

HB

170

# HOUSE COMMITTEE REPORT

(11)

Date referred: 1/22/88

FURTHER REFERRALS:

DATE: 2-22-88

The Finance Committee has considered HB 170

"An Act relating to participation of municipalities, school districts, and other political subdivisions under the Public Employment Relations Act and to collective bargaining rights of school district employees."

**RECOMMENDS:**

- replace with CS HB 170 (Finance)  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

**SIGNING OTHER RECOMMENDATIONS:**

POURCHOT [Signature]

SWACK-HAMMER [Signature]

BOYER [Signature]

LARSON [Signature]

GOLL [Signature]

BROWN [Signature]

DAVIS [Signature]

FRANK [Signature]

ADAMS Al Adams - No Rec.

RIEGER [Signature] No Recommendation

WALLIS Kay Wallis do not dilute school board's powers

Al Adams  
Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: 2-18-88  
Title: "An Act extending collective bargaining rights to non-certificated School District Employees."  
Requestor: \_\_\_\_\_

Agency Affected: \_\_\_\_\_  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Under this CS, no state agency is involved in administration or adjudication of labor relations matters. Recourse in disputes is to the Federal Mediation and Conciliation Service or the courts, with expense borne by the parties.

Prepared by: Representative Al Adams, Chairman *AAA* Phone: 465-3706  
Division: House Finance Committee Date: 2/22/88

Approved by Commissioner: N/A Date: \_\_\_\_\_  
Agency: \_\_\_\_\_

Distribution (by preparer):

Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

Original sponsor: Labor and Commerce  
Committee

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 170 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act extending collective bargaining rights to  
7 noncertificated school district employees."

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

9 \* Section 1. AS 14.20.550 is amended to read:

10 Sec. 14.20.550. NEGOTIATION WITH CERTIFICATED EMPLOYEES. A  
11 [EACH CITY, BOROUGH AND REGIONAL] school board [,] shall negotiate  
12 with its certificated employees in good faith on matters pertaining to  
13 their employment and the fulfillment of their professional duties. A  
14 school board shall negotiate in good faith with its noncertificated  
15 employees on matters of wages, hours, and other terms and conditions  
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18 (d) Negotiations between the noncertificated employees of the  
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1 SUCH] recognized educational organization shall be composed principal-  
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12 Recognition of the employee bargaining agency by a school board is  
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15 [CERTIFIED STAFF] votes to request the termination of recognition of  
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1 assigned duties without penalty or loss of pay.

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3 Sec. 14.20.590. GRIEVANCE PROCEDURES. Negotiations agreements  
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5 (1) [EXECUTED AFTER JULY 1, 1975 SHALL] define "grievances"  
6 and provide for grievance procedures for the certificated staff or  
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8 provide that the final step in the procedure shall be binding arbi-  
9 tration; and

10 (2) [. THE NEGOTIATIONS AGREEMENT SHALL] provide a method  
11 for the selection of an arbitrator.

12 \* Sec. 8. Notwithstanding the amendments made to AS 14.20.560 by secs.  
13 3 - 5 of this Act, a bargaining unit that exists on the effective date of  
14 this Act may continue to exist unless the members of the unit vote by  
15 secret ballot to decertify the bargaining agent or to join with another  
16 bargaining unit in the school district.

FISCAL NOTE

REQUEST:

Revision Date: 2-18-88  
Title: "An Act extending collective bargaining rights to non-certificated School District Employees."  
Requestor: \_\_\_\_\_

Agency Affected: \_\_\_\_\_  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Under this CS, no state agency is involved in administration or adjudication of labor relations matters. Recourse in disputes is to the Federal Mediation and Conciliation Service or the courts, with expense borne by the parties.

