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FISCAL NOTE

REQUEST:

Revision Date: 4/14/89
 Title: estab. Martin Luther King Jr. day as a legal holiday
 Sponsor: Rules
 Requestor: House Finance Committee
 Agency Affected: all agencies
 BRU: _____
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: House Finance Committee Phone: 465-3727
 Division: Co-Chairman Ron Larson
Co-Chairman Lyman Hoffman
 Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by preparer):

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

Adopted

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 83 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to legal holidays; and establishing
7 Martin Luther King, Jr., Day as a legal holiday."

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

9 * Section 1. AS 44.12.010 is amended to read:

10 Sec. 44.12.010. LEGAL HOLIDAYS. The following days are legal
11 holidays:

12 (1) the first of January, known as New Year's Day;

13 (2) the third Monday of January, known as Martin Luther
14 King, Jr.'s Birthday as provided in (b) of this section [THE 12TH OF
15 FEBRUARY, KNOWN AS LINCOLN'S BIRTHDAY];

16 (3) the third Monday in February, known as Presidents' Day
17 [WASHINGTON'S BIRTHDAY];

18 (4) the last Monday of March, known as Seward's Day;

19 (5) the last Monday in May, known as Memorial Day;

20 (6) the fourth of July, known as Independence Day;

21 (7) the first Monday in September, known as Labor Day;

22 (8) the 18th [EIGHTEENTH] of October, known as Alaska Day;

23 (9) the 11th of November, known as Veterans' day;

24 (10) the fourth Thursday in November, known as Thanksgiving
25 Day;

26 (11) the 25th of December, known as Christmas Day;

27 (12) every Sunday;

28 (13) every day designated by public proclamation by the
29 President of the United States or the governor of the state as a legal

1 holiday.

2 * Sec. 2. AS 44.12.010 is amended by adding a new subsection to read:

3 (b) For employment purposes, Martin Luther King, Jr.'s Birthday
4 is a legal holiday for state employees who

5 (1) are not covered by a collective bargaining agreement;

6 or

7 (2) are covered by a collective bargaining agreement whose

8 terms

9 (A) include by name Martin Luther King, Jr.'s Birth-
10 day; or

11 (B) have been amended to substitute a holiday on the
12 third Monday of January for Martin Luther King, Jr.'s Birthday in
13 place of another paid holiday.

14 * Sec. 3. AS 44.12.045 is repealed.

Alaska State Legislature

Representative Fran Ulmer



P.O. Box V
Juneau, Alaska 99811
(907) 465-4947

HOUSE OF REPRESENTATIVES

MEMORANDUM

TO: Representative Roy Larson
Chair of the House Finance Subcommittee on HB 83

FROM: Representative Fran Ulmer

SUBJ: HB 83 - A Bill Relating to Martin Luther King Holiday

DATE: March 15, 1989

You asked me to review the alternatives available to the committee on creating a Martin Luther King holiday in Alaska and make a recommendation to the committee.

After reviewing the discussion in other committees, testimony before the Finance Committee and conversations with interested individuals, I would like to recommend the attached draft committee substitute. It combines the Lincoln and Washington holidays into one President's Day, and shifts the other paid day of leave to Martin Luther King's birthday. This results in an observance for Dr. King without the addition of another paid day of leave. It is also consistent with the practice of the federal government and many school districts and city governments which recognize President's Day and Martin Luther King Day with paid holidays. Families would be better able to coordinate schedules.

I have spoken with Dave Williams, at the Alaska State Employees Association, and asked him to ask his steering committee for comments on this approach. Unfortunately, this bill and this issue may be tied up with the collective bargaining process. If this is correct, we'll need to get all parties to agree that this is an acceptable compromise and that a legislative solution is appropriate.

FU/bvh

cc: Governor Cowper



STATE OF ALASKA - OFFICE OF THE GOVERNOR

OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY

P.O. Box AE (MS 0117), Juneau, Alaska 99811, (907) 465-3570

STEVE COWPER
GOVERNOR

March 20, 1989

Honorable Fran Ulmer
Representative
Alaska State Legislature
P.O. Box V
Juneau AK 99811

Dear Representative Ulmer:

Thank you for notifying me about the proposed revision to House Bill 83.

