

SB

76

HOUSE COMMITTEE REPORT

Date Referred: March 17, 1989 FURTHER REFERRALS: JUDICIARY

Date of Committee Action: 3-29-89

Resources Committee considered: CSSB 76(RES)

FOR SENATE BILL NO. 76 (Resources)

[RELEASE OF F & G CONFIDENTIAL RECORDS]

An Act relating to confidentiality of certain fishery reports and records."

RECOMMENDATIONS:

- be replaced with HCS CSSB 76 (RES) the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

OPTIONS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S): (Dept)	APPROVES PREVIOUS: (Date/Dept)
<input type="checkbox"/> fiscal impact _____	<input type="checkbox"/> fiscal note(s) _____
<input type="checkbox"/> <u>zero</u> fiscal note _____	<input checked="" type="checkbox"/> <u>zero</u> fiscal note(s) _____
<input type="checkbox"/> <u>zero</u> with analysis _____	<input type="checkbox"/> <u>zero</u> fn/analysis _____

SIGNING DO PASS:

Clyde Davidson

Sam ...

Mike ...

Bert ...

Richard ...

Mike ...

George ...

SIGNING:
(Check approp. column)

	Do Not Pass	No Rec	Amend

Clyde Davidson
 Chairman's signature

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSSB 76(Resources)

Page 1, lines 17 - 19:

Delete "court or a person who receives records and reports under (4) of this subsection or a person under (5)"

Insert "recipient under (4) - (6)"

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Confidentiality of certain
fishery reports and records
Sponsor: Finley
Requestor: Senate Rules

Agency Affected: Fish and Game
BRU: Commercial Fisheries
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

Prepared by Bob Clashv
Division: Commercial Fisheries
Approved by Commissioner: Anna C. Lindworth
Agency: Fish and Game

Phone: 465-4210
Date: 3/13/89
Date: 3.14.89

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

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An act relating to confidentiality of certain fishery reports and records

Agency Affected: Fish and Game
BRU: Commercial Fisheries

Sponsor: Senator Eliason
Requestor: _____

Components: Commercial Fisheries
Special Projects

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92 -	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Robert C. Clashy
Division: _____

Phone: 465-4210
Date: _____

Approved by Commissioner: _____
Agency: _____

Date: _____

Distribution (by preparer) :

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

ALASKA STATE LEGISLATURE · SENATE

SENATOR RICHARD I. ELIASON

LABOR & COMMERCE COMMITTEE, CHAIRMAN
RESOURCES COMMITTEE
RULES COMMITTEE
SPECIAL COMMITTEE ON HIGH SEAS
SALMON INTERCEPTION
SELECT COMMITTEE ON
LEGISLATIVE ETHICS



P.O. BOX 143
SITKA, ALASKA 99835

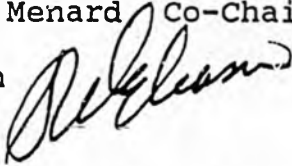
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-4918

FAX (907) 465-4928

RECEIVED MAR 20 1989

M E M O R A N D U M

TO: Representative Cliff Davidson, Co-Chairman
Representative Curt Menard, Co-Chairman

FROM: Senator Dick Eliason 

DATE: March 16, 1989

RE: CSSB 76(Res), relating to confidentiality of
certain fishery reports and records

The Committee Substitute for Senate Bill 76(Resources), relating to confidentiality of certain fishery reports and records, has been referred to the House Resources Committee for consideration.

I introduced this measure at the request of the Dept. of Fish and Game. It is designed to correct the situation that has evolved under the state's current statute regarding the confidentiality of fish tickets and summary information, and I believe it strikes a good balance between protecting the privacy of fishermen, and protecting the livelihood of fishermen by allowing the sharing of information helpful in fisheries management.

I encourage you to review the measure, and hope that you will soon schedule it for a hearing before the full Resources Committee. Please contact my office if you or your staff require additional information on the bill. Thank you for your consideration.

Reasons for Amending the Fisheries Confidentiality Statute

AS 16.05.815

Purpose: Amend current confidentiality restrictions to allow the state to share detailed fish ticket and observer data for the halibut and groundfish fisheries with those international and federal agencies that have primarily management responsibility for those fisheries.

1. The Department of Law recently said that our historical practice of providing fish tickets for halibut landings to the halibut commission (IPHC) as the department is probably illegal under the above statute.

