

COMMITTEE REPORT
SENATE

FURTHER:

2/13/84

Date 3/15/84

Mr. President

The Committee on FINANCE considered SB 307
state employment

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for _____
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Chairman _____

Chairman recommendation _____



From The
**SENATE
FINANCE COMMITTEE**

March 15, 1984

FILE NOTE -

Both Fiscal Notes accompanied
the bill when it came to Senate Finance.
The zero (0) note replaces the
1/16/84 note.

pk

STATE OF ALASKA 1984, LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: January 10, 1984
Page 1 of 2

REQUEST

Bill/Resolution No.: SB 387
Title: An act relating to state employment.

Sponsor: Rules by request of the Governor
Requestor: Senate State Affairs
Date of Request: January 9, 1984

FISCAL DETAIL

Agency Affected: All
Program Category Affected: All

BRI, Program of Subprogram(s) Affected:
All

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Personal Services appropriation in existing budgets.

ANALYSIS: Attach a separate page for any analysis

Prepared By: Frank Raye
Division: Personnel

Phone: 465-4430
Date: 2/10/84

Approved by Commissioner: Lisa Rudd
Department: ADMINISTRATION

Date: 2/10/84

4/BDGSF2/0111-09/FISCAL NOTE

Distribution:

Legislative Finance
Legislative Sponsor
Registrar
Office of Management and Budget
Impacted Agency(ies)

12/1/83

Senate Bill 387
Revised Fiscal Note Analysis
Prepared by Division of Personnel
Department of Administration

Date: January 10, 1984

Section 3 of this bill would extend the payment for unused banked medical leave upon death to employees not covered by collective bargaining. Only employees employed continuously since July 1, 1978 and not covered by a collective bargaining agreement, or employees who changed from collective bargaining coverage to coverage of this statute will be eligible. At present, there are only 264 employees to whom this change in statute would apply. The number is likely to decrease over time.

Data from the Division of Retirement and Benefits indicates a death rate among state employees of 1.4 per thousand per year. Therefore for the potentially eligible employees, the annual death rate is less than .4 employees per year. For purposes of calculation, one death per year is used.

The average hours of banked medical leave for potentially eligible employees is 207 hours. The average pay range is range 23.

The estimated annual costs are:

$$1 \text{ employee} \times 207 \text{ hours} \times \$25.66 \text{ per hour} = \$5,312.$$

The actual costs will be borne from existing budgets in a similar manner as payments for sick or terminal leave.

Section 2 of this bill has the potential of shifting the expense associated with use of personal leave to an earlier period. For example, an employee who might separate in FY86 and be paid for unused personal leave may donate leave to another employee who uses it in FY85. There is no net effect in the present value cost to the state for such transfers.

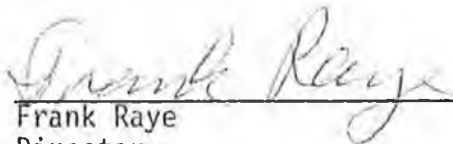
4/RDGSF2/0111-09/2

Senate Bill 387
Position Paper
Prepared by Division of Personnel
Department of Administration
February 7, 1984

SB 387 makes four changes to the Compensation and Allowances (AS 39.20) and State Personnel Act (AS 39.25). Section 1 relieves part-time officers and employees from the requirement to take five days of personal leave each year. Section 2 extends to all officers and employees covered by the statute the ability to donate accrued personal leave to another officer or employee for use for medical reasons. This ability is currently limited to employees of the legislature; however, most collective bargaining agreements contain such a provision. Section 3 provides for the payment of banked medical leave to the beneficiary upon an employee's death. Most employees are covered by this provision through collective bargaining agreements. Section 4 provides for publication in the Alaska Administrative Code of positions placed in the partially exempt service by the Personnel Board. There is no current means of notifying the public of such actions.

This bill was submitted by the Governor on the recommendation of this Department.

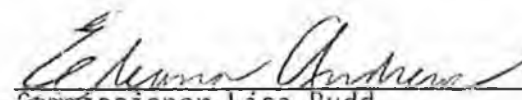
The Department of Administration supports this bill.



Frank Raye
Director
Division of Personnel
Department of Administration

2/8/84

Date



for Commissioner Lisa Rudd
Department of Administration

2/8/84

Date

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Frank Ray

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 387
Title: An act relating to state employment.

