

SCOMM

115:13

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. CS HB 331(MLV)

Revision Date: _____
Title: Simplify Military Pay

Dept. Affected Military and Veterans Affairs
BRU Alaska National Guard
Component Office of the Commissioner

Sponsor: House Rules Committee
Requester: Governor

Component Serial No. _____

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES []						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1091 Designated Program Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by Casey Sullivan - Aide to Representative Murkowski

Phone 465-5031

Signature



Phone _____

Date 2/29/00

1-GH2050D
Cramer
2/29/00

CS FOR HOUSE BILL NO. 317(MLV)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

**Offered:
Referred:**

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to recruitment, selection, appointment, promotion, and
2 nonretention of state employees and to the duties of the Department of
3 Administration concerning those and other related functions; and providing for an
4 effective date."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 39.25.080(a) is amended to read:

7 (a) State personnel records, including employment applications and
8 examination and other assessment materials, are confidential and are not open to
9 public inspection except as provided in this section.

10 * **Sec. 2.** AS 39.25.120(b) is amended to read:

11 (b) A person holding a position in the partially exempt service is not required
12 to complete an assessment [TAKE AN EXAMINATION OR QUALIFY OR EARN
13 A PLACE ON A REGISTER,] and is not eligible for a hearing by the personnel board
14 in case of dismissal, demotion, or suspension. Positions in the partially exempt service

1 are specifically exempt from the rules established under AS 39.25.150(3) - (10), (12),
2 (13), and (16).

3 * Sec. 3. AS 39.25.130(a) is amended to read:

4 **Sec. 39.25.130. Extension of partially exempt and classified services. (a)**

5 The personnel board, upon written recommendation of the commissioner of
6 administration, may extend the partially exempt service to include any position in the
7 classified service that, in the judgment of the board,

8 (1) involves principal responsibility for the determination of policy;

9 (2) involves principal responsibility for the way in which policies are
10 carried out; or

11 (3) involves responsibilities and duties of a type not susceptible to the
12 ordinary recruiting and assessment [EXAMINING] procedures.

13 * Sec. 4. AS 39.25.150 is amended to read:

14 **Sec. 39.25.150. Scope of the rules.** The personnel rules must provide for

15 (1) the preparation, maintenance, and revision by the director of
16 personnel, subject to approval of the commissioner of administration and the personnel
17 board, of a position classification plan for all positions in the classified and partially
18 exempt services; the position classification plan shall include

19 (A) a grouping together of all positions into classes on the basis
20 of duties and responsibilities;

21 (B) an appropriate title, a description of the duties and
22 responsibilities, training and experience qualifications, and other necessary
23 specifications for each class of positions;

24 (2) the preparation, maintenance, revision and administration by the
25 director of personnel of a pay plan for all positions in the classified and partially
26 exempt services; the pay plan (A) shall be based upon the position classification plan;
27 (B) shall provide for fair and reasonable compensation for services rendered, and
28 reflect the principle of like pay for like work; (C) may be amended, approved, or
29 disapproved by the legislature in regular or special session; after the pay plan is in
30 effect, a salary or wage payment may not be made to a state employee covered by the
31 plan unless the payment is in accordance with this chapter and the rules adopted under

1 this chapter or unless the payment is in accordance with a valid agreement entered into
2 in accordance with AS 23.40;

3 (3) the use of employee selection methods, including open competitive
4 assessment devices [EXAMINATIONS], when appropriate, that will fairly evaluate
5 [TEST] the capacity and fitness of the person assessed [EXAMINED] to discharge the
6 duties of the position [CLASS] in which employment is sought;

7 (4) the formulation of a list [ESTABLISHMENT AND
8 MAINTENANCE OF ELIGIBLE LISTS] for appointment and promotion to a position
9 [PROVIDING THE NAMES OF ELIGIBLE CANDIDATES IN ORDER OF THEIR
10 RELATIVE PERFORMANCE IN THE EXAMINATIONS];

11 (5) the procedure for filling positions [CERTIFYING ELIGIBLE
12 CANDIDATES]; the rule adopted under this paragraph may include procedures
13 providing a preference for [CERTIFYING] local residents when appropriate;

14 (6) promotions from within the state service when there are qualified
15 candidates in the state service; vacancies shall be filled by promotion whenever
16 practicable and in the best interest of the state service, and promotion shall be by
17 competitive assessment [EXAMINATION] whenever possible; in considering
18 promotions, the applicants' qualifications, performance records, seniority, and conduct
19 shall be evaluated;

20 (7) a period of probation not to exceed one year before an appointment
21 to a position becomes permanent, except that a permanent employee receiving a
22 promotional appointment retains permanent status in the service and job class from
23 which appointed for the duration of the probationary period and may be demoted to
24 a former class without right of appeal, notwithstanding AS 39.25.170, but, if the
25 employee is dismissed from the service, the appeal rights under AS 39.25.170 apply;

26 (8) nonpermanent and emergency appointments to positions in the state
27 service in accordance with AS 39.25.195 - 39.25.200;

28 (9) provisional appointment without competitive assessment
29 [EXAMINATION] when the recruitment and assessment procedures have not
30 identified qualified candidates in sufficient number [APPROPRIATE ELIGIBLE
31 LISTS ARE NOT AVAILABLE];

- 1 (10) transfers from one department to another and from another merit
2 system jurisdiction to the state service;
- 3 (11) transfers from one area of the state to another;
- 4 (12) the reinstatement of a person who resigns in good standing;
- 5 (13) layoffs for reason of lack of money or work, abolition of positions,
6 or material changes in duties or organization; both performance and seniority records
7 shall be considered in the development of layoff orders;
- 8 (14) the development, maintenance, and use of employee performance
9 records;
- 10 (15) the establishment of disciplinary measures, which may include
11 disciplinary suspension without pay;
- 12 (16) the procedures for review of disputed personnel actions, for
13 resolving employee and interagency grievances, and for resolving grievances of the
14 general public concerning the operation of the state personnel system;
- 15 (17) hours of work for all employees in the state service;
- 16 (18) methods and procedures covering overtime work and pay;
- 17 (19) the granting of employment preference rights, not within the area
18 of promotion, to a veteran or former prisoner of war under AS 39.25.159;
- 19 (20) the employment of persons in permanent positions on a part-time
20 basis of 15 hours or more a week, including the employment of two persons to fill one
21 permanent full-time position; these employees shall be designated as permanent part-
22 time employees;
- 23 (21) the granting of employment preference to individuals with severe
24 disabilities [SEVERELY HANDICAPPED PERSONS]; this includes the right to
25 provisional appointment without competitive assessment [EXAMINATION] for
26 periods of up to four months and the granting of eligibility to an individual with a
27 severe disability [A SEVERELY HANDICAPPED PERSON] provisionally appointed
28 under the rules who demonstrates ability to perform the job for permanent appointment
29 without competitive assessment [EXAMINATION]; provisional employment under this
30 paragraph may not exceed four months during a 12-month period; "individual with
31 a severe disability," ["SEVERELY HANDICAPPED"] as used in this paragraph,

1 means an individual [PERSONS] certified by the director of the division of vocational
2 rehabilitation to be severely disabled [SEVERELY HANDICAPPED];

3 (22) the establishment of programs facilitating the employment of
4 disadvantaged persons;

5 (23) the delegation, when feasible, of personnel responsibilities and
6 duties to the principal departments of the executive branch;

7 (24) the establishment of a transition period of up to 12 months for an
8 employee to be reappointed to a classified position if the employee's position is
9 withdrawn from the partially exempt or exempt service and placed in the classified
10 service;

11 (25) other rules and administrative regulations, not inconsistent with
12 this chapter, that are necessary for its enforcement.

