

LEG. FINANCE - BILLS 1979 - 1980 1169

HB 742 thru HB 748

1169



RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O Smith
Signature of Camera Operator

3/20/90
Date

COMMITTEE REPORT

(11)

HOUSE

FURTHER:

5/9/80

Date: _____

Mr. Speaker:

The Committee on FINANCE has had HB 742

"An Act raising the upper limits on the rate of interest charged in consumer credit arrangements."

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

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

(7)

COMMITTEE REPORT

HOUSE

2/14/80

5/9

FURTHER: FINANCE

Date: 2 MAY 80

Mr. Speaker:

The Committee on COMMERCE has had HB 742

"An Act raising the upper limits on the rate of interest charged in consumer credit arrangements."

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

- do pass do not pass:
- do pass with attached amendments(s)
- replace with CS for HB 742 same title
 new title
- and recommends do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Joyce Hanson

Rich Haldor

Robert Butterworth

Richard [unclear]

Tom [unclear]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Tom [unclear]

CHAIRMAN

7447
Guthrie

Original sponsor: Carney

Offered: 5/9/80
Referred: Finance

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 742

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act raising the upper limits on the rate of interest
7 charged in consumer credit arrangements."

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

9 * Section 1. AS 45.10.120(b)(1) and (2) are amended to read:

10 (1) on so much of the unpaid balance as does not exceed
11 \$1,000,

12 (A) five-sixths of one percent if the discount rate is
13 less than six percent; or

14 (B) one percent if the discount rate is six percent or
15 more;

16 (2) if the unpaid balance exceeds \$1,000, on so much of the
17 unpaid balance as exceeds \$1,000,

18 (A) two-thirds of one percent if the discount rate is
19 less than six percent; or

20 (B) five-sixths of one percent if the discount rate is
21 six percent or more;

22 * Sec. 2. AS 45.10.120(c)(1) and (2) are amended to read:

23 (1) on so much of the outstanding balance as does not exceed
24 \$1,000,

25 (A) one and one-half percent per month if the discount
26 rate is less than six percent; or

27 (B) two percent if the discount rate is six percent or
28 more;

29 (2) if the outstanding balance is more than \$1,000, on so

COMMITTEE COPY

1 much of the outstanding balance as exceeds \$1,000

2 (A) one percent per month if the discount rate is less
3 than six percent;

4 (B) one and one-half percent if the discount rate is six
5 percent or more [ON THE EXCESS OVER \$1,000 OF THE OUTSTANDING
6 BALANCE];

7 * Sec. 3. AS 45.10.120 is amended by adding a new subsection to read:

8 (d) In this section, "discount rate" means the annual rate charged
9 member banks for advances by the 12th Federal Reserve District as of the
10 25th day of the month preceding the commencement of the calendar quarter
11 during which the contract or agreement is made.

7447
Guthrie

Introduced: 2/14/80
Referred: Commerce and
Finance

1 IN THE HOUSE

BY CARNEY

2 HOUSE BILL NO. 742

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act raising the upper limits on the rate of
7 interest charged in consumer credit arrangements."

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

9 * Section 1. AS 45.10.120(b)(1) and (2) are amended to read:

10 (1) on so much of the unpaid balance as does not exceed
11 \$1,000, [FIVE-SIXTHS OF] one percent;

12 (2) if the unpaid balance exceeds \$1,000, on so much of the
13 unpaid balance as exceeds \$1,000, five-sixths [TWO-THIRDS] of one per-
14 cent;

15 * Sec. 2. AS 45.10.120(c)(1) and (2) are amended to read:

16 (1) on so much of the outstanding balance as does not exceed
17 \$1,000, two [ONE AND ONE-HALF] percent per month;

18 (2) if the outstanding balance is more than \$1,000, one
19 and one-half percent per month on the excess over \$1,000 of the out-
20 standing balance;

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COMMITTEE COPY

ALASKA STATE LEGISLATURE

ELEVENTH Legislature SECOND ... Session

HOUSE ... BILL NO. 742

By CARNEY

"An Act raising the upper limits on the rate of interest charged in consumer credit arrangements."

Raising interest limits

Introduced in the House .2/14/..., 19..80

HISTORY IN THE HOUSE

19 80	Read first time and referred to Committee on												
Feb. 14	Commerce and Finance												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
PASS	Effective Date												
Yeas	Yeas												
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Absent	Absent												
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Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by Speaker												
	Sent to Senate												
CHIEF CLERK OF THE HOUSE													

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by President												
	Returned to House												
SECRETARY OF THE SENATE													

HISTORY IN THE HOUSE

19	Received from Senate
	Reported correctly enrolled
	Sent to Governor
 By Governor
	Filed with Lt. Governor
Chapter No.	

Original sponsor: Carney

Offered: 5/9/80
Referred: Finance

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 742

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act raising the upper limits on the rate of interest
7 charged in consumer credit arrangements."

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

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11 \$1,000,

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17 unpaid balance as exceeds \$1,000,

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24 \$1,000,

25 (A) one and one-half percent per month if the discount
26 rate is less than six percent; or

27 (B) two percent if the discount rate is six percent or
28 more;

29 (2) if the outstanding balance is more than \$1,000, on so

1 much of the outstanding balance as exceeds \$1,000

2 (A) one percent per month if the discount rate is less
3 than six percent;

4 (B) one and one-half percent if the discount rate is six
5 percent or more [ON THE EXCESS OVER \$1,000 OF THE OUTSTANDING
6 BALANCE];

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9 member banks for advances by the 12th Federal Reserve District as of the
10 25th day of the month preceding the commencement of the calendar quarter
11 during which the contract or agreement is made.

Introduced: 2/14/80
Referred: Commerce and
Finance

1 IN THE HOUSE

BY CARNEY

2 HOUSE BILL NO. 742

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

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19 and one-half percent per month on the excess over \$1,000 of the out-
20 standing balance;

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James O. Smith
Signature of Camera Operator

3/20/90
Date



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James O Smith
Signature of Camera Operator

3/20/90
Date

HB
746

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 746
 Title An Act relating to overtime compensation under a flexible work hour plan
 Requested by Representative Miller Date 3/7/80

II. FISCAL DETAIL

Agency Affected All
 Program Category Affected All
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

HB 746 will have no fiscal impact.

IV. DATE 3/7/80 PREPARED BY Judy Crondahl
 AGENCY Administration
 PHONE 465-2277
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Representative Cotten

Introduced: 2/14/80
Referred: State Affairs

1 IN THE HOUSE

BY COTTEN AND HAYES

2 HOUSE BILL NO. 746

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to overtime compensation under a
7 flexible work hour plan."

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

9 * Section 1. AS 23.10.060 is amended by adding a new paragraph to read:

10 (17) work performed by an employee under a voluntary flexible
11 work hour plan if the employee has elected to work under the plan and
12 the work is for not more than 40 hours a week or 10 hours a day; for
13 work over 40 hours a week or 10 hours a day under a flexible work hour
14 plan compensation at the rate of one and one-half times the regular rate
15 of pay shall be paid for the overtime.

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Original sponsors: Cotten and Hayes

Offered: 4/7/80
Referred: Rules

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 746

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to overtime compensation under a
7 flexible work hour plan."

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

9 * Section 1. AS 23.10.060 is amended by adding a new paragraph to read:

10 (17) work performed by an employee under a voluntary flexible
11 work hour plan (A) if the plan is included as part of a collective
12 bargaining agreement; or (B) if the plan has been submitted to the
13 Department of Labor with a certification from the employer that a major-
14 ity of the employees affected have agreed to the plan and the Department
15 of Labor has issued a certificate approving the plan; and (C) the work
16 is for 40 hours a week and not for more than 10 hours a day; for work
17 over 40 hours a week or 10 hours a day under a flexible work hour plan
18 compensation at the rate of one and one-half times the regular rate of
19 pay shall be paid for the overtime.

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STATE OF ALASKA

file

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

POUCH C
JUNEAU, ALASKA 99811

465-2200

April 15, 1980

Honorable John Sackett, Chairman
Senate Finance Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Senator Sackett:

Re: HB 746

I would like to bring your attention to a problem which has occurred in the consideration of fiscal notes for House Bill 746.

The Department of Administration prepared a fiscal note (attached) showing no fiscal impact. This fiscal notes pertains to the impact on the State in its role as employer. The Department of Labor prepared a fiscal note (attached) showing fiscal impact of \$99.2 General Funds. This fiscal note pertains to the impact on the Department of Labor in its role of Wage and Hour enforcement. Apparently, because the Department of Administration fiscal note indicated it applied to all agencies, the Department of Labor fiscal note was not considered in the House Finance Committee. This was not our intent and we urge the approval of the Department of Labor fiscal note to enforce the intent of this bill should it become law.

