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Referred: Resources and Finance

5-1837A

1 IN THE SENATE

BY ZHAROFF

2

SENATE BILL NO. 459

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the confidentiality of shellfish
7 stock abundance surveys conducted by the Department
8 of Fish and Game; and providing for an effective
9 date."

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

11 * Section 1. AS 16.05.815 is amended to read:

12 Sec. 16.05.815. CONFIDENTIAL NATURE OF CERTAIN REPORTS AND
13 RECORDS. (a) Except as provided in (b) and (c) of this section,
14 records required by regulations of the department concerning the
15 landings of fish, shellfish or fishery products, and annual statis-
16 tical reports of buyers and processors required by regulation of the
17 department are confidential and may not be released by the department
18 except that the department may release

19 (1) any of its records and reports to the National Marine
20 Fisheries Service as required for preparation and implementation of
21 the fishery management plans of the North Pacific Fishery Management
22 Council within the fishery conservation zone; however, information
23 released to the National Marine Fisheries Service under this paragraph
24 may not disclose the identity of individual fishermen or their ves-
25 sels;

26 (2) any of its records and reports to the Department of
27 Revenue and to the Commercial Fisheries Entry Commission to assist
28 them in carrying out their statutory responsibilities;

29 (3) records or reports of the total value purchased by each

1 buyer to a municipality that levies and collects a tax on fish,
2 shellfish, or fishery products if the municipality

3 (A) requires records of the landings of fish, shell-
4 fish, or fishery products to be submitted to it for purposes of
5 verification of taxes payable; and

6 (B) maintains the confidentiality of reports and
7 records that it receives under this paragraph;

8 (4) such records and reports as necessary to be in confor-
9 mity with a court order;

10 (5) on request, the report of a person to the person whose
11 fishing activity is the subject of the report; and

12 (6) fish tickets and fish ticket information to the divi-
13 sion of fish and wildlife protection, Department of Public Safety.

14 (b) Except as provided in (c) of this section, records [RECORDS]
15 or reports received by the department which do not identify individual
16 fishermen, buyers, or processors or the specific locations where fish
17 have been taken are public information.

18 * Sec. 2. AS 16.05.815 is amended by adding a new subsection to read:

19 (c) Information contained in a shellfish stock abundance survey
20 that reveals the location of shellfish harvests is confidential and is
21 not subject to inspection or copying under AS 09.25.110 - 09.25.120
22 until the close of the fishing season during which the survey is
23 conducted.

24 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).