

Leg. Finance-House & Senate Finance Comte Files (1991-1992) 734

SENATE CS FOR CS FOR HOUSE BILL NO. 96 (HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 5/14/91
Referred: Finance

Sponsor(s): REPRESENTATIVES HUDSON, Ivan, Gruenberg, Barnes, Larson, M.A. Miller, B. Davis, Zawacki, Navarre, MacLean, Ulmer, Grussendorf

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to free tuition and fees for a spouse or dependent of certain state
2 residents who died while serving in the United States armed services or who were listed
3 as prisoners of war or missing in action."

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

5 * Section 1. AS 14.43.085 is amended to read:

6 Sec. 14.43.085. FREE TUITION AND FEES FOR A SPOUSE OR DEPENDENT OF
7 MEMBERS OF THE ARMED SERVICES [ALASKA MILITIA MEMBERS]. A person
8 enrolled as a student in good standing in a [THE] state supported educational institution in this
9 state [UNIVERSITY SYSTEM,] is entitled to a waiver of tuition and fees [,] if the person was
10 the spouse or dependent child of a bona fide resident of the state who was a member of the
11 armed services [ALASKA NATIONAL GUARD OR ALASKA NAVAL MILITIA] and who
12 died in the line of duty or who died as a result of injuries sustained while in the line of duty
13 for the state or federal government or was listed by the United States Department of Defense
14 as a prisoner of war or as missing in action. In this section

1 (1) "armed services" means the Alaska National Guard, Alaska Naval Militia,
2 and the armed services of the United States;

3 (2) "dependent child" means a person who [IS LESS THAN 23 YEARS OF AGE,
4 WHO] was a dependent of a member of the armed services [ALASKA NATIONAL GUARD
5 OR ALASKA NAVAL MILITIA] at the time of the member's death, and who is

6 (A) the member's natural or adopted child;

7 (B) a child in relation to whom the deceased armed services [ALASKA
8 NATIONAL GUARD OR ALASKA NAVAL MILITIA] member stood in loco parentis
9 for at least three years before the member's death;

10 (C) the member's stepchild; or

11 (D) the member's acknowledged illegitimate child;

12 (3) [(2)] "line of duty" has the meaning given under federal law;

13 (4) "resident" means a person who resided in the state for at least one year
14 before serving in the armed services and who lists Alaska as the home state for purposes
15 of military records.

16 * Sec. 2. AS 14.43.080 is repealed.

Alaska State Legislature

REPRESENTATIVE BILL HUDSON

P.O. Box V
Juneau, Alaska
99811
(907)465-3744 or 4991

May 9, 1991

Senator Pat Pourchot,
Co-Chair - Senate Finance Committee
Alaska State Senate
Juneau, Alaska

Dear Senator Pourchot:

CSHB 96(HES)am passed the House unanimously on May 7, and has been referred to the Senate Health Education and Social Services Committee, and will be heard in that committee on May 14.

This legislation grants tuition and fee waivers to a spouse or dependent children of members of the armed forces who are Alaska residents killed in the line of duty or who die as a result of injuries sustained while in the line of duty.

Zero fiscal notes have been prepared by the Alaska Department of Military and Veterans Affairs as well as by the University of Alaska. The Alaska Commission on Postsecondary Education has indicated there will not be a fiscal impact to their agency. Additionally, a zero fiscal note has been prepared by the Department of Education in relation to the Seward Skill Center.

In light of these zero fiscal impacts, I respectfully request that HB 96 be waived from the Senate Finance Committee.

Section 1 amends AS 14.43.085 to include all members of the armed forces. Current statute pertains to Alaska militia members. Additionally, this section amends statute so that a spouse or dependent child can attend an instate supported educational institution.

Line 12 on page 1 adds language addressing Alaska resident members of the armed forces who died in the line of duty or who died as a result of injuries sustained while in the line of duty . . . Military members are on active duty 24 hours per day, and I believe if they are killed while on active duty but not necessarily on combat duty, we should also make their dependents eligible for the tuition and fee waiver. Further, if an Alaskan is injured while on active duty, and later dies of those injuries but who is no longer on active duty at the time of death, that person's dependent spouse or child should be also be eligible.

COMMITTEES

CHAIR
House Special Committee
on Oil & Gas
MEMBER
Resources
Transportation
International Trade & Tourism

FINANCE SUBCOMMITTEE:
Department of Transportation
and Public Facilities



HB 96 originally sought to amend AS 14.43.080. A copy of that statute is attached for your convenient reference. The existing language pertains only to tuition and fee waivers for members of the armed forces who are listed by the United States Department of Defense as a prisoner of war or as missing in action in Southeast Asia. The earlier version of HB 96 would have added language to include those Alaskans killed, listed as missing in action or as prisoner of war in the Viet Nam conflict and the Persian Gulf crisis.

CSHB 96(HES)am now repeals 14.43.080 and includes all Alaskan members of the armed forces who are killed on active duty, die of injuries sustained while on active duty, or listed by the United States Department of Defense as a POW or MIA in any war or conflict.

Definitions are contained for armed forces, dependent child and resident.

Also enclosed for convenient reference is a copy of each version of the bill, a current BASIS printout, a copy of 1990 SLA Chapter 13, a discussion of "line of duty," and a discussion of a "student in good standing."

This legislation is supported by the Alaska Department of Military and Veterans Affairs, and a copy of a letter authored by Mr. Jeff Morrison, Director of Administrative & Support Services Division dated May 6, 1991 is attached, as are Position Papers dated February 12, 1991 and May 7, 1991.

The Disabled Veterans of Alaska also support this bill, and a copy of their letter is enclosed. Additionally, the resolution in support of HB 96 prepared and adopted by the Southeast District of the American Legion is enclosed.

No one has contacted me or my staff to voice opposition to this legislation.

Your favorable consideration to waive the Senate Finance Committee referral for CSHB 96(HES)am will be very much appreciated. If you have questions or if you need further information, please call me or Landa Holtan at 3744.

Respectfully,


Bill Hudson

BH:lh

Enclosures

Explanation of "Line of Duty" determination in proposed amendment to HB96:

Each of the armed services (Army, Air Force, Navy, etc.) has its own regulations concerning "line of duty," but they all are essentially the same. Whenever a member of the service dies or suffers an injury or disease that significantly affects his or her military duties, a determination of whether or not the injury or disease was in the line of duty is required.

For members of the active military, an injury or death is presumed to be in the line of duty unless a preponderance of evidence supports the finding that the disease, injury, or death was incurred while the member was absent without authority, or was caused by the member's own misconduct. Any intentional conduct that is wrongful, improper, illegal, or willfully neglectful is considered misconduct. This includes injuries or diseases caused by alcohol and drug abuse.

Members of the reserve components of the active military are also subject to line of duty determinations if their disease, injury, or death occurred while participating in, or traveling to or from, authorized training or duty.

A STUDENT IN GOOD STANDING MUST BE ABLE TO SHOW GRADUATION FROM A HIGH SCHOOL OR EQUIVALENT (GED), BE ADMITTED TO A DEGREE PROGRAM, AND HAVE A GRADE POINT AVERAGE OF 2.0 (C) OR BETTER FOR THE PAST SEMESTER. THE STUDENT DOES NOT HAVE TO BE FULL TIME.

DAV



Motto: "If I cannot speak good of my comrade, I will not speak ill of him."

DISABLED AMERICAN VETERANS

Anchorage Chapter 1

HEADQUARTERS
4040 Mt. View Dr.
Anchorage, Alaska 99508
(907) 276-2844 or 276-2846

VETERANS CRISIS CENTER
(907) 276-2848
1-800-478-2848

February 11, 1991

Representative Bill Hudson
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Dear Rep. Hudson

Thank you for giving the Disabled American Veterans an opportunity to address your bill on free tuition and fees for dependents of certain state residents involved in the Persian Gulf crisis.

It is the position of the DAV that an Alaskan family who loses a loved one or one that becomes a POW is entitled to all the benefits we as Alaskans can give, and that includes most of all education for their children. The price we as Alaskans have to pay is small compared to the sacrifice men and women of our armed forces make to preserve peace.

HB 96 provides for taking care of these needs and we of the DAV go on record as supporting this legislation. We stand ready to assist you in any way necessary to pass the bill.

We the veterans of Alaska commend you for putting forth this type of legislation that is needed in the situation of the present conflict in the Persian Gulf.

If you have any questions or need further assistance regarding this issue, please do not hesitate to contact me.

Respectfully,

A handwritten signature in cursive script that reads "Joseph Murdy".

Joseph Murdy
Legislative Affairs Chairman

Resolution No. 91-05

Resolution of Support of H.B. No. 88 and No. 96

WHEREAS, the House of Representatives has introduced HB-88 and 96 forgiveness of scholarship loans; and,

WHEREAS, many students are/were actively attending courses of study; and,

WHEREAS, any student who is unable to complete a course of studies because of condition beyond their control; and,

WHEREAS, any dependent of State residents involved in the S.E. Asia, Grenada, Panama or Persian Gulf crisis is either a P.O.W./M.I.A. may attend any State supported educational institution without payment of tuition and fees; and,

THEFORE BE IT RESOLVED, by the American Legion, Southeast District, that Alaska Legislature adopt bills, H.B. 88 and H.B. 96, and that language include the above concerns.

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

POSITION PAPER
HB96

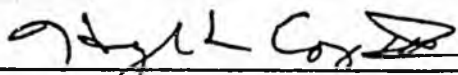
Summary of Bill: This bill provides free tuition and fees at state-supported educational institutions for dependents of Alaskan residents who participate in the ongoing Persian Gulf Conflict and who are listed as prisoners of war, missing in action, or lost in action.

Background: The bill amends an existing statute which provided the same benefits to dependents of Alaskan residents who were POWs or missing in the Vietnam war.

Impact of Resolution of Department of Military and Veterans Affairs: None

Departmental Position: The department supports the bill.

Approved: _____



MG Hugh L. Cox

Date: _____

Feb 12, 1991

STATE OF ALASKA

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

WALTER J. HICKEL, GOVERNOR

P.O. BOX L
JUNEAU, ALASKA 99811-0900

Administrative & Support
Services Division
P.O. Box L
Juneau, AK 99811

May 6, 1991

Representative Bill Hudson
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representative Hudson,

This letter is in response to your inquiry about the number of Alaskans who were killed during the Vietnam War, in reference to House Bill 96.

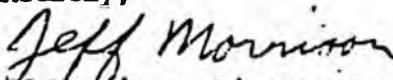
According to the Friends of the Vietnam Veterans Memorial in Washington, D.C. (phone 202-628-0726), there are 56 Alaskans listed as killed in action and one Alaskan listed as missing in action on the Vietnam Veterans Memorial. For your further information, the Vietnam Veterans Memorial includes the names of 58,175 Americans killed or missing in action.

We have no way to determine how many of these Alaskans left dependents who might be eligible to receive the benefits accorded by HB96. However, because of the large numbers of draftees who entered the military at a young age during the Vietnam War, and based on personal knowledge of individuals in DMVA, we estimate that no more than fifty percent of the Alaskans killed in action would have left any dependents.

The Vietnam War ended in 1975, which means that any children born to Alaskans killed in the Vietnam War would be at least 16 years old. The median age of children born to Alaskans killed in Vietnam is probably more like 20 or more years old. It is also likely that at least some of the families would have moved out of the state in the last 15-20 years.

The conclusion I would like to offer is that there would a very minimal impact on the university system by extending the benefits of free tuition and fees to dependents of Alaskans killed in the Vietnam War. Please contact me if you would like any additional information.

Sincerely,


Jeff Morrison, Director

cc: Maj Gen Hugh L. Cox III, The Adjutant General
Larry Landry, Director of Veterans Affairs
Capt. Michael Haller, Public Affairs Officer, DMVA
[File: JM/vietvet]

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

POSITION PAPER
CSHB 96 (HES) am H [Proposed]

Summary of Bill: The HESS Committee Substitute of this bill provides free tuition and fees at state-supported educational institutions for dependents of Alaskan residents who participated in the Persian Gulf Conflict and were listed as prisoners of war, missing in action, or killed in action. The bill also extends the benefit to dependents of Alaskan residents who died during the Vietnam War (dependents of POW/MIAs of Vietnam War already have the benefit).

The proposed amendment being considered for adoption on the House floor would expand the benefit to include the dependents of any Alaskan resident who died in the line of duty while serving as a member of the U.S. military.