FISCAL DETAIL

Agency Affected: A11
Program Category Affected: A11

Sponsor: Rules by request of the Governor

Requestor: _____

Date of Request: _____

BRU, Program of Subprogram(s) Affected: A11

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES	5.3	5.3	5.3	5.3	5.3	5.3
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	5.3	5.3	5.3	5.3	5.3	5.3
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	5.3	5.3	5.3	5.3	5.3	5.3
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL	5.3	5.3	5.3	5.3	5.3	5.3

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Personal Services appropriation in existing budgets.

ANALYSIS: Attach a separate page for any analysis

Prepared By: Frank Raye *Frank Raye*
Division: Personnel

Phone: 465-4430
Date: 1/16/84

Approved by Commissioner: Lisa Rudd *Lisa Rudd*
Department: ADMINISTRATION

Date: 1/17/84

4/BD/FSF2/0111-09/FISCAL NOTE

Distribution:

- Legislative Finance
- Legislative Sponsor
- Registrar
- Office of Management and Budget
- Impacted Agency(ies)

Senate Bill 387
Fiscal Note Analysis
Prepared by Division of Personnel
Department of Administration

Date:

Section 3 of this bill would extend the payment for unused banked medical leave upon death to employees not covered by collective bargaining. Only employees employed continuously since July 1, 1978 and not covered by a collective bargaining agreement, or employees who change from collective bargaining coverage to coverage of this statute will be eligible. At present, there are only 264 employees to whom this change in statute would apply. The number is likely to decrease over time.

Data from the Division of Retirement and Benefits indicates a death rate among state employees of 1.4 per thousand per year. Therefore for the potentially eligible employees, the annual death rate is less than .4 employees per year. For purposes of calculation, one death per year is used.

The average hours of banked medical leave for potentially eligible employees is 207 hours. The average pay range is range 23.

The estimated annual costs are:

$$1 \text{ employee} \times 207 \text{ hours} \times \$25.66 \text{ per hour} = \$5,312.$$

While this fiscal note shows the \$5.3 thousand annual expense, the actual costs will be borne from existing budgets in a similar manner as payments for sick or terminal leave.

Section 2 of this bill has the potential of shifting the expense associated with use of personal leave to an earlier period. For example, an employee who might separate in FY86 and be paid for unused personal leave may donate leave to another employee who uses it in FY85. There is no net effect in the present value cost to the state for such transfers.

4/BDGSF2/0111-09/2

Introduced: 1/27/84
Referred: State Affairs and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 387

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state employment."

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

8 * Section 1. AS 39.20.225(c) is amended to read:

9 (c) Each officer and employee shall, during each 12-month per-
10 iod, take at least five days of personal leave. If the officer or
11 employee does not take at least five days of personal leave during a
12 12-month period, the difference between five days and the amount of
13 personal leave taken [HE DID TAKE] shall be cancelled without pay un-
14 less the officer's or employee's [HIS] department or agency head cer-
15 tifies in writing that the officer or employee [HE] was denied the
16 opportunity to take five days of personal leave during the 12-month
17 period. This subsection does not apply to part-time officers or em-
18 ployees.

19 * Sec. 2. AS 39.20.245(b) is amended to read:

20 (b) An officer or employee, [OF THE LEGISLATURE OR OF A LEGISLA-
21 TIVE AGENCY] with the approval of the person authorizing the employ-
22 ment, may donate accrued personal leave to another officer or employee
23 [OF THE LEGISLATURE OR OF A LEGISLATIVE AGENCY] only for use as leave
24 for medical reasons. The official responsible for [LEGISLATIVE] em-
25 ployee accounts shall debit the donor's personal leave account and
26 credit the donee's personal leave account, for medical reasons only,
27 by converting the donated leave into cash value at the donor's rate of
28 pay and reconvertng the cash value to hours of leave at the donee's
29 rate of pay. Leave donated under this subsection is not leave taken

1 by the donor for purposes of AS 39.20.225(c).

2 * Sec. 3. AS 39.20.256(f) is amended to read:

3 (f) Upon an officer's or employee's separation from state ser-
4 vice, [HIS] banked medical leave shall be cancelled without pay, un-
5 less separation is caused by the officer's or employee's death, in
6 which case banked medical leave shall be treated as unpaid compensa-
7 tion in accordance with AS 39.20.360.