Prepared by: Representative Al Adams, Chairman *AAA* Phone: 465-3706  
Division: House Finance Committee Date: 2/22/88

Approved by Commissioner: N/A Date: \_\_\_\_\_  
Agency: \_\_\_\_\_

Distribution (by preparer):

Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: "An act relating to the Public Employment Relations Act."  
Sponsor: Labor and Commerce Committee  
Requestor: House Judiciary

Agency Affected: Labor  
BRU: Labor Standards and Safety  
Components: Wage and Hour

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		43.6	43.6	43.6	43.6	43.6
TRAVEL		11.0	11.7	8.0	8.2	8.4
CONTRACTUAL		25.9	26.6	16.8	17.3	17.8
SUPPLIES		7	.7	.8	.8	.8
EQUIPMENT		1.6	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>82.8</b>	<b>82.6</b>	<b>69.2</b>	<b>69.9</b>	<b>70.6</b>

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

**FUNDING: (Thousands of Dollars)**

GENERAL FUND		82.8	82.6	69.2	69.9	70.6
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>0</b>	<b>82.8</b>	<b>82.6</b>	<b>69.2</b>	<b>69.9</b>	<b>70.6</b>

**POSITIONS:**

FULL-TIME	0	1	1	1	1	1
PART-TIME						
TEMPORARY						

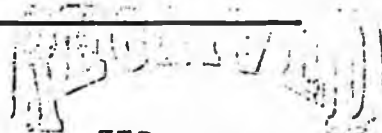
**ANALYSIS :** (Attach a separate page if necessary)

(See attached)

Prepared by: Tom Stuart, Director Phone: 264-2452  
Division: Labor Standards and Safety Date: 1/14/88

Approved by Commissioner: Jim Sampson Date: 1/14/88  
Agency: Labor

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



FEB 0 1988

LEGISLATIVE FINANCE

no 170

FISCAL NOTE ANALYSIS  
For CSHB 170 (Jud)

Under the provisions of this bill one new position, a Wage and Hour Investigator I located in Anchorage, will be necessary to handle the increase in workload. Additionally, a contractual hearing officer will be required to perform adjudication functions when necessary. The anticipated costs for the first two years are summarized as follows:

	<u>FY 89</u>	<u>FY 90</u>
<u>Personnel Services</u>		
One new employee	43.6	43.6
 <u>Travel</u>		
New Wage & Hour Investigator	7.5	7.7
Contractual Hearing Officers	3.5	4.0
	----	----
Subtotal	11.0	11.7
 <u>Contractual Services</u>		
Hearing Officer	10.0	10.3
Printing	1.5	1.5
Transcription Services	3.0	3.1
Rent	3.2	3.3
Indirect	4.2	4.3
Miscellaneous	4.0	4.1
	----	----
Subtotal	25.9	26.6
 <u>Commodities</u>	.7	.7
 <u>Equipment</u>	1.6	-0-
	----	----
TOTAL:	82.8	82.6

After the first two years we anticipate most of the organizational activities in the communities will be complete. Thus, in FY 91 and beyond the program should be able to be handled by the new position. The hearing officers and related costs would then be eliminated.

Assumptions:

- 1) An effective date of July 1, 1988.
- 2) Inflation of 3% per year in FY's 90-93 in non-personal service items.

Position Title <b>Wage and Hour Investigator</b>		No. of Positions <b>1</b>	Range/Step <b>16A</b>	Barg. Unit <b>GGU</b>
Time Status <b>PFT</b>	Staff Months <b>12</b>	Location <b>Anchorage</b>		Election District
		Justification		
Type of Expenditure		Amount		
1	2	3		
Salary	32,424			
Benefits	11,211			
Premium Pay				
Other				
Total Personal Services		43,635		
Travel		7,500		
Contractual		15,900		
Commodities		700		
Equipment		1,600		
Other				
Total Cost		69,335		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	69,335		
GF Program Receipts	1005			
Other				

This position will perform a variety of labor relations duties. The person will investigate petitions for collective bargaining, investigate complaints of unfair labor practice, provide informal resolution to unfair labor practice complaints, and investigate challenges to elections. The position will also conduct elections, certify elections, and provide education and information on the Public Employment Relations Act to employees and employers.

Travel costs are for travel to the various locations around the State where public employee labor relations activity would be required.

Contractual and commodity costs are average per-employee costs. Equipment would be a one-time expense for desk, chair, cabinets, etc.

