



# ALASKA STATE LEGISLATURE LEGISLATIVE COUNCIL

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Rep. Charisse Millett  
Rep. Mark Neuman  
Rep. Steve Thompson – alt  
Rep. Harriet Drummond - alt

**COMMITTEE CONTACT:****Session/Interim:**

State Capitol 429  
Juneau, AK 99801-1182  
(907) 465-4925

**Committee Aide:**

Katrina Matheny  
(907) 465-4713

## *AGENDA*

**Date: May 2, 2016**

**Time: 5:00pm – 7:00pm**

**Location: Bill Ray Center - House Finance Room 208**

- I. Call to Order
- II. Committee Business – Executive Session
  - a. Anchorage Office Space
  - b. Record's Policy Amendment
- III. Adjournment

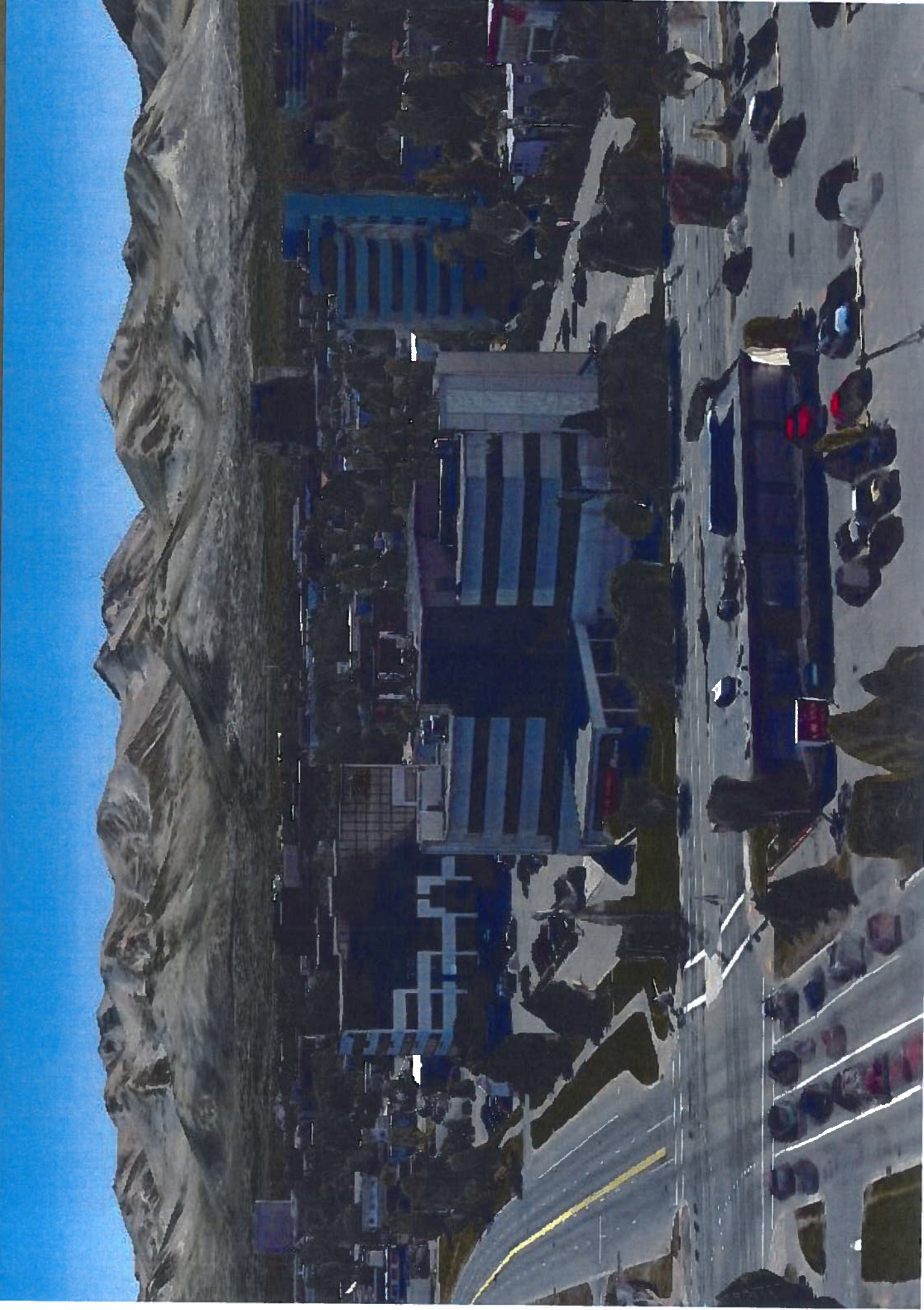
# 1500 W BENSON

*Anchorage, Alaska*



OFFERING MEMORANDUM







THE OFFERING



1500 W Benson is a 52,987 SF Class "A" Office Building situated in the midtown Anchorage Business District. It features excellent access and visibility and offers ample on-site parking combined with unsurpassed mountain and inlet-views from the upper stories. The property is surrounded by other well-appointed office buildings and is within walking distance to many midtown Anchorage retail stores, restaurants, and government offices.

The offering also includes an additional 0.51-acre paved parking lot to the south of the building for a combined site total of approximately 4 acres.

This is a fantastic opportunity to own and occupy a signature Class "A" Building in midtown Anchorage with a potential partial lease-back from the seller, Wells Fargo. Wells will entertain a variety of lease-back scenarios, including a vacation of the entire building.

Jack White Commercial has been retained as the exclusive listing Broker for the sale. This property is priced at the 2015 assessed value of \$12.5M.

PROPERTY SUMMARY

PROPERTY

1500 W Benson Blvd., Anchorage, Alaska.

YEAR BUILT

1982

BUILDING SIZE

52,987 SF GBA per BOMA Standards

RENTABLE AREA (BOMA)

Total: 47,976 RSF

Floor 1: 11,420 RSF

Floor 2: 12,155 RSF

Floor 3: 12,155 RSF

Floor 4: 12,245 RSF

NUMBER OF STORIES

4

PARCEL SIZE

Total Land Area- 174,605 SF (4 Acres)

Tract A2 (Building Lot)- 152,048 SF (3.49 Acres)

Lot 4A (Vacant Lot)- 22,557 SF (0.51 Acres)

SURFACE PARKING

The main lot has approximately 144 spaces and the additional lot has approximately 46 spaces, for a combined total of 190 spaces. Of those spaces, approximately 17 are handicap spaces.

TITLE

Fee Simple

FINANCING

Wells Fargo has several loan programs available to potential buyers and will provide competitive financing rates for this property.

TENANTS/LEASEBACK

Wells Fargo currently occupies approximately 6,500 RSF on the ground floor as their bank branch, plus the associated drive-through area. Additionally, Wells Fargo occupies space on the 3rd and 4th floors. Wells Fargo will entertain various lease-back scenarios or, alternatively, could vacate the entire building for an owner-user. There are currently no private tenants under lease.

ASSESSORS PARCEL NUMBERS

010-012-47-000 & 010-013-24-000

HVAC

The HVAC system was upgraded in 2014. The Mark Hot Air Circulation System received new evaporator coils as well as repairs. Also, a train condensor unit was installed to supply the air circulation system.

ELEVATORS

Two (2) 2,500-lb capacity electric traction. Installation completed by Otis in 2015.

ROOFING

New roofs were installed by EP Roofing in 2013 and have 20-year warranties.

LEGAL DESCRIPTION

Tract A2, Alaska Mutual Subdivision and Lot 4A, Fouts Subdivision, according to the official plats thereof, filed under Plat Nos. 87-145 and 90-111 respectively, records of the Anchorage Recording District, Third Judicial District, State of Alaska.

TRAFFIC VOLUME

As of 2013, the annual average daily traffic count is as follows:

Benson - 15,252 cars per day  
Minnesota - 39,458 cars per day





PROPERTY DESCRIPTION

LOCATION

1500 W Benson is situated in the Anchorage Midtown Commercial Business District, the premier sub-market for Anchorage. Headquarters for businesses involved in the three largest employment sectors for the state (business services, mineral exploration, and construction) are located in this sub-market. 1500 W Benson is in close proximity to numerous shopping, dining, and entertainment venues and is less than a ten minute drive from the Anchorage International Airport.

CONSTRUCTION

Steel frame with glass curtain wall, concrete, and stucco treatments.

SITE DESCRIPTION

Both parcels are generally rectangular in shape.

ZONING

B-3 General Business

INGRESS/EGRESS

The main building is accessible from Minnesota Dr.

Northbound and Benson Blvd. Eastbound. The additional parcel is accessible off 31st Ave. via Minnesota Dr. Northbound and Spenard Rd. north and south.

