

HOUSE BILL NO. 459

**IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION**

BY REPRESENTATIVES PARNELL, R.Phillips

**Introduced: 2/10/92
Referred: State Affairs, Finance**

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the hiring and salaries of the executive officers of certain boards,
2 commissions, authorities and other state entities; and providing for an effective date."

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

4 * **Section 1.** AS 05.40.040 is amended to read:

5 Sec. 05.40.040. STAFF AND PROFESSIONAL SERVICES CONTRACTS. The
6 authority shall employ an executive director who serves at the pleasure of the authority as its
7 chief administrative officer. The salary of the executive director may not exceed range 21
8 of the state salary schedule set out in AS 39.27.011. The executive director may, with the
9 approval of the authority, select and employ additional staff as necessary. Employees of the
10 authority are in the exempt service under AS 39.25.110. In addition to its staff of regular
11 employees, the authority may contract for the services of consultants and professional, technical,
12 and financial advisors the authority considers necessary for the purpose of developing
13 information, conducting hearings, studies, investigations, or other proceedings, or otherwise
14 exercising its powers.

1 * Sec. 2. AS 14.20.470(a)(7) is amended to read:

2 (7) appoint an executive secretary, delegate those ministerial functions to the
3 executive secretary as the commission may decide and set the executive secretary's compensation
4 with a [STARTING] salary not exceeding range 23 [RANGE 26, STEP B] of the pay plan for
5 state employees in AS 39.27.011(a).

6 * Sec. 3. AS 14.35.020(b) is amended to read:

7 (b) When required by any of the Acts described in AS 14.35.010 the board shall

8 (1) prepare, submit, and supervise the administration of the plans for vocational
9 education and vocational rehabilitation;

10 (2) select a state director of vocational education; **the salary of the director may**
11 **not exceed range 24 of the state salary schedule set out in AS 39.27.011;**

12 (3) establish the minimum qualifications for teachers, supervisors, or directors;

13 (4) determine the prorated basis on which money shall be available for the salary
14 and necessary travel expenses of the state director of vocational education.

15 * Sec. 4. AS 14.42.040(a) is amended to read:

16 (a) The commission may appoint an executive director as the commission's executive
17 officer. The executive officer is a member of the exempt service under AS 39.25.110, serves at
18 the pleasure of the commission, and receives compensation fixed by the commission. **However,**
19 **the salary of the executive director may not exceed range 24 of the state salary schedule set**
20 **out in AS 39.27.011.** The executive officer appoints persons to the staff positions authorized by
21 the commission, and staff compensation is fixed by the commission. Each employee of the
22 commission shall elect membership either in the state teachers' retirement system (AS 14.25),
23 if qualified, or in the public employees' retirement system (AS 39.35).

24 * Sec. 5. AS 15.13.020(i) is amended to read:

25 (i) The commission may employ an executive director and other employees it considers
26 necessary. Neither the executive director nor an employee may have a vote. **The salary of the**
27 **executive director may not exceed range 22 of the state salary schedule set out in**
28 **AS 39.27.011.**

29 * Sec. 6. AS 16.51.080 is amended to read:

30 Sec. 16.51.080. EMPLOYMENT OF PERSONNEL. The board may employ and
31 determine the salary of an executive director. **However, the salary of the executive director**

1 may not exceed range 23 of the state salary schedule set out in AS 39.27.011. The executive
2 director may, with the approval of the board, select and employ additional staff as necessary.
3 The executive director and all employees of the board are in the exempt service under AS 39.25.

4 * Sec. 7. AS 18.56.052 is amended to read:

5 Sec. 18.56.052. EXECUTIVE DIRECTOR. The corporation shall employ an executive
6 director, who may not be a member of the board. The executive director shall be appointed by
7 the board of directors and serves at the pleasure of the board. The salary of the executive
8 director may not exceed range 24 of the state salary schedule set out in AS 39.27.011.