**Request For  
New Position**

Agency Labor  
 BRU Labor Standards and Safety  
 Component Wage and Hour

Page 3 of 3  
 Revised Date

**FY 89**

# Alaska State Legislature

REPRESENTATIVE  
MARK BOYER

HOUSE FINANCE COMMITTEE



House of Representatives

FAIRBANKS

1098 LAKEVIEW TERRACE  
FAIRBANKS, ALASKA 99701  
(907) 456-6473

JUNEAU

P.O. BOX V  
STATE CAPITOL  
JUNEAU, ALASKA 99811  
(907) 485-3466

## MEMORANDUM

TO: Representative Al Adams, Chairman  
Representative Pat Pourchot, Vice-Chairman  
House Finance Committee

FROM: Representative Mark Boyer *MB*  
HB 170 Subcommittee

SUBJECT: Draft CS for HB 170 (Finance)

DATE: February 19, 1988

In this latest incarnation, HB 170 grants collective bargaining rights to noncertificated school employees by including them in the existing Title 14 collective bargaining statute, which presently applies to certificated employees only. The anomalous situation created by placing them under the Public Employees Relations Act, from which they have heretofore been excluded by definition, and from which certificated personnel remain excluded, is avoided, as are the questions and objections raised regarding binding arbitration, right to strike, and the ability of school districts to "opt-out" under the Koslosky amendment. While bargaining will lack finality due to the lack of a right to strike or binding arbitration, the right of noncertificated employees to bargain collectively will finally be recognized in statute, thus ending their "exile" as the only group of public employees in the state not covered by some collective bargaining law.

The draft CS takes into account the concerns regarding the scope of negotiations which were raised by the employer representatives. Rather than lump the noncertificated employees in with the teachers, who negotiate "on matters pertaining to their employment and the fulfillment of their professional duties" - as defined and enumerated by the Supreme Court in *Kenai vs. Kenai Peninsula Education Association* (1977) - this bill employs the same language as the PERA statute when addressing the scope of negotiations:

A school board shall negotiate in good faith with its noncertificated employees on matters of wages, hours, and other terms and conditions of employment.

This language is more appropriate for the noncertificated employees and brings with it a substantial body of case law and decisions of record- much of it Alaskan - regarding negotiability of issues.

As for the question of whether or not non-certificated employees presently have the right to strike, the answer is no. According to Terry Cramer of Legal Services, public employees are barred from striking under common law unless expressly granted that right by statute, as is the case with PERA. Employees not granted the right to strike may elect, individually or collectively, not to work. However, they do so without the protections enjoyed by legitimate strikers, and may be terminated and replaced immediately by the employer. Given the Court's decision in Anchorage vs. Anchorage Education Association (1982), inclusion of the non-certificated employees in the Title 14 collective bargaining statute will not grant them the right to strike. It will, however, afford them the opportunity to organize for purposes of collective bargaining and to utilize the services of the Federal Mediation and Conciliation Service in the event of impasse.

Section 8 of the Draft CS exempts existing bargaining units of non-certificated employees from the provisions of the bill which require organization of the employees into a single bargaining unit on a district-wide, all-inclusive basis. This exemption accomodates the existing situation in the Anchorage school district, where employees have organized themselves into separate bargaining units along craft or classification lines and are represented by different unions or associations. Other school districts which currently bargain with their non-certificated employees do so on an all-inclusive, single bargaining unit basis compatible with Sections 3 - 5 of the Draft CS.

Original sponsor: Labor and Commerce  
Committee

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BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 170 (Finance)

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4 FIFTEENTH LEGISLATURE - SECOND SESSION

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16 bargaining unit in the school district.



# NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

## ANCHORAGE REGIONAL OFFICE

1411 W. 33RD AVENUE  
ANCHORAGE, ALASKA 99503  
(907) 274-0536

## JUNEAU OFFICE

105 MUNICIPAL WAY, SUITE 302  
JUNEAU, ALASKA 99801  
(907) 586-3090

## FAIRBANKS REGIONAL OFFICE

2118 CUSHMAN STREET  
FAIRBANKS, ALASKA 99701  
(907) 456-4435

February 8, 1988

To: Rep. Al Adams, Chair  
Members, House Finance Committee

Re: CS HB 170 (Judiciary); "An Act extending collective bargaining rights to non-certificated school district employees."

NEA-Alaska supports and strongly encourages that the Committee pass legislation giving non-certificated employees of school districts the right to organize and negotiate their terms and conditions of employment.

For nearly 18 years, since the passage of the teacher bargaining law, AS 14.20.550, and the passage of the Public Employee Relations Act, AS 23.40.070, non-certificated employees of school districts have been without the right under law to organize and negotiate.

