

HB

444



# Alaska State Legislature

POUCH Y, STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465-3800

11 April 1977

James W. Brooks, Commissioner  
Department of Fish and Game  
Support Building  
Juneau, Alaska 99801

ATTENTION: Ed Huizer

Dear Commissioner,

The House Resources Committee will be reviewing HB 444, An Act relating to the confidentiality of fishery reports on Thursday, April 14, 1977 at 1:15 p.m. in Room 118 of the Capitol Building.

Please supply us with a position paper or material you have on this bill by the time of the meeting. If you have any information pertinent to this topic, the committee would appreciate receiving that, too. If you know of other interested groups, please contact them.

If you have any suggested amendments, please supply the staff with copies of that prior to the meeting.

If there is a fiscal implication and a note is necessary, please prepare it and submit it to the committee -- preferably prior to the meeting.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Al Osterback".

Al Osterback, Chairman  
House Resources Committee

AO:ts



# Alaska State Legislature

POUCH Y, STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465-3800

12 April 1977

Sterling Gallagher, Commissioner  
Department of Revenue  
Pouch S  
Juneau, Alaska 99811

Dear Commissioner,

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Al Osterback, Chairman  
House Resources Committee

AO:ts



# Alaska State Legislature

POUCH Y, STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465-3800

12 April 1977

Richard L. Burton, Commissioner  
Department of Public Safety  
Pouch N  
Juneau, Alaska 99811

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Al Osterback, Chairman  
House Resources Committee

AO:ts



# Alaska State Legislature

POUCH Y, STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465-3800

12 April 1977

H. Phillip Hubbard, Commissioner  
Department of Commerce and Economic Development  
Pouch D  
Juneau, Alaska 99811

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An Act relating to the confidentiality of fishery reports  
on Thursday, April 14, 1977 at 1:15 p.m. in Room 118  
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Al Osterback, Chairman  
House Resources Committee

AO:ts



# Alaska State Legislature

POUCH Y, STATE CAPITOL  
JUNEAU, ALASKA 99811  
507 465-3800

12 April 1977

Commercial Fisheries Entry Commission  
Pouch KB  
Juneau, Alaska 99811

ATTENTION: Roy Rickey

The House Resources Committee will be reviewing HB 444, An Act relating to the confidentiality of fishery reports on Thursday, April 14, 1977 at 1:15 p.m. in Room 118 of the Capitol Building.

Please supply us with a position paper or material you have on this bill by the time of the meeting. If you have any information pertinent to this topic, the committee would appreciate receiving that, too. If you know of other interested groups, please contact them.

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Al Osterback, Chairman  
House Resources Committee

AO:ts

*Limited  
Entry  
Commission*



Alaska State Legislature  
House

HOUSE RESOURCES COMMITTEE

Alvin Osterback, Chairman

Pouch V, State Capitol  
Juneau, Alaska 99811  
(907) 465-3715

MEMORANDUM

19 April 1977

RE: HB 444 Confidentiality of Fishery Reports

TO: House Resources Committee Members

Please note the attached Committee Substitute. Perhaps this will clear up some of the problems that the Committee had with the bill.

1 IN THE HOUSE

BY GARDINER

2 HOUSE BILL NO. 444

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the confidentiality of fishery re-  
7 ports."

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

9 \* Section 1. AS 16.05.815 is repealed and re-enacted to read:

10 Sec. 16.05.815. CONFIDENTIAL NATURE OF CERTAIN RECORDS. Reports  
11 required by regulations of the department concerning the landing of  
12 fish, shellfish, or fishery products, and annual statistical reports of  
13 buyers and processors required by regulations of the department, insofar  
14 as they are in the form of individual records, are confidential. They

15 may be released to the Department of Revenue, the <sup>DIVISION OF FISH &</sup> ~~Department of Public~~  
16 <sup>WILDLIFE PROTECTION</sup> Safety, and the Commercial Fisheries Entry Commission to assist them in  
17 carrying out their statutory responsibilities. ~~They may also be re-~~  
18 ~~leased to the North Pacific Fisheries Management Council, the University~~  
19 ~~of Alaska, and the Department of Commerce and Economic Development in~~  
20 ~~conjunction with research and statistics projects.~~ However, the com-

