

HOUSE BILL NO. 95

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE JACKSON

Introduced: 3/15/19

Referred: State Affairs, Resources

A BILL

FOR AN ACT ENTITLED

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

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

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

5 **Sec. 03.05.095. Confidentiality of certain information; exceptions.** (a)

6 Notwithstanding AS 03.05.010(a)(2), records maintained by the Department of
7 Environmental Conservation and the Department of Natural Resources are
8 confidential and not subject to disclosure under AS 40.25.100 - 40.25.295 (Alaska
9 Public Records Act) if the records are animal or crop

10 (1) importation records that identify a particular animal, crop, business,
11 or individual; or

12 (2) test results or samples and the owner, owner's agent, or
13 representative of the animal or crop

14 (A) voluntarily submitted or directed the test results or samples

1 to be submitted to the Department of Environmental Conservation or the
2 Department of Natural Resources for testing; or

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

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

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

13 (2) the Department of Environmental Conservation shall, at the request
14 of the Department of Natural Resources, disclose to the Department of Natural
15 Resources records necessary to implement programs of the Department of Natural
16 Resources designed to increase consumer awareness and consumption of agricultural
17 products of the state that are identified by a certification that indicates the products are
18 grown or produced wholly or in part in the state; the Department of Natural Resources
19 shall maintain confidentiality of the records disclosed under this paragraph.

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

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

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