INTERIOR FINISHES

The main lobby finishes are in good condition and typically include a suspended acoustical ceiling system, painted or vinyl covered walls, carpeting or vinyl floor coverings, and attractive furniture and wall decor.

UTILITIES

Water & Sewer

Anchorage Water & Wastewater Management provides water and sewer services to the property.

Gas

Enstar Natural Gas provides gas service to the property.

Electricity

Municipal Light & Power provides electric service to the site.



MUNICIPALITY OF ANCHORAGE ASSESSED VALUES			
	2013	2014	2015
Tract A2	\$11,364,800	\$11,768,800	\$12,121,000
Focus LT 4A	\$353,900	\$353,900	\$354,900
Combined	\$11,718,700	\$12,122,700	\$12,475,900





PROPERTY DESCRIPTION

FIRE PROTECTION

Each floor is wired with a hardwire alarm system with pull stations throughout. It is protected by a multiple zone Fire Alarm Control Panel upgraded in 2012. The building was originally built with a wet charge fire sprinkler system. An auto-dialer ties the system to a 24-hour monitoring service by Taylor Fire Protection.

EMERGENCY POWER SYSTEMS

The building is equipped with an Onan electric genset diesel generator capable of providing 250 kw with 246 run-hours, which can support the emergency lighting and elevator recall functions. There was also a Libert NX uninterrupted power supply system installed in 2014.

SECURITY

After business hours access to the public is restricted, but tenants have access through the use of a Controlled Access Security System.

WINDOWS/DOORS

High quality aluminum storefront system, with flex, insulated double-paned windows. Glass doors provide lobby entry.

1500 W Benson	Year
Roof Replacement	2013
HVAC Upgrade	2014
Elevator Replacement/Upgrades	2015
Fire System Upgrades	2012
Boiler Upgrade	2014
Vestibule Heater Replacement	2014
Uninterrupted Power Supply	2014



	1 Mile	3 Miles	5 Miles
POPULATION			
2015 Estimated	18,596	76,626	177,556
2020 Projected	19,273	78,692	183,224
HOUSEHOLDS			
2015 Estimated	8,566	32,443	68,437
2020 Projected	8,893	33,405	70,723
INCOME			
2015 Median HH	\$45,695	\$60,037	\$63,811
2015 Average HH	\$67,990	\$82,355	\$83,684



## SUPPLEMENTAL DATA

Attached as a separate file are the following due diligence items:

1. Preliminary Title Commitment
2. Phase I Environmental Survey
3. Environmental Compliance Reports
4. Elevator Inspection Records
5. Sprinkler and Fire Alarm Inspection Reports
6. Ground Water Testing Reports
7. Roof Replacement Description
8. Plat Maps
9. Assessors Property Data Cards
10. Area Demographics
11. Building Operating Expenses
12. Proposed Renovation Plans





## BOMA Table of Building Areas

Project: Wells Fargo Minnesota & Benson Building BOMA  
Project Number: 155020.00  
Updated: 4/7/2015

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T
Floor	Gross Building Area	Gross Measured Area	Major Vertical Penetration	Floor Rentable Area	Space ID	USABLE AREAS			G+H+I+J	E+J+K	BU+L	BASIC RENTABLE AREAS		IN+O	$\Sigma M+\Sigma N+\Sigma O+P$	PI(P $\Sigma$ O)+Q	RENTABLE AREA		TOTAL RENTABLE AREA
						Office Area	Store Area	Building Common Area				Office Area	Store Area				Office Area	Store Area	
1	14009.40	13491.61	847.01	12644.60	Suite 101	6276.44	0.00	0.00	12644.60	0.00	1.00	6276.44	0.00	0.00			6493.89	0.00	6493.89
					Suite 102	4761.64	0.00	0.00				4761.64	0.00				4926.61	0.00	
					Building Lobby/BK	0.00	0.00	1606.52				0.00	0.00				0.00	0.00	
					total	11038.08	0.00	1606.52				11038.08	0.00				11420.51	0.00	
2	12992.72	12818.66	1070.61	11748.05	Suite 201	11748.05	0.00	0.00	11748.05	0.00	1.00	11748.05	0.00	0.00			12155.07	0.00	12155.07
						0.00	0.00	0.00				0.00	0.00				0.00	0.00	
						0.00	0.00	0.00				0.00	0.00				0.00	0.00	
					total	11748.05	0.00	0.00				11748.05	0.00				12155.07	0.00	
3	12992.72	12818.66	1070.61	11748.05	Suite 301	11748.05	0.00	0.00	11748.05	0.00	1.00	11748.05	0.00	0.00			12155.07	0.00	12155.07
						0.00	0.00	0.00				0.00	0.00				0.00	0.00	
						0.00	0.00	0.00				0.00	0.00				0.00	0.00	
					total	11748.05	0.00	0.00				11748.05	0.00				12155.07	0.00	
4	12992.72	12818.66	993.40	11835.26	Suite 401	11835.26	0.00	0.00	11835.26	0.00	1.00	11835.26	0.00	0.00			12245.31	0.00	12245.31
						0.00	0.00	0.00				0.00	0.00				0.00	0.00	
						11835.26	0.00	0.00				11835.26	0.00				12245.31	0.00	
					total	11835.26	0.00	0.00				11835.26	0.00				12245.31	0.00	
TOTAL (5)	52997.56	51347.59		47975.96		46369.44	0.00	1606.52	47975.96	0.00	4.00	46369.44	0.00	1606.52	47975.96	1.00	47975.96	0.00	47975.96

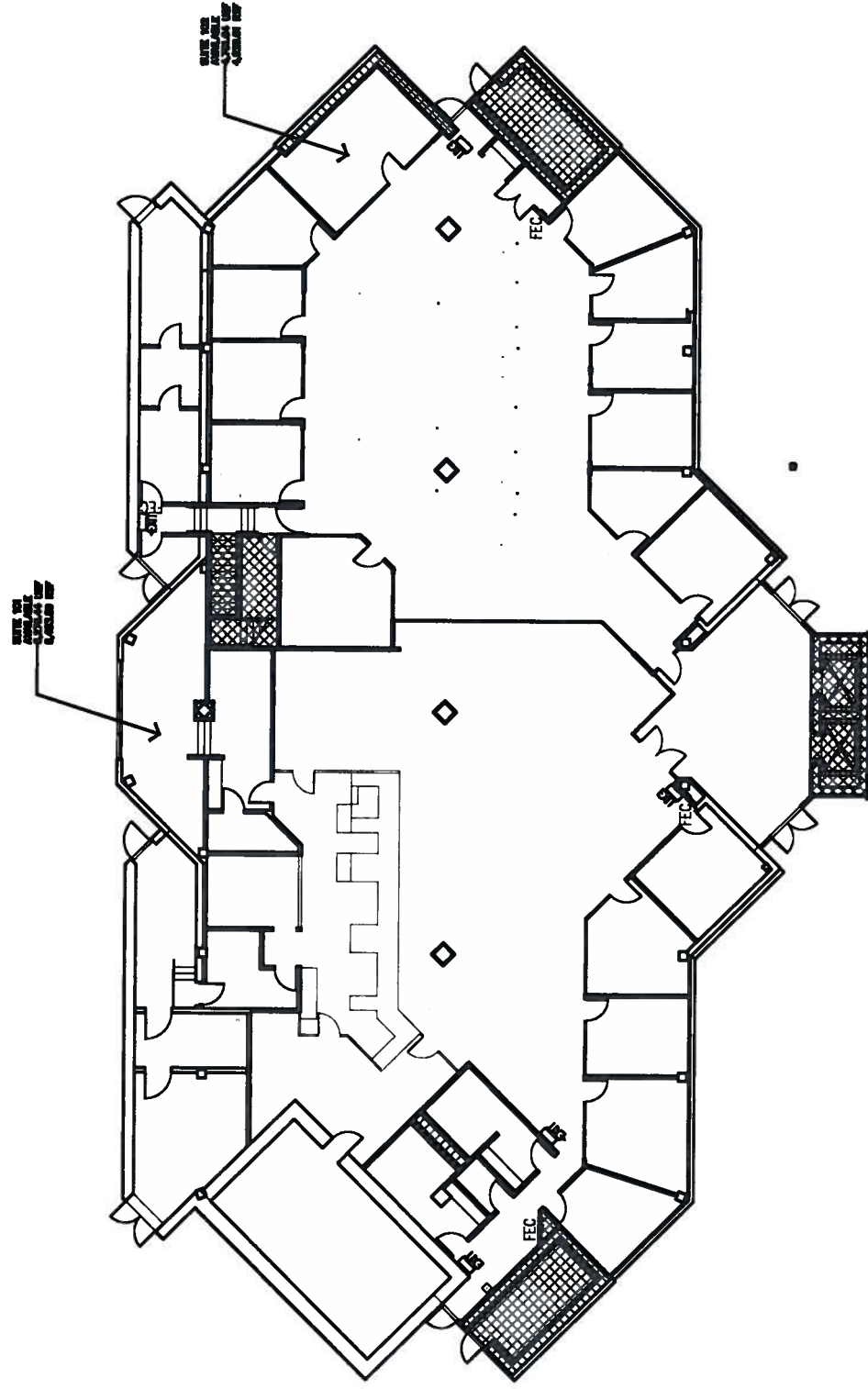
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Comments: BOMA calculations and corresponding plans for Minnesota &amp; Benson based on request by Sean McGinnis on 2015.03.23.





