



LAWS OF ALASKA

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Source

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Chapter No.

59

AN ACT

Relating to the release of certain records and reports required by the Department of Fish and Game regarding fish, shellfish, or fishery products and reports of fish buyers and processors; relating to the transfer of land to the state; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: June 10, 1999

Actual Effective Date: Sections 1 - 3 take effect June 11, 1999; remainder of Act takes effect September 8, 1999

AN ACT

1 Relating to the release of certain records and reports required by the Department of Fish and
2 Game regarding fish, shellfish, or fishery products and reports of fish buyers and processors;
3 relating to the transfer of land to the state; and providing for an effective date.

4

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

7 (a) Except as provided in (b) and (c) of this section, records required by
8 regulations of the department concerning the landings of fish, shellfish, or fishery
9 products, and annual statistical reports of buyers and processors required by regulation
10 of the department are confidential and may not be released by the department or by
11 the Alaska Commercial Fisheries Entry Commission except as set out in this
12 subsection. The department may release the records and reports set out in this
13 subsection to the Alaska Commercial Fisheries Entry Commission. The
14 department and the Alaska Commercial Fisheries Entry Commission may release

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1 the records and reports set out in this subsection to the recipients identified in this
2 subsection if the recipient, other than a recipient under (5) - (8) [(4) - (6)] of this
3 subsection, agrees to maintain the confidentiality of the records and reports. The
4 department and the Alaska Commercial Fisheries Entry Commission may release

5 (1) any of the [ITS] records and reports to the National Marine
6 Fisheries Service and the professional staff of the North Pacific Fishery Management
7 Council as required for preparation and implementation of the fishery management
8 plans of the North Pacific Fishery Management Council within the exclusive economic
9 zone;

10 (2) any of the records and reports to the professional staff of the
11 Pacific States Marine Fisheries Commission who are employed in the Alaska
12 Fisheries Information Network project for the purpose of exchanging information
13 with users authorized by the department;

14 (3) any of the [ITS] records and reports to the Department of Revenue
15 [AND TO THE ALASKA COMMERCIAL FISHERIES ENTRY COMMISSION] to
16 assist the Department of Revenue [THEM] in carrying out its [THEIR] statutory
17 responsibilities;

18 (4) [(3)] records or reports of the total value purchased by each buyer
19 to a municipality that levies and collects a tax on fish, shellfish, or fishery products
20 if the municipality requires records of the landings of fish, shellfish, or fishery
21 products to be submitted to it for purposes of verification of taxes payable;

22 (5) [(4)] such records and reports as necessary to be in conformity with
23 a court order;

24 (6) [(5)] on request, the report of a person to the person whose fishing
25 activity is the subject of the report;

26 (7) [(6)] fish tickets and fish ticket information to the division of fish
27 and wildlife protection, Department of Public Safety;

28 (8) fish tickets and fish ticket information to the law enforcement
29 personnel of the National Marine Fisheries Service and the National Oceanic and
30 Atmospheric Administration for the purpose of enforcing fishery laws in waters
31 of this state and in waters of the exclusive economic zone adjacent to this state;

1 (9) [(7)] fish tickets and fish ticket information regarding halibut to the
2 International Pacific Halibut Commission; and

3 (10) [(8)] any of the [ITS] records and reports to the child support
4 enforcement agency created in AS 25.27.010, or the child support enforcement agency
5 of another state, for child support purposes authorized under law.

6 * Sec. 2. AS 16.20.041(e) is amended to read:

7 (e) The department and the Department of Natural Resources

8 (1) may not enter into sales of land within the McNeil River State
9 Game Refuge;

10 (2) may enter into leases within the McNeil River State Game Refuge
11 if the commissioner finds that activity conducted under the lease is compatible with
12 the purposes for which the refuge is established;

13 (3) may not accept transfer of state selected land from the federal
14 government, or conveyance of other land, within the refuge if the land is subject
15 to

16 (A) a lease, easement, or other right to operate or maintain
17 a private facility on the land or to conduct a private enterprise on the
18 land; or

19 (B) a continuing trespass by an unauthorized private facility
20 or private enterprise.

21 * Sec. 3. AS 16.20.162(c) is amended to read:

22 (c) The department and the Department of Natural Resources

23 (1) may not enter into sales of land within the McNeil River State
24 Game Sanctuary;

25 (2) may enter into leases within the McNeil River State Game
26 Sanctuary if the commissioner finds that activity conducted under the lease is
27 compatible with the purposes for which the sanctuary is established;

28 (3) may not accept transfer of state selected land from the federal
29 government, or conveyance of other land, within the sanctuary if the land is
30 subject to

31 (A) a lease, easement, or other right to operate or maintain

1 a private facility on the land or to conduct a private enterprise on the
2 land; or

3 (B) a continuing trespass by an unauthorized private facility
4 or private enterprise.

5 * Sec. 4. AS 42.40.285 is amended to read:

6 **Sec. 42.40.285. Legislative approval required.** Unless the legislature
7 approves the action by law, the corporation may not

8 (1) exchange, donate, sell, or otherwise convey its entire interest in
9 land;

10 (2) issue bonds;

11 (3) extend railroad lines; this paragraph does not apply to a spur,
12 industrial, team, switching, or side track;

13 (4) lease land for a period in excess of 35 years unless the corporation
14 reserves the right to terminate the lease if the land is needed for railroad purposes;

15 (5) apply for or accept a grant of federal land within a
16 municipality; before approving an action under this paragraph, the legislature
17 must determine that the federal land is required for essential railroad purposes;
18 this paragraph does not apply to the application for or acceptance of a grant of
19 federal land associated with

20 (A) the Anchorage-Wasilla line change project on Elmendorf
21 Air Force Base and Fort Richardson;

22 (B) the Fairbanks intermodal rail yard expansion project;

23 (C) a conveyance of rail properties of the Alaska Railroad
24 under the original Alaska Railroad Transfer Act of 1982 as set out in Title
25 VI, P.L. 97-468; in this subparagraph, "rail properties of the Alaska
26 Railroad" has the meaning given in 45 U.S.C. 1202(10).

27 * Sec. 5. AS 42.40.410 is amended to read:

28 **Sec. 42.40.410. Federal land.** Except as provided in AS 42.40.285(5), the
29 [THE] corporation may submit applications on its own behalf as an instrumentality of
30 the state for acquisition of federal land available under federal law that will enhance
31 the operations of the corporation if it is available under a federal law other than the

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- 1 Alaska Statehood Act of 1958 (P.L. 85 - 508, 72 Stat. 339), as amended. The
2 corporation may receive in its own name conveyances of all interests in federal land.
3 * **Sec. 6.** Sections 1 - 3 of this Act take effect immediately under AS 01.10.070(c).