Strict interpretation of the statute will make it impossible for the state to provide accurate halibut harvest information to IPHC. This will lead to either overharvest of the resource or more conservative management; both of which will mean a loss of revenue to the industry and to the state.

2. Prevent duplication of catch records and inappropriate fisheries closures by the NMFS.

The state (DF&G) collects groundfish harvest information for state and federal waters using fish tickets (FT's), while the federal government (NMFS) obtains their harvest information via in-season weekly reports (via FAX or radio) from groundfish catcher/processors. DF&G, via contract, supplies NMFS with information on catches in federal waters, however, that information is masked, as required by AS 16.05.815, so as not to reveal the vessel or vessel operator. Without being able to identify and match individual vessels or operators on FT's, NMFS cannot reconcile their reports with the state's. This can lead to inaccurate determination of the total catch.

3. Estimate discard of crab, halibut, herring, etc. and target species. These data are currently unavailable for most U.S. groundfish fisheries.

Substantial discard of crab, halibut, salmon, undersized, and non-target species can occur in groundfish fisheries. This discard can only be estimated by 1) matching observer and fish ticket records for the specific observed trips, 2) calculating discard proportion by species based on observer data, and 3) appropriately applying the discard proportions to the total landed catch of a given fishery. Both agencies have detailed observer and catch information. That information is not useful, because each agency needs to know the vessel that generated the data. Once that is known, each agency can create the data base required to perform the analysis that will tell the managers what effects bycatch is having on the target resource, as well as on resources harvested in other fisheries.

4. Permit continued and possibly expanded federally funded state programs for data collection (PT's and marine mammal observers).

To be a viable contractor for these services, the state must be able to provide NMFS with complete data sets, not summaries. Advantage: Data provides the state influence in the federal management process.

5. Provide mutual access to fisheries data.

Recent meetings with the NMFS demonstrate a willingness on the part of the feds to make their administratively confidential data (e.g., observer) available to ADF&G. This assumes the state is willing to change its confidentiality restrictions. Advantages: 1) promotes governmental efficiency, 2) promotes better quality analyses because complete data sets are available, and 3) allows the state to perform independent analyses to protect state interests, e.g., analysis of incidental king crab and herring catches in the Bering Sea.

6. The administration should support the change because it is administratively and management oriented.

This request involves interagency cooperation and agency effectiveness.

7. Public support exists for the change.

Enclosed is a resolution from the Southwest Alaska Municipal Conference urging the removal of all barriers to fisheries data sharing. Senator Eliason has stated to Jim Brooks, NMFS Alaska Region Deputy Director, that he would not object to this change for groundfish, although he previously blocked similar legislation which included salmon. Ken Parker has discussed the proposed change with Rick Lauber (Pacific Seafood Processors Assoc.), Kate Graham (UFA), and Chris Blackburn (Groundfish Data Bank). They were not initially opposed, but need to talk to their membership about the proposal.

MEMORANDUM

State of Alaska

DEPARTMENT OF FISH AND GAME

TO: Don W. Collinsworth
Commissioner
Department of Fish and Game

DATE: August 22, 1988

FILE NO.:

TELEPHONE NO.: 465-4210

FROM: Ken Parker
Director
Commercial Fisheries Division

SUBJECT: Proposed Statutory
Amendment:
Confidentiality
of Fisheries Records

The Commercial Fisheries Division recommends that the Governor introduce legislation to amend AS 16.05.815, regarding confidentiality of fisheries records and reports, to address several long-standing problems encountered by this division in its interactions with federal agencies over jointly managed fisheries. These problems are:

1. Although we have, since 1971, routinely transmitted the fish tickets we receive for halibut landings to the International North Pacific Halibut Commission (IPHC), we have had no statutory authority to do so. Previous actions have been based on the fact that we have no management authority over that fishery and that the IPHC is the internationally recognized manager. Since the IPHC provides us with complete, verified data files in return for our assistance, cessation of this practice will result in an immediate loss of information to the state.
2. Many groundfish species are highly mobile and are widely distributed across state and federal marine boundaries. They are best managed as a unit throughout their range. Coordinated management is hampered by the restriction in AS 16.05.815 (a)(1) which requires that all information from state waters released to the National Marine Fisheries Service (NMFS) be stripped of vessel and fisherman identifiers. This information is required by the NMFS to ensure against duplicate records and to relate harvests to information collected in their own observer program. While NMFS has the legal authority to require a separate report of this information from U.S. citizens operating in state waters, coordinated management is best served if both agencies are able to use the same information to manage this common resource.
3. The Legislature recently enacted legislation which authorizes a state onboard observer program. Meanwhile, emphasis in the federal observer program has shifted to the emerging domestic fleet. Although the information collected by observers is not directly required in regulation, the Attorney General's office has advised us that this information is probably subject to the confidentiality statutes. The needs for joint access to this information

