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Alaska State Legislature

Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

Senate State Affairs Committee Minutes

Feb. 4, 1982

Members Present: Sen. Vic Fischer, Chair
Sen. Mike Colletta
Sen. Brad Bradley
Sen. Terry Stimson

Committee meeting on: Recruiting professionals from administrative agencies for temporary legislative staff assignments (no specific legislation)

WITNESS REGISTER

M. R. Charney, Executive Director
Legislative Affairs Agency
Pouch Y
Juneau, Alaska 99811

Kenneth Kareen, Director
Div. of Personnel, Dept. of Administration
Pouch C
Juneau, Alaska 99811

Gordon Harrison, private consultant
3284 Fritz Cove Road
Juneau, Alaska 99803

PREVIOUS ACTION

No specific legislation under consideration, no previous action, no statutory references.

ACTION NARRATIVE

Cassette #

- 000 Senator Fischer, Chair, opened the meeting at 1:45 p.m. with members Sen. Bradley and Sen. Stimson present.
- 010 Sen. Fischer turned the meeting over to Senator Stimson. Sen. Stimson provided all committee members with a copy of a memo prepared for him by Gordon Harrison on the subject of recruiting professionals from administrative agencies for temporary legislative staff assignments. Sen. Stimson has been exploring this concept for a while, and last year tried to analyze ways to involve the university in the legislative process. He is interested in the concept of establishing a research agency with some use of a university personnel "loan" program. Gordon Harrison worked on this project for Sen.

Stimson, developing the concept and expanding it to include personnel from state agencies.

The purpose of the committee meeting is to take the concept and discuss alternatives for implementing it, examining the practical problems and isolate any obstacles which have prevented the use of additional professional expertise in the legislative process.

050 Gordon Harrison spoke to the committee members, stating that he had been asked by Sen. Stimson to take a look at the concept of acquiring expertise through the university. He spoke of "intergovernmental mobility assignments", the program used to allow exchange of professional expertise between the state and federal governments. Gordon suggested that perhaps no change in personnel rules would be required to permit this flexibility. Perhaps some agency could act as a clearing house for facilitating agency persons participating in the legislative process. Originally Gordon worked with the idea that a person would retain their position with the agency employing them (as it is done in the case of the state-federal program) and retain their usual salary while working with the legislature. If the person were to take leave with out pay, and receive legislative pay, the program might not be able to attract persons high in the agency, such as Deputy Commissioners, etc. If it is decided that this "loan" concept is a worthwhile one, it remains to be determined what arrangements would be made for compensation, and what conditions govern persons in the classified service vs. the exempt and partially exempt categories.

130 Sen. Fischer noted the arrival of Sen. Colletta and stated for the record that no further formal action would take place this day. The group gathered around the table for an informal discussion of the proposal.

(See attached memorandums.)

MEMORANDUM*Revised 2/5/82*

TO: Senator Terry Stimson.

FROM: Gordon Harrison

DATE January 26, 1982

SUBJECT: Recruiting Professionals from Administrative Agencies for
Temporary Legislative Staff Assignments

Introduction

You requested that I inquire into the possibility of legislators recruiting temporary professional staff from the ranks or permanent administrative agency personnel, including University of Alaska faculty. If this were possible, it would greatly increase the pool from which legislators could seek staff with specific professional expertise.

Current state personnel rules permit this type of temporary staff re-assignment by means of a leave of absence. Thus, it seems that a formal legislative professional staff loan program within state government could be implemented with little more than publicity. Some kind of legislative action or amendment to the personnel rules would be required if the legislature wanted to fashion a program that does not fit entirely within the present rules.

Concept of a Legislative Professional Staff Loan Program

The purpose of this program would be to expand the pool of people from which legislators might seek professional staff for a specified, limited period of time. Presumably, the person hired would be given special assignments within the area of his or her expertise.

Leaves of absence would have to be negotiated on a case-by-case basis. The supervisor of someone who is interested in working temporarily with the legislature and who has a job offer may decide that the person cannot be spared from his or her present position. In cases where a leave is feasible, however, there are potential benefits to both the

Revised

Sen. Stimson
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rev. 2/2/82

agency and the legislature: employees of the former may gain perspective on the legislative process and legislators may acquire professional assistance as well as perspective on the administrative dimension of the laws they enact.

Leave of Absence

Personnel rule 10 07.0 states:

Leave of Absence to Accept an Exempt or Partially Exempt Appointment

An appointing authority may grant a leave of absence without pay to a permanent employee in the classified service to permit the employee to accept an appointive position in the exempt or partially exempt service. Such leaves shall be deemed to be in effect unless both the employee and the Director of Personnel receive written notice to the contrary prior to the employee leaving his classified position. If such authorized leave may be expected to have a duration in excess of six months, the vacancy created may be filled by a substitute appointment under Rule 5 05.0.

This rule was apparently intended to make it possible for administrators to accept positions within an administration (e.g. commissioner) without losing claim to their former jobs when the political appointment ends.

The person taking leave does so without pay and receives the pay and benefits of the new job.