The Governor has no opposition to it. I will be testifying as the administration's point person on the bill when it comes before the committee again.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael G. McKennett".

Michael G. McKennett
Director

A M E N D M E N T *-adopted.*

OFFERED IN THE HOUSE

BY ULMER

TO: CSHB 83 (Finance)

Page 1, line 14, after "Birthday":

Insert "as provided in (b) of this section"

Page 2, after line 1:

Insert a new bill section to read:

"*Sec. 2. AS 44.12.010 is amended by adding a new subsection to read:

(b) For employment purposes, Martin Luther king, Jr.'s Birthday is a legal holiday for ^{state} employees who

(1) are not covered by a collective bargaining agreement; or

(2) are covered by a collective bargaining agreement whose terms

(a) include by name Martin Luther King, Jr.'s birthday; or

(b) have been amended to substitute a holiday on the third Monday of January for Martin Luther King, Jr.'s birthday in place of another paid holiday."

Renumber the following bill section accordingly.

A M E N D M E N T

OFFERED IN THE HOUSE

BY ULMER

TO: CSHB 83 (Finance)

Page 1, line 14, after "Birthday":

Insert "as provided in (b) of this section"

Page 2, after line 1:

Insert a new bill section to read:

"* Sec. 2. AS 44.12.010 is amended by adding a new subsection to read:

(b) For employment purposes, Martin Luther King, Jr.'s, Birthday is a legal holiday for employees who

(1) are not covered by a collective bargaining agreement;

or

(2) are covered by a collective bargaining agreement whose terms include or whose terms are amended to include a holiday on the third Monday of January for Martin Luther King, Jr.'s, Birthday."

Renumber the following bill section accordingly.

- Notified on -
4/14/89

By Rieger

Amendment to Amet. (Ulmer)
Delete all material replace with

This Act applies to all employees not covered by
a collective bargaining agreement, and to all employees
covered by a collective bargaining agreement who do
not have both Lincoln's Birthday and Washington's
Birthday as separate holidays.

A M E N D M E N T

OFFERED IN THE HOUSE .

BY ULMER

TO: CSHB 83 (^{*Finance*}~~State Affairs~~)

Page 2, after line ¹~~18~~:

Insert a new bill section to read:

"* Sec. ²~~8~~. The legislature recognizes that, for employment covered by a collective bargaining agreement, observation of holidays in the workplace is governed by the terms of the collective bargaining agreement."

Amendment

By Rieger

This Act applies to all employees not covered by a collective bargaining agreement, and to all employees covered by a collective bargaining agreement who do not have both Lincoln's Birthday and Washington's Birthday as separate holidays.



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

March 3, 1989

To: Reps. Hoffman and Larson, Co-Chairs
Members; House Finance Committee

Re: CS for House Bill No. 83 (HESS); "An Act relating
to legal holidays; and establishing Martin
Luther King, Jr., Day as a legal Holiday."

NEA-Alaska strongly supports and encourages your favorable consideration of HB 83.

It is most appropriate that we acknowledge the birthday of this truly outstanding Black American who was the leader of the American civil rights movement.

Through his efforts, Dr. King not only exposed racial injustice but raised our collective conscience to all injustice and inequity in our social and economic programs. His activities represent the highest degree of patriotism and the very spirit of our democracy.

Dr. King's commitment to non-violent methods will continue to serve as a model for all interests which find the need to speak out on matters of concern.

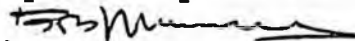
His efforts have opened the doors of hope, aspiration, and belief in self-worth for all groups which have been disadvantaged by our social and economic systems.

It is time for the State of Alaska to acknowledge Dr. King's effort by making his birthday a legal state holiday.

We recommend also that this particular holiday be designated as a legal holiday in all of the public schools in the State.

Thank you for your consideration of our position.