Sincerely,

Sue Greene

Sue S. Greene
Deputy Commissioner for
Personnel Management

SSG/mjc

cc: Senator Bob Mulcahy, Chairman
Senate State Affairs
Representative Mike Miller
Chairman, House State Affairs
Representative Russ Meekins, Chairman ✓
House Finance Committee
Representative Samuel R. Cotten
Keith Spocking, Legislative Assistant
Judy DuBois, Legislative Liaison
Department of Labor

Attachments

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

JLL
3-10-80
MP

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 746
Title An Act relating to overtime compensation under a flexible work hour plan
Requested by Representative Miller Date 3/7/80

II. FISCAL DETAIL

Agency Affected All
Program Category Affected All
BRU, Program, or Subprogram(s) Affected _____
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

HB 746 will have no fiscal impact.

IV. DATE 3/7/80 PREPARED BY Judy Crondahl
AGENCY Administration
PHONE 465-2277
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named) Representative Cotten

CSHB
746

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for HB 746
 Title An Act Relating to the Compensation under a Flexible Hour
 Requested by Representative Bill Miller Date April 1, 1980

"work plan"

II. FISCAL DETAIL

Agency Affected Department of Labor
 Program Category Affected PUBLIC Protection
 BRU, Program, or Subprogram(s) Affected Wage and Hour - Administrative Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		51.0				
20 TRAVEL		18.7				
30 CONTRACTUAL		21.2				
400 COMMODITIES		1.1				
500 EQUIPMENT		5.0				
600 LAND ACQUISITIONS						
700 GRANTS, CLAIMS, ETC.						
TOTAL		99.2				

FUNDING (Thousands of Dollars)

GENERAL FUND		99.2				
FEDERAL FUNDS						
OTHER (Specify Line Source)						

POSITIONS

FULL TIME		2				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Funding is for 1) Wage and Hour Investigator I
 2) Clerk Typist II

IV. DATE April 3, 1980 PREPARED BY W. R. Killip
 AGENCY House State Affairs Committee
 Original: Legislative Finance PHONE: 465-2964

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

CS HR 246

I. REQUEST
 Bill/Resolution No. CS for HB 746
 Title "An Act relating to Overtime Compensation under a flexible*"
 Requested by House State Affairs Committee Date 3-28-80
 * work hour plan."

II. FISCAL DETAIL
 Agency Affected Department of Labor
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Wage and Hour - Administrative Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES	-0-	156.1	156.1	156.1	156.1	156.1
200 TRAVEL		26.1	27.9	29.9	32.0	34.2
300 CONTRACTUAL		29.5	31.6	33.8	36.1	38.7
400 COMMODITIES		1.2	1.3	1.4	1.5	1.6
500 EQUIPMENT		10.6	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	223.5	216.9	221.2	225.7	230.6

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	223.5	216.9	221.2	225.7	230.6
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-	5	5	5	5	5
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- Salaries entered at the current rate.
- Non Personal Services assumes an inflation rate of 7% annually.
- Assumes effective date of 7/1/80.

IV. DATE March 28, 1980

PREPARED BY James M. Souby III
 AGENCY Department of Labor
 PHONE 465-2720

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

1	POSITION TITLE Wage & Hour Investigator I				RANGE/STEP 16	BARG. UNIT. GGU	LOCATION Anchorage	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY		FORM 12 PAGE/LINE	LEG.		

3	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
4	PERSONAL SERVICES:		
	SALARY	2.132	25,584
5	BENEFITS	15.42	3,945
6	FICA	6.65	1,701
7	HEALTH INS.	127 x 12	1,524
8	TOTAL PERSONAL SERVICES		32,754
9	TRAVEL		7,500
10	CONTRACTUAL		6,750
11	COMMODITIES		250
12	EQUIPMENT		1,921
13	OTHER		
14	TOTAL COST		49,175

JUSTIFICATION:

The investigators in the Anchorage Regional Office will be responsible for the area encompassing the 2nd and 3rd judicial districts principally the Mat-Su Valley, Anchorage, Prince William Sound, Bethel, Kodiak, and Aleutian Chain. These investigators will conduct investigations of petitions for certification from employee groups who wish to take advantage of the act, which will entail travel to various locations throughout the region to monitor elections, to act as fact finder in disputes concerning purported agreements, and to investigate wage claims.

	CODE	FUNDING SOURCE	
15		FED RCPTS.	
16		GF MATCH.	
17	T004	GEN. FUND	49,175
18		I-A RCPTS.	
19		PGM RCPTS	
20		OTHER	
21	CONTINUATION		
22	ADDITION		

(9) Travel to remote arease from Anchorage to Kodiak, Kenai, and the Aleutian Chain for investigations and elections. Average one trip a month for an average cost of \$650 per trip or \$7500.

(10) Postage and mailing \$ 500.00
 Local and long distance calls 800.00
 Rent 10 sq. ft. @ \$1.09 x 12 mo. 1,308.00
 Legal fees and hearings officers 4,142.00
 Total Contractual \$ 6,650.00

(11) Supplies needed for new position and to operate for the year \$ 250.00

FOR B&M USE ONLY

4A KEY NUMBER _____ COLUMN NO. _____

(Continued on page 1b)

AGENCY Department of Labor PROGRAM AREA Public Protection

13 REQUEST FOR NEW POSITION.

BRU Wage & Hour
 COMPONENT Wage & Hour Administration

FY 81

Form 13
Request for New Position
Page 1b of 5

(12) Equipment:

Desk	\$ 387.70
Chair	179.41
Credenza	309.80
Bookcase	90.04
Dictating machine	713.59
Calculator	<u>240.32</u>
Total equipment	\$ 1,920.86

1	POSITION TITLE Wage & Hour Investigator I				RANGE/STEP 16	BARG. UNIT. GGU	LOCATION Anchorage	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY		FORM 12 PAGE/LINE	LEG.		

3	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
4	PERSONAL SERVICES:		
	SALARY	2,132	25,584
5	BENEFITS	15.42%	3,945
6	FICA	6.65%	1,701
7	HEALTH INS.	127 x 12	1,524
8	TOTAL PERSONAL SERVICES		32,754
9	TRAVEL		7,500
10	CONTRACTUAL		6,750
11	COMMODITIES		250
12	EQUIPMENT		1,921
13	OTHER		
14	TOTAL COST		49,175

JUSTIFICATION:

The investigators in the Anchorage Regional Office will be responsible for the area encompassing the 2nd and 3rd judicial districts principally the Mat-Su Valley, Anchorage Prince William Sound, Bethel, Kodiak and Aleutian Chain. These investigators will conduct investigations of petitions for certification from employee groups who wish to take advantage of the act, which will entail travel to various locations throughout the region to monitor elections, to act as fact finder in disputes concerning purported agreements, and to investigate wage claims.

(9) Travel to remote areas from Anchorage to Kodiak, Kenai and the Aleutian chain for investigations and elections. Average one trip a month for an average cost of \$650 per trip or \$7500.

(10) Postage and mailing	\$ 500.00
Local and long distance calls	800.00
Rent 10 sq. ft. @ \$1.09 x 12 mo.	1,308.00
Legal fees and hearing officers	4,142.00
	<u>\$ 6,650.00</u>

(11) Supplies needed for new position and to operate for the year	\$ 250.00
---	-----------

	CODE	FUNDING SOURCE	
15		FED RCPTS.	
16		GF MATCH.	
17	1004	GEN. FUND	49,175
18		I-A RCPTS.	
19		PGM RCPTS	
20		OTHER	

21	CONTINUATION	
22	ADDITION	

FOR B&M USE ONLY

4A KEY-NUMBER _____ COLUMN NO. _____

(Continued)

AGENCY Department of Labor PROGRAM AREA Public Protection

Wage & Hour

BRU _____

Wage & Hour Administration

COMPONENT _____

Page 2a of 5

REVISED DATE _____

FY 81

13 REQUEST FOR NEW POSITION.

Form 13
Request for New Position
Page 2b of 5

(12) Set up new position, office equipment
needed:

Desk	\$ 387.70
Chair	179.41
Credenza	309.80
Bookcase	90.04
Dictating machine	713.59
Calculator	240.32
Total equipment	<u>\$ 1,920.86</u>

1	POSITION TITLE Wage & Hour Investigator I	RANGE/STEP 16	BARG. UNIT. GGU	LOCATION Juneau	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE
						LEG.	

3	TYPE OF EXPENDITURE	AMOUNT
	1	2
4	PERSONAL SERVICES:	
	SALARY	2,132
		25,584
5	BENEFITS	15.42%
		3,945
6	FICA	6.65%
		1,701
7	HEALTH INS.	127 x 12
		1,524
8	TOTAL PERSONAL SERVICES	32,754
9	TRAVEL	3,600
10	CONTRACTUAL	6,000
11	COMMODITIES	250
12	EQUIPMENT	2,125
13	OTHER	
14	TOTAL COST	44,729

JUSTIFICATION:

The Juneau investigator position will be responsible for the Southeastern Alaska area south of Takutat. This investigator will conduct investigations of petitions for certification from employee groups who wish to take advantage of the act, which will entail travel to various locations throughout the region to monitor elections, to act as fact finder in disputes concerning purported agreements, and to investigate wage claims.