Background: The bill amends an existing statute which provided the same benefits to dependents of Alaskan residents who were POWs or missing in the Vietnam war. In 1990, the benefit of free tuition and fees was extended to include dependents of members of the Alaska National Guard who died while in the line of duty (SIA 1990, Ch 13). The best information we have available indicates that there was one Alaskan resident killed during the Persian Gulf Conflict, and 56 Alaskan residents killed during the Vietnam War.

The total number of Alaskan residents currently serving in the active military forces of the United States in 1989 was 14,471, according to information on file in the Alaska Permanent Fund Dividend Division. The current number of Alaskan residents in the active military service is estimated at about 15,000. The total number of dependents of these residents, based on ratios of PFD applications in 1989, is estimated at about 25,000.

Departmental Position: It is a fitting tribute to those who serve in the military to provide this benefit to their dependents. The University of Alaska will feel the fiscal effects of this bill, if any, and we will rely on their judgement to provide the best estimate of the bill's fiscal impact. If the fiscal impact of the amended version of the bill is significant, the department supports the HESS committee substitute of the bill. However, the latest estimate from the University of Alaska is that the fiscal note is zero or negligible. Therefore, the department is pleased to support the proposed amended version of the bill.

Approved: _____



Maj Gen Hugh L. Cox III.

Date: _____

7/13/91

HB 99

File

(11)

HOUSE COMMITTEE REPORT

Date Referred: May 14, 1991

FURTHER REFERRALS:

Date of Committee Action: 3/24/92

The FINANCE Committee considered:

HB 99

HOUSE BILL NO. 99

EQUAL PAY FOR WORK OF COMPARABLE WORTH

"An Act requiring equal pay for work of comparable worth."

RECOMMENDATIONS:

be replaced with _____

CS HB 99 (FIN)

the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

4 fiscal impact UNIVERSITY Admin, AK COURT Sys

fiscal note(s) _____

1 zero fiscal note leg Aff. Agency

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<u>Mark Boyer</u> Boyer	X	<u>E.P. Maclean</u> Maclean		✓	
<u>Jan Brown</u> BROWN	-	<u>Mike Navarre</u> NAVARRE		✓	
<u>John Koppen</u> Koppen	✓	<u>George Janko</u> JANKO		X	
<u>John Wince</u> Wince	X	<u>Thomas Barnes</u> Barnes		X	
		<u>Bob Sharp</u> Sharp		X	
		<u>Phillips</u> Phillips		✓	
		<u>Ronald J. Larsen</u> Larsen		X	

Mike Navarre NAVARRE
E.P. Maclean MACLEAN
CHAIRMAN'S SIGNATURE

CS FOR HOUSE BILL NO. 99 (FINANCE)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES DONLEY, Koponen, Gruenberg, Ellis, Boyer, Brown, Ulmer, Ivan, Carney, Bruckman, B.Davis, Moyer, MacLean

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring pay equity for certain public employees and requiring the compensation
2 of certain public employees to be based on the value of the work performed."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * Section 1. AS 23.40.070 is amended to read:

5 Sec. 23.40.070. **DECLARATION OF POLICY.** The legislature finds that joint
6 decision-making is the modern way of administering government. If public employees have been
7 granted the right to share in the decision-making process affecting wages and working conditions,
8 they have become more responsive and better able to exchange ideas and information on
9 operations with their administrators. Accordingly, government is made more effective. The
10 legislature further finds that the enactment of positive legislation establishing guidelines for
11 public employment relations is the best way to harness and direct the energies of public
12 employees eager to have a voice in determining their conditions of work, to provide a rational
13 method for dealing with disputes and work stoppages, to strengthen the merit principle where
14 civil service is in effect, and to maintain a favorable political and social environment. The

1 legislature declares that it is the public policy of the state to promote harmonious and cooperative
2 relations between government and its employees and to protect the public by assuring effective
3 and orderly operations of government. These policies are to be effectuated by

4 (1) recognizing the right of public employees to organize for the purpose of
5 collective bargaining;

6 (2) requiring public employers to negotiate with and enter into written agreements
7 with employee organizations on matters of wages, hours, and other terms and conditions of
8 employment;

9 (3) maintaining merit-system principles among public employees and eliminating
10 sex-based wage disparities in public employment.

11 * Sec. 2. AS 39.90 is amended by adding new sections to read:

12 ARTICLE 3. PAY EQUITY.

13 Sec. 39.90.200. COMPENSATION POLICY. It is the policy of this state to establish
14 pay equity between female-dominated, male-dominated, and balanced classes of employees in
15 order to eliminate sex-based wage disparities in public employment.

16 Sec. 39.90.210. JOB EVALUATION SYSTEM. (a) Each public employer shall use a
17 job evaluation system to determine the comparable work value of the work performed by each
18 class of employees. The system shall be maintained and upgraded to account for new employee
19 classes and changes in factors affecting the comparable work value of existing classes. Public
20 employers shall meet and confer with the bargaining organizations representing public employees
21 on the development or selection of a job evaluation system under this section.

22 (b) At a minimum, the job evaluation system shall be based on the following factors,
23 measured objectively:

24 (1) the knowledge and skills needed for acceptable job performance, including
25 substantive knowledge and managerial skills;

26 (2) the intellectual effort required including the creativity and analytical skills
27 needed for acceptable job performance, the degree to which the employee works independently,
28 and the complexity of the problems assigned to the employee;

29 (3) the employee's accountability for the employee's actions and the consequences
30 of the employee's job performance, including the employee's level of discretion and the potential
31 for benefit or harm to the employer or the public from the employee's job performance; and

1 (4) working conditions, including the physical effort and skills required, whether
2 the job environment is disagreeable or physically demanding, and the hazards presented by the
3 job.

4 (c) Each public employer shall submit a report containing the results of the job evaluation
5 system to the bargaining organizations representing public employees. The report shall be used
6 by the parties in collective bargaining negotiations. The report must identify, at a minimum, the
7 female-dominated classes and male-dominated classes for which pay inequity exists, based on
8 the comparable work value, and the data, other than data that reveals information about individual
9 employees or former employees, used to support these findings.

10 (d) After considering the list of classes in which pay inequity exists, each public
11 employer shall prepare a plan to create pay equity for those positions. The employer shall submit
12 the plan to the legislature by January 1 of each odd-numbered year together with the list of
13 classes between which pay inequity exists and an estimate of the appropriation necessary to
14 achieve pay equity for the classes on the list. The appropriation estimate shall be allocated by
15 class.

16 (e) The legislature shall review the plan and recommended appropriation of each public
17 employer and may accept, amend, or reject the plan. If funding for the plan is included in an
18 appropriation that does not otherwise allocate the amount appropriated, the public employer shall
19 allocate the funding according to the plan or, if the plan was amended by the legislature,
20 according to the amended plan. If the funding is insufficient to fully fund the plan, or the
21 amended plan, if applicable, the employer shall pro rate the amount available among the classes
22 included in the plan. If the legislature does not appropriate money for the plan, the employer
23 shall submit the plan to the next legislature.

24 (f) If a public employer finds that pay inequity exists in a class that is part of a collective
25 bargaining unit, the employer shall notify the collective bargaining organization representing the
26 bargaining unit when the employer submits the compensation equity plan to the legislature.

27 (g) Notwithstanding AS 23.40.110, it is not an unfair labor practice for a public employer
28 to specify an amount of money to be used

- 29 (1) solely to correct inequitable pay relationships;
30 (2) for general salary increases.

31 (h) Notwithstanding (d) of this section, it remains the policy of the state to negotiate pay

1 rate adjustments through the collective bargaining process in all areas covered by bargaining
2 agreements.

3 (i) AS 39.90.200 - 39.90.300 do not diminish the duty of a public employer to bargain
4 in good faith under AS 23.40.070 - 23.40.260.

5 Sec. 39.90.220. PUBLIC EMPLOYER NEGOTIATING POSITIONS. (a) In preparing
6 to negotiate with a collective bargaining organization representing public employees, and in
7 preparing the position classification plan and the pay plan for other employees, the public
8 employer shall assure that compensation for

9 (1) positions in the different services of the employer compare reasonably to one
10 another;

11 (2) positions in public service bears a reasonable relationship to compensation for
12 similar positions outside public service;

13 (3) management positions bears a reasonable relationship to compensation of the
14 employees managed by the positions;

15 (4) positions within one service bears a reasonable relationship among related
16 classes and among various levels within the same occupations.

17 (b) In this section, the compensations paid to different positions bear a reasonable
18 relationship to one another if the compensation for positions that require

19 (1) comparable skill, effort responsibility, and working conditions is comparable;
20 and

21 (2) differing skill, effort, responsibility, and working conditions is related to the
22 skill, effort, responsibility, and working conditions required of the different positions.

23 Sec. 39.90.300. DEFINITIONS. In AS 39.90.200 - 39.90.300,

24 (1) "balanced class" means a class in which no more than 70 percent of the
25 incumbents are male and no more than 70 percent of the incumbents are female;

26 (2) "class" means one or more positions that have similar duties and
27 responsibilities and require similar qualifications to perform the duties so that the same
28 descriptive title can be used with clarity for each position in the class, the same selection
29 procedures can be used to recruit employees, and the same compensation schedule can be applied
30 with equity to all positions in the class working under the same or substantially the same
31 employment conditions;

1 (3) "comparable work value" means the value of the work measured by the
2 composite of the skill, effort, responsibility, and working conditions normally required in the
3 performance of the work;

4 (4) "female-dominated class" means a class in which more than 70 percent of the
5 incumbents are female;

6 (5) "male-dominated class" means a class in which more than 70 percent of the
7 incumbents are male;

8 (6) "management positions" means those positions accountable for

9 (A) determining, securing, and allocating human, financial, and other
10 resources needed to accomplish objectives;

11 (B) determining overall objectives, priorities, and policies within a
12 program area;

13 (C) handling significant and involved relationships with governmental
14 leadership; or

15 (D) exercising discretionary powers on a regular basis;

16 (7) "pay equity" means compensation based on comparable work value;

17 (8) "pay inequity" means compensation that is not based on comparable work
18 value;

19 (9) "public employer" means

20 (A) a department, institution, board, commission, division, authority,
21 public corporation, committee, or other administrative unit of the executive, judicial, or
22 legislative branch of state government, including the University of Alaska and the Alaska
23 State Housing Authority, but not including the Alaska Railroad Corporation; and

24 (B) a school district or regional educational attendance area.

25 * Sec. 3. (a) Notwithstanding AS 39.90.210(d), enacted by sec. 2 of this Act, a public employer shall
26 make the initial report to the legislature under AS 39.90.210(d) by January 1, 1995. The initial report
27 must include

28 (1) the following information for each job class, as of July 1, 1994:

29 (A) the title of the job class, the number of incumbents, and the percentage of
30 incumbents who are male and the percentage who are female;

31 (B) the comparable work value of the job class as determined under the system

1 chosen under AS 39.90.210, enacted by sec. 2 of this Act;
2 (C) the minimum and maximum monthly salary authorized for each job class;
3 (2) a description of the job evaluation system used by the public employer;
4 (3) a plan for establishing equitable pay relationships between female-dominated and
5 male-dominated job classes, including
6 (A) identification of classes for which a pay inequity exists based on the
7 comparable work value of the class;
8 (B) a timetable for implementing pay equity; and
9 (C) the estimated cost of implementing pay equity.
10 (b) If requested by a public employer, the commissioner of administration shall provide technical
11 assistance in completing the report required by this section.

FISCAL NOTE

**STATE OF ALASKA
1992 LEGISLATIVE SESSION**

BILL NO. CSHB99

Introduced: 2/11/92
Title: Merit System Employees
Equitable Compensation
Sponsor: Rep Donley
Requestor: House HESS

Department Affected: UNIVERSITY OF ALASKA
BRU: Personal Services
Component: Statewide Services

Component Serial No: 0730

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY93	FY94	FY95	FY96	FY97	FY98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	60.0					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	60.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FD SOURCE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	60.0					
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL	60.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: -0-

ANALYSIS (Attach additional pages as necessary)

The university will conduct a gender equity study of its job evaluation system using all of the factors identified in the legislation.

Prepared by: Marsha Hubbard, Director
Division: Statewide Budget Office

Phone: 474-7593
Date: 3/8/92

Approved by: Brian Rogers, Vice President for Finance
Agency: University of Alaska

Date: 3/8/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies)

FISCAL NOTE

DRAFT

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO: CSHB 99(FIN)

Revision Date: _____
Title: An Act requiring pay equity for certain public employees and requiring the compensation...
Sponsor: Representative Donley
Requestor: House Finance

Department Affected: Legislative Affairs Agency
BRU: All
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE FUND SOURCE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact. It is anticipated that if technical assistance is needed we will be contacting the Department of Administration to assist in completing our agency's report to the Legislature.

