

SCOMM

#51:33

July 12, 1983

RE: HB 207, HB 209 and SB 116 - all about emergency guards in the Department of Public Safety and miscellaneous other matters

There are three bills which originally proposed placing guards used by the Department of Public Safety in emergencies into the exempt service: HB 207 (sponsored by the Blue Ribbon Commission), HB 209 (sponsored by Rep. Bussell and modelled after the Senate version of the Blue Ribbon Commission bill), and SB 116 (the Blue Ribbon Commission Senate version).

HB 207 - this bill had no hearings because House State Affairs took up Rep. Bussell's bill, HB 209, instead. It is still, untampered with, in House State Affairs.

HB 209 - This bill went through numerous changes, some desirable and some less so, and currently may be found [as SCS CSHB 209 (SA)] in Senate Finance.

SB 116 - This bill was amended in Senate State Affairs and passed the Senate. It has been referred [as CSSB 116 (SA)] to House Judiciary and has had no hearings there.

SCS CSHB 209 - Relating to the classification of personnel

Bill history

3/11/83 State Affairs heard the bill and adopted a CS changing the placement of the guards to the partially exempt service rather than the exempt service at the suggestion of Frank Raye, the director of personnel. The change leaves the positions as part of the state classification plan and pay plan, which insures that the division of personnel can watchdog salary to insure pay equity for incumbents.

3/25/83 Hearing in House Finance. The division of personnel and the Blue Ribbon Commission jointly recommended adding language to require that the Department of Public Safety report to the Division of Personnel about emergency appointments made under this legislation. House Finance adopted that language in its CS. The language was originally developed for the Senate version, SB 116.

5/3/83 Hearing in House Rules in which the Department of Natural Resources proposed that young people employed in the youth employment/student intern programs be placed in the exempt service. The Division of Personnel had no problem with this amendment - there is a memo on the change in the file.

Rep. Bussell proposed adding correctional superintendents I & II to the partially exempt service because they should reflect policy (and unspokenly, should be subject to firing if a prisoner escapes, presumably). The hearing went quickly and both amendments were adopted. The Division of Personnel was not in support of Bussell's amendment although they did not testify at the hearing.

- 5/10/83 CSHB 209 (Rules) passed the House 33-6-1. Rep. Duncan moved for reconsideration and the bill passed on reconsideration on 5/13/83, 26-9-3-2.
- 6/9/83 Hearing in Senate State Affairs. Sen. Ray moved that the correctional superintendents be deleted from the bill and the motion passed.
- I did not write a memo for Senate State Affairs since they had heard SB 116 earlier, but I did testify and raise questions about the correctional superintendents since the Blue Ribbon Commission had long been concerned about maintaining the merit system standards, which apply to the classified service and not as much to the partially exempt service (which is exempt from selection and firing standards and rules). I told them I had no information on the changes requested by the Department of Natural Resources.
- 6/13/83 SCS CSHB 209 (SA) was referred to Senate Finance. No hearings were held on the bill before adjournment.

* * * * *

CSSB 116 (SA) - Placing emergency guards employed by the department of public safety in the partially exempt service.

Bill history

- 3/11/83 Hearing in Senate State Affairs. Suzanne Tryck, staff to the committee, and Frank Raye, Director of Personnel, and I met and developed language to require reports from the department on the use of the legislation and also to change the placement of the guards from the exempt to the partially exempt service. Partially exempt positions remain part of the state's classification and pay plans and therefore are guaranteed pay equity for their work. The CS adopted by State Affairs included both of these changes.
- 3/11/83 Judiciary waived referral of CSSB 116 (SA)
- 3/21/83 Passed the Senate, 18-0-2
- 3/23/83 Referred to House Judiciary - there's a memo for them in the file. The House held no hearings.

* * * * *

Comment - the Senate State Affairs Committee Substitute for HB 209 is probably what should be the final language for whichever of these three bills makes it through the legislature, at least under ideal circumstances.

