 regulation of big game and marine mammal guide-out-
8 fitting, transportation, and other commercial ser-
9 vices for big game hunters; creating the Big Game
10 Commercial Services Board; relating to presumptive
11 sentences for violation of certain big game commer-
12 cial services statutes; and providing for an effec-
13 tive date."
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
15 * Section 1. AS 08.01.010(10) is repealed and reenacted to read:
16 (10) Big Game Commercial Services Board (AS 08.54.300);
17 * Sec. 2. AS 08.03.010(c)(20) is repealed and reenacted to read:
18 (20) Big Game Commercial Services Board (AS 08.54.300) --
19 June 30, 1993.
20 * Sec. 3. AS 08.54 is amended by adding new sections to read:
21 ARTICLE 4. BIG GAME COMMERCIAL SERVICES BOARD.
22 Sec. 08.54.300. CREATION AND MEMBERSHIP OF BOARD. (a) For the
23 purposes of licensing and regulating the activities of providers of
24 commercial services to big game hunters in the interest of the state's
25 wildlife resources there is created the Big Game Commercial Services
26 Board. For administrative purposes, the board is in the Department of
27 Commerce and Economic Development.
28 (b) The board consists of nine members:
29 (1) two members who are licensed guide-outfitters;

(2) two members who are licensed transporters, one of whom must be engaged in the business of providing air transportation services;

(3) one member who holds a commercial use permit, but does not hold any class of guide-outfitter license or a transporter license;

(4) one member of the Board of Game who is chosen by the Board of Game and who does not hold a commercial use permit;

(5) one member who represents Native landholders; and

(6) two public members.

Sec. 08.54.310. DUTIES AND POWERS. (a) The board shall

(1) prepare, grade, and administer

(A) a written and oral examination of an applicant for a guide-outfitter license that requires demonstration that the applicant is qualified generally to provide guide-outfitted hunts and, in particular, to guide-outfit in each game management unit the applicant has selected; if an applicant demonstrates limited ability to read or write the English language, the entire examination shall be administered orally; and

(B) an oral examination of a guide-outfitter who seeks an amendment of a game management unit certification; the examination must require demonstration that the guide-outfitter is qualified to provide guide-outfitted hunts in each new game management unit for which the guide-outfitter seeks to be certified;

(2) determine qualifications of applicants for class-A assistant guide-outfitter, marine mammal guide-outfitter, and assistant guide-outfitter licenses and authorize the issuance of licenses to those who qualify;

(3) establish performance standards for providers of big game commercial services and regulate the activities of these providers;

(4) compile, maintain, and publish an annual register of big game commercial service providers subject to this chapter who have not been convicted of a violation of a state or federal statute or regulation relating to the provision of big game commercial services; a big game commercial services provider listed in the register whose license or permit is revoked or suspended shall be removed from the register while the provider's license or permit is revoked or suspended;

(5) prohibit guide-outfitting, transporting, and other big game commercial services activities that are unsportsmanlike, unethical, unsafe, against principles of game conservation, degrading to a profession subject to this chapter, or that adversely affect natural resources;

(6) after a hearing, revoke, suspend, or deny renewal of a license or permit under AS 08.54.500 - 08.54.510;

(7) authorize issuance of transporter licenses;

(8) authorize issuance of commercial use permits;

(9) meet at least twice annually, once in Anchorage and once in another municipality;

(10) provide for registration of base camps and facilities used by persons who are licensed or who hold a permit under this chapter.

(b) The board may

(1) establish, subject to the prior approval of the commissioner of fish and game, a resource-based management system for allocating access to big game hunting opportunities among guide-outfitters

1 licensed under this chapter;

2 (2) establish the level of supervision that a guide-out-
3 fitter shall provide for class-A assistant guide-outfitters and assis-
4 tant guide-outfitters who are employed by the guide-outfitter.

5 Sec. 08.54.320. BOARD REGULATIONS. The board shall adopt proce-
6 dural and substantive regulations required by this chapter or reason-
7 ably necessary for its administration.

8 Sec. 08.54.330. BOARD ASSISTANCE. The Department of Fish and
9 Game, Department of Natural Resources, and Department of Public Safety
10 shall provide the board with information, data, or technical assis-
11 tance requested by the board for the purposes of licensing and reg-
12 ulating the activities of providers of commercial services to big game
13 hunters.

14 ARTICLE 5. LICENSING.

15 Sec. 08.54.350. GUIDE-OUTFITTER LICENSE. (a) A natural person
16 is entitled to a guide-outfitter license if the person

17 (1) is 21 years of age or older;

18 (2) has practical field experience in the handling of
19 firearms, hunting, judging trophies, field preparation of meat and
20 trophies, first aid, photography, and related guide-outfitting activi-
21 ties;

22 (3) is familiar with the terrain and transportation prob-
23 lems in the game management unit for which the license is requested;

24 (4) has passed the qualification examinations prepared and
25 administered by the board;

26 (5) has demonstrated to the board sufficient standards of
27 competence and ethical conduct and has not been convicted of a state
28 or federal hunting or guide-outfitting statute or regulation within
29 the last five years for which the person was fined more than $500 or

1 imprisoned for more than five days;

2 (6) has legally hunted in the state for part of each of any
3 five years in a manner directly contributing to the person's experi-
4 ence and competency as a guide-outfitter;

5 (7) has been licensed as and performed the services of a
6 class-A assistant guide-outfitter or assistant guide-outfitter in the
7 state for a part of each of three years, or has guide-outfitted in the
8 state for a part of each of three years under a marine mammal guide-
9 outfitter license issued under AS 08.54.360;

10 (8) has demonstrated a current knowledge of fishing, hunt-
11 ing, and guide-outfitting regulations;

12 (9) is capable of performing the essential duties associ-
13 ated with guide-outfitting;

14 (10) has been favorably recommended in writing by six big
15 game hunters, two for each year of the person's most recent three
16 years as a class-A assistant guide-outfitter or assistant guide-out-
17 fitter, when the person has guide-outfitted or assisted in guide-out-
18 fitting as a class-A assistant guide-outfitter or assistant guide-out-
19 fitter, whose recommendations have been solicited by the board from a
20 list provided by the applicant;

21 (11) possesses a business license to provide guide-out-
22 fitting services; and

23 (12) has paid the license fee and commercial use permit
24 fee.

25 (b) A person who receives a master guide-outfitter license under
26 sec. 12 of this Act may use the title master guide-outfitter and may
27 annually renew the license unless the license has been revoked or
28 suspended or has lapsed under AS 08.54.440. A master guide-outfitter
29 license is for all purposes under this chapter a guide-outfitter

1 license.

2 (c) A guide-outfitter may contract to guide-outfit hunts for big
3 game and may provide transportation to, from, or in the field that is
4 incidental to a guide-outfitted hunt.