(9) Travel: The Juneau investigator will be responsible for the Southeast Alaska area.

2 x Ketchikan @ 130 = 260 + 3 days @ 55	\$ 425
2 x Sitka @ 91 = 182 + 3 days @ 62	368
2 x Yakutat @ 108 = 216 + 3 days @ 55	381
2 x Petersburg @ 108 = 216 x 3 days @ 55	381
	<u>1,555</u>

Charter to areas not serviced by scheduled flights

Total Travel	\$3,600
--------------	---------

(10) Rent \$1,890

Postage	500
Telephone	800
Professional fees	2,810
Total Contractual	<u>\$6,000</u>

	CODE	FUNDING SOURCE
15		FED RCPTS.
16		GF MATCH.
17	1004	GEN. FUND
		44,729
18		I-A RCPTS.
19		PGM RCPTS
20		OTHER
21	CONTINUATION	
22	ADDITION	

FOR B&M USE ONLY

4A KEY NUMBER _____ COLUMN NO. _____

(Continued on page 3b)

AGENCY Department of Labor PROGRAM AREA Public Protection

BRU Wage & Hour

COMPONENT Wage & Hour Administration

13 REQUEST FOR NEW POSITION.

Page 3a of 5

REVISED DATE _____

FY 81

Form 13
Request for New Position
Page 3b of 5

(12)

Desk	\$ 468.91
Chair	214.52
Credenza	375.21
Bookcase	112.49
Dictating machine	713.59
Calculator	<u>240.32</u>
Total Equipment	\$2,125.04

1	POSITION TITLE Wage & Hour Investigator I			RANGE/STEP 16	BARG. UNIT. GGU	LOCATION Fairbanks	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY	2,465	29,580						
5	BENEFITS	15.42%	4,561						
6	FICA	6.65%	1,967						
7	HEALTH INS.	127 x 12	1,524						
8	TOTAL PERSONAL SERVICES		37,632						
9	TRAVEL		7,500						
10	CONTRACTUAL		6,000						
11	COMMODITIES		250						
12	EQUIPMENT		2,125						
13	OTHER								
14	TOTAL COST		53,507						
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17	1004	GEN. FUND		53,507					
18		I-A RCPTS.							
19		PGM RCPTS							
20		OTHER							
21	CONTINUATION			FOR B&M USE ONLY					
22	ADDITION								
4A	KEY NUMBER			COLUMN NO.					

JUSTIFICATION:

The Fairbanks Regional Investigator will be responsible for an area north of the 63rd parallel. This investigator will conduct investigations of petitions for certifications from employee groups who wish to take advantage of the act, which will entail travel to various locations throughout the region to monitor elections, to act as fact finder in disputes concerning purported agreements, and to investigate wage claims.

(9)	2 x Barrow @ 216 = 432 + 3 days @ 100	\$1,164
	2 x Nome @ 248 = 496 + 3 days @ 84	1,244
	2 x Kotzebue @ 248 = 496 + 3 days @ 96	1,280
	2 x Prudhoe @ 220 = 440 + days @ 67	1,081
		<u>\$4,769</u>

Charter to areas not serviced by scheduled flights.

\$2,700

Total Travel

\$7,469

(10)	Rent	\$ 1,100.00
	Telephone	800.00
	Mailing	500.00
	Professional Fees	3,600.00
		<u>\$ 6,000.00</u>

(Continued on page 4b)

AGENCY Department of Labor PROGRAM AREA Public Protection

Wage & Hour

BRU

Wage & Hour Administration

COMPONENT

FY 81

13 REQUEST FOR NEW POSITION.

Page 4a of 5

REVISED DATE

Form 13
Request for New Position
Page 4b of 5

(12) Equipment:	
Desk	\$ 468.91
Chair	214.52
Credenza	375.21
Bookcase	112.49
Dictating Machine	713.59
Calculator	<u>240.32</u>
	\$ 2,125.04

1	POSITION TITLE Clerk Typist II				RANGE/STEP 8	BARG. UNIT. GGU	LOCATION Anchorage	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	HP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.		

2	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
4	PERSONAL SERVICES:		
5	SALARY	1277	15,324
6	BENEFITS	.1542	2,363
7	FICA	.0665	1,019
8	HEALTH INS.	127 X 12	1,524
9	TOTAL PERSONAL SERVICES		20,230
10	TRAVEL		-0-
11	CONTRACTUAL		4,008
12	COMMODITIES		250
13	EQUIPMENT		2,463
14	OTHER		
14	TOTAL COST		26,951

JUSTIFICATION:

Clerical support for investigators in Anchorage Regional office.

(10) Rent \$1,308.00
 Word Processing Equipment 2,700.00
\$4,008.00

	CODE	FUNDING SOURCE	
15		FED RCPTS.	
16		GF MATCH.	
17	1004	GEN. FUND	26,951
18		J-A RCPTS.	
19		PGM RCPTS	
20		OTHER	

(12) Desk \$ 459.80
 Chair 114.55
 Typewriter 902.48
 Transcribing Machine 713.59
 File Cabinet, 5 drawer 272.44
\$2,462.86

21	CONTINUATION		FOR BGM USE ONLY
22	ADDITION		
4A. KEY NUMBER			COLUMN NO.

AGENCY Department of Labor PROGRAM AREA Public Protection

BRU Wage and Hour Division

COMPONENT Wage and Hour Administration

13 REQUEST FOR NEW POSITION.

FY 81



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O Smith
Signature of Camera Operator

3/20/90
Date

Funding Information:
General Fund: \$49,400
Other Funds: -0-
\$49,400

Introduced: 2/14/80
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 747

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the
7 Department of Administration, Division of Personnel;
8 and providing for an effective date."

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

10 * Section 1. The sum of \$49,400 is appropriated from the general fund
11 to the Department of Administration, Division of Personnel, for the costs
12 of administering ch. 67 SLA 1979, relating to non-permanent employees.

13 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
14 10.070(c).

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HB 747

"An Act making a supplemental appropriation to the Department of Administration, Division of Personnel; and providing for an effective date."

In: 2-14-80

Inc. in CSHB 60-
Sec. 118

COMMITTEE REPORT

(11)

HOUSE

FURTHER:

Date: _____

Mr. Speaker:

The Committee on FINANCE has had HB 747

"An Act making a supplemental appropriation to the Department of Administration, Division of Personnel; and providing for an effective date."

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

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

*letter
Backup material*

Funding Information:

General Fund: \$49,400
Other Funds: -0-
\$49,400

Introduced: 2/14/80
Referred: Finance

1 IN THE HOUSE

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14 10.070(c).

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29 COMMITTEE COPY

JAY S. HAMMOND
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 12, 1980

The Honorable Terry Gardiner
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill making a supplemental appropriation to the Department of Administration, Division of Personnel, to cover the costs of administering ch. 67 SLA 1979 (non-permanent employees), which added more duties and responsibilities to the division than it is able to manage with existing resources.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Jay S. Hammond".

Jay S. Hammond
Governor

HB 747

MEMORANDUM

NOV 26 RE
BEM

*Hold for combining
w/ all other ch 67
supps*

02-4

NB747

TO: Ron Lehr
Director
Division of Budget & Management
Office of the Governor

DATE: November 8, 1979

FILE NO:

TELEPHONE NO:

FROM: W. R. Hudson *WRH*
Commissioner
Department of Administration

SUBJECT: FY 80 Supplemental
Appropriation, Personnel and
Labor Relations, Chapter 67
Relating to Non-permanent
Employees

The Department of Administration, Division of Personnel and Labor Relations, requests a supplemental appropriation of 49.4 General Funds for FY 80 to cover the costs of administering Chapter 67, SLA 1979 relating to non-permanent employees. A fiscal note was prepared for this bill but no funds were appropriated for the implementation of the law.

This bill was passed to curb what the Legislature determined to be abuses of the classified system and in the hiring of temporary employees. The Department of Administration supported enactment of this legislation.

However, if this law is to work, the necessary funds for administration will have to be appropriated.

Chapter 67 added a significant number of duties and responsibilities to the Division of Personnel & Labor Relations:

- 1) Review each request for non-permanent hire to assure that the need cannot be met by hiring a probationary employee or making an emergency appointment;
- 2) Assure that non-permanent hires are made from lists of those qualified by examination for appointment;
- 3) Enforce legal constraints on the number of non-permanent appointments, length of those appointments, and the number of appointments made to perform a given set of duties; and
- 4) Prepare an annual report to the Legislature on all activities involving non-permanent and emergency hiring practices.

