

BILLS 1981 - 1982

SB 54 - SB 64

1606

1606

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 54
 Title An Act relating to the Alaska National Guard and Naval Militia
 Requested by the Department of Military Affairs Date 06 Feb 1981

II. FISCAL DETAIL

Agency Affected Department of Military Affairs
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Military Preparedness
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	0	5.0	5.0	335.0	202.0	459.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

Sections 1 - 3 have no budget impact except in the event of a disaster. This funding is received from the Governor's Emergency Fund.

Section 5 will require expenditures of \$330.0 in FY 84, \$197.0 in FY 85, and \$454.0 in FY 86. Beginning FY 87, the expenditures will decrease each year as current (1980-81) members drawing the old bonus payment will begin to retire or leave the Guard for other reasons. As these older members retire or drop out, the new program will have completed paying 33 1/3% of the new members. Attached to this fiscal note is a break down of the payments to be paid FY 84-87.

Section 6 extends reimbursement of tuition to retired members. About 15 retired members would use this benefit. The average reimbursement is \$125.00 for active members. Shown above as \$5,000 each year.

IV. DATE 06 Feb 1981 PREPARED BY LTC Henry A. Compton
 AGENCY Department of Military Affairs
 Original: Legislative Finance PHONE 465-4601 - Juneau
 cc: Budget and Management 243-0656 - Juneau
 Prime Sponsor (First Legislator Named)

REENLISTMENT BONUS

ARMY GUARD @ 60% RETENTION

FY 82	304 ETS 182 Reups	Pay in 84 \$182,000.
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TOTALS PAY IN:

FY 84	\$182,000. <u>148,000.</u>	Army Guard Air Guard
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Sections 7 through 9 are administrative in nature.

Analysis of state funded benefits the Alaska National Guard and Naval Militia now enjoy:

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Current law passed in the last session of the legislature provides for a retirement payment of \$100.00 for every month served in the Alaska National Guard or Naval Militia provided the retiree has a total of 20 years of service a minimum of five of which as a member of the guard

TUITION REIMBURSEMENT

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AB 54

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

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Requested by _____ Date 6 Oct 1980

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POSITIONS

	No Additional Positions					
FULL TIME						
PART TIME						
TEMPORARY						

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

Section 1 extends reimbursement of tuition to retired members. About 50 retired members would use this benefit. The average reimbursement is \$75.00 for active members. This will cost \$3,770 per year. Shown above as \$5,000 each year.

Sections 2-5 have no budget impact except in the event of a disaster. The per day cost per person would increase from \$45 to \$70.00 depending on the location. This funding is received from the Governor's Emergency Fund.

Section 7 will require expenditures of \$330.0 in FY 84, \$197.0 in FY 85, \$454.0 in FY 86 and \$303.0 in FY 87. Beginning FY 88, the expenditures will decrease each year as current (1980-81) members drawing the old bonus payment will begin to retire and leave the Guard for other reasons. As these older members retire or drop out, the new program will have completed paying 33 1/3% of the new members. Attached to this fiscal note is a break down of the payments to be paid FY 84-87.

IV. DATE 06 Oct 1980

PREPARED BY LTC Hank Compton
AGENCY Department of Military Affairs
PHONE 465-4601 - Juneau

Original: Legislative Finance

254

January 12, 1981

President of the Senate
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to pay and benefits for members of the Alaska National Guard and Naval Militia. The bill would increase benefits for education, active service pay, workers' compensation, and the reenlistment bonus.

Section 1 of the bill would authorize a sorely-needed change in the pay for members called to active service in an emergency. Under existing law enlisted members of the National Guard in the lower pay grades and their families would suffer grave hardship if the members were called away from their regular employment to active service at very low pay. The section sets a minimum daily compensation which will help insure that a member's family will have enough money while the member is away on active service. The minimum compensation will increase with an increase in the Consumer Price Index for Anchorage, Alaska.

Sections 2 and 3 of the bill would provide for coverage of members of the National Guard under the Workers' Compensation Act while they are on active service in an emergency.

Section 5 of the bill would amend the provision which establishes the reenlistment bonus to provide for three lump sum payments of \$1,000 instead of the more numerous but smaller payments provided under existing law. Those members of the National Guard who are receiving a bonus under existing law would continue to receive that bonus and would not receive the reenlistment bonus that is proposed in this bill.

54

Section 6 of the bill would extend the education benefits currently available to retired members. Under the current law, only active members may claim this benefit.

Sincerely,

S/JSH

Jay S. Hammond
Governor

Introduced: 1/13/61
Referred: State Affairs and
Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 54

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska National Guard and
7 Naval Militia; and providing for an effective date."

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

9 * Section 1. AS 26.05.260(b) is amended to read:

10 (b) Members of the Alaska National Guard and Alaska Naval Militia
11 are entitled to receive, for each day of active service under AS 26.-
12 05.070, [COMMISSIONED AND WARRANT OFFICERS FOR STATE SERVICES ACTUALLY
13 PERFORMED ARE ENTITLED TO RECEIVE] pay and allowances equal to those
14 provided by federal laws and regulations for members of equivalent [COM-
15 MISSIONED AND WARRANT OFFICERS OF THE SAME] grades of the United States
16 armed forces, however, no member will receive less than \$65 per day for
17 active service performed during the fiscal year ending June 30, 1982.
18 For fiscal years beginning after June 30, 1982, the minimum payment of
19 \$65 shall be increased one percent for each percent increase in the con-
20 sumer price index of Anchorage, Alaska, as determined by the United
21 States Department of Labor, Bureau of Labor Statistics, not to exceed an
22 annual increase of 10 percent. The increase, if any, takes effect not
23 more than 30 days after the release of the consumer price index. The
24 consumer price index which is published immediately after July 1, 1981
25 is the reference base index [ARMY OR AIR FORCE].

26 * Sec. 2. AS 26.05.260(d) is repealed and reenacted to read:

27 (d) A member of the Alaska National Guard or Alaska Naval Mili-
28 tia who, while on active service under AS 26.05.070 and lawfully per-
29 forming his or her duties, including transit to and from his or her

1 home of record, suffers a disability is entitled to all compensation and
2 benefits available under the Alaska Workers' Compensation Act (AS 23.-
3 30).

4 * Sec. 3. AS 26.05.260(e) is repealed and reenacted to read:

5 (e) If a member of the Alaska National Guard or Alaska Naval Mil-
6 itia dies as a result of a disability suffered while on active service
7 under AS 26.05.070 and while lawfully performing his or her duties, in-
8 cluding transit to and from his or her home of record, death benefits
9 shall be paid to the persons in the amounts specified in AS 23.30.215.

10 * Sec. 4. AS 26.05.260 is amended by adding a new subsection to read:

11 (h) In this section, "member" means an active commissioned or
12 warrant officer or enlisted man or woman in the Alaska National Guard
13 or Alaska Naval Militia.

14 * Sec. 5. AS 26.05.265 is amended to read:

15 Sec. 26.05.265. REENLISTMENT BONUS. (a) A bonus shall be paid
16 to an enlisted [A] person who, at the time his or her enlistment is com-
17 pleted, reenlists or extends an enlistment in the Alaska National Guard
18 or the Alaska Naval Militia for six years. The bonus is \$3,000 payable
19 in the amount of \$1,000 at the satisfactory completion of the second
20 year of reenlistment or extension, \$1,000 at the satisfactory comple-
21 tion of the fourth year, and \$1,000 at the satisfactory completion of
22 the sixth year [A SUM EQUAL TO 10 DAYS OF BASIC PAY FOR EACH YEAR HE
23 REENLISTS OR EXTENDS HIS ENLISTMENT, COMPUTED ACCORDING TO A MEMBER'S
24 GRADE AT THE END OF EACH QUALIFYING YEAR AND PAYABLE AT THAT TIME.
25 PAYMENT OF A BONUS IS CONTINGENT UPON THE MEMBER SATISFACTORILY PARTI-
26 CIPATING IN UNIT TRAINING ACTIVITIES FOR THE YEAR FOR WHICH PAYMENT IS
27 TO BE MADE].

28 (b) An enlisted person who has a break in service of more than 30
29 days forfeits his or her eligibility for a reenlistment bonus.

1 * Sec. 6. AS 26.05.296(a) is amended to read:

2 (a) To the extent funds are available, the adjutant general
3 shall authorize the payment of not more than 50 percent of the cost of
4 tuition and required fees for each active or retired [MALE OR FEMALE]
5 member of the Alaska National Guard or the Alaska Naval Militia who at-
6 tends an educational, vocational, or technical training school in Alas-
7 ka. Payments authorized under this section continue so long as the ac-
8 tive member participates satisfactorily in unit training activities or
9 a retired member is on the retired list and pursues the course of study
10 in a manner acceptable to the school.

11 * Sec. 7. TRANSITION. AS 26.05.265 as amended in sec. 5 of this Act
12 does not apply to persons who reenlisted or extended an enlistment in the
13 Alaska National Guard or the Alaska Naval Militia before July 1, 1981.

14 * Sec. 8. AS 26.05.260(c), (f), and (g) are repealed.

15 * Sec. 9. This Act takes effect July 1, 1981.
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COMMITTEE REPORT

HOUSE

5/8/81

FURTHER:

(11)

Date:

6/21/81

Mr. Speaker: (State Affairs referral waived 5/8)

The Committee on FINANCE

has had

SB 54

"An Act relating to the Alaska National Guard and Naval Militia; and providing for an effective date."

under consideration and reports it back as follows:

[X] 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"

[X] New Fiscal Note

[] reports it back without recommendation

[] referred to the

Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Handwritten signatures]

[Blank lines for other recommendations]

CHAIRMAN

Introduced: 1/13/81
Referred: State Affairs and
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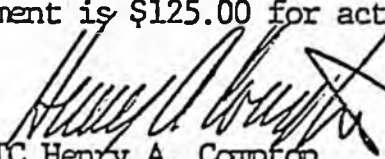
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(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	5.0	5.0	335.	202.0	459.0	308.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME						
PART TIME						
TEMPORARY						

No Additional Positions

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

Section 1 extends reimbursement of tuition to retired members. About 50 retired members would use this benefit. The average reimbursement is \$75.00 for active members. This will cost \$3,770 per year. Shown above as \$5,000 each year.

Sections 2-5 have no budget impact except in the event of a disaster. The per day cost per person would increase from \$45 to \$70.00 depending on the location. This funding is received from the Governor's Emergency Fund.

