

HOUSE BILL NO. 496

IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE WILLIAMS

Introduced: 2/14/94

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. AS 16.05.330(a) is amended to read:

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

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

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

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

9 (4) taxidermy; or

10 (5) sport fish guiding.

11 * Sec. 2. AS 16.05.340(a) is amended by adding a new paragraph to read:

12 (25) Sport fish guide license

13 (A) Resident \$200

14 (B) Nonresident 600.

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

7 * Sec. 3. AS 16.05 is amended by adding a new section to read:

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

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

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

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

28 * Sec. 4. AS 16.05.815(d) is amended to read:

29 (d) Except as otherwise provided in this section, the department shall keep
30 confidential (1) personal information contained in fish and wildlife harvest and usage
31 data; (2) information contained in reports received by the department under

1 **AS 16.05.448**; and **(3) [(2)]** when the knowledge may be detrimental to the fish or
2 wildlife population, the records of the department that concern telemetry radio
3 frequencies of monitored species, denning sites, nest locations of raptors that require
4 special attention, and the location of fish and wildlife species. The department may
5 release records and information that are kept confidential under this subsection if the
6 release is necessary to comply with a court order or if the requestor is a state or
7 federal agency. After 25 years, the records and information that are kept confidential
8 under this subsection become public records subject to inspection and copying under
9 AS 09.25.110 - 09.25.140 unless the department determines that the release of the
10 records or information may be detrimental to the fish or wildlife population. In this
11 subsection, "personal information" has the meaning given in AS 44.99.350.

12 * Sec. 5. AS 16.05.940 is amended by adding a new paragraph to read:

13 (37) "sport fish guiding" means assisting another person to engage in
14 sport fishing by accompanying and directing the person personally for all or a portion
15 of a sport fishing trip in exchange for compensation for services, or an agreement for
16 compensation for services, that is in excess of actual expenses incurred; "sport fish
17 guiding" does not include the provision of only transportation services.

18 * Sec. 6. This Act takes effect January 1, 1995.