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Referred: Rules

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1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

CS FOR SENATE BILL NO. 193 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act amending state personnel laws; and providing
7 for an effective date."

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

9 * Section 1. AS 39.25.040 is amended to read:

10 Sec. 39.25.040. DIRECTOR OF PERSONNEL. The head of the division
11 of personnel is the director of personnel appointed by the commissioner
12 of administration and responsible to the commissioner of administration
13 for the execution of the duties and responsibilities imposed by this
14 chapter and the rules adopted under this chapter. The director of
15 personnel shall [MUST] have at least three years of practical working
16 experience in the field of personnel administration.

17 * Sec. 2. AS 39.25.060(b) is amended to read:

18 (b) Members of the board may not be [SHALL BE QUALIFIED ELECTORS
19 OF THE STATE WHO ARE NOT] employees [OR OFFICERS] of the state. Not
20 more than two members of the board may be members of the same political
21 party.

22 * Sec. 3. AS 39.25.070(1) is amended to read:

23 (1) approve or disapprove amendments to the personnel rules
24 in accordance with AS 39.25.140 [THE ORIGINAL RULES OR A PART OF THEM
25 WITHIN 60 DAYS OF THEIR SUBMISSION TO THE BOARD AND APPROVE OR DIS-
26 APPROVE AMENDMENT TO THE RULES WITHIN 30 DAYS OF SUBMISSION TO THE
27 BOARD, AND IN CARRYING OUT THIS DUTY, THE BOARD, IF REQUESTED, MAY HOLD
28 THE PUBLIC HEARINGS IT CONSIDERS NECESSARY];

29 * Sec. 4. AS 39.25.070(3) is amended to read:

1 (3) hear and determine appeals by employees [IN THE CLASSI-
2 FIED SERVICE] as provided in AS 39.25.170;

3 * Sec. 5. AS 39.25.070 is amended by adding a new paragraph to read:

4 (7) employ staff members, who shall be in the classified
5 service.

6 * Sec. 6. AS 39.25.080 is repealed and reenacted to read:

7 Sec. 39.25.080. PUBLIC RECORDS. (a) State personnel records,
8 including employment applications and examination materials, are confi-
9 dential and are not open to public inspection except as provided in
10 this section.

11 (b) The following information is available for public inspection,
12 subject to reasonable regulations on the time and manner of inspection:

13 (1) the names and position titles of all state employees;

14 (2) the position held by a state employee;

15 (3) prior positions held by a state employee;

16 (4) whether a state employee is in the classified, partially
17 exempt, or exempt service;

18 (5) the dates of appointment and separation of a state em-
19 ployee; and

20 (6) the compensation authorized for a state employee.

21 (c) A state employee has the right to examine his own personnel
22 files and may authorize others to examine his files.

23 (d) An applicant for state employment who appeals an examination
24 score may review written examination questions relating to the examina-
25 tion unless the questions are to be used in future examinations.

26 * Sec. 7. AS 39.25.090 is amended to read:

27 Sec. 39.25.090. COVERAGE OF CHAPTER. This chapter and the rules
28 adopted under it apply to all positions in (1) the classified service,
29 and (2) the exempt and partially exempt service as specifically pro-

1 vided.

2 * Sec. 8. AS 39.25.110 is repealed and reenacted to read:

3 Sec. 39.25.110. EXEMPT SERVICE. Unless otherwise provided by
4 law, the following positions in the state service constitute the exempt
5 service and are exempt from the provisions of this chapter and the
6 rules adopted under it:

7 (1) persons elected to public office by popular vote or
8 appointed to fill vacancies in elected offices;

9 (2) justices, judges, magistrates, and employees of the
10 judicial branch including employees of the Judicial Council;

11 (3) employees of the state legislature and its agencies;

12 (4) the head of each principal department in the executive
13 branch;

14 (5) officers and employees of the University of Alaska;

15 (6) certificated teachers and noncertificated employees
16 employed by a regional educational attendance area established and
17 organized under AS 14.08.031 - 14.08.041 to teach in, administer, or
18 operate schools under the control of a regional educational attendance
19 area school board;

20 (7) certificated teachers employed by the Department of
21 Education as correspondence teachers or teachers in skill centers
22 operated by the Department of Education;

23 (8) patients and inmates employed in state institutions;

24 (9) persons employed in a professional capacity to make a
25 temporary or special inquiry, study or examination as authorized by the
26 governor;