Drawing No. 103207\_1

WELLS  
FARGO

Occupancy Tracking System



Building Common

Non-Rentable

Floor Common Area

Rentable

LVL Lease Area (SF) 11,420.51

LVL Usable Area (SF) 12,644.80

Building Address

1500 West Benson Blvd.

Anchorage

AK

99503

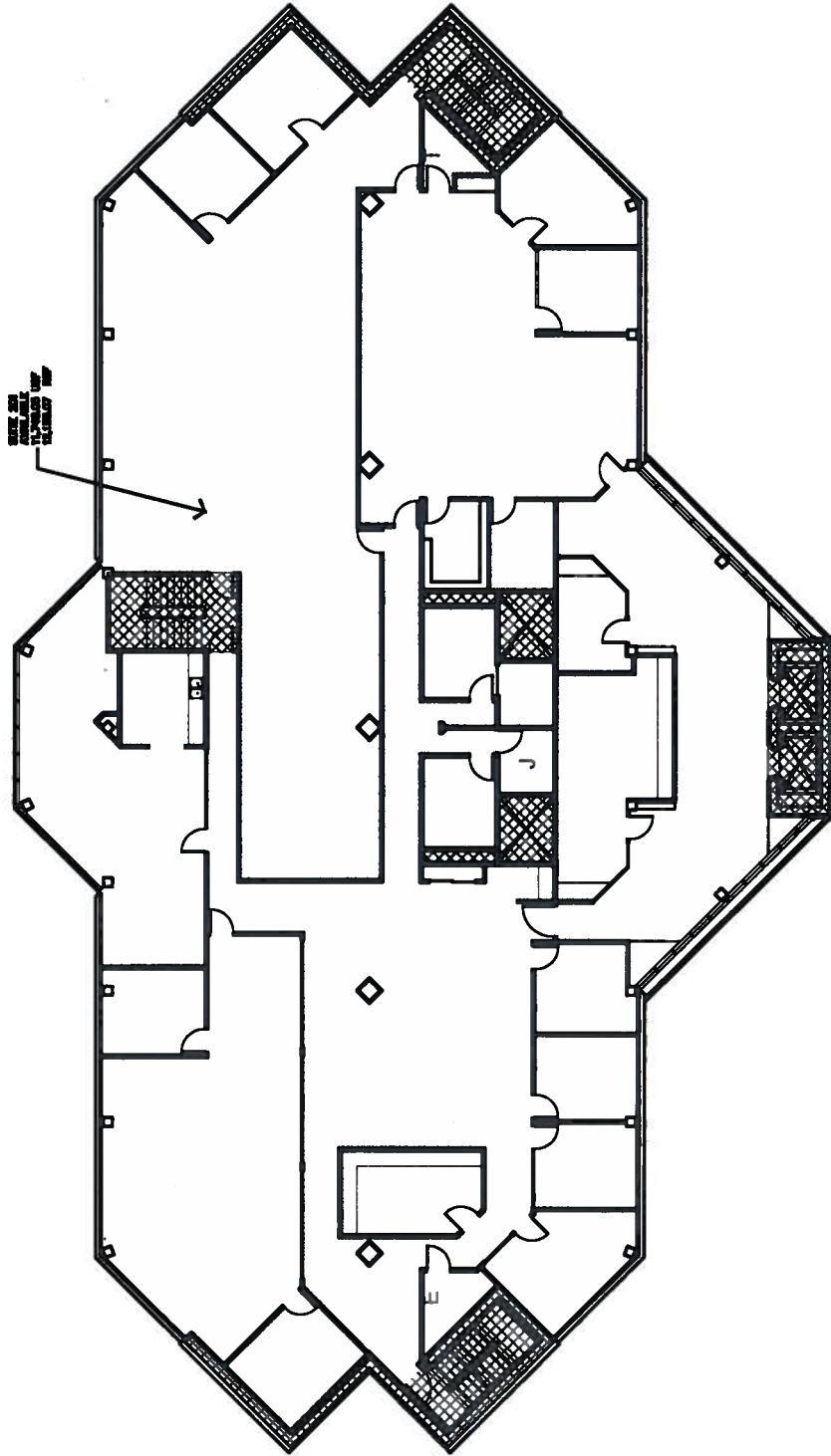
\*Drawings are for reference only and are not to scale

Scale  
1/16" = 1'-0"Level Name  
1st FloorBuilding Name  
Minnesota Benson BuildingPrint Date  
04/07/2015Building No.  
103207



Sheet No. 103207\_2

SEE 2ND FLOOR FOR  
15'x15'x15'x15'x15'



\*Drawings are for reference only and are not to scale

Scale  
1/16" = 1'-0"



Occupancy Tracking System

Building Common  
Non-Rentable  
Floor Common Area  
Rentable

LVL Lease Area (SF) 12,155.07  
LVL Usable Area (SF) 11,748.05  
Building Address  
1500 West Benson Blvd.  
Anchorage  
AK  
99503

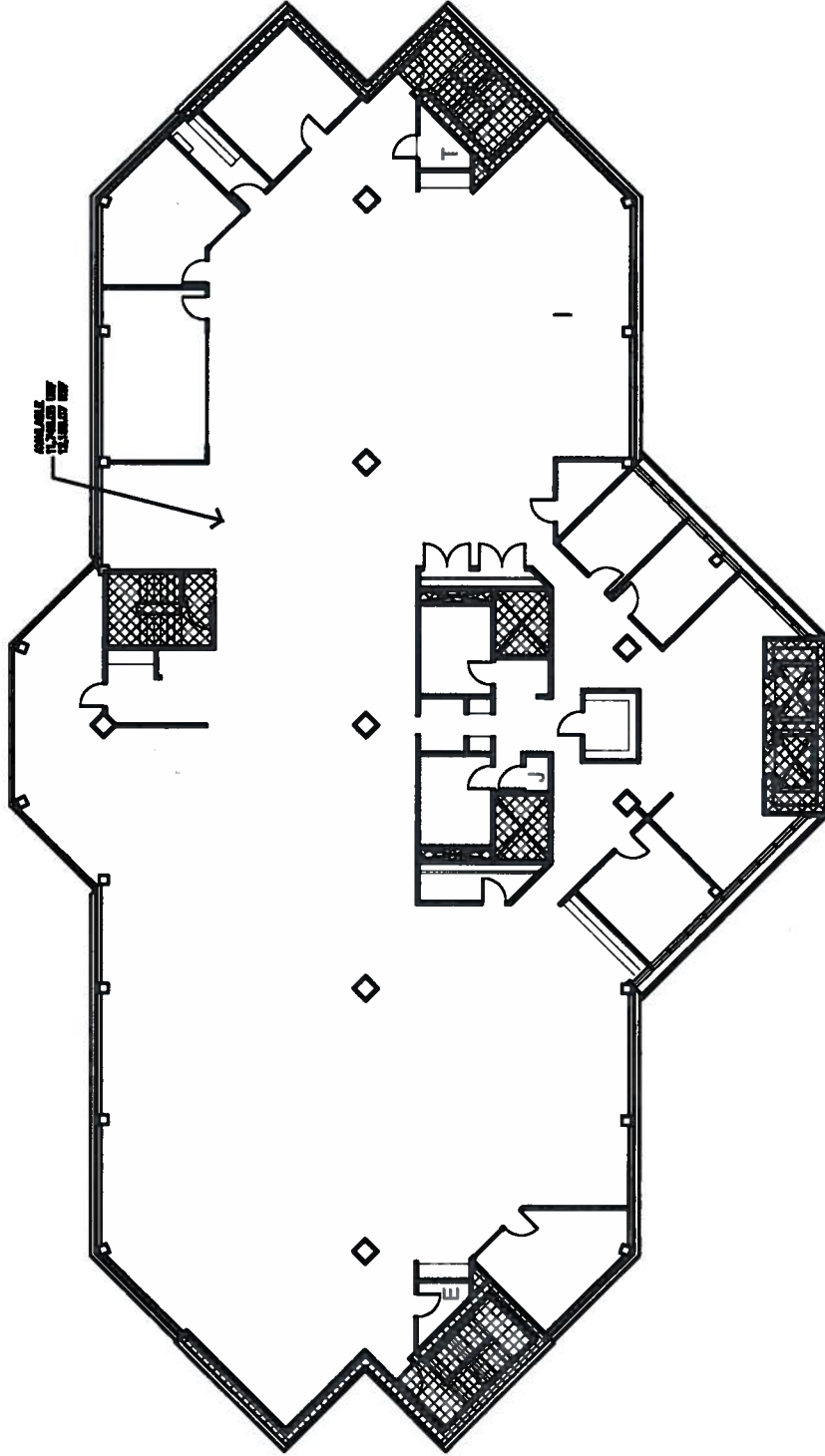
Print Date  
04/07/2015

Level Name  
2nd Floor  
Building Name  
Minnesota Benson Building

103207



Drawn by 103207\_3



\*Drawings are for reference only and are not to scale

Scale:  
1/16" = 1'-0"



