

**CS FOR HOUSE BILL NO. 181(FSH)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

**BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES**

**Offered: 3/28/11**

**Referred: Finance**

**Sponsor(s): REPRESENTATIVES AUSTERMAN, Kawasaki, Edgmon**

**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 is amended by adding a new section to read:

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

7 (a) For the purpose of creating and publishing annual statistics, the department shall  
8 establish a system for the collection, processing, and publication of information related  
9 to the number of days obligated to a vessel or set net site by crewmembers who are  
10 employed in fisheries in the state.

11 (b) The department shall produce a crew activity form in which a crewmember  
12 shall record the following information regarding employment:

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

14 (2) the crewmember's license number or Alaska Commercial Fisheries

1 Entry Commission landing card used in lieu of a crew license;

2 (3) the start date and end date for the period that the crewmember was  
3 obligated to a vessel or set net site;

4 (4) the fishery in which the crewmember worked while employed on  
5 the vessel or set net site, including the area of the state and gear type; and

6 (5) other information the department finds necessary.

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

9 (d) The department shall annually, before April 15, collect from crewmembers  
10 as many completed or partially completed crew activity forms for the preceding  
11 calendar year as is reasonably practicable.

12 (e) The department

13 (1) shall provide each fishing vessel or set net site operator and fishing  
14 vessel or set net site owner the opportunity to review and contest the information  
15 recorded on a crew activity form collected under (d) of this section; if the department  
16 does not receive a crew activity form back from a fishing vessel or set net operator or  
17 fishing vessel or set net owner, it is presumed that the information on the crew activity  
18 form is not disputed;

19 (2) may use information recorded on a crew activity form collected  
20 under (d) of this section to create statistical data in a manner that preserves the  
21 anonymity of the fishing vessel or set net site and the individual crewmember;  
22 statistical data created in compliance with this paragraph is not confidential; and

23 (3) may make information reported on a crew activity form available  
24 to the National Marine Fisheries Service, the United States Department of Agriculture,  
25 or the United States Department of Labor, as the department considers necessary.

26 (f) The department shall make the information reported on a crew activity  
27 form available to the Department of Labor and Workforce Development for the  
28 publication of statistical data gathered.

29 (g) The department may adopt regulations necessary to implement this  
30 section.

31 (h) In this section,

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

3                   (2) "fishing vessel or set net site operator" means an individual who is  
4 responsible by law for the operation of a fishing vessel or set net site;

5                   (3) "obligated to a vessel or set net site" means the days

6                                 (A) during which a crewmember is on land and is not landing  
7 or taking fish, but is either on call or otherwise performing work for a fishing  
8 vessel or set net site; and

9                                 (B) during which a crewmember is aboard a fishing vessel or at  
10 a set net site for the purpose of commercial fishing.

11 \* **Sec. 2.** AS 16.05.450(e) and 16.05.465 are repealed January 1, 2015.