13 * Sec. 5. AS 39.25.159(a) is amended to read:

14 (a) A veteran or former prisoner of war who possesses the necessary
15 qualifications for a position or job classification applied for under this chapter is
16 entitled to a preference under this subsection. In an assessment using numerical
17 ratings, points equal to five percent of the points available from the assessment
18 device or devices shall be added to the passing score of a veteran, and points
19 equal to 10 percent of the points available from the assessment device or devices
20 shall be added to the passing score of a disabled veteran or former prisoner of
21 war. In an assessment not using numerical ratings, consideration shall be
22 afforded to a veteran; additionally, an opportunity to interview for the position
23 shall be afforded to a disabled veteran or [EXAMINATION TO DETERMINE THE
24 QUALIFICATION OF APPLICANTS FOR THE CLASSIFIED SERVICE UNDER
25 MERIT SYSTEM EXAMINATION, FIVE POINTS SHALL BE ADDED TO THE
26 PASSING GRADE OF A VETERAN, 10 POINTS SHALL BE ADDED TO THE
27 PASSING GRADE OF A DISABLED VETERAN, OR 10 POINTS SHALL BE
28 ADDED TO THE PASSING GRADE OF] a former prisoner of war. A person may
29 receive preference [POINTS] under only one of the categories described in this
30 subsection or in (c) of this section. A person may use the preference without
31 limitation when being considered for a position for which persons who are not

1 currently state employees are being considered. If the recruitment for a position
2 [CONSIDERATION OF APPLICANTS] is limited to state employees, preference
3 [POINTS] under this subsection may not be counted. If a position in the classified
4 service is eliminated, employees shall be released in accordance with rules adopted
5 under AS 39.25.150(13). In the case of a comparison of employees with equal
6 qualifications on the factors adopted under AS 39.25.150(13) [THAT GIVE DUE
7 EFFECT TO ALL FACTORS. IF ALL JOB QUALIFICATIONS ARE EQUAL], a
8 veteran or former prisoner of war shall be given preference over a person who is
9 [WAS] not a veteran or former prisoner of war, and the veteran or former prisoner
10 of war shall be kept on the job. This subsection may not be interpreted to amend the
11 terms of a collective bargaining agreement.

12 * Sec. 6. AS 39.25.159(c) is amended to read:

13 (c) A member of the national guard who possesses the necessary qualifications
14 for a position or job classification applied for under this chapter is entitled to a
15 preference under this subsection. In an assessment using numerical ratings, points
16 equal to five percent of the points available from the assessment device or devices
17 shall be added to the passing score of a member of the national guard. In an
18 assessment not using numerical ratings, consideration shall be afforded to
19 [EXAMINATION TO DETERMINE THE QUALIFICATION OF APPLICANTS FOR
20 THE CLASSIFIED SERVICE UNDER MERIT SYSTEM EXAMINATION, FIVE
21 POINTS SHALL BE ADDED TO THE PASSING GRADE OF] a member of the
22 national guard. A person may use the preference without limitation when being
23 considered for a position for which persons who are not currently state employees are
24 being considered. If the recruitment for a position [CONSIDERATION OF
25 APPLICANTS] is limited to state employees, preference [POINTS] under this
26 subsection may not be counted. If a position in the classified service is eliminated,
27 employees shall be released in accordance with rules adopted under
28 AS 39.25.150(13). In the case of a comparison of employees with equal
29 qualifications on the factors adopted under AS 39.25.150(13) [THAT GIVE DUE
30 EFFECT TO ALL FACTORS. IF ALL JOB QUALIFICATIONS ARE EQUAL], a
31 member of the national guard shall be given preference over a person who is [WAS]

1 not a veteran, a former prisoner of war, or a member of the national guard. This
2 subsection may not be interpreted to amend the terms of a collective bargaining
3 agreement. In this subsection, "member of the national guard" means a person who
4 is presently serving as a member of the Alaska National Guard and who has at least
5 eight years of service in the Alaska National Guard.

6 * Sec. 7. AS 39.25.159(d) is amended by adding a new paragraph to read:

7 (4) "consideration" means reviewing a person's entire application in
8 order to determine whether the person should be selected, rejected, or admitted to
9 further steps in the assessment or selection process.

10 * Sec. 8. AS 39.25.160(h) is amended to read:

11 (h) A person may not knowingly make a false statement, [CERTIFICATE,]
12 mark, rating, or report with regard to an assessment [A TEST], certification, or
13 appointment made under this chapter or in any manner commit a fraud preventing the
14 impartial execution of this chapter and the personnel rules adopted under this chapter.

15 * Sec. 9. AS 39.25.160(i) is amended to read:

16 (i) A person may not obstruct the right of another person to assessment
17 [EXAMINATION], eligibility, certification, appointment, or promotion under this
18 chapter.

19 * Sec. 10. AS 39.25.195(b) is amended to read:

20 (b) An appointment to state service, except an emergency appointment, shall
21 be made from the list of applicants qualified for the position [AN APPLICABLE
22 ELIGIBLE LIST OR DISPATCHING REGISTER] unless, in appropriate
23 circumstances, the director has waived this requirement.

24 * Sec. 11. AS 39.25.195(c) is amended to read:

25 (c) An appointment of a nonpermanent employee may not be made unless the
26 request for authorization is approved by the director, adequate money is available for
27 the anticipated duration of the appointment, and the director determines that

28 [(1)] the hiring department or agency has certified that

29 (1) the legislature has appropriated money for the work in question
30 knowing that it is to be performed by a nonpermanent employee;

31 (2) [THE HIRING DEPARTMENT OR AGENCY HAS CERTIFIED

1 THAT] there is an immediate need to fill an authorized, permanent position and it is
2 impractical either to establish or recruit for the position [OR TO MAKE
3 CERTIFICATION] within a reasonable time;

4 (3) [THE HIRING DEPARTMENT OR AGENCY HAS CERTIFIED
5 THAT] an immediate need exists and the director determines that the hiring
6 department or agency could not reasonably have been expected to anticipate and meet
7 that need through the creation of a permanent position; or

8 (4) [THE HIRING DEPARTMENT OR AGENCY HAS CERTIFIED
9 THAT] a program or project exists and the director determines that the need for
10 employees can most appropriately be met through the use of program or project
11 employees.

12 * Sec. 12. AS 39.25.196(a) is amended to read:

13 (a) Notwithstanding the provisions of AS 39.25.195, a hiring department or
14 agency may grant a preference to local residents in the appointment of nonpermanent
15 employees or in the appointment of permanent employees to perform seasonal work
16 assignments of 180 calendar days or less in a 12-month period. If there are no local
17 residents on the applicable list of applicants qualified for [ELIGIBLE LIST FOR] a
18 nonpermanent or a permanent seasonal position or if the local residents on the
19 applicable [ELIGIBLE] list of applicants qualified for the position are unavailable,
20 the hiring department or agency may obtain referrals of qualified job applicants for
21 these positions from the job service office of the Department of Labor and Workforce
22 Development serving the area and, from those applicants, select a qualified person who
23 is a local resident for the position.

