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**Alaska
Troopers Chapter**

Public Safety Employees Association, Inc.
"Representing Alaska's Finest"

P.O. Box 92624, Anchorage, AK 99509-2624

(907) 276-6464



**Airport Safety
Officers Chapter**

March 11, 1991

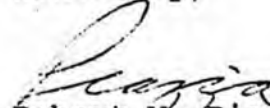
Senator Jim Duncan
Mail Stop 3100
P.O. Box V
Juneau, AK 99811

Dear Senator Duncan:

Senate Bill No. 135 provides for the appointment of the Director of Personnel by the Personnel Board rather than by the Commissioner of Administration. In addition the bill increases the requirement for more professional experience. Our Association strongly believes this change would bring better continuity and professionalism to the State while lessening the impact of political change.

These changes could instill a more responsible personnel policy hopefully resulting in a fiscally stable relationship with employees. Such could only benefit the State. We urge your support in passing such beneficial legislation.

Sincerely,


Robert M. Piazza
Business Manager

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. SB 135

Revision Date: _____
Title: State personnel system and membership of PERS Board.

Department Affected: Administration
BRU: Personnel
Component: Personnel

Sponsor: Duncan
Requestor: Senate State Affairs

COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL	3.3	6.7	6.7	6.7	6.7	6.7
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	3.3	6.7	6.7	6.7	6.7	6.7

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	3.3	6.7	6.7	6.7	6.7	6.7
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.)

This bill is effective January 1, 1992, or mid way through FY 92. The added costs are for two additional members on the Personnel Board. We assume four meetings of the Board per year and that the new members will have to travel for the meetings.

Prepared by: David K. F. Otto *Richard P. Du Zuelha*
Division: Personnel

Phone: 465-4430
Date: 2/28/91

Approved by Commissioner: Millett Keller *Millett Keller*
Agency: Administration

Date: 3/1/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

TESTIMONY BY DIANA DESIMONE ON SB 135
March 1, 1991 - Senate State Affairs Committee

Senator Duncan asked me to comment on this piece of legislation, and I can't tell you how much I've wanted to do so, simply because it's a wonderful way of contacting old friends, too. You've probably seen me testify before you a few years ago when I was director of personnel.

In my mind, the issue before you is how to provide not just the insulation for the merit system, but also accountability to the public, because I believe in my many years I found that what we do with that public input is crucial. A board appointed director, of course, would have this kind of direct input. I recall an intense public interest in how public employment was gained from my many years in Alaska, and I would be surprised if that interest has changed in the short time since I've left.

Although Mr. McMullen is correct in that many of the rules are only dealing with employees, I believe that the issue to the public is in how to get public jobs, and the merit system appointments is what I think is a crucial area that you need to be dealing with.

Unfortunately, or maybe fortunately, the public doesn't have a single interest, or a single preference in any one employment process, and employees, non-employees all have different needs and interests. And those differences, believe me, are not easy to reconcile with each other. I have spent

many of my years trying to reconcile and trying to get a balance to that, and input from only source is not going to help to get that balance.

One of the things that a board-appointed director would provide is the representation and the direction over a long period of time. I have to say that I was the beneficiary of two different methods of selecting people in the merit system. I spent many years in the classified service and then I got what might have been considered political appointments to the highest position in the Division of Personnel, so I'm certainly not having any axe to grind about what has gone on before, but I also know that the public input was always a difficult area to integrate with all of the directions from above. It isn't always only the direction from the top political appointee. There are just too many interesting concerns that need to be taken into account.

I also want to say that the Personnel Board is not a new board -- you're not looking adding a board; it has existed for decades. And the board has seen, not just the development of the merit system, but the advent of collective bargaining, many changes of administration, and all the changes associated with the Civil Rights Act and Supreme Court decisions related to employment. I found that the board is not only dedicated and objective, but it hasn't been afraid to tackle difficult issues. We're not dealing with a new board here. We're dealing with - even though the people may be different - a

very experienced and historically active board.

I also strongly support increasing the experience required, and defining that it is professional personnel experience. I've had a 17-year perspective on this issue, and I can testify to the increasing complexity of public personnel management over those years. The Federal Government, both through laws and court decisions, has made this area ever changing, and particularly the area of employee selection, which is really the thrust that I'm trying to give in my testimony. I think that is a critical area in terms of personnel management as it relates to the public. Alaska has not been exempt from these issues, to the contrary, the Wards Cove decision, the recent decision was one of the pivotal Supreme Court decisions in changing decades of civil rights decisions, and that came out of Southeast Alaska.

