



LAWS OF ALASKA

2002

Source

CSHB 462(RES)

Chapter No.

119

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.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: July 5, 2002

Actual Effective Date: July 6, 2002

AN ACT

1 Relating to the release of certain confidential records and reports concerning fishing, fish
2 buying, or fish processing; and providing for an effective date.

3

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

5 (a) Except as provided in (b) and (c) of this section, records required by
6 regulations of the department concerning the landings of fish, shellfish, or fishery
7 products, and annual statistical reports of **fishermen**, buyers, and processors required
8 by regulation of the department are confidential and may not be released by the
9 department or by the Alaska Commercial Fisheries Entry Commission except as set
10 out in this subsection. The department may release the records and reports set out in
11 this subsection to the Alaska Commercial Fisheries Entry Commission. The
12 department and the Alaska Commercial Fisheries Entry Commission may release the
13 records and reports set out in this subsection to the recipients identified in this
14 subsection if the recipient, other than a recipient under **(5) - (9)** [(5) - (8)] of this

Chapter 119

1 subsection, agrees to maintain the confidentiality of the records and reports. The
2 department and the Alaska Commercial Fisheries Entry Commission may release

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

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

11 (3) any of the records and reports to the Department of Revenue to
12 assist the Department of Revenue in carrying out its statutory responsibilities;

13 (4) records or reports of the total value purchased by each buyer to a
14 municipality that levies and collects a tax on fish, shellfish, or fishery products if the
15 municipality requires records of the landings of fish, shellfish, or fishery products to
16 be submitted to it for purposes of verification of taxes payable;

17 (5) such records and reports as necessary to be in conformity with a
18 court order;

19 (6) on request, the report of a person to the person whose fishing
20 activity is the subject of the report, **or to a designee of the person whose fishing**
21 **activity is the subject of the report;**

22 (7) **on request, annual statistical reports of a fisherman, buyer, or**
23 **processor to the fisherman, buyer, or processor whose activity is the subject of**
24 **the report, or to a designee of the fisherman, buyer, or processor whose activity is**
25 **the subject of the report;**

26 (8) fish tickets, [AND] fish ticket information, **saltwater charter**
27 **logbooks, saltwater charter logbook information, and annual statistical reports of**
28 **fishermen, buyers, and processors and information in those reports** to the
29 [DIVISION OF FISH AND WILDLIFE PROTECTION,] Department of Public
30 Safety;

31 (9) [(8)] fish tickets, [AND] fish ticket information, **and annual**

1 statistical reports of fishermen, buyers, and processors and information in those
2 reports to the law enforcement personnel of the National Marine Fisheries Service
3 and the National Oceanic and Atmospheric Administration for the purpose of
4 enforcing fishery laws in waters of this state and in waters of the exclusive economic
5 zone adjacent to this state;

6 (10) [(9)] fish tickets and fish ticket information regarding halibut to
7 the International Pacific Halibut Commission; and

8 (11) [(10)] any of the records and reports to the child support
9 enforcement agency created in AS 25.27.010, or the child support enforcement agency
10 of another state, for child support purposes authorized under law.

11 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).