5 Sec. 08.54.360. MARINE MAMMAL GUIDE-OUTFITTER LICENSE. (a) The
6 board may issue a marine mammal guide-outfitter license to a natural
7 person who applies to guide-outfit a hunt for a specific species of
8 marine mammal in a specifically designated area if the person

9 (1) is 21 years of age or older;

10 (2) has, for at least 10 years, resided and hunted in the
11 area of the state in which the applicant is to guide-outfit;

12 (3) is able to perform the duties of a marine mammal guide-
13 outfitter;

14 (4) has demonstrated knowledge of the following areas to an
15 extent and degree satisfactory to the board:

16 (A) current fish and game laws and regulations;

17 (B) relevant characteristics of the specific species
18 to be hunted;

19 (C) field preparation of trophies;

20 (D) care of game meat;

21 (E) use of guide-outfitting gear;

22 (F) firearm safety;

23 (G) practical first aid; and

24 (H) booking and contracting hunts;

25 (5) has not been convicted of violating a state or federal
26 game or guide-outfitting statute or regulation during the previous
27 five years for which the person was fined more than $500 or imprisoned
28 for more than five days;

29 (6) possesses a business license to provide guide-

1 outfitting services; and

2 (7) has paid the license fee and commercial use permit fee.

3 (b) A marine mammal guide-outfitter may contract to guide-outfit

4 hunts for species of marine mammals for which the marine mammal guide-

5 outfitter license is issued.

6 Sec. 08.54.370. RENEWAL OF GUIDE-OUTFITTER LICENSE AND MARINE

7 MAMMAL GUIDE-OUTFITTER LICENSE. (a) An applicant for renewal of a

8 guide-outfitter license or a marine mammal guide-outfitter license

9 shall submit with the application for renewal

10 (1) the hunt record required under AS 08.54.550 for the

11 period covered by the current license;

12 (2) the license fee for the next licensing period; and

13 (3) the commercial use permit fee for the next licensing

14 period.

15 (b) The department may not renew a license under this section

16 unless all fees have been paid in full and the hunt record has been

17 filed.

18 Sec. 08.54.380. CLASS-A ASSISTANT GUIDE-OUTFITTER LICENSE. (a)

19 A natural person is entitled to a class-A assistant guide-outfitter

20 license if

21 (1) the person

22 (A) has been employed for at least one season as a

23 licensed assistant guide-outfitter; and

24 (B) has had at least 10 years hunting experience in

25 the game management units in which the person is to be employed;

26 military service outside the state for not more than three years

27 shall be accepted as part of the required 10 years hunting ex-

28 perience; or

29 (2) the person

1 (A) physically resides in the game management unit in
2 which the person is to be employed;
3 (B) has had at least 15 years hunting experience in
4 the game management unit in which the person is to be employed;
5 military service outside of the state for not more than three
6 years shall be accepted as part of the required 15 years hunting
7 experience; and
8 (C) has passed qualification examinations prepared and
9 administered by the board.
10 (b) A class-A assistant guide-outfitter
11 (1) may not contract to guide-outfit hunts;
12 (2) shall be under the supervision of a guide-outfitter who
13 has contracted with the client for whom the class-A assistant guide-
14 outfitter is conducting the hunt; and
15 (3) may take charge of a camp and conduct guide-outfitter
16 activities from it without the guide-outfitter being present in the
17 area if the guide-outfitter is supervising the guide-outfitting activ-
18 ities.
19 Sec. 08.54.390. ASSISTANT GUIDE-OUTFITTER LICENSE. (a) A
20 natural person is entitled to an assistant guide-outfitter license if
21 the person
22 (1) is 18 years of age or older;
23 (2) passes an examination administered by the board;
24 (3) has hunted in the state in two of the last five years;
25 (4) has demonstrated practical knowledge of first aid and
26 cardiopulmonary resuscitation;
27 (5) is in sound physical condition; and
28 (6) meets additional qualifications that the board may
29 establish.

1 (A) physically resides in the game management unit in
2 which the person is to be employed;
3 (B) has had at least 15 years hunting experience in
4 the game management unit in which the person is to be employed;
5 military service outside of the state for not more than three
6 years shall be accepted as part of the required 15 years hunting
7 experience; and
8 (C) has passed qualification examinations prepared and
9 administered by the board.
10 (b) A class-A assistant guide-outfitter
11 (1) may not contract to guide-outfit hunts;
12 (2) shall be under the supervision of a guide-outfitter who
13 has contracted with the client for whom the class-A assistant guide-
14 outfitter is conducting the hunt; and
15 (3) may take charge of a camp and conduct guide-outfitter
16 activities from it without the guide-outfitter being present in the
17 area if the guide-outfitter is supervising the guide-outfitting activ-
18 ities.
19 Sec. 08.54.390. ASSISTANT GUIDE-OUTFITTER LICENSE. (a) A
20 natural person is entitled to an assistant guide-outfitter license if
21 the person
22 (1) is 18 years of age or older;
23 (2) passes an examination administered by the board;
24 (3) has hunted in the state in two of the last five years;
25 (4) has demonstrated practical knowledge of first aid and
26 cardiopulmonary resuscitation;
27 (5) is in sound physical condition; and
28 (6) meets additional qualifications that the board may
29 establish.

1 (b) An assistant guide-outfitter

2 (1) may not contract to guide-outfit hunts; and

3 (2) shall be employed by a guide-outfitter and under the

4 supervision of a guide-outfitter or class-A assistant guide-outfitter

5 at all times while the assistant guide-outfitter is in the field on

6 guide-outfitted hunts.

7 Sec. 08.54.395. INSURANCE AND OTHER REQUIREMENTS FOR GUIDE-

8 OUTFITTERS. (a) A guide-outfitter or marine mammal guide-outfitter,

9 while engaged in providing big game commercial hunting services shall

10 carry, as a minimum, comprehensive general liability insurance of

11 $300,000 per occurrence or $500,000 per annual aggregate or post a

12 financial bond in those amounts.

13 (b) If a guide-outfitter, marine mammal guide-outfitter, class-A

14 assistant guide-outfitter, or an assistant guide-outfitter personally

15 pilots an aircraft to transport clients during the provision of big

16 game commercial hunting services, the guide-outfitter, marine mammal

17 guide-outfitter, class-A assistant guide-outfitter, or assistant

18 guide-outfitter shall have a commercial pilot's rating or a minimum of

19 250 hours of flying time in the state.

20 (c) During the provision of big game commercial hunting ser-

21 vices, an aircraft used by a guide-outfitter, marine mammal guide-

22 outfitter, class-A assistant guide-outfitter, or assistant guide-

23 outfitter to transport clients must carry aviation passenger liability

24 insurance of at least $100,000 per seat or must be subject to a finan-

25 cial bond in that amount.

