

HB

151

SENATE COMMITTEE REPORT

DATE: 4/25/97

FURTHER:

DATE TURNED IN TO OFFICE: 5/6/97

Resources Committee considered CS FOR HOUSE BILL NO. 151(RES) am
BIG GAME GUIDES AND REGISTRATION AREAS

and recommends:

- be replaced with S CS HB 151 (RES)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
- same title
 - new title
- House Bill:**
- same title
 - technical change
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>William L. Taylor</i>	✓				
<i>Lorin D. Herman</i>	✓				
<i>Lyle Green</i>	✓				
CHAIR: <i>Rich Halford</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):* (ALSO APPLY TO CS)

Department	Date	Zero	Fiscal
DPS/ETW PROTECTIONS	3/4	X	
ADF/G/DWC	2/25	X	
DCED/OCC. LICENSE	3/3	X	

APPROPRIATION -- no fiscal note

*Include fiscal notes accompanying Governor's bill

FISCAL NOTE

No. 3

Bill Version: CSHB 151 (RES)

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO: (H, Publish Date: 3/21/97 ...)

Revision Date: 3/4/97 Dept. Affected: Public Safety
 Title: An Act relating to personal hunting of big game guides while clients are in the field. BRU: Fish and Wildlife Protection
 Sponsor: Representative Ogan Component: Detachments
 Requestor: H. Resources COMPONENT SERIAL NO. 0490

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 97) impact: \$ -0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

This Bill will return to statute the prohibition of big game guides personally hunting while clients are in the field. It will also allow guides to register for more than three guide use areas if the lands requested would otherwise not be used and the request is approved by DOC. It should not impact our Division's program objectives or budget.

Prepared By: Lt. Joel L. Hard Phone: 269-5409
 Division: Fish and Wildlife Protection Date: March 4, 1997
 Approved by Commissioner: *Ronald L. Otte* Date: 3/4/97
 Agency: Ronald L. Otte, Department of Public Safety

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ANALYSIS CONTINUED:

ORIGINAL

FISCAL NOTE

No. 2

Version: CSHB 151 (RES)

(H) Publish Date: 3/21/97

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Fish and Game
 Title: Big Game Guides and Registration Areas BRU: Wildlife Conservation
 Component: Wildlife Conservation
 Sponsor: Representative Ogan
 Requester: House Resources COMPONENT SERIAL NO. 473

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES (1024)	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost: \$ 0.0

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Wayne Regelin, Director *SR*
 Division: Wildlife Conservation
 Approved by Commissioner: William B. ...
 Agency: Department of Fish and Game

Phone: 464-4190
 Date: 2/28/97
 Date: 3/5/97

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ORIGINAL

FISCAL NOTE

No. 1
 Version: CSHB 151(RES)
 (H) Publish Date: 3/21/97

STATE OF ALASKA
 1997 LEGISLATIVE SESSION

Revision Date: _____
 Title: An Act relating to personal hunting of big game by
big game guides while clients are in the field.....
 Sponsor: Representative Ogan
 Requestor: House Resources

Department: Commerce and Economic Development
 BRU: Occupational Licensing
 Component: Operations
 COMPONENT SERIAL NO. 1844

Expenditures/Revenues	(Thousands of Dollars)					
	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
OPERATING EXPENDITURES						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE	(Thousands of Dollars)					
	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other 1091 Designated PR						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 97) cost: \$ 0.0

POSITIONS	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)
 HB 151 amends the big game guide statutes in AS 08.54 making it unlawful for big game guide licensees to take big game while guiding clients in the field. New funds are not required to implement this bill.

Prepared by: Jennifer Strickler, Administrative Manager
 Division: Occupational Licensing
 Approved by Commissioner: William L. Hensley
 Agency: Commerce and Economic Development

Phone: 465-2144
 Date: 3/3/97
 Date: 3-4-97

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ORIGINAL

0-LS0618\H
Utermohle
5/3/97

SENATE CS FOR CS FOR HOUSE BILL NO. 151()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES OGAN, Croft

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to personal hunting of big game by big game guides while
2 clients are in the field, to activities of transporters in the field, to use area
3 registration for portions of additional guide use areas by registered guides, to oral
4 examination for a registered guide license or a game management unit
5 certification, and to eligibility for big game guide licenses, game management
6 unit certifications, or a transporter license."

