

HOUSE BILL NO. 262

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE RYAN

Introduced: 4/25/97

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to confidentiality of permanent fund dividend application**
2 **information."**

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

4 *** Section 1. LEGISLATIVE FINDINGS.** The legislature finds that

5 (1) the right of the people to privacy is recognized in art. I, sec. 22, of the state
6 constitution, and the legislature is charged with implementing that section;

7 (2) the permanent fund dividend program, available as it is to every resident,
8 gathers a tremendous amount of information of a personal nature;

9 (3) a danger exists that information gathered by the permanent fund dividend
10 program could be used in ways that infringe on the right of privacy; and

11 (4) it is incumbent on the legislature to avoid potential abuse of this large body
12 of information by ensuring that the information is made confidential.

13 *** Sec. 2.** AS 23.40.075 is amended by adding a new paragraph to read:

14 (5) authority of the Department of Revenue under AS 43.23.017(c) to

1 terminate an employee who violates confidentiality requirements.

2 * **Sec. 3.** AS 43.23 is amended by adding a new section to read:

3 **Sec. 43.23.017. Confidential information.** (a) Except as provided in (b) of
4 this section and except upon court order, information contained on a permanent fund
5 dividend application or provided to the department in connection with a dividend
6 application shall be kept confidential and is not subject to inspection under
7 AS 09.25.110 or 09.25.120.

8 (b) All information regarding a permanent fund dividend application shall be
9 made available to the dividend applicant or the person who filed the application on
10 behalf of a minor or a disabled or an incompetent individual. The name and address
11 of individuals who apply for a dividend shall be made available to any person.
12 Information regarding the denial of a dividend shall be made available to a legislator
13 who represents the district in which the applicant resides. At the option of the
14 requestor, the department shall provide a paper copy of the information released under
15 this subsection or shall provide the information on three and one-half inch 1.44M or
16 greater diskette created using MS/DOS ASCII.

17 (c) In addition to other penalties that may apply, an employee of the
18 department who violates this section shall be terminated from employment.