While opponents of HB 170 allege that it represents an intrusion into local control and suggest that the local election process should be a viable substitute for collective bargaining, the Legislature has clearly established that joint employer/employee decision making through the collective bargaining process is in the public interest. They have further emphasized that employees should have a meaningful role in determining the conditions of their work environment.

We do encourage that the Committee consider an amendment to CS HB 170 (Judiciary) which would preclude the opportunity for local school districts to opt out of the provisions of PERA, AS 23.40.070-23.40.260, unless they have adopted a local collective bargaining procedure substantially similar to PERA and providing for finality in the negotiations process through strike or binding interest arbitration.

Thank you for your consideration of our position. We encourage favorable and expeditious attention.

Sincerely,

Bob Manners  
Executive Secretary

e5feb1



# Alaska State Legislature

SENATOR JIM DUNCAN

P. O. Box V JUNEAU, ALASKA 99811

(907) 465-4766

COMMITTEES:  
FINANCE  
RESOURCES  
BUDGET AND AUDIT

May 6, 1987

To: Senator Abood

From: Senator Duncan

Subject: SB 271 relating to historic and community schools.

This covers school buildings built before Alaska Statehood that have historic significance and deserve to be recognized identified and preserved.

The following are those schools that would qualify:

<u>School</u>	<u>School District</u>	<u>Age</u>
Whitecliff Elementary	Ketchikan	60
Akiak Elementary	Lake/Peninsula	40
Pilot Point Elementary	Lake/Peninsula	39
Ft. Yukon Elementary	Yukon Flats	30
Tok Elementary	Alaska Gateway	30
Capital School	Juneau	50
Anthony Andrew School (St. Michael)	Berring Strait	33
Emmonala	Lower Yukon	30
Mt. Edgecumbe	Sitka	?
Denali	Anchorage	<del>32</del> 38
Kenny Lake	Cooper River	32
Main	Fairbanks	57

Please act favorably on this legislation.

DISTRICT OFFICE

# BERING STRAIT SCHOOL DISTRICT

P.O. BOX 226  
UNALAKLEET, ALASKA 99884  
(907) 624-3811

February 22, 1988

To: House Finance Committee  
Representative Al Adams, Chair

Fm: Edwin T. Gonion, Superintendent  
Bering Strait School District

BREVIQ MISSION

COUNCIL

DIOMEDE

ELIM

GAMBELL

GOLOVIN

KOYUK

SAINT MICHAEL

SAVOONGA

SHAKTOOLIK

SHISHMAREF

STEBBINS

TELLER

UNALAKLEET

WALES

WHITE MOUNTAIN

The Bering Strait School District opposes C/S for H.B. 170 for the following reasons:

- (1.) Injects the State Department of Labor into REAA relations.
- (2.) The District knows of no Study or Finding that the current system is not meeting the public interest in the villages.
- (3.) In these times of fiscal distress, this law will further deplete ~~the resources~~ of the REAA's and raise employee expectations. Reduced funding levels preclude higher salaries and more benefits.
- (4.) The REAA's need to focus on Students-at-Risk with new ideas and new programs. This law will hinder the ability to clearly focus on pure educational needs.
- (5.) Outside interests could use the strike threat or the threat of a job action in rural villages to destroy the social fabric and the cohesiveness between local boards and local people- for the benefit of others such as teacher unions.
- (6.) This law is not the way to improve education in rural Alaska.



# Alaska State Legislature

Please enter into the record my testimony to the House Finance  
committee name  
 committee on HB 170, dated 2/8/88  
bill/subject

I have always felt that we should all have collective bargaining rights, we who are classified feel we have just as an important roll in our schools here in Kodiak as certified do, I honestly & sincerely feel we are a team. We all need each other. We to have a very important part keeping our schools, clean, our secretaries, our aids, janitor maintenance, Cafeteria ect. Please fight for us to have these equal right of bargaining.

Thank you!  
6

Signed: Lorene K Harrington  
Testifier

Representing (Optional)  
P.O. Box 3511 Kodiak, AK 99615  
Address  
486-5003  
Phone No.