Level Name  
**3rd Floor**

Building Name  
**Minnesota Benson Building**

Print Date  
04/07/2015

Building No.  
**103207**

**WELLS  
FARGO**

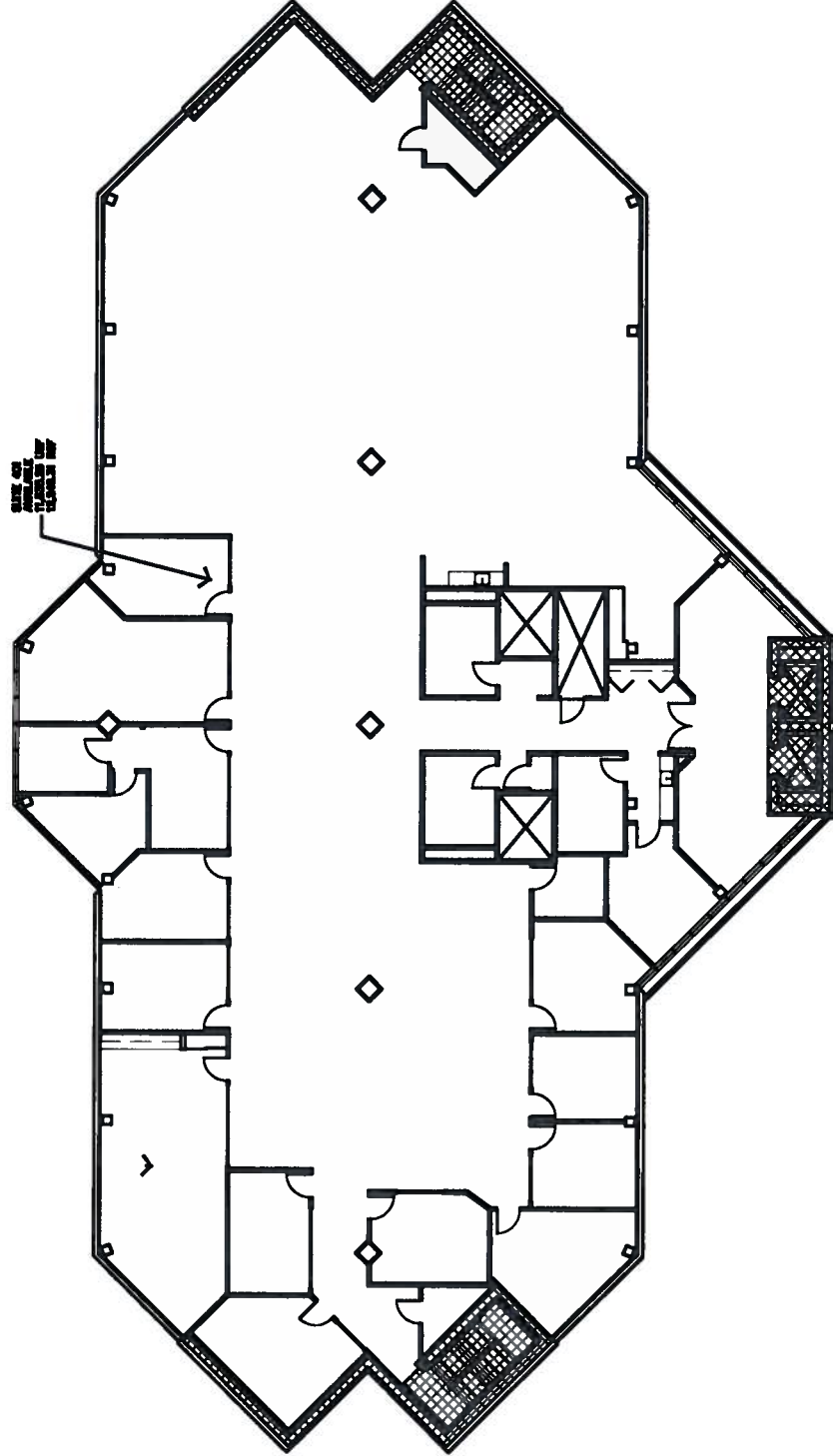
Occupancy Tracking System

LVL Lease Area (SF) 12,155.07  
LVL Usable Area (SF) 11,748.05

Building Address  
1500 West Benson Blvd.  
Anchorage  
AK  
99503



Drawing No. 103207 - 4



\*Drawings are for reference only and are not to scale

Scale: 1/16" = 1'-0"



Level Name  
**4th Floor**

Building Name  
**Minnesota Benson Building**

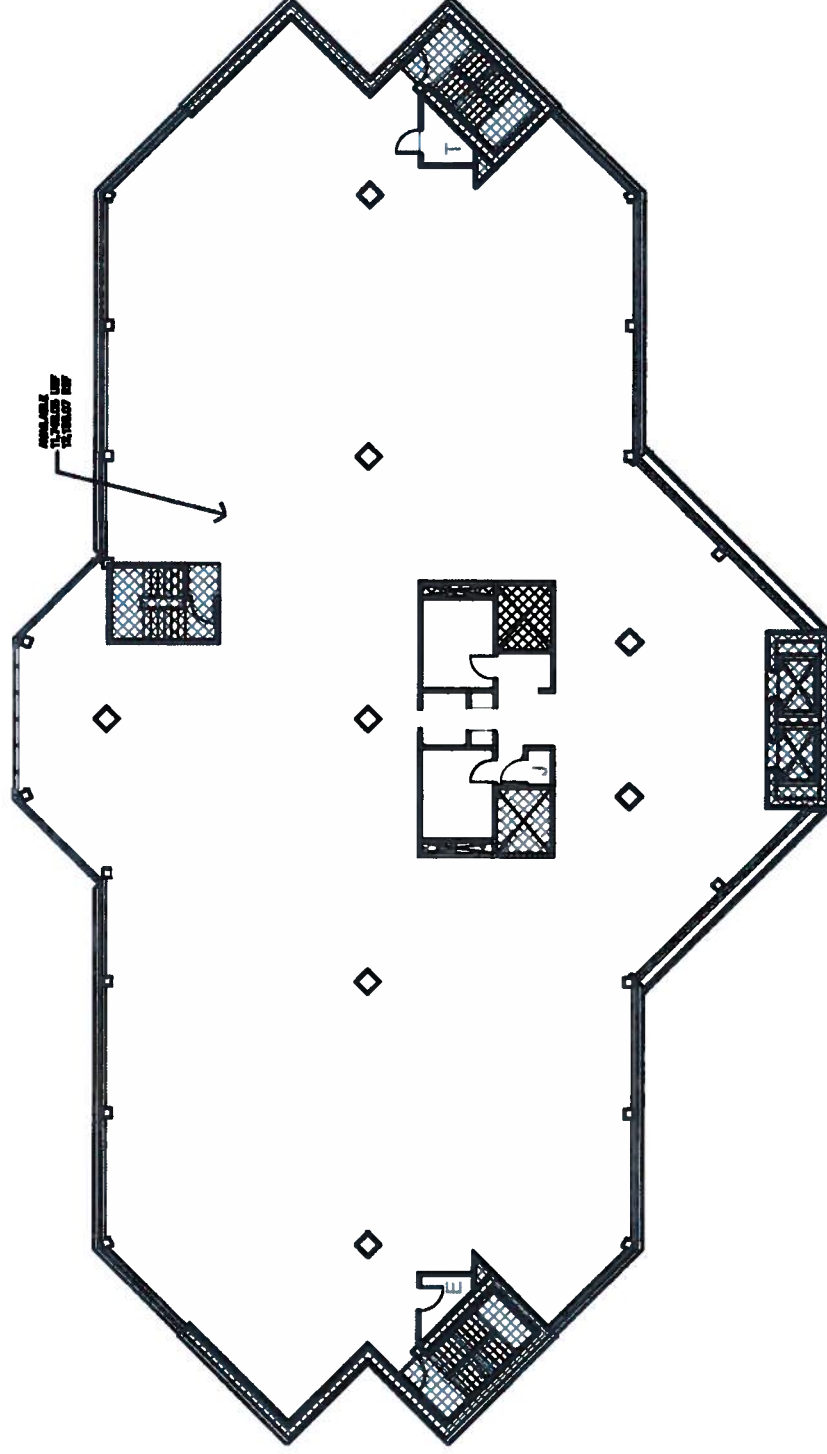
Print Date  
04/07/2015

	Occupancy Tracking System			LVL Lease Area (SF) 12,245.31	Building Address 1500 West Benson Blvd. Anchorage AK 99503
				LVL Usable Area (SF) 11,835.28	
			Building Common		
			Non-Rentable		
			Floor Common Area		
			Rentable		