Prepared By: Pamela A. Stoops, Director
Division: Administrative Services

Pamela A. Stoops

Phone: 465-3850
Date: 3/5/92

Approved By: Warren W. Endicott, Executive Director
Agency: Legislative Affairs Agency

Warren W. Endicott

Date: 3/5/92

Distribution (by preparer): Leg. Finance, Legislative Sponsor, Requestor, OMB, Gov. , & Impacted Agency(ies).

FISCAL NOTE

DRAFT

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Bill No. CS HB 99 (Finance)

Revision Date: 03/05/92 Department Affected: Alaska Court System
 Title: An Act requiring pay equity for BRU: Trial Courts
certain public employees... Components: _____
 Sponsor: _____
 Requestor: _____ COMPONENT SERIAL NO.

000 000	000 768
-----------	-----------

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	12.0					
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	12.0	0.0	0.0	0.0	0.0	0.0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUNDS	12.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	12.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

Cost of performing classification study.

Prepared by: C. S. Christenson III, Staff Counsel *CSC* Phone: 264-8228
 Division: Alaska Court System Date: 03/05/92

Approved by: Arthur H. Snowden, II, Administrative Director *AHS*
 Agency: Alaska Court System Date: 03/05/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 99 ()
Draft: February 11, 1992

Revision Date: _____
Title: Requiring compensation based on value of work.

Department Affected: Administration
BRU: Personnel/OEEO
Component: Personnel/OEEO

Sponsor: Donley
Requestor: House Finance

COMPONENT SERIAL NO.

0	0	5	6
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	120.0	0	0	0	0	0
TRAVEL	20.0	0	0	0	0	0
CONTRACTUAL	40.0	0	0	0	0	0
SUPPLIES	20.0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0 -
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	200.0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	200.0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	200.0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	2.0	0	0	0	0	0

Estimate of current year impact: Zero.

ANALYSIS: (Attach a separate page if necessary.) This legislation would force the State to change its classification system from the "whole job" system currently in use. The costs shown are required to complete the development of Alaska Quantitative Evaluation System (AQES) which reached a preliminary stage with a \$500.00 appropriation in 1983.

Prepared by: R. H. King *R. H. King*
Division: Personnel/OEEO

Phone: 465-4430
Date: 3/5/92

Approved by Commissioner: Nancy Bear Usery *Nancy Bear Usery*
Agency: Administration

Date: 3/6/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 99 ()
Draft: February 11, 1992

Revision Date: _____

Department Affected: All

Title: Requiring compensation based on value of work.

BRU: All

Sponsor: Donley

Component: All

Requestor: House Finance

COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	9,824.6	17,461.4	12,820.9
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	9,824.6	17,461.4	12,820.9

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	6,670.7	11,630.3	8,618.6
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	3,153.9	5,831.1	4,202.3
TOTAL	0	0	0	9,824.6	17,461.4	12,820.9

POSITIONS:

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

Estimate of current year impact: Zero.

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prepared by: R. H. King *Richard P. King*
Division: Personnel/OEEO

Phone: 465-4430
Date: 3/5/92

Approved by Commissioner: Nancy Bear Usura
Agency: Administration *NB Usura*

Date: 3/6/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 99 ()

This fiscal note has been prepared for compliance with AS 24.08.035. It contains the same numbers as the initial fiscal note for implement in the Alaska Quantitative Evaluation System (AQES) based on amendments contained in HB 676 in 1986. No adjustment has been made except to change the date of implementation. A copy of the original fiscal note is attached.

The draft committee substitute of February 11, 1992, would require the Executive Branch to use a job evaluation system to determine the comparable work value of the work performed by each job class.

Post-It™ brand fax transmittal memo 7673		# of pages ▶
To <i>Laurie Otto</i>	From <i>Legal Svc.</i>	
Co.	Co.	
Dept.	Phone #	<i>4652450</i>
Fax #	Fax #	<i>465-2029</i>

RK DRAFT

WORK DRAFT

7-LS0097S ✓
Cramer
2/11/92

CS FOR HOUSE BILL NO. 99 ()

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): REPRESENTATIVES DONLEY, Koponen, Gruenberg, Ellis, Boyer, Brown, Ulmer, Ivan, Carney, Bruckman, B.Davis, Moyer, MacLean

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring pay equity for certain public employees and requiring the compensation
2 of certain public employees to be based on the value of the work performed."

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

4 * Section 1. AS 23.40.070 is amended to read:

5 Sec. 23.40.070. DECLARATION OF POLICY. The legislature finds that joint
6 decision-making is the modern way of administering government. If public employees have been
7 granted the right to share in the decision-making process affecting wages and working conditions,
8 they have become more responsive and better able to exchange ideas and information on
9 operations with their administrators. Accordingly, government is made more effective. The
10 legislature further finds that the enactment of positive legislation establishing guidelines for
11 public employment relations is the best way to harness and direct the energies of public
12 employees eager to have a voice in determining their conditions of work, to provide a rational
13 method for dealing with disputes and work stoppages, to strengthen the merit principle where
14 civil service is in effect, and to maintain a favorable political and social environment. The

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1 legislature declares that it is the public policy of the state to promote harmonious and cooperative
2 relations between government and its employees and to protect the public by assuring effective
3 and orderly operations of government. These policies are to be effectuated by

4 (1) recognizing the right of public employees to organize for the purpose of
5 collective bargaining;

6 (2) requiring public employers to negotiate with and enter into written agreements
7 with employee organizations on matters of wages, hours, and other terms and conditions of
8 employment;

9 (3) maintaining merit-system principles among public employees and eliminating
10 sex-based wage disparities in public employment.

11 * Sec. 2. AS 39.90 is amended by adding new sections to read:

12 ARTICLE 3. PAY EQUITY.

13 Sec. 39.90.200. COMPENSATION POLICY. It is the policy of this state to establish
14 equitable relationships between female-dominated, male-dominated, and balanced classes of
15 employees in order to eliminate sex-based wage disparities in public employment. Compensation
16 relationships are equitable within the meaning of this section when the primary consideration in
17 negotiating, establishing, recommending, and approving total compensation is achieving equitable
18 compensation based on comparable work value.

19 Sec. 39.90.210. JOB EVALUATION SYSTEM. (a) Each public employer shall use a
20 job evaluation system to determine the comparable work value of the work performed by each
21 class of employees. The system shall be maintained and upgraded to account for new employee
22 classes and changes in factors affecting the comparable work value of existing classes. Public
23 employers shall meet and confer with the bargaining organizations representing public employees
24 on the development or selection of a job evaluation system under this section.

25 (b) At a minimum, the job evaluation system shall be based on the following factors,
26 measured objectively:

27 (1) the knowledge and skills needed for acceptable job performance, including
28 substantive knowledge and managerial skills;

29 (2) the intellectual effort required including the creativity and analytical skills
30 needed for acceptable job performance, the degree to which the employee works independently,
31 and the complexity of the problems assigned to the employee;

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1 (3) the employee's accountability for the employee's actions and the consequences
 2 of the employee's job performance, including the employee's level of discretion and the potential
 3 for benefit or harm to the employer or the public from the employee's job performance; and

4 (4) working conditions, including the physical effort and skills required, whether
 5 the job environment is disagreeable or physically demanding, and the hazards presented by the
 6 job.

7 (c) Each public employer shall submit a report containing the results of the job evaluation
 8 system to the bargaining organizations representing public employees. The report shall be used
 9 by the parties in collective bargaining negotiations. The report must identify, at a minimum, the
 10 female-dominated classes and male-dominated classes for which compensation inequity exists,
 11 based on the comparable work value, and the data, other than data that reveals information about
 12 individual employees or former employees, used to support these findings.

13 (d) After considering the list of classes in which compensation inequity exists, each
 14 public employer shall prepare a plan to create pay equity for those positions. The employer shall
 15 submit the plan to the legislature by January 1 of each odd-numbered year together with the list
 16 of classes in which pay inequity exists and an estimate of the appropriation necessary to achieve
 17 equity in compensation for the classes on the list. The appropriation estimate shall be allocated
 18 by class.

19 (e) The legislature shall review the plan and recommended appropriation from each
 20 public employer and may accept, amend, or reject the plan. If funding for the plan is included
 21 in an appropriation that does not otherwise allocate the amount appropriated, the public employer
 22 shall allocate the funding according to the plan or, if the plan was amended by the legislature,
 23 according to the amended plan. If the funding is insufficient to fully fund the plan, or the
 24 amended plan, if applicable, the employer shall pro rate the amount available among the classes
 25 included in the plan.

26 (f) If a public employer finds that pay inequity exists in a class that is part of a collective
 27 bargaining unit, the employer shall notify the collective bargaining organization representing the
 28 bargaining unit when the employer submits the compensation equity plan to the legislature.
 29 Distribution of any amount appropriated to members of the bargaining unit shall be determined
 30 by the applicable collective bargaining agreement.

31 (g) Notwithstanding AS 23.40.110, it is not an unfair labor practice for a public employer

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1 to specify an amount of money to be used solely to correct inequitable compensation
2 relationships. The public employer may specify an amount to be used for general salary
3 increases. AS 39.90.200 - 39.90.300 do not diminish the duty of a public employer to bargain
4 in good faith under AS 23.40.070 - 23.40.260.

5 Sec. 39.90.220. USE AS EVIDENCE. The pay inequity list and the pay equity plan
6 prepared under AS 39.90.210 may be used as evidence in a proceeding or action alleging
7 discrimination.

8 Sec. 39.90.230. PUBLIC EMPLOYER NEGOTIATING POSITIONS. (a) In preparing
9 to negotiate with a collective bargaining organization representing public employees, and in
10 preparing the position classification plan and the pay plan for other employees, the public
11 employer shall assure that compensation for

12 (1) positions in the different services of the employer compare reasonably to one
13 another;

14 (2) positions in public service bears a reasonable relationship to compensation for
15 similar positions outside public service;

16 (3) management positions bears a reasonable relationship to compensation of the
17 employees managed by the positions;

18 (4) positions within one service bears a reasonable relationship among related
19 classes and among various levels within the same occupations.

20 (b) In this section, the compensations paid to different positions bear a reasonable
21 relationship to one another if the compensation for positions that require

22 (1) comparable skill, effort, responsibility, and working conditions is comparable;
23 and

24 (2) differing skill, effort, responsibility and working conditions is proportional to
25 the skill, effort, responsibility, and working conditions required of the different positions.

26 Sec. 39.90.300. DEFINITIONS. In AS 39.90.200 - 39.90.300,

27 (1) "balanced class" means a class in which no more than 70 percent of the
28 incumbents are male and no more than 70 percent of the incumbents are female;

29 (2) "class" means one or more positions that have similar duties and
30 responsibilities and require similar qualifications to perform the duties so that the same
31 descriptive title can be used with clarity for each position in the class, the same selection

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1 procedures can be used to recruit employees, and the same compensation schedule can be applied
2 with equity to all positions in the class working under the same or substantially the same
3 employment conditions;

4 (3) "comparable work value" means the value of the work measured by the
5 composite of the skill, effort, responsibility, and working conditions normally required in the
6 performance of the work;

7 (4) "female-dominated class" means a class in which more than 70 percent of the
8 incumbents are female;

9 (5) "male-dominated class" means a class in which more than 70 percent of the
10 incumbents are male;

11 (6) "management positions" means those positions accountable for

12 (A) determining, securing, and allocating human, financial, and other
13 resources needed to accomplish objectives;

14 (B) determining overall objectives, priorities, and policies within a
15 program area;

16 (C) handling significant and involved relationships with governmental
17 leadership; or

18 (D) exercising discretionary powers on a regular basis;

19 (7) "public employer" means

20 (A) a department, institution, board, commission, division, authority,
21 public corporation, committee, or other administrative unit of the executive, judicial, or
22 legislative branch of state government, including the University of Alaska and the Alaska
23 State Housing Authority, but not including the Alaska Railroad Corporation; and

24 (B) a school district or regional educational attendance area.

25 * Sec. 3. (a) Notwithstanding AS 39.90.210(d), enacted by sec. 2 of this Act, a public employer shall
26 make the initial report to the legislature under AS 39.90.210(d) by January 1, 1995. The initial report
27 must include

28 (1) the following information for each job class, as of July 1, 1994:

29 (A) the title of the job class, the number of incumbents, and the percentage of
30 incumbents who are male and the percentage who are female;

31 (B) the comparable work value of the job class as determined under the system

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1 chosen under AS 39.90.210, enacted by sec. 2 of this Act;

2 (C) the minimum and maximum monthly salary authorized for each job class;

3 (2) a description of the job evaluation system used by the public employer;

4 (3) a plan for establishing equitable compensation relationships between female-
5 dominated and male-dominated job classes, including

6 (A) identification of classes for which a compensation inequity exists based on
7 the comparable work value of the class;

8 (B) a timetable for implementing pay equity; and

9 (C) the estimated cost of implementing pay equity.