are similar to those described in §2. To be truly effective, the limited resources of both agencies must be pooled to give a complete picture of groundfish harvests.

These confidentiality problems are not all one-sided, as the federal government has confidentiality regulations of its own. Since the state is the federal government's contractual agent to compile groundfish tickets, however, we already have access to all fish tickets from federal waters. The federal government has also committed to administrative resolution of confidentiality issues regarding its observer data. The remaining barriers to access relate to state statutes.

The amendments we recommend are as follows:

1. Add a section AS 16.05.815 (a)(7), which would permit release of fish tickets and fish ticket information on halibut landings to the International North Pacific Halibut Commission.
2. Repeal the last sentence in AS 16.05.815 (a)(1) which requires that all information released to the NMFS be stripped of vessel and fisherman identifiers.

Implementation of these changes should have no fiscal impact on the department. I am not aware of a similar bill which has been drafted or introduced and not passed. No other departments should be impacted by this proposal.

Although no private organizations have addressed this issue in any fashion, support should be solicited from the United Fishermen of Alaska, the Alaska Groundfish Data Bank, or other fishermen's organizations. Support from these organizations may, however, be divided. Similarly, processors or legislators with substantial fisheries constituencies may also be opposed if they are not convinced of the need to share detailed information.

The precedents for access to this information by other agencies, including the NMFS, already exist in AS 16.05.815. We have been informed that similar provisions enabling free access by state and federal agencies to fisheries information already exist in Texas, Louisiana, Georgia, South Carolina, North Carolina, Puerto Rico, and the Virgin Islands, among others.

cc: Bruce Twomley

STATE OF CALIFORNIA
 DEPARTMENT OF FISH AND GAME
 CRAB HARVEST REPORT

DATE OF HARVEST
 01-01-01

NAME OF VESSEL
 CRAB BOAT
 VESSEL NO.
 12345
 PORT OF ORIGIN
 SAN FRANCISCO
 GROSS TONNAGE
 100
 NET TONNAGE
 80
 TYPE OF VESSEL
 CRAB BOAT

0000
 00

CRAB TYPE	QUANTITY	WEIGHT (LBS)	VALUE (\$)	MARKS
RED KING CRAB	910			
BLUE KING CRAB	922			
BROWN KING CRAB	923			
BAIRD TANNER CRAB	931			
OPILLO TANNER CRAB	932			
DEADLOSS				

Cash Advance \$100.00 Fish Received by Mr. Crab Buyer
 FISH DELIVERED HEREBY WERE CAUGHT IN COMPLIANCE WITH STATE LICENSING LAWS AND STATE LABOR LAWS AND REGULATIONS.
 Fisherman's Signature * Captain John Doe
 Fisherman or Captain making delivery

