

**HOUSE BILL NO. 183**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND  
AUDIT COMMITTEE

Introduced: 3/10/97

Referred: State Affairs

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the confidentiality of personnel records of employees of the  
2 Alaska Railroad Corporation."

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

4 \* **Section 1.** AS 42.40.170(b) is amended to read:

5 (b) Only the following subjects may be discussed in an executive session:

6 (1) matters, the immediate knowledge of which would clearly have an  
7 adverse effect upon the finances of the corporation;

8 (2) unless the person has requested to have the subjects discussed in  
9 public, subjects that tend to prejudice the reputation and character of a person;

10 (3) matters that, by law or municipal charter or ordinance, are permitted  
11 to be kept confidential from public disclosure;

12 (4) matters pertaining to personnel, **other than matters available for**  
13 **public inspection under AS 42.40.710(b);**

14 (5) matters pertaining to the corporation's legal position;

- 1 (6) land acquisition or disposal; and  
 2 (7) proprietary or other information of a type treated as confidential  
 3 under the standards and practices of the United States Interstate Commerce  
 4 Commission, including practices that protect information associated with specific  
 5 shippers, divisions, and contract rate agreements.

6 \* **Sec. 2.** AS 42.40.220(b) is amended to read:

7 (b) The corporation may by rule designate and withhold public disclosure of  
 8 matters of a privileged or proprietary nature. Those matters include [PERSONNEL  
 9 RECORDS,] communications with and work product of legal counsel [,] and,  
 10 consistent with the standards and practices of the United States Interstate Commerce  
 11 Commission for the protection of these matters, other information including proprietary  
 12 information associated with specific shippers, divisions, and contract rate agreements.

13 \* **Sec. 3.** AS 42.40.710 is amended by adding a new subsection to read:

14 (b) Except as provided in this subsection, personnel records of employees of  
 15 the corporation, including employment applications, resumes, documents submitted in  
 16 support of an employment application, and examination materials, are confidential and  
 17 are not open to public inspection. The following information is available for public  
 18 inspection, subject to reasonable rules on the time and manner of inspection:

- 19 (1) the names and position titles of all employees of the corporation;  
 20 (2) the position held by an employee of the corporation;  
 21 (3) prior positions with the corporation held by an employee of the  
 22 corporation;  
 23 (4) the dates of appointment and separation of an employee of the  
 24 corporation; and  
 25 (5) the compensation paid or authorized for an employee of the  
 26 corporation.