26 Sec. 08.54.400. TRANSPORTER LICENSE. (a) A person is entitled

27 to a transporter license if the person

28 (1) applies on a form provided by the department;

29 (2) pays the license fee;

1 (3) pays the commercial use permit fee;
2 (4) provides proof of
3 (A) an air taxi/commercial operator certificate issued
4 by the Federal Aviation Administration under 14 C.F.R. Part 135,
5 if the person provides air transportation services to big game
6 hunters;
7 (B) licensure by the Coast Guard to carry passengers
8 for hire, if the person provides water transportation services to
9 big game hunters and if licensure is required by the Coast Guard;
10 and
11 (5) has a business license to transport big game hunters.
12 (b) A transporter may provide transportation services for com-
13 pensation to big game hunters and accommodations in the field at a
14 permanent lodge, house, or cabin owned by the transporter or on a boat
15 with permanent living quarters located on salt water. A transporter
16 may also provide, under authority of a commercial use permit, other
17 big game commercial services as defined under AS 08.54.460. A trans-
18 porter may not provide big game commercial hunting services without
19 holding the appropriate license.
20 (c) An applicant for renewal of a transporter license shall
21 submit with the application for renewal
22 (1) an activity report on a form provided by the department
23 for the period covered by the current license; an activity report
24 shall contain information required by the board by regulation;
25 (2) the license fee for the next licensing period;
26 (3) the commercial use permit fee for the next licensing
27 period; and
28 (4) proof of
29 (A) an air taxi/commercial operator certificate issued

1 by the Federal Aviation Administration under 14 C.F.R. Part 135,
2 if the applicant provides air transportation services to big game
3 hunters;
4 (B) licensure by the Coast Guard to carry passengers
5 for hire, if the applicant provides water transportation services
6 to big game hunters and if licensure is required by the Coast
7 Guard.
8 (d) The department may not renew a transporter license unless
9 all fees have been paid in full and the activity report required under
10 (c)(1) of this section and the proof required under (c)(4) of this
11 section have been filed.
12 (e) A transporter shall place a decal provided by the department
13 on each plane, boat, vehicle, or other equipment used by the trans-
14 porter to provide transportation services to big game hunters. The
15 decal must bear the transporter's license number. The decal is valid
16 only for the plane, boat, vehicle, or other equipment for which the
17 decal is issued.
18 Sec. 08.54.410. APPEAL TO COMMISSIONER FROM BOARD ON DENIAL OF
19 LICENSE. The commissioner of commerce and economic development may
20 order that an applicant for an initial license under AS 08.54.350 -
21 08.54.400 be allowed to take the license examination or be issued the
22 license if, after reviewing a petition filed by the applicant, the
23 commissioner finds that
24 (1) the board denied the applicant an opportunity to take
25 the license examination or refused to approve issuance of the license;
26 (2) the board's denial or refusal has been upheld by a
27 final administrative order and the order has not been appealed to the
28 superior court under AS 44.62.560;
29 (3) the board's denial or refusal was based on

1 (A) an error of fact by the board; or
2 (B) the applicant's failure of the license examination
3 due to faulty or unfair examination questions or procedures;
4 (4) the applicant is otherwise qualified to take the exam-
5 ination or to be issued the license; and
6 (5) sustaining the board's denial or refusal would work a
7 substantial injustice on the applicant.
8 Sec. 08.54.420. RENEWAL OF LICENSES. Notwithstanding AS 08.01.-
9 100(a), guide-outfitter, marine mammal guide-outfitter, and transport-
10 er licenses shall be renewed annually on dates set by the department
11 with the approval of the board.
12 Sec. 08.54.430. EXAMINATIONS FOR GUIDE-OUTFITTER LICENSES. (a)
13 The board shall administer the qualification examinations required
14 under this chapter at least twice a year. An examination may not be
15 given within 90 days after the previous examination. At least once
16 every other year the board shall give the examination at a location
17 other than Anchorage.
18 (b) The board shall regularly disseminate information regarding
19 examinations and other qualifications for all classes of guide-out-
20 fitter licenses to residents of the rural areas of the state.
21 Sec. 08.54.440. FAILURE TO RENEW. (a) A license may not be
22 issued to a guide-outfitter, marine mammal guide-outfitter, class-A
23 assistant guide-outfitter, or assistant guide-outfitter who has failed
24 to renew a license issued under this chapter for two consecutive years
25 unless the guide-outfitter, marine mammal guide-outfitter, class-A
26 assistant guide-outfitter, or assistant guide-outfitter again meets
27 the qualifications for initial issuance of the license.
28 (b) Notwithstanding (a) of this section, a guide-outfitter who
29 fails to renew a license is not required to requalify under

1 AS 08.54.350(a)(7), unless the license has been lapsed for three or
2 more years.
3 Sec. 08.54.450. LICENSE AND EXAMINATION FEES. (a) The depart-
4 ment shall set license fees under AS 08.01.065 for each of the follow-
5 ing:
6 (1) guide-outfitter
7 (2) class-A assistant guide-outfitter;
8 (3) assistant guide-outfitter;
9 (4) marine mammal guide-outfitter;
10 (5) transporter.
11 (b) The license fee for the guide-outfitter, marine mammal
12 guide-outfitter, class-A assistant guide-outfitter, or assistant
13 guide-outfitter license is in addition to the fee required for a
14 hunting license.
15 (c) An applicant for a qualifying examination for any class of
16 guide-outfitter license shall pay a fee established by regulations
17 adopted under AS 08.01.065.
18 Sec. 08.54.460. COMMERCIAL USE PERMIT HOLDER. (a) A person,
19 other than a guide-outfitter, marine mammal guide-outfitter, or a
20 transporter, who provides other big game commercial services for
21 compensation shall register with the board on a form provided by the
22 board and shall obtain a commercial use permit and pay the annual
23 commercial use permit fee set under AS 08.54.470. In this section
24 "other big game commercial services" includes provision of accommoda-
25 tions in the field at a permanent lodge, house, or cabin owned by the
26 commercial use permit holder, hunt broker services, gear rental ser-
27 vices, photographic or videographic services, and services as defined
28 by the board by regulation.
29 (b) A commercial use permit may not be issued to a hunting club.