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

8 * Section 1. AS 08.54.600 is amended by adding a new subsection to read:

9 (b) The department shall provide for administration of an oral examination for
10 a registered guide license or for a game management unit certification if an applicant
11 suffers from a reading disability.

12 * Sec. 2. AS 08.54.605(b) is amended to read:

13 (b) Notwithstanding (a) of this section, (a)(1)(B) and (C) [(a)(1)(C)] of this

1 section are not applicable to offenses committed by a person who receives or received
2 any class of guide license or a transporter license under sec. 13 [SECTION 13], ch.
3 33, SLA 1996, if the offense was committed before May 23, 1996. This subsection
4 does not apply when a person applies for a license that is different from the class
5 of guide license or the transporter license received under sec. 13, ch. 33, SLA
6 1996.

7 * Sec. 3. AS 08.54.605 is amended by adding a new subsection to read:

8 (c) A person may not receive a certification for a game management unit if
9 the person is prohibited by (a) of this section from receiving or renewing a registered
10 guide license or master guide license.

11 * Sec. 4. AS 08.54.610(a) is amended to read:

12 (a) A natural person is entitled to a registered guide license if the person

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

14 (2) has practical field experience in the handling of firearms, hunting,
15 judging trophies, field preparation of meat and trophies, first aid, photography, and
16 related guiding and outfitting activities;

17 (3) either

18 (A) has passed the qualification examination prepared and
19 administered by the department under AS 08.54.600; or

20 (B) provides evidence of 25 years of experience as a class-A
21 assistant guide or class-A assistant guide-outfitter;

22 (4) has passed a certification examination prepared and administered
23 by the department under AS 08.54.600 for at least one game management unit;

24 (5) has legally hunted in the state for part of each of any five years in
25 a manner directly contributing to the person's experience and competency as a guide;

26 (6) has been licensed as and performed the services of a class-A
27 assistant guide or assistant guide, or of a class-A assistant guide-outfitter or assistant
28 guide-outfitter under former AS 08.54.300 - 08.54.590, in the state for a part of each
29 of three years;

30 (7) is capable of performing the essential duties associated with guiding
31 and outfitting;

1 (8) has been favorably recommended in writing by eight big game
2 hunters whose recommendations have been solicited by the department from a list
3 provided by the applicant, including at least two favorable recommendations for each
4 year of any three years during which the person was a class-A assistant guide or
5 assistant guide, or a class-A assistant guide-outfitter or assistant guide-outfitter under
6 former AS 08.54.300 - 08.54.590;

7 (9) has provided proof of financial responsibility if required by the
8 department under AS 08.54.680; and

9 (10) has applied for a registered guide license on a form provided by
10 the department and paid the license application fee and the registered guide license fee.

11 * Sec. 5. AS 08.54.720(a) is amended to read:

12 (a) It is unlawful for a

13 (1) person who is licensed under this chapter to knowingly fail to
14 promptly report to the Department of Public Safety, division of fish and wildlife
15 protection, and in no event later than 20 days, a violation of a state game, guiding, or
16 transportation services statute or regulation that the person reasonably believes was
17 committed by a client or an employee of the person;

18 (2) person who is licensed under this chapter to intentionally obstruct
19 or hinder or attempt to obstruct or hinder lawful hunting engaged in by a person who
20 is not a client of the person;

21 (3) class-A assistant guide or an assistant guide to knowingly guide a
22 hunt except while employed and supervised by a registered guide;

23 (4) person who holds any class of guide license to knowingly enter or
24 remain on private land without prior authorization during the course of providing big
25 game hunting services;

26 (5) registered guide to knowingly engage in providing big game hunting
27 services outside of

28 (A) a game management unit for which the registered guide is
29 certified; or

30 (B) a use area for which the registered guide is registered under
31 AS 08.54.750 unless the registration requirement for the area has been