The director, I believe, must have the professional experience to identify the areas that are changing, that need to change, and to implement those changes upon the approval of the board or of whatever body is making the approval on those changes.

I worked for many years with three-member boards, and I was amazed that they were able to accomplish the work that they had - not with just the Personnel Board, but also as the labor relations agency and as the core group of the Retirement Board. A five-member board would not only allow for additional representation of groups that may through chance

alone not be able to be represented in a three-member board, but would also allow some sharing of what has turned out to be a very heavy work load with the extreme complexity of personnel management. So I support that recommendation as well the added requirement that the board members have demonstrated an interest in personnel management issues. I don't think its a board where you can have a trainee capacity in terms of learning what is important.

And finally, the issue of public hearings, I think, is critical. It may take a little bit extra time and money, but I think in the many years I've been in personnel was that if you don't have that, you spend a lot more money and time trying to clean up after the changes you need to do because you haven't taken those ideas and concerns into account to begin with.

I'd be happy to answer any questions you have.

TESTIMONY BY GREG O'CLARAY ON SB 135
March 1, 1991 - Senate State Affairs Committee

Senator Rodey, Senator Pourchot, I'm here today representing the affiliate of the Marine Engineers, the Confidential Employees Association. This particular bill is one that they showed some interest in last year, and I'm here today to testify in favor of this bill.

The Confidential Employees represent primarily people that work with the personnel and within the personnel system. Generally, I think the critical area here is not so much issues of collective bargaining or issues of wages or working conditions for state employees with respect to how the director of personnel interacts. It's with respect to classification, opening registers and hiring practices. This organization that works more closely than any other group of employees with the personnel system itself and the director of personnel is supporting the bill on the basis of further insulating the director of personnel from the political process, and it is seen by that group as a very positive step, in addition to the expansion of the board, to get a broader cross-section of Alaskans involved in the public employment system.

TESTIMONY BY BRUCE LUDWIG ON SB 135
March 1, 1991 - Senate State Affairs Committee

Mr. Chairman, Senator Pourchot. My name is Bruce Ludwig and I'm the business manager for the Alaska Public Employees Association, and we support this bill.

We believe that the personnel system used to have credibility with labor. There was a time when the director of personnel was a classified employee for that purpose of insulating from political involvement and political pressure. And that remained, even after he became a partially exempt employee. In somewhere about 1982 or 1983, that started to change and politics got to be a lot more involved in the whole process. It got to the point where even deputy directors for administrative services were being put in the PX service and that was being upheld by the Personnel Board. There wasn't that scrutiny being put over by the Division of Personnel that used to be when the director was classified.

In 1987, when state employees were locked in a labor dispute with Governor Cowper, they used the Personnel Board as a whipping boy to get the unions in line. They went into the Personnel Board before they had any contracts and set a 40-hour work week to get the Personnel Board to change the work week in the personnel rules. I thought it was interesting when Mr. McMullen testified about the interaction between personnel and labor relations and why it's important to have those two functions together. We have a suit going

on right now before the Supreme Court on the bargainability of classification rates, whether a clerk typist III makes \$8 an hour or \$9 an hour. Now that's something that in common sense tells you that that's a bargainable issue. Our labor relations agency, and it was upheld by Superior Court, said, "No, that's not a bargainable issue, because the Division of Personnel has the responsibility of classified employees." And that's on appeal to the Supreme Court, but the Superior Court upheld that position. So it's even more critical to have an insulated system of setting rates and doing annual salary surveys to come up with those when you're not allowed to really bargain your wage rates like the law leads you to believe.

The current Personnel Board is a reactive group. When Governor Cowper came in with the 40-hour work week, they didn't have the option of saying, "No, you know we could do 35 hours, or we'd go 39-1/2 hours." They can only approve or deny what the Commissioner of Administration gives them. They've got no authority at all to make any changes, even a comma. You know, it's either approved or denied.

It's also interesting that the administration is opposing this bill, because when Governor Hickel ran for governor in 1966, one of his major campaign platforms was the creation of a civil service commission. And if it was a good idea then, it's probably a good idea now, and we'd ask you support the bill.

TESTIMONY BY BUDDY MAUPIN ON SB 135
March 1, 1991 - Senate State Affairs Committee

Just a couple of brief comments. I'm Buddy Maupin, Business Manager of AFSCME Local 52, 8,500 members in the general government unit.

I think Bruce Ludwig said it best, and I just want to echo our support for this bill. We supported it last year and we would like to see it enacted this year. We think that it would improve the quality of public service. It would depoliticize the work of classified employees, and it's good public policy. Our organization supports it.