24 * Sec. 13. AS 44.21.020 is amended to read:

25 **Sec. 44.21.020. Duties of department.** The Department of Administration
26 shall

27 (1) make surveys and studies to improve administrative procedures,
28 methods, and organization;

29 (2) keep general accounts;

30 (3) approve vouchers and disburse funds for all purposes;

31 (4) operate centralized purchasing and supply services, and necessary

1 storerooms and warehouses;

2 (5) allot space in state buildings to the various departments according
3 to need and available space;

4 (6) supervise telephone, mailing, messenger, duplicating, and similar
5 services adaptable to centralized management;

6 (7) administer the public employees' retirement system and teachers'
7 retirement system;

8 (8) administer a statewide personnel program, including central
9 personnel services such as recruitment, assessment [EXAMINATION], position
10 classification, and pay administration;

11 (9) administer the Alaska Pioneers' Homes;

12 (10) administer and supervise a statewide automatic data processing
13 program;

14 (11) study, design, implement, and manage the telecommunications
15 systems and services of the state under AS 44.21.305 - 44.21.330;

16 (12) [REPEALED

17 (13)] administer state veterans' home facilities; in carrying out its duties
18 under this paragraph, the department shall consult with the Department of Military and
19 Veterans' Affairs.

20 * Sec. 14. AS 39.25.153(b), 39.25.153(c), 39.25.153(d), and 39.25.155 are repealed. ✓

21 * Sec. 15. The uncoded law of the State of Alaska is amended by adding a new section
22 to read:

23 TRANSITION: REGULATIONS. The personnel board may proceed to adopt
24 amendments to the personnel rules to implement the changes made by this Act. The
25 amendments to the personnel rules take effect under AS 39.25.140, but not before the effective
26 date of secs. 1 - 14 of this Act.

27 * Sec. 16. Section 15 of this Act takes effect immediately under AS 01.10.070(c).

I-GH2050.A

2/29/00

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE MURKOWSKI

TO: HB 317

1 Page 2, following line 1:

2 Insert a new bill section to read:

3 * Sec. 3. AS 39.25.130(a) is amended to read:

4 (a) The personnel board, upon written recommendation of the commissioner of
5 administration, may extend the partially exempt service to include any position in the classified
6 service that, in the judgment of the board,

7 (1) involves principal responsibility for the determination of policy;

8 (2) involves principal responsibility for the way in which policies are
9 carried out; or

10 (3) involves responsibilities and duties of a type not susceptible to the
11 ordinary recruiting and ~~assessment~~ [EXAMINING] procedures.

12 Renumber the following bill sections accordingly.

13 Page 3, line 2:

14 Delete "certifying"

15 Page 3, line 18:

16 Delete "~~processes~~"17 Insert "~~procedures~~"

1 Page 4, line 12:

2 Delete "severely handicapped"

3 Insert "individuals with severe disabilities"

4 Page 4, line 13:

5 Delete "persons"

6 Page 4, line 14:

7 Following "periods"

8 Insert "of"

9 Page 4, line 15:

10 Delete "severely handicapped person"

11 Insert "individual with a severe disability"

12 Page 4, line 18:

13 Delete "severely"

14 Insert "severe"

15 Page 4, line 19:

16 Delete "handicapped"

17 Insert "disability"

18 Page 4, line 20:

19 Delete "severely handicapped"

20 insert "severely disabled"

21 Page 5, line 1:

22 Following "or"

1 Insert "former"

2 Page 5, line 7:

3 Following "or"

4 Insert "former"

5 Page 5, line 15:

6 Following "a"

7 Insert "former"

8 Page 5, line 25:

9 Following "or"

10 Insert "former"

11 Page 5, line 26:

12 Following "not a veteran or"

13 Insert "former"

14 Page 5, line 27:

15 Insert "former"

16 Page 7, following line 8:

17 Insert a new bill section to read:

18 "*** Sec. 11. AS 39.25.195(c) is amended to read as follows:**

19 (c) An appointment of a nonpermanent employee may not be made unless the
20 request for authorization is approved by the director, adequate money is available for the
21 anticipated duration of the appointment, and the director determines that

22 (1) the hiring department or agency has certified that the legislature has

1 appropriated money for the work in question knowing that it is to be performed by a
2 nonpermanent employee;

3 (2) the hiring department or agency has certified that there is an
4 immediate need to fill an authorized permanent position and it is impractical either to
5 establish the position or to conduct recruitment [MAKE CERTIFICATION] within a
6 reasonable time;

7 (3) the hiring department or agency has certified that an immediate need
8 exists and the director determines that the hiring department or agency could not
9 reasonably have been expected to anticipate and meet through the creation of a permanent
10 position; or

11 (4) the hiring department or agency has certified that a program or project
12 exists and the director determines that the need for employees can most appropriately be
13 met through the use of program or project employees."

14 Renumber the following bill sections accordingly.

15 Page 7, line 14:

16 Following "qualified for"

17 Delete "the"

18 Insert "a"

19 Page 8, line 22:

20 Delete "secs. 1 - 12"

21 Insert " secs. 1 - 14"

1-GH2050D
Cramer
2/29/00

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1 this chapter or unless the payment is in accordance with a valid agreement entered into
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4 assessment devices [EXAMINATIONS], when appropriate, that will fairly evaluate
5 [TEST] the capacity and fitness of the person assessed [EXAMINED] to discharge the
6 duties of the position [CLASS] in which employment is sought;

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8 MAINTENANCE OF ELIGIBLE LISTS] for appointment and promotion to a position
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10 RELATIVE PERFORMANCE IN THE EXAMINATIONS];

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12 CANDIDATES]; the rule adopted under this paragraph may include procedures
13 providing a preference for [CERTIFYING] local residents when appropriate;

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15 candidates in the state service; vacancies shall be filled by promotion whenever
16 practicable and in the best interest of the state service, and promotion shall be by
17 competitive assessment [EXAMINATION] whenever possible; in considering
18 promotions, the applicants' qualifications, performance records, seniority, and conduct
19 shall be evaluated;

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24 a former class without right of appeal, notwithstanding AS 39.25.170, but, if the
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(25) other rules and administrative regulations, not inconsistent with this chapter, that are necessary for its enforcement.

