

**HOUSE BILL NO. 175**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES AUSTERMAN, Ivan

Introduced: 2/10/95

Referred: House Special Committee on Fisheries, Resources, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to sport fish guides; and providing for an effective date."

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

3 \* **Section 1.** INTENT. It is the intent of the legislature that the revenue generated by the  
4 sale of sport fish guide licenses be appropriated to the Department of Fish and Game for the  
5 collection and analysis of information from sport fish guides under AS 16.05.448.

6 \* **Sec. 2.** AS 16.05.330(a) is amended to read:

7 (a) Except as otherwise permitted in this chapter, without having the  
8 appropriate license or tag in actual possession a person may not engage in

9 (1) sport fishing, including the taking of razor clams;

10 (2) hunting, trapping, or fur dealing;

11 (3) the farming of fish, fur, or game; [OR]

12 (4) taxidermy; or

13 (5) sport fish guiding.

14 \* **Sec. 3.** AS 16.05.340(a) is amended by adding a new paragraph to read:

15 (25) Sport fish guide license

- 1 (A) Resident . . . . . \$200
- 2 (B) Nonresident . . . . . 600.

3 A person who holds a permit issued by the Department of Natural Resources to  
4 provide sport fishing guide services within the Kenai River Special Management Area,  
5 who pays a fee for the permit that is equal to or exceeds the appropriate fee set out  
6 in this paragraph, and who does not engage in sport fish guiding outside of the Kenai  
7 River Special Management Area shall receive a sport fish guide license without charge,  
8 if the person is eligible to obtain a sport fish guide license under AS 16.05.448.

9 \* **Sec. 4.** AS 16.05 is amended by adding a new section to read:

10 Sec. 16.05.448. SPORT FISH GUIDES. (a) A person may not engage in  
11 sport fish guiding without first obtaining a sport fish guide license.

12 (b) A person who obtains a sport fish guide license shall complete reports in  
13 the form and at the time as may be required by the department. The department shall  
14 adopt regulations allocating the responsibility for completing the reports required under  
15 this section among two or more persons who simultaneously provide guide services to  
16 a client. The department shall collect information on the number of salmon, halibut,  
17 and other fish taken by clients of a sport fish guide and may request information  
18 regarding the time and specific location of guiding activities, the number of clients  
19 guided, the owner and identity of a vessel used for sport fishing, the name of a person,  
20 other than a client sport fisherman, who employs or contracts with the guide to provide  
21 guiding services for sport fishermen, and other information the department considers  
22 appropriate.

23 (c) A person who is required to complete reports under this section may not  
24 intentionally, knowingly, or recklessly provide false, misleading, or substantially  
25 incomplete information. A person who has been convicted under this chapter for  
26 violating this subsection may not receive a sport fish guide license for three years from  
27 the date of the conviction.

28 (d) A person who is required to complete reports under this section may not  
29 receive a sport fishing guide license unless all reports required by the department for  
30 the preceding year have been received by the department.

31 \* **Sec. 5.** AS 16.05.815(d) is amended to read:

1 (d) Except as otherwise provided in this section, the department shall keep  
2 confidential (1) personal information contained in fish and wildlife harvest and usage  
3 data; and (2) the records of the department that concern (A) telemetry radio  
4 frequencies of monitored species; (B) denning sites; (C) nest locations of raptors that  
5 require special attention; (D) the specific location of animal capture sites used for  
6 wildlife research or management; [AND] (E) the specific location of fish and wildlife  
7 species; **and (F) information contained in reports received by the department**  
8 **under AS 16.05.448.** The department may release records and information that are  
9 kept confidential under this subsection if the release is necessary to comply with a  
10 court order, if the requestor is a state or federal agency, if the requestor is under  
11 contract with the state or federal agency to conduct research on a fish or wildlife  
12 population, or if the requestor has been authorized by the department to perform  
13 specific activities and agrees to use the records and information only for purposes as  
14 provided under a contract or agreement with the department. After 25 years, the  
15 records and information that are kept confidential under this subsection become public  
16 records subject to inspection and copying under AS 09.25.110 - 09.25.140 unless the  
17 department determines that the release of the records or information may be  
18 detrimental to the fish or wildlife population. In this subsection, "personal  
19 information" has the meaning given in AS 44.99.350.

20 \* **Sec. 6.** AS 16.05.940 is amended by adding a new paragraph to read:

21 (37) "sport fish guiding" means personally assisting another person to  
22 engage in sport fishing by accompanying and directly aiding the person in taking sport  
23 fish for all or a portion of a sport fishing trip in exchange for compensation for  
24 services, or an agreement for compensation for services, that is in excess of actual  
25 expenses incurred.

26 \* **Sec. 7.** This Act takes effect January 1, 1996.