

AMENDMENT #1

OFFERED IN THE SENATE
TO: SCS HB 120(FIN)

BY SENATOR KAWASAKI

1 Page 1, line 2, following "students;":

2 Insert "relating to animal adoption and foster care records;"

3

4 Page 2, following line 15:

5 Insert a new bill section to read:

6 "* Sec. 3. AS 40.25.120(a) is amended to read:

7 (a) Every person has a right to inspect a public record in the state, including
8 public records in recorders' offices, except

9 (1) records of vital statistics and adoption proceedings, which shall be
10 treated in the manner required by AS 18.50;

11 (2) records pertaining to juveniles unless disclosure is authorized by
12 law;

13 (3) medical and related public health records;

14 (4) records required to be kept confidential by a federal law or
15 regulation or by state law;

16 (5) to the extent the records are required to be kept confidential under
17 20 U.S.C. 1232g and the regulations adopted under 20 U.S.C. 1232g in order to secure
18 or retain federal assistance;

19 (6) records or information compiled for law enforcement purposes, but
20 only to the extent that the production of the law enforcement records or information

21 (A) could reasonably be expected to interfere with enforcement
22 proceedings;

23 (B) would deprive a person of a right to a fair trial or an

1 impartial adjudication;

2 (C) could reasonably be expected to constitute an unwarranted
3 invasion of the personal privacy of a suspect, defendant, victim, or witness;

4 (D) could reasonably be expected to disclose the identity of a
5 confidential source;

6 (E) would disclose confidential techniques and procedures for
7 law enforcement investigations or prosecutions;

8 (F) would disclose guidelines for law enforcement
9 investigations or prosecutions if the disclosure could reasonably be expected to
10 risk circumvention of the law; or

11 (G) could reasonably be expected to endanger the life or
12 physical safety of an individual;

13 (7) names, addresses, and other information identifying a person as a
14 participant in the Education Trust of Alaska under AS 14.40.802 or the advance
15 college tuition savings program under AS 14.40.803 - 14.40.817;

16 (8) public records containing information that would disclose or might
17 lead to the disclosure of a component in the process used to execute or adopt an
18 electronic signature if the disclosure would or might cause the electronic signature to
19 cease being under the sole control of the person using it;

20 (9) reports submitted under AS 05.25.030 concerning certain
21 collisions, accidents, or other casualties involving boats;

22 (10) records or information pertaining to a plan, program, or
23 procedures for establishing, maintaining, or restoring security in the state, or to a
24 detailed description or evaluation of systems, facilities, or infrastructure in the state,
25 but only to the extent that the production of the records or information

26 (A) could reasonably be expected to interfere with the
27 implementation or enforcement of the security plan, program, or procedures;

28 (B) would disclose confidential guidelines for investigations or
29 enforcement and the disclosure could reasonably be expected to risk
30 circumvention of the law; or

31 (C) could reasonably be expected to endanger the life or

1 physical safety of an individual or to present a real and substantial risk to the
2 public health and welfare;

3 (11) [REPEALED

4 (12)] records that are

5 (A) proprietary, privileged, or a trade secret in accordance with
6 AS 43.90.150 or 43.90.220(e);

7 (B) applications that are received under AS 43.90 until notice is
8 published under AS 43.90.160;

9 **(12)** [(13)] information of the Alaska Gasline Development
10 Corporation created under AS 31.25.010 or a subsidiary of the Alaska Gasline
11 Development Corporation that is confidential by law or under a valid confidentiality
12 agreement;

13 **(13)** [(14)] information under AS 38.05.020(b)(11) that is subject to a
14 confidentiality agreement under AS 38.05.020(b)(12);

15 **(14)** [(15)] records relating to proceedings under AS 09.58 (Alaska
16 Medical Assistance False Claim and Reporting Act);

17 **(15)** [(16)] names, addresses, and other information identifying a
18 person as a participant in the Alaska savings program for eligible individuals under
19 AS 06.65;

20 **(16)** [(17)] artists' submissions made in response to an inquiry or
21 solicitation initiated by the Alaska State Council on the Arts under AS 44.27.060;

22 **(17)** [(18)] records that are

23 (A) investigative files under AS 45.55.910; or

24 (B) confidential under AS 45.56.620;

25 **(18) names, addresses, or other information identifying a person as**
26 **adopting or providing foster care for an animal.**

27
28 Renumber the following bill sections accordingly.

29
30 Page 2, line 19, following "by":

31 Insert "secs. 1 and 2 of"

1

2 Page 2, line 22:

3 Delete "Section 3"

4 Insert "Section 4"

5

6 Page 2, line 23:

7 Delete "Except as provided in sec. 4 of this Act, this Act takes"

8 Insert "Sections 1 and 2 of this Act take"