- 1 suspended by the Department of Fish and Game;
- 2 (6) person to knowingly guide without having a current registered
- 3 guide, class-A assistant guide, or assistant guide license and hunting license in actual
- 4 possession;
- 5 (7) registered guide to knowingly fail to comply with AS 08.54.610(e);
- 6 (8) person who is licensed under this chapter to knowingly
- 7 (A) commit or aid in the commission of a violation of this
- 8 chapter, a regulation adopted under this chapter, or a state game statute or
- 9 regulation; or
- 10 (B) permit the commission of a violation of this chapter, a
- 11 regulation adopted under this chapter, or a state game statute or regulation that
- 12 the person knows or reasonably believes is being or will be committed without
- 13 (i) attempting to prevent it, short of using force; and
- 14 (ii) reporting the violation;
- 15 (9) person without a current registered guide license to knowingly
- 16 guide, advertise as a registered guide, or represent to be a registered guide;
- 17 (10) person without a current master guide license to knowingly
- 18 advertise as, or represent to be, a master guide;
- 19 (11) person without a current registered guide license to knowingly
- 20 outfit a big game hunt, advertise as an outfitter of big game hunts, or represent to be
- 21 an outfitter of big game hunts;
- 22 (12) person to knowingly provide transportation services to big game
- 23 hunters without holding a current registered guide license or transporter license;
- 24 (13) person without a current transporter license to knowingly advertise
- 25 as, or represent to be, a transporter;
- 26 (14) class-A assistant guide or an assistant guide to knowingly contract
- 27 to guide or outfit a hunt;
- 28 (15) person licensed under this chapter to knowingly violate a state
- 29 statute or regulation prohibiting waste of a wild food animal or hunting on the same
- 30 day airborne; [OR]
- 31 (16) person to knowingly provide big game hunting service or

1 transportation services during the period for which the person's license to provide that
2 service is suspended or revoked;

3 (17) registered guide, except in the defense of life or property, to
4 knowingly personally take big game while a client of the registered guide is in the
5 field:

6 (18) person who is licensed as a registered guide, a class-A assistant
7 guide, or an assistant guide, except in the defense of life or property, to knowingly
8 personally take big game while a client of the registered guide by whom the
9 person is employed is in the field unless the person is not participating in,
10 supporting, or otherwise assisting in providing big game hunting services to a
11 client of the registered guide by whom the person is employed; or

12 (19) person who is licensed as a transporter, or who provides
13 transportation services under a transporter license, to knowingly accompany or
14 remain in the field with a big game hunter who is a client of the person except as
15 necessary to perform the specific duties of embarking or disembarking big game
16 hunters, their equipment, or big game animals harvested by hunters: this
17 paragraph does not apply to a person who holds both a transporter license and
18 any class of guide license issued under this chapter.

19 * Sec. 6. AS 08.54.720(b) is amended to read:

20 (b) In addition to a disciplinary sanction imposed under AS 08.54.710, a
21 person who commits an offense set out in (a)(1) - (7), (17), (18), or (19) of this
22 section is guilty of a misdemeanor and is punishable by a fine of not more than
23 \$10,000 or by imprisonment up to one year, or both.

24 * Sec. 7. AS 08.54.720(f) is amended to read:

25 (f) In addition to the penalties set out in (b) - (e) of this section and a
26 disciplinary sanction imposed under AS 08.54.710,

27 (1) the court may order the department to suspend the guide license or
28 transporter license of a person who commits a misdemeanor offense set out in (a)(1),
29 (3) - (5), [OR] (7), (17), (18), or (19) of this section for a specified period of not more
30 than three years;

31 (2) the court shall order the department to suspend the guide license or

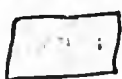
1 transporter license of a person who commits a misdemeanor offense set out in (a)(2)
2 or (8) - (14) of this section for a specified period of not less than one year and not
3 more than five years;

4 (3) the court shall order the department to suspend the guide license or
5 transporter license for a specified period of not less than three years, or to permanently
6 revoke the guide license or transporter license, of a person who commits an offense
7 set out in (a)(15) or (16) of this section; and

8 (4) all guns, fishing tackle, boats, aircraft, automobiles, or other
9 vehicles, camping gear, and other equipment and paraphernalia used in, or in aid of,
10 a violation of (a) of this section may be seized by persons authorized to enforce this
11 chapter and may be forfeited to the state as provided under AS 16.05.195.

12 * Sec. 8. AS 08.54.750 is amended by adding a new subsection to read:

13 (e) Notwithstanding (b) of this section, a registered guide who is registered in
14 three guide use areas may also register for and conduct big game hunting services in
15 a portion of one additional guide use area on federal land adjacent to a guide use area
16 in which the registered guide is already registered if the department finds that the
17 portion of the adjacent guide use area for which the registered guide is seeking to be
18 registered would otherwise remain unused by a registered guide because the boundaries
19 of guide use areas do not coincide with boundaries of federal big game guide
20 concession or permit areas.



