

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

8213 SENATE COMMUNITY & REGIONAL AFFAIRS

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"Equality" is one of the most abused words in the English language.

Vague pieties

BY THOMAS SOWELL



Dr. Thomas Sowell is an economist and a senior fellow at the Hoover Institution in Stanford, Calif.

IF ONE CONFUSED WORD can gum up social policies, the legal system and innumerable institutions throughout society, that word is "equality." It is one of those vague pieties in which we indulge ourselves, without any serious thought as to what it means or what the actual consequences of pursuing it may be.

Anyone who questions or opposes equality is almost certain to be regarded as someone who believes in inequality—in "inferiority" and "superiority." But all three of these concepts suffer from the same problem: For equality, inferiority or superiority to have any meaning, what is being compared must first be commensurable. A symphony is not equal to an automobile. Nor is it inferior or superior. They are simply not commensurable.

Much of the emotional struggle to make women "equal" to men suffers from the same problem. So long as women have babies and men do not, the many ramifications of that difference cannot be ignored and nothing can make them commensurable. However unisex one's language may be, women are seldom very good men and men cannot be women at all.

We may regard the happiness and well-being of women as equally important as the happiness and well-being of men—and probably most people do, despite shrill cries to

the contrary—but that is a statement about our value system, not about some empirical reality of women and men.

With many other groups as well, the fundamental difference between equal treatment and equal performance is repeatedly confused. In performance terms, virtually no one is equal to anyone. The same individual is not even equal to himself on different days.

Much of the moral heartburnings, social engineering and legal entanglements of our times comes from the simple fact that statistics for different groups are different in different occupations, institutions or income levels. It is assumed automatically that only different treatment before the fact can explain different results after the fact.

This dogma is so deeply imbedded that it seems almost Utopian to attempt a rational discussion of it. Yet it was wholly arbitrary to have expected performance equality in the first place—and compounded pig-headedness to want to punish someone because it didn't happen. But there is a whole class of people who believe that when the world doesn't conform to their theory, that shows that something is wrong with the world.

Let us go back to the fact that women have babies, a fact of no small importance to those of us parochial enough to be concerned about the survival of the human species. Not only do women have babies, they realize in advance that they are likely to have babies—and those who are not yet "liberated" arrange their lives with that prospect in mind.

Occupations which require continuous employment to maintain ever-changing skills tend to attract fewer women than occupations you can leave to have children and return to later. You can take a few years off to see your children through the pre-school years and then return to be-

come a good librarian, teacher or editor, but take a few years off from computer engineering and you will return to find that you are not in Kansas anymore, Toto.

Some years ago, an economist investigated the rates of obsolescence of a wide range of occupations. A physicist lost half the value of his original knowledge in about five years, while it would take an historian more than 30 years to fall that far behind. Although the economist did not point this out—whether through oversight or prudence—the occupations with high rates of obsolescence were often "male dominated," while the occupations that are heavily female tended to have slow rates of obsolescence.

Although differences in choices and performances are ignored or dismissed in politically correct quarters, such differences obviously affect differences in outcomes, not only as between men and women but among racial, ethnic and other groups as well.

Since it is truly Utopian to expect to have a rational discussion of inter-racial differences in these times, we can look at two branches of the same race—northern Europeans and southern Europeans.

For the past few centuries, northern Europeans have been far more advanced industrially and technologically than southern Europeans—not only in Europe itself, but when they immigrate to European-offshoot societies in the Western Hemisphere or Australia. But for a thousand years or so before that, southern Europeans were far more advanced than northern Europeans.

In short, performances vary not only from individual to individual, but also from group to group, and from one era to another. Seldom are performances equal at any given moment.

In performance terms, Japan was decidedly inferior to the West in industrial technology a century ago. No one was more painfully aware of this than the Japanese themselves. That is what spurred them on to the efforts which have enabled them to overtake the West in many fields today.

They understood that this was not a problem that could be solved by lofty talk or arbitrary presuppositions. ■



MAR 26 1993

ALASKA STATE EMPLOYEES ASSOCIATION

AFSCME Local 52, AFI -CIO

March 24, 1993

Senator Randy Phillips
Alaska State Senate
State Capitol
Juneau AK 99811

Re: Comparable Worth Pay Equity

Dear Senator Phillips,

Enclosed is the Alaska State Employees Association 1993 "Analysis of Pay Trends for State of Alaska Executive Branch Employees by Sex and Education Required by the Job."

This report is our analysis of the approximately 13,500 executive branch employees as of January 20, 1993. The report includes all employees, even those holding seasonal positions who were unlikely to be working in January.

A quick review of the study makes obvious that women working for the State of Alaska are paid less than men, regardless of the education required for the job.

This union strongly supports legislation to begin a comparable worth study of State jobs. We are convinced that such a study will help eliminate sex bias in pay. Our study of other state's experience leads us to believe that implementation of comparable worth pay equity is cost effective over the long run and can be implemented at minimal cost to the State.