8 * Section 4. AS 39.25.130 is amended by adding a new subsection to
9 read:

10 (d) The commissioner of administration shall submit to the
11 lieutenant governor for publication in the Alaska Administrative Code
12 (AS 44.62.130) a list of all positions to which the partially exempt
13 service is extended under (a) of this section. As changes in the list
14 are adopted, the commissioner shall submit that information to the
15 lieutenant governor for publication.

ALASKA STATE SENATE

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COMMITTEES
HEALTH, EDUCATION & SOCIAL SERVICES (CHAIR)
JUDICIARY (VICE CHAIR)
FINANCE
MAJORITY CAUCUS (CHAIR)

MEMORANDUM

TO: Senate Finance Committee
From: Senator Josephson
Re: SB 387 Leave Time for State Employees
Date: March 13, 1984

Sectional Analysis

- Section 1: Exempts part-time officers and employees from taking the mandatory five days of personal leave a year. Personal leave allows full time employees with a rest period so they can then return to work refreshed. Part-time employees do not need to take leave as often as full time employees and this section allows them to save up time to take when they need it.
- Section 2: Extends to all employees under A.S. 39.20 the ability to donate accrued personal leave to another employee for medical reasons. Currently the law applies only to legislative employees, and state employees covered by a collective bargaining agreement are allowed to donate leave. This section would allow all employees to donate leave.
- Section 3: Provides for the payment of banked medical leave to the beneficiary upon an employee's death for employee's not covered under collective bargaining. Currently, unused, banked sick leave is cancelled upon the separation from service of a state worker, regardless of the cause. Currently, state employees covered by a collective bargaining agreement are provided this benefit.

Section 4: Requires that positions placed by the personnel board in partially exempt service be published in the Alaska Administrative Code. No official, comprehensive list is currently published to inform the public of these positions.

Fiscal Information

The original fiscal note of 5.3 has been replaced with a zero fiscal note. Costs are borne by existing budgets.

State Affairs Committee Action

State Affairs Committee passed the bill out of committee on 2/9/84 with a zero fiscal note. Senators V. Fischer, Kelly, Sturgulewski, Rodey and Ray all signed "do pass."

Back up Materials Enclosed

A position paper and fiscal note from the Department of Administration, the Governor's letter of transmittal, State Affairs Committee report form, and copies of appropriate Alaska Statute pages.

(2) two and one-quarter days for each full monthly pay period in the case of officers and employees with two but less than five years of service;

(3) two and one-half days for each full monthly pay period in the case of officers and employees with five but less than 10 years of service;

(4) three days for each full monthly pay period in the case of officers and employees with 10 years or more service. (§ 11-5-6 a ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 10 ch 148 SLA 1976; am § 1 ch 136 SLA 1978)

Effect of amendments. — The 1976 amendment rewrote this section.

The 1978 amendment rewrote this section.

Cited in *State v. Worden*, 7 Alas. L.J. No. 9, p. 641 (Sept., 1969).

Am. Jur. 2d reference. — 63 Am. Jur. 2d, Public Officers and Employees, §§ 158, 403.

Sec. 39.20.210. Determining years of service. In determining years of service for the purpose of computing personal leave, all service with the Territory and State of Alaska is included. A change in the rate of accrual of personal leave by an officer or employee takes effect upon the beginning of the monthly pay period following the monthly pay period in which the officer or employee completes the prescribed period of service. (§ 11-5-6 b ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 2 ch 136 SLA 1978)

Effect of amendment. — The 1978 amendment substituted "personal leave" for "annual leave" in the first and second sentences.

Sec. 39.20.220. Requirement that employment be continuous. Notwithstanding AS 39.20.200, an officer or employee is entitled to personal leave only after having been employed currently for a continuous period of 30 days under one or more appointments without break in service. When an officer or employee completes a period of continuous employment of 30 days, an amount of personal leave is credited to him equal to the amount which, but for this section, would have accrued under AS 39.20.200 during the period. (§ 11-5-6 c ACLA 1949; am § 1 ch 182 SLA 1957; am § 1 ch 145 SLA 1960; am § 3 ch 136 SLA 1978)

Effect of amendment. — The 1978 amendment substituted "personal leave" for "annual leave" and "30 days" for "90 days" in the first and second sentences.