- Highlighted material is deleted in the Sen: CS.

CS FOR HOUSE BILL NO. 151(RES) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

Amended: 4/23/97
Offered: 3/21/97

Sponsor(s): REPRESENTATIVES OGAN, Croft

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to personal hunting of big game by big game guides while
2 clients are in the field, to activities of transporters in the field, to use area
3 registration for portions of additional guide use areas by registered guides, to oral
4 examinations for a registered guide license or a game management unit
5 certification, and to eligibility for big game guide licenses, game management
6 unit certifications, or a transporter license."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * Section 1. AS 08.54.600 is amended by adding a new subsection to read:

9 (b) The department shall provide for administration of an oral examination for
10 a registered guide license or for a game management unit certification if an applicant
11 cannot read English or suffers from a reading disability.

12 * Sec. 2. AS 08.54.605(b) is amended to read:

13 (b) Notwithstanding (a) of this section, (a)(1)(B) and (C) [(a)(1)(C)] of this

1 section are not applicable to offenses committed by a person who receives or received
 2 any class of guide license or a transporter license under sec. 13 [SECTION 13], ch.
 3 33, SLA 1996, if the offense was committed before May 23, 1996. This subsection
 4 does not apply when a person applies for a license that is different from the class
 5 of guide license or the transporter license received under sec. 13, ch. 33, SLA
 6 1996.

7 * Sec. 3. AS 08.54.610(a) is amended to read:

8 (a) A natural person is entitled to a registered guide license if the person

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

10 (2) has practical field experience in the handling of firearms, hunting,
 11 judging trophies, field preparation of meat and trophies, first aid, photography, and
 12 related guiding and outfitting activities;

13 (3) either

14 (A) has passed the qualification examination prepared and
 15 administered by the department under AS 08.54.600; or

16 (B) provides evidence of 25 years of experience as a class-A
 17 assistant guide, class-A assistant guide-outfitter, or equivalent guiding
 18 experience in the state;

19 (4) either

20 (A) has passed a certification examination prepared and
 21 administered by the department under AS 08.54.600 for at least one game
 22 management unit; or

23 (B) provides evidence of 10 years of experience as a class-A
 24 assistant guide or class-A assistant guide-outfitter in at least one game
 25 management unit;

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

28 (6) has been licensed as and performed the services of a class-A
 29 assistant guide or assistant guide, or of a class-A assistant guide-outfitter or assistant
 30 guide-outfitter under former AS 08.54.300 - 08.54.590, in the state for a part of each
 31 of three years;

1 (7) is capable of performing the essential duties associated with guiding
2 and outfitting;

3 (8) has been favorably recommended in writing by eight big game
4 hunters whose recommendations have been solicited by the department from a list
5 provided by the applicant, including at least two favorable recommendations for each
6 year of any three years during which the person was a class-A assistant guide or
7 assistant guide, or a class-A assistant guide-outfitter or assistant guide-outfitter under
8 former AS 08.54.300 - 08.54.590;

9 (9) has provided proof of financial responsibility if required by the
10 department under AS 08.54.680; and

11 (10) has applied for a registered guide license on a form provided by
12 the department and paid the license application fee and the registered guide license fee.

13 * Sec. 4. AS 08.54.610 is amended by adding a new subsection to read:

14 (f) Notwithstanding other provisions of this chapter, a person may receive
15 certification for a game management unit if the person provides evidence of 10 years
16 of experience as a class-A assistant guide or class-A assistant guide-outfitter in the
17 game management unit.

