

Original sponsors: Herrmann, Binkley
and Wallis

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 7 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the release of confidential
7 records and reports of the Department of Fish and
8 Game; and providing for an effective date."

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

10 * Section 1. AS 16.05.815(a) is amended to read:

11 (a) Except as provided in (b) of this section, records required
12 by regulations of the department concerning the landings of fish,
13 shellfish or fishery products, and annual statistical reports of
14 buyers and processors required by regulation of the department are
15 confidential and may not be released by the department except that the
16 department may release

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

24 (2) any of its records and reports to the Department of
25 Revenue, to the division of fish and wildlife protection, Department
26 of Public Safety, and to the Commercial Fisheries Entry Commission to
27 assist them in carrying out their statutory responsibilities;

28 (3) records or reports of the total value purchased by each
29 buyer to a municipality that [WHICH] levies and collects a tax on

1 fish, shellfish, or fishery products if the municipality

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

5 (B) maintains the confidentiality of reports and
6 records that [WHICH] it receives under this paragraph;

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

9 (5) on request, the report of a person to the person whose
10 fishing activity is the subject of the report.

11 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
12 10.070(c).

ST : OF ALASKA 1985 LEGISLATIVE SE. .ON
FISCAL NOTE

Revision Date: _____

REQUEST
 Bill/Resolution No. (S) HB 7 (FIN)
 Title: DPS ACCESS TO CONFIDENTIAL RECORDS
 Sponsor: Rep. Herrmann
 Requestor: House Resources
 Date of Request: 1-17-85

FISCAL DETAIL
 Agency Affected: PUBLIC SAFETY
 Program Category Affected: FISH & WILDLIFE PROTECTION
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

NO FISCAL IMPACT

Prepared By: PAUL CONGER Phone: 465-4338
 Division: ADMINISTRATIVE SERVICES Date: 12-6-84

Approved by Commissioner: [Signature] Date: 12/6/84
 Agency: PUBLIC SAFETY

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

Hein
2/1/85✓

KEY:
— new language

Original sponsors: Herrmann, Binkley
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27 of Public Safety, and to the Commercial Fisheries Entry Commission to
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2 fish, shellfish, or fishery products if the municipality

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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 [WHICH] it receives under this paragraph;

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

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

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13 10.070(c).

SECTIONAL ANALYSIS HB 7

To: House Resources Committee Files
From: Janet Fries, Committee Aide
Date: 1/23/85

Section 1 (AS 16.05.815 (a))

This section reinstates permanently in Alaska Statutes the authority of the Department of Public Safety, Division of Fish and Wildlife Protection to access confidential information of the Department of Fish and Game to assist in their enforcement efforts.

The confidential records to which this bill refers are fish tickets.

C
22

from Resources Committee:

PROPOSED AMENDMENT FOR HOUSE BILL 7

House Bill 7 should be amended to include:

* Section 2. This Act takes effect immediately in accordance with AS 01.10.070(c).

HISTORY OF HB 7

To: House Resources Committee Files
From: Janet Fries, Committee Aide
Date: 1/23/85

The need for a change in AS 16.05.815(a) arose when the Division of Fish and Wildlife Protection, which was formerly the enforcement arm of the Department of Fish and Game (ADF&G), was transferred to the Department of Public Safety (DPS). Prior to that time, all enforcement officers had full access to ADF&G confidential reports and records.

In 1982, the Alaska Legislature passed a Senate CS for House Bill 668, which provided the Division of Fish and Wildlife Protection with access to fish ticket information until July 1, 1984. This was done, presumably, so that it would come back to the Legislature for reconsideration.

Late in the Thirteenth Legislative Session, the Department of Public Safety approached the Senate Resources Committee with an amendment which would reinstate the Division's access to fish ticket information. The amendment was proposed for HB 404, an Administration housecleaning bill which would amend several sections of Title 16. HB 404 was then under consideration by the Committee. The bill was not amended, due primarily to concerns that fish ticket information regarding "hot fishing spots" might inadvertently leak from Division officers or clerical personnel to other fishermen in a given fishery.

The Division of Fish and Wildlife Protection officers have strict policies regarding the use of confidential information which preclude this type of "leakage". This is discussed in the attached memorandum from Lt. Seibel to Commissioner Sundberg. Because these officers are trained enforcement personnel who deal with confidential information continually, these policies are stringently enforced.

