

HB

907

(7)

COMMITTEE REPORT HOUSE

2/26/80

FURTHER:

Date: 4-7-80

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 907

"An Act relating to collective bargaining; and providing for an effective date."

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 907 same title
 new title
- and recomensus CS HB 907 DO PASS
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

Mr. Miller
DeBlasio
Bin Park
Terry Gardiner
Jan [unclear]
Ray [unclear]

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

Zerry Master - Do not pass
unless amended.

Mr. Miller
 CHAIRMAN

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. 907

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to collective bargaining; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 23.40.210 is amended by adding a new subsection to read:

10 (b) When an agreement is entered into between an organization and
11 the state, the agreement shall be submitted to the legislature ~~within 30~~
12 ~~days after convening of a regular session~~ for approval of the monetary
13 terms by appropriation or for rejection ^{of the monetary terms.} ~~by concurrent resolution. The~~
14 ~~legislature may not adjourn a regular session until it has accepted or~~
15 ~~rejected the monetary terms of an agreement submitted under this sub-~~
16 ~~section.~~ The monetary terms of an agreement may not take effect unless
17 approved by appropriation by the legislature as provided in this sub-
18 section.

19 * Sec. 2. AS 23.40.215 is amended by adding a new subsection to read:

20 (b) When the monetary terms of an agreement for more than one year
21 are approved by an appropriation and the agreement makes no provision
22 for reopening and negotiating adjustments in those monetary terms during
23 the life of the agreement, the appropriation shall be for the entire
24 cost of the monetary terms to be expended in successive fiscal years in
25 accordance with those terms over the life of the agreement, and its
26 enactment shall constitute a contract by the state not to repeal or
27 diminish the appropriation during the life of the agreement.

28 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
29 070(c).



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT
Pouch AG/Mail Stop 0123
Juneau, Alaska 99811
(907) 465-4442

Senator Bill Ray
Chairman

TO: Senator Bill Ray, Chairman

FROM: Teresa B. Cramer, Administrative Assistant

ABC

DATE: February 27, 1980

RE: House Bill 907

Relating to collective bargaining; and providing for an effective date.

House Bill 907 addresses the issue of legislative involvement in the collective bargaining process and implements Recommendation 4 of the Blue Ribbon Commission's Report to the Alaska Legislature.

ANALYSIS OF BILL

The purpose of this bill is to provide a system for legislative consideration of the monetary terms of the collective bargaining contracts negotiated by the state and its employees' organizations.

Section one of the bill amends the Public Employment Relations Act to implement the system of review. It provides that

- the monetary terms of collective bargaining agreements must be approved by the legislature in order for those terms to take effect;
- agreements between the employee organizations and the state shall be submitted to the legislature within the first 30 days of a regular session;
- legislative review is limited to the monetary terms of the agreements;
- the legislature approves those terms by passing the appropriation bills to fund the agreements;
- the legislature may reject the monetary terms by adopting a Concurrent Resolution; and
- the legislature may not adjourn a regular session until it has either accepted or rejected the monetary terms of any collective bargaining agreements which have been brought before it.

Section two of the bill addresses funding for multi-year collective bargaining agreements. It provides that the legislative appropriation which will establish legislative approval for the monetary terms is to be an appropriation for the entire life of the agreement. The legislative enactment constitutes a contract by the state not to repeal or reduce the appropriation during that time. This provision for multi-year funding applies only to agreements which make no provision for reopening and negotiating adjustments to the monetary terms during the life of the agreement.

Section three of the bill provides that the bill takes effect immediately.

DISCUSSION

The commission considered the question of how to provide a more active role for the legislature in considering the fiscal impact of collective bargaining agreements while retaining a viable negotiating system within the executive branch. The commission considered that for the legislature to negotiate directly with the public employee organizations would be excessively time-consuming, and that therefore this task was more appropriately left to the Division of Labor Relations of the Department of Administration. The commission believes that the system proposed in this bill is the most appropriate vehicle for legislative review.

The commission recommends that action on the agreements submitted to the legislature be taken expeditiously. This would insure that if the legislature rejected an agreement, there would remain time within the session for the parties to renegotiate, should they choose to do so. If they agreed to an alternative agreement, the second agreement could be submitted for legislative review of the monetary terms. Nothing in this bill precludes the parties from taking any other action they might deem appropriate, including seeking approval of a strike by an organization's membership.

Should this bill be enacted, an interim system would have to be agreed to by the parties for contracts presently in force.

TBC:sp