

HOUSE BILL NO. 181

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES AUSTERMAN, Kawasaki

Introduced: 3/9/11

Referred: House Special Committee on Fisheries, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring the Department of Fish and Game annually to collect confidential**
2 **information related to days worked by commercial fishing crewmembers and to compile**
3 **statistical data."**

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

5 * **Section 1.** AS 16.05.450 is amended by adding a new subsection to read:

6 (e) When issuing a license under (a) of this section, the commissioner or an
7 authorized agent shall, when practicable, issue free of charge to crewmembers a crew
8 activity form provided by the Department of Fish and Game as described in
9 AS 16.05.465.

10 * **Sec. 2.** AS 16.05 is amended by adding a new section to read:

11 **Sec. 16.05.465. Commercial fishing crewmember activity form and data.**

12 (a) For the purpose of creating and publishing annual statistics, the department shall
13 establish a system for the collection, processing, and publication of information related
14 to the number of days obligated to a vessel by fishing vessel crewmembers who are

1 employed in fisheries in the state.

2 (b) The department shall produce a crew activity form in which a fishing
3 vessel crewmember may record the following information regarding employment:

4 (1) the crewmember's full name and home address;

5 (2) the name and home port of each fishing vessel on which the
6 crewmember has been employed;

7 (3) the total number of days a crewmember was obligated to a vessel;
8 and

9 (4) the fishery in which the crewmember worked while employed on
10 the vessel, including the area of the state, gear type, and other information the
11 department finds necessary.

12 (c) Information recorded on a crew activity form collected by the department
13 under this section is confidential except as provided in (e) and (f) of this section.

14 (d) The department shall annually, before March 1, collect from fishing vessel
15 crewmembers as many completed or partially completed crew activity forms for the
16 preceding calendar year as is reasonably practicable.

17 (e) The department

18 (1) shall provide for each fishing vessel operator to review the hours
19 worked for that fishing vessel operator that are recorded on a crew activity form
20 collected under (d) of this section; if the department does not receive a crew activity
21 form back from a fishing vessel operator, it is presumed that the information on the
22 crew activity form is not disputed;

23 (2) may use information recorded on a crew activity form collected
24 under (d) of this section to create statistical data in a manner that preserves the
25 anonymity of the fishing vessel and the individual fishing vessel crewmember;
26 statistical data created in compliance with this paragraph is not confidential; and

27 (3) may make information reported on a crew activity form available
28 to the National Marine Fisheries Service or the United States Department of
29 Agriculture as the department considers necessary.

30 (f) The department shall make the information reported on a crew activity
31 form available to the Department of Labor and Workforce Development for the

1 publication of statistical data gathered. Statistical data analyzed and published in
2 compliance with this subsection is not confidential.

3 (g) The department may adopt regulations necessary to implement this
4 section.

5 (h) In this section,

6 (1) "crewmember" means an individual who holds or is required to
7 hold a commercial fishing license under AS 16.05.480;

8 (2) "fishing vessel operator" means an individual who is responsible by
9 law for the operation of a fishing vessel;

10 (3) "obligated to a vessel" means the days

11 (A) during which a crewmember is on land and is not landing
12 or taking fish, but is either on call or otherwise performing work for a fishing
13 vessel; and

14 (B) during which a crewmember is aboard a fishing vessel for
15 the purpose of commercial fishing.

16 * **Sec. 3.** AS 16.05.450(e) and 16.05.465 are repealed January 1, 2016.