10 (b) If requested by a public employer, the commissioner of administration shall provide technical
11 assistance in completing the report required by this section.

12 * Sec. 4. No cause of action arises before the effective date of this Act for failure to comply with
13 the requirements of this Act.

Changes made to CSHB 99 (2/11/92) in Finance Subcommittee

1. Page 2, lines 15-18: **deleted**
2. Page 3, line 10: "compensation inequity" **changed** to "pay inequity"
3. Page 3, line 13: "compensation inequity" **changed** to "pay inequity"
4. Page 3, line 15: "classes in which" **changed** to "classes between which"
5. Page 3, line 17: "equity in compensation" **changed** to "pay equity"
6. Page 3, line 25: after "plan." **sentence added:** "If the legislature does not appropriate money for the plan, the employer shall submit the plan to the next legislature."
7. Page 3, lines 29-30: **deleted**
8. Page 4, lines 1-4: **restructured for clarity** into (g)(1) and (2) and (h). No content changed.
9. Page 4, lines 5-7: **deleted**
10. Page 4, line 24: "proportional" **changed** to "related"
11. Page 5 after line 18: **new definitions added:**
 - (7) 'pay equity' means compensation based on comparable work value;
 - (8) 'pay inequity' means compensation that is not based on comparable work value;"
12. Page 5, line 19: definition (7) **renumbered** to (9)
13. Page 6, line 4: "compensation" **changed** to "pay"
14. Page 6, line 6: "compensation" **changed** to "pay"
15. Page 6, lines 12-13: **deleted**

REPRESENTATIVE DAVE DONLEY

ALASKA STATE LEGISLATURE
DISTRICT ELEVEN • SPENARD
SEAT A
HEATHER MEADOWS • NORTHWOOD • SPENARD • THOMPSON • TURNAGAIN • UPPER MIDTOWN • WINDEMERE

3111 "C" STREET, SUITE 450
ANCHORAGE, ALASKA 99503
(907) 561-7629



CHAIRMAN

LABOR AND COMMERCE COMMITTEE

MEMBER

STATE AFFAIRS COMMITTEE

HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

HOUSING AND BANKING SUBCOMMITTEE

FINANCE BUDGET SUBCOMMITTEE

DEPT. OF COMMERCE AND
ECONOMIC DEVELOPMENT

QUESTIONS AND ANSWERS ABOUT PAY EQUITY

What is pay equity? Pay equity is a means of eliminating sex discrimination in the way government sets wages for its employees. Pay equity means that the criteria employers use to set wages must be sex-neutral. Pay equity is required by Title VII of the Civil Rights Act of 1964, which prohibits wage discrimination on the basis of race, color, sex, religion, or national origin.

The legislatures in some states have set up a statutory process for achieving pay equity in public employment. In states that have adopted the voluntary approach, such as Minnesota, the cost of gaining pay equity has been kept low. In other states, such as Washington, pay equity has been achieved only after years of divisive and costly litigation.

Who needs pay equity? Women and men who work in jobs that have been undervalued due to sex bias, many of whom provide the sole support for their families. For example, two out of three women workers are single, divorced, widowed, separated, or have husbands earning less than \$15,000 a year. Because everyone in society is harmed by wage discrimination, everyone needs pay equity.

Will men's wages be reduced if pay equity is implemented? No. Federal law prohibits reducing pay for any employee to remedy discrimination, and the male workers in female-dominated jobs will benefit when sex discrimination is eliminated. Pay equity means equal treatment for all workers.

How can you compare jobs? There are widely accepted methods of evaluating jobs. In evaluating jobs, factors common to all jobs are identified (for example skill, effort, responsibility, and working conditions), points are assigned to each factor, and points are totalled to arrive at a measure of job value.

Does pay equity eliminate pay differences based on performance and years of service? No, pay comparisons for purposes of pay equity are based on the maximum pay within a range. Even with pay equity, performance and seniority are both good reasons to pay different amounts to employees who do the same job.

Shouldn't the laws of supply and demand determine wages? Wages are determined by many factors other than supply and demand such as collective bargaining, minimum wage law, and stereotypes about what certain jobs are worth. Despite recent nationwide decreases in the supply of nurses and clerical workers, wages did not increase for these jobs.

Will pay equity hurt the economy? No. This fear is often expressed when legislatures take steps, such as minimum wage and child labor laws, to protect workers. In other states, pay equity in public employment laws have been implemented without disrupting the economy and without an excessive cost. For example, the cost of implementing pay equity in Minnesota state government was less than four percent of payroll.

Municipality of Anchorage



P.O. BOX 196650
ANCHORAGE, ALASKA 99519-6650
(907) 343-4431
FAX 258-5210

TOM FINK
MAYOR

OFFICE OF THE MAYOR

March 23, 1992

House Finance Committee
P. O. Box V
Juneau, Alaska 99811

Dear House Finance Member:

Re: HB 99, Equal Pay for Work of Comparable Worth

The Mayor of the Municipality of Anchorage opposes HB 99, Equal Pay for Work of Comparable Worth. I am not yet sure of the Assembly's position since I vetoed a resolution endorsing the bill (see copy attached). We believe that appropriately defined and administered compensation plans provide the most effective opportunity for ensuring equal pay for equal work. The passage of legislation or regulations that encompass the concept of comparable worth is not necessary, and is inappropriate given our economic system.

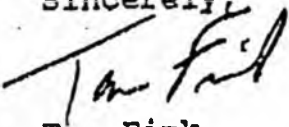
The concept of equal pay for equal work ensures that wages will be established by the free-market process through the forces of supply and demand. Comparable worth, however, would replace this free-market process with a highly costly job evaluation process which would purport to make accurate comparisons of the "comparable work value" of unlike jobs.

The adoption of this legislation will result in significantly higher labor and administrative costs to public institutions. Costs include wage increases, job evaluation studies, additions to staff to administer the implementation and on-going operation of the comparable worth process and litigation. According to a financial impact analysis prepared by the Alaska State Legislature's Legislative Research Agency in March of 1991, the average annual cost of implementation at the local level in Minnesota was between 2.0 and 4.0 percent of payroll. If the same percentage were to be applied to Anchorage, with a current annual payroll of approximately \$155,000,000, the budgetary impact would be between \$3,100,000 and \$6,200,000 annually during the initial implementation period.

The Administration has serious reservations about recommending legislation that increases the cost of government, especially at a time when the state and other public institutions in Alaska are faced with the need to reduce spending.

Finally, the complex issue of comparing the relative value of unlike jobs has not been addressed definitively by the courts or the human resource management profession and until they do so the concept of comparable worth will continue to be vague, subject to serious question in a free-market economy, and suggestive of a further serious erosion of an employer's management rights. A better solution to any pay discrimination problem is the continued enforcement of the Equal Pay Act and the Equal Employment Opportunity Act.

Sincerely,



Tom Fink
Mayor

sw\comp.wol

MUNICIPALITY OF ANCHORAGE

MEMORANDUM

DATE: March 23, 1992
TO: Municipal Clerk
FROM: Mayor Fink *Tom Fink*
SUBJECT: AR 92-74, A RESOLUTION SUPPORTING CS HB99 RE EQUITABLE
COMPENSATION

1 I hereby veto the above resolution. Comparable worth has nothing
2 to do with comparable or equal pay. Comparable worth legislation
3 has to do with a government agency imposing a wage scale. Under
4 comparable worth law some government agency determines if a nurse
5 should be paid the same amount as a plumber or makes that type of
6 decision.

7
8 Currently, the employer makes the decision of the value of the
9 work, or the employee determines what he's worth by his willingness
10 to work, or the value of a particular job is determined through
11 collective bargaining. This notion of comparable worth throws that
12 all out the window.

13
14 Government tries to do so many things for which it is not compe-
15 tent. This concept adds a new incompetency of some bureaucratic
16 bureau or commission making a final determination as to comparable
17 value of different types of jobs.

18
19 It is totally inconceivable to me, particularly in this day and
20 age, that we would want government to add a new control over our
21 lives by government deciding what different jobs are of equal
22 value. I say particularly today since Eastern Europe after 70
23 years has gone through a momentous change in throwing out this type
24 of government control.

25
26 Comparable worth legislation may, in some cases, increase the pay
27 of some jobs which are predominantly held by women. However, it
28 will do that at a tremendous cost to our society and will create
29 far more inequities than we currently have.

FOR IMMEDIATE RELEASE:**February 14, 1992****EMPLOYEES UNION SAYS STATE
DISCRIMINATES ON WOMEN'S WAGES**

JUNEAU—Women working for the state of Alaska are paid 33 percent less than men, according to research results released today by the Alaska State Employees Association.

On average, for every dollar a man makes in state government, a woman earns only 67 cents, according to the ASEA research. ASEA/AFSCME Local 52 is the largest union in Alaska, representing approximately 9,000 men and women working in state government.

"The state of Alaska definitely discriminates against women," said Sherry Saunders, co-chair of ASEA's Women's Issues Committee, which asked the union to research the state's payroll records. The research results were released by the union today at press conferences in Anchorage, Fairbanks and Juneau. Saunders works for the state in Kodiak.

"We took the October 15, 1991, state payroll and analyzed it by computer," explained committee co-chair Alma Seward. "The analysis showed that the state pays women 67 cents for every dollar paid to men. It was very discouraging news," said Seward, who works for the state in Juneau.

Seward said the union's research showed that three out of four state employees work in job classes that are either 70 percent or more male-dominated, or 70 percent or more female dominated.

"When we compared the male- and female-dominated job classes, the inequity jumped out at us," Seward said. "If an employee is in a female job class, she earns 67 cents compared to employees earning a dollar in the male-dominated job classes," she said.

(more)

**Wage discrimination
Page two**

Seward said the union's findings came as a surprise. "Women and unions have known for years that sex discrimination is alive and well in the workplace, but 67 cents to the dollar is quite a difference," she said.

Both Saunders and Seward said the findings validate support for House Bill 99, now before the Alaska Legislature. Introduced by Rep. Dave Donley, D-Anchorage and chairman of the House Judiciary Committee, the bill would require the state to pay women and other minorities at comparable rates to men, provided the work they do is comparable as well.

"People should be paid depending on the requirements of the job, not on whether men or women have traditionally done the work," Seward said. "If two jobs require a high school diploma, a year of experience, and have comparable hazards and responsibilities, both jobs should be paid equally. Comparable jobs should have comparable pay," she said. "Currently, secretaries are paid less than janitors in state government. Women are paid less than men. It has got to stop and passage of House Bill 99 is a step in the right direction."

To achieve its research results, the committee created a data base of the number of men and women in all job classes paid on the October 15, 1991, state payroll and included minimum and maximum hourly rates of pay for all state job classes. Over 98 percent of the job classes had known salaries, and 872 state job classifications representing 12,132 employees were analyzed," Seward said.

That research showed that 4,365 employees were in classes with 70-100 percent women, and that 4,861 employees work in classes with 70-100 percent men. The median entry pay in those classes dominated by females was \$12.25 an hour, while the median entry pay in the male-dominated classes was \$18.04 an hour.

The research showed that some 2,956 state employees worked in classes of relatively equal gender balance. Classes researched included everything from top management to entry level clerical positions.

(more)

**Wage discrimination
Page three**

"ASEA/AFSCME Local 52 is mobilizing for an all out effort to make comparable worth the law of this state," said ASEA President Paul DeSloover. "We are contracting with radio stations to take our message to the voters, and we encourage all concerned Alaskans to sign our petitions and to write their legislators and the governor to let them know that comparable pay for work of comparable worth is both a fair thing to do and the right thing to do. We encourage all concerned Alaskans to work for passage of House Bill 99," he said.

-30-

**For further information, contact:
In Anchorage--Diane Hodges, Buddy Maupin at 277-5200
In Fairbanks--Richard Seward at 452-2300
In Juneau--Peggy Weaver, Jon Stables at 463-4949**



ALASKA STATE EMPLOYEES ASSOCIATION
AFSCME Local 52, AFL-CIO

ALASKA STATE EMPLOYEES ASSOCIATION, AFSCME #52

WOMEN'S ISSUES COMMITTEE

Sherry Saunders and Alma Seward, Co-Chairs

COMPARABLE WORTH PAY EQUITY

Initial Report

Release Date: February 14, 1992

Prepared by Richard Seward

INTRODUCTION:

The ASEA AFSCME Local 52 Women's Issues Committee directed Business Agent Richard Seward to prepare an initial analysis of wage trends for employees of the State of Alaska. The Committee hypothesized that employees in female dominated job classes were paid substantially less than employees in male dominated job classes.