Sec. 39.20.225. Use of personal leave. (a) An officer or employee may take personal leave at any time business permits upon permission by the head of the department or agency for which he works.

(b) An officer or employee may take personal leave for medical reasons, regardless of whether business permits, upon permission by the head of the department or agency for which he works. A

department or agency head shall grant personal leave for medical reasons if he is satisfied that the officer or employee is absent for medical reasons. The taking of personal leave for medical reasons shall be reduced by the amount of wage continuation payments made under the Alaska Workers' Compensation Act (AS 23.30). The following constitute "medical reasons" and are subject to the conditions noted.

(1) Medical disability of an officer or employee is a medical reason for taking personal leave. A department or agency head may require a doctor's certificate showing the disability if the absence exceeds three consecutive working days.

(2) Medical disability of a member of an officer's or employee's immediate family is a medical reason for taking personal leave if the disability is such that the attendance of the officer or employee is required. A department or agency head may require a doctor's certificate showing the disability if the absence exceeds three consecutive working days.

(3) A medical condition of an officer or employee which makes his presence at work a danger to the health of his fellow employees is a medical reason for taking personal leave. A department or agency head may require a doctor's certificate showing the condition if the absence exceeds three consecutive working days.

(4) Pregnancy and childbirth is a medical reason for a female officer or employee to take personal leave. A female officer or employee, otherwise qualified for a leave of absence, is entitled to take a maximum of nine weeks leave immediately preceding and following childbirth. If the officer's or employee's accrued personal leave is insufficient for this purpose, she is entitled to take leave without pay for the balance of the nine-week period.

(5) Death of a member of an officer's or employee's immediate family is a medical reason for taking personal leave. No more than five days of personal leave may be taken for this purpose.

(c) Each officer and employee shall, during each 12-month period, take at least five days of personal leave. If the officer or employee does not take at least five days of personal leave during a 12-month period, the difference between five days and the amount of personal leave he did take shall be cancelled without pay unless his department or agency head certifies in writing that he was denied the opportunity to take five days of personal leave during the 12-month period. (§ 4 ch 136 SLA 1978; am § 60 ch 94 SLA 1980)

Effect of amendment. — The 1980 amendment substituted "Workers' Compensation Act" for "Workmen's Compensation Act" in the introductory paragraph of subsection (b).

Sec. 39.20.230. When annual leave may be taken.

Repealed by § 15 ch 136 SLA 1978.

Cross refer provisions cover the repealed sec

Sec. 39.20 provided in officer or em succeeding 1: SLA 1957; ar ch 31 SLA 19

Effect of am amendment rew:

Sec. 39.20. employee ma memorial sch in the fund, administratio revolving loa equal to the v the officer or c am § 6 ch 13

Effect of am amendment subs "A state" in the :

Sec. 39.20. personal leav payment equ: have received the period of t employee sha a period of tir (b) If the o before the exp leave paymen leave paymen and the expir: him. The leav or employee b (c) The pay or compensati 1949; am § 1 c SLA 1978; am

Sec. 39.05.110. Definitions. In AS 39.05.010 — 39.05.110

(1) "confirmation" means confirmation or approval by the legislature of a name submitted for appointment to a position or membership;

(2) "position or membership" means an executive position or membership on a state board, commission, authority, council, or committee which by law requires appointment by the governor and confirmation by the legislature. (§ 2 ch 64 SLA 1955; am §§ 73, 74 ch 59 SLA 1982)

Effect of amendments. — The 1982 amendment deleted "or either house of the legislature" following "by the legislature" in paragraphs (1) and (2), and, deleted "or other appointing authority" following

"appointment by the governor" in paragraph (2).

Editor's notes. — AS 39.05.010, referred to in the introductory language, was repealed by § 29, ch. 208, SLA 1975.

Chapter 20. Compensation and Allowances.

Article

- 1. Salaries (§ 39.20.100)
- 3. Leaves of Absence (§§ 39.20.245, 39.20.310, 39.20.320, 39.20.340)

Article 1. Salaries.

Section

100. [Repealed]

Sec. 39.20.100. Fees, mileage or compensation.

Repealed by § 75 ch 59 SLA 1982.

Editor's notes. — The repealed section derived from § 11-3-9 ACLA 1949.

Article 3. Leaves of Absence.