1 A hunting club may not provide other big game commercial services for
2 compensation.
3 Sec. 08.54.470. COMMERCIAL USE PERMIT AND FEE. (a) A person
4 who is licensed under this chapter as a guide-outfitter, marine mammal
5 guide-outfitter, or transporter shall obtain an annual commercial use
6 permit and pay an annual commercial use permit fee.
7 (b) The department, in consultation with the board, shall set
8 the amount of the commercial use permit fee.
9 (c) A guide-outfitter, marine mammal guide-outfitter, and trans-
10 porter shall pay the commercial use permit fee at the time of applica-
11 tion for issuance or renewal of a guide-outfitter license, marine
12 mammal guide-outfitter license, or transporter license.
13 (d) The commissioner of administration shall separately account
14 for commercial use permit fees deposited in the general fund by the
15 department. The annual estimated balance in the account may be used
16 by the legislature to make appropriations to the Department of Fish
17 and Game and the Department of Public Safety to carry out their re-
18 spective responsibilities for management of game resources and en-
19 forcement of game laws.
20 ARTICLE 6. PENALTIES.
21 Sec. 08.54.500. DISCIPLINE OF GUIDE-OUTFITTERS. (a) The board
22 may hold a hearing to determine whether disciplinary action is neces-
23 sary if a written complaint concerning the guide-outfitting activities
24 of a licensee who holds any class of guide-outfitter license is filed
25 with the board. The board shall hold a hearing to determine whether a
26 licensee should be disciplined within a reasonable time after
27 (1) written complaints concerning a licensee's guide-out-
28 fitting activities are filed with the board within a two-year period
29 by three or more of the licensee's clients from separate hunting

1 parties;

2 (2) a written complaint concerning a licensee's conduct

3 during a life-threatening situation is filed with the board; or

4 (3) a licensee has been convicted of a violation of a

5 federal or state statute or regulation relating to hunting or pro-

6 vision of big game commercial services.

7 (b) After a hearing, the board may revoke, suspend, or deny

8 renewal of any class of guide-outfitter license, if the board finds

9 that the licensee

10 (1) engaged in unethical activity, unsafe activity, or

11 activity that adversely affects the natural resources of the state

12 when the activity is related to the purposes of providing guide-out-

13 fitting services, however the board may not discipline a licensee

14 under this paragraph for unsafe operation of an aircraft; or

15 (2) violated a provision of a federal or state statute or

16 regulation relating to hunting or provision of big game commercial

17 services.

18 (c) After a hearing, the board shall revoke any class of guide-

19 outfitter license if the board finds that the licensee

20 (1) does not meet the qualifications specified by statute

21 or regulation for the license held;

22 (2) is incompetent as a guide-outfitter, marine mammal

23 guide-outfitter, class-A assistant guide-outfitter, or assistant

24 guide-outfitter; or

25 (3) during the five years immediately preceding the hearing

26 has been convicted of a violation of a federal or state statute or

27 regulation prohibiting

28 (A) waste of a wild food animal;

29 (B) hunting on the same day airborne;

1 (C) hunting during a closed hunting season; or
2 (D) hunting in an area closed by state or federal
3 regulation.
4 (d) If a certified copy of a judgment of conviction of a licens-
5 ee who holds any class of guide-outfitter license for an offense
6 described under (c)(3) of this section is filed with the board, the
7 board shall immediately suspend the licensee's license. The suspen-
8 sion may be ordered even if the conviction resulted from a plea of
9 nolo contendere or if the conviction is under appeal. The suspension
10 remains in effect until after the final disposition of the disciplin-
11 ary proceeding under this section.
12 Sec. 08.54.505. DISCIPLINE OF TRANSPORTERS AND COMMERCIAL USE
13 PERMITTEES. (a) The board may hold a hearing to determine whether
14 disciplinary action is necessary if a written complaint concerning the
15 big game commercial service activities of a transporter who is li-
16 censed under AS 08.54.400 or a commercial use permittee who holds a
17 permit issued under AS 08.54.460 is filed with the board. The board
18 shall hold a hearing to determine whether a licensee or permittee
19 should be disciplined within a reasonable time after
20 (1) written complaints concerning a licensee's or permit-
21 tee's activities are filed with the board within a two-year period by
22 three or more of the licensee's or permittee's clients from separate
23 hunting parties; or
24 (2) a licensee or permittee has been convicted of a viola-
25 tion of a federal or state statute or regulation relating to hunting
26 or provision of big game commercial services.
27 (b) After a hearing, the board may revoke, suspend, or deny
28 renewal of a transporter license or commercial use permit issued under
29 this chapter, if the board finds that the licensee or permittee

1 (1) engaged in unethical activity, unsafe activity, or
2 activity that adversely affects the natural resources of the state
3 when the activity is related to the purposes of providing big game
4 commercial services, however the board may not discipline a licensee
5 or permittee under this paragraph for unsafe operation of an aircraft;
6 or
7 (2) violated a provision of a federal or state statute or
8 regulation relating to hunting or provision of big game commercial
9 services.
10 (c) The board may not revoke, suspend, or deny renewal of a
11 transporter license or commercial use permit for a violation of a
12 federal or state statute or regulation relating to game or provision
13 of big game commercial services committed by an employee of the li-
14 censee or permittee unless the licensee or permittee participated or
15 aided in the violation.
16 (d) After a hearing, the board shall revoke a license or permit
17 if the board finds that the licensee or permittee
18 (1) does not meet the qualifications specified by statute
19 or regulation for the license held; or
20 (2) during the five years immediately preceding the hearing
21 has been convicted of a violation of a federal or state statute or
22 regulation prohibiting
23 (A) waste of a wild food animal;
24 (B) hunting on the same day airborne;
25 (C) hunting during a closed hunting season; or
26 (D) hunting in an area closed by state or federal
27 regulation.
28 (e) If a certified copy of a judgment of conviction of a licens-
29 ee or permittee for an offense described under (d)(2) of this section

1 is filed with the board, the board shall immediately suspend the
2 licensee's or permittee's license or permit. The suspension may be
3 ordered even if the conviction resulted from a pleas of nolo con-
4 tendere or if the conviction is under appeal. The suspension remains
5 in effect until after the final disposition of the disciplinary pro-
6 ceeding under this section.
7 Sec. 08.54.510. DISCIPLINE; GENERAL PROVISIONS. (a) A person
8 who is disciplined under AS 08.54.500 or 08.54.505 may not engage in
9 the provision of big game commercial services during the period of
10 license or permit revocation or other disciplinary action. A person
11 who is licensed under this chapter, or who holds a permit issued under
12 this chapter, may not hire a person whose license or permit to provide
13 big game commercial services is suspended or revoked under AS 08.54.-
14 500 or 08.54.505. A person whose license or permit is suspended or
15 revoked may not be employed by a person who is licensed or who holds a
16 permit under this chapter.
17 (b) If the board revokes a license or permit under AS 08.54.500
18 or 08.54.505, the person whose license or permit has been revoked
19 shall surrender immediately the license or permit to the department.
20 (c) A certified copy of a judgment of conviction of a licensee
21 or permittee for an offense is conclusive evidence of the commission
22 of that offense in a disciplinary proceeding instituted against the
23 licensee or permittee under AS 08.54.500 or 08.54.505 based on that
24 conviction, regardless of whether the conviction resulted from a plea
25 of nolo contendere or the conviction is under appeal, unless the
26 conviction is overturned on appeal.
27 (d) Within 30 days after conclusion of a hearing under AS 08.-
28 54.500 or 08.54.505, the board shall notify the complainant of the
29 results of the hearing, including written reasons justifying a

1 decision not to take disciplinary action.