* Sec. 5. AS 39.25.159(a) is amended to read:

(a) A veteran or former prisoner of war who possesses the necessary qualifications for a position or job classification applied for under this chapter is entitled to a preference under this subsection. In an assessment using numerical ratings, points equal to five percent of the points available from the assessment device or devices shall be added to the passing score of a veteran, and points equal to 10 percent of the points available from the assessment device or devices shall be added to the passing score of a disabled veteran or former prisoner of war. In an assessment not using numerical ratings, consideration shall be afforded to a veteran; additionally, an opportunity to interview for the position shall be afforded to a disabled veteran or [EXAMINATION TO DETERMINE THE QUALIFICATION OF APPLICANTS FOR THE CLASSIFIED SERVICE UNDER MERIT SYSTEM EXAMINATION, FIVE POINTS SHALL BE ADDED TO THE PASSING GRADE OF A VETERAN, 10 POINTS SHALL BE ADDED TO THE PASSING GRADE OF A DISABLED VETERAN, OR 10 POINTS SHALL BE ADDED TO THE PASSING GRADE OF] a former prisoner of war. A person may receive preference [POINTS] under only one of the categories described in this subsection or in (c) of this section. A person may use the preference without limitation when being considered for a position for which persons who are not

Copy of the
Regulation

1 currently state employees are being considered. If the recruitment for a position
2 [CONSIDERATION OF APPLICANTS] is limited to state employees, preference
3 [POINTS] under this subsection may not be counted. If a position in the classified
4 service is eliminated, employees shall be released in accordance with rules adopted
5 under AS 39.25.150(13). In the case of a comparison of employees with equal
6 qualifications on the factors adopted under AS 39.25.150(13) [THAT GIVE DUE
7 EFFECT TO ALL FACTORS. IF ALL JOB QUALIFICATIONS ARE EQUAL], a
8 veteran or former prisoner of war shall be given preference over a person who is
9 [WAS] not a veteran or former prisoner of war, and the veteran or former prisoner
10 of war shall be kept on the job. This subsection may not be interpreted to amend the
11 terms of a collective bargaining agreement.

12 * Sec. 6. AS 39.25.159(c) is amended to read:

13 (c) A member of the national guard who possesses the necessary qualifications
14 for a position or job classification applied for under this chapter is entitled to a
15 preference under this subsection. In an assessment using numerical ratings, points
16 equal to five percent of the points available from the assessment device or devices
17 shall be added to the passing score of a member of the national guard. In an
18 assessment not using numerical ratings, consideration shall be afforded to
19 [EXAMINATION TO DETERMINE THE QUALIFICATION OF APPLICANTS FOR
20 THE CLASSIFIED SERVICE UNDER MERIT SYSTEM EXAMINATION, FIVE
21 POINTS SHALL BE ADDED TO THE PASSING GRADE OF] a member of the
22 national guard. A person may use the preference without limitation when being
23 considered for a position for which persons who are not currently state employees are
24 being considered. If the recruitment for a position [CONSIDERATION OF
25 APPLICANTS] is limited to state employees, preference [POINTS] under this
26 subsection may not be counted. If a position in the classified service is eliminated,
27 employees shall be released in accordance with rules adopted under
28 AS 39.25.150(13). In the case of a comparison of employees with equal
29 qualifications on the factors adopted under AS 39.25.150(13) [THAT GIVE DUE
30 EFFECT TO ALL FACTORS. IF ALL JOB QUALIFICATIONS ARE EQUAL], a
31 member of the national guard shall be given preference over a person who is [WAS]

not a veteran, a former prisoner of war, or a member of the national guard. This subsection may not be interpreted to amend the terms of a collective bargaining agreement. In this subsection, "member of the national guard" means a person who is presently serving as a member of the Alaska National Guard and who has at least eight years of service in the Alaska National Guard.

* Sec. 7. AS 39.25.159(d) is amended by adding a new paragraph to read:

(4) "consideration" means reviewing a person's entire application in order to determine whether the person should be selected, rejected, or admitted to further steps in the assessment or selection process.

* Sec. 8. AS 39.25.160(h) is amended to read:

(h) A person may not knowingly make a false statement, [CERTIFICATE,] mark, rating, or report with regard to an assessment [A TEST], certification, or appointment made under this chapter or in any manner commit a fraud preventing the impartial execution of this chapter and the personnel rules adopted under this chapter.

* Sec. 9. AS 39.25.160(i) is amended to read:

(i) A person may not obstruct the right of another person to assessment [EXAMINATION], eligibility, certification, appointment, or promotion under this chapter.

* Sec. 10. AS 39.25.195(b) is amended to read:

(b) An appointment to state service, except an emergency appointment, shall be made from the list of applicants qualified for the position [AN APPLICABLE ELIGIBLE LIST OR DISPATCHING REGISTER] unless, in appropriate circumstances, the director has waived this requirement.

* Sec. 11. AS 39.25.195(c) is amended to read:

(c) An appointment of a nonpermanent employee may not be made unless the request for authorization is approved by the director, adequate money is available for the anticipated duration of the appointment, and the director determines that

[(1)] the hiring department or agency has certified that

(1) the legislature has appropriated money for the work in question knowing that it is to be performed by a nonpermanent employee;

(2) [THE HIRING DEPARTMENT OR AGENCY HAS CERTIFIED

1 THAT] there is an immediate need to fill an authorized, permanent position and it is
2 impractical either to establish or recruit for the position [OR TO MAKE
3 CERTIFICATION] within a reasonable time;

4 (3) [THE HIRING DEPARTMENT OR AGENCY HAS CERTIFIED
5 THAT] an immediate need exists and the director determines that the hiring
6 department or agency could not reasonably have been expected to anticipate and meet
7 that need through the creation of a permanent position; or

8 (4) [THE HIRING DEPARTMENT OR AGENCY HAS CERTIFIED
9 THAT] a program or project exists and the director determines that the need for
10 employees can most appropriately be met through the use of program or project
11 employees.

12 * Sec. 12. AS 39.25.196(a) is amended to read:

13 (a) Notwithstanding the provisions of AS 39.25.195, a hiring department or
14 agency may grant a preference to local residents in the appointment of nonpermanent
15 employees or in the appointment of permanent employees to perform seasonal work
16 assignments of 180 calendar days or less in a 12-month period. If there are no local
17 residents on the applicable list of applicants qualified for [ELIGIBLE LIST FOR] a
18 nonpermanent or a permanent seasonal position or if the local residents on the
19 applicable [ELIGIBLE] list of applicants qualified for the position are unavailable,
20 the hiring department or agency may obtain referrals of qualified job applicants for
21 these positions from the job service office of the Department of Labor and Workforce
22 Development serving the area and, from those applicants, select a qualified person who
23 is a local resident for the position.

24 * Sec. 13. AS 44.21.020 is amended to read:

25 **Sec. 44.21.020. Duties of department.** The Department of Administration
26 shall

27 (1) make surveys and studies to improve administrative procedures,
28 methods, and organization;

29 (2) keep general accounts;

30 (3) approve vouchers and disburse funds for all purposes;

31 (4) operate centralized purchasing and supply services, and necessary

1 storerooms and warehouses;

2 (5) allot space in state buildings to the various departments according
3 to need and available space;

4 (6) supervise telephone, mailing, messenger, duplicating, and similar
5 services adaptable to centralized management;

6 (7) administer the public employees' retirement system and teachers'
7 retirement system;

8 (8) administer a statewide personnel program, including central
9 personnel services such as recruitment, assessment [EXAMINATION], position
10 classification, and pay administration;

11 (9) administer the Alaska Pioneers' Homes;

12 (10) administer and supervise a statewide automatic data processing
13 program;

14 (11) study, design, implement, and manage the telecommunications
15 systems and services of the state under AS 44.21.305 - 44.21.330;

16 (12) [REPEALED]

17 (13)] administer state veterans' home facilities; in carrying out its duties
18 under this paragraph, the department shall consult with the Department of Military and
19 Veterans' Affairs.

