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COMMITTEE REPORT

HOUSE

FURTHER: Judiciary

(5)

4/15/81

Date: 4/21/81

Mr. Speaker:

The Committee on State Affairs has had CSSB 193 (Jud)

"An Act amending state personnel laws and providing for an effective date."

under consideration and reports it back as follows: Individual

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for CS 111 same title new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

POUCH C

JUNEAU, ALASKA 99811

465-2200

April 20, 1982

Honorable Ray Metcalfe
Chairman, House State Affairs Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

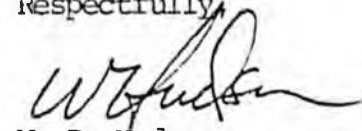
Dear Mr. Chairman:

CSB 193 (Jud) am, amending the State's personnel laws, has been referred to your committee. We request that you make the following changes:

1. Delete Sec. 39.25.120(17)
2. Delete Section 12
3. Add to Sec. 39.25.150(5)
(;) including preference for local residents under appropriate circumstances;
4. Delete Section 16

Your consideration of these changes is greatly appreciated.

Respectfully,



W. R. Hudson
Commissioner

WRH/mjc

cc: Honorable Ramona Barnes
Chairwoman, House Judiciary
Committee

Keith Specking
Legislative Assistant
Office of the Governor

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS SB 193 (Jud)
 Title An Act amending state personnel laws; and an effective date
 Requested by _____ Date 04-16-82

II. FISCAL DETAIL
 Agency Affected Administration
 Program Category Affected Personnel
 BRU, Program, Or Subprogram(s) Affected Personnel, Personnel Board
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

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FEDERAL FUNDS						
OTHER (Specify Source)						

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PART TIME		0	1	1	1	1
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Section 12 of CS SB 913 (Jud) am provides for adoption of amendments to the Personnel Rules that concern public policy under the Administrative Procedures Act, and for amended Rules (including those not concerning public policy) to be published in the Alaska Administrative Register and Code. CS SB 193 (Jud) am makes several minor changes to the Personnel Act that will require amending the Personnel Rules. The major costs for FY 83 are:

- 1) contracting with the Department of Law for an attorney for four months to:
 - rewrite the current Personnel Rules to AAC standards
 - draft amendments incorporating changes in the Personnel Act

IV. DATE 04-16-82 PREPARED BY Michael P. McMullen
 AGENCY Administration - Division of Personnel
 Original: Legislative Finance PHONE 465-4430
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 12-001 (Rev. 12/81)

FICAL NOTE continued

- modify amendments based on hearings
- file the amended rules with the Lt. Governor
- compile a Personnel Act - Personnel Rules cross-reference
- identify forms needing revision to reference the appropriate AAC provisions instead of the former rule
- Revise Administrative Manual and Operating Procedures to properly reference revised Personnel rules

(\$19.2 Thous.)

- 2) Personal Services to employ Regulations Specialist to revise existing procedures, manuals, forms and letters to properly cite revised Personnel rules. Position would be half-time after first year.

(\$42.2 Thous.)

- 3) travel and per diem for attorney and the Personnel Board for two hearings to adopt the rules and amendments as Code.

(\$2.8 Thous.)

- 4) public notice of the hearings and proposed amendments.

(\$.6 Thous.)

- 5) typing of drafts, revision and filing version.

(\$2.0 Thous.)

- 6) printing of forms incorporating AAC references.

(\$1.0 Thous.)

In subsequent years, one two-day hearings by the Personnel Board to adopt amendments is budgeted. Travel is inflated 10% annually and public notice costs at 8%. Personal Services inflated at 7% per year.

Section 13 of CS SB 193 (Jud) am contains a significant change in the definition and preference accorded to veterans. In addition to the need to amend the Personnel Rules accordingly, there is a need to incorporate the new provision in the automated Applicant Tracking System. This one time contractual service cost is estimated at \$4 thousand.