Offered: 6/13/83
Referred: Finance

Original sponsor: Bussell

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 209 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the classification of personnel;
7 and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 39.25.110 is amended by adding a new paragraph to read:
10 (22) youth employed by the Department of Natural Resources
11 under the Youth Employment and Student Intern programs.
12 * Sec. 2. AS 39.25.120(c) is amended by adding a new paragraph to read:
13 (19) guards employed by the Department of Public Safety for
14 emergencies.
15 * Sec. 3. AS 44.41 is amended by adding a new section to read:
16 Sec. 44.41.030. REPORT TO DIVISION OF PERSONNEL. The Department
17 of Public Safety shall submit a report to the director of the division
18 of personnel quarterly and on request of the director. The report
19 shall contain a description of each emergency and shall include the
20 total amount of time by hours for each emergency for which emergency
21 guards under AS 39.25.120(c)(19) were used.
22 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).

Offered: 3/11/83
Referred: Finance

Original sponsor: Bussell

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR HOUSE BILL NO. 209 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act placing emergency guards employed by the
7 Department of Public Safety in the partially exempt
8 service; and providing for an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 39.25.120(c) is amended by adding a new paragraph to
11 read:
12 (19) emergency guards employed by the Department of Public
13 Safety.
14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
15 10.070(c).



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

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

MEMORANDUM

February 24, 1983

TO: Members of the House State Affairs Committee

FROM: Teresa B. Cramer *Teresa B. Cramer*
Administrative Assistant

SUBJECT: House Bill 207 - Placing Emergency Guards Employed by the
Department of Public Safety in the Exempt Service

The Blue Ribbon Commission is recommending that emergency guards employed by the Department of Public Safety be moved from the classified service to the exempt service. In 1979, the commission sponsored legislation to place greater restraints on the employment of both nonpermanent and emergency classified state workers. These restrictions have created some difficulties for the Department of Public Safety because of the large number of emergency guards they hire. In 1982 the department hired 495 emergency guards. There were only 112 other emergency appointments in the state.

An emergency employee is defined as "an employee appointed for a period not to exceed 30 calendar days, whose appointment was made under conditions requiring immediate action to carry on work that is required in the public interest". AS 39.25.200(3). Departments are required to report the reason for hiring an emergency employee within 15 working days of the appointment. Personnel practices require that departments prepare Personnel Action forms at the beginning and ending of an emergency appointment. Departments are not required to report as extensively for an appointment to an exempt position.

According to the Division of Personnel's "Report on Nonpermanent and Emergency Employment 1982", the Department of Public Safety made 495 emergency guard hires in 1982. These employees guard prisoners or seized property in rural areas where a one- or two-person post prevents a trooper from maintaining 24-hour per day watch. The period required for the emergency service is between arrest and either arraignment or transportation to a correctional facility or until other arrangements are made to maintain custody of the seized property. According to the Department of Public Safety, typical appointments last from two to four days.

In its report, the Division of Personnel states that the conditions for making emergency appointments place a significant paperwork burden on the Department of Public Safety, and on the Divisions of Personnel, Finance, and Retirement and Benefits in the Department of Administration. The division and the department recommend that emergency guards working for the Department of Public Safety be placed in the exempt service. The division points out that there are similarities between these positions and emergency firefighters in the department, who are already included in the exempt service by statute. AS 39.25.110(19).

The Blue Ribbon Commission agrees with the recommendation. Emergency guards are typically employed repeatedly in the locations which need them, but for short times each time. The paperwork burden on the department would be substantially reduced with little effect on the employee because the appointments are of such short duration. (The protections for emergency appointments are not much greater, if at all, than for exempt employees.) The continuing need for these appointments has been adequately documented.

The problem for the Department of Public Safety derives from the large number of emergency guards which they must hire. The following table shows the five job classes in which emergency appointments were most frequently made in 1982.

<u>JOB CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>NUMBER OF APPOINTMENTS</u>
Guards	Public Safety	495
Fish Culturist I	Fish and Game	30
Fish & Game Tech II	Fish and Game	17
Psychiatric Nurses		
Ass't I	Health & Social Services	12
Fish & Game Tech III	Fish and Game	9

Bill Analysis

Section 1 adds emergency guards employed by the Department of Public Safety to the section of the State Personnel Act which lists exempt positions.