Thank you.



Official Business

COMMITTEE:

SENATE STATE AFFAIRS

DATE: 3/1/91

SIGN-IN

Subject of meeting:

SB 135 PERSONNEL BOARDS/PERSONNEL OFFICERS

PLEASE PRINT!

NAME ADDRESS (MAILING) & (ZIP) PHONE REPRESENTING DO YOU WANT TO TESTIFY?

Bruce Ludwig	340 N. FRANKLIN ST, JUNO	586-2334	APEA/AFT	YES
Greg O'Clair	124 FRONT ST JUNO	586-6040	CEA/NEBA	YES
Pete Duncan For Sen. Duncan	CAPITOL - RM 119	5-4766	SEN. DUNCAN	YES
Mike McMullen	BOX C JUNEAU AK 99811	465-4430	Dept. of Admin	Yes
Bruce Cummings	BOX C-0220, JUNEAU 99811	465-4403	Admin/Union Relations	If ?'s

Alaska State Legislature




SENATOR JIM DUNCAN

P. O. Box V JUNEAU, ALASKA 99811-3100

(907) 465-4766

COMMITTEES:
FINANCE
VICE CHAIR —
HEALTH EDUCATION
& SOCIAL SERVICES
BUDGET & AUDIT
BANKING &
ECONOMIC
DEVELOPMENT

To: Senator Pat Rodey
Chair
Senate State Affairs Committee

From: Senator Jim Duncan 

Subject: Hearing for SB 135

Date: February 22, 1991

I would appreciate the earliest possible hearing for Senate Bill 135 by the Senate State Affairs Committee.

The object of this measure is to provide insulation from political influence for the merit system of employment. I feel this is our responsibility as lawmakers since Article XII, Section 6 of the Alaska Constitution directs the Legislature to establish a merit system of employment. This goal is accomplished through various amendments to AS 39 proposed in SB 135.

The bill expands representation on the Personnel Board and provides it the duty of appointing the Director, Division of Personnel. The board is increased from three to five members and responds to concerns raised in the past by minority and rural groups by designating representation of these groups on the board. The other seats are designated as management, labor and public. The bill requires board members to support and possess a demonstrated interest in the application of merit principles to public employment.

Senate Bill 135 provides continuity in management of the merit system by providing for appointment of the Division of Personnel Director by the board. The Director traditionally changes with each change in the administration because it is a direct political appointment. With adoption of this measure an overlap between administrations is not possible, but probable. Current law directs the Commissioner of Administration to appoint the Director. This system proposed in SB 135 is currently used for the appointment of Commissioners in the Departments of Education and Fish and Game.

There is also precedence in other states for my proposal. The director is appointed by a board in five states. Five other states have adopted a system other than direct appointment control by the Governor or department head. In some cases this involves selection by competitive exam. Additionally, three states narrow the appointment power of the Governor by restricting the choice to those recommended by the Personnel Board or those passing a competitive exam. Complete information on the practice of other states presented by the National Association of State Personnel Executives and the Council of State Governments is attached.

Other changes proposed in SB 135 include:

- Increasing the qualifications for the Director from three years of practical personnel management experience to five years of professional experience and allowing the Personnel Board to establish other qualifications.

- Requiring statewide public participation if a hearing on proposed changes to the Personnel Rules is requested.

- Calling for the Personnel Board Chair to select three members to serve on the Public Employees Retirement Board. Currently, the entire board and two members elected by participants in the system comprise the board. This amendment provides for continued balance on the Public Employees Retirement Board.

SB 135 calls for an effective date of January 1, 1992.

Your consideration of my request is appreciated.

SB 135 SECTIONAL ANALYSIS

Section 1

This is a housekeeping change to correspond with a numbering change in Section 13.

Section 2

Amends AS 39.25.040 by changing the appointing authority for the Director, Division of Personnel from the Commissioner of Administration to the Personnel Board.

It also changes the qualifications for the Director by requiring five years of professional personnel management experience rather than three years of practical personnel management experience. This section also permits the Personnel Board to establish additional qualifications.

Section 3

Amends AS 39.25.060(a) by increasing the membership of the Personnel Board from three to five. New language designates seats as management, labor, public, minority groups, and rural areas of the state. Board members are required to support merit principles of employment and possess a demonstrated interest in public administration.

Section 4

Amends AS 39.25.060(b) by specifying that not more than three members of the Personnel Board may be members of the same political party. This amendment is necessary to reflect increased board membership proposed by this legislation.