27 (10) members of boards, commissions, or authorities;

28 (11) the officers and employees of the following boards,
29 commissions and authorities:

1 (A) Alaska Gas Pipeline Financing Authority;

2 (B) Alaska Permanent Fund Corporation;

3 (C) Alaska Energy Center;

4 (D) Alaska Industrial Development Authority;

5 (E) Alaska Commercial Fisheries Entry Commission;

6 (F) Alaska Commission on Postsecondary Education;

7 (12) the executive secretary and legal counsel of the Alaska
8 Municipal Bond Bank Authority;

9 (13) licensed physicians, as defined in AS 47.30.340(9)
10 employed by the state;

11 (14) petroleum engineers and petroleum geologists employed in
12 a professional capacity by the Department of Natural Resources and by
13 the Oil and Gas Conservation Commission; except for those employed in
14 the division of geological and geophysical surveys in the Department of
15 Natural Resources;

16 (15) officers, agents, and employees of the Alcoholic Beverage
17 Control Board granted limited peace officer powers by the Alcoholic
18 Beverage Control Board under AS 04.06.110;

19 (16) persons employed by the division of marine transporta-
20 tion as masters and members of the crews of vessels who operate the
21 state ferry system and who are covered by a collective bargaining
22 agreement provided in AS 23.40.040;

23 (17) officers and employees of the state who reside in
24 foreign countries;

25 (18) employees of the Alaska Seafood Marketing Insti-
26 tute;

27 (19) firefighters employed by the Department of Natural
28 Resources for a fire emergency.

29 * Sec. 9. AS 39.25.120 is repealed and reenacted to read:

1 Sec. 39.25.120. PARTIALLY EXEMPT SERVICE. (a) Positions in the
2 partially exempt service are included in the position classification
3 plan established under this chapter and are compensated according to
4 the pay plan (AS 39.27.011).

5 (b) A person holding a position in the partially exempt service
6 is not required to take an examination or qualify or earn a place on a
7 register, and is not eligible for a hearing by the personnel board in
8 case of dismissal, demotion, or suspension, except as provided in
9 AS 39.25.170. Positions in the partially exempt service are specifi-
10 cally exempt from the rules established under AS 39.25.150(3) - (10),
11 (13), (14), and (17).

12 (c) The following positions in the state service constitute the
13 partially exempt service:

14 (1) deputy and assistant commissioners of the principal
15 departments of the executive branch, including the assistant adjutant
16 general of the Department of Military Affairs;

17 (2) the directors of the major divisions of the principal
18 departments of the executive branch and the regional directors of the
19 Department of Transportation and Public Facilities;

20 (3) attorney members of the staff of the Department of Law
21 and of the public defender agency;

22 (4) one private secretary for each head of a principal de-
23 partment in the executive branch;

24 (5) employees of the Office of the Governor and the office of
25 the lieutenant governor, including the staff of the governor's mansion;

26 (6) the executive director and deputy director of the Alaska
27 Public Utilities Commission;

28 (7) the director, deputy director, staff legal counsel, and
29 hearing officers of the Alaska Transportation Commission;

1 (8) not more than two special assistants to the commissioner
2 of each of the principal departments of the executive branch, but the
3 number may be increased if the partially exempt service is extended
4 under AS 39.25.130 to include the additional special assistants;

5 (9) the principal executive officer of the following boards,
6 councils, or commissions:

7 (A) Alaska Public Broadcasting Commission;

8 (B) Professional Teaching Practices Commission;

9 (C) Parole Board;

10 (D) Board of Nursing;

11 (E) Real Estate Commission;

12 (F) Alaska Royalty Oil and Gas Development Advisory

13 Board;

14 (G) Alaska Historical Commission;

15 (H) Alaska State Council on the Arts;

16 (I) Alaska Police Standards Council;

17 (J) Council on Science and Technology;

18 (K) Older Alaskans Commission;

19 (10) Alaska Pioneers' Home managers;

20 (11) hearing examiners in the Department of Revenue;

21 (12) the comptroller in the division of treasury, Department
22 of Revenue;

23 (13) investment officers in the Department of Revenue;

24 (14) airport managers in the Department of Transportation and
25 Public Facilities employed at the Anchorage and Fairbanks International
26 Airports;

27 (15) the deputy director of the division of tourism and the
28 deputy director of the division of insurance in the Department of Com-
29 merce and Economic Development;

1 (16) the executive director and staff of the Alaska Public
2 Offices Commission.

