

HB

69

AMENDED TITLE:

AN ACT RELATING TO HIRING OF EMERGENCY FIRE FIGHTING PERSONNEL

PRIME SPONSORS: HOUSE RULES COMMITTEE.

CO-SPONSORS:

CURRENT STATUS: 2/13/79 IN (H) RULES

DATE	SEQ	PAGE	LEGISLATIVE ACTION
01/24/79	01	0063	FIRST READING -- COMMITTEE REPORTS
02/13/79	04	0217	CRA -- DP01, CS04 RULES
01/24/79	02	0063	GOV TRANSMITTAL LETTER
01/31/79	03	0063	FISCAL NOTE-HSE SUPPL #3
****	XX	XX	*** **

MINUTES --C&RA COMMITTEE HEARING

Feb. 5, 1979

ALL COMMITTEE MEMBERS PRESENT

H.B. 69-- An Act relating to hiring of emergency fire-fighting personnel

By Rules Committee by Request of the Governor

Testifying:

Sheri Shelley, Attorney for Alaska Public Employees Association

Encourages adoption of APEA proposed amendment if bill passes. APEA neither supports nor opposes bill.

Ken Spray -- Vice Pres of Local 71

Gave history of fire fighters .
Discussed current wage scales and difference between wages if they are Union laborers or exempt.

Opposed to passage of bill.

See Tape #1 Side 2 Sections 670-988

Feb. 9. 1979

HB 69 -- Emergency Fire-fighting

COMMITTEE MEMBERS PRESENT

MEMBERS ABSENT

Branson
Carney
Parr
Parker
Metcalf

O'Connell
Zharoff

Testifying:

Ted Smith, Director Division of Forest, Land and Water Management
Supports removal of man hour limitations.

Committee passes CS including 60 day limitation with exempt language in.

See Tape #1 Side 2 Sections 1300-1410

COMMITTEE REPORT
HOUSE

FURTHER:

1-24-79

Date: 2 Feb 79

Mr. Speaker:

The Committee on C&RA has had HB 69

"An Act relating to hiring of emergency fire-fighting personnel."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 69 same title
 new title
- and recommends DO PASS IF AMENDED
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Bin Pal
John ...
Robert ...
Ray ...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Bin Pal
 CHAIRMAN

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 9, 1979

SUBJECT: CSHB 69, relating to emergency fire-fighting
personnel

TO: Representative Bill Parker
ATTN: Marge Corsuch, A.A.

FROM: John B. Chenoweth
Legislative Council

I have taken the liberty of excising all reference to the language which you provided to me from the draft Committee Substitute. When I finally figured out what was being said, I could not help but think that a limitation on emergency employment expressed in terms which refer to "conditions necessitating immediate action to provide for carrying on work that must be continued in the public interest" had absolutely no applicability in the context of fighting fires. However, if you think that it ought to go back in, let me suggest something like

". . .only if his employment is critical if work that is in the public interest is to be continued."

You might also wish to consider inclusion of an immediate effective date. If this bill becomes effective in its present form, the effective date might well be mid-summer, when hiring activity for fire-fighting is at its height. An immediate effective date clause could alleviate problems arising out of a summer implementation.

JBC:jdn

Enclosure

HB 69

* Section 2. AS 39.25.110 is amended by adding a new paragraph to read:

(22) emergency fire-fighting personnel hired by the commissioner of natural resources under AS 41.15.030(b). Individuals hired as an emergency appointment may be hired for a period not to exceed thirty (30) calendar days, and must be made under conditions necessitating immediate action to provide for carrying on work that must be continued in the public interest.

BILL WORK SHEET
(for optional use of committee aides)

No. 4

COMMITTEE ON _____

Received from _____ DATE _____

BILL NO. HB69 ORIGINAL SPONSOR Rules - Request of Gov. OTHER _____

THIS COMMITTEE RECOMMENDED --

Majority Recommendation: _____

Supported by _____

Minority Recommendation: _____

Supported by _____

Other: _____

Brief/flag title: Emergency Fire Fighters

What bill does:

OUR COMMITTEE AMENDMENTS (what they are and what they do (attach if lengthy))

Fiscal Impact -- Is there a fiscal note for the original bill and one which reflects changes made by the amendments: (attach details).

LAA Legal/Research contact:

Research/supporting information

Attached (?) _____

PERSONS/ORGANIZATIONS:

Supporting bill: Ken Spray 586-6793
Pat Hunt 14421
George Howlett 279-5577
Opposing bill: A.P.G.A. 6-2334
Matt McQuinn
Pat Conkundy 2400
George Hallett 279-5577
Dir. of Land

REMARKS: (use reverse side if necessary)

Hallett - no man he limitation in original bill. Usually no one stays longer than 3 mths. Valley crews come & go together. BLM has pay scale comparable to lower 48th conflict with state workers. Concern Carson if pay is high enough. Seasonal people on payroll sometimes do work. BLM still protects Native lands - then C become state responsibility after 2 yrs. Home taken over urban areas. John Sackett may know ~ about 30,000 hrs.

Sec. 41.15.010. Intent. It is the intent of §§ 10 — 170 of this chapter to provide protection for the timber resources and watersheds on all lands in the state. (§ 1 ch 138 SLA 1961)

Am. Jur. reference. — 34 Am. Jur., Logs and Timber, § 4, 53.

Sec. 41.15.020. Regulations. The commissioner shall, by regulation, make provision for the protection of forested lands in the state from fire and other destructive agents. (§ 2 ch 138 SLA 1961)

Sec. 41.15.020. Commissioner may make contracts for forest protection. (a) The commissioner may enter into protection contracts which he considers necessary.

(b) The commissioner may hire emergency fire-fighting personnel up to a total of 30,000 man-hours each year, and shall establish classifications and rates of pay for the emergency fire-fighting personnel consistent with the compensation paid by other fire-fighting agencies. The commissioner may adjust the classifications and rates based on findings of the federal Bureau of Land Management in Alaska. (§ 2 ch 138 SLA 1961; am § 1 ch 100 SLA 1976)

Effect of amendment. — The 1976 SLA 1976, provides an effective date amendment added present subsection (b). 100, SLA 1976.

Editor's note. — Section 119, ch. 218,

Sec. 41.15.046. Right of entry to control and suppress fires. With approval by the commissioner or his authorized agent, employees of a division of lands, or of any organization authorized to prevent, control or suppress fires or destructive agents, and others assisting in the control or suppression of fires upon request of an officer or agent of the United States or the state may at any time enter upon any land, whether publicly or privately owned, for the purpose of preventing, suppressing or controlling forest fires and destructive agents. (§ 1 ch 138 SLA 1961)

Am. Jur. and ALR references. — 22 Am. Jur., Fires, § 2. provisions of forest conservation legislation. 13 ALR 1123
Constitutionality of fire prevention

Sec. 41.15.050. Fire season. The period from May 1 to September 30 inclusive, of each year is designated the fire season. The commissioner may designate other periods as fire season. The commissioner may proclaim an additional period for all or any portion of the state if weather or other conditions require action for the protection of forest lands. The commissioner may also, during the fire season, prohibit, or allow only by permit, the setting of fires, smoking, entry or occupancy on the land, when, in his judgment, the activities would unduly increase the fire danger. (§ 3 ch 138 SLA 1961; am § 1 ch 27 SLA 1976)

Title 39
Public Officers
and Employees

Title 40
Public Records
and Recordors

Title 41
Public Resources

Title 42
Public Lands