Section 7 will require expenditures of \$330.0 in FY 84, \$197.0 in FY 85, \$454.0 in FY 86 and \$303.0 in FY 87. Beginning FY 88, the expenditures will decrease each year as current (1980-81) members drawing the old bonus payment will begin to retire and leave the Guard for other reasons. As these older members retire or drop out, the new program will have completed paying 33 1/3% of the new members. Attached to this fiscal note is a break down of the payments to be paid FY 84-87.

IV. DATE 06 Oct 1968

PREPARED BY For [Signature] LTC Hank Compton
AGENCY Department of Military Affairs

PHONE 465-4601 - Juneau
243-0656 - Anchorage

Original: Legislative Finance
cc: Budget and Management

2054

January 12, 1981

President of the Senate
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to pay and benefits for members of the Alaska National Guard and Naval Militia. The bill would increase benefits for education, active service pay, workers' compensation, and the reenlistment bonus.

Section 1 of the bill would authorize a sorely-needed change in the pay for members called to active service in an emergency. Under existing law enlisted members of the National Guard in the lower pay grades and their families would suffer grave hardship if the members were called away from their regular employment to active service at very low pay. The section sets a minimum daily compensation which will help insure that a member's family will have enough money while the member is away on active service. The minimum compensation will increase with an increase in the Consumer Price Index for Anchorage, Alaska.

Sections 2 and 3 of the bill would provide for coverage of members of the National Guard under the Workers' Compensation Act while they are on active service in an emergency.

Section 5 of the bill would amend the provision which establishes the reenlistment bonus to provide for three lump sum payments of \$1,000 instead of the more numerous but smaller payments provided under existing law. Those members of the National Guard who are receiving a bonus under existing law would continue to receive that bonus and would not receive the reenlistment bonus that is proposed in this bill.

54

Section 6 of the bill would extend the education benefits currently available to retired members. Under the current law, only active members may claim this benefit.

Sincerely,

S/JS H

Jay S. Hammond
Governor

COMMITTEE REPORT SENATE

4/21/81

FURTHER: None

Date: April 25, 1981

Mr. President:

The Committee on FINANCE has had SB 57

transportation safety

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 SB 57 (Prop) same title new title
- and recommends without recommendation
- 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

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 57
 Title An Act Relating to Highway Safety
 Requested by Senators Ray, Ferguson Date 04/25/81

II. FISCAL DETAIL

Agency Affected Department of Public Safety
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Traffic Safety Improvement
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL		10.7	10.7	10.7	10.7	10.7
300 CONTRACTUAL		10.0				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		20.7	10.7	10.7	10.7	10.7

FUNDING (Thousands of Dollars)

GENERAL FUND		20.7	10.7	10.7	10.7	10.7
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

Funds will provide travel and per diem expenses to the fifteen members of the Highway Safety Commission as per AS.99.001 for the purpose of conducting conferences for planning enforcement and adjudication, and offender rehabilitation. An inflation factor of seven per cent is added for the succeeding years.

The 10.0 in contractual will be to assist the Agency in hosting the 1982 National Conference of Governors' Highway Safety Representatives in Anchorage September 13 through 17, 1982. Past conferences have attracted between 375 and 700 participants, depending on location. Alaska should attract a fairly large number.

IV. DATE 04/25/81 PREPARED BY M.E. Dankworth, Co-Chairman
 AGENCY Senate Finance Committee
 PHONE 465-3753
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Original sponsors: Ray and Ferguson

Offered: 4/14/81
Referred: Rules

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR SENATE BILL NO. 57 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to transportation safety; and provid-
7 ing for an effective date."

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

9 * Section 1. AS 09.65 is amended by adding a new section to read:

10 Sec. 09.65.092. CIVIL LIABILITY FOR VOLUNTARY AIRCRAFT SAFETY
11 INSPECTION. An aircraft or power plant technician or mechanic certi-
12 fied by the Federal Aviation Administration who participates without
13 compensation in a voluntary aircraft safety inspection program is not
14 liable for civil damage resulting from an act or omission arising out
15 of an aircraft safety inspection in that program unless the act or
16 omission constitutes gross negligence or reckless or intentional mis-
17 conduct.

18 * Sec. 2. AS 44.99.001 is amended to read:

19 Sec. 44.99.001. ADMINISTRATION OF HIGHWAY SAFETY PROGRAM. The
20 governor may contract and do all other things necessary on behalf of
21 this state under the Federal Highway Safety Act of 1966, and may co-
22 operate with interested persons and agencies [FEDERAL AND STATE AGEN-
23 CIES, PRIVATE AND CORPORATE AGENCIES, INTERESTED CORPORATIONS, AND
24 INDIVIDUALS,] to effectuate the purposes of that Act. The governor
25 may designate a person to serve as his highway safety representative;
26 however, the governor is the official in this state having the ultimate
27 responsibility for dealing with the federal government with respect to
28 programs and activities under the Federal Highway Safety Act of 1966.
29 He shall coordinate the activities relating to highway safety of state

1 departments, agencies and subdivisions and of the Governor's Commission
2 on Transportation Safety established in AS 44.19.190.

3 * Sec. 3. AS 44.19 is amended by adding new sections to read:

4 ARTICLE 16. GOVERNOR'S COMMISSION ON TRANSPORTATION SAFETY.

5 Sec. 44.19.190. GOVERNOR'S COMMISSION ON TRANSPORTATION SAFETY.

6 (a) There is established in the Office of the Governor the Governor's
7 Commission on Transportation Safety.

8 (b) The Governor's Commission on Transportation Safety consists
9 of 15 members who serve ex officio or are appointed by the governor as
10 follows:

11 (1) the attorney general and the commissioners of public
12 safety, transportation and public facilities, and health and social
13 services;

14 (2) one superior court or district court judge experienced
15 in the adjudication of traffic cases;

16 (3) six members of the legislature, with at least one from
17 each house;

18 (4) four residents of the state selected by the governor
19 based on geographic representation and population distribution.

20 (c) A member of the Governor's Commission on Transportation
21 Safety appointed under (b)(2) - (3) of this section serves at the
22 pleasure of the governor and so long as he possesses the office des-
23 cribed in (b)(2) - (3) of this section. A member of the commission
24 appointed under (b)(4) of this section serves at the pleasure of the
25 governor.

26 (d) A member of the Governor's Commission on Transportation
27 Safety serves without compensation but is entitled to receive the per
28 diem and travel expenses authorized by law for state boards and commis-
29 sions under AS 39.20.180.

1 Sec. 44.19.191. POWERS AND DUTIES. (a) The Governor's Commission
2 on Transportation Safety is the state planning agency and shall assist
3 the governor in the exercise of his powers and duties relating to the
4 Federal Highway Safety Act under AS 44.99.001. The commission may
5 apply for, receive, and use grants, gifts and other assistance from the
6 federal government and from other public and private sources for the
7 execution of its programs.

8 (b) The Governor's Commission on Transportation Safety may assist
9 a public or private agency to develop and implement a transportation
10 safety project through the award of grants-in-aid.

11 (c) The Governor's Commission on Transportation Safety may inves-
12 tigate state and local transportation safety needs and seek financing
13 for the development of programs and techniques to

14 (1) alleviate and prevent all types of transportation acci-
15 dents;

16 (2) aid the court system in the adjudication of highway,
17 road and street traffic cases;

18 (3) aid peace officers in the enforcement of all transporta-
19 tion laws; and

20 (4) rehabilitate traffic offenders and prevent recidivism of
21 traffic offenders.

22 (d) The Governor's Commission on Transportation Safety shall
23 provide assistance, planning, and coordination to state agencies with
24 responsibilities related to transportation safety to encourage the
25 efficient allocation, use, and coordination of transportation safety
26 and related personnel at the state and local level and to determine
27 reasonable qualifications for the employment of that personnel.

28 (e) The court system and the state departments and agencies with
29 responsibilities related to transportation safety shall assist the

1 Governor's Commission on Transportation Safety in the performance of
2 its duties.

3 (f) In order to facilitate communication and cooperation, the
4 Governor's Commission on Transportation Safety shall conduct conferences
5 to discuss and plan

6 (1) transportation safety;

7 (2) traffic enforcement and adjudication; and

8 (3) offender rehabilitation programs and personnel for the
9 court system and the state departments and agencies.

10 Sec. 44.19.192. STAFF. (a) The governor or the person desig-
11 nated under AS 44.99.001, with the approval of the governor, may select
12 a director to administer the governor's programs under AS 44.99.001 and
13 the programs of the Governor's Commission on Transportation Safety
14 under AS 44.19.190 - 44.19.192 and the Federal Highway Safety Act of
15 1966 (P.L. 89-564, 80 Stat. 731).

16 (b) The director may employ personnel as necessary to carry out
17 the functions assigned under AS 44.99.001 and 44.19.190 - 44.19.192.
18 Personnel employed under this subsection are in the classified service
19 under AS 39.25.100.

20 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
21 070(c).

Introduced: 1/13/81
Referred: Judiciary and
Transportation

1 IN THE SENATE

BY RAY AND FERGUSON

2 SENATE BILL NO. 57

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to transportation safety; and provid-
7 ing for an effective date."

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

9 * Section 1. AS 09.65 is amended by adding a new section to read:

10 Sec. 09.65.092. CIVIL LIABILITY FOR VOLUNTARY AIRCRAFT SAFETY
11 INSPECTION. An aircraft or power plant technician or mechanic certi-
12 fied by the Federal Aviation Administration who participates without
13 compensation in a voluntary aircraft safety inspection program is not
14 liable for civil damage resulting from an act or omission arising out
15 of an aircraft safety inspection in that program unless the act or
16 omission constitutes gross negligence or reckless or intentional mis-
17 conduct.

18 * Sec. 2. AS 44.19.025 is amended to read:

19 Sec. 44.19.025. ADMINISTRATION OF HIGHWAY SAFETY PROGRAM. The
20 governor may contract and do all other things necessary on behalf of
21 this state under the Federal Highway Safety Act of 1966, and may co-
22 operate with interested persons and agencies [FEDERAL AND STATE AGEN-
23 CIES, PRIVATE AND CORPORATE AGENCIES, INTERESTED CORPORATIONS, AND
24 INDIVIDUALS,] to effectuate the purposes of that Act. The governor
25 may designate a person to serve as his highway safety representative;
26 however, the governor is the official in this state having the ultimate
27 responsibility for dealing with the federal government with respect to
28 programs and activities under the Federal Highway Safety Act of 1966.
29 He shall coordinate the activities relating to highway safety of state

1 departments, agencies and subdivisions and of the Transportation Safety
2 Commission established in AS 44.19.801.