9 * Sec. 8. AS 18.65.220(5) is amended to read:

10 (5) employ an administrator and other persons necessary to carry out its duties
11 under AS 18.65.130 - 18.65.290; the salary of the administrator may not exceed range 21 of
12 the state salary schedule set out in AS 39.27.011;

13 * Sec. 9. AS 18.66.050(1) is amended to read:

14 (1) hire an executive director and necessary staff; the salary of the executive
15 director may not exceed range 22 of the state salary schedule set out in AS 39.27.011;

16 * Sec. 10. AS 18.80.060(a)(1) is amended to read:

17 (1) appoint an executive director approved by the governor; the salary of the
18 executive director may not exceed range 23 of the state salary schedule set out in
19 AS 39.27.011;

20 * Sec. 11. AS 33.16.080 is amended to read:

21 Sec. 33.16.080. EXECUTIVE DIRECTOR. The board shall hire an executive director
22 to serve the board in the discharge of its duties. The executive director must have had training
23 and experience in the field of criminal justice. The salary of the executive director may not
24 exceed range 20 of the state salary schedule set out in AS 39.27.011. The executive director
25 may employ additional staff to assist the board.

26 * Sec. 12. AS 37.17.080 is amended to read:

27 Sec. 37.17.080. STAFF. The board of directors shall employ and determine the salary
28 of an executive director, subject to AS 37.07. However, the salary of the executive director
29 may not exceed range 24 of the state salary schedule set out in AS 39.27.011. The executive
30 director serves at the pleasure of the board. The executive director may, with approval of the
31 board, select and employ additional staff as necessary. An employee of the foundation, including

1 the executive director, may not be a member of the board. The executive director and the other
2 employees of the foundation are in the exempt service under AS 39.25.110.

3 * Sec. 13. AS 42.05.121(a) is amended to read:

4 (a) The commission may employ an executive director who shall have had at least five
5 years of experience in public utility management or regulation, law, accounting, engineering, or
6 an allied field. The executive director is responsible for directing the administrative functions
7 of the commission and carrying out the policies as set by the commission. **The salary of the**
8 **executive director may not exceed range 23 of the state salary schedule set out in**
9 **AS 39.27.011.** The commission may employ engineers, hearing officers, administrative law
10 judges to the extent provided by AS 42.06.140(b), experts, clerks, accountants, and other agents
11 and assistants it considers necessary. Employees and agents of the commission who are not
12 partially exempt under AS 39.25.120, other than legal counsel, are in the classified service under
13 AS 39.25.100.

14 * Sec. 14. AS 44.19.175(1) is amended to read:

15 (i) hire an executive director and additional administrative staff as may be
16 necessary to the commission's function; **the salary of the executive director may not exceed**
17 **range 21 of the state salary schedule set out in AS 39.27.011;**

18 * Sec. 15. AS 44.19.525(5) is amended to read:

19 (5) establish and maintain an office in Anchorage, or at a location determined to
20 be the most appropriate location by a majority vote of the commission, and hire an executive
21 director and technical and clerical staff that are necessary to perform the duties of the
22 commission; **the salary of the executive director may not exceed range 20 of the state salary**
23 **schedule set out in AS 39.27.011;** and

24 * Sec. 16. AS 44.21.230(a)(4) is amended to read:

25 (4) employ an executive director who serves at the pleasure of the commission;
26 **the salary of the executive director may not exceed range 23 of the state salary schedule set**
27 **out in AS 39.27.011;**

28 * Sec. 17. AS 44.21.268(a)(2) is amended to read:

29 (2) employ a director, who shall be directly responsible to the commission in
30 financial and administrative matters; **the salary of the director may not exceed range 23 of the**
31 **state salary schedule set out in AS 39.27.011;**

1 * **Sec. 18.** AS 44.27.052 is amended by adding a new subsection to read:

2 (c) The council may employ an executive director. The salary of the executive director
3 may not exceed range 21 of the state salary schedule set out in AS 39.27.011.

4 * **Sec. 19.** AS 44.33.710 is amended to read:

5 Sec. 44.33.710. EMPLOYEES. The board of directors of the council may employ and
6 determine the salary of the staff of the council, which may include an executive director and no
7 more than two other employees. The executive director and the employees of the council shall
8 be paid salaries that are comparable to salaries paid to employees of the state. The salary of the
9 executive director may not exceed range 22 of the state salary schedule set out in
10 AS 39.27.011. If there is no executive director, the staff of the council is supervised by the
11 presiding officer of the board.

12 * **Sec. 20.** AS 44.83.045(c) is amended to read:

13 (c) The authority shall employ an executive director who may, with the approval of the
14 authority, employ additional staff as necessary. In addition to its staff of regular employees, the
15 authority may contract for and engage the services of legal and bond counsel, consultants,
16 experts, and financial and technical advisors the authority considers necessary for the purpose of
17 conducting studies, investigations, hearings, or other proceedings. The board of directors shall
18 establish the compensation of the executive director. However, the salary of the executive
19 director may not exceed range 25 of the state salary schedule set out in AS 39.27.011. The
20 executive director of the authority is subject to the provisions of AS 39.25.

