

SCOMM

126:31

Date Referred to Committee: February 19, 2002

3/4/02

The HOUSE SPECIAL COMMITTEE ON FISHERIES Committee considered: **HB 462**

CONFIDENTIALITY OF FISHING RECORDS

"An Act relating to the release of certain confidential records and reports concerning fishing, fish buying, or fish processing; and providing for an effective date."

Recommends it be replaced with CS () [] **Same Title** [] **New Title**

For Senate Bills with new title: / / Technical Title / / New Title: HCR

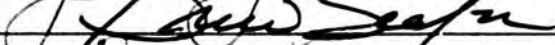
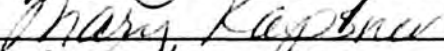
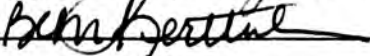
[] attach amendments

[] add new referral to Committee

Letter of Intent _____ **Committee**

List of Abbrev. for Depts.:
ADM
CED
COR
CRT
EED
DEC
DFG
GOV
HSS
LAA
LAW
LWF
MVA
DNR
DPS
REV
DOT
UA

[illegible][illegible]

Signing with recommendations		Printed Last Name	DP	DNP	NR	AM
	Coghill					
	Seafu					
	Kapsner					
	Bertine					
Chair: 	Strom					
Chair:						

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 462
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title An Act relating to the release of BRU Fish & Wildlife Protection
certain confidential records and reports . . . Component Enforcement & Investigations
 Sponsor Representative Stevens
 Requester House Fisheries Component No. 490

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0					
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CHANGE IN REVENUES ()	0.0					
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal: ☐

POSITIONS

Full-time	0					
Part-time	0					
Temporary	0					

ANALYSIS: (Attach a separate page if necessary)

This bill does not conflict with the Department's programs objectives and has no significant impact on our budget.

Prepared by: Captain Al Cain Phone 269-5589
 Division: Fish & Wildlife Protection Date/Time 3/4/02 10:20 AM
 Approved by: Commissioner Glenn G. Godfrey Date 3/4/2002
 Agency: Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 462
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
 Title Release of certain confidential records BRU Multiple
and reports Component _____
 Sponsor Representative Stevens Component No. _____
 Requester House Fisheries

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
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Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal: ☐

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Gordy Williams Phone 465-6143
 Division: Commissioner's Office Date/Time 3/1/02 10:17 AM
 Approved by: Gordy Williams for Commissioner Frank Rue Date 3/1/2002
 Agency: Fish and Game

Alaska State Legislature

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Representative Gary Stevens

SPONSOR STATEMENT – HB 462

HB 462, "An act relating to the release of certain confidential records and reports concerning fishing, fish buying, or fish processing", provides state and federal enforcement agencies access to certain reports of fishing, buying and processing activity to help ensure proper compliance with reporting requirements.

In addition, this bill would allow fishermen, buyers, and processors to obtain certain reports of their own activity from the Department of Fish & Game or the Commercial Fisheries Entry Commission, or to designate that such reports be released to a specified third party.

The following is a description of the amendments to AS 16.05.815(a) by HB 462:

Page 2, line 20:

Adds language to (6) allowing a person whose fishing activity is the subject of the report to allow release of the report to a designee. This provision clarifies that a person may have reports of their fishing activity sent directly to a third party of their choosing.

An example of the benefit of third party release is the federal Small Business Administration (SBA) which in some instances has required documentation of the fishery activity of loan applicants. Upon request of the person, the changes in this subsection would allow for such information to be provided directly to the SBA.

Page 2, line 22:

Adds a new (7). This subsection provides access for a buyer or processor to an annual statistical report that has been submitted to the department by the buyer or processor, or for the department to release an annual statistical report to a designee specified by the buyer or processor.

A recent example of the need for such a provision was with the National Park Service program for compensating parties affected by fisheries closures in portions of Glacier Bay National Monument. The Park Service required affected buyers or processors to submit a copy of their Commercial Operators Annual Report (COAR), but since neither the submitter or the designee (Park Service) had clear access to these reports, a special process had to be developed.

Page 2, line 25:

In (8), adds saltwater charter logbooks that are submitted by charter fishing operators and annual statistical reports submitted by buyers and processors to the reports and records submitted to ADF&G or CFEC which may be released to the Alaska Department of Public Safety. This access will aide in ensuring good, complete data is available for fisheries management.

Page 2, line 29:

In (9), adds annual statistical reports submitted by buyers and processors to the information accessible to the law enforcement personnel of the National Marine Fisheries Service (NMFS) and the National Oceanic and Atmospheric Administration (NOAA).

Last year, NMFS promulgated regulations requiring buyers and processors operating off of Alaska in the Exclusive Economic Zone to submit COAR reports to

ADF&G. Enforcement of this requirement will help ensure good, complete information is available for integrated fisheries management.