Since this law is to take effect January 1, 1980, it has been necessary for the Division to prepare for the implementation with existing resources. It is anticipated that two new positions (one professional and one clerical) will be needed to review and make recommendations on the estimated 4,000 requests for non-permanent hire per year. The alternative many Departments are selecting is the establishment of permanent part time and/or permanent seasonal positions in lieu of non-permanent positions. This alternative may lessen non-permanent needs, yet the impact on the Division will remain as critical.

In addition, a significant amount of Data Processing support will be required for the following:

- 1) To develop a program and design input forms which will allow departments to project needs for non-permanent, permanent full time, permanent part-time and seasonal employees. These projected needs will be used to evaluate the condition of eligible lists, and if eligible lists are found to be deficient, recruiting efforts will be directed to correct those deficiencies.
- 2) To overhaul and maintain the certification system at a higher level of efficiency which will allow eligible list generation according to the type of appointment a department wishes to make. Modifications are needed to allow a prospective employee to remain on eligible lists if he or she accepts a non-permanent, seasonal or part-time appointment.
- 3) To develop a program to provide an on-going record of non-permanent hires, emergency hires, hire dates, termination dates, length of time employed in order to evaluate proposed non-permanent hire requests. This program would also be used to generate the information for the annual report required to the Legislature.
- 4) To modify the vacancy analysis system. Most seasonal and part-time personnel needs were satisfied by use of temporary appointments. Under Chapter 67, these jobs are to be converted to permanent full time, seasonal and permanent part-time positions. The system modification is needed to identify all positions so converted.

In addition to the costs described above, additional funds will be needed for office supplies and equipment. The object code detail is as follows:

Personal Services	24.8
Contractual	23.0
Commodities	.2
Equipment	1.4
Total	49.4

The necessary forms are attached and contain further detail.

Thank you for your consideration of this request.

WRH/cg

cc: Sandra Withers
Director
Div. of Personnel & Labor Relations

Kellus Sewell
Director
Div. of Administrative Services

STATE OF ALASKA
Office of the Governor
Budget & Management Div.

REVISED PROGRAM SUMMARY
by
BUDGET COMPONENT

CATEGORY	General Government
COVER PROGRAM	Admin. Services to State Agencies
AGENCY	Administration
DIVISION	Personnel & Labor Relations
BUDGET REQUEST UNIT	Personnel & Labor Relations
BUDGET COMPONENT	
APPROPRIATION	Executive Administration
ALLOCATION	Personnel & Labor Relations

		INITIAL AUTHORIZATION	RP 80-90X	IPA RP 80-83	RP 80-	This RP Supplemental	RP	RP	RP	AMENDED AUTHORIZATION
01	PERSONAL SERVICES	1882.5				24.8				1907.3
02	TRAVEL	42.2	10.0							52.2
03	CONTRACTUAL	382.2	(10.0)	30.0		23.0				425.2
04	COMMODITIES	16.1				.2				16.3
05	EQUIPMENT					1.4				1.4
06	LANDS, BUILDINGS									
07	GRANTS, CLAIMS									
08	MISCELLANEOUS									
	TOTAL	2323.0	-0-	30.0		49.4				2402.4
1002	FEDERAL RECEIPTS			30.0						30.0
1003	G/F MATCH									
1004	GENERAL FUND	2323.0				49.4				2372.4
1005	I/A RECEIPTS									
1028	PROGRAM RECEIPTS									
15	FULL TIME	66.0				2.0				68.0
16	PART TIME	4.0			1.0					5.0
17	TEMPORARY	7.0			(1.0)					6.0
18	MAN-MONTHS	858.2				24.0				882.2

STATE OF ALASKA
Office of the Governor
Budget & Management Div.

REVISED PROGRAM
REQUEST FOR NEW POSITION

CATEGORY	General Government
COVER PROGRAM	Admin. Services to State Agencies
AGENCY	Administration
DIVISION	Personnel & Labor Relations
BUDGET REQUEST UNIT	Personnel & Labor Relations
BUDGET COMPONENT	
APPROPRIATION	Executive Administration
ALLOCATION	Personnel & Labor Relations

POSITION TITLE Personnel Analyst III		<p>JUSTIFICATION: Chapter 67, SLA 1979 added a significant number of duties and responsibilities to the Director of Personnel & Labor Relations concerning non-permanent hiring practices and length of time those so hired can remain employed. The Act requires performance of the following functions: Review each request for non-permanent hire to assure that the need cannot be met by hiring a probationary employee or making an emergency appointment; Assure that non-permanent hires are made from lists of those qualified by examination for appointment; Enforce legal constraints on the number of non-permanent appointments, length of those appointments and the number of appointments made to perform a given set of duties; Prepare an annual report to the Legislature on all activities involving non-permanent and emergency hiring practices. This position is requested to provide research, investigative and report preparation support for the Director so that each request for non-permanent hire can be promptly evaluated, alternate courses of action explored and a recommendation made on which action to take. Based on prior practice with temporary employees, requests for non-permanent hire could run as high as 4,000/year.</p>	
LOCATION Juneau			
TYPE (FULL OR PART-TIME) <u>Full</u>			
NUMBER REQUESTED <u>1</u>			
RANGE 18A	BARGAINING UNIT . K		
MONTHLY SALARY \$2,082	# MONTHS (CY) 6.0		
DETAIL OF RELATED EXPENSES			
01 PERSONAL SERVICES	16.1		Benefits@ 17.7, FICA@ 6.13, Health Insurance@ 106/month
02 TRAVEL			
03 CONTRACTUAL			
04 COMMODITIES	.1	Office supplies	
05 EQUIPMENT	.9	Desk, chair, bookcase, filing cabinet	
08 OTHER			
TOTAL			
1002 FEDERAL			
1003 G/F MATCH			
1004 GENERAL FUND	17.1		
1005 I/A RECEIPTS			
1028 PROGRAM RECEIPTS			

REVISED PROGRAM
REQUEST FOR NEW POSITION

CATEGORY	General Government
COVER PROGRAM	Admin. Services to State Agencies.
AGENCY	Administration
DIVISION	Personnel & Labor Relations
BUDGET REQUEST UNIT	Personnel & Labor Relations
BUDGET COMPONENT	
APPROPRIATION	Executive Administration
ALLOCATION	Personnel & Labor Relations

POSITION TITLE Clerk III		JUSTIFICATION: Reference: Chapter 67, SLA 1979 This position is requested as clerical counterpart to the position on page 1 of Form 13. When a request to make a non-permanent hire is received, this position will review the work history of the proposed employee. If the hire cannot be made under provisions of the Act, request denied at this step. If not denied, next step is to determine if there are vacant positions in the proposed hiring class at that work location. If there are, this position will review the eligible list condition. If there are a sufficient number of qualified eligibles willing to accept appointment at the proposed work location, request denied at this step. If not denied, next step is to review records to see if other non-permanent hires have been made to perform the given set of duties proposed for the new hire. If the answer is affirmative, request denied at this step. If the above tests are passed, this position will pass the request on to the supervisor for evaluation on its merits. After a non-permanent hire is authorized, this position will determine if the hire was made from the eligible list of those qualified for appointment. Finally, this position will monitor the terms of non-permanent hires to assure that none remain on the payroll in excess of 120 days.
LOCATION Juneau		
TYPE (FULL OR PART-TIME) <u>Full</u>		
NUMBER REQUESTED <u>1</u>		
RANGE 8	BARGAINING UNIT K	
MONTHLY SALARY \$1,088	# MONTHS (CY) 6	
DETAIL OF RELATED EXPENSES		
01 PERSONAL SERVICES	8.7	Benefits@ 17.7%, FICA@ 6.13%, Health Insurance@ 106/month
02 TRAVEL		
03 CONTRACTUAL		
04 COMMODITIES	.1	Office supplies
05 EQUIPMENT	.5	Desk and chair
08 OTHER		
TOTAL		
		9.3
1002 FEDERAL		
1003 G/F MATCH		
1004 GENERAL FUND		9.3
1005 I/A RECEIPTS		
1028 PROGRAM RECEIPTS		

FY 80 SUPPLEMENTAL REQUEST ANALYSIS

BSM
 DEC 20 1979

	1	2	3	4	5	6	7	8	9	10	11
	FY 78 ACTUAL	FY 79 FINAL AUTH.	FY 79 ACTUAL	FY 80 GOV. BUDGET	FY 80 INITIAL AUTH.	FY 80 CURRENT AUTH.	FY 80 EXPENDITURES + ENCUMBRANCES 7/1/-11/30	FY 80 OTHER OBLIGATIONS 7/1/-11/30	FY 80 PROJECTED EXPENDI- TURES + ENCUMBRANCES 12/1-6/30	FY 80 (DEFICIT) OR EXCESS	FY 81 CONTINUAT
PERSONAL SERVICES	1707.0	1838.8	1838.8	1981.6	1882.5	1741.1	602.2	67.7	1096.0	(24.8)	1889.0
TRAVEL	47.7	59.1	57.1	67.5	42.2	52.2	11.6		40.6		55.8
CONTRACTUAL SERVICES	239.7	378.2	346.6	429.2	382.2	545.5	264.8	30.0	273.1	(22.4)*	443.6
COMMODITIES	12.5	17.3	17.7	20.4	16.1	13.9	2.8		11.3	(.2)	17.2
EQUIPMENT	3.1	1.1	.7	.6		.3	.5		1.8	(2.0)*	
LANDS, BLDG. ...											
GRANTS, CLAIMS.											
MISCELLANEOUS											
TOTAL	2010.0	2294.5	2260.9	2499.3	2323.0	2353.0	881.9	97.7	1422.8	(49.4)	2405.6
FEDERAL RECEIPTS		26.6	26.6			30.0	14.9		15.1		
REQUIRED GF MATCHING											
OTHER GENERAL FUND	2010.0	2281.5 2267.9	2234.3	2499.3	2323.0	2323.0	867.0	97.7	1407.7	(49.4)	2405.6
INTER-AGENCY RECEIPTS											

.6 will be transferred from cont.svcs. to equipment on RP.