18 * Sec. 5. AS 08.54.720(a) is amended to read:

19 (a) It is unlawful for a

20 (1) person who is licensed under this chapter to knowingly fail to
21 promptly report to the Department of Public Safety, division of fish and wildlife
22 protection, and in no event later than 20 days, a violation of a state game, guiding, or
23 transportation services statute or regulation that the person reasonably believes was
24 committed by a client or an employee of the person;

25 (2) person who is licensed under this chapter to intentionally obstruct
26 or hinder or attempt to obstruct or hinder lawful hunting engaged in by a person who
27 is not a client of the person;

28 (3) class-A assistant guide or an assistant guide to knowingly guide a
29 hunt except while employed and supervised by a registered guide;

30 (4) person who holds any class of guide license to knowingly enter or
31 remain on private land without prior authorization during the course of providing big

1 game hunting services;

2 (5) registered guide to knowingly engage in providing big game hunting
3 services outside of

4 (A) a game management unit for which the registered guide is
5 certified; or

6 (B) a use area for which the registered guide is registered under
7 AS 08.54.750 unless the registration requirement for the area has been
8 suspended by the Department of Fish and Game;

9 (6) person to knowingly guide without having a current registered
10 guide, class-A assistant guide, or assistant guide license and hunting license in actual
11 possession;

12 (7) registered guide to knowingly fail to comply with AS 08.54.610(e);

13 (8) person who is licensed under this chapter to knowingly

14 (A) commit or aid in the commission of a violation of this
15 chapter, a regulation adopted under this chapter, or a state game statute or
16 regulation; or

17 (B) permit the commission of a violation of this chapter, a
18 regulation adopted under this chapter, or a state game statute or regulation that
19 the person knows or reasonably believes is being or will be committed without

20 (i) attempting to prevent it, short of using force; and

21 (ii) reporting the violation;

22 (9) person without a current registered guide license to knowingly
23 guide, advertise as a registered guide, or represent to be a registered guide;

24 (10) person without a current master guide license to knowingly
25 advertise as, or represent to be, a master guide;

26 (11) person without a current registered guide license to knowingly
27 outfit a big game hunt, advertise as an outfitter of big game hunts, or represent to be
28 an outfitter of big game hunts;

29 (12) person to knowingly provide transportation services to big game
30 hunters without holding a current registered guide license or transporter license;

31 (13) person without a current transporter license to knowingly advertise

1 as, or represent to be, a transporter;

2 (14) class-A assistant guide or an assistant guide to knowingly contract
3 to guide or outfit a hunt;

4 (15) person licensed under this chapter to knowingly violate a state
5 statute or regulation prohibiting waste of a wild food animal or hunting on the same
6 day airborne; [OR]

7 (16) person to knowingly provide big game hunting service or
8 transportation services during the period for which the person's license to provide that
9 service is suspended or revoked;

10 (17) registered guide, except in the defense of life or property, to
11 knowingly personally take big game while a client of the registered guide is in the
12 field; or

13 (18) person who is licensed as a registered guide, a class-A assistant
14 guide, or an assistant guide, except in the defense of life or property, to knowingly
15 personally take big game while a client of the registered guide by whom the
16 person is employed is in the field unless the person is not participating in,
17 supporting, or otherwise assisting in providing big game hunting services to a
18 client of the registered guide by whom the person is employed;

19 (19) person who is licensed as a transporter, or who provides
20 transportation services under a transporter license, to knowingly accompany or
21 remain in the field with a big game hunter who is a client of the person except as
22 necessary to perform the specific duties of embarking or disembarking big game
23 hunters, their equipment, or big game animals harvested by hunters; this
24 paragraph does not apply to a person who holds both a transporter license and
25 any class of guide license issued under this chapter.

26 * Sec. 6. AS 08.54.720(b) is amended to read:

27 (b) In addition to a disciplinary sanction imposed under AS 08.54.710, a
28 person who commits an offense set out in (a)(1) - (7), (17), (18), or (19) of this
29 section is guilty of a misdemeanor and is punishable by a fine of not more than
30 \$10,000 or by imprisonment up to one year, or both.

31 * Sec. 7. AS 08.54.720(f) is amended to read:

1 (f) In addition to the penalties set out in (b) - (e) of this section and a
2 disciplinary sanction imposed under AS 08.54.710,

3 (1) the court may order the department to suspend the guide license or
4 transporter license of a person who commits a misdemeanor offense set out in (a)(1);
5 (3) - (5), [OR] (7), (17), (18), or (19) of this section for a specified period of not more
6 than three years;

7 (2) the court shall order the department to suspend the guide license or
8 transporter license of a person who commits a misdemeanor offense set out in (a)(2)
9 or (8) - (14) of this section for a specified period of not less than one year and not
10 more than five years;

11 (3) the court shall order the department to suspend the guide license or
12 transporter license for a specified period of not less than three years, or to permanently
13 revoke the guide license or transporter license, of a person who commits an offense
14 set out in (a)(15) or (16) of this section; and

15 (4) all guns, fishing tackle, boats, aircraft, automobiles, or other
16 vehicles, camping gear, and other equipment and paraphernalia used in, or in aid of,
17 a violation of (a) of this section may be seized by persons authorized to enforce this
18 chapter and may be forfeited to the state as provided under AS 16.05.195.

