

PROPOSAL 162

5 AAC 75.077. Sport fishing guide vessel registration requirements.

Allow the Kenai River Special Management Area -DNR decal to serve as proof of ADF&G sport fishing guide vessel registration, as follows:

5 AAC 75.077 is amended to read:

(a) Before being used to provide sport fishing guide services, a vessel must be registered annually with the department. A business owner, or the owner's authorized agent, shall register each individual vessel operated by the business to provide sport fishing guide services by completing a form provided by the department. At the time of registration, the business owner, or the owner's authorized agent, must provide the current division of motor vehicles boat registration number, issued under 2 AAC 70, or the current United States Coast Guard vessel documentation number of each vessel being registered.

(b) A person may not engage in sport fishing guide services from a powered or unpowered vessel unless the vessel is registered under (a) of this section and displays a sport fishing guide vessel decal with a current annual sticker issued by the department as follows:

(1) upon initial registration of a vessel, two sport fishing guide vessel decals will be issued by the department for that vessel; one decal must be securely affixed on each side of the vessel and must be displayed in plain view at all times the vessel is used to provide sport fishing guide services, **except that a vessel providing sport fishing guide services in the Kenai River Special Management Area may display the current year Department of Natural Resources Kenai River guide decal as proof of ADF&G registration;**

(2) for the years following the year of initial registration of a vessel, two current year renewal stickers will be issued by the department for that vessel; one current year renewal sticker must be securely affixed on each decal over the previous year renewal sticker and must be displayed in plain view at all times the vessel is used to provide sport fishing guide services, **except as provided in (b)(1) for vessels providing sport fishing guides services in the Kenai River Special Management Area.**

What is the issue you would like the board to address and why? Alaska statute and statewide sport fishing regulations require a sticker be displayed on a vessel providing sport fishing services. The statute (AS 16.05.395 Sport fishing vessel registration) specifically requires “proof of registration” with ADF&G be “clearly visible on the vessel while the vessel is used to provide sport fishing services. The regulation (5 AAC 75.077 Sport fishing guide vessel registration requirements) requires that guides display “a sport fishing guide vessel decal with a current annual sticker issued by the department...”

The annual Department of Natural Resources (DNR) current year renewal sticker has been used in lieu of the department’s annual renewal sticker for vessels operating in the Kenai River Special Management Area (KRSMA) because DNR regulations required guides operating in the KRSMA be in compliance with ADF&G regulations prior to receiving the KRSMA sticker. This ensured that guides and their vessels were annually registered with ADF&G and therefore the DNR current year renewal sticker was proof of current ADF&G registration.

However, the DNR regulation currently references a statute that is repealed and 5 AAC 75.077 requires the current annual sticker “issued by the department”. DNR and ADF&G staff are coordinating a response to address the redundancy of requiring two vessel stickers that provide proof of registration. ADF&G by submitting this proposal and, if it passes, DNR will replace the reference to the repealed statute with 5 AAC 75.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F22-071)