TBC:lmk

Offered: 5/5/83
Referred: Rules

Original sponsor: Bussell

1 IN THE HOUSE BY THE RULES COMMITTEE
2 CS FOR HOUSE BILL NO. 209 (Rules)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the classification of personnel;
7 and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 39.25.110 is amended by adding a new paragraph to read:
10 (22) youth employed by the Department of Natural Resources
11 under the Youth Employment and Student Interim programs.
12 * Sec. 2. AS 39.25.120(c) is amended by adding new paragraphs to read:
13 (19) guards employed by the Department of Public Safety for
14 emergencies;
15 (20) correctional superintendents I and II employed by the
16 Department of Health and Social Services.
17 * Sec. 3. AS 44.41 is amended by adding a new section to read:
18 Sec. 44.41.030. REPORT TO DIVISION OF PERSONNEL. The Department
19 of Public Safety shall submit a report to the director of the division
20 of personnel quarterly and on request of the director. The report
21 shall contain a description of each emergency and shall include the
22 total amount of time by hours for each emergency for which emergency
23 guards under AS 39.25.120(c)(19) were used.
24 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
25 10.070(c).

Offered: 5/5/83
Referred: Rules

Original sponsor: Bussell

1 IN THE HOUSE BY THE RULES COMMITTEE

2 CS FOR HOUSE BILL NO. 209 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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7 and providing for an effective date."

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

exempt * Section 1. AS 39.25.110 is amended by adding a new paragraph to read:

10 (22) youth employed by the Department of Natural Resources
11 under the Youth Employment and Student ^{Intern} ~~Interim~~ programs.

pt * Sec. 2. AS 39.25.120(c) is amended by adding new paragraphs to read:

13 (19) guards employed by the Department of Public Safety for *stab*
14 emergencies; *cs*

15 (20) correctional superintendents I and II employed by the
16 Department of Health and Social Services.

17 * Sec. 3. AS 44.41 is amended by adding a new section to read:

18 Sec. 44.41.030. REPORT TO DIVISION OF PERSONNEL. The Department *stab*
19 of Public Safety shall submit a report to the director of the division *cs*
20 of personnel quarterly and on request of the director. The report
21 shall contain a description of each emergency and shall include the
22 total amount of time by hours for each emergency for which emergency
23 guards under AS 39.25.120(c)(19) were used.

24 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
25 10.070(c).

*Ray - delete lines 15 & 16 - No objection - SCS CS HB 209 (3A)
Move w/ indiv recs - No objection*

MEMORANDUM

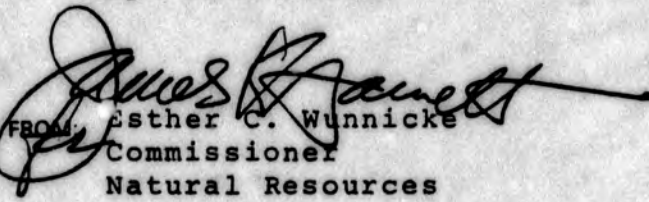
State of Alaska

TO: Rep. Charlie Bussell
Rep. Jack Fuller

DATE: May 2, 1983

FILE NO:

TELEPHONE NO:

FROM:  Esther C. Wunnicke
Commissioner
Natural Resources

SUBJECT: Proposed Amendments
to CSHB 209

The Department of Natural Resources would appreciate the House Rules Committee's consideration of two amendments to CSHB 209.

The first amendment is to add a subsection (22) to AS 39.25.110 which would place young people employed by DNR in the youth employment-student intern programs in the exempt service. The Department proposes this amendment to ensure that these programs may employ youths at minimum wage as proposed under the funding placed by House Finance in DNR's budget. Previously the Youth Conservation Corps program was basically federally funded and thus fell under federal wage restrictions provided for in AS 39.25.190.

The second amendment is to clarify the status of certain petroleum geologists and petroleum engineers working for the Division of Geological and Geophysical Surveys (DGGS). Current statute (AS 39.25.110 (14)) provides all petroleum engineers and petroleum geologists employed by DNR are in exempt service except those in DGGS. This exception has created ongoing administrative difficulties resolved in the past by the Governor specifically approving the appointments of the DGGS petroleum engineers and petroleum geologists. The proposed change would place all the petroleum engineers and petroleum geologists in the exempt service.

cc: Lisa Rudd, Commissioner Admin.