Section

- 245. Donation of personal leave
- 310. Exceptions
- 320. Adoption of regulations

Section

- 340. Leave of absence for reserve or auxiliary members of armed forces

Sec. 39.20.245. Donation of personal leave. (a) An officer or employee may donate one or more days of personal leave a year to the memorial scholarship revolving loan fund, or to a scholarship account in the fund, under AS 14.43.250 — 14.43.325. The commissioner of administration shall pay to the account of the memorial scholarship revolving loan fund, or to a scholarship account in the fund, an amount equal to the value of the day or days of personal leave contributed by the officer or employee.

(b) An employee of the legislature or of a legislative agency with the approval of the person authorizing the employment may donate accrued personal leave to another employee of the legislature or of a

mentation of this chapter. (§ 2 ch 61 SLA 1982)

Sec. 47.90.050. State employment assistance. Contractors operating programs under AS 47.90.010 shall, to the maximum extent possible, provide displaced homemakers with assistance in qualifying on state employment registers under regulations of the commissioner. (§ 2 ch 61 SLA 1982)

Sec. 47.90.060. Regulations. The commissioner may adopt regulations to implement this chapter. (§ 2 ch 61 SLA 1982)

Sec. 47.90.070. Definitions. In this chapter

(1) "commissioner" means the commissioner of community and regional affairs;

(2) "displaced homemaker" means a person who

(A) has worked as a homemaker providing unsalaried services for the family for a period of at least seven years;

(B) faces a significant reduction in family income or support through divorce, death, separation, desertion, or disability; and

(C) has encountered difficulty in finding employment. (§ 2 ch 61 SLA 1982)

Ta

This table shows laws not codified in the temporary laws that repealed Co

A. cap. = amended Statutes; c. = chapter; first special session laws of

ACLA 1949

35-1-15

35-2-173

35-2-174

37-10-41

37-10-42

37-10-43

37-10-44

37-10-45

40-5-11

40-5-12

40-5-13

40-5-14(a)

40-5-14(b)

40-5-14(c)

40-5-14(d), (e)

40-5-14(f)

40-5-15

1949

c. 59, § 2

c. 59, § 5

c. 59, § 6

1953

c. 86, § 1

1955

c. 82, art. I, § 1

c. 82, art. I, § 2

c. 112, § 1

c. 112, § 2

c. 140, § 1

pay, time or efficiency rating on all days during which he or she is ordered to training duty, as distinguished from active duty, with troops or at field exercises, or for instruction, or when under direct military control in the performance of a search and rescue mission. The leave of absence may not exceed 16½ working days in any 12-month period. (§ 1 ch 49 SLA 1976)

Revisor's note. — Chapter 49, SLA 1976 changed "12-month period" back to "calendar year" in the last sentence of subsection (a). As this change was the result of drafting error, "12-month period" has been retained.

Effect of amendment. — The 1976

amendment, in subsection (a), inserted "or auxiliary" following "member of a reserve" and "or she" following "during which he" near the middle of the first sentence and added "or when under direct military control in the performance of a search and rescue mission" to the end of that sentence.

Sec. 39.20.350. Restoration of reserve members to former positions. A member of a reserve component of the United States Armed Forces employed by the state, or a political subdivision or a municipal corporation with the approval of the city council who is ordered to duty by proper authority, shall, when relieved from duty, be restored to the position held by him when ordered to duty. (§ 2 ch 20 SLA 1951)

Article 4. Payments Due to Deceased State Employees.

Section	Section
360. Order of payment	390. Employees to be informed
370. Inapplicability of provisions to certain benefits, funds, or interest	400. Definitions
380. Change or revocation of designation	

Sec. 39.20.360. Order of payment. All unpaid compensation due to a deceased employee of the state at the time of his death shall be paid to the person or persons surviving at the date of death, in the following order of precedence, and the payment is a bar to recovery by any other person of amounts so paid:

- (1) to the beneficiary or beneficiaries designated by the employee in writing to receive the compensation filed with Department of Administration at the time of his death; if he designates more than one beneficiary, each shall share equally unless he specifies a different allocation or preference;
- (2) if there is no beneficiary designated, to his surviving spouse;
- (3) if there is no beneficiary or surviving spouse, to his child or children and descendants of deceased children by representation;
- (4) if none of the above, to his parents, or the survivor of them;
- (5) if none of the above, to the legal representative of his estate, or if there is none, to the person determined to be entitled under the laws of his domicile. (§ 1 ch 72 SLA 1964)

Sec. 39.20.370. benefits, funds to any benefit, re Retirement Syst the disposition o (§ 1 ch 72 SLA

Cross reference. Employees' Retirement 39.35.