Drawing No: 103207\_2



Occupancy Tracking System



\*Drawings are for reference only and are not to scale



Level Name

Building Name

Typical Floor Plan Minnesota Benson Building

Print Date  
04/07/2015LVL Lease Area (SF) 12,155.07  
LVL Usable Area (SF) 11,748.05

Building Address

1500 West Benson Blvd.

Anchorage

AK

99503

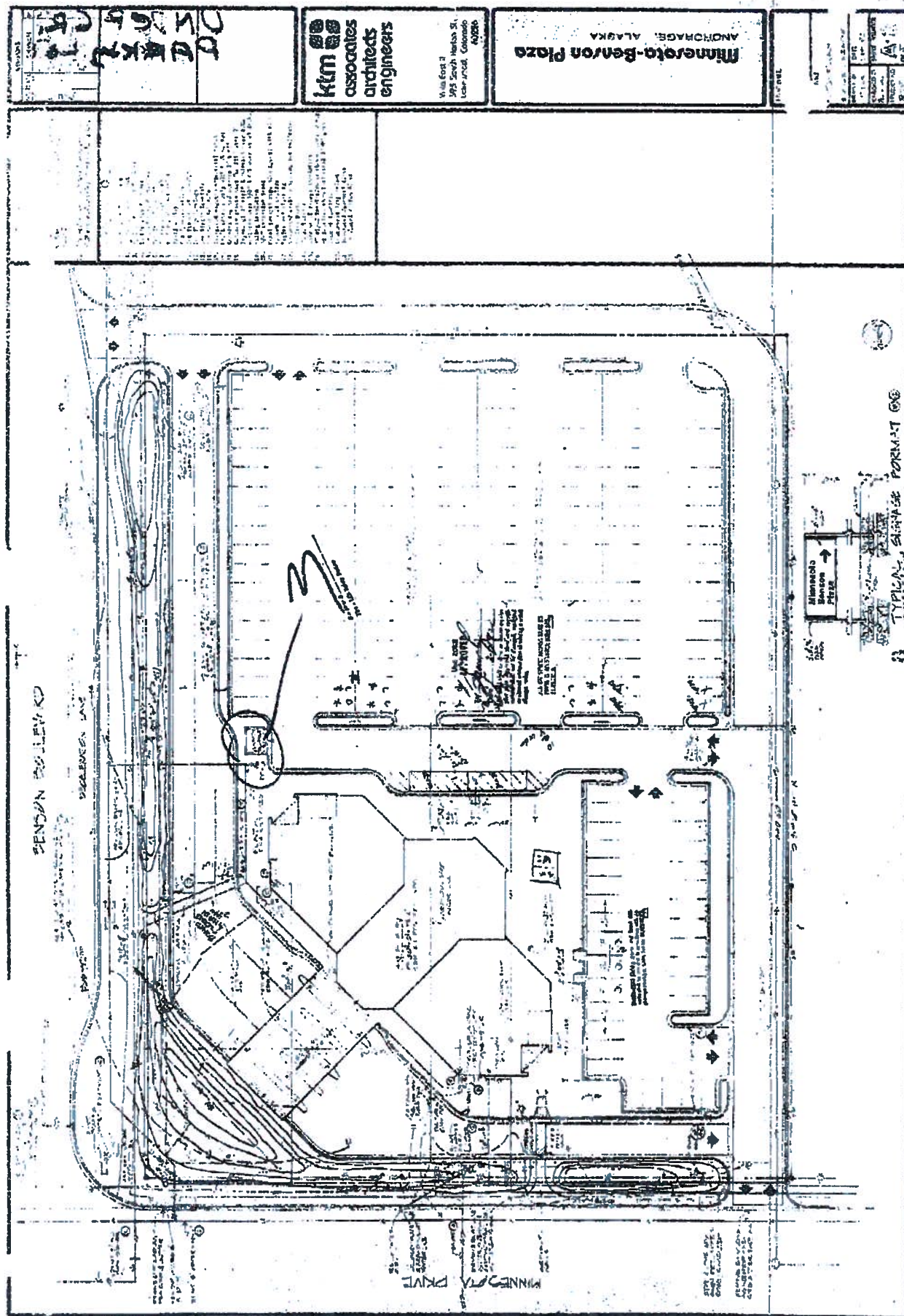
Building No.