ALASKA DEPARTMENT OF FISH & GAME
FISH BUYING TICKET

180 017052

BUYER TYPE OF VESSEL ONLY (FOR BUYING TICKETS)
 CHARTER DEPART

REGISTRATION NUMBER
12

1007 STATE
 LICENSE SOURCE CODE
 LICENSE NUMBER 000000
 LICENSE NUMBER 000000
 LICENSE NUMBER 0

00000

DATE CAUGHT
 DATE RECEIVED
 AREA CAUGHT

AREA CAUGHT HANK INLET
 TOWNSHIP NEARST BAY OR HEADLANDS

115-16
 TOTAL CHART NO. 1

DESCRIPTION	WEIGHT	UNIT	PRICE	QUANTITY	TOTAL	PRICE	TOTAL
20-40 lbs	202						
40-60 lbs	202						
60-80 lbs	202						
Total Medium	202						
80-100 lbs	203						
100-120 lbs	203						
120-150 lbs	203						
Over 150 lbs	203						
Total Large	203						
No. 2's Med.	204						
No. 2's Lg.	204						
TOTAL (LESS HEAD & SLIMS)	200						
MISCELLANEOUS							
Lg. Sablefish	710						
Sml. Sablefish	710						
Total Sablefish	710						
Lingcod	130						
Rockfish/Red Snapper	140						
Sleethead	540						
HERRING							
Herring Eggs on Kelp	231						
Herring Roe Skins	232						
Herring Bait Food	233						
Herring Sac Roe	234						
% Roe Content =							
JAL. COY Lg. Red Kings	410			1	12	3.75	45.00
Med. Red Kings	410			1	21	13.25	138.25
Sml. Red Kings	410						
Lg. White Kings	410			1	4	3.00	12.00
Sml. White Kings	410						
TOTAL KINGS	410			19	429		
REDS (SOCKEYE)	420			1	4	3.00	12.00
Lg. Cohos	430			5	46	2.75	126.50
Med. Cohos	430			3	24	2.50	60.00
Sml. Cohos	430			1	5	2.25	11.25
TOTAL COHOS	430			9	75		
PINKS	440			8	26	0.75	19.50
BRIGHT CHUMS	450			2	18	2.00	36.00
DARK CHUMS	450			1	9	1.25	11.25
TOTAL CHUMS	450			3	27		
SALMON ROE	400				10	.75	7.50
Sub-Total							\$1981.25
Less Salmon Enhancement Tax @ (1981.25 x 0.03) =							59.44
TOTAL				71	1102		\$1921.81

Fisherman's Signature * Captain John Doe
 FISH DELIVERED HEREBY WERE CAUGHT IN COMPLIANCE WITH STATE LICENSING LAWS AND STATE LABOR LAWS AND REGULATIONS

Fish Received by Mr. Solomon Buyer

FISCAL NOTE

REQUEST:

Revision Date: March 22, 1990
 Title: "An Act relating to investment securities under the Uniform Commercial Code."
 Sponsor: Rules Committee/By Request of Governor
 Requestor: House Labor and Commerce

Agency Affected: Department of Law
 BRU: Legal Services
 Components: Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Please see the attached analysis.

Prepared by: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Date: March 22, 1990
 Approved by Commissioner: Douglas B. Bailly, Attorney General Date: March 22, 1990
 Agency: Department of Law

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 88

This bill substantially amends Article 8 of the Uniform Commercial Code (AS 45.08 in Alaska's version) in accordance with recommendations of the National Conference of Commissioners on Uniform State Laws (NCCUSL) in cooperation with the American Law Institute and the American Bar Association. This amended version of Article 8 modernizes the regulation of investment securities by recognizing the existence of uncertificated securities that have resulted from computerized securities transactions. Many of the investment securities financial transactions that take place today are accomplished by electronic means, without the issuance of certificates, because of the shear load of paper certificates that have hampered and burdened the financial markets. The amendments to Article 8 contemplate the elimination of much of the paper certificates formerly used in financial transactions. These amendments have been endorsed by the Securities Industry Committee of the American Society of Corporate Secretaries, and they have already been adopted by 35 states. It is not anticipated that the changes proposed in the UCC will have any direct fiscal impact of the Department of Law, because they deal with private sector transactions.

PURCHASER

ALASKA DEPARTMENT OF FISH & GAME
 GROUND FISH TICKET

DO NOT WRITE IN THIS SPACE

688 026002

Vessel Name FV GROUND FISH BOAT

Fishery BOAT NAME
FISHERY RESOURCE CODE
 Name PERMITHOLDER NAME
 Permit Number PERMIT NUMBER ADF& 8801A
SSN NUMBER 0

ADF&G NO. 0000

DELIVERY CONDITION CODES
 ENTER FOR EACH SPECIES IN COLUMNS 4 & 11 BELOW

1 = WHOLE FOODFISH	6 = SALTED AND SPLIT
2 = WHOLE BAIT	7 = WESTERN CUT
3 = BLEED	8 = EASTERN CUT
4 = GUTTED ONLY	9 = FILLETS
5 = GUTTED AND HEADED	10 = LANDED DISCARD

