

AMENDMENT #2

OFFERED IN THE HOUSE  
TO: CSHB 80(FSH)

Offered by Rep. Carpenter

- 1 Page 1, line 2, following "surcharge;":
  - 2 Insert "relating to salt water sport fishing guide services;"
  - 3
- 4 Page 1, line 10:
  - 5 Delete "\$2.50"
  - 6 Insert "\$1.50"
  - 7
- 8 Page 1, line 11, following "restoration;":
  - 9 Delete "and
  - 10 (2)"
  - 11 Insert "(2) \$1.00 of each surcharge collected to support activities of the department
  - 12 under AS 16.05.397; and
  - 13 (3)"
  - 14
- 15 Page 3, following line 1:
  - 16 Insert new bill sections to read:
  - 17 \*\* Sec. 4. AS 16.05 is amended by adding a new section to read:
    - 18 **Sec. 16.05.397. Salt water sport fishing guide reporting.** (a) The department
    - 19 may collect information from persons who provide salt water sport fishing guide
    - 20 services, including
      - 21 (1) the name and license number of each vessel licensed under
      - 22 AS 16.05.490 that is used to provide salt water sport fishing guide services;
      - 23 (2) the amount of fishing effort, catch, and harvest by clients of a salt

1 water sport fishing guide;

2 (3) the locations fished during the provision of salt water sport fishing  
3 guide services; and

4 (4) other information that the department or board requires by  
5 regulation.

6 (b) A person who provides salt water sport fishing guide services shall comply  
7 with the reporting requirements in this section and reporting requirements adopted in  
8 regulation by the department or board.

9 (c) A person who is required to complete reports under this section may not  
10 provide false information or omit material facts in a report.

11 (d) In addition to any other penalty provided by law, a court may revoke the  
12 sport fishing license of a person who is convicted of violating this section.

13 (e) Information collected under this section is confidential to the extent  
14 provided under AS 16.05.815.

15 (f) The board may adopt regulations under AS 44.62 (Administrative  
16 Procedure Act) that it considers necessary to implement this section.

17 (g) In this section, "salt water sport fishing guide services" means assistance,  
18 for compensation or with the intent to receive compensation, to a sport fisherman to  
19 take or to attempt to take fish by accompanying or physically directing the sport  
20 fisherman in sport fishing activities on salt water during any part of a sport fishing  
21 trip; "salt water sport fishing guide services" does not include

22 (1) sport fishing services; or

23 (2) services provided by an assistant, deckhand, or similar person who  
24 works directly under the supervision of and on the same vessel as a person providing  
25 salt water sport fishing guide services.

26 (h) A person who knowingly fails to comply with a requirement for timely  
27 submission of reports required by a regulation adopted under this section is guilty of a

28 (1) violation for the first offense; or

29 (2) class B misdemeanor for the second or subsequent offense in a  
30 three-year period.

31 (i) Under circumstances not proscribed under (h) of this section, a person who

1 knowingly violates this section or a regulation adopted under this section is guilty of a  
2 class A misdemeanor.

3 (j) In this section, "knowingly" has the meaning given in AS 11.81.900(a).

4 \* Sec. 5. AS 16.05.430(a) is amended to read:

5 (a) Except as provided in AS 16.05.330(f), 16.05.397(h) and (i), 16.05.407(b)  
6 and (d), 16.05.408(b), and 16.05.420(b), a person who violates AS 16.05.330 -  
7 16.05.420 or a regulation adopted under AS 16.05.330 - 16.05.420 is guilty of a  
8 misdemeanor and upon conviction is punishable by a fine of not more than \$1,000, or  
9 by imprisonment for not more than six months, or by both."

10

11 Rerumber the following bill section accordingly.