3 * Sec. 3. AS 44.41 is amended by adding new sections to read:

4 ARTICLE 2. TRANSPORTATION SAFETY COMMISSION.

5 Sec. 44.41.030. TRANSPORTATION SAFETY COMMISSION. (a) There is
6 established in the Department of Public Safety the Transportation
7 Safety Commission.

8 (b) The Transportation Safety Commission consists of 15 members
9 who serve ex officio or are appointed by the governor as follows:

10 (1) the attorney general and the commissioners of public
11 safety, transportation and public facilities, and health and social
12 services;

13 (2) one superior court or district court judge experienced
14 in the adjudication of traffic cases;

15 (3) six members of the legislature, three from each house;

16 (4) four residents of the state selected by the governor
17 based on geographic representation and population distribution.

18 (c) A member of the Transportation Safety Commission appointed
19 under (b)(2) - (3) of this section serves at the pleasure of the gover-
20 nor and so long as he possesses the office described in (b)(2) - (3) of
21 this section. A member of the commission appointed under (b)(4) of
22 this section serves at the pleasure of the governor.

23 (d) A member of the Transportation Safety Commission serves
24 without compensation but is entitled to receive the per diem and travel
25 expenses authorized by law for state boards and commissions.

26 Sec. 44.41.040. POWERS AND DUTIES. (a) The Transportation
27 Safety Commission is the state planning agency and shall assist the
28 governor in the exercise of his powers and duties relating to the
29 Federal Highway Safety Act under AS 44.99.001. The commission may

1 apply for, receive, and use grants, gifts and other assistance from the
2 federal government and from other public and private sources for the
3 execution of its programs.

4 (b) The Transportation Safety Commission may investigate state
5 and local transportation safety needs and seek financing for the devel-
6 opment of programs and techniques to

7 (1) alleviate and prevent all types of transportation acci-
8 dents;

9 (2) aid the court system in the adjudication of highway,
10 road and street traffic cases;

11 (3) aid peace officers in the enforcement of all transporta-
12 tion laws; and

13 (4) rehabilitate traffic offenders and prevent recidivism of
14 traffic offenders.

15 (c) The Transportation Safety Commission shall provide assistance,
16 planning, and coordination to state agencies with responsibilities
17 related to transportation safety to encourage the efficient allocation,
18 use, and coordination of transportation safety and related personnel at
19 the state and local level and to determine reasonable qualifications
20 for the employment of that personnel.

21 (d) The court system and the state departments and agencies with
22 responsibilities related to transportation safety shall assist the
23 Transportation Safety Commission in the performance of its duties.

24 (e) In order to facilitate communication and cooperation, the
25 Transportation Safety Commission shall conduct conferences to discuss
26 and plan

27 (1) transportation safety;

28 (2) traffic enforcement and adjudication; and

29 (3) offender rehabilitation programs and personnel for the

1 court system and the state departments and agencies.

2 Sec. 44.41.050. STAFF. (a) The governor or the person desig-
3 nated under AS 44.19.025, with the approval of the governor, may select
4 a director to administer the governor's programs under AS 44.19.025 and
5 the programs of the Transportation Safety Commission under AS 44.41.-
6 030 - 44.41.040.

7 (b) The director may employ personnel as necessary to carry out
8 the functions assigned under AS 44.19.025 and 44.41.030 - 44.41.040.
9 Personnel employed under this subsection are in the classified service
10 under AS 39.25.100.

11 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
12 070(c).
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POSITION PAPER

CS for Senate Bill No. 57 (Transportation)

"An Act relating to transportation safety; and providing for an effective date."

This Act provides:

- 1) Immunity from liability for voluntary aircraft inspectors;
- 2) That the Governor may designate a person to serve as his highway safety representative to deal with the federal government with respect to programs and activities under the Federal Highway Safety Act of 1966; and to coordinate the activities relating to highway safety of state departments, agencies and subdivisions, and of the Governor's Commission on Transportation Safety.
- 3) Establishment of the Governor's Commission on Transportation Safety as the state planning agency to assist the Governor in the exercise of his powers and duties relating to the Federal Highway Safety Act, and to investigate state and local transportation safety needs.

The Department of Health and Social Services strongly supports the concept of this bill. Automobile, aircraft, and boating accidents are major contributors to the accidental death rate in Alaska. The proposed Transportation Safety Commission could assist in finding means to reduce transportation accidents and the associated death, disability, and property loss. The Department recommends that, if a Transportation Safety Commission is established, it should work with, and not duplicate, the activities of the State Advisory Council for Emergency Medical Services.

Recommended by:

David Bruce
David Bruce, Deputy Director
Division of Public Health

Date:

April 16, 1981

Approved by:

Helen D. Beirne
Helen D. Beirne
Commissioner

Date:

4-29-81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Senate Bill No. 57 (Transportation)
 Title "An Act relating to transportation safety; and providing for an effective date."
 Requested by Commissioner's Office Date 4/16/81

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
 Program Category Affected Division of Public Health
 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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0	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

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

IV. DATE 4/16/81 PREPARED BY Mark Johnson
 AGENCY Dept. of Health & Social Services
 Original: Legislative Finance PHONE 465-3027

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

Rec'd
SFC 5/14/81
Bill already
reported
out.

FISCAL NOTE

I. REQUEST
Bill/Resolution No. CSSB 57
Title Act relating to Transportation Safety
Requested by Commerce & Ec. Dev. Date 4/15/81

II. FISCAL DETAIL
Agency Affected Alaska Transportation Commission
Program Category Affected n/a
BRU, Program, or Subprogram(s) Affected n/a

(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL		.631	.694 ^{1/}			
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		.631	.694			

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		.631	.694			
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section 11f)

Travel expenses and per diem would affect this Commission if called upon to provide substantial assistance to the Governor's Commission on Transportation Safety. A fiscal impact statement cannot be determined at this time because this Commission cannot accurately estimate or anticipate this number of times a year it will be subject to provide assistance and the place or places to which travel would be required.

^{1/} Cost beyond 1983 cannot be determined, but would increase with inflation.

IV. DATE 5/8/81 PREPARED BY Keith A. Miller
AGENCY Alaska Transportation Commission
PHONE 279-1451
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 57
 Title AN ACT RELATING TO HIGHWAY SAFETY
 Requested by SEANTORS RAY, FERGUSON Date 04/07/81

II. FISCAL DETAIL

Agency Affected DEPARTMENT OF PUBLIC SAFETY
 Program Category Affected PUBLIC PROTECTION
 BRU, Program, or Subprogram(s) Affected TRAFFIC SAFETY IMPROVEMENT

(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL		10.7	11.5	12.3	13.2	14.1
300 CONTRACTUAL		10.0	10.0			
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						

TOTAL

FUNDING (Thousands of Dollars)

GENERAL FUND		20.7	21.5	12.3	13.2	14.1
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		Ø	Ø	Ø	Ø	Ø
PART TIME						
TEMPORARY						

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

Funds will provide travel and per diem expenses to the fifteen members of the Highway Safety Commission as per AS 44.99.001 for the purpose of conducting conferences for planning enforcement and adjudication, and offender rehabilitation. An inflation factor of seven per cent is added for the succeeding years.

The 10.0 in contractual will be to assist the Agency in hosting the 1982 National Conference of Governors' Highway Safety Representatives in Anchorage September 13 through 17, 1982. Past conferences have attracted between 375 and 700 participants, depending on location. Alaska should attract a fairly large number.

IV. DATE 04/07/81 PREPARED BY Charles A. Smith
 AGENCY Alaska Highway Safety Planning Agency
 PHONE 465-4371
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 57
 Title An Act Relating to Highway Safety
 Requested by Senators Ray and Ferguson Date 02/01/81

II. FISCAL DETAIL

Agency Affected Department of Public Safety
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Traffic Safety Improvement
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL	10.0	10.7	11.5	12.3	13.2	14.1
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

	10.0	10.7	11.5	12.3	13.2	14.1
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	∅	∅	∅	∅	∅	∅
FULL TIME						
PART TIME						
TEMPORARY						

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

Fund. will provide travel and per diem expenses to the fifteen members of the Highway Safety Commission as per AS 44.19.801(c) for the purpose of conducting conferences for planning, enforcement and adjudication, and offender rehabilitation. An inflation factor of seven per cent is added for the succeeding years

IV. DATE 01/26/81 PREPARED BY Charles A. Smith
 AGENCY Alaska Highway Safety Planning Agency
 PHONE 465-4371
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

POSITION PAPER

SENATE BILL NO. 57

"An Act relating to transportation safety; and providing for an effective date."

This Act will establish in the Department of Public Safety a Transportation Safety Commission to investigate state and local transportation safety needs and seek financing for development of programs and techniques to:

- (1) alleviate and prevent all types of transportation accidents;
- (2) aid the court system in the adjudication of traffic cases;
- (3) aid peace officers in the enforcement of transportation laws;
- (4) rehabilitate and prevent recidivism of traffic offenders.

The Department of Health and Social Services strongly supports the concept of this bill. Automobile, aircraft and boating accidents are major contributors to the accidental death rate in Alaska. The proposed Transportation Safety Commission could assist in finding means to reduce transportation accidents and the associated death, disability and property loss.

Recommended by:

David Bruce
David Bruce, Deputy Director
Division of Public Health

Date:

January 22, 1980

Approved by:

Helen D. Beirne
Helen D. Beirne
Commissioner

Date:

2/2/81

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill No. 57
 Title "An Act relating to transportation safety..."
 Requested by Commissioner's Office Date 01/21/81

II. FISCAL DETAIL

Agency Affected Department of Health & Social Services
 Program Category Affected Health/Division of Public Health
 BRU, Program, or Subprogram(s) Affected Emergency Medical 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	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0	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

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

IV. DATE 01/21/81 PREPARED BY Mark S. Johnson
 AGENCY Emergency Medical Services/Div. Public Health
 PHONE 465-3027
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Thomas H. Helverud 1/27/81

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

THE LEGISLATURE OF THE STATE OF ALASKA
 TWELFTH LEGISLATURE
FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 57
 Title An Act Relating to Highway Safety
 Requested by Senators Ray, Ferguson Date 04/25/81

II. FISCAL DETAIL

Agency Affected Department of Public Safety
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Traffic Safety Improvement
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL		10.7	10.7	10.7	10.7	10.7
300 CONTRACTUAL		10.0				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		20.7	10.7	10.7	10.7	10.7

FUNDING (Thousands of Dollars)

GENERAL FUND		20.7	10.7	10.7	10.7	10.7
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

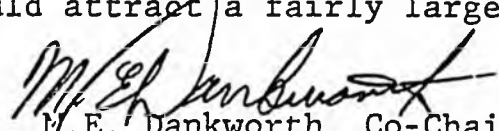
POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

Funds will provide travel and per diem expenses to the fifteen members of the Highway Safety Commission as per AS.99.001 for the purpose of conducting conferences for planning enforcement and adjudication, and offender rehabilitation. An inflation factor of seven per cent is added for the succeeding years.