This initial report will be followed in March 1992 by a preliminary comparable worth analysis prepared by the American Federation of State County and Municipal Employees.

METHOD:

The State of Alaska, Department of Administration, Division of Personnel and Equal Employment Opportunity supplied the Union with the following raw data:

- a. Payroll 10/15/91 sorted by job classification and number of men, women, and unknown gender employees in each classification.
- b. List of job classifications and classification codes for the State of Alaska.

The Union obtained the following pay scales showing both salary and equivalent hourly wage:

- a. General Government Unit wage scale for pay ranges 5 through 27.
- b. Public Safety Officers wage scale for pay ranges 71 through 79.
- c. Labor Trades and Crafts wage scale for pay ranges 50 through 60.

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Fairbanks, AK 99701
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TOLL free: 800-478-2305

d. Partially Exempt wage scale for pay ranges 28 and 29.

Minimal differences exist between the General Government Unit wage scale and other State wage scales using ranges 5 through 27 such as the Supervisory Unit and Confidential Employees Unit scales. The General Government Unit scale is applied to a majority of state employees and all members of ASEA AFSCME #52.

A data base was created on Microsoft Works capturing:

1. Job Classification
2. Job Classification Code
3. Total Employees in Job Classification
4. Total Men in Job Classification
5. Total Women in Job Classification
6. Percentage Men in Job Classification
7. Percentage Women in Job Classification
8. Pay Range for Job Classification
9. Minimum Wage Per Hour for Pay Range
10. Maximum Wage Per Hour for Pay Range

The data base was transferred to Microsoft Works spreadsheets for sorting, reporting, and charting.

INITIAL ANALYSIS:

1041 records were captured in the data base. Of these total job classifications, 123 had no employees paid 10/15/91. An additional 46 job classes held 204 employees for which the Union was unable to determine a pay range. These 204 employees represent 1.65% of the total employees paid.

The remaining 872 job classifications contained 12,182 employees paid on the 10/15/91 payroll.

A. Sex Dominated Job Classifications

The Union decided that 70% of either men or women in a job class would define a job class as either "male dominated" or "female dominated." 70% was chosen as the definition because 70% was the defining percentage in Washington State courts.

The Union found 254 female dominated job classifications containing 4,365 employees. 415 job classification were male dominated and contained 4,861 employees. There are 203 job classes containing a 31% to 69% gender balance. Gender balanced classes contain 2,956 employees.

For the October 15, 1991 payroll, 76% of State employees were in gender dominated job classifications.

3. Wages

The male dominated, gender balanced, and female dominated job classifications sub-groupings were each sorted by wage. The Union found the following relationships among the wages (assuming the male dominated job maximum wage equals \$1.00):

Job Class Category	Number Job Classes	Number Workers	Median Minimum Hourly Wage	Median Maximum Hourly Wage	Percent Total Workers
Female Dominated	254	4365	\$.50	\$.66	36%
Gender Balanced	203	2956	\$.73	\$ 1.00	24%
Male Dominated	415	4861	\$.73	\$ 1.00	40%

(Female Median = Range 12 GGU, Other Median = Range 16 GGU)

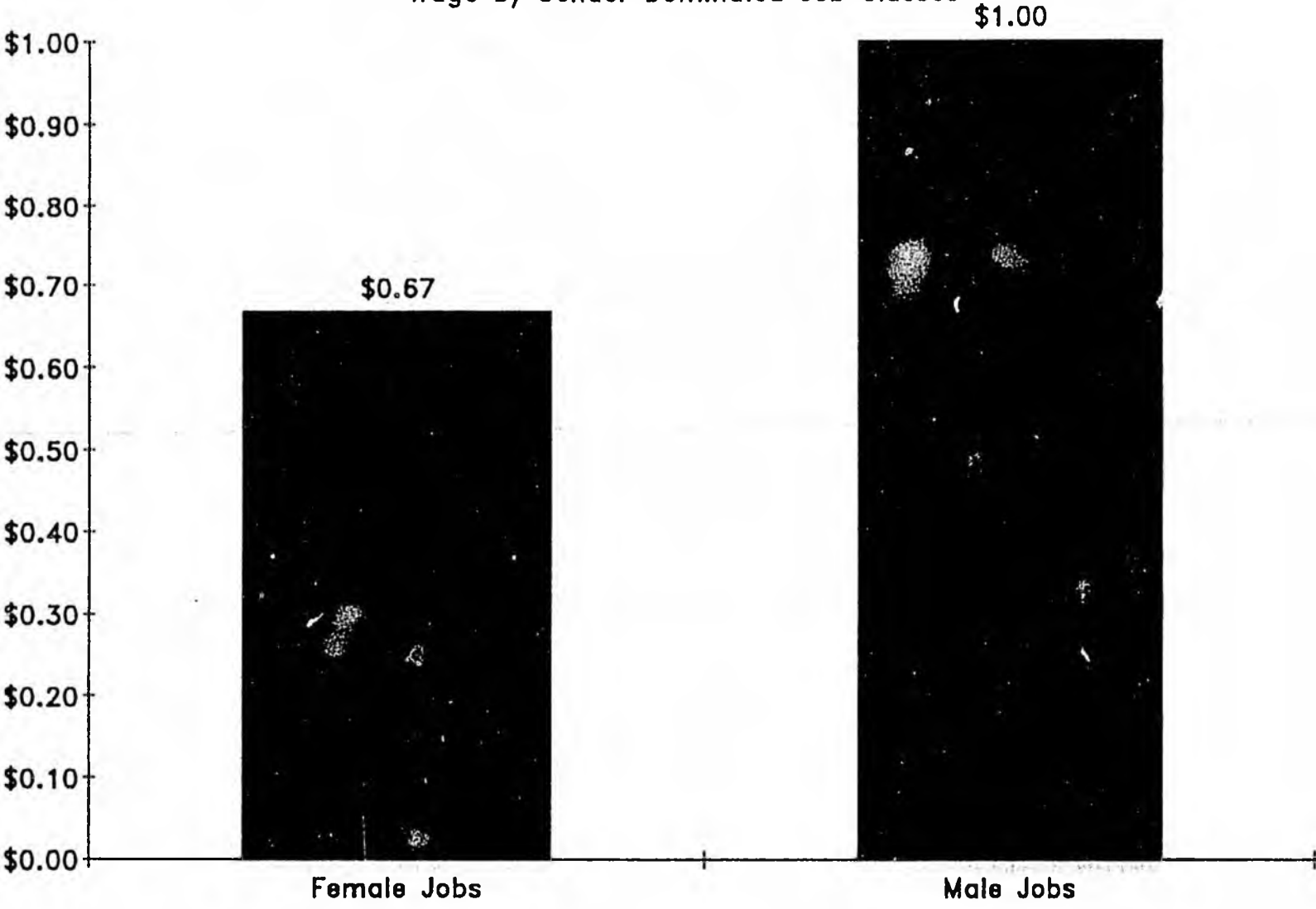
By striking a mean between the minimum and the maximum hourly rates in the median pay ranges, the Union finds:

For every dollar earned in a male dominated job, an employee earns 67 Cents in a female dominated job.

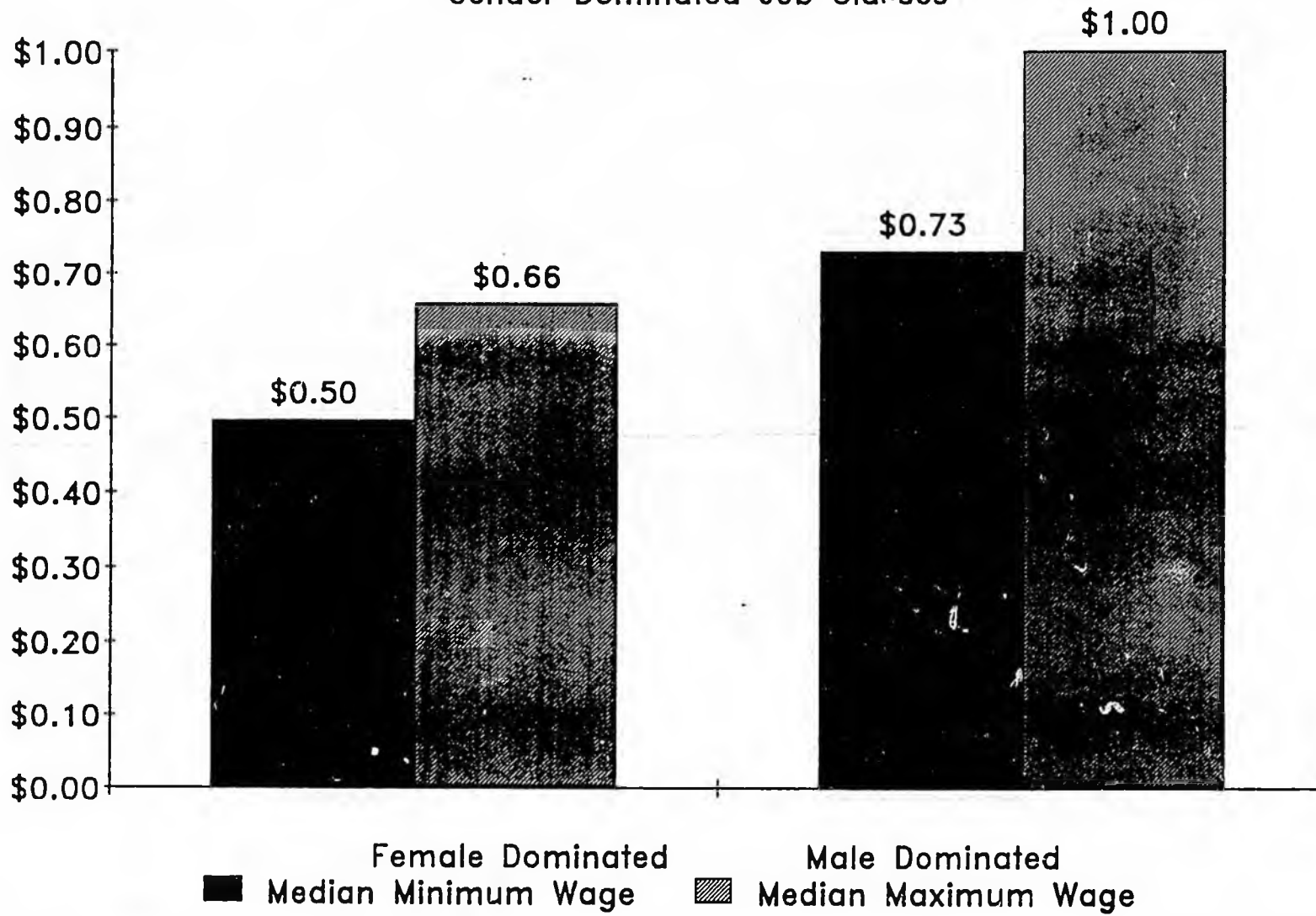
CONCLUSION:

The ASEA AFSCME #52 Women's Issues was correct in suggesting sex discrimination in the State of Alaska pay system. Further study, such as that proposed in HB 99 will determine the extent to which comparable worth pay will end this apparent sex discrimination.

State of Alaska, October 1991 Payroll
Wage By Gender Dominated Job Classes



State of Alaska 10/15/91 Payroll
Gender Dominated Job Classes



PLEASE MICROFILM TOP PAGE ONLY

DOCUMENTS WHICH HAVE NOT BEEN
FILMED BUT ARE AVAILABLE IN THE
ORIGINAL FILE INCLUDE:

- letters of support
- miscellaneous reports regarding
pay equity
- news clippings

HB qq

SENATE FINANCE COMMITTEE REPORT

DATE: 5/11/92

FURTHER:

DATE TURNED INTO OFFICE: _____

The Finance Committee considered CS FOR HOUSE BILL NO. 99 (FINANCE)

"An Act requiring pay equity for certain public employees and requiring the compensation of certain public employees to be based on the value of the work performed."

and recommends:

- replace with _____ CS _____ (FINANCE)
or adopt previous _____ CS _____ (_____)
 attaches amendment(s)

same title
 new title
 technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

- do pass
 do not pass
 no recommendation
 individual recommendations

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

appropriation--no fiscal note

PREVIOUS FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

DO PASS:

OTHER RECOMMENDATIONS:

1. _____

Co-Chair: Signature/Recommendation

2. _____

Co-Chair: Signature/Recommendation

SENATE CS FOR CS FOR HOUSE BILL NO. 99 (L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 5/12/92
Referred: Finance

Sponsor(s): REPRESENTATIVES DONLEY, Koponen, Gruenberg, Ellis, Boyer, Brown, Ulmer, Carney, Bruckman, B.Davis, Moyer, Davidson

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring pay equity for certain public employees and requiring the compensation
2 of certain public employees to be based on the value of the work performed."