21 missioner may not release a report if he determines that to do so would  
22 abuse the intent of this section, and he may limit or condition any  
23 release to insure that proper confidentiality is maintained. Confiden-  
24 tial reports held by the department, or received from the department by  
25 the agencies and organizations mentioned in this section, may not be  
26 communicated or distributed in the form of individual records to any  
27 other agency, organization, or individual unless required by a court  
28 order.

29 # The Department of Commerce and Economic Development  
-1- HB 444  
may obtain records for an individual fisherman if the  
fisherman signs a written release of authorization.

# North Pacific Fishery Management Council

## CHAIRMAN

Mr. Elmer Rasmuson  
P.O. Box 600  
Anchorage, Alaska 99501

## EXECUTIVE OFFICE

Suite 32, 333 West 4th Avenue  
Post Office Mall Building  
Phone: 907-274-4563  
Mailing Address: P.O. Box 3136DT  
Anchorage, Alaska 99510

April 14, 1977

The Honorable Al Osterback  
Chairman, House Resources Committee  
House of Representatives  
Alaska State Legislature  
Pouch Y, State Capitol  
Juneau, AK 99811

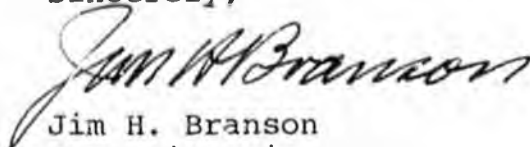
Dear Mr. Osterback:

I asked Steve Pennoyer of the Alaska Department of Fish and Game and Keith Specking to speak for the North Pacific Council during your review of HB 444 on this date.

The requirement for the North Pacific Fishery Management Council to have access to catch reports and industry statistics is necessitated by their development of management plans for the fishery resources off Alaska. The Council is currently engaged in developing plans for the groundfish fisheries of the Gulf of Alaska and the Bering Sea and Aleutian Islands, for the tanner crab fisheries and for the ocean troll salmon fishery. Management plans on the other fisheries off Alaska will be started as soon as these high priority units are well underway, probably late this fall. After the plans are completed and in effect they will be constantly monitored, revised and updated. All of this will require access to the material covered in the confidentiality section of HB 444.

There is no fiscal implication that we can identify and the section as written appears to be satisfactory for the Council's purposes. Your support in furthering this Bill will be greatly appreciated.

Sincerely,



Jim H. Branson  
Executive Director

BILL ANALYSIS

ASSIGNMENT DATE \_\_\_\_\_

UNASSIGNED \_\_\_\_\_

DEPARTMENT <b>Public Safety</b>	SPONSOR (PRINCIPAL) <b>Gardiner</b>	BILL NO. <b>HB 444</b>
DEPARTMENT POSITION <p style="text-align:center;">Favor Passage of SB 147</p>		
DIVISION DIRECTOR <i>Col. Fred M. Waldstad</i> <i>by Capt. Ron M. Roberts</i>	DATE <i>4/14/77</i>	COMMISSIONER <i>[Signature]</i>
DATE <i>4-14-77</i>		
GOVERNOR'S OFFICE USE		
<input type="checkbox"/> POSITION NOTED <input type="checkbox"/> POSITION APPROVED <input type="checkbox"/> POSITION DISAPPROVED BY: _____ DATE: _____		
SUMMARY		
(1) RELATED BILLS (SIMILAR OR CONFLICTING)		
(2) a. ORGANIZATIONAL SUPPORT FOR BILL		(2) b. ORGANIZATIONAL OPPOSITION TO BILL
(3) PROGRAM EFFECTS OF BILL  Passage of the bill will assist the Department of Public Safety in carrying out its statutory responsibilities.		
(4) FISCAL IMPACT: <input type="checkbox"/> NONE <input type="checkbox"/> FISCAL ANALYSIS ATTACHED		
(5) AMENDMENTS PROPOSED:		
(6) COMMENTS:		

1 \* Sec. 29. AS 16.05.780(a)(2) is amended to read:

2 (2) a majority of active local advisory committees in [FOR]  
3 that unit or subunit have recommended an opening for that year, after  
4 each has taken a vote and a majority of the members of those committees  
5 have voted in the affirmative; if no active advisory committee exists  
6 within the unit or subunit, the recommendation of a committee in any  
7 contiguous unit or subunit will be sufficient.