Sec. 39.20.380. employee may ch at any time with with the Depart:

Sec. 39.20.390. shall inform its e SLA 1964)

Sec. 39.20.400. (1) "unpaid co: other compensati the state; (2) "employee" compensation fro

Chapt

Section 10-130. [Repealed]

Secs. 39.23.01 Repealed by §

Editor's note. — 7 derived from § 1, ch. 80, SLA 1978.

Ch:

- Article
- 1. Administration (39.25.080)
 - 2. Coverage of Pers — 39.25.130)
 - 3. Personnel Rules (39.25.155)
 - 4. Prohibitions (§ 39

Sec. 39.25.130. Extension of partially exempt and classified services. (a) After June 30, 1961, the personnel board, upon written recommendation of the commissioner of administration, may extend the partially exempt service to include any position which was in the classified service on April 19, 1960, which, in the judgment of the board:

- (1) involves principal responsibility for the determination of policy;
- (2) involves principal responsibility for the way in which policies are carried out; or
- (3) involves responsibilities and duties of a type not susceptible to the ordinary recruiting and examining procedures.

(b) No positions may be included in the partially exempt service under this section if the inclusion is inconsistent with federal requirements for state agencies supported in whole or in part by federal funds.

(c) After June 30, 1961, the personnel board, upon written recommendation of the commissioner of administration, may extend the classified service to include any position which was in the partially exempt service on April 19, 1960. (§ 7 ch 144 SLA 1960)

Cited in *Haffling v. Inlandboatmen's Union*, Sup. Ct. Op. No. 1743 (File No. 3438), 585 P.2d 870 (1978).

Article 3. Personnel Rules.

Section

- 140. Amendment of personnel rules
- 150. Scope of rules
- 153. Personnel rules for certain departments
- 155. Vocational substitution program

Sec. 39.25.140. Amendment of personnel rules. (a) The director of personnel shall prepare and submit to the commissioner of administration any proposed amendments to the personnel rules for all positions and employees subject to this chapter.

(b) The commissioner of administration shall review the amendments and submit them to the personnel board.

(c) At the time he submits the amendments to the personnel board, the commissioner of administration shall, by posting in public buildings throughout the state, give notice that the personnel board has the amendments under consideration. The amendments have the effect of law 30 days after they are submitted to the personnel board if not disapproved by the personnel board. The personnel board, if requested, may hold public hearings on the amendments.

(d) The rules may provide for exemptions and modifications which are necessary to assure the continuity of federal grants to agencies supported in whole or in part by federal contributions.

COMMITTEE REPORT

SENATE

FURTHER: FINANCE

1/27/84

Date: 2/9/84

Mr. President:

The Committee on STATE AFFAIRS has had SB 387

relating to state employment.

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ 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

Tom Kelli
William Stuberly
Phil Reddy
Eric Ray

MEMBERS HAVING
OTHER RECOMMENDATIONS:

_____ *fiscal note* _____

zld

V. Fischer
 CHAIRMAN

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

SB387

January 27, 1984

The Honorable Jalmar Kerttula
President of the Senate
Pouch V
Juneau, AK 99811

Dear Senator Kerttula:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to state employment. The bill would also amend the state's leave statutes in three respects, affecting state officers and employees who are not covered by a collective bargaining agreement (see the current AS 39.20.310(9) which is not being amended by this bill).

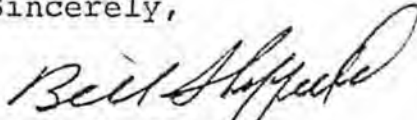
Section 1 of the bill addresses the requirement that nearly all state officers and employees take at least five days of personal leave per year. See AS 39.20.225(c). The amendment would exempt part-time employees from that requirement.

Section 2 amends state law concerning the donation of sick leave by one state worker for use by another. Currently, the law speaks only to legislative employees. See AS 39.-20.245(b). The amendment would allow the same charitable act to be accomplished by executive and judicial branch workers. State employees covered by a collective bargaining agreement are already allowed to donate sick leave in this same manner.