The attached background information regarding HB 7 contains a strong statement of support from Governor Bill Sheffield, who was planning to introduce a similar bill this session, had it not been introduced by a Legislator. Also included are resolutions which support the measure from the United Fishermen of Alaska, the Bering Sea Fishermen's Association, and the Naknek-Kvichak Fish and Game Advisory Committee. The Department of Fish and Game strongly supports this bill. The Bristol Bay Native Association and the Bristol Bay Borough both support the bill, as enforcement of the limited entry law and in-season fishing regulations are a serious problem affecting the livelihood of local fishermen in the Bristol Bay salmon fishery, the largest in the state.

This packet also contains information provided by the Department of Public Safety which demonstrates how fish ticket information is used by the Division of Fish and Wildlife Protection and why it is necessary for their officers to access this information in order to be effective in their enforcement of fishing laws and regulations throughout the state. For those not familiar with fish tickets, samples are attached.

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

JAN 21 1985

BILL SHEFFIELD, GOVERNOR

POUCH N
JUNEAU, ALASKA 99811
PHONE: 465-4322

January 18, 1985

The Honorable Adelheid Herrmann
Co-Chair, House Resources Committee
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Herrmann:

Under the present language in Alaska Statute 16.05.815 (a), our Department's Division of Fish & Wildlife Protection is prohibited from viewing fish tickets without first having probable cause, and then obtaining a Court order. Providing ready access by the Division of Fish & Wildlife Protection to fish tickets is vital to our agency's efforts to effectively enforce the State's limited entry laws.

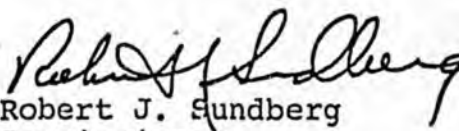
Our Division of Fish & Wildlife Protection utilizes the information from the fish tickets as evidence to substantiate that a violation of the State's limited entry laws, or other commercial fishing laws or regulations, did in fact take place.

The type of information contained on fish tickets can provide our Fish & Wildlife Protection Troopers with probable cause to believe that a violation of the State's limited entry laws has occurred.

Having ready access to the fish tickets and fish ticket information is absolutely essential if the Division of Fish & Wildlife Protection is to enforce limited entry. Access to fish tickets would: (1) Allow us to determine who were permit holders; (2) allow us to determine who was purchasing fish from non-permit holders; and (3) increase the apprehension of illegal commercial fishermen substantially.

Our Department strongly believes that having ready access to fish tickets and fish ticket information, as provided for in HB 7, is critical to our agency's effective enforcement of Alaska's limited entry and commercial fishing laws.

Sincerely,


Robert J. Sundberg
Commissioner

MEMORANDUM


State of Alaska

TO: Robert J. Sundberg
Commissioner
Dept. of Public Safety

DATE: January 21, 1985

FILE NO:

TELEPHONE NO: 465-4313

FROM: Lt. Conrad Seibel 
"B" Detachment Commander
Fish & Wildlife Protection
Juneau

SUBJECT: HB 7 - Fish Ticket Access

On January 18, 1985 I met with Ms. Janet Fr~~e~~is from Representative Adelheid Herrmann's office to discuss HB 7 pertaining to our Division's access to fish tickets and fish ticket information. During this meeting I offered to provide Representative Herrmann with some background history and some other important information that I believe is pertinent to this particular issue.

To give you an overview I have provided the following index:

- A. What is Fish Ticket?
- B. History
- C. Examples of Specific Cases Involving Fish Tickets
- D. Legislation Audit Report
- E. Confidentiality
- F. Summary

A. What is a Fish Ticket?

First of all, fish tickets are those records of delivery of fish caught for commercial purposes. Information on these tickets include the date the fish are landed, or sold; numbers or pounds of fish sold by species; name of the fisherman and his limited entry permit number, name of the buyer, ADF&G statistical area where the fish were caught, and may or may not include the price paid for the fish.

B. History

In 1972 the Protection Division was transferred from the Department of Fish & Game to the Department of Public Safety. Because the Protection Division had been a part of the Department of Fish & Game, restricting

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January 21, 1985
Page 2.

access to members of that Department still allowed exchange of these tickets, where it appeared a violation had occurred, between Fish & Game biologists and law enforcement personnel.

Increasingly in the years since the transfer of the Protection Division to Public Safety, access was restricted, based on opinions of State attorneys that Public Safety could not be allowed to have this information under the old statute. The Division was required to have sufficient probable cause to convince a court that a crime had been committed before looking at the fish tickets.