Section 5

Two amendments are made to AS 39.25.070 in this section to reflect increased board membership. Paragraph four requires three members to constitute a quorum and three affirmative votes for final action on matters coming before the board.

Section 6

Amends AS 39.25.130(a) by changing the authority for recommendations on the extension of the partially exempt service to the classified service from the Commissioner of Administration to the Director, Division of Personnel

Section 7

Amends AS 39.25.130(c) by changing the authority for recommendations on the extension of the classified service to the partially exempt service from the Commissioner of Administration to the Director, Division of Personnel

Section 8

Amends AS 39.25.140(a) by requiring the Director to submit amendments to the Personnel Rules to the Personnel Board rather than the Commissioner of Administration.

Section 9

This section amends AS 39.25.140(g) and requires the Personnel Board to conduct public hearings if requested on proposed amendments to the Personnel Rules. The amendment allows participation in person, by telephone, or teleconference.

Section 10

Amends AS 39.25.150(1) and removes the power of the Commissioner of Administration relating to the position classification plan. The other change in this section is a technical amendment.

Section 11

Amends AS 39.153(d) and gives the Director, Division of Personnel rather than the Commissioner of Administration the responsibility of approving position classifications by the departments named in AS 39.25.153(b).

Section 12

Amends AS 39.35.030(b) by addressing membership on the Public Employees Retirement System Board. It provides for selection of three Personnel Board members by the board chair to serve on the PERS board.

Section 13

Amends AS 44.21.020 to clarify in item eight that administration of a statewide personnel program is "directed by the personnel board." Other housekeeping changes renumber listed duties.

Section 14

Sets the initial terms of the two additional members of the Personnel Board.

Section 15

Eliminates the review of amendments of Personnel Rules by the Commissioner of Administration by repealing AS 39.25.140(b).

Section 16

Provides for an effective date of January 1, 1992

**STATE PERSONNEL OFFICE:
ROLES AND FUNCTIONS**

by

THE NATIONAL ASSOCIATION OF STATE PERSONNEL EXECUTIVES

and

THE COUNCIL OF STATE GOVERNMENTS



CHAPTER 1

THE OFFICE OF STATE PERSONNEL EXECUTIVE: SELECTION, PLACEMENT, RESPONSIBILITIES, AND QUALIFICATIONS

The office of the state personnel executive varies as to method of selection, placement in state government and primary responsibilities. Table 1 contains information on state personnel executives and lists primary responsibilities of their offices. Table 2 lists the salary of each state personnel executive during the 1986 fiscal year, the minimum qualifications for the offices and the proper names of the agencies.

The State Personnel Executive

Thirty-five state personnel executives are appointed by their governors. Three of those states also require either a competitive exam (West Virginia) or certification by a personnel board (Missouri and Washington).

The personnel executive is appointed by a personnel board in five states. Six states report that the personnel executive is appointed by the head of their jurisdictional agency. In North Dakota, that appointment is made from a list of candidates selected by the personnel board. In Arkansas, the individual is selected by the department of administration director. In Massachusetts, the appointment is made from a list of candidates selected by the civil service commission. The remaining states report a variety of selection procedures.

Although not represented in the table, five states appoint personnel executives for four-year or five-year terms:

Hawaii - the executive is appointed for four years at the beginning of each governor's term.

Massachusetts, Missouri and New Hampshire - the executive serves a four year term, with possibility of re-appointment.

New Jersey - the executive may serve for five years.

Table 2 indicates the annual salary, required qualifications and agency name for each personnel executive. The highest annual salary is found in the California Department of Personnel Administration, where at this writing, the salary is set at \$78,209. The lowest salary was reported in North Dakota, where the salary range starts at \$32,052 for the director of the Central Personnel Division of the Office of Management and Budget. The 49 states and one territory responding to this question collectively spend \$2,813,976 in salaries to chief executives of personnel management systems, making the average salary \$56,279.52. (The lowest salary was used for those states providing a range. Texas is not represented in these figures). In addition, Table 2 indicates the length of service of the current personnel executives. Thirty-six personnel executives have served less than five (5) years. The average length of service is four (4) years.