The 10.0 in contractual will be to assist the Agency in hosting the 1982 National Conference of Governors' Highway Safety Representatives in Anchorage September 13 through 17, 1982. Past conferences have attracted between 375 and 700 participants, depending on location. Alaska should attract a fairly large number.

IV. DATE 04/25/81 PREPARED BY  M.E. Dankworth, Co-Chairman
 AGENCY Senate Finance Committee
 PHONE 465-3753
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

FISCAL NOTE

Bill as reported out.

I. REQUEST

Bill/Resolution No. CSSB 57
 Title Act relating to Transportation Safety
 Requested by Commerce & Ec. Dev. Date 4/15/81

II. FISCAL DETAIL

Agency Affected Alaska Transportation Commission
 Program Category Affected n/a
 BRU, Program, or Subprogram(s) Affected n/a

(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL		.631	.694 ^{1/}			
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		.631	.694			

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		.631	.694			
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME						
PART TIME						
TEMPORARY						

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

Travel expenses and per diem would affect this Commission if called upon to provide substantial assistance to the Governor's Commission on Transportation Safety. A fiscal impact statement cannot be determined at this time because this Commission cannot accurately estimate or anticipate this number of times a year it will be subject to provide assistance and the place or places to which travel would be required.

^{1/} Cost beyond 1983 cannot be determined, but would increase with inflation.

IV. DATE 5/8/81 PREPARED BY Keith H. Miller
 AGENCY Alaska Transportation Commission
 PHONE 279-1451

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

Original sponsors: Ray and Ferguson

Offered: 4/14/81
Referred: Rules

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR SENATE BILL NO. 57 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to transportation safety; and provid-
7 ing for an effective date."

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

9 * Section 1. AS 09.65 is amended by adding a new section to read:

10 Sec. 09.65.092. CIVIL LIABILITY FOR VOLUNTARY AIRCRAFT SAFETY
11 INSPECTION. An aircraft or power plant technician or mechanic certi-
12 fied by the Federal Aviation Administration who participates without
13 compensation in a voluntary aircraft safety inspection program is not
14 liable for civil damage resulting from an act or omission arising out
15 of an aircraft safety inspection in that program unless the act or
16 omission constitutes gross negligence or reckless or intentional mis-
17 conduct.

18 * Sec. 2. AS 44.99.001 is amended to read:

19 Sec. 44.99.001. ADMINISTRATION OF HIGHWAY SAFETY PROGRAM. The
20 governor may contract and do all other things necessary on behalf of
21 this state under the Federal Highway Safety Act of 1966, and may co-
22 operate with interested persons and agencies [FEDERAL AND STATE AGEN-
23 CIES, PRIVATE AND CORPORATE AGENCIES, INTERESTED CORPORATIONS, AND
24 INDIVIDUALS,] to effectuate the purposes of that Act. The governor
25 may designate a person to serve as his highway safety representative;
26 however, the governor is the official in this state having the ultimate
27 responsibility for dealing with the federal government with respect to
28 programs and activities under the Federal Highway Safety Act of 1966.
29 He shall coordinate the activities relating to highway safety of state

1 departments, agencies and subdivisions and of the Governor's Commission
2 on Transportation Safety established in AS 44.19.190.

3 * Sec. 3. AS 44.19 is amended by adding new sections to read:

4 ARTICLE 16. GOVERNOR'S COMMISSION ON TRANSPORTATION SAFETY.

5 Sec. 44.19.190. GOVERNOR'S COMMISSION ON TRANSPORTATION SAFETY.

6 (a) There is established in the Office of the Governor the Governor's
7 Commission on Transportation Safety.

8 (b) The Governor's Commission on Transportation Safety consists
9 of 15 members who serve ex officio or are appointed by the governor as
10 follows:

11 (1) the attorney general and the commissioners of public
12 safety, transportation and public facilities, and health and social
13 services;

14 (2) one superior court or district court judge experienced
15 in the adjudication of traffic cases;

16 (3) six members of the legislature, with at least one from
17 each house;

18 (4) four residents of the state selected by the governor
19 based on geographic representation and population distribution.

20 (c) A member of the Governor's Commission on Transporta'ion
21 Safety appointed under (b)(2) - (3) of this section serves at the
22 pleasure of the governor and so long as he possesses the office des_
23 cribed in (b)(2) - (3) of this section. A member of the commission
24 appointed under (b)(4) of this section serves at the pleasure of the
25 governor.

26 (d) A member of the Governor's Commission on Transportation
27 Safety serves without compensation but is entitled to receive the per
28 diem and travel expenses authorized by law for state boards and commis-
29 sions under AS 39.20.180.

1 Sec. 44.19.191. POWERS AND DUTIES. (a) The Governor's Commission
2 on Transportation Safety is the state planning agency and shall assist
3 the governor in the exercise of his powers and duties relating to the
4 Federal Highway Safety Act under AS 44.99.001. The commission may
5 apply for, receive, and use grants, gifts and other assistance from the
6 federal government and from other public and private sources for the
7 execution of its programs.

8 (b) The Governor's Commission on Transportation Safety may assist
9 a public or private agency to develop and implement a transportation
10 safety project through the award of grants-in-aid.

11 (c) The Governor's Commission on Transportation Safety may inves-
12 tigate state and local transportation safety needs and seek financing
13 for the development of programs and techniques to

14 (1) alleviate and prevent all types of transportation acci-
15 dents;

16 (2) aid the court system in the adjudication of highway,
17 road and street traffic cases;

18 (3) aid peace officers in the enforcement of all transporta-
19 tion laws; and

20 (4) rehabilitate traffic offenders and prevent recidivism of
21 traffic offenders.

22 (d) The Governor's Commission on Transportation Safety shall
23 provide assistance, planning, and coordination to state agencies with
24 responsibilities related to transportation safety to encourage the
25 efficient allocation, use, and coordination of transportation safety
26 and related personnel at the state and local level and to determine
27 reasonable qualifications for the employment of that personnel.

28 (e) The court system and the state departments and agencies with
29 responsibilities related to transportation safety shall assist the

1 Governor's Commission on Transportation Safety in the performance of
2 its duties.

3 (f) In order to facilitate communication and cooperation, the
4 Governor's Commission on Transportation Safety shall conduct conferences
5 to discuss and plan

6 (1) transportation safety;

7 (2) traffic enforcement and adjudication; and

8 (3) offender rehabilitation programs and personnel for the
9 court system and the state departments and agencies.

10 Sec. 44.19.192. STAFF. (a) The governor or the person desig-
11 nated under AS 44.99.001, with the approval of the governor, may select
12 a director to administer the governor's programs under AS 44.99.001 and
13 the programs of the Governor's Commission on Transportation Safety
14 under AS 44.19.190 - 44.19.192 and the Federal Highway Safety Act of
15 1966 (P.L. 89-564, 80 Stat. 731).

16 (b) The director may employ personnel as necessary to carry out
17 the functions assigned under AS 44.99.001 and 44.19.190 - 44.19.192.
18 Personnel employed under this subsection are in the classified service
19 under AS 39.25.100.

20 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
21 070(c).

POSITION PAPER

CS for Senate Bill No. 57 (Transportation)

"An Act relating to transportation safety; and providing for an effective date."

This Act provides:

- 1) Immunity from liability for voluntary aircraft inspectors;
- 2) That the Governor may designate a person to serve as his highway safety representative to deal with the federal government with respect to programs and activities under the Federal Highway Safety Act of 1966; and to coordinate the activities relating to highway safety of state departments, agencies and subdivisions, and of the Governor's Commission on Transportation Safety.
- 3) Establishment of the Governor's Commission on Transportation Safety as the state planning agency to assist the Governor in the exercise of his powers and duties relating to the Federal Highway Safety Act, and to investigate state and local transportation safety needs.

The Department of Health and Social Services strongly supports the concept of this bill. Automobile, aircraft, and boating accidents are major contributors to the accidental death rate in Alaska. The proposed Transportation Safety Commission could assist in finding means to reduce transportation accidents and the associated death, disability, and property loss. The Department recommends that, if a Transportation Safety Commission is established, it should work with, and not duplicate, the activities of the State Advisory Council for Emergency Medical Services.

Recommended by: David Bruce
David Bruce, Deputy Director
Division of Public Health

Date: April 16, 1981

Approved by: Helen D. Beirne
Helen D. Beirne
Commissioner

Date: 4-29-81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Senate Bill No. 57 (Transportation)
 Title "An Act relating to transportation safety; and providing for an effective date."
 Requested by Commissioner's Office Date 4/16/81

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
 Program Category Affected Division of Public Health
 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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0	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

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

IV. DATE 4/16/81 PREPARED BY Mark Johnson

AGENCY Dept. of Health & Social Services

Original: Legislative Finance

PHONE 465-3027

cc: Budget and Management

Prime Sponsor (First Legislator Named) M&B Approval Date 4/16/81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. CS for Senate Bill No. 64 (Finance)
Title Act relating to labor relations between school boards and employees
Requested by Senate Finance Committee Date 2/11/82

II. FISCAL DETAIL
Agency Affected Labor
Program Category Affected Public Protection
BRU, Program, Or Subprogram(s) Affected Labor Standards & Safety
(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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	0				
200 TRAVEL	0	0				
300 CONTRACTUAL	0	0				
400 COMMODITIES	0	0				
500 EQUIPMENT	0	0				
600 LAND & STRUCTURES	0	0				
700 GRANTS, CLAIMS, ETC.	0	0				
TOTAL	0	0				


FUNDING (Thousands of Dollars)

GENERAL FUND	0	0				
FEDERAL FUNDS	0	0				
OTHER (Specify Source)	0	0				

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE Feb. 11, 1982 PREPARED BY 
AGENCY Don Bennett, Co-chairman
PHONE Senate Finance Committee
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

Original sponsor: Ray

By the Finance Committee

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 64 (*Finance*)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to labor relations between school
7 boards and other public employers and their employees."

