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JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT

Senator Bill Ray, Chairman

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MEMORANDUM

June 21, 1983

TO: House Labor & Commerce Committee

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

SUBJECT: CS for Senate Bill No. 55 (Rules)
Relating to Collective Bargaining

The Public Employment Relations Act provides that the monetary terms of any agreement entered into between the state and an employee representative are subject to funding through legislative appropriation. AS 23.40.215. The PERA does not set out a system of legislative review for the monetary terms. If the legislature is dissatisfied with the negotiated terms, there is no formal vehicle to explain to the parties to the agreement (the Administration and the employee union or association) the substance of the legislature's concerns. Therefore, the parties do not have a concrete set of limitations from which to work should they decide to renegotiate the original agreement. Furthermore, legislative delay and rejection of negotiated contracts has, in the past, led to the calling of a Special Session, which is an expensive way to resolve the issue.

The Blue Ribbon Commission recommends legislation to encourage legislative review of collective bargaining agreements early in the session. If the legislature is dissatisfied with the monetary terms, the parties may choose to renegotiate before the session adjourns with a clear understanding of the legislature's concerns.

Bill Analysis

Page 1
Line 9

The first section requires that the monetary terms of a collective bargaining agreement be submitted to the legislature within 10 days of agreement by the parties. If the parties reach an agreement while the legislature is not in session, then the monetary terms are to be submitted within 10 days of the convening of the next regular session. The legislature is given 60 days to consider the agreement and express its opinion by concurrent resolution.

- Line 17 Any approval given by the legislature is a "nonbinding, advisory expression of legislative intent." This language makes clear that the resolution does not take the place of an appropriation bill to fund the contract and permits the legislature to change its mind, should circumstances warrant.
- Line 19 If the legislature disapproves the negotiated agreement, the parties may resume negotiations.
- Line 23 The second section adds a definition of "monetary terms of an agreement" to the Public Employment Relations Act to set out those items which are subject to legislative review.
- Line 29 The third section provides for an immediate effective date.

TBC:lmk

Offered: 6/17/83

Original sponsor: Rules/Legislative Council

1 IN THE SENATE BY THE RULES COMMITTEE
2 CS FOR SENATE BILL NO. 55 (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 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 23.40.215 is amended by adding a new subsection to
10 read:

11 (b) The Department of Administration shall submit the monetary
12 terms of an agreement to the legislature within 10 days after the
13 agreement of the parties, if the legislature is in session, or within
14 10 days after the convening of the next regular session. The legisla-
15 ture shall advise the parties by concurrent resolution if it approves
16 or disapproves of the monetary terms within 60 days after the agree-
17 ment is submitted to the legislature. The approval of the monetary
18 terms of an agreement under this subsection is a nonbinding, advisory
19 expression of legislative intent. If within 60 days after the agree-
20 ment is submitted the legislature advises the parties by concurrent
21 resolution that it disapproves the monetary terms of the agreement,
22 the parties may resume negotiations. ARE CONSIDERED DISAPPROVED

23 * Sec. 2. AS 23.40.250 is amended by adding a new paragraph to read:

24 (8) "monetary terms of an agreement" means the changes in
25 the terms and conditions of employment resulting from an agreement
26 that will require an appropriation for their implementation or will
27 result in a change in state revenues or productive work hours for
28 state employees.

29 * Sec. 3. This Act takes effect immediately in accordance with