AGENCY: Administration BRU: Personnel & Labor Relations COMPONENT: _____ REVISED: _____

MEMORANDUM

SEP 7 1979

TO: [Kellus N. Sewell
Director
Division of Administrative Services
Department of Administration

DATE: September 4, 1979

FILE NO:

TELEPHONE NO:

FROM: *SW*
Sandra Withers
Director
Division of Personnel and Labor
Relations
Department of Administration

SUBJECT: Supplemental Appropriation

Chapter 67, SLA 1979, has placed an additional burden on this Division for administration of nonpermanent employment. No appropriation accompanied this new law, despite an estimated cost of \$96,500 per year. Our original fiscal note is attached.

Staff has already spent a considerable amount of time preparing regulations and procedures necessary to implement this new law. Concern among program managers over the impending conversion from temporary to nonpermanent employment is increasingly evident.

We are currently exploring alternatives to lessen the impact which Chapter 67 will have on our operations.

Among these are direct assistance from the Division of Data Processing for systems development, and from the Division of Budget and Management to facilitate budget matters and the required annual report to the Legislature.

As we continue to prepare for implementation of Chapter 67 effective January 1, 1980, we become increasingly aware of the staff time required to properly administer the law. Also, there will be an additional cost for Data Processing services which was not anticipated in our FY 1980 budget.

As stated in the attached fiscal note, there is no way to estimate what actual costs will be. It is clear, however, that personnel services will suffer adverse effects if the additional responsibilities come "out of our hide" with no additional funding.

With forthcoming bargaining sessions and arbitration workload on the Labor Relations staff we cannot assign Chapter 67 duties and expect to maintain the current performance level.

September 4, 1979

We only recently caught up with backlogged applications by closing recruitment for seventy-five (75) job classes. Another one-hundred ten (110) closures is in the offing, with only periodic openings planned, as necessary to maintain eligible lists. Only in this way can we keep up with the application workload. The predicted nationwide recession can be expected to result in an increased number of applications as frustrated job seekers head north.

Under these circumstances we will face renewed delays in routine processing of applications and in certification of eligible lists if a supplemental appropriation does not accompany implementation and maintenance of the provisions contained in Chapter 67.

Given the interest in our general operation as expressed by the Governor's Management and Efficiency Review, and the Blue Ribbon Commission on the State Personnel Act, I think you will agree that a supplemental is warranted. Please prepare a Revised Program to request one.

SW/bc

Enclosures: Bill Analysis - Senate Bill 198
Fiscal Note - Senate Bill 198
Enrolled Bill Report - Senate Bill 198
Chapter 67, SLA 1979

Kellus -

Also attached is my August 21 memo to George Crowder - Please note the breadth & extent of Data Processing services needed. The only estimate I can make of the costs is that they will be significant.

Sandey

BILL ANALYSIS

ASSIGNMENT DATE _____

UNASSIGNED _____

DEPARTMENT Administration	SPONSOR (PRINCIPAL) Ferguson	BILL NO. AS SR 108
DEPARTMENT POSITION Favor, with modification		
DIVISION DIRECTOR <i>[Signature]</i>	DATE 4-16-79	COMMISSIONER <i>[Signature]</i>
		DATE 4-17-79

GOVERNOR'S OFFICE USE

POSITION NOTED POSITION APPROVED POSITION DISAPPROVED

BY: _____ DATE: _____

SUMMARY

- (1) RELATED BILLS (SIMILAR OR CONFLICTING)
- (2) OTHER AGENCIES AFFECTED BY BILL All Agencies

(2) a. ORGANIZATIONAL SUPPORT FOR BILL (2) b. ORGANIZATIONAL OPPOSITION TO BILL

(3) PROGRAM EFFECTS OF BILL

See comments

(4) FISCAL IMPACT: NONE FISCAL ANALYSIS ATTACHED

(5) AMENDMENTS PROPOSED:

Sec. 39.25.198 CIVIL PENALTY. An appointing authority who violates AS 37.25.195 is subject to a civil fine not to exceed one thousand dollars (\$1,000.00).

(6) COMMENTS:

Temporary employees are intended to satisfy a program's need for employees for short periods of time. Prior to collective bargaining, temporary employment was limited to six months per year in any one department. Three month extensions could be obtained from the Director of Personnel. With the advent of collective bargaining agreements, wages, benefits, and lengths of temporary employment varied from unit to unit depending on the priority given to them by the various unions. Consequently, some units which gave higher priorities to other issues began to receive criticism from the temporary employees they represent. Reacting to this pressure, those units concentrated their postnegotiation time lobbying

the Legislature for the improvements which they did not place a high enough priority on to receive in negotiations. At the same time, and in part as a result thereof, the Legislature established the Blue Ribbon Commission to study the State Personnel Act. The Commission received much testimony concerning the abuse of temporary hires. As a result, they have proposed SB 253, now CSSB 198, to curtail the hiring of temporary employees. The bill requires the Director of Personnel and Labor Relations to pass on every nonpermanent (temporary) hire, with some exceptions, whether sufficient funding exists and whether the appointment is appropriate.

Although the conditions of temporary employees are more appropriately dealt with through collective bargaining, should the Legislature determine the necessity of establishing controls over the use of nonpermanent employees CSSB 198 could be effective if the proper control provisions were made. Generally speaking the Bill provides sufficient procedures to control the abuses found by the Blue Ribbon Commission.

To fulfill the expressed legislative intent, two changes are required since the current provisions do not insure adequate enforcement.

The penalty provision, AS 30.25.198 enables an individual hired in violation of the Act to bring a Civil Action against the appointing authority violating the Act. The damages are "presumed" to be three months salary. If it is the intent of the Legislature to fix damages at this amount (conclusive presumption) the damages would not realistically reflect the injury to the individual. If it is the Legislature's intent to presume damages at this amount unless otherwise proven (rebuttable presumption), it would discourage those paid less or hired for shorter periods from exercising their rights and thereby encourage abuse in these circumstances since it will cost the individual legal fees for a relatively small amount. Additionally, unless it is specifically provided against, it would not be unrealistic that the State would have to provide the offender their legal defense and legal fees if their collective bargaining agreement contained such an indemnity provision.

To provide the necessary insurance of enforcement, Sec. 39.25.198 should provide for a "civil fine" fixed by the court, up to a maximum, say \$1,000. This would allow the punishment to the offender to fit the violation and attendant circumstances. It would also require the State to pursue the legal actions required, thereby not discouraging individuals hired in violation of the act from exercising their rights. Attached is a substitute for Sec. 39.25.198.

Since the terms and conditions of employment of nonpermanent employees are subject to collective bargaining, in accordance with the Public Employment Relations Act, the provisions of the Act could be superseded by a collective bargaining agreement unless specifically exempted. However, should the Act specifically state that it may not be superseded through collective bargaining, the legislated criteria cannot be amended nor the penalties ignored. If the Legislature is serious about curtailing abuses, the exemption from collective bargaining is necessary. A statement prohibiting the act being superseded through collective bargaining in the "Legislative Findings and Intent" would suffice.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

*File
4-17
mp*

I. REQUEST
 Bill/Resolution No. Senate Bill Number 798
 Title Hiring Non Permanent Employees
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Administration
 Program Category Affected General Government
 Budget Request Unit(s) Affected Personnel

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES		48.1	96.5			
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		48.1	96.5			

FUNDING (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
GENERAL FUND		48.1	96.5			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See Attachment.