Proc. Code 0000 0 88 Date Caught 7/18/88
 Company FRICO INC. Date Landed 7 22 88

DUTCH HARBOR
 ↑ PORT OF LANDING ↑

PRINT TYPE OF GEAR USED
LONGLINE

SPECIES	NO.	WEIGHT	CONDITION	PRICE	TOTAL
SABLEFISH	710		PACIFIC OCEAN PERCH	141	
			BLACK ROCKFISH	142	
			IDIOT ROCKFISH	143	
			RED SNAPPER - YELLOWEYE	252-94 145	5 500 0.50 250.00
			CANARY ROCKFISH	146	
FLATHEAD SOLE	122		QUILLBACK ROCKFISH	147	
ROCK SOLE	123		CHINA ROCKFISH	149	
DOVER SOLE	124		ROSETHORN ROCKFISH	150	
HEX SOLE	125		DUSKY ROCKFISH	151	
YELLOWFIN SOLE	127		RED ROCKFISH - UNSPECIFIED	140	
STARBY FLOUNDER	129		ROCKFISH - UNSPECIFIED	121	
ALASKA POLICE	111		BRUNDOO	110	
FLORIDA SANDSTAR	112		FLORIDA	110	
RED TAIL	113		RED TAIL	110	



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Commercial Fisheries	BILL NUMBER SB 76	SPONSOR Senator Eliason
SHORT TITLE OF BILL An act relating to confidentiality of certain fishery reports and records.			
DEPARTMENT POSITION Support			
PREPARED BY Robert C. Clasby	DATE 1-19-89	COMMISSIONER'S SIGNATURE	DATE

SUMMARY

OTHER AGENCIES AFFECTED BY BILL National Marine Fisheries Service	CONSTITUENT GROUP(S) AFFECTED BY BILL Commercial groundfish fishermen
ORGANIZATIONAL SUPPORT FOR BILL National Marine Fisheries Service S.W. Municipal Conference Alaska Municipal League	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The department collects essential catch data using landing receipts (fish tickets) for both state and federally managed fisheries, i.e., halibut and groundfish in the EEZ. AS 16.05.815 prohibits the state from identifying individual fishermen when providing catch data to federal managers. The Department of Law's opinion is that this restriction applies to the present system of providing the halibut commission with unedited tickets. The restriction also precludes the National Marine Fisheries Service (NMFS) and the department from accurately estimating discarded crab, salmon, and halibut in the groundfish fishery.

ANALYSIS OF BILL/PROGRAM EFFECTS

The amendment will permit the state to provide complete catch records to the NMFS for fisheries managed under federal management plans and to the International Pacific Halibut Commission (IPHC). The IPHC will have legal access to accurate catch data as provided through ADF&G fish tickets. The ADF&G and NMFS will be able to compare groundfish fishery observer and fish ticket data on a trip by trip basis. These comparisons can then be used to make accurate estimates of target and prohibited species which are discarded by fishing vessels at sea.

The ability to provide these previously confidential data to NMFS also provides the state a greater opportunity to actively participate as a contractor in federally funded fishery monitoring programs, e.g., observers.

Current federal law will protect the confidentiality of the information the NMFS receives from the state.

AMENDMENTS PROPOSED

None

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An act relating to confidentiality of certain fishery reports and records

Agency Affected: Fish and Game

BRU: Commercial Fisheries

Sponsor: Senator Eliason

Components: Commercial Fisheries

Requestor: _____

Special Projects

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92 -	FY 93	FY 94
PERSONAL SERVICES						
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	0	0	0	0	0	0
----------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Robert C. Clasby

Phone: 465-4210

Division: _____

Date: _____

Approved by Commissioner: _____

Date: _____

Agency: _____

Distribution (by preparer):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Commercial Fisheries	BILL NUMBER CS SB 76	SPONSOR Eliason
SHORT TITLE OF BILL Confidentiality of certain fishery reports and records			
DEPARTMENT POSITION Support			
PREPARED BY Bob Clasby	DATE 3/13/89	COMMISSIONER'S SIGNATURE <i>W.A. Williams</i>	DATE 3.14.89

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Public Safety Revenue	CONSTITUENT GROUP(S) AFFECTED BY BILL Commercial Fishermen
ORGANIZATIONAL SUPPORT FOR BILL National Marine Fisheries Service S.W. Municipal Conference Alaska Municipal League	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

ANALYSIS OF BILL/PROGRAM EFFECTS

The committee substitute by Senate Resources adds language to the original bill that ensures that the confidentiality provision of AS 16.05.815 are maintained when confidential information is released to qualified agencies. The department supports this amendment as we believe that it will assist in maintaining the fishing industry's trust in our ability to maintain the confidentiality of the detailed information they provide us. That information is essential for management of the state's fisheries.