3 * Sec. 10. AS 39.25.130(a) is amended to read:

4 (a) The [AFTER JUNE 30, 1961, THE] personnel board, upon written
5 recommendation of the commissioner of administration, may extend the
6 partially exempt service to include any position [WHICH WAS] in the
7 classified service [ON APRIL 19, 1960,] which, in the judgment of the
8 board:

9 (1) involves principal responsibility for the determination
10 of policy;

11 (2) involves principal responsibility for the way in which
12 policies are carried out; or

13 (3) involves responsibilities and duties of a type not sus-
14 ceptible to the ordinary recruiting and examining procedures.

15 * Sec. 11. AS 39.25.130(c) is amended to read:

16 (c) The [AFTER JUNE 30, 1961, THE] personnel board, upon written
17 recommendation of the commissioner of administration, may extend the
18 classified service to include any position [WHICH WAS] in the partially
19 exempt service [ON APRIL 19, 1960].

20 * Sec. 12. AS 39.25.140 is repealed and reenacted to read:

21 Sec. 39.25.140. AMENDMENT OF PERSONNEL RULES. (a) The director
22 of personnel shall prepare and submit proposed amendments of the per-
23 sonnel rules to the commissioner of administration for review and
24 approval.

25 (b) The commissioner of administration shall review the proposed
26 amendments and if he approves them, he shall submit them to the person-
27 nel board.

28 (c) If the proposed amendments concern matters of public policy,
29 the personnel board shall adopt them in accordance with the Administra-

1 tive Procedure Act (AS 44.62).

2 (d) If the proposed amendments relate only to internal management
3 of a state agency, the commissioner of administration shall post notice
4 in public buildings throughout the state that the personnel board has
5 the proposed amendments under consideration. The notice required by
6 this subsection shall be posted at least 30 days before any decision is
7 made to amend the personnel rules and shall include an address for the
8 receipt of written comments.

9 (e) If requested by the commissioner of administration or by a
10 person receiving notice of the proposed amendments, the personnel board
11 may hold public hearings on the proposed amendments and may appoint a
12 hearing officer to conduct the hearings.

13 (f) The personnel board may amend the proposed amendments.

14 (g) The proposed amendments become effective 45 days after they
15 are submitted to the personnel board unless the board has disapproved
16 them.

17 (h) The amended rules shall be published in the Alaska Administra-
18 tive Register and Code for informational purposes.

19 * Sec. 13. AS 39.25.150 is repealed and reenacted to read:

20 Sec. 39.25.150. SCOPE OF THE RULES. The personnel rules shall
21 provide for

22 (1) the preparation, maintenance, and revision by the direc-
23 tor of personnel, subject to approval of the commissioner of adminis-
24 tration and the personnel board, of a position classification plan for
25 all positions in the classified and partially exempt services; the
26 position classification plan shall include

27 (A) a grouping together of all positions into classes
28 on the basis of duties and responsibilities;

29 (B) an appropriate title, a description of the duties

1 and responsibilities, training and experience qualifications, and
2 other necessary specifications for each class of positions;

3 (2) the preparation, maintenance, revision and administra-
4 tion by the director of personnel of a pay plan for all positions in
5 the classified and partially exempt services; the pay plan (A) shall be
6 based upon the position classification plan; (B) shall provide for fair
7 and reasonable compensation for services rendered, and reflect the
8 principle of like pay for like work; (C) may be amended, approved, or
9 disapproved by the legislature in regular or special session; after the
10 pay plan is in effect, a salary or wage payment may not be made to a
11 state employee covered by the plan unless the payment is in accordance
12 with this chapter and the rules adopted under this chapter or unless
13 the payment is in accordance with a valid agreement entered into in
14 accordance with AS 23.40;

15 (3) the use of employee selection methods which will fairly
16 test the capacity and fitness of the person examined to discharge the
17 duties of the class in which employment is sought;

18 (4) the establishment and maintenance of eligible lists for
19 appointment and promotion providing the names of eligible candidates in
20 order of their relative performance in the examinations;

21 (5) the procedure for certifying eligible candidates;