# Alaska State Legislature

Please enter into the record my testimony to the House Finance  
committee name  
 committee on HB 170, dated 2/8/88  
bill/subject

I have always felt that we should all have collective bargaining rights, we who are classified, I feel we have just as an important role in our schools here in Kodiak as certified do, I honestly and sincerely feel we are a team, we all need each other, I sincerely feel we to have a very important part keeping our schools, clean, our secretaries, our aids, janitor maintenance <sup>afternoon</sup> etc. I feel strongly for you to fight for us to have these equal rights <sup>of bargaining</sup> Thank you  
 Kuller.

Signed: Lauren Anderson  
Testifier

Representing (Optional)  
P.O. Box 1013 Kodiak, AK 99615  
Address  
486-6465

Phone No.



# Alaska State Legislature

Please enter into the record my testimony to the House Finance  
committee name  
committee on House Bill 170, dated 2/8/88  
bill/subject

I urge you to repeal Kosloski  
Amendment because I feel the  
bill is ineffective with this  
amendment. Please return it to the  
original language.

Signed: Sandra R. Ellison  
Testifier  
Kodiak Island Educational Support  
Representing (Optional)  
Box 478  
Address  
Kodiak, Ak. 99615  
Phone No.  
486-3619



# Alaska State Legislature

Please enter into the record my testimony to the HOUSE FINANCE  
committee name  
committee on H B 170, dated FEB. 8, 1988  
bill/subject

I urge you to repeal The Kosloski amendment and support HB170 in its original form.

As an aide in The Kodiak Is. Borough School District, I am proud of The quality of education we offer. Without the efforts of The non-certificated employees, this level of quality of education could not be achieved.

Collective bargaining rights will help assure our place in The schools. I feel it is our right and your duty to see that HB170 passes.

Signed: Marilyn McIntosh  
Testifier  
Kodiak Educational Support Assn.  
Representing (Optional)  
909 Mission Kodiak 99615  
Address  
486-3087  
Phone No.



# Alaska State Legislature

Please enter into the record my testimony to the The House Finance  
committee name  
 committee on House bill 170, dated February 8<sup>th</sup>, 1988  
bill/subject

I urge you to repeal Kosloski  
 Amendment because the bill is  
 ineffective with this Amendment.  
 Please return it to the original  
 language.

Signed: Susan King  
Testifier  
Kodiak Classified Educational Support  
Representing (Optional)  
773 E Lake Louise Dr Kodiak  
Address  
487-4419  
Phone No.



# Alaska State Legislature

2

Please send no fee report by January 15 to the

~~HOUSE OF REPRESENTATIVES~~

LEGISLATIVE COUNCIL

committee on HR 170

dated \_\_\_\_\_

bill/subject

Not being paid for my  
 time, when I submit the  
 I don't get paid for  
 and don't do  
 I don't get any job  
 things to do like meeting  
 they do not get me  
 I would like to get  
 is not enough and I  
 help the state  
 make pay for me and  
 let make some

Signed:

Tony Penning  
Tosulier

Representing (Optional)

Box 11, Westport, AK  
Address

Phone No



# Alaska State Legislature

Name of the sponsor of testimony \_\_\_\_\_

[Redacted]

Committee on HR 170  
bill/subject

(5)

Not much hours

mostly equal hours

Bilingual base to be made

undergotten, it's  
get together to see

That was it

the. Each week about

or about 4000

So I come to work

Signature

*William J. [unclear]*  
Chair

Representing (Optional)

*Rep. 13 District 50*

Address

*(907) 485-2147*

Phone No.



# Alaska State Legislature

~~CONFIDENTIAL~~

COMMITTEE ON LABOR 1-11-65

LEGISLATIVE COUNCIL

committee on LABOR

bill/subject

*[Faint handwritten text, likely a letter or report, mostly illegible due to fading.]*

Signatures

Testifier

Representing (Optional)

North, Alaska 99764

Address

99764

Phone No



2/19/88  
DATE

TO: House Finance Committee

FROM: Richard L. T. S.

NUMBER OF PAGES (INCLUDING COVER SHEET) 11

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AND FISCAL OF LETTERS.

BILLING

NUMBER: \_\_\_\_\_



# Alaska State Legislature

A.

Please enter into the record my testimony to the Finance committee on HB 170 bill subject Alaska

I wish to express that I am in favor of repealing the 1964 Amendment.

Signed: Patricia A. Cook  
Testifier

R.T.F.S.H.  
Representing (Optional)

Box 2462 Kodiak  
Address

487-2544  
Phone No.



# Alaska State Legislature

H.