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

4 * Section 1. AS 23.40.210 is amended by adding a new subsection to read:

5 (b) The state and an organization representing state employees may not negotiate over
6 or include in the agreement a provision that is contrary to AS 39.27.011(e). The agreement may
7 contain a provision that prevents, for a period not to exceed two years, the reduction in
8 compensation of an incumbent in a position that is reclassified to a lower level.

9 * Sec. 2. AS 39.27.011 is amended by adding a new subsection to read:

10 (e) When, in order to implement a job evaluation system under AS 39.90.200 -
11 39.90.300, an employer moves an employee to a higher salary range, either through
12 reclassification or a change in range, an employee whose position is affected by the employer's
13 action shall be placed at the lowest pay step in the higher salary range that does not result in a
14 decrease in the employee's salary.

1 * Sec. 3. AS 39.90 is amended by adding new sections to read:

2 ARTICLE 3. PAY EQUITY.

3 Sec. 39.90.200. COMPENSATION POLICY. It is the policy of this state to establish
4 pay equity between female-dominated, male-dominated, and balanced classes of employees in
5 order to eliminate sex-based wage disparities in public employment.

6 Sec. 39.90.210. JOB EVALUATION SYSTEM. (a) Each public employer shall
7 establish a job evaluation system, using the United States Department of Labor's "Selected
8 Characteristics of Occupations Defined in the Dictionary of Occupational Titles," to determine
9 the comparable work value of the work performed by each class of employees. The system shall
10 be maintained and upgraded to account for new employee classes and changes in factors affecting
11 the comparable work value of existing classes. Public employers shall meet and confer with the
12 bargaining organizations representing public employees on the development or selection of a job
13 evaluation system under this section.

14 (b) At a minimum, the job evaluation system shall be based on the following factors,
15 measured objectively:

16 (1) the knowledge and skills needed for acceptable job performance, including
17 substantive knowledge and managerial skills;

18 (2) the intellectual effort required including the creativity and analytical skills
19 needed for acceptable job performance, the degree to which the employee works independently,
20 and the complexity of the problems assigned to the employee;

21 (3) the employee's accountability for the employee's actions and the consequences
22 of the employee's job performance, including the employee's level of discretion and the potential
23 for benefit or harm to the employer or the public from the employee's job performance; and

24 (4) working conditions, including the physical effort and skills required, whether
25 the job environment is disagreeable or physically demanding, and the hazards presented by the
26 job.

27 (c) After considering the list of classes in which pay inequity exists, each public
28 employer shall prepare a plan to create pay equity for those positions. The employer shall submit
29 the plan to the legislature by January 1 of each odd-numbered year together with the list of
30 classes between which pay inequity exists. The employer shall include the cost of implementing
31 the plan in its budget preparation for the following fiscal year and shall implement the plan at

1 the beginning of that fiscal year.

2 Sec. 39.90.220. PUBLIC EMPLOYER CLASSIFICATION AND PAY PLANS. (a) In
3 preparing the position classification plan and the pay plan for employees, the public employer
4 shall assure that compensation for

5 (1) positions in the different services of the employer compare reasonably to one
6 another;

7 (2) positions in public service bears a reasonable relationship to compensation for
8 similar positions outside public service;

9 (3) management positions bears a reasonable relationship to compensation of the
10 employees managed by the positions;

11 (4) positions within one service bears a reasonable relationship among related
12 classes and among various levels within the same occupations.

13 (b) In this section, the compensations paid to different positions bear a reasonable
14 relationship to one another if the compensation for positions that require

15 (1) comparable skill, effort, responsibility, and working conditions is comparable;
16 and

17 (2) differing skill, effort, responsibility, and working conditions is related to the
18 skill, effort, responsibility, and working conditions required of the different positions.

19 Sec. 39.90.300. DEFINITIONS. In AS 39.90.200 - 39.90.300,

20 (1) "balanced class" means a class in which no more than 70 percent of the
21 incumbents are male and no more than 70 percent of the incumbents are female;

22 (2) "class" means one or more positions that have similar duties and
23 responsibilities and require similar qualifications to perform the duties so that the same
24 descriptive title can be used with clarity for each position in the class, the same selection
25 procedures can be used to recruit employees, and the same compensation schedule can be applied
26 with equity to all positions in the class working under the same or substantially the same
27 employment conditions;

28 (3) "comparable work value" means the value of the work measured by the
29 composite of the skill, effort, responsibility, and working conditions normally required in the
30 performance of the work;

31 (4) "female-dominated class" means a class in which more than 70 percent of the

1 incumbents are female;

2 (5) "male-dominated class" means a class in which more than 70 percent of the
3 incumbents are male;

4 (6) "management positions" means those positions accountable for

5 (A) determining, securing, and allocating human, financial, and other
6 resources needed to accomplish objectives;

7 (B) determining overall objectives, priorities, and policies within a
8 program area;

9 (C) handling significant and involved relationships with governmental
10 leadership; or

11 (D) exercising discretionary powers on a regular basis;

12 (7) "pay equity" means compensation based on comparable work value;

13 (8) "pay inequity" means compensation that is not based on comparable work
14 value;

15 (9) "public employer" means

16 (A) a department, institution, board, commission, division, authority,
17 public corporation, committee, or other administrative unit of the executive, judicial, or
18 legislative branch of state government, including the University of Alaska and the Alaska
19 State Housing Authority, but not including the Alaska Railroad Corporation; and

20 (B) a school district or regional educational attendance area.

21 * Sec. 4. (a) Notwithstanding AS 39.90.210(c), enacted by sec. 3 of this Act, a public employer shall
22 make the initial report to the legislature under AS 39.90.210(c) by January 1, 1995. The initial report
23 must include

24 (1) the following information for each job class, as of July 1, 1994:

25 (A) the title of the job class, the number of incumbents, and the percentage of
26 incumbents who are male and the percentage who are female;

27 (B) the comparable work value of the job class as determined under the system
28 chosen under AS 39.90.210, enacted by sec. 3 of this Act;

29 (2) a description of the job evaluation system used by the public employer;

30 (3) a plan for establishing equitable pay relationships between female-dominated and
31 male-dominated job classes, including

1 (A) identification of classes for which a pay inequity exists based on the
2 comparable work value of the class;

3 (B) a timetable for implementing pay equity; and

4 (C) the estimated cost of implementing pay equity.

5 (b) If requested by a public employer, the commissioner of administration shall provide technical
6 assistance in completing the report required by this section.

*Note -
MacLean & Juan
removed their
Names*

CS FOR HOUSE BILL NO. 99 (FINANCE)

**IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION**

BY THE HOUSE FINANCE COMMITTEE

Offered: 3/25/92
Referred: Rules

Sponsor(s): REPRESENTATIVES DONLEY, Koponen, Gruenberg, Ellis, Boyer, Brown, Ulmer, Carney, Bruckman, B.Davis, Moyer, Davidson

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring pay equity for certain public employees and requiring the compensation
2 of certain public employees to be based on the value of the work performed."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * Section 1. AS 23.40.070 is amended to read:

5 Sec. 23.40.070. DECLARATION OF POLICY. The legislature finds that joint
6 decision-making is the modern way of administering government. If public employees have been
7 granted the right to share in the decision-making process affecting wages and working conditions,
8 they have become more responsive and better able to exchange ideas and information on
9 operations with their administrators. Accordingly, government is made more effective. The
10 legislature further finds that the enactment of positive legislation establishing guidelines for
11 public employment relations is the best way to harness and direct the energies of public
12 employees eager to have a voice in determining their conditions of work, to provide a rational
13 method for dealing with disputes and work stoppages, to strengthen the merit principle where
14 civil service is in effect, and to maintain a favorable political and social environment. The

1 legislature declares that it is the public policy of the state to promote harmonious and cooperative
2 relations between government and its employees and to protect the public by assuring effective
3 and orderly operations of government. These policies are to be effectuated by

4 (1) recognizing the right of public employees to organize for the purpose of
5 collective bargaining;

6 (2) requiring public employers to negotiate with and enter into written agreements
7 with employee organizations on matters of wages, hours, and other terms and conditions of
8 employment;

9 (3) maintaining merit-system principles among public employees and eliminating
10 sex-based wage disparities in public employment.

11 * Sec. 2. AS 39.90 is amended by adding new sections to read:

12 ARTICLE 3. PAY EQUITY.

13 Sec. 39.90.200. COMPENSATION POLICY. It is the policy of this state to establish
14 pay equity between female-dominated, male-dominated, and balanced classes of employees in
15 order to eliminate sex-based wage disparities in public employment.

16 Sec. 39.90.210. JOB EVALUATION SYSTEM. (a) Each public employer shall use a
17 job evaluation system to determine the comparable work value of the work performed by each
18 class of employees. The system shall be maintained and upgraded to account for new employee
19 classes and changes in factors affecting the comparable work value of existing classes. Public
20 employers shall meet and confer with the bargaining organizations representing public employees
21 on the development or selection of a job evaluation system under this section.

22 (b) At a minimum, the job evaluation system shall be based on the following factors,
23 measured objectively:

24 (1) the knowledge and skills needed for acceptable job performance, including
25 substantive knowledge and managerial skills;

26 (2) the intellectual effort required including the creativity and analytical skills
27 needed for acceptable job performance, the degree to which the employee works independently,
28 and the complexity of the problems assigned to the employee;

29 (3) the employee's accountability for the employee's actions and the consequences
30 of the employee's job performance, including the employee's level of discretion and the potential
31 for benefit or harm to the employer or the public from the employee's job performance; and

1 (4) working conditions, including the physical effort and skills required, whether
2 the job environment is disagreeable or physically demanding, and the hazards presented by the
3 job.

4 (c) Each public employer shall submit a report containing the results of the job evaluation
5 system to the bargaining organizations representing public employees. The report shall be used
6 by the parties in collective bargaining negotiations. The report must identify, at a minimum, the
7 female-dominated classes and male-dominated classes for which pay inequity exists, based on
8 the comparable work value, and the data, other than data that reveals information about individual
9 employees or former employees, used to support these findings.

10 (d) After considering the list of classes in which pay inequity exists, each public
11 employer shall prepare a plan to create pay equity for those positions. The employer shall submit
12 the plan to the legislature by January 1 of each odd-numbered year together with the list of
13 classes between which pay inequity exists and an estimate of the appropriation necessary to
14 achieve pay equity for the classes on the list. The appropriation estimate shall be allocated by
15 class.

16 (e) The legislature shall review the plan and recommended appropriation of each public
17 employer and may accept, amend, or reject the plan. If funding for the plan is included in an
18 appropriation that does not otherwise allocate the amount appropriated, the public employer shall
19 allocate the funding according to the plan or, if the plan was amended by the legislature,
20 according to the amended plan. If the funding is insufficient to fully fund the plan, or the
21 amended plan, if applicable, the employer shall pro rate the amount available among the classes
22 included in the plan. If the legislature does not appropriate money for the plan, the employer
23 shall submit the plan to the next legislature.

24 (f) If a public employer finds that pay inequity exists in a class that is part of a collective
25 bargaining unit, the employer shall notify the collective bargaining organization representing the
26 bargaining unit when the employer submits the compensation equity plan to the legislature.

27 (g) Notwithstanding AS 23.40.110, it is not an unfair labor practice for a public employer
28 to specify an amount of money to be used

29 (1) solely to correct inequitable pay relationships;

30 (2) for general salary increases.

31 (h) Notwithstanding (d) of this section, it remains the policy of the state to negotiate pay

1 rate adjustments through the collective bargaining process in all areas covered by bargaining
2 agreements.

3 (i) AS 39.90.200 - 39.90.300 do not diminish the duty of a public employer to bargain
4 in good faith under AS 23.40.070 - 23.40.260.

