

ALASKA STATE LEGISLATURE

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REPRESENTATIVE MARK NEUMAN

Rep.Mark.Neuman@legis.state.ak.us

Sponsor Statement

HB 246

SPORT FISH GUIDE LICENSES

HB 246 extends Alaska's sport fish guide licensing and reporting program for one year. The data collected through this program has been an important tool for the proper management of sport fisheries through a better understanding of our fish stocks and their harvest. In addition, the licensing has ensured a standard for professionalism and responsibility for sport fish businesses and guides, benefiting both consumer and businesses alike.

The data collected through the reporting program is important in Alaska's exemption from the National Saltwater Angler Registry which will prevent Alaskans from purchasing a certificate of registration.

The sport fish guide licensing program provides necessary data for the wise management of Alaska's fish resources while ensuring professionalism in the guiding industry and preventing the need for further licensing and registration for Alaskan anglers.

26-LS0929\A

HOUSE BILL NO. 246

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES NEUMAN, Johnson, Keller

Introduced: 4/19/09

Referred: House Special Committee on Fisheries, Resources

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the licensing and regulation of sport fishing operators and sport
2 fishing guides and licensing and registration of sport fishing vessels; and providing for
3 an effective date."

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

5 * **Section 1.** Section 8, ch. 70, SLA 2004, as amended by sec. 3, HCS CSSB 177(FIN), as
6 enacted into law by the First Regular Session of the Twenty-Sixth Legislature, is amended to
7 read:

8 Sec. 8. AS 16.05.340(a)(26); AS 16.40.260, 16.40.270, 16.40.280, 16.40.290,
9 16.40.299; AS 25.27.244(s)(2)(A)(xviii), and 25.27.244(s)(2)(A)(xix) are repealed
10 January 1, 2012 [2011].

11 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB246
 () Publish Date: _____

Identifier (file name): HB246-DFG-SFD-03-10-10
 Title: An act repealing the termination of the sport fish operator/guide/vessel program
 Sponsor: Representative Neuman
 Requester: Fish, Resources, Finance
 Dept. Affected: ADFG
 RDU: Sport Fisheries
 Component: Sport Fisheries
 Component Number: 464

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES							
Personal Services		337.1	337.1	337.1	337.1	337.1	337.1
Travel		10.0	10.0	10.0	10.0	10.0	10.0
Contractual		83.5	83.5	83.5	83.5	83.5	83.5
Supplies		7.0	7.0	7.0	7.0	7.0	7.0
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	0.0	437.6	437.6	437.6	437.6	437.6	437.6

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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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 Interagency Receipts		437.6	437.6	437.6	437.6	437.6	437.6
TOTAL	0.0	437.6	437.6	437.6	437.6	437.6	437.6

Estimate of any current year (FY2010) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

The division has budgeted \$437.6 in the FY11 Governor's budget to administer the Sport Fish operator/guide/vessel program. The program generates average Fish & Game Fund revenues of \$242.8, with the balance of program expenditures funded with Sport Fishing license sale revenue. Although potential cost savings measures are being implemented, it is untenable at this time to make accurate projections on what monetary savings will be realized for this program over the upcoming years.

Prepared by: Charles O. Swanton, Director
 Division: Sport Fisheries
 Approved by: Tom Lawson, Director
Administrative Services

Phone 465-6184
 Date/Time 3/10/10 4:00 PM
 Date 3/11/2010

Brief for HB 246: SPORT FISH GUIDE LICENSES
(Reauthorization of Program/Repeal of Sunset)
March 16, 2010

Alaska Department of Fish and Game Contacts:

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Jennifer Yuhas - Jennifer.Yuhas@alaska.gov; phone: 465-6137 or 388-7951.

Background:

- Original legislation passed in May, 2004; effective January 1, 2005.
- Proposed by the Department for three main reasons:
 1. Information on guide numbers and their fishing activities was either not available or limited in many parts of the state;
 2. Establish minimum standards to operate a business or contract as a guide (safety, liability insurance, US Coast Guard license, etc.) as a means to increase professionalism and reduce speculative entry; and
 3. Provide comprehensive and credible data on guided sport fishing activities to regulatory agencies: Alaska Board of Fisheries (BOF), International Pacific Halibut Commission (IPHC), and North Pacific Fisheries Management Council (NPFMC).

Legislation:

Sec.16.40.260 Sport fishing operator license;

Sec.16.40.270 Sport fishing guide license;

Sec.16.40.280 Reports;

Sec.16.40.290 Penalties for violations.

These legislative sections include licensing provisions and fees (AS. 16.05.340(a)) for sport fishing business owners (\$100), sport fishing guides working for the business (\$50), and business owners who are also a guide (owner/operator combo \$100). The mandatory reporting requirements, logbooks, are for both fresh and saltwater guide activities (freshwater logbooks were instituted in 2005). The penalties for sport fish guiding violations by business owners and guides include possible revocation of their license.