20 * **Sec. 14.** AS 39.25.153(b), 39.25.153(c), 39.25.153(d), [and 39.25.155] are repealed. *#1 amendment*

21 * **Sec. 15.** The uncodified law of the State of Alaska is amended by adding a new section
22 to read:

23 **TRANSITION: REGULATIONS.** The personnel board may proceed to adopt
24 amendments to the personnel rules to implement the changes made by this Act. The
25 amendments to the personnel rules take effect under AS 39.25.140, but not before the effective
26 date of secs. 1 - 14 of this Act.

27 * **Sec. 16.** Section 15 of this Act takes effect immediately under AS 01.10.070(c).

I-GH2050.A

2/29/00

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE MURKOWSKI

TO: HB 317

1 Page 2, following line 1:

2 Insert a new bill section to read:

3 * Sec. 3. AS 39.25.130(a) is amended to read:

4 (a) The personnel board, upon written recommendation of the commissioner of
5 administration, may extend the partially exempt service to include any position in the classified
6 service that, in the judgment of the board,

7 (1) involves principal responsibility for the determination of policy;

8 (2) involves principal responsibility for the way in which policies are
9 carried out; or

10 (3) involves responsibilities and duties of a type not susceptible to the
11 ordinary recruiting and assessment [EXAMINING] procedures.

12 Renumber the following bill sections accordingly.

13 Page 3, line 2:

14 Delete "certifying"

15 Page 3, line 18:

16 Delete "processes"

17 Insert "procedures"

- 1 Page 4, line 12:
- 2 Delete "severely handicapped"
- 3 Insert "individuals with severe disabilities"
- 4 Page 4, line 13:
- 5 Delete "persons"
- 6 Page 4, line 14:
- 7 Following "periods"
- 8 Insert "of"
- 9 Page 4, line 15:
- 10 Delete "severely handicapped person"
- 11 Insert "individual with a severe disability"
- 12 Page 4, line 18:
- 13 Delete "severely"
- 14 Insert "severe"
- 15 Page 4, line 19:
- 16 Delete "handicapped"
- 17 Insert "disability"
- 18 Page 4, line 20:
- 19 Delete "severely handicapped"
- 20 insert "severely disabled"
- 21 Page 5, line 1:
- 22 Following "or"

1 Insert "former"

2 Page 5, line 7:

3 Following "or"

4 Insert "former"

5 Page 5, line 15:

6 Following "a"

7 Insert "former"

8 Page 5, line 25:

9 Following "or"

10 Insert "former"

11 Page 5, line 26:

12 Following "not a veteran or"

13 Insert "former"

14 Page 5, line 27:

15 Insert "former"

16 Page 7, following line 8:

17 Insert a new bill section to read:

18 "** Sec. 11. AS 39.25.195(c) is amended to read as follows:

19 (c) An appointment of a nonpermanent employee may not be made unless the
20 request for authorization is approved by the director, adequate money is available for the
21 anticipated duration of the appointment, and the director determines that

22 (1) the hiring department or agency has certified that the legislature has

1 appropriated money for the work in question knowing that it is to be performed by a
2 nonpermanent employee;

3 (2) the hiring department or agency has certified that there is an
4 immediate need to fill an authorized permanent position and it is impractical either to
5 establish the position or to conduct recruitment [MAKE CERTIFICATION] within a
6 reasonable time;

7 (3) the hiring department or agency has certified that an immediate need
8 exists and the director determines that the hiring department or agency could not
9 reasonably have been expected to anticipate and meet through the creation of a permanent
10 position; or

11 (4) the hiring department or agency has certified that a program or project
12 exists and the director determines that the need for employees can most appropriately be
13 met through the use of program or project employees."

14 Renumber the following bill sections accordingly.

15 Page 7, line 14:

16 Following "qualified for"

17 Delete "the"

18 Insert "a"

19 Page 8, line 22:

20 Delete "secs. 1 - 12"

21 Insert " secs. 1 - 14"

STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

P.O. BOX 110200
JUNEAU, ALASKA 99811-0200
PHONE: (907) 465-2200
FAX: (907) 465-2135

February 2, 2000

The Honorable Lisa Murkowski
Alaska State Representative
State Capitol, Room 406
Juneau, AK 99801

Dear Representative Murkowski:

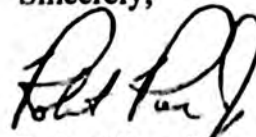
I respectfully request that you schedule House Bill 317, an act relating to recruitment, selection, appointment, and promotion of state employees, for a hearing in the House Special Committee on Military and Veterans' Affairs.

This bill amends various sections of the State Personnel Act to integrate Workplace Alaska as an on-line recruitment, application, and hiring process for positions in the classified service. The bill also establishes a system to continue honoring preference for veterans, prisoners of war and members of the Alaska National Guard.

If you have any questions or need additional information, please feel free to contact me or my legislative liaison, David Koivuniemi.

Thank you in advance for your cooperation.

Sincerely,



Robert Poe, Jr.
Commissioner

RP/DMD/jd

cc: Pat Pourchot, Legislative Director, Office of the Governor



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FISCAL NOTE

No: 1

STATE OF ALASKA
2000 LEGISLATIVE SESSIONBill Version: HB 317
(H) Publish Date: 1/24/00Revision Date/Time (Note if Correction): 12/28/99 11:00 a.m.
Title: "An Act relating to selection, appointment, and promotion of state employees...."
Sponsor: Rules Committee
Requestor: GovernorDepartment Affected: All DepartmentsBRU: PersonnelComponent: PersonnelCOMPONENT SERIAL NO. 2265

Expenditures/Revenues:

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2001	FY 2002	FY2003	FY 2004	FY 2005	FY 2006
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	------------	------------	------------	------------	------------	------------

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	------------	------------	------------	------------	------------	------------

FUND SOURCE:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 2000) cost: \$ _____

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

The statute changes reflect current practices required by Workplace Alaska. Because the new system is not based on examination and creation of eligible lists, references to eligible lists, examinations, etc., have been amended where appropriate. Veteran's preferences which have been available as points on eligible lists are changed to required consideration for 5% veterans and required interviews for 10% veterans. Because these changes reflect current practices, there is no fiscal impact.

Prepared by: Sharon Barton, DirectorDivision: PersonnelPhone: 465-4429

Date: _____

Approved by Commissioner: Robert Poe Jr.Agency: Department of AdministrationPhone: 465-2200Date: 12/28/99**COMMITTEE COPY**PREPARED TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
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January 21, 2000

The Honorable Brian Porter
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Porter:

Workplace Alaska, the state's new, highly successful system for hiring, has won national awards for outstanding innovation. It is time to put this pilot program into state law.

This bill I transmit today amends various sections of the State Personnel Act to integrate Workplace Alaska as an on-line recruitment, application, and hiring process for positions in the classified service.

Workplace Alaska replaces the time-consuming old system of eligibility lists and examinations, which could cause a single hire to take as much as several months to complete. Under this new program, an applicant maintains a single resume on-line that can be used for any vacancy advertised.

The new hiring process follows these steps:

- Hiring manager completes an on-line vacancy announcement;
- Agency reviews and approves the job announcement;
- Division of Personnel posts the announcement on the Internet;
- Job seekers complete a one-time applicant profile (resume);
- Job seekers access job postings over the Internet and view individual vacancies;
- Job seekers file a job qualification summary form for each vacancy of interest, attaching the applicant profile;
- Hiring manager reviews all submitted job qualification summaries and profiles, conducts interviews, reference checks, and selects an individual for the position;
- Agency approves the appointment.

