

CS FOR HOUSE BILL NO. 267(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:**Referred:****Sponsor(s): REPRESENTATIVE EDGMON****A BILL****FOR AN ACT ENTITLED**

1 "An Act requiring the release of certain records relating to big game hunters, guided
2 hunts, and guided sport fishing activities to municipalities for verification of taxes
3 payable; and providing for an effective date."

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

5 * **Section 1.** AS 08.54.760(b) is repealed and reenacted to read:

6 (b) Except as otherwise provided in this subsection, hunt records received
7 under this section and activity reports received under AS 08.54.650 are confidential
8 and not subject to inspection or copying under AS 40.25.110 - 40.25.125. Aggregated
9 data compiled from hunt records and activity reports may be included in reports by the
10 department. The department shall make hunt records and activity reports available

11 (1) if requested, to state agencies, federal law enforcement agencies,
12 and other law enforcement agencies; and

13 (2) to a municipality that levies a tax on those activities, if the
14 municipality

(A) requests the records for the purpose of verifying taxes payable; and

(B) agrees to maintain the confidentiality of the records.

* **Sec. 2.** AS 16.05.815(a) is amended to read:

(a) Except as provided in (b) and (c) of this section, records required by regulations of the department concerning the landings of fish, shellfish, or fishery products, and annual statistical reports of fishermen, buyers, and processors required by regulation of the department are confidential and may not be released by the department or by the Alaska Commercial Fisheries Entry Commission except as set out in this subsection. The department may release the records and reports set out in this subsection to the Alaska Commercial Fisheries Entry Commission. The department and the Alaska Commercial Fisheries Entry Commission may release the records and reports set out in this subsection to the recipients identified in this subsection if the recipient, other than a recipient under (6) - (10) [(5) - (9)] of this subsection, agrees to maintain the confidentiality of the records and reports. The department and the Alaska Commercial Fisheries Entry Commission may release

(1) any of the records and reports to the National Marine Fisheries Service and the professional staff of the North Pacific Fishery Management Council as required for preparation and implementation of the fishery management plans of the North Pacific Fishery Management Council within the exclusive economic zone;

(2) any of the records and reports to the professional staff of the Pacific States Marine Fisheries Commission who are employed in the Alaska Fisheries Information Network project for the purpose of exchanging information with users authorized by the department;

(3) any of the records and reports to the Department of Revenue to assist the department in carrying out its statutory responsibilities;

(4) records or reports of the total value purchased by each buyer to a municipality that levies and collects a tax on fish, shellfish, or fishery products if the municipality requires records of the landings of fish, shellfish, or fishery products to be submitted to it for purposes of verification of taxes payable;

(5) records or reports of guided sport fishing activities filed by a

1 guide to a municipality that levies a tax on those activities if the municipality
2 requests the records for the purpose of verifying taxes payable;

3 (6) such records and reports as necessary to be in conformity with a
4 court order;

5 (7) [(6)] on request, the report of a person to the person whose fishing
6 activity is the subject of the report, or to a designee of the person whose fishing
7 activity is the subject of the report;

8 (8) [(7)] on request, annual statistical reports of a fisherman, buyer, or
9 processor to the fisherman, buyer, or processor whose activity is the subject of the
10 report, or to a designee of the fisherman, buyer, or processor whose activity is the
11 subject of the report;

12 (9) [(8)] any of the records and reports to the Department of Public
13 Safety for law enforcement purposes;

14 (10) [(9)] fish tickets, fish ticket information, records required of sport
15 fishing guides, and annual statistical reports of fishermen, buyers, and processors and
16 information in those reports to the law enforcement personnel of the National Marine
17 Fisheries Service and the National Oceanic and Atmospheric Administration for the
18 purpose of enforcing fishery laws in waters of this state and in waters of the exclusive
19 economic zone adjacent to this state;

20 (11) [(10)] fish tickets, fish ticket information, and records required of
21 sport fishing guides regarding halibut to the International Pacific Halibut Commission;

22 (12) [(11)] any of the records and reports to the child support services
23 agency created in AS 25.27.010, or the child support enforcement agency of another
24 state, for child support purposes authorized under law;

25 (13) [(12)] any of the records and reports to the Department of Natural
26 Resources to assist the department in carrying out its statutory responsibilities in
27 regard to sport fishing operations and sport fishing guides within the Kenai River
28 Special Management Area under AS 41.21.500 - 41.21.514; and

29 (14) [(13)] fish ticket information and records or reports of the total
30 value purchased by each fisherman, buyer, or processor to the National Marine
31 Fisheries Service for the purpose of enforcing the industry fee system of a fishing

1 capacity reduction program under 16 U.S.C. 1861a (Magnuson-Stevens Fishery
2 Conservation and Management Act).

3 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

5 **APPLICABILITY.** (a) AS 08.54.760(b), as repealed and reenacted by sec. 1 of this
6 Act, requires the Department of Commerce, Community, and Economic Development to
7 make a record reported under AS 08.54.650 or 08.54.760(b) available to a requesting
8 municipality that levies a tax on the reported activity, regardless of whether the activity
9 occurred before, on, or after the effective date of this Act.

10 (b) AS 16.05.815(a), as amended by sec. 2 of this Act, requires the Department of
11 Fish and Game to make a record of guided sport fishing activity filed by a guide available to a
12 requesting municipality that levies a tax on the guided sport fishing activity, regardless of
13 whether the activity occurred before, on, or after the effective date of this Act.

14 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).