Ken Cates

IV. DATE April 12, 1979 PREPARED BY Ken Cates
 AGENCY Department of Administration
 PHONE 465-4407

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

III. ANALYSIS

There will be fiscal impact on the Division of Personnel and Labor Relations if SB 198, as amended, becomes law. Requests for hire of non permanent employees must be evaluated as to need; records checks made to determine work history with the State for each prospective non permanent employee; alternate courses of action explored to achieve the same objective; monitoring mechanisms established to assure that time limits are properly observed; and the development and implementation of regulations covering non permanent hires could collectively have significant impact on work load and staff requirements if State departments wish to hire non permanent employees at the current rate of temporary employee use. Conversely, the departments which are heavy users of temporary employees on a recurring basis could establish seasonal or part-time positions, and the requests for hire of non permanent employees could become the exception, rather than the rule.

In addition, the amount of staff time devoted to each request for non permanent hire would be inversely proportional to the degree of screening provided by departmental management. If requests are thoroughly reviewed before submission of "do pass" recommendations from the Personnel Officers, staff time spent on each request would be minimal, because inappropriate requests from line managers would be screened out. On the other hand, if Personnel and Labor Relations employees are forced to do all the leg work, staff time devoted to each request for non permanent hire could be substantial.

Temporary hires during the most recent twelve month period were 2,150. This amounted to five to fifteen hires each work day during that period. It is estimated that an average of one hour of staff time will be required to process each application for non permanent hire at \$18.52 per hour. This figure includes fringe benefits. Staff time cost of processing 2,150 applications: \$39,800. Word Processing and Data Processing systems support costs are estimated at \$8,600. Total cost estimate: \$48,400.

As stated previously, there is no way to estimate what actual costs will be, other than using most recent experience. Costs will depend on the number of requests for non permanent hire, and how critically they are screened by the requesting departments. Actual experience operating under the law will provide a more factual basis for developing cost impact.

The estimate of \$48,400 covers review leading to decisions as to whether non permanent hire requests will or will not be approved. Estimates of fiscal impact on Division operations to:

	<u>Cost</u>
Examine an additional 10,000 applicants to place them on eligible lists for non permanent employment;	\$ 23,400
Convert existing files of eligibility for employment so applicants for permanent jobs can be certified for non permanent jobs and not be removed from the eligible lists if so employed;	\$ 6,200
Process requests for and the issuing of eligible lists for over 2,000 non permanent hires.	\$ 18,500
Subtotal	\$ 48,100
TOTAL	<u>\$ 96,500</u>

ALASKA STATE LEGISLATURE

ELEVENTH Legislature SECOND Session

HOUSE ... BILL NO. 747...

By THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

"An Act making a supplemental appropriation to the Department of Administration, Division of Personnel; and providing for an effective date."

Supp appro, Division of Personnel

Introduced in the House 2/14/....., 19.80

HISTORY IN THE HOUSE

19 80	Read first time and referred to Committee on												
Feb. 14	Finance												
	Reported bac' with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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Reconsideration													
PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by Speaker												
	Sent to Senate												
CHIEF CLERK OF THE HOUSE													

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr><td>PASS</td><td>Effective Date</td></tr> <tr><td>Yeas</td><td>Yeas</td></tr> <tr><td>Nays</td><td>Nays</td></tr> <tr><td>Absent</td><td>Absent</td></tr> <tr><td>Excused</td><td>Excused</td></tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by President												
	Returned to House												
SECRETARY OF THE SENATE													

HISTORY IN THE HOUSE

19	Received from Senate
	Reported correctly enrolled
	Sent to Governor
 By Governor
	Filed with Lt. Governor
Chapter No.	

JAY S. HAMMOND
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 12, 1980

The Honorable Terry Gardiner
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill making a supplemental appropriation to the Department of Administration, Division of Personnel, to cover the costs of administering ch. 67 SLA 1979 (non-permanent employees), which added more duties and responsibilities to the division than it is able to manage with existing resources.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jay S. Hammond", written over the typed name.

Jay S. Hammond
Governor

Hold for combining
w/ all other ch 67
supps

NOV 20 RE
BEM

02-4

HB747

TO: [Ron Lehr
Director
Division of Budget & Management
Office of the Governor

DATE: November 8, 1979

FILE NO:

TELEPHONE NO:

FROM: W. R. Hudson *WRH*
Commissioner
Department of Administration

SUBJECT: FY 80 Supplemental
Appropriation, Personnel and
Labor Relations, Chapter 67
Relating to Non-permanent
Employees

The Department of Administration, Division of Personnel and Labor Relations, requests a supplemental appropriation of 49.4 General Funds for FY 80 to cover the costs of administering Chapter 67, SLA 1979 relating to non-permanent employees. A fiscal note was prepared for this bill but no funds were appropriated for the implementation of the law.

This bill was passed to cure what the Legislature determined to be abuses of the classified system and in the hiring of temporary employees. The Department of Administration supported enactment of this legislation.

However, if this law is to work, the necessary funds for administration will have to be appropriated.

Chapter 67 added a significant number of duties and responsibilities to the Division of Personnel & Labor Relations:

- 1) Review each request for non-permanent hire to assure that the need cannot be met by hiring a probationary employee or making an emergency appointment;
- 2) Assure that non-permanent hires are made from lists of those qualified by examination for appointment;
- 3) Enforce legal constraints on the number of non-permanent appointments, length of those appointments, and the number of appointments made to perform a given set of duties; and
- 4) Prepare an annual report to the Legislature on all activities involving non-permanent and emergency hiring practices.

Since this law is to take effect January 1, 1980, it has been necessary for the Division to prepare for the implementation with existing resources. It is anticipated that two new positions (one professional and one clerical) will be needed to review and make recommendations on the estimated 4,000 requests for non-permanent hire per year. The alternative many Departments are selecting is the establishment of permanent part time and/or permanent seasonal positions in lieu of non-permanent positions. This alternative may lessen non-permanent needs, yet the impact on the Division will remain as critical.

In addition, a significant amount of Data Processing support will be required for the following:

- 1) To develop a program and design input forms which will allow departments to project needs for non-permanent, permanent full time, permanent part-time and seasonal employees. These projected needs will be used to evaluate the condition of eligible lists, and if eligible lists are found to be deficient, recruiting efforts will be directed to correct those deficiencies.
- 2) To overhaul and maintain the certification system at a higher level of efficiency which will allow eligible list generation according to the type of appointment a department wishes to make. Modifications are needed to allow a prospective employee to remain on eligible lists if he or she accepts a non-permanent, seasonal or part-time appointment.
- 3) To develop a program to provide an on-going record of non-permanent hires, emergency hires, hire dates, termination dates, length of time employed in order to evaluate proposed non-permanent hire requests. This program would also be used to generate the information for the annual report required to the Legislature.
- 4) To modify the vacancy analysis system. Most seasonal and part-time personnel needs were satisfied by use of temporary appointments. Under Chapter 67, these jobs are to be converted to permanent full time, seasonal and permanent part-time positions. The system modification is needed to identify all positions so converted.

In addition to the costs described above, additional funds will be needed for office supplies and equipment. The object code detail is as follows:

Personal Services	24.8
Contractual	23.0
Commodities	.2
Equipment	1.4
Total	49.4

The necessary forms are attached and contain further detail.

Thank you for your consideration of this request.

WRH/cg

cc: Sandra Withers
Director
Div. of Personnel & Labor Relations

Kellus Sewell
Director
Div. of Administrative Services

STATE OF ALASKA
Office of the Governor
Budget & Management Div.

REVISED PROGRAM SUMMARY
by
BUDGET COMPONENT

CATEGORY	General Government
COVER PROGRAM	Admin. Services to State Agencies
AGENCY	Administration
DIVISION	Personnel & Labor Relations
BUDGET REQUEST UNIT	Personnel & Labor Relations
BUDGET COMPONENT	
APPROPRIATION	Executive Administration
ALLOCATION	Personnel & Labor Relations

		INITIAL AUTHORIZATION	RP 80-90X	IPA RP 80-83	RP 80-	This RP Supplemental	RP	RP	RP	AMENDED AUTHORIZATION
01	PERSONAL SERVICES	1882.5				24.8				1907.3
02	TRAVEL	42.2	10.0							52.2
03	CONTRACTUAL	382.2	(10.0)	30.0		23.0				425.2
04	COMMODITIES	16.1				.2				16.3
05	EQUIPMENT					1.4				1.4
06	LANDS, BUILDINGS									
07	GRANTS, CLAIMS									
08	MISCELLANEOUS									
	TOTAL	2323.0	-0-	30.0		49.4				2402.4
1002	FEDERAL RECEIPTS			30.0						30.0
1003	G/F MATCH									
1004	GENERAL FUND	2323.0				49.4				2372.4
1005	I/A RECEIPTS									
1026	PROGRAM RECEIPTS									
15	FULL TIME	66.0				2.0				68.0
16	PART TIME	4.0			1.0					5.0
17	TEMPORARY	7.0			(1.0)					6.0
18	MAN-MONTHS	858.2				24.0				882.2

