

S B

4 5 9

# HOUSE COMMITTEE REPORT

(9)

Date referred 4/30/88

FURTHER REFERRALS:

DATE: 5-6-88

The Resources Committee has considered CSSB 459(Res)

"An Act relating to the confidentiality of crab stock abundance survey information held by the Department of Fish and Game; and providing for an effective date."

**RECOMMENDS:**

- replace with \_\_\_\_\_  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(s):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

Adelheid Herrmann

Jan Porter

Heinrich Sprunz

Bill Davidson

[Signature]

[Signature]

[Signature]

[Signature]

**SIGNING OTHER RECOMMENDATIONS:**

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Adelheid Herrmann  
Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Confidentiality of shellfish  
abundance surveys  
Sponsor: Zharoff  
Requestor: Senate Resources

Agency Affected: Fish and Game  
BRU: Commercial Fisheries

Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

\_\_\_\_\_

Prepared by: Al Didier  
Division: Commercial Fisheries

Phone: 465-4120  
Date: 3/16/88

Approved by Commissioner: *Walter H. Kelly*  
Agency: Fish and Game

Date: 3-16-88

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



# SENATOR FRED F. ZHAROFF

## ALASKA STATE LEGISLATURE

P.O. BOX 405, KODIAK, ALASKA 99615 (907) 486-5259

DURING SESSION:

P.O. BOX V, JUNEAU, ALASKA 99811 • (907) 465-3473 • 465-3474

### DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIBILOF ISLANDS • SHUMAGIN ISLANDS

#### SECTIONAL ANALYSIS

Revised 3/28/88

*CS For*

Senate Bill 459 - "An Act relating to the confidentiality of crab stock abundance surveys conducted by the Department of Fish and Game; and providing for an effective date."

SECTION 1 CONFIDENTIAL NATURE OF CERTAIN REPORTS AND RECORDS. Adds references to new paragraph (c) in the statutes that describe which Department of Fish and Game information is confidential and which is public information.

SECTION 2 - New paragraph (c). Crab stock abundance survey information that reveals crab catches by sampling location is confidential until after the close of the fishing season for which the survey was conducted. This information is specifically exempted from the public records statutes, AS 09.25.110 - 09.25.111.

SECTION 3 Immediate effective date.



STATE OF ALASKA  
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT <b>Fish &amp; Game</b>	DIVISION <b>Commercial Fish.</b>	BILL NUMBER <b>SB 459</b>	SPONSOR <b>Zharoff</b>
SHORT TITLE OF BILL <b>Confidentiality of shellfish stock abundance surveys</b>			
DEPARTMENT POSITION <b>Neutral</b>			
PREPARED BY <b>Al Didier</b>	DATE <b>3/16/88</b>	COMMISSIONER'S SIGNATURE <i>A. Didier</i>	DATE <b>3-16-88</b>

SUMMARY

OTHER AGENCIES AFFECTED BY BILL <b>None</b>	CONSTITUENT GROUP(S) AFFECTED BY BILL <b>Unknown</b>
ORGANIZATIONAL SUPPORT FOR BILL <b>Unknown</b>	ORGANIZATIONAL OPPOSITION TO BILL <b>Unknown</b>
FISCAL IMPACT: <input checked="" type="checkbox"/> NONE <input type="checkbox"/> FISCAL NOTE ATTACHED	

BACKGROUND/LEGISLATIVE INTENT

This bill would make confidential until the end of the current fishing season, all information from shellfish abundance surveys which show the abundance of shellfish by sampling location.

ANALYSIS OF BILL/PROGRAM EFFECTS

See Attached

AMENDMENTS PROPOSED

*Crab*  
(c) Shellfish stock abundance survey information that reveals shellfish catch by sampling location is confidential and is not subject to inspection or copying under AS 09.25.110 - 09.25.120 until the close of the fishing season for which the survey was conducted.

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

## Analysis of Bill/Program Effects

PRO: This bill may permit the department to open seasons in areas which have small, localized shellfish populations. If the locations of these populations are publicized prior to the fishing season, effort could be concentrated and the department would be reluctant to allow a fishery. If some fishermen are not aware of these concentrations, effort may be more dispersed and a short opening might be possible without the risk of overharvest.

