

1 IN THE SENATE

BY KERTTULA

2 HCS CS SENATE BILL NO. 40

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state and municipal employment."

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

8 * Section 1. AS 39.25 is amended by adding a new section to read:

9 Sec. 39.25.185. RESIDENTS OF THE STATE. (a) In all applications
10 for positions in the partially exempt and classified service, residents
11 of the state shall be fairly ranked with individuals not qualifying as
12 residents of the state. In all appointments made in the classified ser-
13 vice, Alaska residents shall be preferred over equally qualified or less
14 qualified individuals not qualifying as residents of the state. In all
15 appointments made in the partially exempt service, when individuals
16 qualifying as Alaskans have applied for the position being filled and
17 when an individual not qualifying as a resident of the state is ap-
18 pointed, the appointing authority shall justify a decision to appoint a
19 non-Alaskan in accordance with (b) of this section. The justification
20 is public record.

21 (b) When an individual not qualifying as a resident of the state
22 is appointed to a position in the partially exempt service for which the
23 appointing agency has received applications from Alaska residents within
24 the six months immediately preceding the appointment, the appointing
25 authority shall make and file a justification that

26 (1) lists Alaska residents who have applied for a position in
27 that general class of positions within the six months immediately
28 preceding the appointment; and

29 (2) compares the qualifications of the Alaska residents and

1 the qualifications of the individual appointed in detail adequate to
2 indicate the grounds for the appointment decision.

3 (c) If an individual not qualifying as an Alaska resident is
4 appointed to a position and the appointing agency certifies that no
5 qualified Alaska resident had applied for a position in that general
6 class of positions within the preceding six months, the agency shall
7 also file a statement indicating its efforts to recruit residents of the
8 state for the position.

9 * Sec. 2. AS 29.23.550 is amended by adding new subsections to read:

10 (b) In all applications for employment by a municipality, in-
11 cluding its school district, residents of the state shall be fairly
12 ranked with individuals not qualifying as residents of the state. In
13 all appointments made from a register or roster prepared under a per-
14 sonnel system established under (a) of this section, Alaska residents
15 shall be preferred over equally qualified or less qualified individuals
16 not qualifying as residents of the state. In all appointments otherwise
17 made by a municipality, when individuals qualifying as Alaskans have
18 applied for the position being filled and when an individual not quali-
19 fying as a resident of the state is appointed, the appointing authority
20 shall justify a decision to appoint a non-Alaskan in accordance with (c)
21 of this section. The justification is public record.

22 (c) When an individual not qualifying as a resident of the state
23 is appointed to a position in a municipality where candidates are not
24 required to qualify on a register or roster prepared under a personnel
25 system established under (a) of this section, if the appointing author-
26 ity in the municipality has received applications from Alaska residents
27 within the six months immediately preceding the appointment, the ap-
28 pointing authority shall make and file a justification that

29 (1) lists Alaska residents who have applied for a position in

1 that general class of positions within the six months immediately
2 preceding the appointment; and

3 (2) compares the qualifications of Alaska residents and the
4 qualifications of the individual appointed in detail adequate to indi-
5 cate the grounds for the appointment decision.

6 (d) If an individual not qualifying as an Alaska resident is
7 appointed to a position and the appointing authority certifies that no
8 qualified Alaska resident had applied for the position within the
9 preceding six months, the appointing authority shall also file a state-
10 ment indicating its efforts to recruit residents of the state for the
11 position.