2 Sec. 08.54.520. UNLAWFUL ACTS. (a) It is unlawful for a

3 (1) person who is licensed or who holds a commercial use

4 permit under this chapter to knowingly fail to timely report to the

5 Department of Public Safety, division of fish and wildlife protection,

6 and in no event later than 30 days, a violation of a state fish, game,

7 or big game commercial services statute or regulation that the person

8 reasonably believes was committed by a client or an employee of the

9 person;

10 (2) person who is licensed or who holds a commercial use

11 permit under this chapter to knowingly

12 (A) commit or aid the commission of a violation of

13 this chapter, a regulation adopted under this chapter, or a state

14 fish or game statute or regulation; or

15 (B) permit the commission of a violation of this

16 chapter, a regulation adopted under this chapter, or a state fish

17 or game statute or regulation that the person knows or reasonably

18 believes is being or will be committed without

19 (i) attempting to prevent it, short of using

20 force; and

21 (ii) reporting it;

22 (3) person without a current commercial use permit issued

23 under this chapter to knowingly provide big game commercial services;

24 (4) person who is licensed or who holds a commercial use

25 permit issued under this chapter to intentionally obstruct or hinder

26 or attempt to obstruct or hinder lawful hunting engaged in by a person

27 who is not a client of the person;

28 (5) class-A assistant guide-outfitter or an assistant

29 guide-outfitter to knowingly guide-outfit a hunt except while employed

1 and supervised by a guide-outfitter;

2 (6) person who holds any class of guide-outfitter license

3 to knowingly enter or remain on state, federal, or private land with-

4 out prior authorization during the course of providing guide-outfit-

5 ting services;

6 (7) person to knowingly guide-outfit without having a

7 current guide-outfitter, marine mammal guide-outfitter, class-A assis-

8 tant guide-outfitter, or assistant guide-outfitter license and hunting

9 license in actual possession;

10 (8) person without a current guide-outfitter or marine

11 mammal guide-outfitter license to knowingly advertise as or represent

12 to be a guide-outfitter;

13 (9) person to knowingly provide transportation services to

14 big game hunters without holding a transporter license;

15 (10) class-A assistant guide-outfitter or an assistant

16 guide-outfitter to knowingly contract for a hunt; or

17 (11) person to knowingly engage in a big game commercial

18 services activity during the period for which the person's license to

19 conduct that activity is suspended or revoked.

20 (b) A person who commits an offense set out in (a)(1) - (6) of

21 this section is guilty of a misdemeanor and is punishable by a fine of

22 not more than $30,000 or by imprisonment up to one year, or both.

23 (c) A person who commits an offense set out in (a)(7) - (10) of

24 this section is guilty,

25 (1) for a first offense, of a misdemeanor and is punishable

26 by a fine of not more than $30,000 or by imprisonment up to one year,

27 or both;

28 (2) for a second or subsequent offense, of a class C fel-

29 ony.

1 (d) A person who violates (a)(11) of this section, is guilty of
2 a class C felony.
3 (e) In addition to the penalties set out in (b), (c) and (d) of
4 this section,
5 (1) the court may revoke the person's license to provide
6 guide-outfitting or transportation services for not more than five
7 years; and
8 (2) all guns, fishing tackle, boats, aircraft, automobiles
9 or other vehicles, camping gear, and other equipment and paraphernalia
10 used in, or in aid of, a violation of (a) of this section may be
11 seized by persons authorized to enforce this chapter and may be for-
12 feited to the state as provided under AS 16.05.195.
13 (f) Upon conviction of a person for committing an offense set
14 out in (a) of this section, the execution of sentence may not be
15 suspended and probation may not be granted except on the condition
16 that the minimum term of imprisonment is served. Imposition of sen-
17 tence may not be suspended.
18 Sec. 08.54.530. INJUNCTION AGAINST UNLAWFUL ACTION. When in the
19 judgment of the board a person has engaged in an act in violation of
20 AS 08.54.380(b), 08.54.390(b), 08.54.400(b), 08.54.510(a), and 08.54.-
21 520 or the regulations adopted under them, the board may apply to the
22 appropriate court for an order enjoining the action. Upon a showing
23 by the board that the person is engaging in the act, the court shall
24 grant injunctive relief or other appropriate order without bond.
25 Sec. 08.54.540. RESPONSIBILITY OF GUIDE-OUTFITTER FOR VIOLA-
26 TIONS. A guide-outfitter who contracts to guide-outfit a hunt is
27 equally responsible under AS 08.54.500 for a violation of a federal or
28 state game or guide-outfitting statute or regulation committed by a
29 class-A assistant guide-outfitter or an assistant guide-outfitter

1 while in the course of the class-A assistant guide-outfitter's or
2 assistant guide-outfitter's employment for the guide-outfitter.
3 ARTICLE 7. GENERAL PROVISIONS.
4 Sec. 08.54.550. HUNT RECORDS; CONFIDENTIALITY OF HUNT RECORDS
5 AND ACTIVITY REPORTS. (a) The department shall collect and maintain
6 hunt records provided by guide-outfitters and marine mammal guide-out-
7 fitters. A hunt record must include a list of all big game hunters
8 who used the services of the guide-outfitter or marine mammal guide-
9 outfitter, the number of each big game species taken, and other infor-
10 mation required by the board. The department shall provide forms for
11 reporting hunt records.
12 (b) The department shall make hunt records, and activity reports
13 received under AS 08.54.400, available to state and federal agencies
14 charged with the enforcement of statutes and regulations relating to
15 guide-outfitting or game or with management of game if requested for
16 game management or law enforcement purposes. Aggregated data compiled
17 from hunt records and activity reports may be included in reports by
18 the department. For all other purposes, the hunt records and activity
19 reports are confidential and are not subject to inspection or copying
20 under AS 09.25.110 - 09.25.125.
21 Sec. 08.54.590. DEFINITIONS. In this chapter
22 (1) "base camp" means a guide-outfitter's or marine mammal
23 guide-outfitter's primary base of operations in the field; "base camp"
24 does not include a spike camp;
25 (2) "big game" means brown bear, grizzly bear, caribou,
26 moose, black bear, bison, Sitka blacktail deer, elk, mountain goat,
27 musk-ox, wolf, wolverine, mountain or Dall sheep;
28 (3) "big game commercial hunting service" means a service
29 for which the provider of the service must obtain a guide-outfitter,