CON: Assessment surveys are often used to set guideline harvest levels prior to a fishery. The public has always had the opportunity to critique these surveys and confirm the validity of the guideline harvest levels before the season. This process will not be possible under the proposed legislation.

Shellfish populations are generally not highly mobile and shellfish surveys often indicate the availability of recruitment in future years. Since this information will only remain confidential during the current season, a fisherman could refer to the survey conducted the previous year to identify probable shellfish concentrations. This may tend to dilute the possible benefits cited above.

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Confidentiality of shellfish  
abundance surveys  
Sponsor: Zharoff  
Requestor: Senate Resources

Agency Affected: Fish and Game  
BRU: Commercial Fisheries

Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Al Didier  
Division: Commercial Fisheries  
Approved by Commissioner: Walter D. Kelly  
Agency: Fish and Game

Phone: 465-4120  
Date: 3/16/88  
Date: 3-16-88

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



# SENATOR FRED F. ZHAROFF

## ALASKA STATE LEGISLATURE

P.O. BOX 405, KODIAK, ALASKA 99615 (907) 486-5259

DURING SESSION.

P.O. BOX V, JUNEAU, ALASKA 99811 • (907) 465-3473 • 465-3474

### DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIBILOF ISLANDS • SHUMAGIN ISLANDS

#### SECTIONAL ANALYSIS

Revised 3/28/88

*CS For*

Senate Bill 459 - "An Act relating to the confidentiality of crab stock abundance surveys conducted by the Department of Fish and Game; and providing for an effective date."

SECTION 1 CONFIDENTIAL NATURE OF CERTAIN REPORTS AND RECORDS. Adds references to new paragraph (c) in the statutes that describe which Department of Fish and Game information is confidential and which is public information.

SECTION 2 - New paragraph (c). Crab stock abundance survey information that reveals crab catches by sampling location is confidential until after the close of the fishing season for which the survey was conducted. This information is specifically exempted from the public records statutes, AS 09.25.110 - 09.25.120.

SECTION 3 Immediate effective date.



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
**BILL ANALYSIS**

DEPARTMENT	Fish & Game	DIVISION	Commercial Fish.	BILL NUMBER	SB 459	SPONSOR	Zharoff	
SHORT TITLE OF BILL Confidentiality of shellfish stock abundance surveys								
DEPARTMENT POSITION Neutral								
PREPARED BY	Al Didier	DATE	3/16/88	COMMISSIONER'S SIGNATURE	<i>A. Didier</i>		DATE	3-16-88

**SUMMARY**

OTHER AGENCIES AFFECTED BY BILL None	CONSTITUENT GROUPS AFFECTED BY BILL Unknown
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT:  NONE  FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

This bill would make confidential until the end of the current fishing season, all information from shellfish abundance surveys which show the abundance of shellfish by sampling location.

ANALYSIS OF BILL/PROGRAM EFFECTS

See Attached

AMENDMENTS PROPOSED

*crab*  
(c) Shellfish stock abundance survey information that reveals shellfish catch by sampling location is confidential and is not subject to inspection or copying under AS 09.25.110 - 09.25.120 until the close of the fishing season for which the survey was conducted.

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

### Analysis of Bill/Program Effects

PRO: This bill may permit the department to open seasons in areas which have small, localized shellfish populations. If the locations of these populations are publicized prior to the fishing season, effort could be concentrated and the department would be reluctant to allow a fishery. If some fishermen are not aware of these concentrations, effort may be more dispersed and a short opening might be possible without the risk of overharvest.

CON: Assessment surveys are often used to set guideline harvest levels prior to a fishery. The public has always had the opportunity to critique these surveys and confirm the validity of the guideline harvest levels before the season. This process will not be possible under the proposed legislation.

Shellfish populations are generally not highly mobile and shellfish surveys often indicate the availability of recruitment in future years. Since this information will only remain confidential during the current season, a fisherman could refer to the survey conducted the previous year to identify probable shellfish concentrations. This may tend to dilute the possible benefits cited above.