**TABLE 1
THE OFFICE OF STATE PERSONNEL EXECUTIVE:
SELECTION, PLACEMENT AND RESPONSIBILITIES**

State or Jurisdiction	Method of Selection	Reports to Governor	Reports to Personnel Board	Directs Departmental Employees	Administers Positions of Personnel Board	Administers Merit Tests, Establishes Qualifications for Classified Employees	Maintains Roster of State Employees, Classification & Compensation Plans	Makes Budget Recommendations to Legislature	Other
Alabama	B	*	*	*	*	*	*	*	*
Alaska	G	*	*	*	*	*	*	*	*
Arizona	D	*	*	*	*	*	*	*	*
Arkansas	D(a)	*	*	*	*	*	*	*	*
California	SPB UPA	B G	*	*	*	*	*	*	*
Colorado	G	*	*	*	*	*	*	*	*
Connecticut	D	D	*	*	*	*	*	*	*
Delaware	G(b)	*	*	*	*	*	*	*	*
Florida	G	*	*	*	*	*	*	*	*
Georgia	G	*	*	*	*	*	*	*	*
Idaho	B	*	*	*	*	*	*	*	*
Illinois	D	*	*	*	*	*	*	*	*
Indiana	G	*	*	*	*	*	*	*	*
Iowa	G	*	*	*	*	*	*	*	*
Kansas	G	*	*	*	*	*	*	*	*
Kentucky	G(c)	*	*	*	*	*	*	*	*
Louisiana	(d)	*	*	*	*	*	*	*	*
Maine	G	*	*	*	*	*	*	*	*
Maryland	G	*	*	*	*	*	*	*	*
Massachusetts	(e)	*	*	*	*	*	*	*	*
Michigan	B	*	*	*	*	*	*	*	*
Minnesota	G	*	*	*	*	*	*	*	*
Mississippi	B	*	*	*	*	*	*	*	*
Missouri	G(f)	*	*	*	*	*	*	*	*
Montana	(g)	*	*	*	*	*	*	*	*
Nebraska	G	*	*	*	*	*	*	*	*
Nevada	G	*	*	*	*	*	*	*	*
New Hampshire	D	*	*	*	*	*	*	*	*
New Jersey	G	*	*	*	*	*	*	*	*
New Mexico	G	*	*	*	*	*	*	*	*
New York	G	*	*	*	*	*	*	*	*
North Carolina	G	*	*	*	*	*	*	*	*
North Dakota	O(h)	*	*	*	*	*	*	*	*
Ohio	G	*	*	*	*	*	*	*	*
Oklahoma	G	*	*	*	*	*	*	*	*
Oregon	D	*	*	*	*	*	*	*	*
Pennsylvania	CSC BP	(i) C	*	*	*	*	*	*	*
Rhode Island	D	*	*	*	*	*	*	*	*
South Carolina	(j)	*	(j)	*	(j)	*	*	*	*
South Dakota	G	*	*	*	*	*	*	*	*
Tennessee	G	*	*	*	*	*	*	*	*
Texas					(k)				
Utah	G	*	*	*	*	*	*	*	*
Vermont	G	*	*	*	*	*	*	*	*
Virginia	G	*	*	*	*	*	*	*	*
Washington	G(l)	*	*	*	*	*	*	*	*
West Virginia	G(m)	*	*	*	*	*	*	*	*
Wisconsin	G	*	*	*	*	*	*	*	*
Wyoming	G	*	*	*	*	*	*	*	*
Puerto Rico	G				(n)				
TOTALS	D(B),C(11),B(5)	39	15	50	27	50	51	42	10

SOURCE: Information derived from survey of state personnel offices conducted by The Council of State Governments for the National Association of State Personnel Executives (NASPE)

KEY:
B Appointment by personnel board
D Appointment by department head
G Appointment by governor

FOOTNOTES:

- (a) Selected by state administration director, confirmed by the governor.
- (b) Reports to the governor and serves as executive secretary to the board, does not report to the board.
- (c) The commissioner serves as an adviser to the board and reports to the governor and the board by Oct. 1 each year.
- (d) Appointed by the Louisiana Civil Service Commission following a competitive examination.
- (e) Massachusetts' Civil Service Commission submits three names to the secretary of administration and finance, who appoints the personnel administrator with the governor's consent. The personnel administrator serves a four-year term.
- (f) From candidates certified by the Personnel Advisory Board.
- (g) Selected through procedures specified in the Montana recruitment and selection rules.
- (h) Director of Office of Management and Budget makes final choice from among candidates presented by the State Personnel Board.
- (i) Selected by competitive examination.
- (j) Selected by and reports to State Budget and Control Board, a five member board chaired by the governor.
- (k) Decentralized personnel system.
- (l) From three candidates recommended by the Personnel Board.
- (m) From list of eligible candidates following competitive examination.
- (n) Information not available.

(+) Other responsibilities specified.

Alabama - Appointed by employees of Personnel Board, removed for cause; secretary to Board.