The Honorable Brian Porter
January 21, 2000
Page 2

Workplace Alaska is an advantage to hiring managers as well as to applicants. It results in faster hires, a better-qualified pool of candidates who are interested in specific vacancies, and up-to-date applicant and vacancy information.

The bill establishes a system to continue honoring preference for veterans, prisoners of war and members of the Alaska National Guard. It also provides authority for the personnel board to adopt necessary implementing regulation changes.

Workplace Alaska has proven to be a vast improvement in the state's hiring process. I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tony Knowles", written in a cursive style.

Tony Knowles
Governor

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. CSHB 317 (STA)

Revision Date: 3/13/00

Dept. Affected All Departments

Title Related to selection, appointment, and

BRU Personnel

promotion of state employees

Component Personnel

Sponsor Rules

Requester (H) FIN

Component No. 2265

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	------------	------------	------------	------------	------------	------------

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	------------	------------	------------	------------	------------	------------

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 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

ANALYSIS: (Attach a separate page if necessary)

The statute changes reflect current practices required by Workplace Alaska. Because the new system is not based on examination and creation of eligible lists, references to eligible lists, examinations, etc. have been amended where appropriate. Veteran's preferences which have been available as points on eligible lists are changed to required consideration for 5% veterans and required interviews for 10% veterans. Because these changes reflect current practices, there is no fiscal impact.

Prepared by: Sharon Barton

Phone 465-4429

Division Personnel

Date/Time

Approved by Commissioner -- Robert Poe, Jr. [Signature]

Date 3/14/00

Agency Administration

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Bill History/Action Display



BILL: HB 317 SHORT TITLE: STATE EMPLOYEE HIRE AND PROMOTION
 BILL VERSION:
 SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

CURRENT STATUS: (H) RLS

STATUS DATE: 4/07/00

TITLE: "An Act relating to recruitment, selection, appointment, and promotion of state employees and the duties of the Department of Administration concerning those and other related functions; and providing for an effective date."

☐ Full Text ☐ Fiscal Notes Detailed 2000 fiscal note information currently not available on-line.

Committee Action With Bill History

Jrn-Date	Jrn-Page	Action
1/24/00	1991	(H) READ THE FIRST TIME - REFERRALS
1/24/00	1991	(H) MLV, STA, FIN
1/24/00	1991	(H) ZERO FISCAL NOTE (ADM/ALL DEPTS)
1/24/00	1991	(H) GOVERNOR'S TRANSMITTAL LETTER
3/03/00	2393	(H) MLV RPT CS (MLV). NT 5DP
3/03/00	2394	(H) DP: CROFT, PHILLIPS, JAMES, CISSNA,
3/03/00	2394	(H) MURKOWSKI
3/03/00	2394	(H) ZERO FISCAL NOTE (ADM/ALL DEPTS) 1/24/00
3/15/00	2488	(H) STA RPT CS (STA) NT 2DP 2NR
3/15/00	2488	(H) DP: JAMES, HUDSON; NR: GREEN, OGAN
3/15/00	2488	(H) ZERO FISCAL NOTE (ADM/ALL DEPTS) 1/24/00
4/07/00	2913	(H) FIN RPT CS (STA) NT 3DP 4NR
4/07/00	2914	(H) DP: PHILLIPS, DAVIES, FOSTER;
4/07/00	2914	(H) NR: THERRIAULT, AUSTERMAN, WILLIAMS,
4/07/00	2914	(H) DAVIS
4/07/00	2914	(H) ZERO FISCAL NOTE (ADM/ALL DEPTS) 1/24/00
4/07/00	2914	(H) REFERRED TO RULES

Similar Subject Match or Exact Subject Match

DISABILITIES

PUBLIC EMPLOYEES

PUBLIC RECORDS

VETERANS

Bill Root:

Return to BASIS Main Menu(21st Legislature)

Return to the Legislature Home Page

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Dear Speaker Porter:

Workplace Alaska, the state's new, highly successful system for hiring, has won national awards for outstanding innovation. It is time to put this pilot program into state law.

This bill I transmit today amends various sections of the State Personnel Act to integrate Workplace Alaska as an on-line recruitment, application, and hiring process for positions in the classified service.

Workplace Alaska replaces the time-consuming old system of eligibility lists and examinations, which could cause a single hire to take as much as several months to complete. Under this new program, an applicant maintains a single resume on-line that can be used for any vacancy advertised.

The new hiring process follows these steps:

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- Job seekers access job postings over the Internet and view individual vacancies;
- Job seekers file a job qualification summary form for each vacancy of interest, attaching the applicant profile;
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Workplace Alaska has proven to be a vast improvement in the state's hiring process. I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Tony Knowles
Governor

HB 317

Recruitment and selection of employees is one of the basic purposes of a personnel function. To do so quickly and effectively is ideal.

WorkPlace Alaska provides needed changes in accessibility and speed to recruitment efforts. Developed in response to requests for speedier review of their applications and to speedier lists of applicants, job seekers and hiring managers have both responded positively to WorkPlace Alaska.

WorkPlace Alaska is available 24 hours per day, seven days per week, 52 weeks per year, except for an hour or two per week for scheduled maintenance. What took months to complete can now be accomplished in minutes.

Testing on the WorkPlace Alaska system began in March 1997 as a two-department pilot project. In November 1998 it was expanded for use by all state agencies. As the pilots and expanded use provided more feedback and refinements were made, WorkPlace Alaska has replaced the paper-intensive register system completely.

The legislation before you is intended to refresh the language of the law to reflect the use of WorkPlace Alaska instead of the paper-based register system.

Mr. Chair, I have prepared a sectional analysis of this legislation for your analysis. I would be pleased to walk the committee through that analysis, or I can provide a synopsis of the changes, or I can answer general or specific questions you might have.

Chart of Statutory Revisions to Implement Workplace Alaska – 3/15/00
(This summary is based upon the CS for HB317 adopted by MLV)

Section, page, line	Current Statute	Proposed Revision	Reason or Necessity
Section 1 Page 1 Line 8	AS 39.25.080(a) State personnel records, including employment applications and examination materials, are confidential and are not open to public inspection except as provided in this section.	Add the words "and other assessment" between "examination" and materials;"	There is an assessment with WPA, not an examination; reference is corrected for practice.
Section 2 Page 1 Line 12	AS 39.25.120(b) A person holding a position in the partially exempt service is not required to take an examination or qualify or earn a place on a register, and is not eligible for a hearing by the personnel board in case of dismissal, demotion, or suspension. ...	A person holding a position in the partially exempt service is not required to <u>complete an assessment</u> , and is not eligible for a hearing by the personnel board in case of dismissal, demotion, or suspension....	Delete reference to register system; no longer is use. Partially Exempt staff can be appointed without competitive process.
Section 3 Page 2 Line 12	AS 39.25.130(a)(3) Involves responsibilities and duties of a type not susceptible to the ordinary recruiting and examining procedures.	Change word "examining to "assessment;"	Reflects current practice.
Section 4 Page 3 Lines 4-6	AS 39.25.150(3) the use of employee selection methods, including open competitive	the use of employee selection methods, including open	Delete reference to examination;