8 \* Sec. 30. AS 16.05.810 is amended by adding a new subsection to read:

9 (b) Nothing in this section authorizes possession of fish or  
10 game when possession is prohibited by applicable law or regulation.

11 \* Sec. 31. AS 16.05.815 is repealed and re-enacted to read:

12 Sec. 16.05.815. CONFIDENTIAL NATURE OF CERTAIN RECORDS. Reports  
13 required by regulations of the department concerning the landing of  
14 fish, shellfish, or fishery products, and annual statistical reports  
15 of buyers and processors required by regulations of the department,  
16 insofar as they are in the form of individual records, are confidential.  
17 They may be released to the Department of Revenue, the Department of  
18 Public Safety, and the Commercial Fisheries Entry Commission to assist  
19 them in carrying out their statutory responsibilities. ~~They may also~~  
20 ~~be released to the North Pacific Fisheries Management Council, the~~  
21 ~~University of Alaska, and the Department of Commerce and Economic~~  
22 ~~Development in conjunction with research and statistics projects.~~

23 However, the commissioner may not release a report if he determines  
24 that to do so would abuse the intent of this section, and he may limit  
25 or condition any release to insure that proper confidentiality is  
26 maintained. Confidential reports held by the department, or received  
27 from the department by the agencies and organizations mentioned in  
28 this section, may not be communicated or distributed in the form of  
29 individual records to any other agency, organization, or individual

The Dept. of Commerce's Economic Development may obtain records for an individual fisherman if the fisherman signs a written release of authorization.

BILL ANALYSIS

ASSIGNMENT DATE \_\_\_\_\_

UNASSIGNED \_\_\_\_\_

DEPARTMENT <b>Public Safety</b>	SPONSOR (PRINCIPAL) <b>Gardiner</b>	BILL NO. <b>HB 444</b>
DEPARTMENT POSITION <p style="text-align:center;"><b>Favor Passage of SB 147</b></p>		
DIVISION DIRECTOR <i>Col Fred M Waldstad by Capt Don M Roberts</i>	DATE <i>4/14/77</i>	COMMISSIONER <i>R Roberts</i>
DATE <i>4-14-77</i>		
GOVERNOR'S OFFICE USE		
<input type="checkbox"/> POSITION NOTED <input checked="" type="checkbox"/> POSITION APPROVED <input type="checkbox"/> POSITION DISAPPROVED		
BY: _____ DATE: _____		
SUMMARY		
(1) RELATED BILLS (SIMILAR OR CONFLICTING)		
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(4) FISCAL IMPACT: <input type="checkbox"/> NONE <input type="checkbox"/> FISCAL ANALYSIS ATTACHED		
(5) AMENDMENTS PROPOSED:		
(6) COMMENTS:		

## STATE OF ALASKA

J. S. HAMMOND, GOVERNOR

DEPARTMENT OF COMMERCE &  
ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

POUCH D - JUNEAU 99811

April 13, 1977

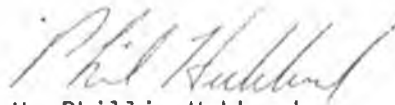
Honorable Al Osterback, Chairman  
House Resources Committee  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Chairman:

Thank you for your letter of April 12, requesting our comments on HB 444, relating to the confidentiality of fishery reports.

As this department is continually involved with fisheries research and projects, we would support this legislation which would make vital data more readily available to us.

Yours truly,



H. Phillip Hubbard  
Commissioner

3 15