

HOUSE BILL NO. 186

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HARRIS BY REQUEST, Thomas, Kelly

Introduced: 3/12/07

Referred: House Special Committee on Fisheries, Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to sharing with certain federal agencies records required of sport**
2 **fishing guides."**

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

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

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

1 agrees to maintain the confidentiality of the records and reports. The department and
2 the Alaska Commercial Fisheries Entry Commission may release

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

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

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

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

17 (5) such records and reports as necessary to be in conformity with a
18 court order;

19 (6) on request, the report of a person to the person whose fishing
20 activity is the subject of the report, or to a designee of the person whose fishing
21 activity is the subject of the report;

22 (7) on request, annual statistical reports of a fisherman, buyer, or
23 processor to the fisherman, buyer, or processor whose activity is the subject of the
24 report, or to a designee of the fisherman, buyer, or processor whose activity is the
25 subject of the report;

26 (8) any of the records and reports to the Department of Public Safety
27 for law enforcement purposes;

28 (9) fish tickets, fish ticket information, **records required of sport**
29 **fishing guides**, and annual statistical reports of fishermen, buyers, and processors and
30 information in those reports to the law enforcement personnel of the National Marine
31 Fisheries Service and the National Oceanic and Atmospheric Administration for the

1 purpose of enforcing fishery laws in waters of this state and in waters of the exclusive
2 economic zone adjacent to this state;

3 (10) fish tickets, [AND] fish ticket information, **and records required**
4 **of sport fishing guides** regarding halibut to the International Pacific Halibut
5 Commission;

6 (11) any of the records and reports to the child support services agency
7 created in AS 25.27.010, or the child support enforcement agency of another state, for
8 child support purposes authorized under law; and

9 (12) any of the records and reports to the Department of Natural
10 Resources to assist the department in carrying out its statutory responsibilities in
11 regard to sport fishing operations and sport fishing guides within the Kenai River
12 Special Management Area under AS 41.21.500 - 41.21.514.