Section 16 of CS SB 193 (Jud) am duplicates AS 18.80 providing hearing and appeal rights to partially exempt and exempt employees of the Executive Branch for actions allegedly in violation of the employees' Civil Rights. It is assumed that these employees will file appeals in the same proportion to their numbers as other executive branch employees file complaints under AS 18.80 for the same actions. Each will require a two day hearing before the Personnel Board. Travel and per diem costs for FY 83 are \$4.8 thousand. They are inflated 10% annually. On this basis, four complaints per year are projected. Each complaint will require two days of Personnel Board business.

AMENDED TITLE: CSSB 193(JUD)AM.
AN ACT AMENDING STATE PERSONNEL LAWS, AND PROVIDING FOR
AN EFFECTIVE DATE

PRIME SPONSOR: SENATE RULES COMMITTEE.

CO-SPONSORS:

CURRENT STATUS: 4/15/82 IN (H) STATE AFFAI REFERRAL: JUDICIARY

DATE	SEQ	PAGE	LEGISLATIVE ACTION
02/20/81	01	0288	FIRST READING -- COMMITTEE REPORTS
05/15/81	02	1092	S.A. -- CS04, NR01
04/07/82	03	0813	JUD -- CS03, NR01
04/14/82	04	0899	RLS -- NR01, OTHER02 TAKEN UP IMMEDIATELY
04/14/82	05	0902	SECOND READING
04/14/82	06	0902	JUD CS ADOPTED BY UNAN CONSENT
04/14/82	07	0903	AM01 ADOPTED BY DIV 17-01-02
04/14/82	08	0903	AM02 ADOPTED BY UNAN CONSENT
04/14/82	09	0904	AM03 PART01 ADOPTED BY UNAN CONSENT
04/14/82	10	0904	AM03 PART02 ADOPTED BY UNAN CONSENT
04/14/82	11	0904	ADVANCED TO 3RD READING BY UNAN CONSENT
04/14/82	12	0904	THIRD READING
04/14/82	13	0904	PASSED BY DIV 26 00-00
04/14/82	14	0904	EFFECTIVE DATE VOTE SAME AS PASSAGE

*** ** **

DATE	SEQ	PAGE	LEGISLATIVE ACTION
04/15/82	15	1296	FIRST READING -- COMMITTEE REPORTS STATE AFFAIRS JUDICIARY RULES

*** ** **



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

Pouch YG
Mail Stop 3123
Juneau, Alaska 99811
(907) 465-4442

MEMORANDUM

April 19, 1982

TO: House State Affairs Committee

FROM: Teresa B. Cramer *TBC*
Administrative Assistant

SUBJECT: CSSB 193 (Jud) am

The Blue Ribbon Commission sponsored Senate Bill 193 as a comprehensive revision of the State Personnel Act. It makes changes in some personnel practices, expands the protections granted to employees in the exempt and partially exempt services and makes the Act consistent with the Public Employment Relations Act.

Those sections of the bill which present significant changes are analyzed briefly below.

Page 2
Lines 6-25

Section 6. Amending AS 39.25.080. PUBLIC RECORDS.

This section sets out those personnel records which will be open to public inspection. All other personnel records will be kept confidential.

The current law provides that all records are public except those which the Personnel Rules make confidential. In fact, the amendment would not change the existing practice since those items listed are the only personnel records now open to the public.

Page 2
Line 27 ff.

Section 7. Amending AS 39.25.090. COVERAGE OF CHAPTER.

This amendment provides that the State Personnel Act applies to exempt positions as specifically provided. The Committee Substitute gives added rights of appeal to exempt employees of the executive branch in cases of unlawful discrimination. (See Section 16)

Page 3
Line 2 ff.

Section 8. Amending AS 39.25.110. EXEMPT SERVICE.