	examinations, when appropriate, that will fairly test the capacity and fitness of the person examined to discharge the duties of the class in which employment is sought;	competitive assessment devices, when appropriate, that will fairly evaluate the capacity and fitness of the person assessed to discharge the duties of the position in which employment is sought;	Reflects vacancy-based position orientation of WPA instead of class based register system.
Section 4 Page 3 Lines 7-8	AS 39.25.150(4) the establishment and maintenance of eligible lists for appointment and promotion providing the names of eligible candidates in order of their relative performance in the examinations;	the formulation of a list for appointment or promotion to a position;	Reference to the development of a vacancy-based list of applicants rather than the maintenance of an eligible-list or register; requires the adoption of WPA-oriented regulations.
Section 4 Page 3 Line 11	AS 39.25.150(5) the procedure for certifying eligible candidates; the rule adopted under this paragraph may include procedures providing a preference for certifying local residents when appropriate;	the procedure for filling positions; the rule adopted under this paragraph may include procedures providing a preference for local residents when appropriate;	References the requirement for regulation governing the use of WPA for filling vacancies rather than for certifying eligible candidates, and for providing for local resident preferences, when appropriate; removes the reference to "certifying."
Section 4 Page 3 Line 17	AS 39.25.150(6) promotions from within the state service when there are qualified candidates in the state service; vacancies shall be filled by promotion	Change word "examination" to word "assessment;"	Reference to current practice; assessment rather than examination.

	whenever practicable and in the best interest of the state service and promotion shall be by competitive examination whenever possible; in considering promotions, the applicants' qualifications, performance records, seniority, and conduct shall be evaluated;		
Section 4 Page 3 Lines 28-30	AS 39.25.150(9) provisional appointment without competitive examination when appropriate eligible lists are not available;	Provisional appointment without competitive assessment when the recruitment and assessment procedures have not identified qualified candidates in sufficient number;	Corrects reference from examination to assessment, and provides for continuing use of alternative appointment methods when recruitment fails to provide a sufficient pool of candidates.
Section 4 Page 4 Line 18	AS 39.25.150(19) Granting of employment preference rights to...prisoner of war	Adds "former" before "prisoner of war."	
Section 4 Page 4 Line 23-end	AS 39.25.150(21) The granting of employment preference to severely handicapped persons; this includes the right to provisional appointment without competitive examination for period up to four months and the granting of eligibility to a severely handicapped person provisionally appointed under the rules who demonstrates ability to perform the job for	Change the word "examination" to "assessment in the two places this term appears; insert the word "of" between "periods" and "up;" change the phrase "severely handicapped person" to "individual with a severe disability" throughout this subsection.	References assessment rather than examination in language; provides for the use of "individual with disability" rather than "handicapped person" in keeping with social consciousness.

	permanent appointment without competitive examination; provisional employment under this paragraph may not exceed four months during a 12-month period; "severely handicapped" as used in this paragraph means persons certified by the director of the division of vocational rehabilitation to be severely handicapped;		
Section 5 Page 5 Line 17	AS 39.25.155(c) Applicants shall be placed on eligible lists for the vocational classification indicated in the applications submitted to the Division of Personnel in the order of their relative ranking based on an assessment of their vocational ~~technical~~ ability, and place of residence, and without written examination. Aptitude or occupational tests may be given if a position requires a specific ability.		There are amendments proposed for this section that focus on moving the concept "examination" to "assessment."

Section 6 Page 5 Line 21	AS 39.25.155(e) The director of personnel shall embody a concept combined of <u>technical</u> ability, place of residence local hire and area unemployment in the personnel rules to accomplish the intent of this section.	Substitute "vocational" for "technical."	Changes language to reflect the use of vocational ability rather than attempting to determine the meaning of "technical."
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Section 7 Page 5 Line 25 – end of section	AS 39.25.159(a) Veteran's Preference A veteran or prisoner of war who possesses the necessary qualification for a job classification applied for under this chapter is entitled to a preference under this subsection. In an examination to determine the qualification of applicants for the classified service under merit system examination, five points shall be added to the passing grade of a veteran, 10 points shall be added to the passing grade of a disabled veteran, or 10 points shall be added to the passing grade of a prisoner of war. A person may receive preference points under only one of the categories described in this subsection of in (c) of this section. A person may use the preference without limitation when being considered for a position for which persons who are not currently state employees are being considered. If consideration of applicants is limited to state employees, preference points under this subsection may not be counted. If a position in the classified service is eliminated, employees shall be released in accordance with rules that give due effect to all factors. If all	A veteran or former prisoner of war who possesses the necessary qualifications for a position or job classification applied for under this chapter is entitled to a preference under this subsection. In an assessment using numerical ratings, points equal to five percent of the points available from the assessment device or devices shall be added to the passing score of a veteran, and 10 percent of the points available from the assessment device or devices shall be added to the passing score of a disabled veteran or former POW. In an assessment not using numerical ratings, consideration shall be afforded to a veteran; additionally, an opportunity to interview for the position shall be afforded to a disabled veteran or a former POW. A person may receive preference under only one of the categories described in this subsection or in (c) of this section. ...If the scope of recruitment for a position is limited to state employees, preference under this subsection may	The reference to "former" prisoner of war is more realistic. New language continues changing references from "examination" to "assessment;" Changes requirement to meet practice of considering all veterans for advertised vacancies, and adds a requirment to interview a disabled veteran or former POW; Continues changing references to recruitments; Maintains current layoff practices.
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	job qualifications are equal, a veteran or prisoner of war shall be given preference over a person who was not a veteran or prisoner of war, and the veteran or prisoner of war shall be kept on the job. This subsection may not be interpreted to amend the terms of a collective bargaining agreement.	not be counted. If a position in the classified service is eliminated, employees shall be released in accordance with rules adopted under AS 39.25.150(13). In the case of a comparison of employees with equal qualifications on the factors adopted under AS 39.25.150(13), a veteran or former POW shall be given preference over a person who was not a veteran or former POW, and the veteran or former POW shall be kept on the job.	If collective bargaining agreements allow it, veterans or former POWs should be given "super seniority," and layed off after non-veterans.
Section 8 Page 6 Line 24 – end of section	AS 39.25.159(c) Similar to veterans and POW preference in AS 39.25.159(a), except applies to a member of the national guard.	Similar revisions to those set out above re: AS 39.25.159(a).	Applies the protections granted in the previous section to members and former members of the National Guard.
Section 9 Page 7 Line 17	AS 39.25.159(d)	Add a new paragraph (4) to read: "consideration" means reviewing a person's entire application in order to determine whether the person should be selected, rejected, or admitted to further steps in the assessment or selection process.	New paragraph that defines the word "consideration" in the context of WPA.