1 marine mammal guide-outfitter, class-A assistant guide-outfitter, or
2 assistant guide-outfitter license;
3 (4) "big game commercial service" means a service for which
4 the provider of the service must obtain a commercial use permit;
5 (5) "board" means the Big Game Commercial Services Board;
6 (6) "compensation" means payment for services including
7 wages or other remuneration but not including reimbursement for actual
8 expenses incurred;
9 (7) "department" means the Department of Commerce and
10 Economic Development;
11 (8) "field" means an area outside of established year-round
12 dwellings, businesses, or other developments usually associated with a
13 city, town, or village; "field" does not include permanent hotels or
14 roadhouses on the state road system or state or federally maintained
15 airports;
16 (9) "game management unit" means one of the 26 geographic
17 areas defined by the Board of Game for game management purposes;
18 (10) "guide-outfit" means to provide, for compensation or
19 with the intent or with an agreement to receive compensation, big game
20 commercial hunting services in the field; "guide-outfit" includes
21 accompanying or being present with a big game hunter in the field
22 either personally or through an assistant; "guide-outfit" does not
23 include the provision of transportation to, from, or in the field if
24 the person providing the transportation and the person being trans-
25 ported do not stalk, pursue, track, kill, or attempt to kill big game
26 during the provision of transportation;
27 (11) "hunting club" means an organization that offers use of
28 property or services to individuals who pay a membership fee for the
29 privilege of using the property or services for hunting;

1 (12) "spike camp" means a camp in the field other than a
2 base camp and includes a fly camp or an overnight camp;
3 (13) "transportation services" means the carriage for com-
4 pensation of big game hunters, their equipment, or big game animals
5 harvested by hunters to, from, or in the field; "transportation ser-
6 vices" does not include the carriage by aircraft of big game hunters,
7 their equipment, or big game animals harvested by hunters
8 (A) on nonstop flights between state or federally
9 maintained airports; or
10 (B) by an air taxi operator or air carrier for which
11 the carriage of big game hunters, their equipment, or big game
12 animals harvested by hunters is only an incidental, as defined by
13 the board, portion of its business;
14 (14) "unethical activity" means
15 (A) deception or misrepresentation involving prospec-
16 tive or actual clients either before, during, or following the
17 provision of big game commercial services, including misrepresen-
18 tations through private or public advertising of the type, dura-
19 tion, cost, or conditions of the services;
20 (B) making a guaranty that a species or certain number
21 of species of game will be taken on a hunt;
22 (C) engaging in unsafe or unsportsmanlike activities
23 that are detrimental to the game resources of the state, as
24 defined by regulations of the board, including violations of
25 state hunting or big game commercial services statutes or regu-
26 lations; or
27 (D) accepting a deposit for big game commercial ser-
28 vices without providing before the services are rendered a signed
29 written contract to provide the services.

1 * Sec. 4. AS 12.55.125(e) is amended to read:

2 (e) A defendant convicted of a class C felony may be sentenced
3 to a definite term of imprisonment of not more than five years, and
4 shall be sentenced to the following presumptive terms, subject to
5 adjustment as provided in AS 12.55.155 - 12.55.175:

6 (1) if the offense is a second felony conviction, two
7 years;

8 (2) if the offense is a third felony conviction, three
9 years;

10 (3) if the offense is a first felony conviction, and the
11 defendant knowingly directed the conduct constituting the offense at a
12 uniformed or otherwise clearly identified peace officer, fire fighter,
13 correctional officer, emergency medical technician, paramedic, ambu-
14 lance attendant, or other emergency responder who was engaged in the
15 performance of official duties at the time of the offense, one year;

16 (4) if the offense is a first felony conviction, and the
17 defendant violated AS 08.54.520(a)(7) - (10), one year.

18 * Sec. 5. AS 16.05.407(a) is amended to read:

19 (a) It is unlawful for a nonresident to hunt, pursue, or take
20 brown bear, grizzly bear, mountain goat, [POLAR BEAR,] or sheep in
21 this state, unless personally accompanied by

22 (1) a person who is licensed as a guide-outfitter, [MASTER
23 GUIDE, REGISTERED GUIDE,] class-A assistant guide-outfitter, [GUIDE]
24 or assistant guide-outfitter [GUIDE] by the Big Game Commercial Ser-
25 vices [GUIDE] Board; or

26 (2) a resident over 19 years of age who is

27 (A) the spouse of the nonresident; or

28 (B) related to the nonresident, within and including
29 the second degree of kindred, by marriage or blood.

1 * Sec. 6. AS 16.05.407(d) is amended to read:

2 (d) A nonresident who violates (a) of this section, or who fails
3 to furnish an affidavit under (b) [OR (e)] of this section, is guilty
4 of a misdemeanor and upon conviction is punishable by imprisonment for
5 not more than one year, or by a fine of not more than $5,000, or by
6 both.

7 * Sec. 7. AS 16.05.407 is amended by adding a new subsection to read:

8 (f) An applicant for a nonresident hunt permit for the taking of
9 an animal specified in (a) of this section shall, if requested by the
10 department, first furnish to the department proof of prior authoriza-
11 tion to use state, federal, or private land where the permit hunt will
12 occur. The authorization shall be provided to the applicant by the
13 guide-outfitter with whom the applicant has contracted to guide-outfit
14 the permit hunt.

15 * Sec. 8. AS 16.05.408(a) is amended to read:

16 (a) It is a class A misdemeanor for a nonresident alien

17 (1) to hunt, pursue, or take marine mammals unless person-
18 ally accompanied by a licensed marine mammal guide-outfitter [GUIDE];
19 or

20 (2) to hunt, pursue, or take a big game animal as defined
21 by the Board of Game unless personally accompanied by a guide-outfit-
22 ter, a [LICENSED MASTER GUIDE, REGISTERED GUIDE, OR] class-A assistant
23 guide-outfitter, or an assistant guide-outfitter licensed [GUIDE]
24 under AS 08.54.