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

9 * Section 1. AS 23.40.100(b) is amended to read:

10 (b) If the labor relations agency has reasonable cause to believe
11 that a question of representation exists, it shall provide for an
12 appropriate hearing upon due notice. If the labor relations agency
13 finds that there is a question of representation, it shall direct an
14 election by secret ballot to determine whether or by which organization
15 the employees desire to be represented and shall certify the results of
16 the election. Nothing in this section prohibits the waiving of hearing
17 by stipulation for the purpose of a consent election in conformity with
18 the regulations of the labor relations agency or an election in a
19 bargaining unit agreed upon by the parties. The labor relations agency
20 shall determine who is eligible to vote in an election and shall estab-
21 lish rules governing the election. In an initial election for repre-
22 sentation held under this section, one of the choices on the ballot
23 shall be "no representation". In an election in which none of the
24 choices on the ballot receives a majority of the votes cast, a runoff
25 election shall be conducted, the ballot providing for selection between
26 the two choices receiving the largest and the second largest number of
27 valid votes cast in the election. If an organization receives the
28 majority of the votes cast in the election it shall be certified by the
29 labor relations agency as exclusive representative of all the employees

1 in the bargaining unit.

2 * Sec. 2. AS 23.40.200(c) is amended to read:

3 (c) The class in (a)(2) of this section is composed of public
4 utility, snow removal, sanitation and [PUBLIC SCHOOL AND OTHER] edu-
5 cational institution employees, except noncertificated employees of
6 school boards. Employees in this class may engage in a strike after
7 mediation, subject to the voting requirement of (d) of this section,
8 for a limited time. The limit is determined by the interests of the
9 health, safety or welfare of the public. The public employer or the
10 labor relations agency may apply to the superior court in the judicial
11 district in which the strike is occurring for an order enjoining the
12 strike. A strike may not be enjoined unless it can be shown that it
13 has begun to threaten the health, safety or welfare of the public. A
14 court, in deciding whether or not to enjoin the strike, shall consider
15 the total equities in the particular class. "Total equities" includes
16 not only the impact of a strike on the public but also the extent to
17 which employee organizations and public employers have met their sta-
18 tutory obligations. If an impasse or deadlock still exists after the
19 issuance of an injunction, the parties shall submit to arbitration to
20 be carried out under AS 09.43.030.

21 * Sec. 3. AS 23.40.250(5) is amended to read:

22 (5) "public employee" means any employee of a public em-
23 ployer, whether or not in the classified service of the public
24 employer, except elected or appointed officials or certificated [TEA-
25 CHERS OR NONCERTIFICATED] employees of school boards [DISTRICTS];

26 * Sec. 4. AS 23.40.250(6) is amended to read:

27 (6) "public employer" means the state or a political subdi-
28 vision of the state, including without limitation, a [TOWN,] city,
29 borough, school board [DISTRICT], board of regents, public and quasi-

1 public corporation, housing authority or other authority established by
2 law, and a person designated by the public employer to act in its
3 interest in dealing with public employees;

4 * Sec. 5. AS 23.40.250 is amended by adding a new paragraph to read:

5 (8) "school board" includes a regional educational atten-
6 dance area school board.

7 * Sec. 6. (a) A school board, including a regional educational atten-
8 dance area school board, may not reject having the provisions of the Public
9 Employment Relations Act apply to its relations with its noncertificated
10 employees.

11 (b) The provisions of sec. 4, ch. 113, SLA 1972 do not apply to allow
12 a municipality to reject having the provisions of the Public Employment
13 Relations Act apply to its relation with its noncertificated employees.

14 * Sec. 7. Nothing in this Act terminates or modifies a collective bar-
15 gaining unit, recognition of exclusive bargaining representative, or col-
16 lective bargaining agreement if the unit, recognition, or agreement is in
17 effect on the effective date of this Act.

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

*F.N. Rec'd.
4/14/82*

I. REQUEST

Bill/Resolution No. CS for Senate Bill No. 64 (Rules)
 Title "An Act relating to Labor Relations between school boards and other . . ."
 Requested by Senate Rules Committee Date April 12, 1982

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Labor Standards & Safety

(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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		43.5	47.9	52.6	57.9	63.7
200 TRAVEL		16.5	18.2	20.0	22.0	24.2
300 CONTRACTUAL		33.7	37.1	40.8	44.9	49.3
400 COMMODITIES		2.0	2.2	2.4	2.7	2.9
500 EQUIPMENT		3.3	-	-	-	-
600 LAND & STRUCTURES		-	-	-	-	-
700 GRANTS, CLAIMS, ETC.						
TOTAL		99.0	105.4	115.8	127.5	140.1

FUNDING (Thousands of Dollars)

GENERAL FUND		99.0	105.4	115.8	127.5	140.1
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

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

1. Personal Services cost at salary and benefit cost effective 3/16/82.
2. Travel statewide - Wage & Hour Investigator II.
3. Contractual Services - includes legal services for hearing officers, word processing services, rent, and indirect costs.
4. Equipment, desk, chairs, filing cabinet, recorder, and calculator.
5. Inflation factor used - 10% for all items.
6. Assumes effective date of July 1, 1982.
7. Assumes that the 48 potential school districts would enter into collective bargaining elections on a gradual basis - i.e., initial elections would be spread over a two-year period.

IV. DATE April 12, 1982 PREPARED BY *Nico Bus* Nico Bus, Finance Officer
 AGENCY Labor
 Original: Legislative Finance PHONE 465-2720
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

1	POSITION TITLE Wage & Hour Investigator II			RANGE/STEP 18 A	BARG. UNIT. GGU	LOCATION Juneau	BOV	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LUC	

3	TYPE OF EXPENDITURE	AMOUNT
	1	2
4	PERSONAL SERVICES: SALARY \$ 2,838	34,056
5	BENEFITS .1592	5,422
6	SBS .0613	2,088
7	FIXED BENEFITS \$160 P/M	1,920
	TOTAL PERSONAL SERVICES 01	43,486
9	TRAVEL 02	16,500
10	CONTRACTUAL 03	33,730
11	COMMODITIES 04	1,970
12	EQUIPMENT 05	3,270
13	OTHER	
14	TOTAL COST	98,956

JUSTIFICATION:

1. Personal Services: Salary Schedule effective 3/16/82.
2. Travel: \$16,500.
3. Contractual Services: \$33,730 includes legal services for hearing officers, word processing services, telephone, postage, and office copier services, \$3,200 for rental of space, and \$3,900 for indirect costs.
4. Commodities: \$1,970 for supplies for ballots, letters, printed matter.
5. Equipment: \$3,270 for desk, chairs, filing cabinet, recorder, and calculator.

	RECEIPT CODE	FUNDING SOURCE
15		FED RCPTS. 1002
16		GF MATCH. 1003
17		GEN. FUND 1004
18		I-A RCPTS. 1005
19		PGM RCPTS 1028
20		OTHER

21	CONTINUATION	
22	ADDITION	X

FOR B&M USE ONLY

4A KEY NUMBER _____ COLUMN NO. _____

AGENCY Labor PROGRAM Public Protection

BRU Wage and Hour

COMPONENT Wage & Hour

Page 1 of 1 REVISED DATE _____

13 REQUEST FOR NEW POSITION

FY 83

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

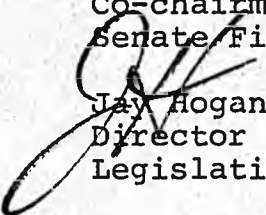
AUDIT DIVISION
POUCH W — ALASKA OFFICE BUILDING

FINANCE DIVISION
POUCH WF — STATE CAPITOL

JUNEAU 99801

MEMORANDUM

TO: Senator Don Bennett
Co-chairman
Senate Finance Committee

FROM:  Jay Hogan
Director
Legislative Finance

DATE: February 5, 1982

SUBJECT: Senate Bill 64

Senate Bill 64, an act relating to labor relations between school boards and other public employers and their employees, is one of those unusual bills that cross agency lines. The bill deals with certain school boards, but the operating impact on the concerned state agency falls on the state Department of Labor.

My suggestion on this bill is for the committee to take whatever action it sees fit on the bill itself, report the bill out with a zero fiscal note, but turn the question of budget impact on the Department of Labor over to the Senate Finance Subcommittee on the Department of Labor's budget. If this were done, the subcommittee, if so persuaded, could recommend a different figure after it has the opportunity to review the full Department of Labor budget, the impact of anticipated changes in federal funding for the department, and related matters.

cc: Senator Sackett
Senator Stimson

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

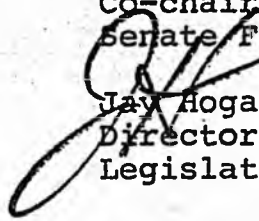
AUDIT DIVISION
POUCH W — ALASKA OFFICE BUILDING

FINANCE DIVISION
POUCH WF — STATE CAPITOL

JUNEAU 99801

MEMORANDUM

TO: Senator Don Bennett
Co-chairman
Senate Finance Committee

FROM:  Jay Hogan
Director
Legislative Finance

DATE: February 5, 1982

SUBJECT: Senate Bill 64

Senate Bill 64, an act relating to labor relations between school boards and other public employers and their employees, is one of those unusual bills that cross agency lines. The bill deals with certain school boards, but the operating impact on the concerned state agency falls on the state Department of Labor.

