A BILL

FOR AN ACT ENTITLED

"An Act relating to the confidentiality of certain records on animals and crops; and providing for an effective date."

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

* Section 1. AS 03.05 is amended by adding a new section to read:

Sec. 03.05.095. Confidentiality of certain information; exceptions. (a)
Notwithstanding AS 03.05.010(a)(2), records maintained by the Department of Environmental Conservation and the Department of Natural Resources are confidential and not subject to disclosure under AS 40.25.100 - 40.25.295 (Alaska Public Records Act) if the records
(1) are animal or crop importation records that identify a particular animal, crop, business, or individual; or
(2) contain animal or crop test results or samples for disease or a varietal and the owner, owner's agent, or representative of the animal or crop
(A) voluntarily submitted or directed the test results or samples
to be submitted to the Department of Environmental Conservation or the Department of Natural Resources for testing; or

(B) was required by law to submit the test results or samples to the Department of Environmental Conservation or the Department of Natural Resources.

(b) Notwithstanding (a) of this section or any other provision of law,

(1) the Department of Environmental Conservation and the Department of Natural Resources may disclose information from a record subject to this section if the Department of Environmental Conservation or the Department of Natural Resources determines there is a threat to the health or safety of an animal, a crop, or the public and that disclosure of the information is necessary to address a threat to the health or safety of the animal, crop, or public;

(2) the Department of Environmental Conservation shall, at the request of the Department of Natural Resources, disclose to the Department of Natural Resources records necessary to implement programs of the Department of Natural Resources designed to increase consumer awareness and consumption of Alaska agriculture products identified by the "Alaska Grown" trademark; the Department of Natural Resources shall maintain confidentiality of the records disclosed under this paragraph.

(c) In this section, "varietal" means characteristic of or forming a distinct variety of organism.

* Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Environmental Conservation and the Department of Natural Resources may adopt regulations necessary to implement this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the law implemented by the regulation.

* Sec. 3. Section 2 of this Act takes effect immediately under AS 01.10.070(c).