Arizona - Administers personnel rules and policies.

California - (State Personnel Board). Oversees all aspects of merit employment; (Department of Personnel Administration) - Represents governor in bargaining with employee representatives; administers training, performance evaluation, benefit, labor relations and staff reduction programs.

Connecticut - Supervises affirmative action activities; conducts collective bargaining negotiations and labor management programs; administers management relations and personnel development programs, job analysis and evaluation, workers' compensation.

Delaware - Administers affirmative action programs; development and training; coordinates labor relations for the executive branch.

Florida - Represents governor in collective bargaining negotiations; supports state agency employee training programs; administers group insurance, retirement benefit programs.

Georgia - Administers health insurance plan, deferred compensation plan, flexible benefit plan; coordinates training programs; serves as secretary to Personnel Board; reviews salary payments for compliance with the Personnel Board Rules.

Hawaii - Conducts recruitment and examinations, training and safety programs, classification and compensation review, employee services, labor relations.

Illinois - Negotiates collective bargaining agreements.

Indiana - Administers affirmative action, rules, medical-dental plans for employees, training and continuing education; publishes newsletter; processes applications; performance appraisals; approves payroll; establishes new personnel programs and policies.

Maine - Administers all aspects of employee relations and collective bargaining, workers' compensation program; training and development programs.

Maryland - Administers equal opportunity employment program; adjudicates employee grievances and appeal of disciplinary actions; administers state employee training and development program and health benefits.

Michigan - Administers employee benefits, rules of employment conditions, employee development and assistance, grievance and unfair labor practices charge, technical appeals (including selections and classification issues); regulates collective bargaining system, conducts representation elections for exclusive collective bargaining agents.

Minnesota - Negotiates contracts with 16 bargaining units; represents state in labor disputes.

Missouri - Recommends pay plan revisions for approval by the Board and governor; directs central training function for all state agencies; participates in central labor relations; develops standard performance appraisal system for the state.

Montana - Collective bargaining supervisor; administers health benefits, deferred compensation, training and award programs, affirmative action.

Nebraska - Promulgates system rules and regulations; administers health and life insurance benefits; coordinates labor relations programs.

New York - Oversees agency affirmative action programs under governor's order; administers health insurance programs.

North Dakota - Administers statewide appeal mechanism.

Oregon - Maintains personnel system statewide.

Pennsylvania - (Civil Service Commission) - appoints staff; attends Commission meetings; recommends rules and amendments; investigates impact of Civil Service Act; appoints deputy; makes biennial report. (Bureau of Personnel) - Develops personnel policy for all agencies under governor's jurisdiction; reviews and evaluates personnel programs; develops and administers senior management executive programs; administers training programs; negotiates collective bargaining.

Rhode Island - Principal responsibility is program planning, directing and managing the overall operation of the State's personnel management system and enforcement of the Merit System Law. This office consults with the Governor, Legislature, Labor Relations Office and department officials on personnel policy issues and practices and recommends to the chief executive or legislative body changes in personnel policies and practices. Further, this office responds to the Governor, Legislature, department officials, press and general public on relevant issues.

Tennessee - Administers provisions of Civil Service Act, rules of the Department of Personnel, including employment practices, classification, compensation, job performance planning and evaluation, attendance and leave, affirmative action, appeals and grievance procedures; acts as secretary of Civil Service Commission.

Utah - Establishes rules and regulations.

Vermont - Negotiates collective bargaining agreements; administers employee benefits; handles employee grievances.