My suggestion on this bill is for the committee to take whatever action it sees fit on the bill itself, report the bill out with a zero fiscal note, but turn the question of budget impact on the Department of Labor over to the Senate Finance Subcommittee on the Department of Labor's budget. If this were done, the subcommittee, if so persuaded, could recommend a different figure after it has the opportunity to review the full Department of Labor budget, the impact of anticipated changes in federal funding for the department, and related matters.

cc: Senator Sackett
Senator Stimson

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS for Senate Bill No. 64 (Finance)
 Title Act relating to labor relations between school boards and employees
 Requested by Senate Finance Committee Date 2/11/82

II. FISCAL DETAIL
 Agency Affected Labor
 Program Category Affected Public Protection
 BRU, Program, Or Subprogram(s) Affected Labor Standards & Safety
 (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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	0				
200 TRAVEL	0	0				
300 CONTRACTUAL	0	0				
400 COMMODITIES	0	0				
500 EQUIPMENT	0	0				
600 LAND & STRUCTURES	0	0				
700 GRANTS, CLAIMS, ETC.	0	0				
TOTAL	0	0				


FUNDING (Thousands of Dollars)

GENERAL FUND	0	0				
FEDERAL FUNDS	0	0				
OTHER (Specify Source)	0	0				

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE Feb. 11, 1982 PREPARED BY 
 Original: Legislative Finance AGENCY Don Bennett, Co-chairman
 cc: Budget and Management PHONE Senate Finance Committee
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Senate Bill No. 64 (Finance)
 Title "An Act relating to Labor Relations between school boards and other . . ."
 Requested by Senate Finance Committee Date January 19, 1982

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Labor Standards & Safety

(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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		43.5	47.9	52.6	57.9	63.7
200 TRAVEL		16.5	18.2	20.0	22.0	24.2
300 CONTRACTUAL		33.7	37.1	40.8	44.9	49.3
400 COMMODITIES		2.0	2.2	2.4	2.7	2.9
500 EQUIPMENT		3.3	-	-	-	-
600 LAND & STRUCTURES		-	-	-	-	-
700 GRANTS, CLAIMS, ETC.						
TOTAL		99.0	105.4	115.8	127.5	140.1

FUNDING (Thousands of Dollars)

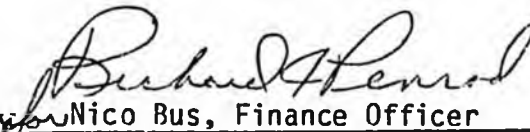
GENERAL FUND		99.0	105.4	115.8	127.5	140.1
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

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

1. Personal Services cost at salary and benefit cost effective 3/16/82.
2. Travel statewide - Wage & Hour Investigator II.
3. Contractual Services - includes legal services for hearing officers, word processing services, rent, and indirect costs.
4. Equipment, desk, chairs, filing cabinet, recorder, and calculator.
5. Inflation factor used - 10% for all items.
6. Assumes effective date of July 1, 1982.
7. Assumes that the 48 potential school districts would enter into collective bargaining elections on a gradual basis - i.e., initial elections would be spread over a two-year period.

IV. DATE January 19, 1982 PREPARED BY  Nico Bus, Finance Officer
 AGENCY Labor
 PHONE 465 2720
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

1	POSITION TITLE Wage & Hour Investigator II			RANGE/STEP 18 A	BARG. UNIT. GGU	LOCATION Juneau	BOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			JUSTIFICATION:					
	1	2	3						
4	PERSONAL SERVICES:			1. Personal Services: Salary Schedule effective 3/16/82.					
	SALARY \$ 2,838		34,056						
5	BENEFITS .1592		5,422	2. Travel: \$16,500.					
6	SBS .0613		2,088						
7	FIXED BENEFITS \$160 P/M		1,920	3. Contractual Services: \$33,730 includes legal services for hearing officers, word processing services, telephone, postage, and office copier services, \$3,200 for rental of space, and \$3,900 for indirect costs.					
8	TOTAL PERSONAL SERVICES		01	43,486					
9	TRAVEL		02	16,500					
10	CONTRACTUAL		03	33,730					
11	COMMODITIES		04	1,970	4. Commodities: \$1,970 for supplies for ballots, letters, printed matter.				
12	EQUIPMENT		05	3,270					
13	OTHER				5. Equipment: \$3,270 for desk, chairs, filing cabinet, recorder, and calculator.				
14	TOTAL COST			98,956					
	RECEIPT CODE	FUNDING SOURCE							
15		FED RCPTS. 1002							
16		GF MATCH. 1003							
17		GEN. FUND 1004		98,956					
18		I-A RCPTS. 1005							
19		PGM RCPTS 1028							
20		OTHER							
21	CONTINUATION								
22	ADDITION		X	FOR B&M USE ONLY					
4A KEY NUMBER				COLUMN NO.					

AGENCY Labor PROGRAM Public Protection

B&M Wage and Hour

COMPONENT Wage & Hour

13 REQUEST FOR NEW POSITION.

Page 1 of 1 REVISED DATE _____

FY 83

CS
SYNOPSIS OF SENATE BILL NO. 64

Section 1

In an initial election for representation held under this section, one of the choices on the ballot will be "no representation," for elections conducted under the Public Employment Relations Act (PERA).

Section 2

This will permit non-certificated employees of school boards to engage in a strike. They will be covered in Class 3.

Section 3

This will take away the exemption for non-certified school board employees.

Section 4

Defines 'school board' for PERA.

Section 6

This will make it mandatory for school boards to permit their non-certified employees to enter into collective bargaining covered by the Public Employment Relations Act.

Section 7

This will not terminate nor modify any collective bargaining agreement already entered into on the effective date of the Act.

Background Material

The classified and non-certified employees of school districts (secretaries, janitors, accounting clerks, etc.) are the only group of public employees that do not have a statutory right to collective bargaining. This bill will place them under the jurisdiction of the Public Employment Relations Act. Currently, APEA represents the Juneau Education Support Staff for collective bargaining. Currently, if APEA or the Juneau School Board should interpose an unfair labor practice, the matter would be settled in court, rather than before the Labor Relations Agency. Court proceedings as opposed to the expeditious Labor Relations proceedings, are costly and lengthy. It seems reasonable and fair that the Juneau Education Support Staff should share the statutory rights and privileges available to all other public employees in the State of Alaska.

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Senate Bill No. 64 (C & R A)

Title "An Act relating to Labor Relations between school boards and other . . ."

Requested by Senate Community & Regional Affairs Committee Date January 19, 1982

II. FISCAL DETAIL

Agency Affected Labor

Program Category Affected Public Protection

BRU, Program, or Subprogram(s) Affected Labor Standards & Safety

(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 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		0	0	0	0	0
PART TIME						
TEMPORARY						

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

IV. DATE January 19, 1982

PREPARED BY Nico Bus, Finance Officer

AGENCY Labor

PHONE 465-2720

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Senate Bill No. 64
 Title "An Act relating to Labor Relations between school boards and other..."
 Requested by Senate Comm. and Regional Affairs Comm. Date April 6, 1981

II. FISCAL DETAIL

Agency Affected Department of Labor
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Wage and Hour Administration
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		40.5	43.7	47.2	51.0	55.1
200 TRAVEL		15.0	16.1	17.2	18.4	19.7
300 CONTRACTUAL		24.4	26.4	28.5	30.8	33.3
400 COMMODITIES		1.8	1.9	2.0	2.2	2.4
500 EQUIPMENT		3.0	Ø	Ø	Ø	Ø
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		84.7	88.1	94.9	102.4	110.5

FUNDING (Thousands of Dollars)

GENERAL FUND		84.7	88.1	94.9	102.4	110.5
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

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

1. Personal Services cost at current salary and benefit cost (1/1/81).
2. Travel Statewide - Wage and Hour Investigator II.
3. Contractual Services, includes Legal Services for Hearing Officers and word processing services.
4. Equipment, Desk, Chairs, Filing Cabinet, Recorder, and Calculator.
5. Inflation factor used - 8% for all items.
6. Assumes effective date of July 1, 1981.
7. Assumes that the 48 potential school districts would enter into collective bargaining elections on a gradual basis - i.e. initial elections would be spread over a two-year period.

IV. DATE April 6, 1981 PREPARED BY *Nico Bus* Nico Bus, Finance Officer
 AGENCY Labor
 Original: Legislative Finance PHONE 465-2720
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

1.	Position Title Wage & Hour Investigator II			Range/Step 18 A	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		3			
4.	Personal Services:								
	Salary	\$2,640	31,680						
5.	Benefits	.1721	5,452						
6.	FICA	.0613	1,808						
7.	Health Ins.	\$ 127 P/M	1,524						
8.	Total Personal Services 01			40,464					
9.	Travel	02	15,000						
10.	Contractual	03	27,131						
11.	Commodities	04	1,800						
12.	Equipment	05	3,000						
13.	Other								
14.	Total Cost			87,395					
	CODE	FUNDING SOURCE							
15.		FED RECPT. 1002							
16.		GF MATCH. 1003							
17.		GEN. FUND 1004		87,395					
18.		I-A RCPTS. 1005							
19.		PGM RCPTS 1028							
20.		OTHER							
21.	CONTINUATION								
22.	ADDITION X								

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4A KEY NUMBER _____ COLUMN NO. _____

JUSTIFICATION:

1. Personal Services: Salary Schedule effective 1/1/81.
2. Travel: \$15,000.
3. Contractual Services: \$27,131 includes Legal Services for Hearing Officers, word processing services, Telephone, Postage, and Office Copier Services, and rental of space.
4. Commodities: \$1,800 Supplies for ballots, letters, printed matter.
5. Equipment: \$3,000 Desk, Chairs, Filing Cabinet, Recorder, and Calculator.

AGENCY Labor

PROGRAM Public Protection

REVISED
DATE _____

BRU Wage and Hour

PAGE 1 OF 1 **FY 82**

COMPONENT Wage and Hour

13 REQUEST FOR NEW
POSITION.



STATE OF ALASKA

DEPARTMENT OF LABOR

JAY S. HAMMOND, GOVERNOR

BOX 1149
JUNEAU, ALASKA 99811
Ph: 465-2700

February 25, 1981

Honorable Don Gilman, Chairman
Community & Regional Affairs Committee
Alaska State Senate
Pouch V
Juneau, Alaska 99811

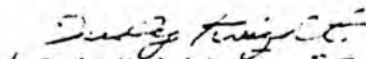
Dear Senator Gilman:

Enclosed is a revised Fiscal Note for Senate Bill 64, which deals with labor relations between school boards and other public employers and their employees.

A memorandum dated February 5, 1981, from the Department of Administration (copy enclosed) requires that all fiscal notes include space costs for new positions. Our January 19, 1981 fiscal note did not include these costs, so we have revised it accordingly.

If you have any questions concerning this, please let me know.

