

CS FOR HOUSE JOINT RESOLUTION NO. 25 (RESOURCES)**IN THE LEGISLATURE OF THE STATE OF ALASKA****SEVENTEENTH LEGISLATURE - FIRST SESSION****BY THE HOUSE RESOURCES COMMITTEE****Offered: 3/13/91****Referred: Judiciary****Sponsor(s): REPRESENTATIVES NAVARRE, Kubina, Brown, Ellis, Moyer, Ulmer, Koponen, Finkelstein****A RESOLUTION**

1 **Relating to economic and scientific data developed as a result of the Exxon Valdez**
2 **litigation.**

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

4 **WHEREAS** many parties to the civil and criminal actions arising out of the March 1989 oil spill
5 caused by the grounding of the Exxon Valdez have, as a result of the litigation, generated substantial
6 economic and scientific studies of the results of the spill; and

7 **WHEREAS** those studies are of great interest to the public, especially to those who were affected
8 by the spill, those studying the spill, and those trying to develop measures to mitigate possible large
9 future spills; and

10 **WHEREAS** as a matter of public policy, materials produced in litigation should be a matter of
11 public record, especially when governmental entities are litigants; and

12 **WHEREAS** the Alaska Supreme Court ruled in Anchorage School District v. Anchorage Daily
13 News, 779 P.2d 1191 (Alaska 1989), that the public records disclosure statutes, AS 09.25.110 -
14 09.25.125, overrode a governmental entity's attempt to make a litigation settlement confidential, thus
15 making it likely that any confidentiality provisions in an Exxon Valdez settlement would be ruled
16 illegal;

1 **BE IT RESOLVED** that the Alaska State Legislature urges that any settlement of the civil or
2 criminal litigation arising from the Exxon Valdez spill provide that all economic and scientific studies
3 generated by the litigation be open to public inspection and not be treated as confidential material.

4 **COPIES** of this resolution shall be sent to the Honorable Richard Thornburgh, Attorney General
5 of the United States; the Honorable Manuel Lujan, Jr., U.S. Secretary of the Interior; the Honorable
6 Samuel K. Skinner, U.S. Secretary of Transportation; the Honorable William Reilly, Administrator of
7 the United States Environmental Protection Agency; Admiral J. William Kime, Commandant of the
8 United States Coast Guard; the Honorable Wevley Shea, United States Attorney for the District of
9 Alaska; the Honorable Russell Holland, United States District Judge for the District of Alaska; the
10 Honorable Stanley Sporkin, United States District Judge for the District of Columbia; and Lawrence G.
11 Rawl, Chair and Chief Executive Officer of the Exxon Corporation.