TABLE 2
1986 PERSONNEL EXECUTIVES:
SALARY, LENGTH OF SERVICE, QUALIFICATIONS, AGENCY NAME

	Annual Salary	Length of Service	Qualifications	Agency Name
Alabama	\$65,000	5	NR	Personnel Department
Alaska	\$67,500/\$74,472 (a)	3	(d)	Division of Personnel
Arizona	\$65,858	9	NR	Personnel Division
Arkansas	\$44,000	6	(d)	Office of Personnel Management
California	\$78,209 (DPA)	2	NR	Department of Personnel Administration (DPA)
	\$68,460 (SPB)	2	(d)	State Personnel Board (SPB)
Colorado	\$64,525	4	(d)	Department of Personnel
Connecticut	\$54,822/\$67,019 (a)	11	(d)	State Personnel Division
Delaware	\$57,500	1	NR	Office of State Personnel
Florida	\$58,500	1	NR	Department of Administration
Georgia	\$64,000	8	NR	Personnel Administration
Hawaii	\$50,450	3	NR	Department of Personnel Services
Idaho	\$52,187	2	NR	Personnel Commission
Illinois	\$38,364/\$59,292 (a)	5	(d)	Bureau of Personnel
Indiana	\$62,000	5	(d)	Department of Personnel
Iowa	\$46,000	1	(d)	Department of Personnel
Kansas	\$54,720	1	NR	Division of Personnel Services
Kentucky	\$54,624	2	(d)	Department of Personnel
Louisiana	\$50,760	3	(d)	Department of Civil Service
Maine	\$53,000	5	NR	Department of Personnel
Maryland	\$66,500	1	NR	Department of Personnel
Massachusetts	\$73,156	3	NR	Department of Personnel Administration
Michigan	\$73,800	4	(d)	Department of Civil Service
Minnesota	\$59,774	3	NR	Department of Employee Relations
Mississippi	\$44,280	2	(d)	State Personnel Board
Missouri	\$44,450	13	(d)	Division of Personnel
Montana	\$32,900/\$47,638 (a)	1	(d)	Personnel Division
Nebraska	\$39,314	1	(d)	Department of Personnel
Nevada	\$48,844/\$47,730 (a)(b)	1	(d)	Department of Personnel
New Hampshire	\$38,918/\$50,143 (a)	2	NR	Department of Personnel
New Jersey	\$70,000	5	NR	Department of Civil Service
New Mexico	\$45,000	2	NR	Personnel Office
New York	\$75,445	3	NR	Department of Civil Service
North Carolina	\$61,040(a)	1	NR	Office of State Personnel
North Dakota	\$32,052/\$47,712 (a)	1	(d)	Office of Management & Budget
Ohio	\$47,000	1	NR	Personnel Division
Oklahoma	\$50,000	5	NR	Office of Personnel Management
Oregon	\$50,304	1	NR	Division of Personnel
Pennsylvania	\$51,893 (CSC)	9	(d)	Civil Service Commission (CSC)
	\$54,900 (BP)	11	(d)	Bureau of Personnel (BP)
Rhode Island	\$52,000	10	(d)	Office of Personnel Administration
South Carolina	\$61,450	2	NR	Division Human Resource Management
South Dakota	\$43,000	2	(d)	Bureau of Personnel
Tennessee	\$53,000	.5	NR	Department of Personnel
Texas	Personnel System is Decentralized			
Utah	\$48,000	1	(d)	Division of Personnel Management
Vermont	\$42,577.60	2	NR	Department of Personnel
Virginia	\$61,480	2	NR	Department of Personnel Training
Washington	\$64,000	19	(d)	Department of Personnel
West Virginia	\$36,500	1	(d)	Civil Service System
Wisconsin	\$59,440 (c)	3	NR	Department of Employee Relations
Wyoming	\$58,135	12	(d)	Personnel Division
Puerto Rico	\$39,500	1	NR	Central Office of Personnel Admin.

SOURCE: Information derived from survey of state personnel offices conducted by The Council of State Governments for the National Association of State Personnel Executives (NASPE).

- (a) Formal qualifications or provisions.
- (b) Nevada salary depends upon retirement plan selected.
- (c) Wisconsin's Administrator of Merit Recruitment is paid \$46,500.
- (d) Other requirements specified below.

KEY: NR-No legal requirements for the position of personnel director.

FOOTNOTES:

Alaska - Three years of practical work experience in the field of personnel administration are required.

Arkansas - A bachelor's degree and six years experience are required.

California (SPB) - The State Personnel Board requires permanent civil service status and an extensive managerial and program administrative experience.

Colorado - Experience can substitute for education and or education for experience.

Connecticut - General Statutes provide that the Director of Personnel and Labor Relations/Deputy Commissioner in the Department of Administrative Services should be appointed on the basis of ability in the field of personnel administration.

Illinois - A master's degree is required as well as three years of managerial experience. Experience can be substituted for education.

Indiana - Experience can be substituted for education.

Iowa - Experience can be substituted for education.

Kentucky - A bachelor's degree and five years experience are required. Experience can be substituted for education and vice-versa.

Louisiana - Two years of professional experience in personnel at least equivalent to that of an assistant division chief is required.

Michigan - A bachelor's degree and 10 years experience required, the latter depending upon level of experience. Experience can be substituted for education.

Mississippi - A master's degree and five years of experience are required.

Missouri - A bachelor's degree and six years of experience, four at managerial level, are required.

Montana - A bachelor's degree and five years experience are required. Experience can be substituted for education and vice-versa.

Nebraska - A bachelor's degree and five years experience are required.

