

**CS FOR SENATE BILL NO. 190(L&C)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 3/2/12

Referred: Judiciary

Sponsor(s): SENATORS MENARD, Huggins

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the duties of the Big Game Commercial Services Board; relating to  
2 activities, including violations and penalties, under the supervision of the Big Game  
3 Commercial Services Board; creating a retired status master guide-outfitter license; and  
4 providing for an effective date."

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

6 \* **Section 1.** AS 08.54.600(c) is amended to read:

7 (c) **In addition to the regulations required under (a) of this section, the**  
8 [THE] board may adopt regulations [AS] the board considers appropriate, **including**  
9 **regulations** to

- 10 (1) establish a code of ethics for professions regulated by the board;
- 11 (2) establish requirements for the contents of written contracts to  
12 provide big game hunting services and transportation services to clients;
- 13 (3) authorize the department to request a copy of a big game hunting  
14 services or transportation services contract entered into by a person licensed under this

1 chapter.

2 \* **Sec. 2.** AS 08.54 is amended by adding a new section to read:

3 **Sec. 08.54.608. Retired status master guide-outfitter license.** (a) On retiring  
4 from guiding or outfitting, or both, and on payment of an appropriate one-time fee, an  
5 individual who has held a master guide-outfitter license issued under AS 08.54.610  
6 that has not been suspended or revoked under AS 08.54.710 may apply for a retired  
7 status master guide-outfitter license. An individual holding a retired status master  
8 guide-outfitter license may not guide or outfit in the state under the retired status  
9 license. A retired status license is valid for the life of the license holder and does not  
10 require renewal.

11 (b) An individual with a retired status master guide-outfitter license may apply  
12 for a new registered guide-outfitter license under AS 08.54.610.

13 \* **Sec. 3.** AS 08.54.610(d) is amended to read:

14 (d) **Notwithstanding AS 08.54.750, a** [A] person who is licensed as a  
15 registered guide-outfitter may be employed by another registered guide-outfitter to  
16 **provide the services of a class-A** [PERFORM THE FUNCTIONS OF A  
17 REGISTERED GUIDE-OUTFITTER OR CLASS-A ASSISTANT GUIDE IN THE  
18 GAME MANAGEMENT UNIT FOR WHICH THE PERSON IS CERTIFIED  
19 UNDER AS 08.54.600 OR OF AN] assistant guide in any game management unit.

20 \* **Sec. 4.** AS 08.54.610(e) is amended to read:

21 (e) A registered guide-outfitter who contracts for a guided hunt shall be  
22 [(1) PHYSICALLY PRESENT IN THE FIELD WITH THE CLIENT  
23 AT LEAST ONCE DURING THE CONTRACTED HUNT; AND  
24 (2)] in the field **supervising** and participating in the contracted hunt  
25 **and conducting the hunt,** unless the **board adopts regulations permitting** [HUNT  
26 IS BEING CONDUCTED BY] a class-A assistant guide or a registered guide-outfitter  
27 employed by **a** [THE] contracting registered guide-outfitter **to conduct a hunt for a**  
28 **contracting registered guide-outfitter.**

29 \* **Sec. 5.** AS 08.54.710 is amended by adding a new subsection to read:

30 (j) The board may suspend or permanently revoke a transporter license or any  
31 class of guide license if the board finds after a hearing that the licensee engaged in

1 conduct involving unprofessionalism, moral turpitude, or gross immorality.

2 \* **Sec. 6.** AS 08.54.720(f) is amended to read:

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

5 (1) the court may order the board to suspend the guide license or  
6 transporter license of a person who commits a misdemeanor offense set out in (a)(1),  
7 (3) - (5), (7), (8), (17), (18), or (19) of this section for a specified period of not more  
8 than three years;

9 (2) the court shall order the board to suspend the guide license or  
10 transporter license of a person who commits a misdemeanor offense set out in (a)(2) or  
11 (9) - (14) [(8) - (14)] of this section for a specified period of not less than one year and  
12 not more than five years;

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

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

21 \* **Sec. 7.** AS 08.54.770(a) is amended to read:

22 (a) The department shall set fees under AS 08.01.065 for each of the  
23 following:

24 (1) registered guide-outfitter license;

25 (2) class-A assistant guide license;

26 (3) assistant guide license;

27 (4) transporter license;

28 (5) **retired status master guide-outfitter license;**

29 (6) license application fee.

30 \* **Sec. 8.** AS 08.54.790 is amended by adding new paragraphs to read:

31 (11) "any class of guide license" does not include a retired status

1 master guide-outfitter license;

2 (12) "licensee" means a person to whom a license, other than a retired  
3 status master guide-outfitter license, has been issued under this chapter.

4 \* **Sec. 9.** Section 4 of this Act takes effect July 1, 2013.

5 \* **Sec. 10.** Except as provided by sec. 9 of this Act, this Act takes effect immediately under  
6 AS 01.10.070(c).