

SB

127

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. SB 127

Revision Date: April 1, 1997 Department: Commerce and Economic Development
 Title: An Act relating to the confidentiality of personnel records of employees of the Alaska Railroad Corporation BRU: Alaska Railroad Corporation
 Component: Alaska Railroad Corporation
 Sponsor: Legislative Budget and Audit
 Requestor: Senate Transportation Committee COMPONENT SERIAL NO. (NA)

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 97) cost: \$ _____

POSITIONS						
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)
 No fiscal impact is anticipated if this bill is enacted.

Prepared by: Guy Bell, Director Phone: (907)465-2505
 Division: Division of Administrative Services Date: April 1, 1997
 Approved by Commissioner William L. Hensley Date: April 1, 1997
 Agency: Commerce and Economic Development

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CS FOR SENATE BILL NO. 127(TRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE TRANSPORTATION COMMITTEE

Offered:

Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND
AUDIT COMMITTEE

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 are confidential and are not open to public inspection. The following
16 information is available for public inspection, subject to reasonable rules on the time
17 and manner of inspection:

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

Senator Randy Phillips
Chairman
Rep. Terry Martin
Vice-Chairman
Sen. Al Adams
Sen. Dave Donley
Sen. Rick Halford
Sen. Drue Pearce
Sen. John Torgerson
Rep. Con Bunde
Rep. Eric Croft
Rep. Mark Hanley
Rep. Jeanette James
Rep. Gene Therriault

State of Alaska



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Legislative Budget and Audit Committee

MEMORANDUM

TO: Senator Jerry Ward
Chair, Senate Transportation Committee

FROM: Senator Randy Phillips
Chair, Legislative Budget and Audit Committee

DATE: April 2, 1997

RE: SENATE BILL 127, "An Act relating to the confidentiality of personnel records of employees of the Alaska Railroad Corporation."

Senate Bill 127 provides for public inspection of personnel records of employees of the Alaska Railroad. Through a combination of current statute and corporation rules, the compensation paid to a railroad employee is confidential and therefore cannot be disclosed to the public. Current statute provides that the corporation may, by rule, designate and withhold public disclosure of matters of a privileged or proprietary nature. Statute goes on to describe matters as including personnel records. Corporation rules include salary as a personnel record.

There is no other state government agency that, at a minimum, will not disclose basic employee information such as the name, position, compensation, and dates of appointment and separation.

Senate Bill 127 makes the necessary public policy changes in statute to place the Alaska Railroad Corporation under substantially equivalent language that every other state agency operates.