Sincerely,


Judy Knight
Legislative Liaison

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

Revised

I. REQUEST

Bill/Resolution No. Senate Bill 64
 Title "An Act relating to Labor Relations between school boards and other..."
 Requested by Senate Labor and Commerce Committee Date January 19, 1981

II. FISCAL DETAIL

Agency Affected Department of Labor
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Wage and Hour Administration
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		40.5	43.7	47.2	51.0	55.1
200 TRAVEL		15.0	16.1	17.2	18.4	19.7
300 CONTRACTUAL		27.1	29.3	31.6	34.1	36.8
400 COMMODITIES		1.8	1.9	2.0	2.2	2.4
500 EQUIPMENT		3.0	0	0	0	0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		87.4	91.0	98.0	105.7	114.0

FUNDING (Thousands of Dollars)

GENERAL FUND		87.4	91.0	98.0	105.7	114.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

1. Personal Services cost at current salary and benefit cost (1/1/81).
2. Travel Statewide - Wage and Hour Investigator II.
3. Contractual Services, includes Legal Services for Hearing Officers, word processing services, and rental of space.
4. Equipment, Desk, Chairs, Filing Cabinet, Recorder, and Calculator.
5. Inflation factor used - 8% for all items.
6. Assumes effective date of July 1, 1981.
7. Assumes that 48 potential school districts would enter into collective bargaining elections on a gradual basis - i.e. initial elections would be spread over a two-year period.
8. Rental of space based on memo 2/5/81 Dept. of Admin.

IV. DATE February 23, 1981 PREPARED BY Nico Bus, Finance Officer
 AGENCY Labor
 PHONE 465-2720
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

1.	Position Title Wage & Hour Investigator II			Range/Step 18 A	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	3						
4.	Personal Services:								
4.	Salary	\$2,640	31,680						
5.	Benefits	.1721	5,452						
6.	FICA	.0613	1,808						
7.	Health Ins.	\$ 127 P/M	1,524						
8.	Total Personal Services	01	40,464						
9.	Travel	02	15,000						
10.	Contractual	03	27,131						
11.	Commodities	04	1,800						
12.	Equipment	05	3,000						
13.	Other								
14.	Total Cost		87,395						
	CODE	FUNDING SOURCE							
15.		FED RCPT. 1002							
16.		GF MATCH. 1003							
17.		GEN. FUND 1004		87,395					
18.		I-A RCPTS. 1005							
19.		PGM RCPTS 1028							
20.		OTHER							
21.	CONTINUATION								
22.	ADDITION	X							

FOR B&M USE ONLY

4A KEY NUMBER _____ COLUMN NO. _____

JUSTIFICATION:

1. Personal Services: Salary Schedule effective 1/1/81.
2. Travel: \$15,000.
3. Contractual Services: \$27,131 includes Legal Services for Hearing Officers, word processing services, Telephone, Postage, and Office Copier Services, and rental of space.
4. Commodities: \$1,800 Supplies for ballots, letters, printed matter.
5. Equipment: \$3,000 Desk, Chairs, Filing Cabinet, Recorder, and Calculator.

AGENCY Labor

PROGRAM Public Protection

REVISED DATE _____

BRU Wage and Hour

PAGE 1 OF 1 **FY 82**

COMPONENT Wage and Hour

13 REQUEST FOR NEW POSITION.



MEMORANDUM

State of Alaska

TO: ALL ADMINISTRATIVE OFFICERS
ALL LEGISLATIVE LIAISONS

RECEIVED

DATE: February 5, 1981

FEB 09 1981 FILE NO:

11c
2277

OFFICE OF THE COMMISSIONER

FROM: *JC* Judy Crondahl
Director
Division of Administrative Services
Department of Administration

SUBJECT: Fiscal Notes

With the transfer to the Department of Administration of the responsibility for ASHA and leased space costs in the FY 82 budget, we would like to address the continuing problem of creating new positions without budgeting for additional space. Too often in the past the assumption has been that new positions can be "squeezed in" here and there. This practice has developed to the point that in many places there is no extra space left. With the consolidation of leased space costs, we believe this problem can now be addressed in a more logical manner. Obviously, if one new position is created and it can be squeezed into existing space, then there is no additional space cost. However, if that position cannot be absorbed, then there may be great costs if a whole program must be moved. To truly identify the costs of creating new programs and adding new positions, we are asking you to budget a standard amount for space for each new position created by fiscal note. This money will be RSA'ed to the Department of Administration and will be used for obtaining new space when program expansion requires it. For Anchorage or Juneau, this amount is \$2,700 which is the cost for 150 square feet at a projected new lease space cost of \$1.50/square foot per month. Amounts for other locations throughout the State are to be multiplied by the same factor used in the General Government Salary Schedule for that location. This applies to any position created by fiscal note in the 1981 session.

This plan has been approved by Ron Lehr and Keith Specking. By copy of this memorandum we are asking them and the Division of Legislative Finance to monitor fiscal notes.

If you have any questions, please call me at 465-2277.

JC/ber
cc: Keith Specking
Ron Lehr
Jay Hogan

C10/F

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill 64

Title "An Act relating to Labor Relations between school boards and other..."

Requested by Senate Labor and Commerce Committee Date January 19, 1981

II. FISCAL DETAIL

Agency Affected Department of Labor

Program Category Affected Public Protection

BRU, Program, or Subprogram(s) Affected Wage and Hour Administration

(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		40.5	43.7	47.2	51.0	55.1
200 TRAVEL		15.0	16.1	17.2	18.4	19.7
300 CONTRACTUAL		24.4	26.4	28.5	30.8	33.3
400 COMMODITIES		1.8	1.9	2.0	2.2	2.4
500 EQUIPMENT		3.0	Ø	Ø	Ø	Ø
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		84.7	88.1	94.9	102.4	110.5

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		84.7	88.1	94.9	102.4	110.5
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

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

1. Personal Services cost at current salary and benefit cost (1/1/81).
2. Travel Statewide - Wage and Hour Investigator II.
3. Contractual Services, includes Legal Services for Hearing Officers and word processing services.
4. Equipment, Desk, Chairs, Filing Cabinet, Recorder, and Calculator.
5. Inflation factor used - 8% for all items.
6. Assumes effective date of July 1, 1981.
7. Assumes that the 48 potential school districts would enter into collective bargaining elections on a gradual basis - i.e. initial elections would be spread over a two-year period.

IV. DATE January 19, 1981 PREPARED BY Nico Bus, Finance Officer

AGENCY Labor

Original: Legislative Finance

PHONE 465-2720

cc: Budget and Management

Prime Sponsor (First Legislator Named)

1	POSITION TITLE W/H Investigator II				RANGE/STEP 18 A	BARG. UNIT. GGU	LOCATION Juneau	GOV	APPROV.	DIRAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY		FORM 12 PAGE/LINE	LEG		
3	TYPE OF EXPENDITURE				JUSTIFICATION:					
	1	2	3							
4	PERSONAL SERVICES:									
	SALARY	\$2,640	31,680		1. Personal Services: Salary Schedule effective 1/1/81.					
5	BENEFITS	.1721	5,452		2. Travel: \$15,000.					
6	FICA	.0613	1,808		3. Contractual Services: \$24,431 includes Legal Services for Hearing Officers, word processing services, Telephone, Postage, and Office Copier Services.					
7	HEALTH INS.	\$ 127 P/M	1,524		4. Commodities: \$1,300 Supplies for ballots, letters, printed matter.					
8	TOTAL PERSONAL SERVICES		01	40,464	5. Equipment: \$3,000 Desk, Chairs, Filing Cabinet, Recorder, and Calculator.					
9	TRAVEL		02	15,000						
10	CONTRACTUAL		03	24,431						
11	COMMODITIES		04	1,800						
12	EQUIPMENT		05	3,000						
13	OTHER									
14	TOTAL COST			84,695						
	CODE	FUNDING SOURCE								
15		FED RCPTS. 1002								
16		GF MATCH. 1003								
17		GEN. FUND 1004		84,695						
18		I-A RCPTS. 1005								
19		PGM RCPTS 1028								
20		OTHER								
21	CONTINUATION									
22	ADDITION	X			FOR B&M USE ONLY					
4A	KEY NUMBER		COLUMN NO.							

AGENCY Labor PROGRAM Public Protection

BRU Wage and Hour

COMPONENT Wage and Hour

Page 1 of 1

REVISED DATE _____

13 REQUEST FOR NEW
POSITION.

FY 82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SB - 64
 Title Relating to Labor Relations between school boards and other public employers
 Requested by Senate HESS Date 1/13/81

II. FISCAL DETAIL
 Agency Affected Education
 Program Category Affected N/A
 BRU, Program, or Subprogram(s) Affected N/A
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
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)

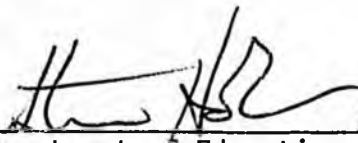
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	N/A					
PART TIME						
TEMPORARY						

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

This bill has no fiscal impact.

IV. DATE 1/16/81 PREPARED BY  Steve Hole
 AGENCY Department of Education
 PHONE 465-2800
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF LABOR

OFFICE OF THE COMMISSIONER

BOX 1149 - JUNEAU 99811

Phone (907) 465-2700

January 30, 1981

The Honorable Charles H. Parr
Alaska Senate
Chairman, Health, Education and
Social Services Committee
Pouch V
Juneau, Alaska 99811

Dear Senator Parr:

On January 27, 1981 the Senate Health, Education and Social Services Committee reported out Senate Bill 64, "An Act relating to labor relations between school boards and other public employers and their employees", with a zero fiscal note. The Department had submitted a fiscal note at a previous hearing requesting funding for one position. This legislation will make it mandatory for all school boards to permit their noncertificated employees to enter into collective bargaining and those employees would be covered by the Public Employees Relation Act (PERA). Senate Bill 64 will require the Department of Labor, Wage and Hour Division to assume additional responsibilities without any attendant funding.

Collective bargaining in the public sector is a complicated and unique field of labor law. Our experiences as the labor relations agency for all public employees, except State of Alaska employees, over the past fiscal year shows that the Wage and Hour Division devoted one half of a position to that function. This involved nine separate community of interest groups in the City of Fairbanks, the North Star Borough, and the City of Kodiak for a total of approximately 400 employees.

There are 52 school districts within the State of Alaska (including REAA's). We are able to identify only four of those districts who are presently organized or who have a collective bargaining agreement with a union or an association. Those are Fairbanks, Kenai, Juneau, and Anchorage with a total of approximately 1,100 noncertificated employees. In disputed matters it is necessary that a hearing officer be appointed to hear the matter under the Administrative Procedures Act. It has been our experience in the past that an average of \$6,000 in hearing officer legal fees are expended for each of the contested matters.

Therefore the Department of Labor can expect to be acting as the labor relations agency for 48 separate school districts involving 2,400 employees. In the upcoming fiscal year, the Wage and Hour Division could be monitoring elections in many of those school districts, or holding hearings to settle grievances on unfair labor practice charges throughout the State.