5 Sec. 39.90.220. PUBLIC EMPLOYER NEGOTIATING POSITIONS. (a) In preparing
6 to negotiate with a collective bargaining organization representing public employees, and in
7 preparing the position classification plan and the pay plan for other employees, the public
8 employer shall assure that compensation for

9 (1) positions in the different services of the employer compare reasonably to one
10 another;

11 (2) positions in public service bears a reasonable relationship to compensation for
12 similar positions outside public service;

13 (3) management positions bears a reasonable relationship to compensation of the
14 employees managed by the positions;

15 (4) positions within one service bears a reasonable relationship among related
16 classes and among various levels within the same occupations.

17 (b) In this section, the compensations paid to different positions bear a reasonable
18 relationship to one another if the compensation for positions that require

19 (1) comparable skill, effort, responsibility, and working conditions is comparable;
20 and

21 (2) differing skill, effort, responsibility, and working conditions is related to the
22 skill, effort, responsibility, and working conditions required of the different positions.

23 Sec. 39.90.300. DEFINITIONS. In AS 39.90.200 - 39.90.300,

24 (1) "balanced class" means a class in which no more than 70 percent of the
25 incumbents are male and no more than 70 percent of the incumbents are female;

26 (2) "class" means one or more positions that have similar duties and
27 responsibilities and require similar qualifications to perform the duties so that the same
28 descriptive title can be used with clarity for each position in the class, the same selection
29 procedures can be used to recruit employees, and the same compensation schedule can be applied
30 with equity to all positions in the class working under the same or substantially the same
31 employment conditions;

1 (3) "comparable work value" means the value of the work measured by the
2 composite of the skill, effort, responsibility, and working conditions normally required in the
3 performance of the work;

4 (4) "female-dominated class" means a class in which more than 70 percent of the
5 incumbents are female;

6 (5) "male-dominated class" means a class in which more than 70 percent of the
7 incumbents are male;

8 (6) "management positions" means those positions accountable for

9 (A) determining, securing, and allocating human, financial, and other
10 resources needed to accomplish objectives;

11 (B) determining overall objectives, priorities, and policies within a
12 program area;

13 (C) handling significant and involved relationships with governmental
14 leadership; or

15 (D) exercising discretionary powers on a regular basis;

16 (7) "pay equity" means compensation based on comparable work value;

17 (8) "pay inequity" means compensation that is not based on comparable work
18 value;

19 (9) "public employer" means

20 (A) a department, institution, board, commission, division, authority,
21 public corporation, committee, or other administrative unit of the executive, judicial, or
22 legislative branch of state government, including the University of Alaska and the Alaska
23 State Housing Authority, but not including the Alaska Railroad Corporation; and

24 (B) a school district or regional educational attendance area.

25 * Sec. 3. (a) Notwithstanding AS 39.90.210(d), enacted by sec. 2 of this Act, a public employer shall
26 make the initial report to the legislature under AS 39.90.210(d) by January 1, 1995. The initial report
27 must include

28 (1) the following information for each job class, as of July 1, 1994:

29 (A) the title of the job class, the number of incumbents, and the percentage of
30 incumbents who are male and the percentage who are female;

31 (B) the comparable work value of the job class as determined under the system

1 chosen under AS 39.90.210, enacted by sec. 2 of this Act;
2 (C) the minimum and maximum monthly salary authorized for each job class;
3 (2) a description of the job evaluation system used by the public employer;
4 (3) a plan for establishing equitable pay relationships between female-dominated and
5 male-dominated job classes, including
6 (A) identification of classes for which a pay inequity exists based on the
7 comparable work value of the class;
8 (B) a timetable for implementing pay equity; and
9 (C) the estimated cost of implementing pay equity.
10 (b) If requested by a public employer, the commissioner of administration shall provide technical
11 assistance in completing the report required by this section.

HB 1000

HOUSE BILL NO. 100

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES DONLEY, Ulmer, Larson, Parnell, Barnes, G.Phillips, Sharp, Martin, Leman, Carney,
Zawacki

Introduced: 2/4/91

Referred: Health, Education and Social Services, Judiciary, Finance

A BILL**FOR AN ACT ENTITLED**

1 "An Act relating to the rights of victims of crime; and amending Rule 82 of the Alaska
2 Rules of Civil Procedure, Rule 32 of the Alaska Rules of Criminal Procedure and Rules
3 3 and 22 of the Alaska Delinquency Rules."

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

5 * Section 1. This Act may be known as the Victims' Rights Act of 1991.

6 * Sec. 2. AS 09.38.030(c) is amended to read:

7 (c) A creditor may levy upon earnings exempt under (a) and (b) of this section if the
8 creditor's claim is

9 (1) enforceable against exempt property under AS 09.38.065(a)(1) or (3)
10 [AS 09.38.065(a)(1)]; or

11 (2) enforceable under an order of a court of bankruptcy under 11 U.S.C. 1301 -
12 1330 (Bankruptcy Reform Act of 1978).

13 * Sec. 3. AS 09.38.065(a) is amended to read:

14 (a) Notwithstanding other provisions of this chapter,

1 (1) a creditor may make a levy against exempt property of any kind to enforce
2 a claim for

3 (A) child support;

4 (B) unpaid earnings of up to one month's compensation or the full-time
5 equivalent of one month's compensation for personal services of an employee; or

6 (C) state or local taxes; [AND]

7 (2) a creditor may make a levy against exempt property to enforce a claim for

8 (A) the purchase price of the property or a loan made for the express
9 purpose of enabling an individual to purchase the property and used for that purpose;

10 (B) labor or materials furnished to make, repair, improve, preserve, store,
11 or transport the property; and

12 (C) a special assessment imposed to defray costs of a public improvement
13 benefiting the property; and

14 (3) a creditor may make a levy against exempt property of any kind to
15 enforce the claim of a crime victim if the claim arises from criminal conduct of the debtor
16 that results in a felony conviction, except that the debtor is entitled to an exemption in
17 property

18 (A) not to exceed an aggregate value of \$3,000 chosen by the debtor
19 from the following categories of property:

20 (i) household goods and wearing apparel reasonably
21 necessary for one household;

22 (ii) books and musical instruments, if reasonably held
23 for the personal use of the debtor or a dependent of the debtor; and

24 (iii) family portraits and heirlooms of particular
25 sentimental value to the debtor; and

26 (B) not to exceed an aggregate value of \$2,800 of the debtor's
27 implements, professional books, and tools of the trade.

28 * Sec. 4. AS 09.55 is amended by adding a new section to read:

29 ARTICLE 7A. ACTIONS BY CRIME VICTIMS.

30 Sec. 09.55.601. DAMAGES AND ATTORNEY FEES FOR VICTIMS OF VIOLENT

31 CRIME. (a) A victim of a violent crime who has been injured or damaged may recover from

1 the offender treble the amount of damages that may be awarded in a civil action if the injury or
2 damage resulted from

3 (1) an attempt on the part of the victim to prevent the commission of a violent
4 crime or to apprehend an offender who has committed a violent crime, or aiding or attempting
5 to aid a police officer to do so, or aiding another victim of a violent crime; or

6 (2) the commission or attempt on the part of the offender to commit a violent
7 crime.

8 (b) A victim who prevails in an action under (a) of this section is entitled to recover full
9 reasonable attorney fees.

10 (c) In this section, "violent crime" means the following offenses:

11 (1) murder in any degree;

12 (2) manslaughter;

13 (3) criminally negligent homicide;

14 (4) assault in any degree;

15 (5) kidnapping;

16 (6) sexual assault in any degree;

17 (7) sexual abuse of a minor in any degree;

18 (8) robbery in any degree;

19 (9) coercion;

20 (10) extortion;

21 (11) driving while intoxicated or another crime resulting from the operation of
22 a motor vehicle, boat, or airplane when the offender is intoxicated.

23 * Sec. 5. AS 12.55.023(b) is amended to read:

24 (b) A victim may submit to the sentencing court a written statement that the victim
25 believes is relevant to the sentencing decision, and may give sworn testimony or make an
26 unsworn oral presentation to the court at the sentencing hearing.

27 * Sec. 6. AS 12.55.088(d) is amended to read:

28 (d) A victim has the right to comment in writing to the court on a motion to modify or
29 reduce a sentence filed by the person who perpetrated the offense against the victim, and has the
30 right to give sworn testimony or make an unsworn oral presentation at a hearing held in
31 connection with the motion.

1 * Sec. 7. AS 12.55.088(f) is amended to read:

2 (f) The court shall provide copies of the victim's written comments to the prosecuting
3 attorney, the person filing the motion to reduce or modify a sentence, and that person's attorney.

4 * Sec. 8. AS 12.55.088(g) is amended to read:

5 (g) In deciding whether to modify or reduce a sentence, the court shall consider the
6 victim's comments, testimony, or unsworn oral presentation, when relevant, and any response
7 by the prosecuting attorney and the person filing the motion.

8 * Sec. 9. AS 12.61.010(a) is amended to read:

9 (a) Victims of crimes have the following rights:

10 (1) the right to be informed by the appropriate law enforcement agency or the
11 prosecuting attorney of the date of trial and the date of sentencing of the case in which the victim
12 is involved;

13 (2) the right to be notified that a sentencing hearing or a court proceeding to
14 which the victim has been subpoenaed will not occur as scheduled;

15 (3) the right to receive protection from harm and threats of harm arising out of
16 cooperation with law enforcement and prosecution efforts, and to be provided with information
17 as to the protection available;

18 (4) the right to be informed of the procedure to be followed to apply for and
19 receive any compensation under AS 18.67;

20 (5) at the request of the prosecution or a law enforcement agency, the right to
21 cooperate with the criminal justice process without loss of pay and other employee benefits
22 except as authorized by AS 12.61.017 and without interference in any form by the employer of
23 the victim of crime;

24 (6) the right to obtain access to immediate medical assistance and not to be
25 detained for an unreasonable length of time by a law enforcement agency before having medical
26 assistance administered; however, an employee of the law enforcement agency may, if necessary,
27 accompany the person to a medical facility to question the person about the criminal incident if
28 the questioning does not hinder the administration of medical assistance;

29 (7) the right to make a written or oral statement for use in preparation of the
30 presentence report of a felony defendant;

31 (8) [IF THE CRIME FOR WHICH THE DEFENDANT WAS CONVICTED

1 WAS A FELONY OR A DOMESTIC VIOLENCE ASSAULT,] the right to appear personally
2 at the defendant's sentencing hearing to present a written [OR ORAL] statement, and to give
3 sworn testimony or an unsworn oral presentation; and

4 (9) the right to be informed by the prosecuting attorney, at any time after the
5 defendant's conviction, about the complete record of the defendant's convictions.

6 * Sec. 10. AS 12.61.015(a) is amended to read:

7 (a) If a victim of a felony or a domestic violence assault requests, the prosecuting
8 attorney shall make a reasonable effort to

9 (1) confer with the person against whom the offense has been perpetrated about
10 that person's testimony before the defendant's trial;

11 (2) in a manner reasonably calculated to give prompt actual notice, notify the
12 victim

13 (A) of the defendant's conviction and the crimes of which the defendant
14 was convicted;

15 (B) of the victim's right in a case that is a felony to make a written or oral
16 statement for use in preparation of the defendant's presentence report, and of the victim's
17 right in any case to appear personally at the defendant's sentencing hearing to present
18 a written [OR ORAL] statement and to give sworn testimony or an unsworn oral
19 presentation;

20 (C) of the address and telephone number of the office that will prepare the
21 presentence report; and

22 (D) of the time and place of the sentencing proceeding;

23 (3) notify the victim in writing of the final disposition of the case within 30 days
24 after final disposition of the case.

25 * Sec. 11. AS 12.61.015(b) is amended to read:

26 (b) The notice given under (a)(2) of this section must inform the victim that the
27 statement, sworn testimony, or unsworn oral presentation of the victim may contain any
28 relevant information including

29 (1) an explanation of the nature and extent of physical, psychological, or
30 emotional harm or trauma suffered by the victim;

31 (2) an explanation of the extent of economic loss or property damage suffered by

1 the victim;

2 (3) an opinion of the need for and extent of restitution and whether the victim has
3 applied for or received compensation for loss or damage; and

4 (4) the recommendation of the victim for an appropriate sentence.

5 * Sec. 12. AS 47.10.070 is amended by adding a new subsection to read:

6 (b) Notwithstanding (a) of this section, the victim of an offense that a minor is alleged
7 to have committed has a right to be present at all hearings held under this section. If the minor
8 is found to have committed the offense, the victim may at the disposition hearing give sworn
9 testimony or make an unsworn oral presentation concerning the offense and its effect on the
10 victim. If there are numerous victims of a minor's offense, the court may limit the number of
11 victims who may give sworn testimony or make an unsworn oral presentation, but the court may
12 not limit the right of a victim to attend a hearing.