103207

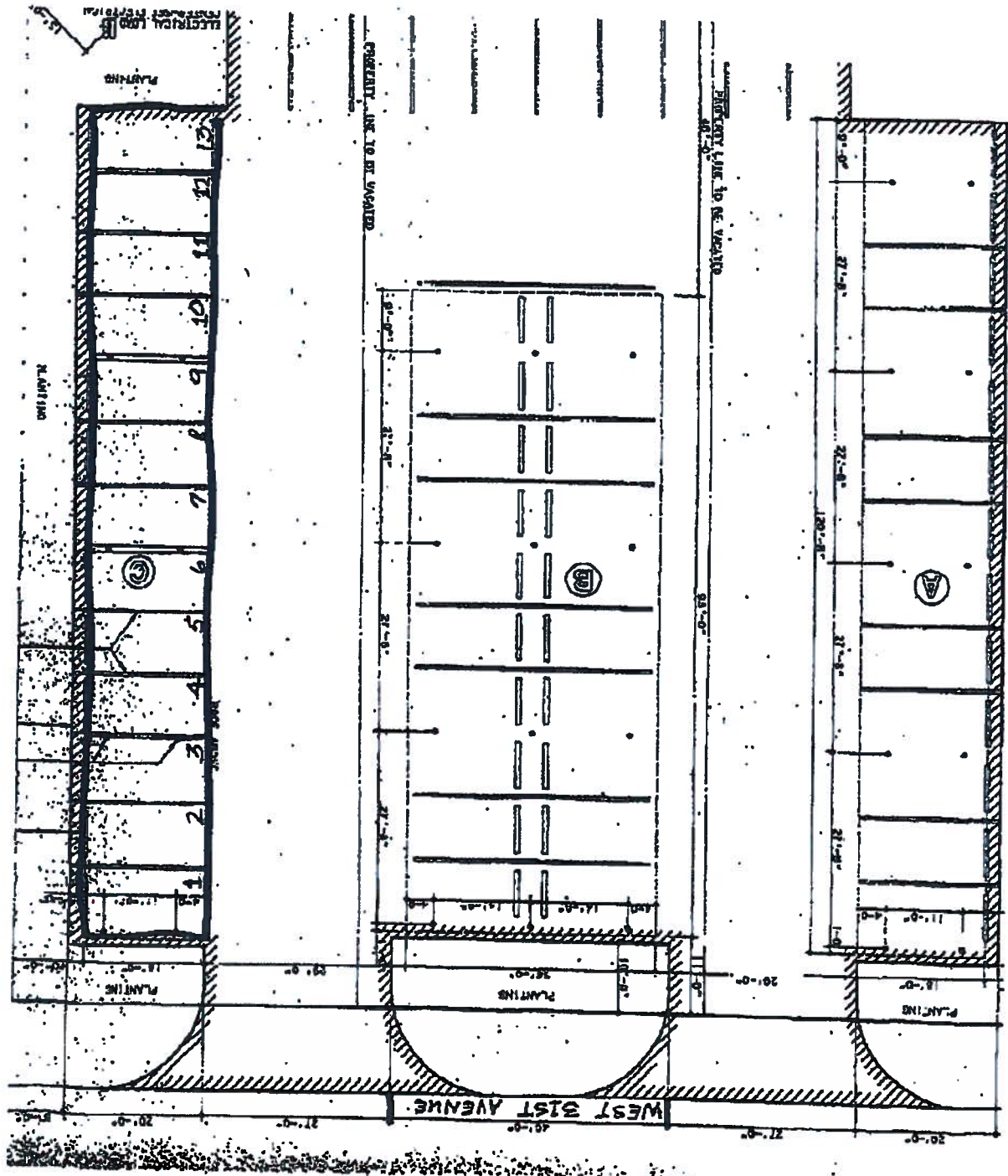




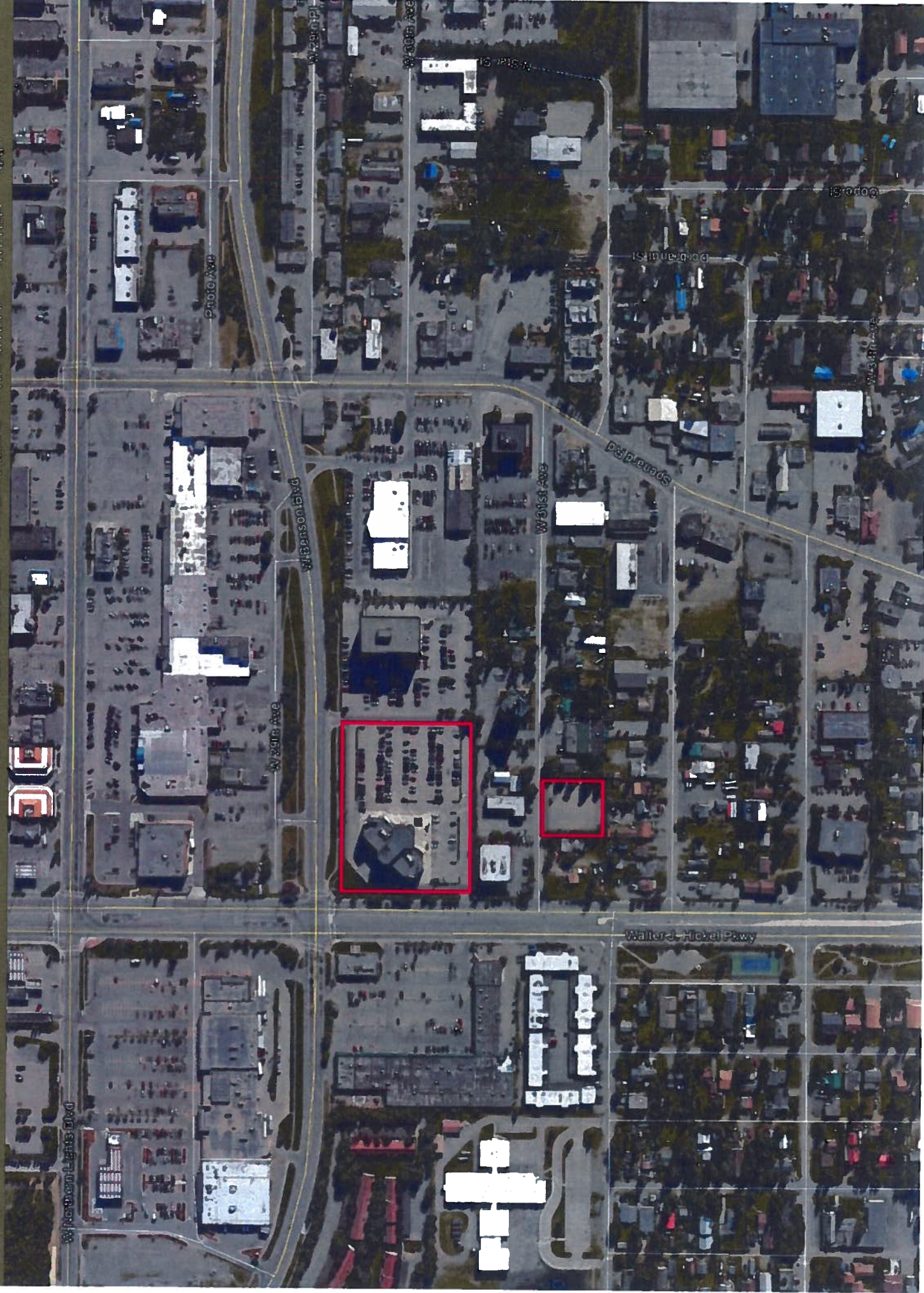




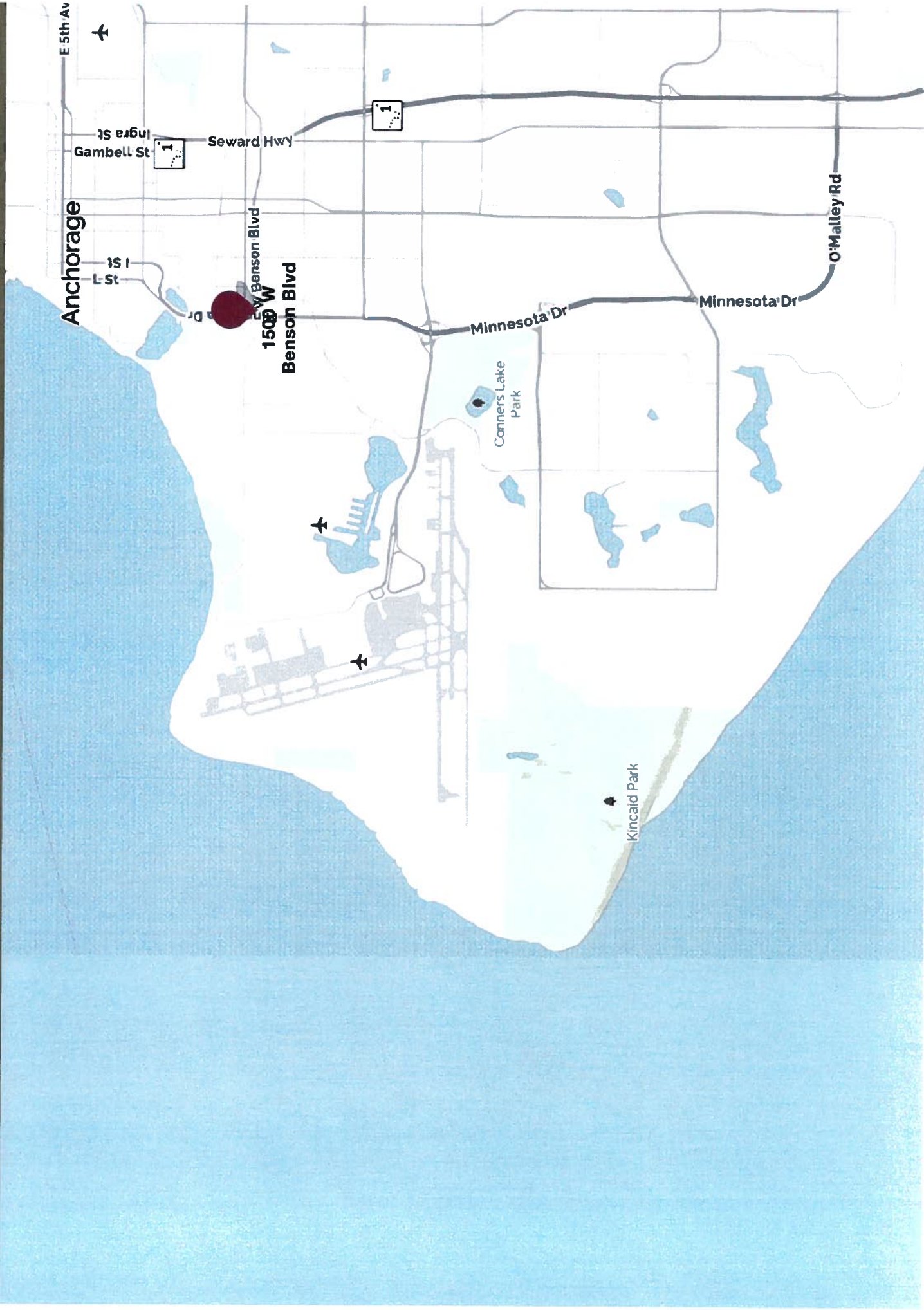












INVESTMENT CONTACTS



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(907) 229-5525 (CL)

[mwdunne@alaska.net](mailto:mwdunne@alaska.net)



Jeff Rader  
VP | Corporate Properties Group  
333 Market Street, 11th Floor  
San Francisco, CA 94105

(415) 894-3231 (OF)  
(415) 200-6264 (CL)

Email





## CONFIDENTIALITY AGREEMENT

This is a confidential Memorandum intended solely for your limited use and benefit in determining whether you desire to express further interest in the acquisition of the Property.