Identical bills were introduced in the Eleventh Legislature (Senate Bill 213 and House Bill 453). Eleven representatives of units who would be covered by PERA, if those bills became law, testified before a House Committee. The Director of the Wage and Hour Division talked to each of the employee representatives after the hearing and was advised that if a bill passed into law, all of them intended to file a petition to be recognized as a collective bargaining unit. That information, coupled with other knowledge that we have received, makes it almost a certainty that the Department will be faced with resolving organizational labor disputes for many of these employees in school districts in the ensuing fiscal years.

The Wage and Hour Division of the Department of Labor has the responsibility for the enforcement of AS 23.40. The Division conducts elections, investigations of unfair labor practice charges, holds preliminary hearings, and presents testimony before formal hearings on matters concerning public employees (except State employees) covered by PERA. The Division consists of 19 employees located in three offices at Juneau, Anchorage, and Fairbanks.

In addition to the PERA function, this Division is also charged with enforcement responsibilities in the following areas:

- Wage Claims
- Minimum Wage and Overtime
- Establishment and Enforcement of Prevailing Wage Rates on Public Contracts
- Child Labor Laws
- Private Employment Agencies
- Bonding Requirements for Fish Buyers and Processors
- Return Transportation of Employees
- Enforcement of Contractor Licensing

<u>WAGE CLAIMS</u>	<u>FY 1979</u>	<u>FY 1980</u>
Number of Claimants	817	1,317
Amount Collected	\$44,404	\$568,595
<u>PUBLIC CONTRACTS</u>	<u>FY 1979</u>	<u>FY 1980</u>
Number Public Contracts	428	645
Number Payrolls Audited	5,292	9,062
Number Employees Involved	30,081	51,180
Amount Collected for Workers	\$132,581	\$684,010

<u>FISH BUYERS/PROCESSORS BONDED</u>	<u>FY 1979</u>	<u>FY 1980</u>
	251	460
<u>ENFORCEMENT-CONTRACTOR LICENSING</u>	<u>FY 1979</u>	<u>FY 1980</u>
Number of Investigations	106	158

In the rapidly expanding seafood processing industry, the Wage and Hour Division is dealing with labor law problems involving many more employees each year.

<u>SEAFOOD PROCESSING EMPLOYEES</u>	<u>FY 1979</u>	<u>FY 1980</u>
	5,150	7,511

A large percentage of the increase in activity of this industry has occurred in those plants and vessels located westward of Kodiak. While the Wage and Hour Division did not separate wage, return transportation, minimum wage and overtime, etc., matters for the seafood processing industry prior to FY 1981, the investigators enforcing the Wage and Hour Act in that region report that their activity has increased 28% each quarter since statistics were recorded. The increase in activity in the seafood processing industry for the last three years has made it necessary that the Department hold an increased number of training sessions for employees and informational meetings with representatives of the industry. Prior to FY 1979 no such meetings were held on a regular basis; however, since the fall of 1978 the Department has met with industry representatives eight times in Seattle and has held 18 informational sessions with employees in various locations throughout the State.

The responsibility for enforcing the bonding requirements of AS 16.10.290, fish buyers and processors, was enacted into law in 1977. In FY 1980, 465 requests for certification were processed which involved several hundred pieces of correspondence, many interviews and investigations, as well as handling the claims against those bonds.

In 1980, a flextime overtime amendment to AS 23.10.060 was passed, (Chapter 0031 SLA 80). In the four months since that law became effective the Wage and Hour Division has approved and certified 31 agreements between the employees and employers who choose to take advantage of such a work plan.

In FCCS for House Bill 60 (1980) over 400 new public contracts were identified that the Wage and Hour Division must monitor in the upcoming building season, in addition to ongoing projects.

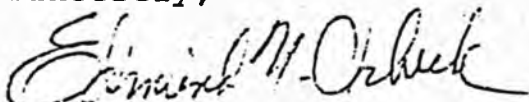
Senator Parr

-4-

January 30, 1981

These additional duties and responsibilities were placed on the Wage and Hour Division without any additional funding. The Department cannot assume the workload inherent in Senate Bill 64 without the funding requested in our fiscal note.

Sincerely,



Edmund N. Orbeck
Commissioner

cc: Health, Education and Social Services Committee
The Honorable Bill Ray

Bill No. Senate Bill 64

Date January 19, 1981

Title "An Act relating to labor relations between school boards and other public employers and their employees."

Contact: Judy Knight
465-2700
Dale W. Cheek
465-4870

This legislation would make it mandatory for all school boards to permit their non-certificated employees to enter into collective bargaining and they would be covered by the Public Employment Relations Act (PERA). This bill would cover persons that have been barred from entering into collective bargaining under present law. The Department of Labor acts as the Labor Relations Agency for all public employees except State employees and would have to take on the added duties for these employees to conduct elections, hold hearings and settle grievances throughout the state.

- Section 1. AS 23.40.100(b) makes it mandatory that "no representation" be placed on the initial election ballots, for election ballots, for elections conducted under the Public Employment Relation Act.
- Section 2. AS 23.40.200(c) permits non-certificated employees of school boards to engage in a strike. They will be covered in Class 3.
- Section 3. AS 23.40.250(5) takes away the exemption for non-certificated school board employees.
- AS 23.40.250(6) a school board becomes a public employer under PERA.
- Section 5. AS 23.40.250 defines school board for PERA.
- Section 6. Makes it mandatory for school board to permit their non-certificated employees to enter into collective bargaining covered by the Public Employment Relations Act.
- Section 7. Any collective bargaining agreement already entered into are not covered by these laws.

Collective bargaining in the public sector is a complicated and unique field of labor law. Our experience as the Labor Relations Agency for all public employees, except State of Alaska employees, over the past fiscal year shows that the Wage and Hour Division devoted one half of a position to that function. This involved nine separate community of interests groups in the City of Fairbanks, the North Star Borough, and the City of Kodiak for a total of approximately 400 employees.

We have ascertained that there are 52 school districts within the State of Alaska (including REAA's). We are only able to identify four of those districts who are presently organized or who have a collective bargaining agreement with a union or an association. Those are Fairbanks, Kenai, Juneau, and Anchorage with a total of approximately 1,100 non-certificated employees.

POSITION PAPER CONTINUED:

So the Department of Labor can expect to be acting as the Labor Relations Agency for 48 separate school districts involving 2,400 employees. In the upcoming fiscal year the Wage and Hour Division could be monitoring elections in 48 separate school districts, or holding hearings to settle grievances on unfair labor practice charges throughout the State.

A Fiscal Note has been submitted.

Introduced: 1/13/81
Referred: Health, Education &
Social Services and
Community & Regional
Affairs

1 IN THE SENATE

BY RAY

2 SENATE BILL NO. 64

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to labor relations between school
7 boards and other public employers and their employees."

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

9 * Section 1. AS 23.40.100(b) is amended to read:

10 (b) If the labor relations agency has reasonable cause to believe
11 that a question of representation exists, it shall provide for an
12 appropriate hearing upon due notice. If the labor relations agency
13 finds that there is a question of representation, it shall direct an
14 election by secret ballot to determine whether or by which organization
15 the employees desire to be represented and shall certify the results of
16 the election. Nothing in this section prohibits the waiving of hearings
17 by stipulation for the purpose of a consent election in conformity with
18 the regulations of the labor relations agency or an election in a
19 bargaining unit agreed upon by the parties. The labor relations agency
20 shall determine who is eligible to vote in an election and shall estab-
21 lish rules governing the election. In an initial election for repre-
22 sentation held under this section, one of the choices on the ballot
23 shall be "no representation". In an election in which none of the
24 choices on the ballot receives a majority of the votes cast, a runoff
25 election shall be conducted, the ballot providing for selection between
26 the two choices receiving the largest and the second largest number of
27 valid votes cast in the election. If an organization receives the
28 majority of the votes cast in the election it shall be certified by the
29 labor relations agency as exclusive representative of all the employees

1 in the bargaining unit.

2 * Sec. 2. AS 23.40.200(c) is amended to read:

3 (c) The class in (a)(2) of this section is composed of public
4 utility, snow removal, sanitation and [PUBLIC SCHOOL AND OTHER] edu-
5 cational institution employees, except noncertificated employees of
6 school boards. Employees in this class may engage in a strike after
7 mediation, subject to the voting requirement of (d) of this section,
8 for a limited time. The limit is determined by the interests of the
9 health, safety or welfare of the public. The public employer or the
10 labor relations agency may apply to the superior court in the judicial
11 district in which the strike is occurring for an order enjoining the
12 strike. A strike may not be enjoined unless it can be shown that it
13 has begun to threaten the health, safety or welfare of the public. A
14 court, in deciding whether or not to enjoin the strike, shall consider
15 the total equities in the particular class. "Total equities" includes
16 not only the impact of a strike on the public but also the extent to
17 which employee organizations and public employers have met their sta-
18 tutory obligations. If an impasse or deadlock still exists after the
19 issuance of an injunction, the parties shall submit to arbitration to
20 be carried out under AS 09.43.030.

21 * Sec. 3. AS 23.40.250(5) is amended to read:

22 (5) "public employee" means any employee of a public em-
23 ployer, whether or not in the classified service of the public
24 employer, except elected or appointed officials or certificated [TEA-
25 CHERS OR NONCERTIFICATED] employees of school boards [DISTRICTS];

26 (6) "public employer" means the state or a political subdi-
27 vision of the state, including without limitation, a [TOWN,] city,
28 borough, school board [DISTRICT], board of regents, public and quasi-
29 public corporation, housing authority or other authority established by

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law, and a person designated by the public employer to act in its interest in dealing with public employes;

* Sec. 5. AS 23.40.250 is amended by adding a new paragraph to read:

(8) "school board" includes a regional educational attendance area school board.

* Sec. 6. Notwithstanding sec. 4, ch. 113, SLA 1972, a school board, including a regional educational attendance area school board, may not reject having the provisions of the Public Employment Relations Act apply to its relations with its noncertificated employees.

* Sec. 7. Nothing in this Act terminates or modifies a collective bargaining unit, recognition of exclusive bargaining representative, or collective bargaining agreement if the unit, recognition, or agreement is in effect on the effective date of this Act.

Original sponsor: Ray

Offered: 4/6/81
Referred: Rules

1 IN THE SENATE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2

CS FOR SENATE BILL NO. 64 (C&RA)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

6

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