This section does not change the existing membership of the exempt service. It does add statutory reference to employees of the Citizen's Advisory Commission

on Federal Areas in Alaska (11)(G), petroleum engineers and petroleum geologists employed by the Oil and Gas Conservation Commission (14), employees of the state who reside in foreign countries (17), employees of the Alaska Seafood Marketing Institute (18), and firefighters employed by DNR for a fire emergency (19).

Page 7
Line 5

Section 9. Amending AS 39.25.120. PARTIALLY EXEMPT SERVICE.

In paragraph (17) the bill adds those employees of the Division of Labor Relations who are responsible for negotiating labor contracts with state employee organizations to the partially exempt service. These employees are currently members of the classified service but do not belong to any bargaining unit and are not members of any union or employee association. At one time they were members of the Confidential Employees Association.

Page 7
Line 20 ff

Section 12. Amending AS 39.25.140. AMENDMENT OF PERSONNEL RULES.

The Committee Substitute requires that those amendments to the Personnel Rules which are matters of public policy shall be adopted according to the Administrative Procedures Act. (Subsection (c), page 7, line 28)
The current law entirely exempts the Personnel Rules from the APA.

For those rules which are not matters of public policy, the Committee Substitute maintains the current system of adoption, but adds that the Personnel Board may amend rules proposed to it (Subsection (f)). The Committee Substitute also requires that amended rules shall be published in the Administrative Code, (Subsection (h)).

Page 8
Line 19 ff

Section 13. Amending AS 39.25.150. SCOPE OF THE RULES.

This section remains basically the same as the current law with the following exceptions.

Page 10
Line 21

(15) no longer sets a limit of 30 days to a period of disciplinary suspension.

Page 10
Line 25 (16) adds a requirement that the Personnel Rules include procedures for resolving disputes from the general public.

Page 10
Line 29 (19) sets out the provisions for veterans' preference in state employment in different form. The substance of the preference is basically unchanged. The definition of veteran is amended to require that an individual have served 181 days in active service instead of the present 90 days. This is in conformance with federal veterans' preference system. The definition of disabled veteran is also changed slightly. It no longer requires that an individual have a 10% service connected disability but instead specifies that the individual be entitled to compensation from the Veterans' Administration.

Page 12
Line 11 (22) provides that the Personnel Rules shall include procedures for programs which may be set up to facilitate the employment of disadvantaged persons and permits the procedures to limit competition for hiring for those programs.

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Line 17 (24) adds a requirement that the Rules provide for assistance in finding work to partially exempt or exempt employees whose positions are moved into the classified service. Classified employees must pass examinations to be hired. Exempt and partially exempt employees do not have to meet these merit system standards and may be unable to qualify for the positions which they previously held.

Page 12
Line 23 ff Section 14. Amending AS 39.25.153. PERSONNEL OFFICERS.
Subsection (a) provides that all personnel officers shall be employees of the department in which they serve.

Subsection (b) amends the powers granted to the personnel officers listed in the statute. These powers have never been exercised. They are retained in limited form by the Committee Substitute.

Page 13
Line 18 Section 15. Amending AS 39.25.160. GENERALLY.

Most of this section remains unchanged. The following subsections have been amended.

Page 13
Line 26 Subsection (c) extends protection from being required to make a political contribution to all state employees. The current law protects only classified employees.

Page 14
Line 2 Subsection (e) adds a requirement that partially exempt employees resign from state employment when seeking political office. The subsection also clarifies when the employee's position becomes vacant.

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Line 8 Subsection (f) extends protection from unlawful discrimination to all state employees and applicants for state service. The current law is limited to members of the classified service.

Page 15
Line 1 ff Section 16. Amending AS 39.25.170. HEARINGS AND APPEALS UPON DISMISSAL, DEMOTION OR SUSPENSION.

This section changes the statutes to reflect caselaw and adds that employees in the executive branch of state government who have been unlawfully discriminated against may appeal to the Personnel Board. The current law limits the protection of the State Personnel Act and the scope of appeals to the Personnel Board to members of the classified service. (Sub section (c)).