25 * Sec. 9. AS 16.05.408 is amended by adding a new subsection to read:

26 (c) Before obtaining a nonresident hunt permit for the taking of
27 an animal specified in (a) of this section, a nonresident alien shall,
28 if requested by the department, first furnish to the department proof
29 of prior authorization to use state, federal, or private land where

1 the permit hunt will occur. The authorization shall be provided to
2 the nonresident alien by the guide-outfitter or marine mammal guide-
3 outfitter with whom the nonresident alien has contracted to guide-
4 outfit the permit hunt.
5 * Sec. 10. AS 39.50.200(b)(48) is amended to read:
6 (48) Big Game Commercial Services [GUIDE] Board AS 08.54.-
7 300) [(AS 08.54.010)]; and
8 * Sec. 11. AS 41.23.420(d) is amended to read:
9 (d) The provisions of AS 41.23.400 - 41.23.510 do not affect the
10 authority of
11 (1) the Department of Fish and Game, the Board of Fisher-
12 ies, the Board of Game, or the Big Game Commercial Services [GUIDE
13 LICENSING AND CONTROL] Board under AS 08.54, AS 16, or AS 41.99.010;
14 (2) the Department of Environmental Conservation under AS
15 46.03; or
16 (3) state agencies and municipalities under AS 44.19.145(a)-
17 (11) and AS 46.40.100.
18 * Sec. 12. AS 44.62.330(a)(35) is amended to read:
19 (35) Big Game Commercial Services [GUIDE LICENSING AND
20 CONTROL] Board
21 * Sec. 13. TRANSITION; GUIDE-OUTFITTER LICENSES. (a) Notwithstanding
22 the repeal of AS 08.54.010 - 08.54.240, all licenses issued under AS 08.-
23 54.010 - 08.54.240 are valid for the period for which the licenses were is-
24 sued.
25 (b) For the purposes of AS 08.54.300 - 08.54.590 as enacted by sec. 3
26 of this Act, until new licenses are issued under this section, a
27 (1) master guide license issued under former AS 08.54.100 and a
28 registered guide license issued under former AS 08.54.110 shall be con-
29 sidered a guide-outfitter license issued under AS 08.54.350;

1 (2) class-A assistant guide license issued under former AS 08.-
2 54.120 shall be considered a class-A assistant guide-outfitter license
3 issued under AS 08.54.380;
4 (3) an assistant guide license issued under former AS 08.54.140
5 shall be considered an assistant guide-outfitter license issued under
6 AS 08.54.390.
7 (c) At the time of the next license renewal following the effective
8 date of this Act, each person licensed as
9 (1) a master guide shall receive a master guide-outfitter li-
10 cense if the person
11 (A) is in good standing at the time of issuance of the
12 license; and
13 (B) has paid the guide-outfitter license fee and the com-
14 mercial use permit fee;
15 (2) a registered guide shall receive a guide-outfitter license
16 if the person
17 (A) is in good standing at the time of issuance of the
18 license; and
19 (B) has paid the guide-outfitter license fee and the com-
20 mercial use permit fee;
21 (3) a class-A assistant guide shall receive a class-A assistant
22 guide-outfitter license if the person
23 (A) is in good standing at the time of issuance of the
24 license; and
25 (B) has paid the class-A assistant guide-outfitter license
26 fee;
27 (4) an assistant guide shall receive an assistant guide-out-
28 fitter license if the person
29 (A) is in good standing at the time of issuance of the

1 license; and

2 (B) pays the assistant guide-outfitter license fee.

3 (d) Notwithstanding (c) of this section, the Department of Commerce
4 and Economic Development may issue a new license under AS 08.54.300 -
5 08.54.590, without an additional fee, to a person licensed under former
6 AS 08.54.010 - 08.54.240 before the next renewal period following the
7 effective date of this Act, if the person satisfies the requirements for
8 the license and the license is valid only for the same period for which the
9 replaced license was issued.

10 * Sec. 14. TRANSITION; OUTFITTERS. (a) Notwithstanding AS 08.54.350,
11 as enacted by sec. 3 of this Act, a natural person is entitled to receive a
12 guide-outfitter license if the person

13 (1) applies on a form provided by the Department of Commerce and
14 Economic Development;

15 (2) lawfully registered a camp, cabin, or lodge under AS 16.-
16 05.787 during 1988;

17 (3) provides evidence satisfactory to the Big Game Commercial
18 Services Board that the person has legally engaged in the business of big
19 game outfitting in 1986, 1987, and 1988;

20 (4) passes the guide-outfitter examination administered by the
21 Big Game Commercial Services Board within two years after the effective
22 date of this Act;

23 (5) has not been convicted of violating a state or federal game
24 or guide-outfitting statute or regulation during the previous five years
25 for which the person was fined more than $500 or imprisoned for more than
26 five days;

27 (6) has legally hunted in the state for part of each of any five
28 years in a manner directly contributing to the person's experience and
29 competency as a guide-outfitter;

1 (7) has been favorably recommended in writing by six big game
2 hunters, two for each year of the person's most recent three years as a big
3 game outfitter, whose recommendations have been solicited by the Big Game
4 Commercial Services Board from a list provided by the applicant;
5 (8) pays the guide-outfitter license fee and the commercial use
6 permit fee; and
7 (9) possesses a business license to provide recreational ser-
8 vices.
9 (b) A person who is denied a guide-outfitter license under (a) of
10 this section by the Big Game Commercial Services Board may appeal to the
11 commissioner of commerce and economic development. The commissioner may
12 order that the applicant be allowed to take the license examination or be
13 issued the license if, after reviewing a petition filed by the applicant,
14 the commissioner finds that
15 (1) the board denied the applicant an opportunity to take the
16 license examination or refused to approve issuance of the license;
17 (2) the board's denial or refusal has been upheld by a final
18 administrative order and the order has not been appealed to the superior
19 court under AS 44.62.560;
20 (3) the board's denial or refusal was based on
21 (A) an error of fact by the board; or
22 (B) the applicant's failure of the license examination due
23 to faulty or unfair examination questions or procedures;
24 (4) the applicant is otherwise qualified to take the examination
25 or to be issued the license; and
26 (5) sustaining the board's denial or refusal would work a sub-
27 stantial injustice on the applicant.
28 (c) A guide-outfitter license issued under (a) of this section is for
29 all purposes a license issued under AS 08.54.350, as enacted by sec. 3 of

1 this Act.

2 (d) A person who satisfies (a)(1) - (3) of this section, holds a
3 business license as a big game outfitter, and pays a license fee set by the
4 Department of Commerce and Economic Development and the commercial use
5 permit fee is entitled to receive an interim outfitter license pending a
6 final determination of a person's eligibility for a guide-outfitter license
7 under (a) of this section. The right to receive and hold an interim out-
8 fitter license terminates on the earlier of

9 (1) the date of issuance of a guide-outfitter license to the
10 person;

11 (2) a final determination under (a) of this section that the
12 person is not eligible to receive a guide-outfitter license; or

13 (3) two years from the effective date of this Act.

14 (e) A person who holds an interim outfitter license, notwithstanding
15 contrary provisions of AS 08.54, may provide transportation to, from, and
16 in the field to big game hunters and supply other services in the field to
17 big game hunters. The person may not provide guiding services.