PROPOSED AMENDMENT TO CS HB 209 (Finance)

Section ____ AS 39.25.110 is amended by adding subsection (22) to read:

(22) youth employed by the Department of Natural Resources under the Youth Employment and Student Intern programs.

*Hayes moves -
passed w/o obj.*

POUCH V
JUNEAU, ALASKA 99811
465-4990
P.O. Box 4-1325
ANCHORAGE, ALASKA 99509
248-1515



Representative Charlie Bussell

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

CHAIRMAN
HOUSE JUDICIARY COMMITTEE
MEMBER
HOUSE RESOURCES COMMITTEE
MEMBER
SPECIAL COMMITTEE ON FISHERIES
MEMBER
LEGISLATIVE COUNCIL
MEMBER
ALASKA CODE REVISION COMMISSION

MEMORANDUM

DATE: May 2, 1983
TO: Representative Jack Fuller
Chairman, Committee on Rules
FROM: Representative Charlie Bussell *CB*
SUBJECT: Proposed Amendment to CSHB 209

Line 13 - Add

(20) correctional superintendents I and II employed by the Department of Health and Social Services.

The "Executive Head" of Corrections is ultimately responsible for all actions, or inactions, taken by his Correctional Superintendents who are responsible for direct management of correctional institutions.

Correctional Superintendents are responsible for the planning, general administration, operations, maintenance and logistics of correctional facilities with the distinctions of I and II being related to the size of the facility being managed. These personnel establish policies, procedures and programs within the institutions in conformity with agency and department regulations.

The intent of this amendment is not to infer the impression that the Superintendents who presently manage correctional institutions are not doing a good job. It is felt, however, if these positions are placed in the partially exempt service that timely implementation of new policies and directions will be assured.

On April 22, 1984 the Cleary vs Bierne law suit was expanded to encompass all correctional institutions in the state and any additional facilities which may open during this calendar year. The State has managed to continue the trial date until January 1983 and has until that time to show the court that the state is making a concerted effort to improve conditions in correctional facilities. During this time of critical observation by the court the smooth and continuous reorganization of the correctional system will be most advantageous to the state.

Placing Correctional Superintendents in the partially exempt service will enhance the coordination within Corrections and will contribute to an orderly and systematic implementation of new policies and directives leading to a comprehensive development of corrections within the state.

STATE OF ALASKA

Class Specification

CORRECTIONAL SUPERINTENDENT I *smaller facilities* 7664-19
CORRECTIONAL SUPERINTENDENT II *larger "* 7657-21

Definition:

Under general direction is responsible for the management of an adult correctional institution, including planning, general administration, operations, maintenance and logistics. These are supervisory classes with substantial responsibility for the exercise of independent judgement in appointing, promoting, transferring, suspending, discharging and adjudicating grievances of subordinates.

Distinguishing Characteristics:

The classes of Correctional Superintendent I and Correctional Superintendent II are differentiated on such factors as: Size of physical plant, size of staff, scope, intensity and impact of correctional programs, and operating budgets. Correctional Superintendent II is in charge of a recognized major adult correctional facility equivalent to the Juneau, Fairbanks, and major Anchorage facilities. Correctional Superintendent I is in charge of those facilities with lesser inmate capacity, such as Ketchikan and Nome.

Example of Duties:

Establishes policies, procedures and programs within the institutions in conformity with agency and department regulations.

Selects personnel, conducts in-service training programs; assigns and supervises custodial, maintenance, clerical and other personnel; submits evaluations on work performance.

Reviews and monitors actions of inmate classification and other committees to evaluate the care and treatment program through custody classification, specific and general maintenance, work assignments, program changes, disciplinary actions, meritorious good time, and to consider any other problems which may arise.

Drafts and submits annual budget for institutions; authorizes and approves budget expenditures; supervises food service operations and all other institutional operations.

Supervises the maintenance of the booking, commitment, health, fingerprint, inmate personal fund accounts, disciplinary court, classification, release, fines, and other required records.

Responsible for preparation and submission of monthly reports on operations; submits a total fiscal report annually; may be responsible for maintaining a records and identification section within the Division of Corrections.

Makes recommendations on the planning and design of capital programs relating to correctional institutional facilities.

