

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 872

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to sanitation, sanitary practices, and
7 quality assurance in the seafood processing industry."

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

9 * Section 1. AS 03.05.010(c) is amended to read:

10 (c) To carry out his functions under AS 03.05.010 -- 03.60.010,
11 the commissioner of environmental conservation may issue orders, regula-
12 tions, permits, quarantines, and embargoes relating to

13 (1) examination and inspection of premises containing pro-
14 ducts, articles, and commodities carrying pests;

15 (2) establishment of quarantines for eradication of pests;

16 (3) establishment of standards and labeling requirements per-
17 taining to the sale of meat, fish, and poultry;

18 (4) tests and analyses which may be made and hearing which
19 may be held to determine whether the commissioner will issue a stop or-
20 der or quarantine;

21 (5) cooperation with federal and other state agencies;

22 (6) regulation of fur farming, except as specified in AS 16.-
23 05.340(b); for purposes of this paragraph, "fur farming" means the rais-
24 ing of animals in captivity for the purpose of marketing their fur, and
25 "domestic fur farm animal" means a fur animal born and raised in captiv-
26 ity;

27 (7) examination and inspection of meat, fish, and poultry ad-
28 vertised for sale or sold to the public;

29 (8) enforcement of quality assurance plans developed in coop-

1 eration with appropriate industry representatives.

2 * Sec. 2. AS 03.05 is amended by adding a new section to read:

3 Sec. 03.05.025. PERMITS AND PLANS OF OPERATION. (a) A person may
4 not operate a seafood processing establishment or seafood processing
5 vessel without a plan of operation approved in writing by the commis-
6 sioner of environmental conservation and without a permit issued by the
7 commissioner which incorporates the plan of operation.

8 (b) A plan of operation required by this section must include:

9 (1) the water supply and water treatment proposed to be used
10 for processing fish and fish products and for consumption by humans;

11 (2) means of waste treatment and disposal;

12 (3) the seafood and seafood product handling, cleaning, can-
13 ning, freezing, storage, and transportation systems proposed to be used;

14 (4) proposed means to ensure cleanliness, sanitation, whole-
15 someness, and prevention of contamination of the seafood and seafood
16 products;

17 (5) proposed means of surveillance to assure product sanita-
18 tion, integrity of the preservation process, and product safety; and

19 (6) other information which the commissioner may, by regula-
20 tion, require.

21 * Sec. 3. AS 03.05.030 is amended to read:

22 Sec. 03.05.030. RULES FOR GRADING AND CLASSIFICATION OF AGRICUL-
23 TURAL OR FISHERIES PRODUCTS. (a) The commissioner may adopt [MAKE AND
24 PROMULGATE RULES,] regulations and procedures requiring the classifica-
25 tion, grading and inspection of agricultural or fisheries products sold
26 or offered for sale for general consumption before they are sold, and
27 requiring the marking or labeling of any sack, box, carton, or other
28 container of agricultural or fisheries products to show the kind, grade,
29 or other prescribed classification of the contents.

1 **(b) In this section, "commissioner" means the commissioner of na-**
2 **tural resources with respect to those products over which the commis-**
3 **sioner of natural resources has jurisdiction under AS 03.05.010 -- 03.-**
4 **60.010. It means the commissioner of environmental conservation with**
5 **respect to those products over which the commissioner of environmental**
6 **conservation has jurisdiction under AS 03.05.010 -- 03.60.010.**

7 * Sec. 4. AS 03.05 is amended by adding a new section to read:

8 Sec. 03.05.045. RESEARCH. The commissioner of environmental con-
9 servation may conduct, directly or through grants to or contracts with
10 public or private agencies or organizations and individuals, studies,
11 research, experiments, and demonstrations

12 (1) to improve sanitation practices in the processing of fish
13 and fisheries products; and

14 (2) to develop improved techniques for surveillance and in-
15 spection activities under this chapter.

16 * Sec. 5. AS 03.05.090 is amended to read:

17 Sec. 03.05.090. PENALTY FOR VIOLATION. A [ANY] person who vio-
18 lates AS 03.05.010 -- 03.05.100 or a [RULE,] regulation, order, or quar-
19 antine made under authority of AS 03.05.010 -- 03.05.100, violates a
20 provision of a permit issued under AS 03.05.010 -- 03.05.100, or sells
21 seeds failing to meet the labeling requirements, standards, and tests
22 provided for by regulation of the commissioner of natural resources or
23 the commissioner of environmental conservation is guilty of a class A
24 misdemeanor [, UPON CONVICTION, PUNISHABLE] for each offense [BY A FINE
25 OF NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR,
26 OR BY BOTH].
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