Please enter into the record my testimony to the Finance

Committee on

committee on H.B. 170 State of Alaska  
bill/subject

I am in support  
report of the President  
to the House. Please copy  
original language.

I am a member of the  
Legislature.

Signed: Jim Dutton  
Testifier

KIESH  
Representing Office

P.O. Box 3120  
Address

485 351  
Phone No



# Alaska State Legislature

Please enter into the record my report

H. *Bill*

committee on HR/170

*Collective Bargaining*  
*of the*

I urge you to report the *Bill*  
amendment to HR/170 to support  
the bill in its original form.

All school district employees  
have the same rights and duties  
to collective bargaining. The existing  
relationship with the board is not  
even if the father is in a  
condition of *employment*  
not a relationship of *employment*

By *Jeanne De Bernardi*  
Test for

KILSA

Representing District

Box 368

Address

486-4855

Phone No

Original sponsor: Labor and Commerce  
Committee

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

CS FOR HOUSE BILL NO. 170 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act extending collective bargaining rights to  
7 noncertificated school district employees."

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

9 \* Section 1. AS 23.40.250(6) is amended to read:

10 (6) "public employee" means any employee of a public em-  
11 ployer, whether or not in the classified service of the public em-  
12 ployer, except elected or appointed officials, or teachers employed by  
13 [OR NONCERTIFICATED EMPLOYEES OF] school districts;

Original sponsor: Labor and Commerce  
Committee

1 IN THE HOUSE BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 170 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to participation of political sub-  
7 divisions under the Public Employment Relations Act  
8 and to collective bargaining rights of school  
9 district employees."

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

11 \* Section 1. AS 23.40 is amended by adding a new section to read:

12 Sec. 23.40.075. APPLICABILITY. AS 23.40.070 - 23.40.260 apply  
13 to a political subdivision of the state unless the political sub-  
14 division

15 (1) permits its employees either the right to strike or  
16 binding arbitration as the final step in the negotiation process; or

17 (2) did not receive funds from the state under AS 29.60.-  
18 010 - 29.60.080 or 29.60.350 - 29.60.375 during that fiscal year.

19 \* Sec. 2. AS 23.40.250(6) is amended to read:

20 (6) "public employee" means any employee of a public em-  
21 ployer, whether or not in the classified service of the public em-  
22 ployer, except elected or appointed officials, or teachers employed by  
23 [OR NONCERTIFICATED EMPLOYEES OF] school districts;

24 \* Sec. 3. Section 4, ch. 113, SLA 1972 is repealed.

Introduced: 3/6/87  
Referred: Labor & Commerce,  
Health, Education & Social  
Services and Judiciary

5-0724A

1 IN THE HOUSE

BY THE LABOR AND  
COMMERCE COMMITTEE

2

HOUSE BILL NO. 170

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to participation of municipalities,  
7 school districts, and other political subdivisions  
8 under the Public Employment Relations Act and to  
9 collective bargaining rights of school district  
10 employees."

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

12 \* Section 1. AS 14.20 is amended by adding a new section to read:

13 Sec. 14.20.595. FINAL RESOLUTION OF IMPASSE. If a contract  
14 negotiated under AS 14.20.550 - 14.20.610 does not otherwise provide  
15 for binding arbitration as a final step to resolve an impasse in  
16 negotiations, employees shall have the rights granted to public em-  
17 ployees whose services may be interrupted for a limited but not indef-  
18 inite period of time under AS 23.40.200.

19 \* Sec. 2. AS 23.40 is amended by adding a new section to read:

20 Sec. 23.40.075. APPLICABILITY. AS 23.40.070 - 23.40.260 applies  
21 to an organized borough or a political subdivision of the state unless  
22 the borough or subdivision has adopted an ordinance that permits  
23 collective bargaining for its employees with either the right to  
24 strike or binding arbitration as the final step in the negotiation  
25 process.

26 \* Sec. 3. AS 23.40.250(6) is amended to read:

27 (6) "public employee" means any employee of a public em-  
28 ployer, whether or not in the classified service of the public em-  
29 ployer, except elected or appointed officials, or teachers employed by

- 1 [OR NONCERTIFICATED EMPLOYEES OF] school districts;
- 2 \* Sec. 4. Section 4, ch. 113, SLA 1972 is repealed.