CORRECTIONAL SUPERINTENDENT I
CORRECTIONAL SUPERINTENDENT II

7664-19
7657-21

Maintains close relationships with civic clubs and organizations within the community to promote better understanding of institutional programs and responsibilities.

Maintains close working relationships with various federal, state and local agencies to advance the smooth operation of the facility.

Oversees, maintains and utilizes emergency equipment (gas masks, forced air administrators, restraint equipment) for emergency situations.

Knowledges, Skills and Abilities:

Knowledge of: Principles, practices, rules and regulations and legal implications and restraints of correctional administration; current theory and method of application of rehabilitation and discipline of persons under restraint; principles and practices of personnel supervision and training; methods and procedures involved in probation, parole, court evidence, and arrests; first aid; various departmental and division policies and procedures related to the operation and administration of correctional institutions; familiarity with state purchasing regulations and personnel rules, and methods of budget preparation.

Ability to: Plan, direct, instruct and supervise the work of others; control, direct, and instruct inmates individually and in groups; interpret and enforce institutional rules and regulations with firmness, tact, and impartiality; promote socially acceptable attitudes and behavior of inmates and rate their conduct accurately and impartially; establish and maintain close and cooperative working relationships with those contacted in the course of the work; analyze administrative problems and adopt and effective course of action; compile budget requests; prepare clear and comprehensive reports; participate effectively in conferences and interviews; maintain physical and health standards sufficient to meet job requirements.

Minimum Qualifications:

Three years of corrections experience as or above the level of Correctional Officer III, Training Officer I, Division of Adult Corrections or Unit Leader with the State of Alaska or the equivalent elsewhere.

Substitution: Two years of experience as a Probation Officer II, or Social Worker III with the State of Alaska or the equivalent elsewhere provided the experience was in a correctional setting;

- AND

One year as Assistant Correctional Superintendent with the State of Alaska or the equivalent elsewhere.

A Master's degree in Corrections, Criminal Justice, Correctional Administration or closely related area may substitute for one year of the required experience.

Rev: 07/01/72

Rev: 11/16/78 Supv. Statement; MQs

Rev: 01/01/82 Added C.S.I. level; Range Change; Def.; MQs

9/SPECV/L

Sofo
4/25/83.

Original sponsor: Bussell

1 IN THE HOUSE

BY THE RULES COMMITTEE

2 CS FOR HOUSE BILL NO. 209 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act placing certain employees in the partially
7 exempt service; and providing for an effective date."

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

9 * Section 1. AS 39.25.120(c) is amended by adding new paragraphs to
10 read:

11 (19) guards employed by the Department of Public Safety for
12 emergencies;

13 (20) correction superintendents I and II employed by the
14 Department of Health and Social Services.

15 * Sec. 2. AS 44.41 is amended by adding a new section to read:

16 Sec. 4/ 41.030. REPORT TO DIVISION OF PERSONNEL. The Department
17 of Public Safety shall submit a report to the director of the division
18 of personnel quarterly and on request of the director. The report
19 shall contain a description of each emergency and shall include the
20 total amount of time by hours for each emergency for which emergency
21 guards under AS 39.25.120(c)(19) were used.

22 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).

24 *Fixler moves to*
25 *accept CS - no objection*

26 *Barnes moves CS and*
27 *be moved - no objection*



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

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

MEMORANDUM

March 23, 1983

TO: House Finance Committee

FROM: Teresa B. Cramer *Teresa B Cramer*
Administrative Assistant

SUBJECT: Proposed Amendment to CSHB 209(SA)

The Blue Ribbon Commission supports the passage of legislation to place emergency guards in the partially exempt service. The commission suggests the following amendment to CSHB 209(SA) in order to provide for oversight by the Division of Personnel of emergency guard appointments by the Department of Public Safety. Emergency guards are currently placed in the classified service, and the Division of Personnel maintains oversight of emergency appointments in compliance with AS 39.25.195(h). The proposed language would continue this function.