Section 3 allows the beneficiary of a state worker who dies to collect the monetary equivalent of the decedent's unused, banked sick leave. Currently, unused, banked sick leave is cancelled upon the separation from service of a state worker, regardless of the cause. See AS 39.20.-256(f). Currently, state employees covered by a collective bargaining agreement are provided this benefit.

Section 4 requires the commissioner of administration to submit to the lieutenant governor for publication in the Alaska Administrative Code a list of all positions to which the partially exempt service has been extended by the personnel board under AS 39.25.130. No official, comprehensive list is currently published to inform the public of which positions are included in the partially exempt service.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Sheffield".

Bill Sheffield
Governor

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

Page 1 of 2

REQUEST

Bill/Resolution No.: SB
Title: An act relating to state employment.

FISCAL DETAIL

Agency Affected: A11
Program Category Affected: A11

Sponsor: Rules by request of the Governor
Requestor: _____
Date of Request: _____

BRU, Program of Subprogram(s) Affected:
A11

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES	5.3	5.3	5.3	5.3	5.3	5.3
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	5.3	5.3	5.3	5.3	5.3	5.3
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	5.3	5.3	5.3	5.3	5.3	5.3
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL	5.3	5.3	5.3	5.3	5.3	5.3

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Personal Services appropriation in existing budgets.

ANALYSIS: Attach a separate page for any analysis

Prepared By: Frank Rave *Frank Rave* Phone: 465-4430
Division: Personnel Date: 1/16/84

Approved by: Commissioner Lisa Pudd *Lisa Pudd* Date: 1/17/84
Department: ADMINISTRATION

4/BDFS2/0111-09/FISCAL NOTE

Distribution:

Legislative Finance
Legislative Sponsor
Registrar
Office of Management and Budget
Impacted Agency(ies)

12/1/83

Senate Bill
Fiscal Note Analysis
Prepared by Division of Personnel
Department of Administration

Date:

Section 3 of this bill would extend the payment for unused banked medical leave upon death to employees not covered by collective bargaining. Only employees employed continuously since July 1, 1978 and not covered by a collective bargaining agreement, or employees who change from collective bargaining coverage to coverage of this statute will be eligible. At present, there are only 264 employees to whom this change in statute would apply. The number is likely to decrease over time.

Data from the Division of Retirement and Benefits indicates a death rate among state employees of 1.4 per thousand per year. Therefore for the potentially eligible employees, the annual death rate is less than .4 employees per year. For purposes of calculation, one death per year is used.

The average hours of banked medical leave for potentially eligible employees is 207 hours. The average pay range is range 23.

The estimated annual costs are:

$$1 \text{ employee} \times 207 \text{ hours} \times \$25.66 \text{ per hour} = \$5,312.$$

While this fiscal note shows the \$5.3 thousand annual expense, the actual costs will be borne from existing budgets in a similar manner as payments for sick or terminal leave.

Section 2 of this bill has the potential of shifting the expense associated with use of personal leave to an earlier period. For example, an employee who might separate in FY86 and be paid for unused personal leave may donate leave to another employee who uses it in FY85. There is no net effect in the present value cost to the state for such transfers.

4/BDGSF?/0111-09/2

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: January 10, 1984
Page 1 of 2

REQUEST
Bill/Resolution No.: SB 387
Title: An act relating to state employment.

FISCAL DETAIL
Agency Affected: All
Program Category Affected: All

Sponsor: Rules by request of the Governor
Requestor: Senate State Affairs
Date of Request: January 9, 1984

BRII, Program of Subprogram(s) Affected:
All

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Personal Services appropriation in existing budgets.

ANALYSIS: Attach a separate page for any analysis

Prepared By: Frank Rave *Frank Rave*
Division: Personnel

Phone: 465-4430
Date: 2/10/84

Approved by Commissioner: Lisa Rudd *Lisa Rudd*
Department: ADMINISTRATION

Date: 2-10-84

4/BDGSF2/0111-09/FISCAL NOTE

Distribution:
Legislative Finance
Legislative Sponsor
Registrar
Office of Management and Budget
Impacted Agency(ies)

12/1/83

Senate Bill 387
Revised Fiscal Note Analysis
Prepared by Division of Personnel
Department of Administration

Date: January 10, 1984

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4/RDGSF2/0111-09/2