This Memorandum contains selected information pertaining to the Property and does not purport to be a representation of the state of affairs of the Property or the owner of the Property (the "Owner"), to be all-inclusive or to contain all or part of the information which prospective investors may require to evaluate a purchase of real property. All financial projections and information are provided for general reference purposes only and are based on assumptions relating to the general economy, market conditions, competition, and other factors beyond the control of the Owner and Jack White Commercial. Therefore, all projections, assumptions, and other information provided and made herein are subject to material variation. All references to acreage, square footages, and other measurements are approximations. Additional information and an opportunity to inspect the Property will be made available to interested and qualified prospective purchasers. In this Memorandum, certain documents, including leases and other materials, are described in summary form. These summaries do not purport to be complete nor necessarily accurate descriptions of the full agreements referenced. Interested parties are expected to review all such summaries and other documents of whatever nature independently and not rely on the contents of this Memorandum in any manner.

Neither the Owner or Jack White Commercial, nor any of their respective directors, officers, Affiliates, or representatives make any representation or warranty, expressed or implied, as to the accuracy or completeness of this Memorandum or any of its contents, and no legal commitment or obligation shall arise by reason of your receipt of this Memorandum or use of its contents; and you are to rely solely on your investigations and inspections of the Property in evaluating a possible purchase of the real property.

The Owner expressly reserves the right, at its sole discretion, to reject any or all expressions of interest or offers to purchase the Property, and/or to terminate discussions with any entity at any time without notice, which may arise as a result of review of this Memorandum. The Owner shall have no legal commitment or obligation to any entity reviewing this Memorandum or making an offer to purchase the Property unless and until written agreement(s) for the purchase of the Property have been fully executed, delivered, and approved by the Owner and any conditions to the Owner's obligations therein have been satisfied or waived.

By receipt of this Memorandum, you agree that this Memorandum and its contents are of a confident nature, that you will hold and treat it in the strictest confidence, and that you will not disclose this Memorandum or any of its contents to any other entity without the prior written authorization of the Owner or Jack White Commercial. You also agree that you will not use this Memorandum or any of its contents in any manner detrimental to the interest of the Owner or Jack White Commercial.



## Potential Savings for Wells Fargo Building

- Wells Fargo would lease the bank space for between \$3.00 - \$3.75/sq. ft. which would produce a revenue stream of \$180,000 - \$225,000/year.
- We would continue the GCI lease for the roof top antennas for annual revenue of \$18,067.20 and would increase every year per the agreement.
- Once their lease is up, we would move the Eagle River Legislators to the LIO for an annual savings of \$75,644.28. Their current lease expires October 31, 2017.
- Once their lease is up, we would also move the Legislative Audit staff to the LIO for an annual savings of \$53,436.00. Their current lease expires January 6, 2022.
- Total potential revenue - \$198,067.20 – \$250,422.24/year
- Total potential savings - \$129,080.28/year
- Total revenue and savings - \$327,147.48 - \$379,502.52



# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 21, 2016

**SUBJECT:** Legislative Records Policy Amendment and Waiver of Legislative Immunity Form; Draft II (Work Order No. 29-LS1543)

**TO:** Senator Gary Stevens  
Chair of the Legislative Council  
Attn: Katrina Matheny

Senator Charlie Huggins  
Chair of the Senate Rules Committee

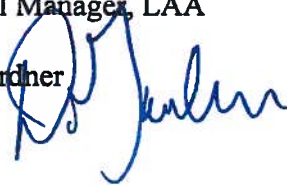
Representative Craig Johnson  
Chair of the House Rules Committee

Pamela A. Varni  
Executive Director, LAA

Curtis Clothier  
Information Services Manager, LAA

Skiff Lobaugh  
Personnel Manager, LAA

**FROM:** Doug Gardner  
Director



Please find attached a second draft of the Legislative Council Records Policy. The changes that were agreed upon have been made in this draft. I have not included hold harmless and indemnity language as I do not recall receiving clear direction to do so. Given the impact of that language on individual legislators, it might be best for Legislative Council to address the issue.

As agreed in our last discussion, Pam edited the waiver form, which she sent out separately last week. I made changes to the form edited by Pam, highlighting the second paragraph in bold as Mark Higgins suggested via e-mail.

Unless there are other requested changes, it is my view that the policy and form are ready for consideration by Legislative Council.

DDG:dla  
16-321.dla

Attachments



## Legislative Records Policy Waiver and Release for Legislators' Records Upon Death or Incapacity

The Legislative Council Records Policy provides that the records of a Legislator are not public records and are protected from disclosure under the deliberative process privilege and by art. II, sec. 6 of the Constitution of the State of Alaska. These protections continue after a Legislator leaves office, dies, or becomes incapacitated while in office, unless the protection in art. II, sec. 6 and the common law, is specifically waived in writing.

**If you elect not to fill out this form, and do not provide a waiver to direct disposition of your records, in the event that you die or become incapacitated while in office, your records will not be disclosed and will be confidentially destroyed in accordance with Legislative Council's Records Policy.**

However, if you would like to direct the disposition of the records in your legislative office, please complete and sign the form below. You may change your disposition instructions at any time by completing this form again and sending it to Legislative Affairs Agency (LAA) Personnel Office.

Legislators' records and files often contain information that may affect the privacy of a constituent, and may contain other information that is required by law to be kept confidential. Each Legislator is solely responsible for organizing, maintaining, and storing their records. In organizing, maintaining, and storing records, and when making decisions to release records, each Legislator should consider the privacy interests of a person identified in the records, state and federal confidentiality laws, and requirements imposed by law or agreement.

I, \_\_\_\_\_, have reviewed the Legislative Council Records Policy, and direct the following disposition of my legislative records, in the event of my death or incapacity in office:

	Destroy	Pass to Successor	Other (Name or Staff Title)
1. Bill Files	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. Constituent Files	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. Email/Contacts/Calendar	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. Office Files (travel, photos, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
6. _____	<input type="checkbox"/>	<input type="checkbox"/>	_____

In the alternative, or in case there are questions about how to deal with, or sort my legislative records for disposition, I authorize \_\_\_\_\_ to make a disposition of my records consistent with the waiver in this form, or as follows: \_\_\_\_\_

\_\_\_\_\_  
Legislator's Printed Name

\_\_\_\_\_  
Legislator's Signature

\_\_\_\_\_  
Date

This form will be kept in the Legislator's personnel file in the LAA Personnel Office.

3/21/2016



**RECORDS POLICY**

Adopted by Legislative Council under AS 40.25.123(b) on March 14, 1997,  
Updated June 26, 2007

**Section I. Committee Records and Legislator's Office Records.**

**1. Legislator's Records, Leaving Office.**

**(a) While in Office.** The Legislative Council finds that records of a Legislator while in the possession of that Legislator are not public records based on the deliberative process privilege and on art. II, sec. 6, [Alaska] Constitution of the State of Alaska. Therefore a Legislator's records are not subject to disclosure under AS 40.25.110 - 40.25.122. Each Legislator may, at his or her discretion, while in office or after leaving office, elect to release or not to release information from that Legislator's own records. However, the Council recognizes that public information that is available from another agency or governmental entity may be obtained by any person directly from that agency even if a Legislator declines to make the same information available from the Legislator's own records.

**(b) Incapacity of a Legislator.** The Legislative Council finds that the records of a Legislator who becomes incapacitated while in office are not public records and are protected under (a) of this section. Records of an incapacitated Legislator shall only be released during the period of incapacity if the Legislator executed a waiver and release under (d) of this section before incapacity.

**(c) Death of a Legislator.** The Legislative Council finds that the records of a Legislator who dies in office are not public records and are protected under (a) of this section and remain protected after death. Records of a Legislator who dies may only be released if the Legislator executed a waiver and release under (d) of this section.

**(d) Waiver and Release.** The Legislative Affairs Agency shall provide a form to each Legislator at the beginning of each Legislature or after a Legislator is appointed to allow the Legislator to elect how his or her records will be treated upon the incapacity or death of the Legislator. Each Legislator may amend the form at

any time. The Legislator may elect to waive and release his or her records upon incapacity or death, and shall direct to whom the records shall be released. The records of a Legislator that fails or refuses to execute the form will be protected under (a) and (c) of this section, will not be public records, and will not be released.

(e) Responsibility for Records. Each Legislator is responsible for organizing, maintaining, and storing his or her records. When organizing, maintaining, and storing records, and when making a decision to release records, each Legislator should consider the privacy interests of a person identified in the records, state and federal confidentiality laws, and confidentiality requirements imposed by law or agreement. While a Legislator is in office and subject to the availability of storage space, the Legislative Affairs Agency will store records of a Legislator for not more than five years. If a Legislator dies or leaves office and has not removed, or provided for the removal of, his or her records from property provided by or controlled by the Legislature, the Legislative Affairs Agency will store the records for 90 days. Records of a Legislator remaining in the possession of the Legislative Affairs Agency after this 90-day period will be confidentially destroyed.