The Committee Substitute provides in Subsection (i) that executive branch employees who the Personnel Board finds have been unlawfully discriminated against will be reinstated without loss of pay. This remedy is currently available only to classified employees. The Committee Substitute adds that the decision of the Personnel Board may be appealed to the Superior Court.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3100

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 24, 1982

SUBJECT: Sunset of state agencies, boards and
commissions -- CSSSSB 630 (SA)

TO: Senator Arliss Sturgulewski

FROM: Edward H. Hein *EHA*
Legislative Counsel

You have asked for a section-by-section analysis of
CSSSSB 630 (SA).

OK
Sec. 1. The title of AS 44.66.010 and the first sentence of
subsections (a), (b) and (c) have been amended to include
state agencies, and in subsections (b) and (c) also state
boards. The last half of the first sentence of sub-
section (a) has been reworded for purposes of clarity. In
Paragraph (11) the statutory reference to the Council on
Domestic Violence and Sexual Assault has been renumbered in
accordance with changes made during the interim by the
Revisor of Statutes.

In subsection (b) a new sentence has been added to provide
that during the year for which a "terminated" agency, board
or commission is extended for the purpose of concluding its
affairs, its powers and authority are not reduced. The
meaning of this sentence is not clear. One interpretation
is that it means that the agency, board or commission may
exercise its powers and authority only for the purpose of
concluding its affairs. Another interpretation is that the
agency, board or commission may continue to exercise all its
powers and authority and carry on "business as usual".

Subsection (c) provides that the legislature has authority
to continue or reestablish a state agency, board or
commission for a period not to exceed four years unless it
decides to continue or reestablish the agency, board or
commission for a period exceed for years.

from

Senator Arliss Sturgulewski
Page 2
February 24, 1982

Sec. 2 provides for an immediate effective date if the section is approved by a two-thirds vote of each house. The act would take effect on 12:01 am on the day after it is signed by the governor or the day after he gives written notice that he is allowing the act to become effective without his approval.

EHH:ljb



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

Pouch Y6
Mail Stop 3123
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TBC:lmk

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THE LEGISLATURE

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JUNEAU, ALASKA 99811
907-465-3800

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EHH:ljb



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 19, 1982

The Honorable Ray Metcalfe
Chairman, House State Affairs Committee
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mr. *Ray* Chairman:

CSSB 193 (Jud) am, amending state personnel laws, and providing for an effective date, has been referred to your committee. Please amend sec. 8, AS 39.25.110 by adding a new subsection to read:

employees of the Office of the Governor and the lieutenant governor, including the employees serving the governor's mansion, but not the employees of councils, boards, or commissions established by statute in the governor's or lieutenant governor's office.

Please amend sec. 9, AS 39.25.120(c) (5) to read:

employees of councils, boards, and commissions located by statute in the Office of the Governor or lieutenant governor, unless a different classification is specified by statute;

Thank you for your consideration of this amendment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Keith W. Specking".

Keith W. Specking
Legislative Assistant
to the Governor

cc: The Honorable Ramona Barnes
Chairwoman
House Judiciary Committee

REC'D APR 19 1982

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS SB 193 (Jud)

Title An Act amending state personnel laws; and an effective date

Requested by _____ Date 04-16-82

II. FISCAL DETAIL

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Program Category Affected Personnel

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(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

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III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

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 - rewrite the current Personnel Rules to AAC standards
 - draft amendments incorporating changes in the Personnel Act

IV. DATE 04-16-82

PREPARED BY Michael P. McMullen

AGENCY Administration - Division of Personnel

Original: Legislative Finance PHONE 465-4430

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

SB 193 TITLE & SPONSOR SUMMARY 17:11 4/19/82 PAGE 1 OF 3
 AMENDED TITLE: CSSB 193(JUD)AM
 AN ACT AMENDING STATE PERSONNEL LAWS; AND PROVIDING FOR
 AN EFFECTIVE DATE