Line 13: Add a new section to read:

Sec. 2. AS 44.41 is amended by adding a new section to read:

Sec. 44.41.030. REPORT TO DIVISION OF PERSONNEL. The Department of Public Safety shall submit a report to the director of the division of personnel quarterly and on request of the director. The report shall contain a description of each emergency and shall include the total amount of time by hours for each emergency for which ~~emergency~~ guards under AS 39.25.120(c)(19) were used.

*Div of Pers.
proposal*

- 1
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- 7

Line 14: Renumber the following section.

TBC:lmk

*Moved
2/23/83
w/ both Div Pers
& BRC audits*

Offered: 3/11/83
Referred: Finance

Original sponsor: Bussell

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 209 (State Affairs)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act placing ~~emergency~~ guards employed by the
Department of Public Safety ^{for emergencies} in the partially exempt
service; and providing for an effective date."

8

9

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

10

* Section 1. AS 39.25.120(c) is amended by adding a new paragraph to

11

read:

12

(19) ~~emergency~~ guards employed by the Department of Public

13

Safety ^{for emergencies}.

14

* Sec. 2. This Act takes effect immediately in accordance with AS 01.-

15

10.070(c).



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

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

MEMORANDUM

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TO: House Finance Committee

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Line 14: Renumber the following section.

TBC:lmk



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

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

MEMORANDUM

March 10, 1983

TO: Senator Bill Ray, Chairman

FROM: Teresa B. Cramer *TC*
Administrative Assistant

SUBJECT: HB 207, HB 209 and SB 116 - Placing Emergency Guards Employed
by Public Safety in the Exempt Service

HB 207 and HB 209

The House State Affairs Committee considered HB 209, sponsored by Representative Bussell, yesterday. It is identical to HB 207 and SB 116, sponsored by the Blue Ribbon Commission, and moves emergency guards from the classified service to the exempt service. The bill was introduced at the recommendation of the Division of Personnel made in its 1982 "Report on Nonpermanent and Emergency Hire Practices in State Government". I attended the hearing at the request of the staff of State Affairs.

I talked with Frank Raye, Director of Personnel, prior to the meeting. He recommended that emergency guards be placed in the partially exempt rather than the exempt service. Partially exempt positions are part of the state classification plan and are paid according to the pay plan, so there is some restraint on the department from either overpaying or underpaying those employees. He proposed these changes to the House State Affairs Committee and I said that I believed the commission would have no objection. The goal of the bill is to reduce the paperwork which the department has to process when making the large number of emergency appointments. This goal would not be affected by the amendment which was adopted.

SB 116

Suzanne Tryck, professional assistant to the Senate State Affairs Committee, met with Frank Raye, Mike McMullen (Deputy Director of Personnel) and with me this morning to discuss SB 116. Mr. Raye proposed the same amendment to SB 116 which was made to HB 209 -- placing

Senator Bill Ray, Chairman
March 10, 1983
Page Two

emergency guards in the partially exempt rather than the exempt service. Ms. Tryck was concerned that there are few controls over the length of service of partially exempt or exempt temporary employees (they are not covered by the nonpermanent law) and that there is not even any requirement that the departments report on the length of time they work as temporaries. We discussed the problem and arrived at a possible solution which she will suggest to Senator Fischer for inclusion in a Committee Substitute. In addition to amending the bill to place emergency guards in the partially exempt service, she will suggest adding a new section to the bill amending the nonpermanent law to require the Department of Public Safety to report quarterly on the emergency guards it hires. (The vast majority of the paperwork requirements will be eliminated by moving the positions to the partially exempt service.) The new section would read something like:

Section 2. AS 39.25.195 is amended by adding a new paragraph to read:

(i) The department of public safety shall submit to the director a quarterly report of each emergency for which an employee under AS 39.25.120(c)(19) was employed. The director may request more frequent reports. The director shall include this information in the report on nonpermanent and emergency hire practices in state government.

TBC: lmk

Introduced: 2/17/83
Referred: State Affairs
and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE LEGISLATIVE
COUNCIL (for the Blue
Ribbon Commission on the
State Personnel Act)

1 IN THE HOUSE

2

HOUSE BILL NO. 207

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act placing emergency guards employed by the
7 department of public safety in the exempt service."

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

9 * Section 1. AS 39.25.110 is amended by adding a new paragraph to read:
10 (22) emergency guards employed by the Department of Public
11 Safety.