

Original sponsor: Rules/Governor

Offered: 4/29/79
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 51 (Judiciary) am H

(re-engrossed)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the confidential nature of certain
7 reports.

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

9 * Section 1. AS 16.05.815 is repealed and re-enacted to read:

10 Sec. 16.05.815. CONFIDENTIAL NATURE OF CERTAIN RECORDS. Reports
11 required by regulations of the department which disclose information
12 relating to a person's income or which include information indicating
13 the specific location where fish have been taken by a person are confi-
14 dential and may not be released, except that a report may be released to
15 (1) the individual operator whose fishing activity is the subject of the
16 report; (2) the National Marine Fisheries Service as required for pre-
17 paration and implementation of North Pacific Fisheries Management
18 Council fishery management plans within the fisheries conservation zone;
19 and (3) the legislative auditor, the Department of Revenue and the
20 Commercial Fisheries Entry Commission to assist them in carrying out
21 their statutory responsibilities. Reports which do not identify
22 individual fishermen, buyers, or processors or the specific locations
23 where fish have been taken are public information. Confidential reports
24 held by the department, or received from the department by the agencies
25 and organizations mentioned in this section, may not be communicated
26 or distributed in the form of individual records to any other agency,
27 organization, or individual unless required by a court order signed by
28 a superior court judge.

29 * Sec. 2. AS 43.05.230 is amended by adding a new subsection to read:

1 (g) Information which is received or developed by the department
2 in administering the provisions of the oil and gas corporate income tax
3 (AS 43.21) or the oil and gas properties production tax (AS 43.55) and
4 which relates to production costs charged or chargeable against an
5 interest of the state under AS 38.05.180 in oil and gas production or
6 which relates to the price or value of such oil or gas which the state
7 is taking in value and for which the state has not given notice of
8 taking in kind, may be made available to the Department of Natural
9 Resources only for purposes of oil and gas accounting supervision. The
10 information thus made available to the Department of Natural Resources
11 shall be held confidentially by that department the same as it is so
12 held by the Department of Revenue, except that it may be used in con-
13 nection with official investigation proceedings relating to oil and gas
14 royalty accounting and supervision by the Department of Natural
15 Resources, whether judicial or administrative, and except also that
16 either department may release or publish information that is otherwise
17 available from non-confidential sources.
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