

CS FOR HOUSE BILL NO. 348(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/31/10

Referred: Rules

Sponsor(s): REPRESENTATIVE LYNN

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the membership of the state personnel board."**

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

3 *** Section 1.** AS 39.25.060(a) is amended to read:

4 (a) The personnel board is composed of **five** [THREE] members appointed by
5 the governor and confirmed by the legislature meeting in joint session. **The governor**
6 **may make an appointment only from a list of at least three nominees selected by**
7 **the chief justice of the Alaska Supreme Court, subject to the right of the governor**
8 **to request additional nominations. In appointing members under this subsection,**
9 **the governor shall ensure that the board has at least one member of the political**
10 **party that had the largest number of registered voters and one member of the**
11 **political party that had the second largest number of registered voters at the time**
12 **of the most recent general election at which a governor was elected.** The term of
13 office of a member is six years; **however, notwithstanding AS 39.05.080(4), the**
14 **member remains in office after expiration of the term until a successor is**
15 **confirmed.** A vacancy in an unexpired term shall be filled by appointment by the

1 governor for the remainder of the term. The appointment is **made from a list of**
 2 **nominees and** subject to confirmation in the same manner as a full-term appointment.

3 * **Sec. 2.** AS 39.25.060(b) is amended to read:

4 (b) Members of the board may not be employees of the state. Not more than
 5 **three** [TWO] members of the board may be members of the same political party.

6 * **Sec. 3.** AS 39.25 is amended to by adding a new section to read:

7 **Sec. 39.25.064. Prohibited conduct by board members.** (a) A member of the
 8 personnel board may not, during the person's term of office,

9 (1) hold or campaign for elective office;

10 (2) be an officer of a political party or political group;

11 (3) lobby;

12 (4) employ a lobbyist; or

13 (5) assist in lobbying.

14 (b) In this section,

15 (1) "political group" has the meaning given to "group" in
 16 AS 15.13.400;

17 (2) "political party" has the meaning given in AS 15.13.400.

18 * **Sec. 4.** AS 39.25.070 is amended to read:

19 **Sec. 39.25.070. Powers and duties of personnel board.** In addition to the
 20 other duties imposed by this chapter, the personnel board shall

21 (1) approve or disapprove amendments to the personnel rules in
 22 accordance with AS 39.25.140;

23 (2) consider and act upon recommendations for the extension of the
 24 partially exempt service and the classified service as provided in AS 39.25.130;

25 (3) hear and determine appeals by employees in the classified service
 26 as provided in AS 39.25.170;

27 (4) establish its own rules of procedure; **three** [TWO] members
 28 constitute a quorum for the transaction of business and **three** [TWO] affirmative votes
 29 are required for final action on matters acted upon by the board;

30 (5) elect a chair from its membership;

31 (6) have the power to administer oaths, subpoena witnesses, and

1 compel the production of books and papers pertinent to a hearing authorized by this
2 chapter;

3 (7) employ staff members, who shall be in the classified service;

4 (8) carry out its powers and duties under AS 39.52.

5 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
6 read:

7 MEMBERS OF PERSONNEL BOARD; TRANSITION; STAGGERED TERMS.

8 Notwithstanding AS 39.25.060(a), as amended by sec. 1 of this Act, a member of the
9 personnel board serving on the effective date of this Act remains in office for the duration of
10 the term to which appointed and confirmed. Within 60 days after the effective date of this
11 Act, the chief justice of the Alaska Supreme Court shall submit to the governor a list of at
12 least six nominees for the two additional seats on the personnel board. The governor shall
13 appoint one member to a five-year term and one member to a six-year term. The governor
14 shall specify the term of each member appointed subject to this section.