19 * Sec. 8. AS 08.54.750(b) is amended to read:

20 (b) A registered guide may not register for or conduct big game hunting
21 services in

22 (1) more than three guide use areas during a calendar year; or

23 (2) a guide use area that is outside of a game management unit for
24 which the registered guide is certified under AS 08.54.600 or 08.54.610(f).

25 * Sec. 9. AS 08.54.750 is amended by adding a new subsection to read:

26 (e) Notwithstanding (b) of this section, a registered guide who is registered in
27 three guide use areas may also register for and conduct big game hunting services in
28 a portion of one additional guide use area on federal land adjacent to a guide use area
29 in which the registered guide is already registered if the department finds that the
30 portion of the adjacent guide use area for which the registered guide is seeking to be
31 registered would otherwise remain unused by a registered guide because the boundaries

- 1 of guide use areas do not coincide with boundaries of federal big game guide
- 2 concession or permit areas.

Alaska State Legislature

Co-Chair Resources Committee
Special Committee on Oil & Gas
Legislative Council
Community and Regional Affairs
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Representative Scott Ogan

House District 27

SPONSOR STATEMENT - HB 151

This bill is a good faith effort to cleanup a statute that was passed last year in the form of the Big Game Guide Bill HB 335. Since the passage of HB 335 last year, several oversights and issues have become apparent. HB 151 is aimed at correcting these issues.

HB 151 Accomplishes the following:

- Makes it illegal for registered guides, class-A assistant guides, and assistant guides to hunt while a client of theirs is in the field.
- Makes it illegal for transporters to knowingly accompany or remain in the field with a big game hunter who is a client.
- Makes it a misdemeanor to break the laws created above.
- Closes a loophole that had allowed felons to apply for a new class of license under a grandfather clause. A person is still protected by the grandfather clause so that they may maintain their current license. However, they would no longer be able to apply for a new class license.
- Creates the ability for guides to register for one more guide use area if the federal lands requested would otherwise not be used and are adjacent to the existing guide use area. This is subject to approval by the Department of Commerce.

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SECTIONAL ANALYSIS HB 151

BILL SECTION 1: AS 08.54.600 is amended by adding a new subsection that would require the department to provide for the administration of an oral examination for a registered guide license if the applicant suffers from a reading disability.

BILL SECTION 2: AS 08.54.605(b) is amended by adding language that closes a loophole that had allowed felons to apply for and receive a new class license even if there was warranted concern for public safety. This is simply an alteration of a grandfather clause that protected those who possessed a certain class license prior to the passage of the existing statute.

BILL SECTION 3: AS 08.54.605 is amended by adding a subsection that codifies that a person may not receive a certification for a game management unit if the person is prohibited from receiving or renewing a registered guide license or a master guide license.

BILL SECTION 4: AS 08.54.610 is amended by adding a subsection that would allow a person applying for a guide license to substitute evidence of 25 years of experience as a class-A assistant guide or class-A assistant guide-outfitter in place of passing the qualification examination administered by the department.

BILL SECTION 5: AS 08.54.720(a) is amended by adding subsections (17), (18), (19) which makes it an illegal act for registered guides, class-A assistant guides or assistant guides to

take big game while clients are in the field or for transporters to accompany clients into the field.

BILL SECTION 6: AS 08.54.720(b) is amended by adding subsections (17), (18), & (19) which makes it a misdemeanor for violating the crimes set forth in Bill Section 2. Violation is punishable by a fine of not more than \$10,000 or by imprisonment of up to one year, or both.

BILL SECTION 7: AS 08.54.720(f) is amended by adding subsections (17), (18), & (19) which allows the court to order the department to suspend the guide or transporter license of a person who commits a misdemeanor offense.

BILL SECTION 8: AS 08.54.750 is amended by adding a new subsection (e). This section allows guides to register for one more guide use area if the federal lands requested would otherwise not be used and are adjacent to the existing guide use area. The request is subject to approval by the Department of Commerce.