REVISED PROGRAM
REQUEST FOR NEW POSITION

CATEGORY	General Government
COVER PROGRAM	Admin. Services to State Agencies
AGENCY	Administration
DIVISION	Personnel & Labor Relations
BUDGET REQUEST UNIT	Personnel & Labor Relations
BUDGET COMPONENT	
APPROPRIATION	Executive Administration
ALLOCATION	Personnel & Labor Relations

POSITION TITLE Personnel Analyst III		<p>JUSTIFICATION: Chapter 67, SLA 1979 added a significant number of duties and responsibilities to the Director of Personnel & Labor Relations concerning non-permanent hiring practices and length of time those so hired can remain employed. The Act requires performance of the following functions: Review each request for non-permanent hire to assure that the need cannot be met by hiring a probationary employee or making an emergency appointment; Assure that non-permanent hires are made from lists of those qualified by examination for appointment; Enforce legal constraints on the number of non-permanent appointments, length of those appointments and the number of appointments made to perform a given set of duties; Prepare an annual report to the Legislature on all activities involving non-permanent and emergency hiring practices. This position is requested to provide research, investigative and report preparation support for the Director so that each request for non-permanent hire can be promptly evaluated, alternate courses of action explored and a recommendation made on which action to take. Based on prior practice with temporary employees, requests for non-permanent hire could run as high as 4,000/year.</p>
LOCATION Juneau		
TYPE (FULL OR PART-TIME) <u>Full</u>		
NUMBER REQUESTED <u>1</u>		
RANGE 18A	BARGAINING UNIT . K	
MONTHLY SALARY \$2,082	# MONTHS (CY) 6.0	
DETAIL OF RELATED EXPENSES		
01 PERSONAL SERVICES	16.1	Benefits@ 17.7, FICA@ 6.13, Health Insurance@ 106/month
02 TRAVEL		
03 CONTRACTUAL		
04 COMMODITIES	.1	Office supplies
05 EQUIPMENT	.9	Desk, chair, bookcase, filing cabinet
08 OTHER		
TOTAL	17.1	
1002 FEDERAL		
1003 G/F MATCH		
1004 GENERAL FUND	17.1	
1005 I/A RECEIPTS		
1028 PROGRAM RECEIPTS		

REVISED PROGRAM
REQUEST FOR NEW POSITION

CATEGORY	General Government
COVER PROGRAM	Admin. Services to State Agencies
AGENCY	Administration
DIVISION	Personnel & Labor Relations
BUDGET REQUEST UNIT	Personnel & Labor Relations
BUDGET COMPONENT	
APPROPRIATION	Executive Administration
ALLOCATION	Personnel & Labor Relations

POSITION TITLE Clerk III		JUSTIFICATION: Reference: Chapter 67, SLA 1979 This position is requested as clerical counterpart to the position on page 1 of Form 13. When a request to make a non-permanent hire is received, this position will review the work history of the proposed employee. If the hire cannot be made under provisions of the Act, request denied at this step. If not denied, next step is to determine if there are vacant positions in the proposed hiring class at that work location. If there are, this position will review the eligible list condition. If there are a sufficient number of qualified eligibles willing to accept appointment at the proposed work location, request denied at this step. If not denied, next step is to review records to see if other non-permanent hires have been made to perform the given set of duties proposed for the new hire. If the answer is affirmative, request denied at this step. If the above tests are passed, this position will pass the request on to the supervisor for evaluation on its merits. After a non-permanent hire is authorized, this position will determine if the hire was made from the eligible list of those qualified for appointment. Finally, this position will monitor the terms of non-permanent hires to assure that none remain on the payroll in excess of 120 days.
LOCATION Juneau		
TYPE (FULL OR PART-TIME) <u>Full</u>		
NUMBER REQUESTED <u>1</u>		
RANGE 8	BARGAINING UNIT K	
MONTHLY SALARY \$1,088	# MONTHS (CY) 6	
DETAIL OF RELATED EXPENSES		
01 PERSONAL SERVICES	8.7	Benefits@ 17.7%, FICA@ 6.13%, Health Insurance@ 106/month
02 TRAVEL		
03 CONTRACTUAL		
04 COMMODITIES	.1	Office supplies
05 EQUIPMENT	.5	Desk and chair
08 OTHER		
TOTAL		
		9.3
1002 FEDERAL		
1003 G/F MATCH		
1004 GENERAL FUND	9.3	
1005 I/A RECEIPTS		
1028 PROGRAM RECEIPTS		

FY 80 SUPPLEMENTAL REQUEST ANALYSIS

DEC 30 1979

	1	2	3	4	5	6	7	8	9	10	11
	FY 78 ACTUAL	FY 79 FINAL AUTH.	FY 79 ACTUAL	FY 80 GOV. BUDGET	FY 80 INITIAL AUTH.	FY 80 CURRENT AUTH.	FY 80 EXPENDITURES + ENCUMBRANCES 7/1/-11/30	FY 80 OTHER OBLIGATIONS 7/1/-11/30	FY 80 PROJECTED EXPENDI- TURES + ENCUMBRANCES 12/1-6/30	FY 80 (DEFICIT) OR EXCESS	FY 81 CONTINUA
PERSONAL SERVICES	1707.0	1838.8	1838.8	1981.6	1882.5	1741.1	602.2	67.7	1096.0	(24.8)	1889.
TRAVEL	47.7	59.1	57.1	67.5	42.2	52.2	11.6		40.6		55.8
CONTRACTUAL SERVICES	239.7	378.2	346.6	429.2	382.2	545.5	264.8	30.0	273.1	(22.4)*	443.6
COMMODITIES	12.5	17.3	17.7	20.4	16.1	13.9	2.8		11.3	(.2)	17.2
EQUIPMENT	3.1	1.1	.7	.6		.3	.5		1.8	(2.0)*	
LANDS, BLDG. ...											
GRANTS, CLAIMS.											
MISCELLANEOUS											
TOTAL	2010.0	2294.5	2260.9	2499.3	2323.0	2353.0	881.9	97.7	1422.8	(49.4)	2405.
FEDERAL RECEIPTS		26.6	26.6			30.0	14.9		15.1		
REQUIRED GF MATCHING											
OTHER GENERAL FUND	2010.0	2287.5 2267.9	2234.3	2499.3	2323.0	2323.0	867.0	97.7	1407.7	(49.4)	2405.6
INTER-AGENCY RECEIPTS											

.6 will be transferred from cont. svcs. to equipment on RP.

AGENCY: Administration BRU: Personnel & Labor Relations COMPONENT: _____ REVISED: _____

MEMORANDUM

SEP 7 1979

TO: Kellius N. Sewell
Director
Division of Administrative Services
Department of Administration

DATE: September 4, 1979

FILE NO:

TELEPHONE NO:

FROM: *SW*
Sandra Withers
Director
Division of Personnel and Labor
Relations
Department of Administration

SUBJECT: Supplemental Appropriation

Chapter 67, SLA 1979, has placed an additional burden on this Division for administration of nonpermanent employment. No appropriation accompanied this new law, despite an estimated cost of \$96,500 per year. Our original fiscal note is attached.

Staff has already spent a considerable amount of time preparing regulations and procedures necessary to implement this new law. Concern among program managers over the impending conversion from temporary to nonpermanent employment is increasingly evident.

We are currently exploring alternatives to lessen the impact which Chapter 67 will have on our operations.

Among these are direct assistance from the Division of Data Processing for systems development, and from the Division of Budget and Management to facilitate budget matters and the required annual report to the Legislature.

As we continue to prepare for implementation of Chapter 67 effective January 1, 1980, we become increasingly aware of the staff time required to properly administer the law. Also, there will be an additional cost for Data Processing services which was not anticipated in our FY 1980 budget.

As stated in the attached fiscal note, there is no way to estimate what actual costs will be. It is clear, however, that personnel services will suffer adverse effects if the additional responsibilities come "out of our hide" with no additional funding.

With forthcoming bargaining sessions and arbitration workload on the Labor Relations staff we cannot assign Chapter 67 duties and expect to maintain the current performance level.

September 4, 1979

We only recently caught up with backlogged applications by closing recruitment for seventy-five (75) job classes. Another one-hundred ten (110) closures is in the offing, with only periodic openings planned, as necessary to maintain eligible lists. Only in this way can we keep up with the application workload. The predicted nationwide recession can be expected to result in an increased number of applications as frustrated job seekers head north.

Under these circumstances we will face renewed delays in routine processing of applications and in certification of eligible lists if a supplemental appropriation does not accompany implementation and maintenance of the provisions contained in Chapter 67.

Given the interest in our general operation as expressed by the Governor's Management and Efficiency Review, and the Blue Ribbon Commission on the State Personnel Act, I think you will agree that a supplemental is warranted. Please prepare a Revised Program to request one.