2. **Committee Records.** Records of a standing, special or joint committee of the type listed in Uniform Rule 23(f) and in the possession of the committee are public records and shall be made available by the committee to a requestor within 15 days after receipt of a request that describes the records sought in sufficient detail to enable the committee to locate the records. The Legislative Council finds under AS 40.25.110(d) that it is in the public interest to make committee records readily accessible to any interested person, so no fee may be charged for the production of records by a committee under this subsection.

3. **Authority.** The Legislative Council adopts this records policy under authority granted in AS 40.25.123(b) and AS 24.20.060.

## **Section II. Legislative Affairs Agency Records.**



**1. Records Requests and Charges.**

- (a) Public records of the Legislative Affairs Agency (LAA) are open for public inspection during regular office hours except as noted in items 2, 3, and 4 under Section II of this policy. Members of the public may copy public records using Agency photocopying equipment as long as the copy machine is not needed for Agency business and the copy cost is reimbursed to LAA.
- (b) If a request for a public record is received from a member of the public who does not reside in the Capital, that person will be notified that public records are available for inspection and that the requestor or a representative may come into the Agency during regular office hours and inspect those records.
- (c) Requests for public records and the name or names of the requestor are a public record. Copies of public records provided to a member of the public by the Legislative Affairs Agency will automatically be forwarded to the person or persons about whom the information is requested.
- (d) The Legislative Affairs Agency will give on request and payment of the appropriate fee a copy of the public record. Copying public records will be made as work schedules allow and will not be given precedence over or interfere with the business of the Legislature or the Agency.
- (e) Fees for copying Legislative Affairs Agency public records are set by the Executive Director of the Agency. If a requestor has not paid the fee required for the record, or if their check has not been honored by their bank, no further research requests will be performed for the requestor until any amount owing is paid in full. The Executive Director may reduce or waive a fee if, in the opinion of the Executive Director, the reduction is in the public interest.
- (f) Copies of 10 pages or less are allowed to members of the public at no cost. The current charge for any copy project that exceeds 10 pages is \$ .25 per image. A two sided copy costs \$ .50.
- (g) The current charge for recordings of committee meetings is \$1.00 per cassette.

(h) Personnel and materials costs will be charged for requests for records provided by electronic media. The cost will vary depending on the time required to prepare the information requested.

(i) If the production of records for one requester in a calendar month exceeds 5 person-hours, the Agency shall require the requester to pay the personnel and copying costs required during the month to complete the search and copying tasks. The requester will be notified of the estimated cost of the research and be required to submit a check or cash for the amount. The Agency will cash the check before any research begins. If the research exceeds the original estimate subsequent payments will be requested, received and cashed before research continues. This section does not prohibit the Agency from charging for a research and copying project which was not originally anticipated to take 5 person-hours but did take that amount of time to complete.

## **2. Personnel Records.**

(a) In order to protect applicant's and the employee's right to privacy, the recruitment, personnel and payroll records maintained by the Legislative Affairs Agency Personnel Office are considered confidential and are not open to public inspection except as provided in this section and in (3) of this section. The LAA Personnel Office will not give out home addresses or telephone numbers to the public or other employees except that:

1. Appointing authorities and supervisor's have access to this information for employees they supervise.
2. Agency personnel responsible for mail distribution have access to this information as needed to forward personal mail received at an office address.
3. The Executive Director has access to this information and may release this information to other employees, Legislators, or in case of emergency to the public if necessary.

The following information regarding employee records is available to the public at reasonable times and in a reasonable manner.

Employee names



Current and former position titles held by an employee

Pay range and step

Authorized compensation

Exempt service status

Dates of employment

Supervisor's name

(b) For the purposes of this section, authorized compensation includes the salary and employer paid benefits, and also includes leave accrual rates. Authorized compensation **does not** include voluntary deductions or garnishments to an employee's pay, tax withholding information, leave balances, or an employee's net pay.

(c) Employees may examine their own or authorize in writing other persons to examine their personnel and payroll records at reasonable times during normal office hours. Personnel and payroll files may not be taken from the Personnel Office.

### **3. Investigations.**

(a) Requests for public records in cases involving official investigations by duly constituted authorities or the Select Committee on Legislative Ethics are not considered public records. Copies of information provided to the Select Committee on Legislative Ethics by the Legislative Affairs Agency will automatically be forwarded to the person or persons about whom the information is requested. The Executive Director may release information involving other official investigations to the person or persons about whom the information is requested. This does not mean that the record in question, if otherwise considered a public record under this policy, is not available as a public record. It means the investigative request is confidential.

(b) Investigations by the management of the Legislative Affairs Agency are not considered public records while the investigation is in progress. The Executive Director may release information at the completion of the investigation if the public record is not otherwise considered confidential under this policy.

### **4. Contracts.**

- (a) Draft contracts are confidential between the requestor and the Agency. If the requestor of the contract chooses to release a draft contract they may do so or request that LAA release the draft.
- (b) Procurement records which are required to be kept confidential by the Legislative Procurement Procedures are not public records.

**Section III. Appeal from Denial of a Record or Denial of a Request to Reduce or Waive a Fee for Production of a Record.**

**1. Manner of requesting an appeal.** A person, whose written request for a record from an agency or committee of the legislative branch or for reduction or waiver of a fee for producing a record has been denied, may ask for reconsideration of the denial by submitting a written appeal to the person who denied the request. The appeal must be received within 60 working days after the denial was issued and must include the date of the denial and a description of the record involved that is the subject of the appeal. The appeal must also explain why the denial of the request for the record or for reduction or waiver of the record production fee may have been in error.

**2. Response to an appeal.**

- (a) A response to an appeal involving a record of a legislative committee, commission, or task force shall be prepared by the chair or a co-chair of that committee, commission, or task force. A response to an appeal involving a record of the Legislative Affairs Agency, other than a record of the Division of Legal and Research Services, shall be prepared by the Executive Director of the Agency. A response to an appeal involving a record of the Division of Legal and Research Services shall be prepared by the head of the Division. A response to an appeal involving a record of another legislative division or agency, including the Office of the Ombudsman, shall be prepared by the head of that division or agency.
- (b) The person charged with responding to an appeal may request additional information from the person who submitted the appeal. A written response to an appeal



must be delivered to the person who submitted the appeal within 30 days after the appeal was received. If the appeal is denied, the response must state briefly the reason for the denial. A denial under this subsection is the final administrative decision in the matter. The response shall state that it is the final administrative decision under the Legislative Council Records Policy, Sec. III(2)(b).

3. **Authority.** The Legislative Council adopts this records policy under the authority granted in AS 40.25.123(b) and AS 24.20.060.

#### **Section IV. Security Camera Policy.**

1. **Purpose.** The legislature may use security cameras, generating video tapes, digital recordings, or other records of areas surveyed, exclusively for security surveillance and to investigate possible criminal activity. Security cameras may only be used within space that is occupied by or under the control of the legislature.

2. **Confidentiality of Materials.** Security camera video tapes, digital recordings, or other surveillance materials are confidential and may not be released to the public or press. Except as required by a subpoena or other court order and except as provided in 4 and 5 of this section, the only individuals authorized to have access to the security camera surveillance materials are (1) the Executive Director of the Legislative Affairs Agency; (2) a Building Manager employed by the Legislative Affairs Agency; and (3) a Security Officer employed by the Legislative Affairs Agency. Therefore, there is no process or procedure for requesting security camera surveillance materials, except as provided in 4 of this section.

3. **Storage and retention of surveillance materials.** Security camera surveillance materials must be stored by the Legislative Affairs Agency in a secure manner and kept for approximately thirty days. The oldest surveillance material must be first erased as the hard drive or other storage method becomes full. However, surveillance materials must

be kept as long as there is a possibility that they will be needed if (1) they are the subject of a subpoena or other court order; (2) they are the subject of a request for access under 4 of this section; or (3) they capture information related to criminal activity or some type of accident or other security risk. Those segments must be moved to long-term storage.

**4. Access to surveillance materials by legislators.** A legislator, for any reason, may submit a request to view security camera surveillance materials to the Chair of the Legislative Council, who shall, in turn, submit the request to the Legislative Council. The requesting legislator may view surveillance materials only to the extent approved by the Legislative Council.

**5. Access to surveillance materials by peace officers.** If an individual authorized to have access to security camera surveillance materials determines to a high degree of probability that the materials reveal a serious security risk or criminal activity, the individual shall notify a peace officer, permit inspection of the surveillance materials by the peace officer, and permit the peace officer to take the materials for the purpose of conducting a security or criminal investigation.

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