

HOUSE CS FOR SENATE BILL NO. 171(RLS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE

Offered: 5/16/99

Referred: Today's Calendar

Sponsor(s): SENATOR HALFORD

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the release of certain records and reports required by the
2 Department of Fish and Game regarding fish, shellfish, or fishery products and
3 reports of fish buyers and processors; relating to the transfer of land to the
4 state; and providing for an effective date."

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

6 * Section 1. AS 16.05.815(a) is amended to read:

7 (a) Except as provided in (b) and (c) of this section, records required by
8 regulations of the department concerning the landings of fish, shellfish, or fishery
9 products, and annual statistical reports of buyers and processors required by regulation
10 of the department are confidential and may not be released by the department **or by**
11 **the Alaska Commercial Fisheries Entry Commission** except as set out in this
12 subsection. The department may release the records and reports set out in this
13 subsection to **the Alaska Commercial Fisheries Entry Commission.** **The**
14 **department and the Alaska Commercial Fisheries Entry Commission may release**

1 **the records and reports set out in this subsection to** the recipients identified in this
 2 subsection if the recipient, other than a recipient under **(5) - (8)** [(4) - (6)] of this
 3 subsection, agrees to maintain the confidentiality of the records and reports. The
 4 department **and the Alaska Commercial Fisheries Entry Commission** may release

5 (1) any of **the** [ITS] records and reports to the National Marine
 6 Fisheries Service and the professional staff of the North Pacific Fishery Management
 7 Council as required for preparation and implementation of the fishery management
 8 plans of the North Pacific Fishery Management Council within the exclusive economic
 9 zone;

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

14 (3) [(2)] any of **the** [ITS] records and reports to the Department of
 15 Revenue [AND TO THE ALASKA COMMERCIAL FISHERIES ENTRY
 16 COMMISSION] to assist **the Department of Revenue** [THEM] in carrying out **its**
 17 [THEIR] statutory responsibilities;

18 (4) [(3)] records or reports of the total value purchased by each buyer
 19 to a municipality that levies and collects a tax on fish, shellfish, or fishery products
 20 if the municipality requires records of the landings of fish, shellfish, or fishery
 21 products to be submitted to it for purposes of verification of taxes payable;

22 (5) [(4)] such records and reports as necessary to be in conformity with
 23 a court order;

24 (6) [(5)] on request, the report of a person to the person whose fishing
 25 activity is the subject of the report;

26 (7) [(6)] fish tickets and fish ticket information to the division of fish
 27 and wildlife protection, Department of Public Safety;

28 (8) **fish tickets and fish ticket information to the law enforcement**
 29 **personnel of the National Marine Fisheries Service and the National Oceanic and**
 30 **Atmospheric Administration for the purpose of enforcing fishery laws in waters**
 31 **of this state and in waters of the exclusive economic zone adjacent to this state;**

1 (9) [(7)] fish tickets and fish ticket information regarding halibut to the
2 International Pacific Halibut Commission; and

3 (10) [(8)] any of **the** [ITS] records and reports to the child support
4 enforcement agency created in AS 25.27.010, or the child support enforcement agency
5 of another state, for child support purposes authorized under law.

6 * **Sec. 2.** AS 16.20.041(e) is amended to read:

7 (e) The department and the Department of Natural Resources

8 (1) may not enter into sales of land within the McNeil River State
9 Game Refuge;

10 (2) may enter into leases within the McNeil River State Game Refuge
11 if the commissioner finds that activity conducted under the lease is compatible with
12 the purposes for which the refuge is established;

13 (3) may not accept transfer of state selected land from the federal
14 government, or conveyance of other land, within the refuge if the land is subject
15 to

16 (A) a lease, easement, or other right to operate or maintain
17 a private facility on the land or to conduct a private enterprise on the
18 land; or

19 (B) a continuing trespass by an unauthorized private facility
20 or private enterprise.

21 * **Sec. 3.** AS 16.20.162(c) is amended to read:

22 (c) The department and the Department of Natural Resources

23 (1) may not enter into sales of land within the McNeil River State
24 Game Sanctuary;

25 (2) may enter into leases within the McNeil River State Game
26 Sanctuary if the commissioner finds that activity conducted under the lease is
27 compatible with the purposes for which the sanctuary is established;

28 (3) may not accept transfer of state selected land from the federal
29 government, or conveyance of other land, within the sanctuary if the land is
30 subject to

31 (A) a lease, easement, or other right to operate or maintain

1 a private facility on the land or to conduct a private enterprise on the
 2 land; or

3 (B) a continuing trespass by an unauthorized private facility
 4 or private enterprise.

5 * **Sec. 4.** AS 42.40.285 is amended to read:

6 **Sec. 42.40.285. Legislative approval required.** Unless the legislature
 7 approves the action by law, the corporation may not

8 (1) exchange, donate, sell, or otherwise convey its entire interest in
 9 land;

10 (2) issue bonds;

11 (3) extend railroad lines; this paragraph does not apply to a spur,
 12 industrial, team, switching, or side track;

13 (4) lease land for a period in excess of 35 years unless the corporation
 14 reserves the right to terminate the lease if the land is needed for railroad purposes;

15 (5) apply for or accept a grant of federal land within a
 16 municipality; before approving an action under this paragraph, the legislature
 17 must determine that the federal land is required for essential railroad purposes;
 18 this paragraph does not apply to the application for or acceptance of a grant of
 19 federal land associated with

20 (A) the Anchorage-Wasilla line change project on Elmendorf
 21 Air Force Base and Fort Richardson;

22 (B) the Fairbanks intermodal rail yard expansion project.

23 * **Sec. 5.** AS 42.40.410 is amended to read:

24 **Sec. 42.40.410. Federal land.** Except as provided in AS 42.40.285(5), the
 25 [THE] corporation may submit applications on its own behalf as an instrumentality of
 26 the state for acquisition of federal land available under federal law that will enhance
 27 the operations of the corporation if it is available under a federal law other than the
 28 Alaska Statehood Act of 1958 (P.L. 85 - 508, 72 Stat. 339), as amended. The
 29 corporation may receive in its own name conveyances of all interests in federal land.

30 * **Sec. 6.** Sections 1 - 3 of this Act take effect immediately under AS 01.10.070(c).