SW/bc

Enclosures: Bill Analysis - Senate Bill 198
Fiscal Note - Senate Bill 198
Enrolled Bill Report - Senate Bill 198
Chapter 67, SLA 1979

Kellus -

Also attached is my August 21 memo to George Crowder - Please note the breadth + extent of Data Processing services needed. The only estimate I can make of the costs is that they will be significant.

Sandy

BILL ANALYSIS

ASSIGNMENT DATE _____

UNASSIGNED _____

DEPARTMENT	SPONSOR (PRINCIPAL)	BILL NO.
Administration	Ferguson	AS SR 198

DEPARTMENT POSITION
Favor, with modification

DIVISION DIRECTOR	DATE	COMMISSIONER	DATE
<i>[Signature]</i>	4-16-79	<i>[Signature]</i>	4-17-79

GOVERNOR'S OFFICE USE

POSITION NOTED POSITION APPROVED POSITION DISAPPROVED

BY: _____ DATE: _____

SUMMARY

(1) RELATED BILLS (SIMILAR OR CONFLICTING)

(2) OTHER AGENCIES AFFECTED BY BILL All Agencies

(2) a. ORGANIZATIONAL SUPPORT FOR BILL		(2) b. ORGANIZATIONAL OPPOSITION TO BILL
--	--	--

(3) PROGRAM EFFECTS OF BILL

See comments

(4) FISCAL IMPACT: NONE FISCAL ANALYSIS ATTACHED

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(6) COMMENTS:

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the Legislature for the improvements which they did not place a high enough priority on to receive in negotiations. At the same time, and in part as a result thereof, the Legislature established the Blue Ribbon Commission to study the State Personnel Act. The Commission received much testimony concerning the abuse of temporary hires. As a result, they have proposed SB 253, now CSSB 198, to curtail the hiring of temporary employees. The bill requires the Director of Personnel and Labor Relations to pass on every nonpermanent (temporary) hire, with some exceptions, whether sufficient funding exists and whether the appointment is appropriate.

Although the conditions of temporary employees are more appropriately dealt with through collective bargaining, should the Legislature determine the necessity of establishing controls over the use of nonpermanent employees CSSB 198 could be effective if the proper control provisions were made. Generally speaking the Bill provides sufficient procedures to control the abuses found by the Blue Ribbon Commission.

To fulfill the expressed legislative intent, two changes are required since the current provisions do not insure adequate enforcement.

The penalty provision, AS 30.25.198 enables an individual hired in violation of the Act to bring a Civil Action against the appointing authority violating the Act. The damages are "presumed" to be three months salary. If it is the intent of the Legislature to fix damages at this amount (conclusive presumption) the damages would not realistically reflect the injury to the individual. If it is the Legislature's intent to presume damages at this amount unless otherwise proven (rebuttable presumption), it would discourage those paid less or hired for shorter periods from exercising their rights and thereby encourage abuse in these circumstances since it will cost the individual legal fees for a relatively small amount. Additionally, unless it is specifically provided against, it would not be unrealistic that the State would have to provide the offender their legal defense and legal fees if their collective bargaining agreement contained such an indemnity provision.

To provide the necessary insurance of enforcement, Sec. 39.25.198 should provide for a "civil fine" fixed by the court, up to a maximum, say \$1,000. This would allow the punishment to the offender to fit the violation and attendant circumstances. It would also require the State to pursue the legal actions required, thereby not discouraging individuals hired in violation of the act from exercising their rights. Attached is a substitute for Sec. 39.25.198.

Since the terms and conditions of employment of nonpermanent employees are subject to collective bargaining, in accordance with the Public Employment Relations Act, the provisions of the Act could be superseded by a collective bargaining agreement unless specifically exempted. However, should the Act specifically state that it may not be superseded through collective bargaining, the legislated criteria cannot be amended nor the penalties ignored. If the Legislature is serious about curtailing abuses, the exemption from collective bargaining is necessary. A statement prohibiting the act being superseded through collective bargaining in the "Legislative Findings and Intent" would suffice.

FISCAL NOTE

Full
4-17
mpe.

I. REQUEST
Bill/Resolution No. Senate Bill Number 198
Title Hiring Non Permanent Employees
Requested by _____ Date _____

II. FISCAL DETAIL
Agency Affected Administration
Program Category Affected General Government
Budget Request Unit(s) Affected Personnel

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES		48.1	96.5			
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		48.1	96.5			

FUNDING (Thousands of Dollars)

GENERAL FUND		48.1	96.5			
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See Attachment.

Ken Cates

IV. DATE April 12 1979 PREPARED BY Ken Cates
AGENCY Department of Administration
PHONE 485-4407

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

III. ANALYSIS

There will be fiscal impact on the Division of Personnel and Labor Relations if SB 193, as amended, becomes law. Requests for hire of non permanent employees must be evaluated as to need; records checks made to determine work history with the State for each prospective non permanent employee; alternate courses of action explored to achieve the same objective; monitoring mechanisms established to assure that time limits are properly observed; and the development and implementation of regulations covering non permanent hires could collectively have significant impact on work load and staff requirements if State departments wish to hire non permanent employees at the current rate of temporary employee use. Conversely, the departments which are heavy users of temporary employees on a recurring basis could establish seasonal or part-time positions, and the requests for hire of non permanent employees could become the exception, rather than the rule.

In addition, the amount of staff time devoted to each request for non permanent hire would be inversely proportional to the degree of screening provided by departmental management. If requests are thoroughly reviewed before submission of "do pass" recommendations from the Personnel Officers, staff time spent on each request would be minimal, because inappropriate requests from line managers would be screened out. On the other hand, if Personnel and Labor Relations employees are forced to do all the leg work, staff time devoted to each request for non permanent hire could be substantial.

Temporary hires during the most recent twelve month period were 2,150. This amounted to five to fifteen hires each work day during that period. It is estimated that an average of one hour of staff time will be required to process each application for non permanent hire at \$18.52 per hour. This figure includes fringe benefits. Staff time cost of processing 2,150 applications: \$39,800. Word Processing and Data Processing systems support costs are estimated at \$8,600. Total cost estimate: \$48,400.

As stated previously, there is no way to estimate what actual costs will be, other than using most recent experience. Costs will depend on the number of requests for non permanent hire, and how critically they are screened by the requesting departments. Actual experience operating under the law will provide a more factual basis for developing cost impact.

The estimate of \$48,400 covers review leading to decisions as to whether non permanent hire requests will or will not be approved. Estimates of fiscal impact on Division operations to:

	<u>Cost</u>
Examine an additional 10,000 applicants to place them on eligible lists for non permanent employment;	\$ 23,400
Convert existing files of eligibility for employment so applicants for permanent jobs can be certified for non permanent jobs and not be removed from the eligible lists if so employed;	\$ 6,200
Process requests for and the issuing of eligible lists for over 2,000 non permanent hires.	\$ 18,500
Subtotal	\$ 48,100
TOTAL	<u>\$ 96,500</u>



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

3/20/90
Date

JAY S. HAMMOND
GOVERNOR



HB 170

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 14, 1980

The Honorable Terry Gardiner
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill making a supplemental appropriation to the Department of Education, Commission on Postsecondary Education, for the purpose of redesigning and reprogramming the computerized reporting system for student loans. In order to receive federal funds through the federal guaranteed student loan program, the state must develop a reporting system which meets certain federal requirements. It is anticipated that federal participation during the first year will be nearly \$500,000.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Jay S. Hammond".

Jay S. Hammond
Governor

Funding Information:
General Fund: \$100,000
Other Funds: -0-
\$100,000

Introduced: 2/14/80
Referred: Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 748

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the
7 Department of Education, Commission on Postsecondary
8 Education, general administration; and providing for
9 an effective date."

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

11 * Section 1. The sum of \$100,000 is appropriated from the general fund
12 to the Department of Education, Commission on Postsecondary Education, for
13 the purpose of developing a computerized reporting system.

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
15 10.070(c).

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letter

<u>Funding Information:</u>	
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ALASKA STATE LEGISLATURE

ELEVENTH Legislature SECOND Session

HOUSE BILL NO. 748..

By THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

"An Act making a supplemental appropriation to the Department of Education, Commission on Postsecondary Education, general administration; and providing for an effective date."

Supp appro, Commission on Postsecondary Education

Introduced in the House .2/14...., 19. 80

HISTORY IN THE HOUSE

19 80	Read first time and referred to Committee on																		
Feb. 14	Finance																		
	Reported back with recommendation that																		
	Read second time and																		
	Read third time and																		
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CHIEF CLERK OF THE HOUSE																			

HISTORY IN THE SENATE

19	Read first time and referred to Committee on																		
	Reported back with recommendation that																		
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HISTORY IN THE HOUSE

19	Received from Senate
	Reported correctly enrolled
	Sent to Governor
 By Governor
	Filed with Lt. Governor
	Chapter No.