21 * **Sec. 21.** AS 46.03.360(b) is amended to read:

22 (b) The board may employ a full-time director and no more than one other employee.
23 The salary of the director may not exceed range 20 of the state salary schedule set out in
24 AS 39.27.011. The department shall provide additional administrative and clerical support to the
25 board.

26 * **Sec. 22.** AS 47.07.190 is amended to read:

27 Sec. 47.07.190. EMPLOYMENT OF PERSONNEL. The department may employ and
28 determine the salary of an executive director, who shall provide staff assistance to the
29 commission. However, the salary of the executive director may not exceed range 22 of the
30 state salary schedule set out in AS 39.27.011. With the approval of the department, the
31 executive director may select and employ additional staff. The commission shall be assisted by

1 the officers or personnel of the department as the commissioner of health and social services
2 directs. The executive director of the commission is in the exempt service under AS 39.25.

3 * Sec. 23. AS 47.10.400(f) is amended to read:

4 (f) The state panel may employ a program coordinator who shall serve at the pleasure
5 of the state panel. The salary of the program coordinator may not exceed range 20 of the
6 state salary schedule set out in AS 39.27.011. The program coordinator shall employ staff as
7 necessary to carry out the program coordinator's duties under state panel directives and to
8 provide clerical assistance to local panels.

9 * Sec. 24. AS 47.30.026(b) is amended to read:

10 (b) The board shall employ a chief executive officer who shall be selected by the board.
11 The chief executive officer may not receive a salary greater than range 23 [SHALL BE
12 COMPENSATED AT NO LESS THAN RANGE 26] of the pay plan for state employees under
13 AS 39.27.011(a). The chief executive officer may

14 (1) hire additional employees;

15 (2) appoint hearing officers to perform the responsibilities set out in
16 AS 47.30.031(b)(5); and

17 (3) contract for the services of consultants and others.

18 * Sec. 25. AS 47.30.664(b) is amended to read:

19 (b) The board shall have a paid staff provided by the department, including, but not
20 limited to, an executive director who shall be selected by the board from candidates provided by
21 the department. The salary of the executive director may not exceed range 21 of the state
22 salary schedule set out in AS 39.27.011. The executive director is in the partially exempt
23 service and may hire additional employees in the classified service of the state. The executive
24 director and the staff of the board shall be directly responsible to the board in the performance
25 of their duties.

26 * Sec. 26. AS 47.30.664(b), as amended by sec. 38, ch. 66, SLA 1991, is further amended to read:

27 (b) The board shall have a paid staff provided by the department, including, but not
28 limited to, an executive director who shall be selected by the board. The salary of the executive
29 director may not exceed range 21 of the state salary schedule set out in AS 39.27.011. The
30 executive director is in the partially exempt service and may hire additional employees in the
31 classified service of the state. The department shall provide for the assignment of personnel to

1 the board to ensure the board has the capacity to fulfill its responsibilities. The executive
2 director of the board shall be directly responsible to the board in the performance of the
3 director's duties.

4 * Sec. 27. AS 47.80.070(b) is amended to read:

5 (b) The council shall have a paid staff provided by the department, including an
6 executive director selected by the council. The salary of the executive director may not
7 exceed range 21 of the state salary schedule set out in AS 39.27.011. The executive director
8 is in the partially exempt service and may hire additional employees in the classified service of
9 the state. The department shall provide for the assignment of personnel to the council to ensure
10 that the council has the capacity to fulfill its responsibilities. The personnel shall be directly
11 responsible to the council for performance of their duties.

12 * Sec. 28. AS 47.80.090(12) is amended to read:

13 (12) govern the special education service agency, and may hire personnel
14 necessary to operate the agency; the salary of the head of the agency may not exceed range 21
15 of the state salary schedule set out in AS 39.27.011; and

16 * Sec. 29. Notwithstanding the amendments made by this Act, this Act may not be applied to amend
17 the terms of a contract for personal services that is in effect on the effective date of this Act. However,
18 the contract may not be renewed unless it complies with the requirements of this Act.

19 * Sec. 30. Sections 24, 26, and 27 of this Act take effect on the effective date of ch. 66, SLA 1991.