22 (6) promotions from within the state service when there are
23 qualified candidates in the state service; vacancies shall be filled by
24 promotion whenever practicable and in the best interest of the state
25 service and promotion shall be by competitive examination whenever
26 possible; in considering promotions, applicants' qualifications, per-
27 formance record, seniority, and conduct shall be evaluated;

28 (7) a period of probation not to exceed one year before an
29 appointment to a position becomes permanent, except that a permanent

1 employee receiving a promotional appointment retains permanent status
2 in the service and job class from which appointed for the duration of
3 the probationary period and may be demoted to a former class without
4 right of appeal, notwithstanding AS 39.25.170, but if the employee is
5 dismissed from the service the appeal rights under AS 39.25.170 apply;

6 (8) nonpermanent and emergency appointments to positions in
7 the state service in accordance with AS 39.25.195 - 39.25.200;

8 (9) provisional appointment without competitive examination
9 when appropriate eligible lists are not available;

10 (10) transfers from one department to another and from an-
11 other merit system jurisdiction to the state service;

12 (11) transfers from one area of the state to another;

13 (12) the reinstatement of a person who resigns in good stand-
14 ing;

15 (13) layoffs for reason of lack of money or work, abolition
16 of positions, or material changes in duties or organization; both
17 performance and seniority records shall be considered in the develop-
18 ment of layoff orders;

19 (14) the development, maintenance, and use of employee perfor-
20 mance records;

21 (15) the establishment of disciplinary measures which may
22 include disciplinary suspension without pay;

23 (16) the procedures for review of disputed personnel actions,
24 for resolving employee and interagency grievances, and for resolving
25 grievances of the general public concerning the operation of the state
26 personnel system;

27 (17) hours of work for all employees in the state service;

28 (18) methods and procedures covering overtime work and pay;

29 (19) the granting of employment preference rights to a veteran

1 not within the area of promotion, when the veteran possesses the neces-
2 sary qualifications in the job classification applied for under this
3 chapter; in an examination to determine the qualification of applicants
4 for entrance into the classified service under merit system examination,
5 five additional points shall be added to the passing grade of a veteran
6 and ten additional points shall be added to the passing grade of a
7 disabled veteran, but the additional points may be used only the first
8 time the veteran obtains a position in the classified service; if a
9 position in the classified service is eliminated, employees shall be
10 released in accordance with rules which give due effect to all factors;
11 if all job qualifications are equal, the veteran shall be given pref-
12 erence over the nonveteran and the veteran shall be kept on the job;
13 this paragraph may not be interpreted to amend the terms of a collective
14 bargaining agreement; in this paragraph

15 (A) "veteran" means a person with 181 days or more
16 active service in the armed forces of the United States who has
17 been honorably discharged after having served during any period
18 between April 6, 1917, and December 1, 1919, between September 16,
19 1940, and December 31, 1947, or between June 27, 1950, and
20 November 7, 1975;

21 (B) "disabled veteran" means a veteran, as defined in
22 (A) of this paragraph, who is entitled to compensation under laws
23 administered by the United States Veterans' Administration, or a
24 person who was discharged or released from active duty because of
25 a service-connected disability;

26 (20) the employment of persons in permanent positions on a
27 part-time basis of 15 hours or more a week, including the employment of
28 two persons to fill one permanent full-time position; these employees
29 shall be designated as permanent part-time employees;

1 (21) the granting of employment preference to severely handi-
2 capped persons; this includes the right to provisional appointment
3 without competitive examination for periods up to four months and the
4 granting of eligibility to a severely handicapped person provisionally
5 appointed under the rules who demonstrates ability to perform the job
6 for permanent appointment without competitive examination; provisional
7 employment under this paragraph may not exceed four months during a
8 12-month period; "severely handicapped" as used in this paragraph means
9 persons certified by the director of the division of vocational reha-
10 bilitation to be severely handicapped;

11 (22) the establishment of programs facilitating the employ-
12 ment of disadvantaged persons, including limitation of competition for
13 appointment and promotion to individuals who meet the program require-
14 ments;

15 (23) the delegation, when feasible, of personnel responsibil-
16 ities and duties to the principal departments of the executive branch;

17 (24) the establishment of a transition period of up to 12
18 months for an employee to be reappointed to a classified position if
19 the employee's position is withdrawn from the partially exempt or
20 exempt service and placed in the classified service;

21 (25) other rules and administrative regulations, not incon-
22 sistent with this chapter, which are necessary for its enforcement.

