

HOUSE BILL NO. 32

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES KERTTULA, Muñoz

Introduced: 1/20/09

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring publication of notice by state agencies when they create, eliminate, or**
2 **transfer positions in the classified, partially exempt, or exempt service."**

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

4 *** Section 1.** AS 44.62.175(a) is amended to read:

5 (a) The lieutenant governor shall develop and supervise the Alaska Online
6 Public Notice System, to be maintained on the state's site on the Internet. The
7 lieutenant governor shall prescribe the form of notices posted on the system by state
8 agencies. The Alaska Online Public Notice System must include

9 (1) notices of proposed actions given under AS 44.62.190(a);

10 (2) notices of state agency meetings required under AS 44.62.310(e),
11 even if the meeting has been held;

12 (3) notices of solicitations to bid issued under AS 36.30.130;

13 (4) notices of state agency requests for proposals issued under
14 AS 18.55.255, 18.55.320; AS 36.30.210; AS 37.05.316; AS 38.05.120; and

1 AS 43.40.010;

2 (5) executive orders and administrative orders issued by the governor;

3 (6) written delegations of authority made by the governor or the head
4 of a principal department under AS 44.17.010;

5 (7) the text or a summary of the text of a regulation or order of repeal
6 of a regulation for which notice is given under AS 44.62.190(a), including an
7 emergency regulation or repeal regardless of whether it has taken effect;

8 (8) notices required by AS 44.62.245(b) regarding an amended version
9 of a document or other material incorporated by reference in a regulation;

10 (9) a summary of the text of recently issued formal opinions and
11 memoranda of advice of the attorney general;

12 (10) a list of vacancies on boards, commissions, and other bodies
13 whose members are appointed by the governor; [AND]

14 (11) in accordance with AS 39.52.240(h), advisory opinions of the
15 attorney general; **and**

16 **(12) in accordance with AS 44.99.450, a notice of the creation,**
17 **elimination, or transfer of a position in the classified, partially exempt, or exempt**
18 **service.**

19 * **Sec. 2.** AS 44.99 is amended by adding a new section to read:

20 **Article 5. Creation, Elimination, or Transfer of a Position in State Service.**

21 **Sec. 44.99.450. Creation, elimination, or transfer of a position in state**
22 **service.** (a) At least 30 days before a state agency creates, eliminates, or transfers a
23 position in the classified, partially exempt, or exempt service, the state agency shall

24 (1) post a notice of the proposed action on the Alaska Online Public
25 Notice System (AS 44.62.175); and

26 (2) deliver the notice in electronic format to the governing body or
27 chief executive of the municipality nearest to where the position is located and to all
28 state legislators; if the state agency does not have the technological capability to
29 furnish the notice in electronic format as required by this paragraph, the state agency
30 shall furnish the notice by other means.

31 (b) In this section, "state agency" means a department, institution, board,

1 commission, division, authority, public corporation, committee, or other
2 administrative unit of the executive branch of state government, including the
3 University of Alaska and the Alaska Railroad Corporation.