Respectfully submitted,


Bob Manners
Executive Secretary

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

February 24, 1989

SUBJECT: Sectional analysis of CSHB 83(State Affairs)
(Martin Luther King Day)

TO: Representative Ron Larson
Co-chair, House Finance Committee

FROM: Teresa B. Cramer *TBC*
Legislative Counsel

You have requested a sectional analysis of the above described bill.

As a preliminary matter, note that a sectional analysis or summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1 adds Martin Luther King, Jr.'s Birthday, to be honored on the third Monday of January, to the list of legal holidays. It also removes Seward's Day and Alaska Day from the list.

Section 2 establishes Alaska Day as a legal holiday without a date set by statute. Instead, on October 18th, employees who are entitled to take legal holidays off, either because of a collective bargaining contract or other agreement with the employer that grants that right, will receive one days' leave. Each employee can choose when to use the day of leave, limited by personnel policies or contract terms concerning the use of leave.

Section 3 makes a technical correction to reflect the renumbering of AS 44.12.010 in section 1 of the bill.

Section 4 establishes Seward Day on March 30 to honor William Henry Seward.

Section 5 repeals the section that now establishes January 15 as a day on which to honor Martin Luther King, Jr.

If I may be of further assistance, please advise.

TC:kb
wkk2/049

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

Item 2

16/14

4833

January 12, 1989

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

Dear Representative Cotten:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill to establish Martin Luther King, Jr., Day as a legal holiday. Although, in 1982, AS 44.12.045 was enacted to establish Martin Luther King Day as a day of commemoration, I firmly believe that the immeasurable contributions of Dr. King to our society merit this additional recognition.

Acting on that conviction, I recently issued a proclamation under AS 44.12.010(13) designating January 16, 1989 a legal holiday. Selecting that day, the third Monday in January, conforms to federal legislation (5 U.S.C. 6103) that designates that day a national holiday each year. To honor Dr. King on a permanent basis in Alaska, I am introducing this bill which also conforms to the federal legislation.

Sincerely,

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

Steve Cowper
Governor



Alaska State Legislature

Please enter into the record my testimony to the House Finance State Affairs committee name

committee on House Bill 83, dated 2/15/89 bill/subject

Why a holiday for Martin Luther King, Jr. The simple answer is that the nation and the State of Alaska ought to appreciate his efforts on behalf of blacks and other minorities. A more cogent yet more compelling reason is that a legal holiday would announce to the world that America stands on the forefront of the universal human rights struggle and that appreciation of human diversity is a hallmark to our claim of greatness. No other nation can, nor does, make such a claim. For her own citizens America can legitimize the inclusion of King in the hall of fame that enshrines Washington and Lincoln as nation builders. What greater tribute to centuries of struggle to free all of us from racial shackles! Which a former director of the National Institute of Mental Health called "our number one mental ~~health~~ health problem!"

Signed: Ed Smith
Testifier

Representing (Optional)
P.O. Box 81152, Fairbanks 99708
Address
479-4758
Phone No.

Position Statement
H.B. 83

Louie Overstreet
January 31, 1989

Item 7

House State Affairs Committee

KING HOLIDAY AS AN OPTION

Rules Committee

While I support the State declaring Martin Luther King's birthday as a State holiday, I do not support giving State workers an additional day off.

I make this statement advisedly, since I'm currently employed in the public sector. Given the general level of salary compensation, number of vacation days awarded after one year of employment, paid holidays, some ability to cash in accrued leave, and health care benefits that we have, I think it would be ridiculous to give State workers another paid day off.

Assuming negotiated agreements could be reopened on this one issue, I would support several State holidays being optional. As an example, if a worker wanted to take King's birthday off, then that person would be required to work on Seward's Day.

Being candid, based on first hand knowledge, the total leave time available to a large percentage of State workers has a tremendous impact on productivity. This fact, in my opinion, is the primary reason public employees are often viewed in a negative light by the general public. A close second would be the exhibition of a "bad" attitude when interacting with the public.

