

HB

328

HOUSE COMMITTEE REPORT

(11)

Date referred: 7/1/87

FURTHER REFERRALS:

DATE: 7-2-87

The Finance Committee has considered HB 328

"An Act relating to salaries of certain state employees who are not members a collective bargaining unit; and providing for an effective date."

RECOMMENDS:

- replace with _____ 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:

Cal Adams

Pat Kauder

Donald L. Lane

Tilman Gou

Chumley

Mark Boyer

Kay Brown

SIGNING OTHER RECOMMENDATIONS:

Steve Thayer

Mike De

Don

Cal Adams

Chairman's signature

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST:

 Revision Date: _____
 Title: Salaries of State employees
not members of bargaining units
 Sponsor: Governor/Rules
 Requestor: Governor

Bill Version: HB 328
 Publish Date: HOUSE 7/1/87
 Agency Affected: All
 BRU: All
 Components: All

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		-0-				
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-				

CAPITAL		—				
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REVENUE		—				
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FUNDING: (Thousands of Dollars)

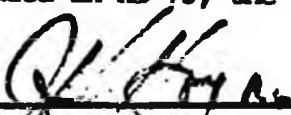
GENERAL FUND		-0-				
FEDERAL FUNDS						
OTHER						
TOTAL		—				

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Additional amounts required are shown as zero. Funding for amounts required is currently included in HB 75, the General Appropriations Act, Sec. 22.

Prepared by: Jay Hogan  Phone: 465-3568
 Division: Office of Management & Budget Date: 6/30/87

Approved by Commissioner: _____ Date: _____
 Agency: _____

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

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 328

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SPECIAL SESSION

5 A BILL

6 For an Act entitled: "An Act relating to salaries of certain state employ-
7 ees who are not members of a collective bargaining
8 unit; and providing for an effective date."

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

10 * Section 1. SALARIES OF CLASSIFIED AND PARTIALLY EXEMPT EXECUTIVE-
11 BRANCH EMPLOYEES NOT IN A COLLECTIVE BARGAINING UNIT. Notwithstanding
12 AS 39.27.011(a), the basic monthly salaries of classified and partially
13 exempt employees who are not members of a collective bargaining unit estab-
14 lished under AS 23.40 shall be adjusted by the same percentage of adjust-
15 ments in the basic monthly salaries paid to members of the general govern-
16 ment collective bargaining unit, for any period beginning after June 30,
17 1987. The adjustments for the classified and partially exempt employees
18 not in a collective bargaining unit shall be made in the same pay period
19 that a new pay plan is implemented for the general government unit by the
20 state. The classified and partially exempt employees who are not in a
21 collective bargaining unit shall be paid according to AS 39.27.011(a) until
22 the first pay period of implementation of a new pay plan for the general
23 government unit.

24 * Sec. 2. SALARIES OF EMPLOYEES OF THE JUDICIAL AND LEGISLATIVE
25 BRANCHES AND EXEMPT EMPLOYEES OF THE EXECUTIVE BRANCH. Salary adjustments
26 comparable to those received by the classified and partially exempt employ-
27 ees of the executive branch under sec. 1 of this Act shall be made for the
28 following employees:

- 29 (1) permanent and temporary employees of the judicial branch,

1 except justices and judges;

2 (2) permanent and temporary employees of the legislative branch;

3 (3) permanent and temporary employees of the executive branch
4 who are in the exempt service under AS 39.25.110, and who are not members
5 of a collective bargaining unit established under the Public Employment
6 Relations Act (AS 23.40).

7 * Sec. 3. SALARIES OF EMPLOYEES OF THE UNIVERSITY OF ALASKA. Notwith-
8 standing sec. 2(3) of this Act, the salaries of employees of the University
9 of Alaska who are not members of a collective bargaining unit shall be
10 adjusted in accordance with the compensation policy of the board of regents
11 of the University of Alaska.

12 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).
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STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF LAW

P.O. BOX K—STATE CAPITOL
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600

OFFICE OF THE ATTORNEY GENERAL

July 1, 1987

M E M O R A N D U M

TO: Honorable Steve Cowper
Governor

FROM: Grace Berg Schaible
Attorney General

BY: *B. Jordan for*
Arthur H. Peterson
Assistant Attorney General
Legislation/Regulations Section

RE: Attached sponsor substitute
for SB 311 and HB 328 (state
employee salaries)

At Commissioner Garrey Peska's request, we have prepared the attached sponsor substitute for SB 311 and HB 328, introduced in the special session this morning. The only difference between the original version and this one is the addition of express language in sec. 2(2) to make clear that legislators are not covered by this bill's salary-reduction requirement; this will parallel sec. 2(1)'s exemption for justices and judges. Although, in both cases, the existing phrase "permanent and temporary employees of the [judicial] [legislative] branch" at least arguably exempts judicial officers and legislators, this added wording makes the exemption clear.

A draft transmittal letter for this sponsor substitute is also attached.

GBS:AHP:nb

cc w/enc: Hon. Garrey Peska, Commissioner
Dept. of Administration

Jay Hogan, Director
Division of Budget Review
Office of Management and Budget
Office of the Governor

D R A F T

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a sponsor substitute for HB 328 and SB 311 to add an express exemption for legislators from the salary-reduction requirement of the bill, rather than rely on the implication of the present language. This addition will parallel the bill's current exemption for justices and judges, and its omission from the original version was merely an oversight.

Sincerely,

Steve Cowper
Governor

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

June 30, 1987

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that empowers appointing authorities to adjust the salaries of certain state employees not covered by a collective bargaining agreement. Under the authority of art. II, sec. 9, of the Alaska Constitution, and in accordance with my proclamation of June 15, 1987, I am presenting this bill to you as containing a new subject that the legislature may consider during the special session I called by that proclamation.

The enactment of this bill would provide specific authority for adjustments to the salaries of certain state employees not covered by collective bargaining. The statutory pay schedule in AS 39.27.011(a), which establishes the salaries of many of those employees, is based on the pay plan for the general government unit (GGU). I believe that it is appropriate to reduce those salaries if the range and step amounts of the GGU pay plan are reduced in the collective bargaining process. I have been advised that a unilateral change without specific authority presents a risk of successful legal challenge. The authority conferred by this bill will eliminate that risk. Provisions in the bill will authorize the other branches of state government and the university to implement salary adjustments for their employees.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper".

Steve Cowper
Governor

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