PRIME SPONSOR: SENATE RULES COMMITTEE.
 CO-SPONSORS:
 CURRENT STATUS: 4/15/82 IN (H) STATE AFFAI REFERRAL: JUDICIARY
 SB 193 SENATE ACTION 17:11 4/19/82 PAGE 2 OF 3

DATE	SEQ	PAGE	LEGISLATIVE ACTION
02/20/81	01	0288	FIRST READING -- COMMITTEE REPORTS
05/15/81	02	1052	S. -- CS04, NR01
04/07/82	03	0818	JUD -- CS03, NR01
04/14/82	04	0899	RLS -- NR01, OTHER02 TAKEN UP IMMEDIATELY
04/14/82	05	0902	SECOND READING
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04/14/82	11	0904	ADVANCED TO 3RD READING BY UNAN CONSENT
04/14/82	12	0904	THIRD READING
04/14/82	13	0904	PASSED BY DIV 20-00-00
04/14/82	14	0904	EFFECTIVE DATE VOTE SAME AS PASSAGE

SB 193 HOUSE ACTION 17:12 4/19/82 PAGE 3 OF 3

DATE	SEQ	PAGE	LEGISLATIVE ACTION
04/15/82	15	1290	FIRST READING -- COMMITTEE REPORTS STATE AFFAIRS JUDICIARY RULES



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

Pouch YG
Mail Stop 3123
Juneau, Alaska 99811
(907) 465-4442

MEMORANDUM

April 19, 1982

TO: House State Affairs Committee

FROM: Teresa B. Cramer *TBC*
Administrative Assistant

SUBJECT: CSSB 193 (Jud) am

The Blue Ribbon Commission sponsored Senate Bill 193 as a comprehensive revision of the State Personnel Act. It makes changes in some personnel practices, expands the protections granted to employees in the exempt and partially exempt services and makes the Act consistent with the Public Employment Relations Act.

Those sections of the bill which present significant changes are analyzed briefly below.

Page 2
Lines 6-25

Section 6. Amending AS 39.25.080. PUBLIC RECORDS.

This section sets out those personnel records which will be open to public inspection. All other personnel records will be kept confidential.

The current law provides that all records are public except those which the Personnel Rules make confidential. In fact, the amendment would not change the existing practice since those items listed are the only personnel records now open to the public.

Page 2
Line 27 ff.

Section 7. Amending AS 39.25.090. COVERAGE OF CHAPTER.

This amendment provides that the State Personnel Act applies to exempt positions as specifically provided. The Committee Substitute gives added rights of appeal to exempt employees of the executive branch in cases of unlawful discrimination. (See Section 16)

Page 3
Line 2 ff.

Section 8. Amending AS 39.25.110. EXEMPT SERVICE.

This section does not change the existing membership of the exempt service. It does add statutory reference to employees of the Citizen's Advisory Commission

on Federal Areas in Alaska (11)(G), petroleum engineers and petroleum geologists employed by the Oil and Gas Conservation Commission (14), employees of the state who reside in foreign countries (17), employees of the Alaska Seafood Marketing Institute (18), and firefighters employed by DNR for a fire emergency (19).

Page 7
Line 5

Section 9. Amending AS 39.25.120. PARTIALLY EXEMPT SERVICE.

In paragraph (17) the bill adds those employees of the Division of Labor Relations who are responsible for negotiating labor contracts with state employee organizations to the partially exempt service. These employees are currently members of the classified service but do not belong to any bargaining unit and are not members of any union or employee association. At one time they were members of the Confidential Employees Association.

Page 7
Line 20 ff

Section 12. Amending AS 39.25.140. AMENDMENT OF PERSONNEL RULES.

The Committee Substitute requires that those amendments to the Personnel Rules which are matters of public policy shall be adopted according to the Administrative Procedures Act. (Subsection (c), page 7, line 28) The current law entirely exempts the Personnel Rules from the APA.