Section 10 Page 7 Line 23	AS 39.25.160(h) A person may not knowingly make a false statement, certificate, mark, rating or report with regard to a test, certification, or appointment made under this chapter or in any manner commit a fraud preventing the impartial execution of this chapter and the personnel rules adopted under this chapter.	A person may not knowingly make a false statement, mark, rating or report with regard to an assessment . . . (remainder unchanged).	Replaces "test" with "assessment";
Section 11 Page 7 Line 27	AS 39.25.160(i) A person may not obstruct the right of another person to examination, eligibility, certification, appointment, or promotion under this chapter.	A person may not obstruct the right of another person to assessment...	Replaces "examination" with "assessment."
Section 12 Page 8 Line 1	AS 39.25.195(b) An appointment to state service, except an emergency appointment, shall be made from an applicable eligible list or dispatching register unless in appropriate circumstances the director has waived this requirement.	An appointment to state service, except an emergency appointment, shall be made from the list of applicants qualified for the position unless in appropriate circumstances the director has waived this requirement.	Dispenses with use of "eligible list" and substitutes "list of applicants qualified..."
Section 13 Page 8 Line 13 to end of section	As 39.25.195(c)(2)-(4) The hiring department or agency has certified that there is an immediate need to fill an authorized permanent position and it is	Change "make certification" to "conduct recruitment;"	References the process for filling a vacancy by nonpermanent appointment; changes

	impractical either to establish the position or to make certification.		reference from "certification" to "recruitment"
Section 14 Page 8 Line 28 & 30	AS 39.25.196(a) Notwithstanding the provisions of AS 39.25.195, a hiring department or agency may grant a preference to local residents in the appointment of nonpermanent employees or in the appointment of permanent employees to perform seasonal work assignments of 180 calendar days or less in a 12-month period. If there are no local residents on the applicable eligible list for a nonpermanent or a permanent seasonal position or if the local residents on the applicable eligible list are unavailable, the hiring department or agency may obtain referrals of qualified job applicants for these positions from the job service office of the Department of Labor and Workforce Development serving the area and from those applicants select a qualified person who is a local resident for the position.	Notwithstanding the provisions of AS 39.25.195, a hiring department or agency may grant a preference to local residents in the appointment of nonpermanent employees or in the appointment of permanent employees to perform seasonal work assignments of 180 calendar days or less in a 12-month period. If there are no local residents on the applicable list of applicants qualified for a nonpermanent or a permanent seasonal position or if the local residents on the applicable list of applicants qualified for the position are unavailable, the hiring department or agency may obtain referrals of qualified job applicants for these positions from the job service office of the Department of Labor and Workforce Development serving the area and from those applicants select a qualified person who is a local resident for the	Continues replacement of "eligible list" by "list of applicants qualified for..."

		position.	
Section 15 Page 9 Line 20	AS 44.21.020(8) administer a statewide personnel program, including central personnel services such as recruitment, examination, position classification, and pay administration;	Administer a statewide personnel program, including central personnel services such as recruitment, assessment, position classification, and pay administration;	Replaces "examination" with "assessment."
Section 16 Page 9 Line 31	AS 39.25.153(b) Repealed.		Unnecessary. Repeals specific delegations of authority to named agencies; no longer necessary since broader authorities are already delegated. Also, contains a reference to "examination."
	AS 39.25.153(c) Repealed.		Unnecessary. Broader authorities to classify positions are already delegated to agencies.
	AS 39.25.153(d) Repealed.		Unnecessary. Broader authorities to act with respect to position classification are already delegated to agencies.
Section 17 Page 10 Line 1			This section prevents the Personnel Board from adopting regulations relative to the use of WorkPlace Alaska until these

			statutory changes are made.
Section 18 Page 10 Line 7		Requests an immediate effective date.	

Thank you, Mr. Chair, for the opportunity to provide this testimony. If you have questions, please do not hesitate to contact me.

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NEWS RELEASE

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HB 317

FOR IMMEDIATE RELEASE: August 25, 1999
99-176

**ALASKA DMV PARTNERSHIP PROGRAM AND
WORKPLACE ALASKA WIN
1999 NATIONAL INNOVATION AWARD FROM
TOP GOV'T GROUP**

The National Association of State Chief Administrators (NASCA) has tapped Workplace Alaska and the Alaska Department of Motor Vehicles (DMV) Partnership Program for its 1999 Overall Award for Innovation. The awards winners were announced Tuesday during NASCA's Annual Meeting in Salt Lake City, Utah.

The two outstanding Alaska programs have put the customers first, by recognizing the needs of Alaska residents in complying with state requirements, such as vehicle registrations, and making it easier and more convenient to apply for jobs in state government.

"We may not always realize it here in Alaska, but getting the top award in the country for innovation in state government shows the can do spirit that Alaska state employees apply to providing significantly better service in the face of a decreasing budget," Gov. Tony Knowles said.

In 1995, in the face of declining budgets but expanded programs responsibility, the DMV began looking at alternate methods of maintaining existing service levels to an increasing number of customers. A pilot partnership program with an emission-testing center in Anchorage to do both the emission inspection and vehicle registration renewal was undertaken. The pilot program was so successful that DMV subsequently opened this program to all certified emission test stations.

Having found one partnership to work well, the DMV expanded partnership into other areas of its business. Partners include new car dealerships that title and register new vehicles; commercial and passenger driving schools, school districts; school bus contractors; tour companies and trucking companies that administer road tests for getting commercial and non-commercial driver licenses; commission agents in smaller communities of Alaska who deliver selected DMV services; and hospitals that issue disabled/handicapped parking permits.

Workplace Alaska is a complete on-line recruitment, application, and hiring process for State of Alaska classified service positions. The previous cumbersome recruitment process took approximately 6-8 months from the time an applicant applied to the actual hiring. The process now takes approximately two weeks.

Individuals seeking employment visit Workplace Alaska on the Internet and review vacancies as they occur. Interested applicants complete only two forms, an Applicant Profile, essentially an electronic resume, and a Job Qualification Summary, which asks specific questions about the applicant's qualifications for the position. Workplace Alaska sends this information directly to the hiring manager's electronic in-basket.

... FROM TOP GOV'T <http://www.gov.state.ak.us/press/99176.htm>

"With access through schools, libraries, and home computers, Workplace Alaska offers a much better outreach for Alaskans from Barrow to Ketchikan," Administration Commissioner Bob Poe said. "Workplace Alaska also saves the state over \$300,000 yearly in reduced personnel costs, postage, printing costs, and long distance phone costs."

"Alaska's DMV Program and Workplace Alaska are top-notch programs that had everything we were looking for, innovation, substantial benefits to the state, and transferability to other states," said Tom Torti, Vermont Commissioner of Buildings and General Services and NASCA Awards Committee Chair. "NASCA is proud to recognize the outstanding efforts of the employees who have worked diligently to put these programs into place."

More than 40 programs were submitted by 17 states for the awards.

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For more information contact Administration Commissioner Bob Poe at (907) 465-2200

HB 317

TITLE: "An Act relating to recruitment, selection, appointment, and promotion of state employees and the duties of the Department of Administration concerning those and other related functions; and providing for an effective date."

➤ **Word Changes:**

"Examinations" to "assessments". Many times they are not required to take an examination for promotion.

"Prisoner of war" to "FORMER prisoner of war"

"Severely handicapped persons" to "individuals with severe disabilities"

- Calls for the creation of a **criteria list** for appointment and promotion.
- **Grants some employment preference** rights to veterans, former prisoners of war and individuals with severe disabilities
- Where an assessment using numerical ratings, points equal to 5% will be added to the passing score of a veteran and points equal to 10% shall be added to the passing score of a disabled veteran or former prisoner of war.
- Additionally, points equal to 5% of the available assessment total shall be added to the passing score of a member of the national guard.
- Other protective causes: participants may not knowingly make false statements, obstruct the right of another.