

COMMITTEE REPORT
SENATE

FURTHER:

1/23/85

Date 1/24/85

Mr. President

The Committee on FINANCE considered HB 70
donation of leave by state employees; efd

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for _____
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation *to SD Law*
in Adm
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Ed A. Fitch

Bob Brown

John ...

Rob ...

Chairman

Chairman

do not

Chairman recommendation

Introduced: 1/16/85
Referred: State Affairs and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 70

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to donation of leave by state em-
7 ployees; and providing for an effective date."

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

9 * Section 1. AS 39.20.245(b) is amended to read:

10 (b) An officer or employee, [OF THE LEGISLATURE OR OF A LEGISLA-
11 TIVE AGENCY] with the approval of the person authorizing the employ-
12 ment, may donate accrued personal or annual leave to another officer
13 or employee [OF THE LEGISLATURE OR OF A LEGISLATIVE AGENCY] only for
14 use as leave for medical reasons. The official responsible for [LEG-
15 ISLATIVE] employee accounts shall debit the donor's personal leave
16 account and credit the donee's personal leave account, for medical
17 reasons only, by converting the donated leave into cash value at the
18 donor's rate of pay and reconverting the cash value to hours of leave
19 at the donee's rate of pay. Leave donated under this subsection is
20 not leave taken by the donor for purposes of AS 39.20.225(c). An
21 employee who is covered by a collective bargaining agreement may
22 donate leave to or receive donations of leave from an employee or
23 officer who is not covered by a collective bargaining agreement,
24 notwithstanding AS 39.20.310(8) and (9).

25 * Sec. 2. AS 39.20.310(8) is amended to read:

26 (8) persons employed by the division of marine transporta-
27 tion as masters and members of the crews operating the state ferry
28 system who are covered by collective bargaining agreements as provided
29 in AS 23.40.040, except as expressly provided by law;

1 * Sec. 3. AS 39.20.310(9) is amended to read:

2 (9) persons employed by the state who are covered by col-
3 lective bargaining agreements as provided in AS 23.40.210, except as
4 expressly provided by law.

5 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
6 10.070(c).

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Page 1 of 2

Revision Date: _____

REQUEST
 Bill/Resolution No.: HB 70, No. 1
 Title: "An Act relating to donation of personal leave..."
 Sponsor: House Rules/Governor
 Requestor: OMB/Governor's Ofc.
 Date of Request: 1-10-85

FISCAL DETAIL
 Agency Affected: Department of Law
 Program Category Affected: Gen. Govt., Admin. Justice, Public Prot.
 BRU, Program or Subprogram(s) Affected: Legal Services, Prosecution, Consumer Protection

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87.	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Richard I. Pegues Director Phone: 465-3672
 Division: Administrative Services Date: 1/10/85
 Approved by Commissioner: Richard I. Pegues / RR
Norman C. Gorsuch Date: 1/10/85
 Agency: Department of Law

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

This bill amends AS 39.20.245(b) by permitting non-covered state workers to donate sick leave for use by another state worker. Currently, the law speaks only to legislative employees. The amendment would allow the same charitable act to be accomplished by executive and judicial branch non-covered workers. State employees covered by a collective bargaining agreement are already allowed to donate sick leave in this same manner.

The earned personal leave of non-covered workers represents an obligation on the part of the employer to provide either paid leave during the period of employment or payment in cash for any unused personal leave when a non-covered worker's employment is terminated. The donation of sick leave simply transfers the employer's obligation from one employee to another without any additional cost. To the extent that this obligation is paid off before a worker's employment is terminated, the financial obligation or cost to the state would actually decrease because, assumably, the hourly rate of pay would be less.

11/15

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Page 1 of 2

Revision Date: _____ Page 1 of 2

REQUEST
 BILL/Resolution No.: HB 70, No.2
 Title: An act relating to personal leave by State employees.
 Sponsor: Rules at request of Governor. BRU, Program or Subprogram(s) Affected:
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL
 Agency Affected: Administration
 Program Category Affected: Centralized Administrative Services.
 Personnel

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SVS.						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCT						
700 GRANTS, CLAIM						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Frank Raye *Frank Raye* ^{FR} Phone: 465-4430
 Division: Personnel Date: December 11, 1984

Approved by Commissioner: Lisa Rudd *LJR* Date: 1/15/85
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

House Bill 70 No. 2, Page 2 of 2
Fiscal Note Analysis
Prepared by the Division of Personnel
Department of Administration
December 11, 1984

This bill will have no fiscal impact. The cost of leave is the same whether the leave is used by the employee who earned it or by the employee to whom it is donated. In either case, it is funded out of the current Personal Services line item.

Analysis for House Bill 70

Section 1

This section expands the group of state employees that can donate personal or annual leave to include employees of the judicial and executive branch. Currently, only those employees of the Legislature or state employees covered by collective bargaining may donate leave. It also specifically states that an exempt or partially exempt employee may donate leave to an employee covered by collective bargaining and vice versa.

Section 2

Currently certain employees of the marine highway system are prohibited from donating leave. This section merely allows them to donate leave if "expressly provided by law".

Section 3

Same as Section 2 except that it deals with other employees covered by collective bargaining.

Section 4

This bill provides for an immediate effective date.

There is no fiscal impact since this merely involves the transfer of leave time.

The person who is immediately affected by this bill ran out of leave as of January 1, 1985 because she took time off to see her father who suffered a stroke. She also took more leave time when she had a back condition that was later diagnosed as being cancer.

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 16, 1985

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the donation of personal or annual leave by state officers and employees.

Section 1 of the bill amends AS 39.20.245(b), concerning the donation of personal or annual leave by one state worker for use as sick leave by another. Currently, the law speaks only to legislative employees. The amendment would allow the same charitable act to be accomplished by executive and judicial branch non-covered workers. State employees covered by a collective bargaining agreement are already allowed to donate leave in this way. The amendment also allows covered and noncovered employees and officers to donate leave to each other for use as sick leave.

Sections 2 and 3 of the bill amend AS 39.20.310(8) and (9), respectively, to clarify that employees covered by a collective bargaining agreement are excluded from AS 39.20.200 -- 39.20.330 "except as expressly provided by law." This provides consistency with the amendment in sec. 1.

Section 4 of this bill provides for an immediate effective date because I know of at least one present situation in which the amended statute would be applied as soon as the amendment is enacted. To make timely provision for this humanitarian act that will cost the state nothing, I strongly urge your immediate passage of this bill.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor