

SB

51

SB 51, relating to the confidential nature of certain reports required by the Department of Fish and Game

This bill extended the access to certain commercial fishing reports (fish tickets, etc.) to the individual and to the Department of Public Safety. Both currently are required to get court orders if they wish to examine these reports. In addition, reports which don't identify individuals could be made available to various research departments and organizations.

The committee was primarily concerned about the Department of Public Safety access and received some testimony concerning that. They also heard testimony from representatives of Fish and Game, Public Safety, and the Commercial Fisheries Entry Commission in general support of the bill.

The Public Safety representative indicated that the department rarely had to seek court orders, and the committee thought that that was not too great an inconvenience to protect the confidentiality.

The committee, after three hearings, adopted a committee substitute exempting the Department of Public Safety and allowing the National Marine Fisheries Service access to individual reports. (This latter was part of an amendment offered by Fish and Game.) The bill was moved out with two passes and four no recommendations.

March 8, 1979

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COMMITTEE hearings were held on the 22nd of January and the 5th and 16th of February. Testifiers at these hearings were: Carl Rosier, Deputy Commissioner, Department of Fish and Game; Rick Lauber, Pacific Seafood Processors Association; Bob Simon, Commercial Fisheries Entry Commission and Lt. Col. Roberts, Division of Fish & Wildlife Protection, Department of Public Safety.

To summarize - The current law does not allow access to certain commercial fishing reports without a court order. SB 51, as introduced by the Governor, extends access rights to the Department of Public Safety in consideration of the department's enforcement responsibilities, and grants other departments access rights for research and statistics projects.

The Resources Committee was primarily concerned about the Department of Public Safety access and received some testimony concerning that. They also heard testimony from representative of Fish and Game, Public Safety, and the Commercial Fisheries Entry Commission in general support of the bill.

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LISTED below are the basic differences between the current law, SB 51, and the amendment.

The current law renders required reports concerning the landings of fish, shellfish or fishery products, and some annual statistical reports as confidential and does not allow release in the form of individual records except to the Department of Revenue and Commercial Fisheries Entry Commission without obtaining a court order.

SB 51 extended access rights to the Department of Public Safety and granted the North Pacific Fisheries Management Council, and the National Marine Fisheries Service of the United States Department of Commerce access rights ~~for rights~~ for research.

CS for SB 51 (RULFS)

The ~~Proposed~~ amendment exempts the Department of Public Safety and allows access rights to the National Marine Fisheries Service only to assist them in carrying out their statutory responsibilities.

Aud:MR

Leg share

# AMENDMENT

OFFERED IN THE SENATE:

By: Resources

To: \_\_\_\_\_ SENATE BILL No. 51

HOUSE BILL No. \_\_\_\_\_

PAGE: 1

LINE: \_\_\_\_\_

line 15 - 19

Delete "A report through "responsibilities."

Replace with "A report may be released to the individual operator whose fishing activity is the subject of the report, the National Marine Fisheries Service as required for preparation and implementation of North Pacific Management Council fishery management plans, Department of Revenue, and the Commercial Fisheries Entry Commission to assist them in carrying out their statutory responsibilities."

line 20 - 22

Delete "the North Pacific Fisheries Management Council, the National Marine Fisheries Service of the United States Department of Commerce,"

line 22

Delete the comma after "Alaska"

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