Companion Regulations:

5 AAC 75.075 Sport fishing services and sport fishing guide services; license requirements; regulation of activities.

5 AAC 75.076. Sport fishing services and sport fishing guides reporting requirements.

5 AAC 75.077. Sport fishing guide vessel registration requirements.

Present Benefits and Utility:

- A comprehensive list of all sport fishing guides working in salt water is part of the data requirements that will allow Alaska to receive an exemption from participating in the National Saltwater Angler Registry (up to \$25/saltwater angler in 2011).
- The logbook data for saltwater anglers has been used extensively within the IPHC and NPFMC for rule making on Pacific Halibut.
- Both freshwater and saltwater logbook harvest data has been presented and utilized by the Alaska Board of Fisheries. Harvest estimate verification studies are being conducted comparing logbook, statewide sport fish harvest survey, and dock side creel programs.

Participation Statistics:

- An average of **1,647 sport fishing business licenses** (including owner/operator combo) have been sold (2005-2009); 90% of owners are Alaskan residents.
- An average of **1,882 sport fishing guide licenses** have been sold (2005-2009); 73% of guides are Alaskan residents.
- Based on logbook data, over **2.1 million clients took 536,960 guided fishing trips** (from 2005 through 2009); 67% of clients fished in saltwater, 33% fished in freshwater and 88% of all clients were nonresidents.
- An average of **1,334 vessels in saltwater** were used for guided fishing trips (2005-2009).

Electronic Reporting (Modernization initiative):

- One of Commissioner Lloyd's initiatives is modernization and timely reporting of recreational harvest data. We have been actively working on this task:
 - In July, 2009 we developed a scannable saltwater logbook form which will reduce the time lag when logbook data is available from 2 to 3 months to 1 to 2 weeks. This new form will be employed for saltwater forms statewide in 2010. Ten public meetings were held across the state to explain this new format and received nearly unanimous support from user groups and public.
 - In April, 2010 the point of sale hunting and fishing licensing program will be launched at all ADF&G regional offices. This program will be made available to all license vendors shortly thereafter.
 - We will convert the freshwater logbook to a scannable format starting in 2011.



TRIP INFORMATION

➤ Complete this section for every trip. Continue on additional pages for trips with more than eight anglers in the same day.

➤ DATE FISHED: _____ / _____ / 2010 _____ AM _____ PM
Month Day Hour Started

➤ 2010 FISH & GAME GUIDE LICENSE #: _____
(assigned to you by ADF&G)

➤ COMMUNITY OR PORT OF OFF-LOADING: _____
(where fish or clients were off-loaded from vessel)

Targeted Species	Primary Stat. Area Where most fish were caught	No. Of Boat Hours Fished
Salmon:	_____	_____
Bottomfish:	_____	_____

INSTRUCTIONS: Complete one row below for each angler who fished on this trip.

INDIVIDUAL ANGLER AND CATCH INFORMATION

Record sport fishing license number, printed name AND AK residency status for each angler that fished this trip.

Include birthdate (e.g. 8/28/1998) for all anglers under 16.

AK Resident Non - Resident Comped Crew	Kept / Released King (28" & larger) King (under 28") Coho Sockeye Other Salmon	SALMON											BOTTOMFISH					
		Hallibut	Lingcod	Pelagic Rockfish	Yelloweye Rockfish	Nonpelagic Rockfish (excluding Yelloweye)	Sablefish (Black Cod)	Salmon Shark	All Other Fish									
1. _____ License Number	K▶ _____ R▶ _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____ / _____ First / Last Name (and birthdate for angler <u>under 16</u>)	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
2. _____ License Number	K▶ _____ R▶ _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____ / _____ First / Last Name (and birthdate for angler <u>under 16</u>)	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
3. _____ License Number	K▶ _____ R▶ _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____ / _____ First / Last Name (and birthdate for angler <u>under 16</u>)	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
4. _____ License Number	K▶ _____ R▶ _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____ / _____ First / Last Name (and birthdate for angler <u>under 16</u>)	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
5. _____ License Number	K▶ _____ R▶ _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____ / _____ First / Last Name (and birthdate for angler <u>under 16</u>)	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
6. _____ License Number	K▶ _____ R▶ _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____ / _____ First / Last Name (and birthdate for angler <u>under 16</u>)	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
7. _____ License Number	K▶ _____ R▶ _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____ / _____ First / Last Name (and birthdate for angler <u>under 16</u>)	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
8. _____ License Number	K▶ _____ R▶ _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____ / _____ First / Last Name (and birthdate for angler <u>under 16</u>)	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

CERTIFICATION: I certify that the information contained in this document is true and correct to the best of my knowledge.

X _____ GUIDE SIGNATURE

PAGE _____ OF _____