AMENDMENTS PROPOSED

None

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: Confidentiality of certain fishery reports and records
 Sponsor: Elison
 Requestor: Senate Rules

Agency Affected: Fish and Game
 BRU: Commercial Fisheries
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLASS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

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

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

Prepared by Bob Clashy Phone: 465-4210
 Division: Commercial Fisheries Date: 3/13/89

Approved by Commissioner: Donnell Collierworth Date: 3.14.89
 Agency: Fish and Game

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

PURCHASER

ALASKA DEPARTMENT OF FISH & GAME
 GROUND FISH TICKET

DO NOT WRITE IN THIS SPACE
 G88 026002

Vessel Name FV GROUND FISH BOAT

Fishery BOAT NAME
 FISHERY RESOURCE CODE
 Name PERMITHOLDER NAME
 Permit Number PERMIT NUMBER ADF&G
8801A SSN NUMBER D

ADF&G NO. 00000

DELIVERY CONDITION CODES
 ENTER FOR EACH SPECIES IN COLUMNS 4 & 11 BELOW

1 = WHOLE FOODFISH	6 = SALTED AND SPLIT
2 = WHOLE BAIT	7 = WESTERN CUT
3 = BLED	8 = EASTERN CUT
4 = GUTTED ONLY	9 = FILLETS
5 = GUTTED AND HEADED	10 = LANDED DISCARD

Proc. Code F0000 0 88 7/18/88 ← Date Caught
 Company ENRICO INC. 17 22 88 ← Date Landed

↑ PORT OF LANDING ↓
DUTCH HARBOR

PRINT TYPE OF GEAR USED
LONGLINE

SPECIES	STAT AREA	COND CODE	POUNDS	PRICE	AMOUNT	SPECIES	STAT AREA	COND CODE	POUNDS	PRICE	AMOUNT
SABLEFISH		710				PACIFIC OCEAN PERCH			141		
						BLACK ROCKFISH			142		
						IDIOT ROCKFISH			143		
						RED SNAPPER - YELLOWEYE	<u>252-84</u>	<u>5</u>	<u>500</u>	<u>0.50</u>	<u>250.00</u>
						CANARY ROCKFISH			146		
FLATHEAD SOLE		122				OJILLBACK ROCKFISH			147		
ROCK SOLE		123				CHINA ROCKFISH			149		
DOVER SOLE		124				ROSETHORN ROCKFISH			150		
REX SOLE		125				DUSKY ROCKFISH			154		
YELLOWFIN SOLE		127				RED ROCKFISH - UNSPECIFIED			140		
STARRY FLOUNDER		129				ROCKFISH - UNSPECIFIED			133		
ALASKA PLAICE		133				LINGCOD			130		
FLOUNDER - UNSPECIFIED		120				MOUTLIN			160		
PACIFIC COD	<u>350-51</u>	<u>110</u>	<u>9</u>	<u>15.000</u>	<u>2.75</u>	<u>112.50</u>	SKATE		<u>770</u>		
POLLOCK		270				SHARK			629		

Fisherman's Signature Mr. John Doe
 FISH DELIVERED HEREBY ACCEPTS ALL LIABILITY WITH STATE LICENSING LAWS AND STATE LAWS AND REGULATIONS

Fish Received By Mr. James J. Brown

ALASKA DEPARTMENT OF FISH & GAME
FISH BUYING TICKET

180 017052

COAT NAME
FISHERY RESOURCE CODE
PERMIT HOLDER NAME
PERMIT NUMBER ADP&A NO. 00000
BOAT SEN NUMBER 0

CHECK TYPE OF GEAR ONLY IF USED (MARKING GILL NET)
C3 DRIFT NET C1 SET NET

THROUGHT GAINED IN POUNDS
12.