Cost Implications

There are no cost implications of the proposed program because the legislature would pay the "loaned" person the existing scale for legislative staff work. No additional staff positions would need to be authorized.

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Precedents for this Program

I do not know of instances of people taking leave from agency positions for work with the legislature, although there may well be some. (I did not research the question.) Certainly it does not appear to be a common occurrence, and I doubt that many legislators or state employees are aware of the opportunity created by the personnel rules.

According to Ms. Cindy Simmon, an expert on state legislative staffing with the National Council of State Legislatures, no other state has a formal program like the one proposed here.

I think the idea represents a significant legislative innovation, and if the program is adopted in some form I recommend that it be evaluated (frequency of use, areas of expertise involved, assessment of the value of the program by participants, etc.) so other states can benefit from Alaska's experience.

SENATOR
TERRY STIMSON
POUCH V
JUNEAU, ALASKA 99811



WHILE IN ANCHORAGE
1610 E STREET
ANCHORAGE, ALASKA 99501

Senate

M E M O R A N D U M

TO: Members of the Senate Research Committee
Senator Jay Kerittula
Senator Pat. Rodey
Senator Ed Dankworth
Senator Don Bennett
Senator Arliss Sturgelewski

FROM: Senator Terry ~~Stimson~~ *T*

SUBJECT: Senate Research Agency

As you analyze the most effective procedures for establishing a Senate Research Agency I would like to make a suggestion.

It's essential that the Senate Research Agency be comprised of highly knowledgeable people extremely competent in their respective disciplines. To meet this end, I would suggest that you give careful thought to the possibility of identifying University of Alaska faculty that might be available on a leave or sabbatical basis.

It's conceivable that the University of Alaska might consider jointly funding such faculty members.

Difficulties may exist in the limited time available to make the necessary arrangements. I'm optimistic that the University of Alaska would be cooperative and could cut through any bureaucratic boondoggles.

Using University staff seems to serve several ends; the staff member will have an in-depth technical knowledge permeated with currently related theories and, assuming the selected individual has been in Alaska for awhile, an Alaskan perspective will be an integral component of their thinking.

It does appear that the research arm of the University would also offer likely candidates. Considering all University faculty, both teaching and researching staff, should offer the potential for in state expertise in a wide variety of subject areas, e.g., resource identification and development, economics, local government, Health and Social Services, education, etc.

This approach is not suggested as an inclusive procedure for staff identification.

Just a thought!



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

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

February 8, 1982

TO: Senator Bill Ray, Chairman

FROM: Teresa B. Cramer *TCramer*
Administrative Assistant

SUBJECT: Recruiting Professionals from the Executive
Branch and the University for Legislative
Assignments

The proposal is for a system to permit legislators to hire temporary professional staff from the Executive Branch and from the University of Alaska, particularly focused on persons with specific professional expertise. I spoke with the Personnel Officer for the University of Alaska, Juneau, and with the Director of the Division of Personnel for the Executive Branch. Both systems now permit employees to request leaves of absence for placements of this sort. No change in laws or regulations are needed before implementing this idea.

There are questions to be resolved before an employee of either system takes a leave of absence for a position with the Legislature. These are best resolved on a case-by-case basis. The questions involve the structuring of the relationship between the employee, his present employer, and the Legislature.

The first possibility is for individuals to remain employees of their current employer, retaining the salary, insurance coverage, retirement and leave benefits of their present position and accepting a temporary reassignment to the Legislature for the duration of the project. The Legislature would reimburse the employing agency for all the personnel costs during the reassignment period.

The second possibility is for the individual to take leave without pay from his or her present position and become a legislative employee, with the salary and benefits of that position. It might also be possible to blend these two alternatives so that an individual would accept the salary and leave benefits of legislative employment but retain employee status with the original employer for retirement and insurance purposes, for example. Each individual

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should consider what arrangement best provides for his or her own needs. This flexibility is desirable for the Legislature since by avoiding problems for the individuals, it may increase the pool of persons available to it.

Both agencies pointed out that it could be difficult for individuals to take leave from their current responsibilities during the legislative session. For the University, classroom assignments could preclude accepting short-term employment, although it is possible to hire substitute teachers if someone with the necessary skills is available. Since most of the University faculty members are on nine-month appointments, this problem would arise much less frequently if the proposal were for work during the summer. For the Executive Branch, persons with specific expertise may well be those people on whom the department and the Governor are relying to explain programs and proposals to the Legislature, making their replacement during the session much more difficult for the original employer. These difficulties would have to be addressed on a case-by-case basis.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 777
 Title An Act providing for a Legislative Professional Staff Loan Program
 Requested by Senator Victor Fischer Date March 30, 1982

II. FISCAL DETAIL

Agency Affected Administration
 Program Category Affected _____
 BRU, Program, Or Subprogram(s) Affected _____
 (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						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-				

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-					
FEDERAL FUNDS	-0-					
OTHER (Specify Source)	-0-					

POSITIONS -0-

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE March 29, 1982

PREPARED BY Senator Terry Stinson
 AGENCY State Senate
 PHONE 465-3702

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)