For those rules which are not matters of public policy, the Committee Substitute maintains the current system of adoption, but adds that the Personnel Board may amend rules proposed to it (Subsection (f)). The Committee Substitute also requires that amended rules shall be published in the Administrative Code, (Subsection (h)).

Page 8
Line 19 ff

Section 13. Amending AS 39.25.150. SCOPE OF THE RULES.

This section remains basically the same as the current law with the following exceptions.

Page 10
Line 21

(15) no longer sets a limit of 30 days to a period of disciplinary suspension.

Page 10 (16) adds a requirement that the Personnel Rules
Line 25 include procedures for resolving disputes from the
general public.

Page 10 (19) sets out the provisions for veterans' preference
Line 29 in state employment in different form. The substance of
the preference is basically unchanged. The definition of
veteran is amended to require that an individual have
served 181 days in active service instead of the present
90 days. This is in conformance with federal veterans'
preference system. The definition of disabled veteran
is also changed slightly. It no longer requires that
an individual have a 10% service connected disability
but instead specifies that the individual be entitled
to compensation from the Veterans' Administration.

Page 12 (22) provides that the Personnel Rules shall include
Line 11 procedures for programs which may be set up to facilitate
the employment of disadvantaged persons and permits the
procedures to limit competition for hiring for those
programs.

Page 12 (24) adds a requirement that the Rules provide for
Line 17 assistance in finding work to partially exempt or exempt
employees whose positions are moved into the classified
service. Classified employees must pass examinations to
be hired. Exempt and partially exempt employees do not
have to meet these merit system standards and may be
unable to qualify for the positions which they previously
held.

Page 12 Section 14. Amending AS 39.25.153. PERSONNEL OFFICERS.
Line 23 ff Subsection (a) provides that all personnel officers
shall be employees of the department in which they
serve.

Subsection (b) amends the powers granted to the
personnel officers listed in the statute. These powers
have never been exercised. They are retained in limited
form by the Committee Substitute.

Page 13 Section 15. Amending AS 39.25.160. GENERALLY.
Line 18

Most of this section remains unchanged. The following
subsections have been amended.

Page 13
Line 26

Subsection (c) extends protection from being required to make a political contribution to all state employees. The current law protects only classified employees.

Page 14
Line 2

Subsection (e) adds a requirement that partially exempt employees resign from state employment when seeking political office. The subsection also clarifies when the employee's position becomes vacant.

Page 14
Line 8

Subsection (f) extends protection from unlawful discrimination to all state employees and applicants for state service. The current law is limited to members of the classified service.

Page 15
Line 1 ff

Section 16. Amending A: 39.25.170. HEARINGS AND APPEALS UPON DISMISSAL, DEMOTION OR SUSPENSION.

This section changes the statutes to reflect caselaw and adds that employees in the executive branch of state government who have been unlawfully discriminated against may appeal to the Personnel Board. The current law limits the protection of the State Personnel Act and the scope of appeals to the Personnel Board to members of the classified service. (Subsection (c)).

The Committee Substitute provides in Subsection (i) that executive branch employees who the Personnel Board finds have been unlawfully discriminated against will be reinstated without loss of pay. This remedy is currently available only to classified employees. The Committee Substitute adds that the decision of the Personnel Board may be appealed to the Superior Court.

TBC:lmk

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

POUCH C
JUNEAU, ALASKA 99811

465-2200

April 20, 1982

Honorable Ray Metcalfe
Chairman, House State Affairs Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

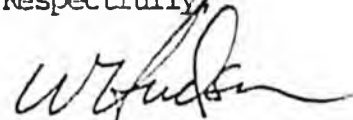
Dear Mr. Chairman:

CSSB 193 (Jud) am, amending the State's personnel laws, has been referred to your committee. We request that you make the following changes:

1. Delete Sec. 39.25.120(17)
2. Delete Section 12
3. Add to Sec. 39.25.150(5)
(;) including preference for local residents under appropriate circumstances;
4. Delete Section 16

Your consideration of these changes is greatly appreciated.