2/21/03 Date Caught
7 00 00 Date Landed

AREA CAUGHT HANK INLET
(SHOW NEAREST BAY OR HEADLAND)

112-16
(STAT. CHART NO. 1)

12 - 25 lbs.	202			SALMON Lg. Red Kings	410	17	396	4.00	\$1584.00
20 - 40 lbs.	202								
40 - 60 lbs.	202			Med. Red Kings	410	1	12	3.75	45.00
Total Medium	202								
				Sml. Red Kings	410				
60 - 80 lbs.	203								
80 - 100 lbs.	203			Lg. White Kings	410	1	21	3.25	68.25
100 - 120 lbs.	203								
Over 150 lbs.	203			Sml. White Kings	410				
Total Large	203			TOTAL KINGS	410	19	429		
No. 2's Med.	204			REDS (SOCKEYE)	420	1	4	3.00	12.00
No. 2's Lg.	204								
				Lg. Cohos	430	5	46	2.75	124.50
TOTAL (LESS HEAD + SLIME)	200								
				Med. Cohos	430	3	24	2.50	60.00
MISCELLANEOUS									
Lg. Sablefish	710								
Sml. Sablefish	710			Sml. Cohos	430	1	5	2.25	11.25
Total Sablefish	710			TOTAL COHOS	430	9	75		
Lingcod	130								
Rockfish/Red Snapper	140			PINKS	440	8	26	0.75	19.50
Stealhead	540								
				BRIGHT CHUMS	450	2	18	2.00	36.00
HERRING				DARK CHUMS	450	1	9	1.25	11.25
Herring Eggs on Kelp	231			TOTAL CHUMS	450	3	27		
Herring Roe Skeins	232			SALMON ROE	400		10	.75	7.50
Herring Bait/Food	233			Sub-Total					\$1981.25
Herring Sac Roe	234			Less Salmon Enhancement Tax @ (1981.25 x 0.03) =					59.44
% Roe Content =				TOTAL		71	1102		\$1921.81

Fisherman's Signature * Captain John Doe
FISH DELIVERED HEREBY WERE CAUGHT IN COMPLIANCE WITH STATE LICENSING LAWS AND STATE LAWS FOR LAWS AND REGULATIONS

Fish Received by Mr. Solomon Bury

HUNTER
ALASKA DEPARTMENT OF FISH AND GAME
CRAB ON TANK TONNES

BOOK NUMBER
C88 011002

Vessel No. FN 0885 DART

Fishery 0 BOAT HUNT
Factory Discharge Code
Harvest Date
Permit Number
ASAC NO
00000
00000 BOAT NUMBER 0

PRINT TYPE OF GEAR USED
10'

Proc. Code 9000-0-00 Date Caught 7/21/68
Company ELIUD INC. Date 7 22 68
MPG FCS

Species	Weight	Count	Value	Price	Weight	Value
LONGNECK CRAB	108-30	910	80	177	80	\$702.00
RED KING CRAB		921				
BLUE KING CRAB		922				
BROWN KING CRAB		923				
BAIRD TANNER CRAB		931				
OPILC TANNER CRAB		932				
DEADLOSS						

Cash Advance \$100.00 Fish Received by Mr. Crab Buyer
FISH DELIVERED HEREBY WERE CAUGHT IN COMPLIANCE WITH STATE LICENSING LAWS AND STATE LABOR LAWS AND REGULATIONS.
Fisherman's Signature * Captain John Doe
Fisherman or Captain making delivery

ALASKA STATE LEGISLATURE · SENATE

SENATOR RICHARD I. ELIASON

LABOR & COMMERCE COMMITTEE, CHAIRMAN
RESOURCES COMMITTEE
RULES COMMITTEE
SPECIAL COMMITTEE ON HIGH SEAS
SALMON INTERCEPTION
SELECT COMMITTEE ON
LEGISLATIVE ETHICS



P.O. BOX 143
SITKA, ALASKA 99835

P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-4916

FAX (907) 465-4928

MEMORANDUM

TO: Rep. Gruenberg and Rep. Goll, Co-Chairmen
House Judiciary Committee

FROM: Sen. Dick Eliason

DATE: April 10, 1989

RE: SB 76, Relating to confidentiality of certain fishery
reports and records.

I would like to request that CS SB 76(Resources) be scheduled for a hearing in the House Judiciary committee. It is a straight-forward measure which simply clears the way for some desirable exchange of information between several state and federal fisheries management entities. It strikes a good balance between protecting the privacy of fishermen, and protecting their livelihood by ensuring sound data to fisheries managers.

The House Resources committee made a small change to the bill which was recommended by the Dept. of Law. I have no objection to that CS.

If you need further information about the bill, please contact my office. Thank you for your consideration.