18 (f) A person who holds an interim outfitter license shall promptly
19 report to the Department of Public Safety, division of fish and wildlife
20 protection, but not later than 30 days after the violation, a violation of
21 a state fish, game, or big game commercial services statute or regulation
22 that the person reasonably believes was committed by a client or employee
23 of the person.

24 (g) A person who holds an interim outfitter license may accompany or
25 be present with a hunter at a base camp, cabin, or permanent lodge in
26 connection with a big game hunt for compensation only if the person has
27 furnished an affidavit to the Department of Public Safety, division of fish
28 and wildlife protection, at least two weeks in advance. The person may not
29 register more than two base camps. The affidavit must be signed by the

1 person and must provide the following information:

2 (1) the specific location of the camp, cabin, or lodge;

3 (2) the number of big game hunters in each party that will use

4 the camp, cabin, or lodge; and

5 (3) the kinds or species of big game that will be hunted.

6 (h) A person who furnishes an affidavit under (g) of this section

7 shall notify the Department of Public Safety of the amount and kinds or

8 species of big game taken by each hunter who uses the base camp, cabin, or

9 permanent lodge to which the affidavit relates. Notice shall be given

10 within 30 days after the game is taken. The Department of Public Safety

11 shall provide the information received under this subsection to the Depart-

12 ment of Fish and Game.

13 (i) A person who

14 (1) violates (f) of this section is guilty of a misdemeanor and

15 upon conviction is punishable by a fine of not more than $2,000 or by

16 imprisonment for not more than one year, or by both; or

17 (2) falsifies an affidavit under (g) of this section is guilty

18 of unsworn falsification under AS 11.56.210.

19 (j) A person who holds an interim outfitter license shall

20 (1) carry, while engaged in providing outfitting services,

21 comprehensive general liability insurance of at least $300,000 per occur-

22 rence or at least $500,000 per annual aggregate or post a financial bond in

23 those amounts; and

24 (2) if the person personally pilots aircraft to transport

25 clients during the provision of outfitting services, have a commercial

26 pilot's rating or a minimum of 250 hours of flying time in the state.

27 (k) During the provision of outfitting services, an aircraft used by

28 a person who holds an interim outfitter license or that person's employee

29 to transport clients of the outfitter must carry aviation passenger

1 liability insurance of at least $100,000 per seat or must be subject to a
2 financial bond in that amount.
3 (1) In this section,
4 (1) "base camp" does not include spike camp, fly camp, or over-
5 night camp;
6 (2) "big game" and "field" have the meaning given in AS 08.54.-
7 590, as enacted by sec. 3 of this Act;
8 (3) "guiding" means accompanying or being present with a big
9 game hunter in the field, personally or through an assistant, for compen-
10 sation or with the intent or an agreement to receive compensation; "guid-
11 ing" does not include
12 (A) providing transportation to or from the field, if the
13 person providing transportation and the persons being transported do
14 not stalk, pursue, track, kill, or attempt to kill big game during the
15 transportation; or
16 (B) selling, leasing, or renting goods, if the transaction
17 does not take place in the field;
18 (4) "outfitting" means the provision of services, other than
19 guiding services, to big game hunters in the field for compensation.
20 * Sec. 15. Section 14(d) of this Act is repealed and reenacted to read:
21 (d) A person who satisfies (a)(1) - (3), (j), and (k) of this
22 section, holds a business license as a big game outfitter, and pays a
23 license fee set by the Department of Commerce and Economic Development
24 and the commercial use permit fee is entitled to receive an interim
25 outfitter license pending a final determination of a person's
26 eligibility for a guide-outfitter license under (a) of this section.
27 The right to receive and hold an interim outfitter license terminates
28 on the earlier of
29 (1) the date of issuance of a guide-outfitter license to

1 the person;

2 (2) a final determination under (a) of this section that

3 the person is not eligible to receive a guide-outfitter license; or

4 (3) two years from the effective date of this Act.

5 * Sec. 16. INITIAL APPOINTMENTS TO BIG GAME COMMERCIAL SERVICES BOARD.

6 Notwithstanding AS 08.54.300(b), as enacted by sec. 3 of this Act, the

7 initial appointments to the Big Game Commercial Services Board under

8 (1) AS 08.54.300(b)(1) may also be filled by the appointment of

9 a master guide or registered guide licensed under former AS 08.54.010 -

10 08.54.240 or a person who lawfully registered a camp, cabin, or lodge under

11 AS 16.05.787 during 1988 and legally engaged in the business of big game

12 outfitting in 1986, 1987, and 1988;

13 (2) AS 08.54.300(b)(2) may also be filled by the appointment of

14 a person who engaged in the business of providing transportation to big

15 game hunters in 1986, 1987, and 1988.

16 * Sec. 17. TRANSITION. Litigation, hearings, investigations, and other

17 proceedings pending under a law amended or repealed by this Act continue in

18 effect and may be continued and completed notwithstanding an amendment or

19 repeal provided for in this Act. Licenses, orders, and regulations issued

20 or adopted under authority of a law amended or repealed by this Act remain

21 in effect for the term issued or until revoked, vacated, or otherwise

22 modified under the provisions of this Act.

23 * Sec. 18. AS 08.54.010, 08.54.030, 08.54.035, 08.54.040, 08.54.045,

24 08.54.050, 08.54.060, 08.54.070, 08.54.100, 08.54.110, 08.54.120, 08.54.-

25 130, 08.54.140, 08.54.141, 08.54.150, 08.54.160, 08.54.170, 08.54.180,

26 08.54.186, 08.54.190, 08.54.195, 08.54.200, 08.54.210, 08.54.220, 08.54.-

27 230, 08.54.240; AS 16.05.370(b), 16.05.370(c), 16.05.407(e), 16.05.786, and

28 16.05.787 are repealed.

29 * Sec. 19. Sections 4, 6, 12, and 13, ch. 160, SLA 1988 are repealed.

1 * Sec. 20. AS 08.54.310(b)(1), as enacted by sec. 3 of this Act, takes
2 effect on the earlier of
3 (1) January 15, 1990; or
4 (2) the date of submission to the legislature of a recommenda-
5 tion by the Task Force on Guiding and Game for a resource-based management
6 system for allocating access to big game hunting opportunities among guide-
7 outfitters licensed under AS 08.54.
8 * Sec. 21. AS 08.54.395, as enacted by sec. 3 of this Act, and secs.
9 14(j), 14(k), and 15 of this Act take effect July 15, 1989.
10 * Sec. 22. Except for AS 08.54.310(b)(1) and 08.54.395, as enacted by
11 sec. 3 of this Act, and secs. 14(j), 14(k), and 15 of this Act, this Act
12 takes effect immediately under AS 01.10.070(c).