Respectfully



W. R. Hudson
Commissioner

WRH/mjc

cc: Honorable Ramona Earnes
Chairwoman, House Judiciary
Committee

Keith Specking
Legislative Assistant
Office of the Governor

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS SB 193 (Jud)
 Title An Act amending state personnel laws; and an effective date
 Requested by _____ Date 04-16-82

II. FISCAL DETAIL

Agency Affected Administration
 Program Category Affected Personnel
 BRU, Program, Or Subprogram(s) Affected Personnel, Personnel Board
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		42.2	22.6	24.2	25.8	27.7
200 TRAVEL		7.6	6.9	7.5	8.3	9.1
300 CONTRACTUAL		26.7				
400 COMMODITIES		.6	.6	.7	.8	.8
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		76.6	30.1	32.4	35.7	37.6

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		76.6	30.1	32.4	35.7	37.6
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		1	0	0	0	0
PART TIME		0	1	1	1	1
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Section 12 of CS SB 913 (Jud) am provides for adoption of amendments to the Personnel Rules that concern public policy under the Administrative Procedures Act, and for amended Rules (including those not concerning public policy) to be published in the Alaska Administrative Register and Code. CS SB 193 (Jud) am makes several minor changes to the Personnel Act that will require amending the Personnel Rules. The major costs for FY 83 are:

- 1) contracting with the Department of Law for an attorney for four months to:
 - rewrite the current Personnel Rules to AAC standards
 - draft amendments incorporating changes in the Personnel Act

IV. DATE 04-16-82 PREPARED BY Michael P. McMullen
 AGENCY Administration - Division of Personnel
 Original: Legislative Finance PHONE 465-4430
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

FICAL NOTE continued

- modify amendments based on hearings
- file the amended rules with the Lt. Governor
- compile a Personnel Act - Personnel Rules cross-reference
- identify forms needing revision to reference the appropriate AAC provisions instead of the former rule
- Revise Administrative Manual and Operating Procedures to properly reference revised Personnel rules

(\$19.2 Thous.)

- 2) Personal Services to employ Regulations Specialist to revise existing procedures, manuals, forms and letters to properly cite revised Personnel rules. Position would be half-time after first year. (\$42.2 Thous.)
- 3) travel and per diem for attorney and the Personnel Board for two hearings to adopt the rules and amendments as Code. (\$2.8 Thous.)
- 4) public notice of the hearings and proposed amendments. (\$.6 Thous.)
- 5) typing of drafts, revision and filing version. (\$2.0 Thous.)
- 6) printing of forms incorporating AAC references. (\$1.0 Thous.)

In subsequent years, one two-day hearings by the Personnel Board to adopt amendments is budgeted. Travel is inflated 10% annually and public notice costs at 8%. Personal Services inflated at 7% per year.

Section 13 of CS SB 193 (Jud) am contains a significant change in the definition and preference accorded to veterans. In addition to the need to amend the Personnel Rules accordingly, there is a need to incorporate the new provision in the automated Applicant Tracking System. This one time contractual service cost is estimated at \$4 thousand.

Section 16 of CS SB 193 (Jud) am duplicates AS 18.80 providing hearing and appeal rights to partially exempt and exempt employees of the Executive Branch for actions allegedly in violation of the employees' Civil Rights. It is assumed that these employees will file appeals in the same proportion to their numbers as other executive branch employees file complaints under AS 18.80 for the same actions. Each will require a two day hearing before the Personnel Board. Travel and per diem costs for FY 83 are \$4.8 thousand. They are inflated 10% annually. On this basis, four complaints per year are projected. Each complaint will require two days of Personnel Board business.

5/C11/01