## **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:

- \* **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)
- 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,
- or individual; or
- 12 (2) test results or samples and the owner, owner's agent, or
- 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 Natura
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 reques
14	of the Department of Natural Resources, disclose to the Department of Natura
15	Resources records necessary to implement programs of the Department of Natura
16	Resources designed to increase consumer awareness and consumption of agricultura
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 no
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).