

CS FOR SENATE BILL NO. 135 (RULES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE

Offered: 1/29/92
Referred: Today's Calendar

Sponsor(s): SENATOR DUNCAN

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the state personnel system and to membership on the Public
2 Employees' Retirement Board; and providing for an effective date."

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

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

5 Sec. 39.25.040. DIRECTOR OF PERSONNEL. The head of the division of personnel
6 is the director of personnel appointed by the commissioner of administration and responsible to
7 the commissioner of administration for the execution of the duties and responsibilities imposed
8 by this chapter and the rules adopted under this chapter. The director of personnel shall have
9 at least five [THREE] years of professional [PRACTICAL] working experience in the field of
10 personnel administration.

11 * Sec. 2. AS 39.25.060(a) is amended to read:

12 (a) The personnel board is composed of five [THREE] members appointed by the
13 governor and confirmed by the legislature meeting in joint session. The board shall contain at
14 least one representative from a minority group and at least one representative from a rural

1 area of the state. Each member of the board must be supportive of the merit principles of
2 employment, and have demonstrated an interest in public administration and the
3 development of efficient methods of employing personnel and administering personnel
4 systems. The term of office of a member is six years. A vacancy in an unexpired term shall
5 be filled by appointment by the governor for the remainder of the term. The appointment is
6 subject to confirmation in the same manner as a full-term appointment.

7 * Sec. 3. AS 39.25.060(b) is amended to read:

8 (b) Members of the board may not be employees of the state. Not more than three
9 [TWO] members of the board may be members of the same political party.

10 * Sec. 4. AS 39.25.070 is amended to read:

11 Sec. 39.25.070. POWERS AND DUTIES OF PERSONNEL BOARD. In addition to the
12 other duties imposed by this chapter, the personnel board shall

13 (1) approve or disapprove amendments to the personnel rules in accordance with
14 AS 39.25.140;

15 (2) consider and act upon recommendations for the extension of the partially
16 exempt service and the classified service as provided in AS 39.25.130;

17 (3) hear and determine appeals by employees in the classified service as provided
18 in AS 39.25.170;

19 (4) establish its own rules of procedure; three [TWO] members constitute a
20 quorum for the transaction of business and three [TWO] affirmative votes are required for final
21 action on matters acted upon by the board;

22 (5) elect a chairman from its membership;

23 (6) have the power to administer oaths, subpoena witnesses, and compel the
24 production of books and papers pertinent to a hearing authorized by this chapter;

25 (7) employ staff members, who shall be in the classified service;

26 (8) retain independent counsel in accordance with AS 39.52.310(c);

27 (9) appoint, and review the findings, conclusions, and recommendations of,
28 hearing officers in accordance with AS 39.52.350(c), 39.52.360, and 39.52.370;

29 (10) issue findings, conclusions, and decisions regarding violations of the code
30 of ethics in AS 39.52.110 - 39.52.190; and

31 (11) impose the penalties described in AS 39.52.410, 39.52.440, and 39.52.450.

1 * Sec. 5. AS 39.25.140(g) is amended to read:

2 (g) An amendment to the personnel rules takes effect 30 days after it is approved by the
3 personnel board. The board, if requested to do so, shall [MAY] hold one or more [A] public
4 hearings [HEARING] on a proposed amendment. The board shall conduct the hearings in
5 a manner that permits public participation from around the state in person or by telephone
6 or teleconference.

7 * Sec. 6. AS 39.35.030(b) is amended to read:

8 (b) Three members of the board are the members of the personnel board of the
9 Department of Administration (AS 39.25.060) designated by the chair of the personnel board.

10 * Sec. 7. Notwithstanding the amendment to AS 39.25.060(a) made by sec. 2 of this Act, one of the
11 additional members appointed to the personnel board shall serve for a term expiring in 1995, and the
12 second additional member shall serve for a term expiring in 1997.

13 * Sec. 8. This Act takes effect January 1, 1993.