23 * Sec. 14. AS 39.25.153 is repealed and reenacted to read:

24 Sec. 39.25.153. PERSONNEL OFFICERS. (a) If a principal depart-
25 ment of the executive branch has a personnel officer, the personnel
26 officer shall be employed by and located within that department.

27 (b) Subject to the provisions of (d) of this section, the per-
28 sonnel officers for the Departments of Transportation and Public Facili-
29 ties, Fish and Game, Education, Labor, and Health and Social Services,

1 have the following powers with respect to the classes of positions
2 unique to their departments:

3 (1) to assign positions to an existing class in the state
4 classification plan and to the salary range for that class as estab-
5 lished by the state pay plan or by a valid agreement entered into in
6 accordance with AS 23.40;

7 (2) to administer and score examinations and to place suc-
8 cessful applicants on departmental eligible lists;

9 (3) to certify those eligible to the appointing authorities.

10 (c) The initial determination of classes of positions unique to
11 the departments listed in (b) of this section shall be made by the
12 personnel officer of the department in consultation with the commis-
13 sioner of his department subject to the approval of the director of
14 personnel in the Department of Administration.

15 (d) The assumption of a power set out in (b) of this section must
16 be approved by the commissioner of administration and must be in harmony
17 with the merit principle of personnel administration (AS 39.25.010).

18 * Sec. 15. AS 39.25.160 is repealed and reenacted to read:

19 Sec. 39.25.160. GENERALLY. (a) A classified employee may not
20 take an active part in the management of a political party above the
21 precinct level.

22 (b) A person may not give, render, pay, offer, solicit, or accept
23 money, services, or other valuable thing in connection with securing or
24 making an appointment, promotion, or advantage in a position in the
25 classified service.

26 (c) A person may not require an assessment, subscription, contri-
27 bution, or service for a political party from a state employee.

28 (d) A person may not seek or attempt to use a political party
29 endorsement in connection with an appointment or promotion in the

1 classified service.

2 (e) An employee in the classified or partially exempt service who
3 seeks nomination or becomes a candidate for state or national elective
4 political office shall immediately resign any position held in the
5 state service. The employee's position becomes vacant on the date the
6 employee files a declaration of candidacy for state or national elective
7 office.

8 (f) Action affecting the employment status of a state employee or
9 an applicant for state service, including appointment, promotion, demo-
10 tion, suspension, or removal, may not be taken or withheld on the basis
11 of unlawful discrimination due to race, religion, color, or national
12 origin, age, handicap, sex, marital status, change in marital status,
13 pregnancy, or parenthood. In addition, action affecting the employment
14 status of an employee in the classified service, including appointment,
15 promotion, demotion, suspension, or removal, may not be taken or with-
16 held for a reason not related to merit.

17 (g) Action affecting the employment status of an employee in the
18 classified service or an applicant for a position in the classified
19 service, including appointment, promotion, demotion, suspension, or
20 removal, may not be taken or withheld on the basis of unlawful discrim-
21 ination due to political beliefs.

22 (h) A person may not knowingly make a false statement, certifi-
23 cate, mark, rating, or report with regard to a test, certification, or
24 appointment made under this chapter or in any manner commit a fraud
25 preventing the impartial execution of this chapter and the personnel
26 rules adopted under this chapter.

27 (i) A person may not obstruct the right of another person to
28 examination, eligibility, certification, appointment, or promotion
29 under this chapter.

1 * Sec. 16. AS 39.25.170 is repealed and reenacted to read:

2 Sec. 39.25.170. HEARINGS AND APPEALS UPON DISMISSAL, DEMOTION, OR
3 SUSPENSION. (a) An employee in the executive branch of state govern-
4 ment may be dismissed, demoted, or suspended by delivery of written
5 notice of the proposed action and the reason for it from the appointing
6 authority to the employee.

7 (b) A permanent employee in the classified service who has been
8 dismissed, demoted, or suspended may appeal the action to the personnel
9 board.

10 (c) An employee in the executive branch of state government who
11 has been dismissed, demoted, or suspended due to unlawful discrimination
12 based on race, religion, color, or national origin, or because of age,
13 handicap, sex, marital status, change in marital status, pregnancy, or
14 parenthood may appeal the action to the personnel board.

15 (d) An employee in the classified service who has been dismissed,
16 demoted, or suspended due to unlawful discrimination based on political
17 beliefs may appeal the action to the personnel board.