In many cases, it was the fish ticket information that was the initial indication that a violation had occurred, and therefore these tickets could not be reviewed by enforcement personnel, and also could not be obtained through the court. If a Fish & Game biologist or data clerk thought they had evidence of a violation they would have to follow through on it themselves, at least to a point where enough probable cause was developed to allow enforcement personnel to gain access to the tickets. This interfered with their work and was a source of concern to Fish & Game.

In some cases, because of the lack of access to fish tickets, cases could not be properly investigated, and persons violating fishery statutes or regulations could not be prosecuted.

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The Legislature enacted legislation that allowed access to fish tickets by Division personnel beginning in the summer of 1982 and extending for two years until July 1, 1984. Since July 1, 1984 the problems facing the Division of Fish & Wildlife Protection restricting it's access to the fish ticket information as experienced prior to the summer of 1982 have now, again, resurfaced.

C. Examples of Specific Cases Involving Fish Tickets

I believe that it is important, at this point, to cite examples of various investigations, where through the use of fish tickets, commercial fishing violators were apprehended.

1. The first case involves a 100 foot vessel Alaska Coast in June of 1983. A fish ticket and biological sample of the delivery allowed Fish & Wildlife Protection to compare crab weights from the F/V Alaska Coast with other deliveries and past survey data from the same ADF&G statistical area. Based on this comparative fish ticket information a search warrant was obtained and served. The vessel's logs confirmed that they were fishing more thanⁿ 350 miles inside the closed waters of the Bering Sea. The vessel was subsequently seized. This case involved receipt of \$197,000 by the defendants for delivery of brown king crab.

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2. In the Dutch Harbor area from August 1982 to spring of 1984 Fish & Wildlife Protection initiated 132 cases involving fish tickets, resulting in judgements against 67 defendants and a net fine of \$67,850.
3. In the Bristol Bay case of State Vs. Monte Hughes (1983) access to the fish ticket information resulted in the defendant being charged with commercial fishing without a limited entry permit. This case resulted in a deferred prosecution with the following conditions:
 - a. Payment of \$25,000 plus interest to the State;
 - b. No commercial fishing as a skipper or crewman for three years;
 - c. Cooperation with State officials in the investigation of an additional offense by another person.
4. A fourth example pertains to a commercial fish buyer in Southeast. During the spring of 1984 Mr. Walter Rasmussen of Bar Harbor Seafoods was cited for several violations pertaining to his fish processing business in Ketchikan. He was cited for failing to imprint the fish tickets with the fisherman's limited entry permit number and other violations. He was fined a total of \$9,250 with \$4,950 suspended. Without having ready access to these fish tickets prosecution would have been difficult at best.

D. Legislative Audit Report

In 1981 a Legislative Audit report, concerning the Bristol Bay fisheries, stated that "the most efficient means of enforcing a limited fishery would be to allow Fish & Wildlife Protection access to fish tickets and fish ticket information".

E. Confidentiality

There is a concern by some individuals that the more people who review fish tickets increases the possibility of catch locations becoming public information. Fish & Wildlife Protection's responsibility for the confidentiality of the fish ticket information would be the same as ADF&G and Limited Entry.

As in any investigation by our Department's personnel, officer's that mis-used any information could be subject to reprimand, dismissal and/or possibly criminal charges being filed against them. Section 101.410 of the Department's Operating Procedures Manual states that "Employees shall not release information relative to any investigation or reports except in accordance with the written instructions of the Department of Public Safety relative to the confidentiality of certain records... No employees shall divulge information deemed as confidential to any unauthorized

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person, whether obtained through the execution of departmental duties or other means."

Also an important fact to point out here is that compared to ADF&G, Limited Entry and Department of Revenue, Public Safety probably has the most stringent requirements for becoming a member of its Department by its use of employee background investigations and the use of the polygraph.

F. Summary

The Division of Fish & Wildlife Protection is the agency responsible for protection of the State's resources. This makes our agency an integral part of the overall management scheme. To restrict our access to fish ticket information severely hampers our efforts and ability to effectively enforce Alaska's statutes and regulations passed for the conservation and development of its fisheries resources.