Not only is another holiday non-productive, it is also very costly. In the proposed State operating budget for FY 89/90 there are 16,253 full time and 3,349 part time positions authorized. Assuming two part time positions are equivalent to one full time position, then there are 17,927 full time positions proposed for

RECEIVED

FEB 7 1989

Louie Overstreet
January 31, 1989

funding in the budget at a cost of 1.1 billion dollars. Assuming the average State worker puts in 249 days a year on the job, then by dividing the 1.1 billion dollars by the number of positions times the number of days, yields a per day cost of \$246 to keep one State worker on the job. Conversely, multiplying the number of full time positions by \$246/day presents a cost of 4.4 million dollars to celebrate another holiday.

Not even counting this as a yearly recurring cost, as a one time cost would represent the following: 4.4 million invested at 10 percent after one year would yield \$440,000 in perpetuity. This money could be used to fund nearly 100 full scholarships at UAA for deserving students who might choose to pursue majors in the sciences consistent with the dream Dr. King envisioned for America. Alternately, it could fund two community based educational enrichment programs in Fairbanks and Anchorage for \$220,000 each. It should be noted Governor Cowper cut such a program out of last year's budget. Now he's proposing another paid holiday for persons, many of whom, I would venture to guess, do not share King's dream for our nation.

Holiday yes, another day off for State workers, no.

Mailing Address:

Louie Overstreet
10900 Snowline
Anchorage, Alaska 99516

907/346-1161(h)
269-2320(w)

3-2-89

This is ALONZO PATTERSON - COMMENTS
ON HB 83

I AM IN FULL SUPPORT OF THE MLK DAY - HOWEVER I ~~DO~~ HAVE RESERVATIONS AS TO THE DESTRUCTION OF ONE HOLIDAY IN THE STATE, TO THE ESTABLISHING OF ANOTHER. I WOULD

1. PREFER IT TO BE A PHYSICAL SUPPORTED DAY.

2. PREFER IT TO BE ~~THE~~ MLK DAY AND PRESIDENTS DAY -

3. PREFER IT TO BE A FLOATING DAY OF SEWARD + MLK A FIXED DAY - ALL IN THAT ORDER. SINCE THE STATE IS STRUGGLING WITH MONEY AT THIS TIME THE PHYSICAL SUPPORT IS UNLIKELY -

I THEREFORE WOULD URGE THE LEGISLATURE TO CONSIDER FOLLOWING SUIT WITH THE FEDERAL PLAN OF PRESIDENTS DAY AND MLK DAY
THANK YOU -

MR. PATTERSON CAME TO THE TELECONFERENCE ON 3-2-89 CONCERNING HB 83.

HE HAD TO LEAVE AND THIS IS A BRIEF STATEMENT HE WANTED THE COMMITTEE TO HAVE

STATE OF ALASKA 1989 LEGISLATIVE SESSION
FISCAL NOTE

No. 1

Bill Version: HB 83
Publish Date: HOUSE 1/12/89

REQUEST _____

Revision Date: _____
Title: An Act establishing Martin Luther King, Jr., Da as a legal holiday
Sponsor: Rules
Requestor: Governor

Agency Affected: All agencies
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
OPERATING						
PERSONAL SERVICES	-0-	466.0	466.0	466.0	466.0	466.0
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-	466.0	466.0	466.0	466.0	466.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	330.9	330.9	330.9	330.9	330.9
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	135.1	135.1	135.1	135.1	135.1
TOTAL	-0-	466.0	466.0	466.0	466.0	466.0

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary See attached.

Prepared By: Richard P. Cummings
Division: Labor Relations

Phone: 465-4404
Date: _____

Approved by Commissioner: John M. Andrews
Agency: Department of Administration

Date: Jan 11, 1989

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

Martin Luther King Day Analysis

Assumptions:

1. Creation of one additional holiday will result in a productivity loss in Executive, Judicial and Legislative Branches (.38% of straight-time payroll) but will not require additional funding for the day of absence, per se. The value of this loss is approximately \$2.28 million.
2. \$466,000 in additional funds will be necessary for Executive Branch overtime/benefits, based on agency survey.
3. No payroll increases in ensuing fiscal years; no increase in overtime in ensuing fiscal years.
4. Funding distribution is General Fund at 71.0%. The balance includes federal funds and all others.
5. Does not include costs for University of Alaska or non-State employers.