18 (e) A permanent employee in the classified service who holds
19 probationary status in his present position may appeal a dismissal
20 from the classified service to the personnel board.

21 (f) An employee who is on leave without pay from a position
22 in the classified service and who is employed by the state in an-
23 other capacity, either in the exempt or partially exempt service,
24 may appeal a dismissal from the classified service to the personnel
25 board.

26 (g) An employee begins an appeal by filing a written request
27 for review of the action with the personnel board within 15 days of
28 receiving written notice of the action from the appointing authority.

29 (h) If requested by the employee at the time of filing an appeal,

1 the personnel board shall hold a hearing to determine the reasonable-
2 ness of the the action taken by the appointing authority. If the
3 employee requests it, the hearing shall be open to the public. The
4 employee may be represented by another person and has the right to
5 present evidence, and to confront and cross-examine witnesses. Techni-
6 cal rules of evidence do not apply to the hearing, but all testimony
7 shall be taken under oath.

8 (i) If the personnel board finds that the action complained of
9 was due to unlawful discrimination based on race, sex, color, religion,
10 national origin, age, handicap, marital status, change in marital
11 status, pregnancy, or parenthood, or in violation of the provisions of
12 this chapter or the personnel rules, the employee shall be reinstated
13 to the position without loss of pay or leave benefit for the period of
14 dismissal, demotion, or suspension. In addition, if the personnel
15 board finds that the action complained of by an employee in the classi-
16 fied service was due to unlawful discrimination based on a political
17 belief or any other reason related to merit the employee shall be
18 reinstated to the position without loss of pay or leave benefit for the
19 period of dismissal, demotion, or suspension. In all other cases, the
20 board shall report its findings and recommendations in writing, to both
21 parties within 30 days of a hearing conducted under (h) of this section,
22 and the decision of the board may be appealed to the superior court.

23 * Sec. 17. AS 39.25 is amended by adding a new section to read:

24 Sec. 39.25.175. PROCEDURE. (a) A subpoena shall be issued at
25 the request of a party to a proceeding begun under AS 39.25.170.

26 (b) If a person refuses to respond to a subpoena issued under
27 this section, or refuses to testify at a hearing authorized by AS 39.-
28 25.170, the personnel board may apply to the superior court for an
29 order requiring the person to respond to the subpoena or to testify.

1 (c) Failure to obey the order of the superior court requiring
2 response to a subpoena or testimony at a hearing may be punished as
3 contempt of court.

4 * Sec. 18. AS 39.25 is amended by adding a new section to read:

5 Sec. 39.25.181. DEFINITIONS. In this chapter,

6 (1) "fraud" means for a person to knowingly

7 (A) create or confirm another's false impression which
8 the person does not believe to be true, including false impres-
9 sions as to law or value and false impressions as to intention or
10 other state of mind;

11 (B) fail to correct another's false impression which
12 the person previously has created or confirmed;

13 (C) prevent another from acquiring pertinent informa-
14 tion;

15 (2) "knowingly" means for a person to be aware with respect
16 to conduct or to a circumstance described by a provision of law that
17 his conduct is of that nature or that the circumstance exists; when
18 knowledge of the existence of a particular fact is required, that know-
19 ledge is established if a person is aware of a substantial probability
20 of its existence, unless he actually believes it does not exist;

21 (3) "precinct" means the territory within which resident
22 voters may cast votes at one polling place;

23 (4) "state employee" means a person employed by the state
24 who is paid a wage or salary, but does not include a person hired by
25 the state to work as an independent contractor or a person who is in
26 the custody of the state.

27 * Sec. 19. AS 39.25 is amended by adding a new section to article 6 to
28 read:

29 Sec. 39.25.192. EMPLOYEE POLITICAL RIGHTS. A state employee may

1 (1) be a member of a national, state, or local political
2 party;

3 (2) take part in a political campaign;

4 (3) express political opinions except while performing
5 official duties;

6 (4) register party preference;

7 (5) serve as a voting or nonvoting delegate to a party con-
8 vention;

9 (6) be appointed, nominated, or elected to nonpartisan
10 public office in a local government unit; and

11 (7) make contributions to a political party or a candidate
12 for public office.

13 * Sec. 20. AS 39.25.180 is repealed.

14 * Sec. 21. This Act takes effect July 1, 1982.