13 * Sec. 13. AS 47.10.081(a) is amended to read:

14 (a) Before the disposition hearing of a delinquent minor the department shall submit a
15 predisposition report with a recommended plan of treatment to aid the court in its selection of
16 a disposition, a victim impact statement reporting the information set out in AS 12.55.022,
17 and any further information that the court may request. In preparing the predisposition report,
18 the department shall contact the victim of the minor's offense.

19 * Sec. 14. AS 47.10.990 is amended by adding a new paragraph to read:

20 (9) "victim" has the meaning given in AS 12.55.185.

21 * Sec. 15. Rule 32(g), Alaska Rules of Criminal Procedure, is amended to read:

22 (g) MATTERS [WRITTEN STATEMENT] SUBMITTED BY VICTIM OR VICTIM'S
23 REPRESENTATIVE. If a written statement is prepared and submitted by the victim of an [A
24 FELONY] offense [OR A DOMESTIC VIOLENCE ASSAULT] under AS 12.55.023, or if the
25 victim gives sworn testimony or makes an unsworn oral presentation under AS 12.55.023,
26 the trial court:

27 (1) shall take the content of the [WRITTEN] statement, testimony, or
28 presentation into consideration:

29 (A) when preparing those elements of the sentencing report required by
30 AS 12.55.025 that relate to the effect of the offense on the victim;

31 (B) when considering the need for restitution under AS 12.55.045; and

1 (2) may take the content of the [WRITTEN] statement, testimony, or
2 presentation into consideration in any other circumstances that the court believes necessary.

3 * Sec. 16. Rule 32(h), Alaska Rules of Criminal Procedure, is amended to read:

4 (h) In (g) of this rule [,

5 (1) "DOMESTIC VIOLENCE ASSAULT" HAS THE MEANING GIVEN IN
6 AS 12.61.900;

7 (2)] "victim" has the meaning given in AS 12.55.185.

8 * Sec. 17. Rule 3(c), Alaska Delinquency Rules, is amended to read:

9 (c) GENERAL PUBLIC EXCLUDED. Hearings are not open to the public unless
10 requested by the juvenile. However, the court may, after due consideration for the welfare of the
11 juvenile and the interests of the public, admit specific individuals to a hearing, and shall admit
12 victims of the juvenile's offense to hearings as required by AS 47.10.070(b).

13 * Sec. 18. Rule 22(a)(1), Alaska Delinquency Rules, is amended to read:

14 (1) The predisposition report filed by the Department may include information
15 concerning the following: the juvenile's family background, educational history, past
16 adjudications, verified past incidents of delinquent behavior; the juvenile's medical, psychological
17 and psychiatric history; and a description of the delinquent act and the juvenile's attitude about
18 the act. The report must contain a recommendation regarding the recommended form of
19 treatment that would be in the best interests of the juvenile and the public, and the victim
20 impact statement required by AS 47.10.081(a).

21 * Sec. 19. AS 47.10.072 is repealed.

22 * Sec. 20. APPLICABILITY. AS 09.38.030(c) and 09.38.065(a), as amended by secs. 2 and 3 of
23 this Act, apply to a levy to enforce a claim if the claim arises from a crime committed on or after the
24 effective date of this Act. AS 09.55.601, added by sec. 4 of this Act, applies to an action arising from
25 a crime committed or attempted on or after the effective date of this Act.

26 * Sec. 21. AS 09.55.601(b), added by sec. 4 of this Act, amends Rule 82, Alaska Rules of Civil
27 Procedure, by requiring an award of full reasonable attorney fees to prevailing victims of certain crimes.

28 * Sec. 22. AS 09.55.601(b), added by sec. 4 of this Act, takes effect only if sec. 21 of this Act
29 receives the 2/3 vote required by art. IV, sec. 15, Constitution of the State of Alaska.

HB 102

HOUSE COMMITTEE REPORT

(11)

Date Referred: April 5, 1991

FURTHER REFERRALS:

Date of Committee Action: 5-1-91

The FINANCE Committee considered:

HB 102

HOUSE BILL NO. 102

LOWER ALCOHOL LIMIT TO 0.08

"An Act relating to the offense of operating a motor vehicle, aircraft, or watercraft while intoxicated; and providing for an effective date."

RECOMMENDATIONS:

be replaced with _____

CS HB 102 (JUD)

the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal impact _____

fiscal note(s) Public Safety 4-5-91

zero fiscal note Hiss

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<u>Mike Yavane</u>	✓	<u>Ronald J. Lane</u>		X	
<u>Eileen P. Mahan</u>	✓	<u>George Handberg</u>		X	
<u>CCC E. ECC</u>	✓				
<u>Bob Murphy</u>	✓				
<u>Phil...</u>	✓				
<u>Kay Brown</u>	✓				
<u>M. G. W. Boyer</u>	X				
<u>L. G. W. Boyer</u>	✓				
<u>6</u>					

Mike Yavane Eileen P. Mahan
/CHAIRMAN'S SIGNATURE

CS FOR HOUSE BILL NO. 102 (JUDICIARY)
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/5/91
 Referred: Finance

Sponsor(s): REPRESENTATIVES DONLEY, Ulmer, Finkelstein, Parnell, Barnes, G.Phillips, Martin, Boyer, Leman, C.Davis, M.A.Miller, B.Davis, M.W.Miller

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the offense of operating a motor vehicle, aircraft, or watercraft while
 2 intoxicated; and providing for an effective date."

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

4 * Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that the number of persons who
 5 are drinking and driving in an impaired condition is a matter of serious concern, and that there is a
 6 rational relationship between establishing a lower limit of alcohol consumption and reducing the number
 7 of alcohol-related accidents and fatalities.

8 (b) It is the purpose of this Act to promote the general welfare and public safety by imposing
 9 a more restrictive legal limit on alcohol consumption above which the person will lose the privilege to
 10 drive.

11 * Sec. 2. AS 28.35.030(a) is amended to read:

12 (a) A person commits the crime of driving while intoxicated if the person operates or
 13 drives a motor vehicle or operates an aircraft or a watercraft

14 (1) while under the influence of intoxicating liquor, or any controlled substance

1 listed in AS 11.71.140 - 11.71.190:

2 (2) when, as determined by a chemical test taken within four hours after the
3 alleged offense was committed, there is 0.08 [0.10] percent or more by weight of alcohol in the
4 person's blood or 80 [100] milligrams or more of alcohol per 100 milliliters of blood, or when
5 there is 0.08 [0.10] grams or more of alcohol per 210 liters of the person's breath; or

6 (3) while the person is under the combined influence of intoxicating liquor and
7 a controlled [ANOTHER] substance.

8 * Sec. 3. AS 28.35.033(a) is amended to read:

9 (a) Upon the trial of a civil or criminal action or proceeding arising out of acts alleged
10 to have been committed by a person while operating or driving a motor vehicle or operating an
11 aircraft or a watercraft while intoxicated, the amount of alcohol in the person's blood or breath
12 at the time alleged shall give rise to the following presumptions:

13 (1) If there was 0.04 [0.05] percent or less by weight of alcohol in the person's
14 blood, or 40 [50] milligrams or less of alcohol per 100 milliliters of the person's blood, or 0.04
15 [0.05] grams or less of alcohol per 210 liters of the person's breath, it shall be presumed that the
16 person was not under the influence of intoxicating liquor.

17 (2) If there was in excess of 0.04 [0.05] percent but less than 0.08 [0.10] percent
18 by weight of alcohol in the person's blood, or in excess of 40 [50] milligrams but less than 80 [100]
19 milligrams of alcohol per 100 milliliters of the person's blood, or in excess of 0.04 [0.05] grams
20 but less than 0.08 [0.10] grams of alcohol per 210 liters of the person's breath, that fact does not
21 give rise to any presumption that the person was or was not under the influence of intoxicating
22 liquor, but that fact may be considered with other competent evidence in determining whether
23 the person was under the influence of intoxicating liquor.

24 (3) [REPEALED]

25 (4) If there was 0.08 [0.10] percent or more by weight of alcohol in the person's
26 blood, or 80 [100] milligrams or more of alcohol per 100 milliliters of the person's blood, or 0.08
27 [0.10] grams or more of alcohol per 210 liters of the person's breath, it shall be presumed that
28 the person was under the influence of intoxicating liquor.

29 * Sec. 4. This Act takes effect January 1, 1992.

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. CSHB 102 (JUD)

Revision Date: _____ Department Affected: Health & Social Services
 Title: "An Act relating to offense of operating a motor vehicle... while intoxicated." BRU: Alcohol Safety Action Program
 Sponsor: Representative Donley Component: Alcohol & Drug Abuse Grants
 Requestor: HOUSE FINANCE COMMITTEE COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Representative Mike Navarre, Co-Chair *Mike Navarre* 465-3706
Representative Eileen MacLean, Co-Chair *Eileen MacLean* Phone: 465-3722
 Division: _____ Date: May 1, 1991

Approved by Commissioner: _____
 Agency: _____ Date: _____

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Version: CSHB 102(JUD)

(H) Publish Date: 4/5/91

Revision Date: 4/3/91

Department Affected: Public Safety

Title: Lowering the DWI Blood

BRU: Alaska State Troopers

Alcohol to .08

Component: Detachments

Sponsor: Representative Donley

Requestor: House Judiciary

COMPONENT SERIAL NO.		7	9	9
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EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not Included)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	12.5	12.5	-0-	-0-	-0-	-0-
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	12.5	12.5	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	12.5	12.5	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	12.5	12.5	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact none

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: Gayle A. Horetski

Phone: 465-4322

Division: Commissioner's Office

Date: 4/3/91

Approved by Commissioner: *Richard L. Burton*

Richard L. Burton

Agency: Department of Public Safety

Date: 4/3/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Statistics show that "lower level" or "borderline" DWI offenders are not being apprehended now. The average breath alcohol concentration (BAC) of DWI arrestees in 1989 was .19 percent--well over the legal limit of .10. Concerted, long-term training will be needed to assist law enforcement officers to detect and apprehend DWI offenders at lower BAC levels. The need for such training, and for more effective enforcement efforts will be an issue addressed in the Department's FY 93 budget request. In the meantime, \$25,000 in contractual funding is needed to develop and implement a concentrated public information program to educate the public about the dangers of drinking and driving and about the content of the new law.

This education campaign would begin 7/1/91, six months before the new law is scheduled to take effect, and would continue on after 1/1/92.

COMMITTEE COPY

FISCAL NOTE

Jo. 7
 Bill Version: CSHB 102(JUD)
 (H) Publish Date: 4/5/91

STATE OF ALASKA
 1991 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Health & Social Services
 Title: "An Act relating to offense of operating a motor vehicle...while intoxicated." BRU: Alcohol Safety Action Program
 Sponsor: _____ Component: Alcohol & Drug Abuse Grants
 Requestor: _____ COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	25.0	51.8	53.8	55.8	57.9	60.1
TRAVEL						
CONTRACTUAL						
SUPPLIES	1.0	1.0	1.1	1.1	1.2	1.2
EQUIPMENT	7.5					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	33.5	52.9	54.9	56.9	59.1	61.3

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	33.5	52.9	54.9	56.9	59.1	61.3
FEDERAL FUNDS						
OTHER						
TOTAL	33.5	52.9	54.9	56.9	59.1	61.3

POSITIONS:

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

Estimate of current year impact:

ANALYSIS: (Attach a separate page if necessary.)	1 FTE Range 16A, Probation Officer III @ 12 mos. \$49,974 (FY 92).
It is anticipated that no office furniture would be purchased.	Supplies - general office \$1,000.
3.75% increase in personnel anticipated.	Equipment - computer only \$7,500.

Prepared By: Suzanne W. Perry Phone: 586-6201
 Division: Alcoholism and Drug Abuse Date: 4/4/91

Approved by Commissioner: [Signature]
 Agency: Department of Health and Social Services Date: _____

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

No. 4
Bill Version: HB 102
(H) Publish Date: 3/22/91

Revision Date: _____ Department Affected: Department of Law
Title: "...relating...to operating a motor vehicle...while intoxicated..." BRU: Prosecution
Component: All
Sponsor: Representative Donley
Requestor: House Judiciary COMPONENT SERIAL NO.

		8	9
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Please see the attached analysis

Prepared By: Richard I. Pegues, Director Phone: 465-3672
Division: Administrative Services Date: March 20, 1991
Approved by Commissioner: Charles E. Cole, Attorney General
Agency: Department of Law Date: March 20, 1991

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Fiscal Note COMMITTEE COPY HOW