Nevada - A bachelor's degree is required. Education can be substituted for experience. Experience requirement determined by the Personnel Commission.

North Dakota - A bachelor's degree and five years experience are required. Education can be substituted for experience and vice-versa.

Pennsylvania (CSC) - A master's degree is required. Experience can substitute for education and vice-versa. Eight years experience, including five years in directing and managing a major personnel function are required.

Pennsylvania (BP) - A bachelor's degree and seven years experience are required. Experience can substitute for education and vice-versa.

Rhode Island - A bachelor's degree and five years experience are required.

South Dakota - Two years personnel experience is required.

Utah - A master's degree and eight years experience are required. Education can substitute for experience and vice-versa.

Washington - Must have had personnel management experience.

West Virginia - A bachelor's degree is required.

Wyoming - Five years experience is required.

SENATE BILL NO. 135, by Senator DUNCAN. Relates to the state personnel system, and membership on the Public Employees' Retirement Board. Makes the following changes to state law:

—Amends AS 39.25.040 (State Personnel Act. Director of Personnel) to provide that the director of personnel will be appointed by the personnel board (currently the director is appointed by the commissioner of administration), and will be responsible to the board. The director will have to have at least five years of professional working experience in the field of personnel administration (currently the director has to have at least *three* years of *practical* working experience in the field of personnel administration). Adds language to allow the personnel board to establish additional qualifications for the personnel director, and to provide that the director serves at the pleasure of the personnel board.

—Amends AS 39.25.060 (State Personnel Act. Personnel Board) by increasing the membership on the personnel board from three to five members. Adds language to provide: "...The board shall contain a representative from management, labor, the public, minority groups, and the rural areas of the state. Each member of the board must be supportive of the merit principles of employment, and have demonstrated an interest in public administration and the development of efficient methods of employing personnel and administering personnel systems...."

Also changes language to provide that no more than three members of the board can be members of the same political party.

—Amends AS 39.25.130(a) and (c) (Extension of Partially Exempt and Classified Services) to allow the personnel board, upon written recommendation of the *director of personnel* (currently upon written recommendation of the commissioner of administration) to extend the partially exempt service to include any position in the classified service which involves principal responsibility for determination of policy.

—Amends AS 39.25.140(a) (Amendment of Personnel Rules) to require the director of personnel to prepare and submit proposed amendments to the personnel rules to the personnel board (currently changes have to be submitted to the commissioner of administration).

Amends AS 39.25.140(g) to require the personnel board to hold one or more public hearings on a proposed amendment. The hearings will have to permit public participation from around the state in person or by telephone or teleconference. Current law says the board, if requested to do so "...may hold a public hearing on a proposed amendment."

—Amends sections of AS 39.25.150 (Personnel Rules. Scope of the Rules) and AS 39.25.153 (Departmental Personnel Officers) by removing reference to the commissioner of administration.

—Amends AS 39.35.030(b) (Public Employees' Retirement System of Alaska. Public Employees Retirement Board) to provide that the three members of the retirement board who are also members of the state personnel board be "designated by the chair of the personnel board"

—Amends AS 44.21.920 (State Government. Department of Administration. Duties of Department) to require the department to "... (8) administer a statewide personnel program, including central personnel services as directed by the personnel board such as recruitment, examination, position classification, and pay administration;..."

—Repeals AS 39.25.140(b) (State Personnel Act. Personnel Rules. Amendment of Personnel Rules) subsection (b) states: "(b) The commissioner of administration shall review the amendments and submit them to the personnel board."

If enacted, the bill becomes law January 1, 1992.

Introduced February 20, 1991 and referred to State Affairs; Finance.



March 1, 1991

SB 135

Senate State Affairs Committee
Senator Pat Rodey, Chairman
Senator Jim Duncan, Vice-Chairman
Committee Members

Dear Senator Duncan:

Public Employees Local 71 strongly supports SB-135. There is a definite need for increased protection of the merit system and SB-135 addresses the needs very well.

1. The Personnel Board should be given the authority to appoint the Director of the Division of Personnel, thereby removing this appointment from the political arena.
2. A broader cross section of Personnel Board members insulates the Board from political influence.
3. The Personnel Board carries "statewide" responsibilities in dealing with proposed changes to the personnel rules and therefore, should be obligated to statewide public hearings on any proposed changes.

We urge the State affairs Committee to pass SB-135. Thank you.

Sincerely,

Don Rouleau, Business Representative

DON VALESKO
BUSINESS MANAGER

VALERIE K. BAFFONE
SECRETARY/TREASURER

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