

**Submitted by Board Member Mitchell, prepared by the Alaska Department of Fish and Game<sup>i</sup>.**

March 12, 2023

Substitute language for proposal 165:

5 AAC 01.010 is amended by adding a new subsection to read:

**5 AAC 01.010. Methods, means, and general provisions.**

**(p) Subsistence fishing guide services are prohibited.**

**(q) for the purposes of this subsection, "subsistence fishing guide services" means assistance, for compensation or with the intent to receive compensation, to a subsistence fisherman to take or to attempt to take fish by accompanying or physically directing the fisherman in subsistence fishing activities during any part of a subsistence fishing trip.**

**(r) In this section, "compensation"**

**(1) means direct or indirect payment, remuneration, and other benefits received in return for services, regardless of the source; in this paragraph, "benefits" includes**

**(A) wages and other employment benefits given directly or indirectly to an individual or organization; and**

**(B) dues, payments, fees, and other remuneration given directly or indirectly to a fishing club, business, organization, or individual who provides subsistence fishing guide services;**

**(2) does not include reimbursement for the actual daily expenses for fuel, food, or bait.**

---

<sup>i</sup> Preparation of draft substitute language at the request of a Board member does not imply ADF&G support. The Department will state its position on the language during deliberation.