CC: Col. Henderson

CS/lk

SERIES " A " FISH TICKET SAMPLE

DISTRIBUTION: PLACE WRAPAROUND COVER UNDER GOLDENROD COPY
 WHITE - PURCHASER PINK - SELLER
 YELLOW - FISH & GAME GOLDENROD - PURCHASER

PURCHASER
 ALASKA DEPARTMENT OF FISH AND GAME
 SALMON TICKET

DO NOT WRITE IN THIS SPACE

Vessel Name F/V Salmon Boat

A85069007

Fishery 5 AAC 39.130.(8)(9) REQUIRES IMPRINTING OF THE CFEC PERMIT CARD HERE

TIME GEAR OPERATED IN HOURS
10

Name
 Permit Number

ADF&G NO
00000

Proc. Code F 0000 0 8/12/85 Date Fishing Begin

Company ADF&G CSS 8/13/85 Date Landed

Area Caught Point Retreat 111-50
SHOW NEAREST BAY OR HEADLAND STAT. CHART NO.

SPECIES	CODE	NUMBER OF FISH	NO. OR POUNDS	PRICE	AMOUNT
KINGS	410	2	50	1.50	75.00
REDS	420				
COHOS	430	10	100	1.10	110.00
PINKS	440	4	13	.25	3.25
CHUMS	450	1	15	.35	5.25
SALMON ROE	400		10	4.00	40.00
CHAR	520				
STEELHEAD	540				
WHITEFISH	580				
Sub-Total		17	188		233.50
Less Salmon Enhancement Tax			3%		- 7.01
TOTAL		17	188		226.49

Cash Advance 850.00 Fish Received by Mr. Salmon Buyer

NOT NEGOTIABLE * Capt. John Doe

REV 8/84 1118 © FISH DELIVERED HEREBY WERE CAUGHT IN COMPLIANCE WITH STATE LICENSING LAWS AND STATE LABOR LAWS AND REGULATIONS

(2) if the fish or game or part of fish or game is in a preserved condition whether frozen, smoked, canned, salted, pickled or otherwise preserved, or

(3) with respect to crab aboard a commercial crab fishing vessel, during the first full three days after the time when a taking is prohibited. (§ 26 art I ch 94 SLA 1959; am § 1 ch 42 SLA 1974)

Sec. 16.05.815. Confidential nature of certain reports and records. (a) Except as provided in (b) of this section, records required by regulations of the department concerning the landings of fish, shellfish or fishery products, and annual statistical reports of buyers and processors required by regulation of the department are confidential and may not be released by the department except that the department may release

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

(2) [Effective July 1, 1984] any of its records and reports to the Department of Revenue and to the Commercial Fisheries Entry Commission to assist them in carrying out their statutory responsibilities;

(3) records or reports of the total value purchased by each buyer to a municipality which levies and collects a tax on fish, shellfish, or fishery products if the municipality

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

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

(4) such records and reports as necessary to be in conformity with a court order; or

(5) on request, the report of a person to the person whose fishing activity is the subject of the report.

(b) Records or reports received by the department which do not identify individual fishermen, buyers, or processors or the specific locations where fish have been taken are public information. (§ 1 ch 117 SLA 1970; am § 1 ch 117 SLA 1974; am § 1 ch 66 SLA 1980; am §§ 1, 2 ch 72 SLA 1982)

Postponed amendment. -- Until July 1, 1984, paragraph (2) of subsection (a) provides: "(2) any of its records and reports to the Department of Revenue, to the division of fish and wildlife protection, Department of Public Safety, and to the Commercial Fisheries Entry Commission

to assist them in carrying out their statutory responsibilities;"

Cross references. -- For reporting of wholesale canned salmon prices, see AS 43.80.050 - 43.80.100.

Effect of amendments. -- The 1980 amendment substituted "Except as pro-

vided in (b) of this section, records" for "Reports" at the beginning of present subsection (a), substituted "may" for "shall" preceding "not be released" near the end of the introductory paragraph of present subsection (a), deleted "in the form of individual records" following "not be released" near the end of the introductory paragraph of present subsection (a), added "that the department may release" at the end of the introductory paragraph of present subsection (a), restructured the former section into present subsection (a) and paragraphs (1) — (5), added all of the provisions contained therein except for paragraphs (2) and (4); in paragraph (2) of subsection (a),

added "any of its records and reports" at the beginning of the paragraph, and substituted "to assist them in carrying out their statutory responsibilities" for "or" at the end of paragraph (2); in paragraph (4) of subsection (a), added "such records and reports as necessary to be" at the beginning of the paragraph, and added "or" at the end of the paragraph.

Section 1, ch. 72, SLA 1982 inserted "to the division of fish and wildlife protection, Department of Public Safety" in paragraph (2) of subsection (a). Section 2 of ch. 72, effective July 1, 1984, deletes that language from paragraph (2).

