

1 IN THE SENATE

BY FAHRENKAMP

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SENATE BILL NO. 274

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to access to employment security records."

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

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* Section 1. AS 23.20.110(a) is amended to read:

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(a) Except as provided in (h) of this section, the [THE] depart-

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ment shall hold information obtained from an employing unit or indi-

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vidual in the course of administering this chapter and determinations

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as to the benefit rights of an individual confidential and may not

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disclose them or open them to public inspection in a manner which

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reveals the identity of the individual or employing unit. A claimant

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or the legal representative of the claimant is entitled to information

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from the records of the department to the extent necessary for the

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proper presentation of the claim in a proceeding under this chapter.

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Subject to restrictions which the department prescribes by regulation,

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the information may be made available to an agency of this state or

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another state or federal agency charged with the administration of an

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unemployment compensation law or the maintenance of a system of public

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employment offices, or, for the purposes of the Federal Unemployment

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Tax Act, to the Internal Revenue Service of the United States, or, for

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tax purposes, to the Department of Revenue. Information obtained in

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connection with the administration of the employment service may be

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made available to persons or agencies for purposes appropriate to the

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operation of a public employment service.

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* Sec. 2. AS 23.20.110 is amended by adding a new subsection to read:

1 (h) The department shall make information obtained from an
2 employing unit or an individual available on request to an employee
3 pension benefit plan established under 29 U.S.C. 1001 - 1461 (Employee
4 Retirement Income Security Act) to assist the plan in verifying
5 whether a person receiving a retirement benefit from the plan has been
6 employed in the last six months. To the extent the information is
7 available to the department, the department shall provide the plan
8 with the name and address of the person's current employer and the
9 person's current occupation. The plan shall keep information received
10 under this subsection confidential. However, the plan may reveal the
11 information if it is relevant to a legal proceeding in which the plan
12 is a party. The department may require the plan to reimburse the
13 department for the cost of furnishing the information.