Sec. 16.05.820. Research by the federal government. The Secretary of the Interior, the Secretary of Commerce or the Secretary of Agriculture of the United States and their authorized agents or other appropriate federal agencies may conduct fish cultural operations and scientific investigations in the state in the manner and at the times jointly considered necessary or proper by the Board of Fisheries and the secretary and their authorized agents. (§ 29 art I ch 94 SLA 1959; am § 14 ch 206 SLA 1975; am § 10 ch 208 SLA 1975)

Sec. 16.05.825. State upland game bird release program. (a) In addition to any other program for the stocking or propagation of game birds that the department has as of July 23, 1974, the department shall establish a special program for the raising, maintenance, and release of upland game birds in the state. Birds raised under this program may be released in an appropriate area of the state, at any time, but may be harvested only during regular hunting seasons, as specified by the board under AS 16.05.255(2). The board shall adopt regulations necessary to implement this section.

(b) The department shall establish an appropriate facility for the raising and maintenance of upland game birds to be located at an appropriate place, as determined by the commissioner, in interior Alaska.

(c) The department shall employ a method of tagging game birds released under this section, compile harvest statistics, and report its results and findings to the legislature annually.

(d) In this section, "upland game bird" means a game bird for which a season is established under AS 16.05.255(2) as of July 23, 1974, excluding waterfowl. (§ 1 ch 31 SLA 1974; am § 15 ch 206 SLA 1975)

Sec. 16.05.827. Sale of subsistence salmon roe. [Repealed. § 4 ch 99 SLA 1975.]

Sec. 16.05.830. Wanton waste. [Repealed. § 1 ch 73 SLA 1968.]

JAN 25 1985

BRISTOL BAY NATIVE ASSOCIATION

P.O. BOX 109
DILLINGHAM, ALASKA 99570
PHONE (907) 843-5257 - 843-5258

January 25, 1985

Representative Adelheid Herrmann
Alaska State Legislature
Pouch V.
Juneau, Alaska 99811

Dear Adelheid:

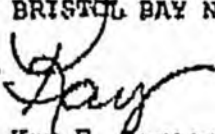
The Bristol Bay Native Association Executive Committee would like to take this opportunity to support House Bill No. 7 relating to the release of confidential records and reports to the Division of Fish and Wildlife Protection.

We feel that passage of this bill would greatly assist the enforcement division of Fish and Game in performance of their duties.

This bill would make sporting fisherman who use fake permits, illegal gear, duplicate permits, fish several vessels with one permit, and those people who fish several districts without bothering to officially transfer a simple process and would allow for immediate citation of those violators.

Sincerely,

BRISTOL BAY NATIVE ASSOCIATION


Kay E. Larson
Executive Director



UNITED FISHERMEN OF ALASKA

219 Seward Street, Suite #10
Juneau, Alaska 99801-1168
1917, 586-2820

Cass M. Parsons
Executive Director

RESOLUTION 84-19

WHEREAS the Department of Public Safety does not have legal access to fish tickets; and

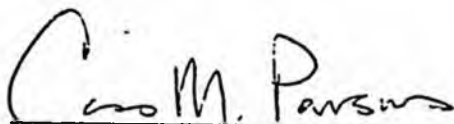
WHEREAS the Department of Public Safety has the responsibility of enforcing the regulations governing commercial fisheries operations; and

WHEREAS the Department of Public Safety needs access to fish tickets in order to enforce regulations such as the 48-hour waiting period, the use of fraudulent limited entry cards, and to name a few; and

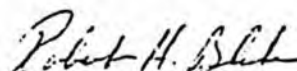
WHEREAS without this access to fish tickets, the Department of Public Safety's effort to enforce these regulations is severely hampered.

NOW THEREFORE BE IT RESOLVED, that the United Fishermen of Alaska requests that legislation be passed which would allow the Department of Public Safety accessibility to fish tickets.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Members of the Board of Fisheries, Commissioner Don W. Collinsworth of the Department of Fish and Game, and Commissioner Robert J. Sunberg of the Department of Public Safety.



Cass M. Parsons
UFA Executive Director



Robert M. Blake
President

Date: 11-16-84

BERING SEA FISHERMEN'S ASSOCIATION
RESOLUTION NUMBER 7

WHEREAS the Bering Sea Fishermen's Association represents over 1600 commercial salmon and herring fishermen in western Alaska and,

WHEREAS the Department of Public Safety does not currently have legal access to fish tickets, and

WHEREAS the Department of Public Safety has the responsibility of enforcing the regulations governing commercial fisheries operations, and

WHEREAS the Department of Public Safety needs access to fish tickets in order to enforce regulations such as the 48-hour waiting period, the use of fraudulent limited entry cards, fishing in closed waters, and fishing in closed periods to name a few, and

WHEREAS Without this access to fish tickets, the Department of Public Safety's efforts to enforce these regulations is severely hampered.

THEREFORE BE IT RESOLVED that the Association request that legislation be passed which would allow the Department of Public Safety accessibility to fish tickets and,

BE IT FURTHER RESOLVED that copies of this resolution be sent to Members of the Boards of Fisheries, Commissioner Sunberg of the Department of Public Safety, members of the Iliamna-Lake Clark Advisory Committee, members of the Lower Bristol Bay Advisory Committee, and members of the Nushagak Advisory Committee.

Motion Passed this 31 day of August, 1984 in Anchorage, Alaska.



HENRY IVANOFF
PRESIDENT - BERING SEA FISHERMEN'S ASSOCIATION

Naknek-Kvichak Fish and Game Advisory Committee

RESOLUTION 84-1

A RESOLUTION REQUESTING THE LEGISLATURE TO CONSIDER ALLOWING THE DEPARTMENT OF PUBLIC SAFETY ACCESS TO FISH TICKETS.

THE NAKNEK-KVICHAK FISH AND GAME ADVISORY COMMITTEE RESOLVES:

WHEREAS: The Department of Public Safety does not have legal access to fish tickets, and

WHEREAS: The Department of Public Safety has the responsibility of enforcing the regulations governing commercial fisheries operations, and

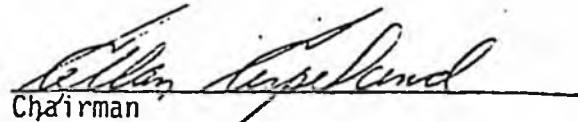
WHEREAS: The Department of Public Safety needs access to fish tickets in order to enforce regulations such as the 48-hour waiting period, the use of fraudulent limited entry cards, fishing in closed waters, and fishing in closed periods to name a few, and

WHEREAS: Without this access to fish tickets, the Department of Public Safety's effort to enforce these regulations is severely hampered.

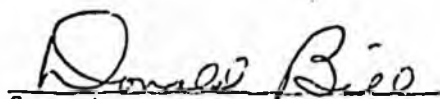
NOW THEREFORE BE IT RESOLVED, that the Naknek-Kvichak Fish and Game Advisory Committee requests that legislation be passed which would allow the Department of Public Safety accessibility to fish tickets.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Members of the Board of Fisheries, Commissioner Don W. Collinsworth of the Department of Fish and Game, Commissioner Robert J. Sunberg of the Department of Public Safety, members of the Iliamna-Lake Clark Advisory Committee, members of the Lower Bristol Bay Advisory Committee, and members of the Nushagak Advisory Committee.

Passed this 16 day
of August, 1984 by the Naknek-
Kvichak Advisory Committee


Chairman

Attested:


Secretary

Introduced: 1/14/85
Referred: Resources and Finance

BY HERRMANN, BINKLEY AND
WALLIS

1 IN THE HOUSE

2 HOUSE BILL NO. 7

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the release of confidential
7 records and reports of the division of fish and
8 wildlife protection."

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

10 * Section 1. AS 16.05.815(a) is amended to read:

11 (a) Except as provided in (b) of this section, records required
12 by regulations of the department concerning the landings of fish,
13 shellfish or fishery products, and annual statistical reports of
14 buyers and processors required by regulation of the department are
15 confidential and may not be released by the department except that the
16 department may release

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

24 (2) any of its records and reports to the Department of
25 Revenue, to the division of fish and wildlife protection, Department
26 of Public Safety, and to the Commercial Fisheries Entry Commission to
27 assist them in carrying out their statutory responsibilities;

28 (3) records or reports of the total value purchased by each
29 buyer to a municipality that [WHICH] levies and collects a tax on

1 fish, shellfish, or fishery products if the municipality
2 (A) requires records of the landings of fish, shell-
3 fish, or fishery products to be submitted to it for purposes of
4 verification of taxes payable; and
5 (B) maintains the confidentiality of reports and
6 records that [WHICH] it receives under this paragraph;
7 (4) such records and reports as necessary to be in
8 conformity with a court order; or
9 (5) on request, the report of a person to the person
10 whose fishing activity is the subject of the report.