Over the next few weeks, you will hearing from your constituents on the issue of Comparable Worth Pay Equity. I hope you agree that sex discrimination cannot be tolerated in Alaska. This can be the year of fair pay scales for Alaskan women employed by the State of Alaska.

Please contact ASEA AFSCME Local 52 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Pat Jones".

Pat Jones, Chair
ASEA AFSCME #52 Women's Issues Committee

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**PAY TRENDS FOR THE STATE OF ALASKA,
EXECUTIVE BRANCH OF STATE GOVERNMENT,
BY SEX AND EDUCATION**

By

**The Women's Issues Committee
Pat Jones, Chair**

February 1993



**ALASKA STATE EMPLOYEES ASSOCIATION
AFSCME, Local 52, AFL-CIO**

**Dennis Gellhouse, President
Jennie Day Peterson, Business Manager**

3510 Speard Road, Suite 110
Anchorage, Alaska 99503
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PAY TRENDS IN THE CLASSIFIED SERVICE
OF THE STATE OF ALASKA, EXECUTIVE BRANCH
BY SEX AND REQUIRED EDUCATION

INTRODUCTION

Equality at work between men and women includes both a pay scale free of sexual bias and equal opportunity for advancement. ASEA AFSCME Local 52 analyzed the employee distribution in the executive branch of the State of Alaska as of January 20, 1993. This report summarizes our findings.

MAJOR FINDINGS

1. A majority of job classifications are sex dominated.

Job classes with 70% or more male employees are defined by the Union as "male dominated." Job classes with 70% or more women are defined as "female dominated." All other job classes are defined as "sex balanced."

Of the 957 job classifications studied, 48% (459) are male dominated, 28% (272) are female dominated, and only 24% (226) are sex balanced.

2. A majority of state employees are in either male dominated job classes or female dominated job classes.

Of the 13,542 employees, 55% are men and 45% are women. 39% of state employees work in male dominated job classes. 32% of state employees work in female dominated job classes. The remaining 29% are in sex balanced job classifications.

3. The pay in female dominated job classifications is significantly less than pay in male dominated and sex balanced job classifications.

The pay in female dominated jobs is about 30% less than male dominated jobs and about 24% less than sex balanced jobs.

4. Regardless of required education, women tend to be paid less than men.

Of the job classes requiring skills instead of formal education, those in female dominated job classes earn about 30% less than those in male dominated job classes. As education requirements increase, the pay disparity decreases, but the disparity does not disappear completely.

OVERVIEW

The State of Alaska provided a data report listing all job classes in the executive branch of government on January 20, 1993. For the purposes of this study, the education positions at Mt. Edgecombe High School and political appointments were excluded from consideration. Partial exempt and full classified positions were considered.

The study covered 13,542 employees in 957 separate job classifications. Women comprised 45% of the workforce and men comprised 55% of the workforce.

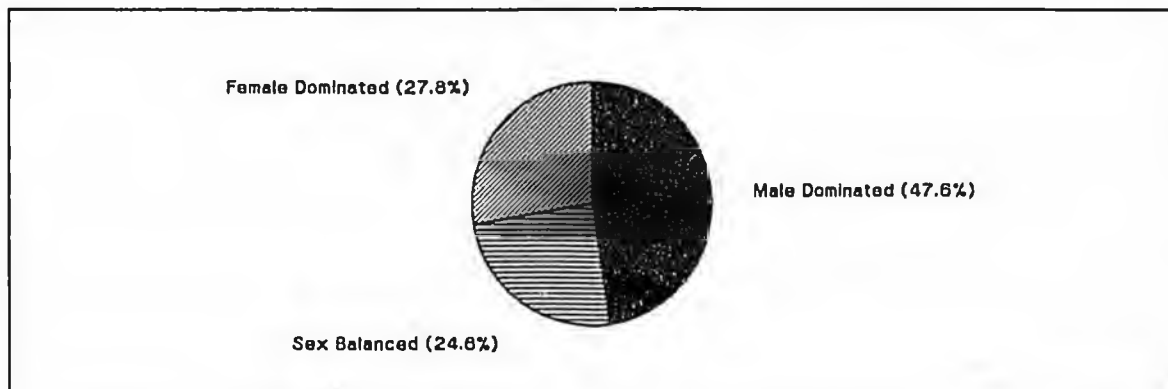
The Union collated the State's workforce with the minimum education requirements found in the class specifications for each of the 957 job classes. When education or experience options were offered, only the first options was considered.

Each job classification pay range was assigned a minimum and a maximum hourly pay rate. The base pay schedule for class 2 and 3 General Government Unit employees was used for pay through Range 24. Other ranges were taken from the Exempt, Public Safety, Labor Trades and Crafts, and the two Marine Highways pay scales. An average pay rate per each range was extrapolated as the mean of the minimum and maximum rates. For comparison purposes, the median "average pay rate" was generally used. The median is the midpoint where half the employees earn less and half the employees earn more.

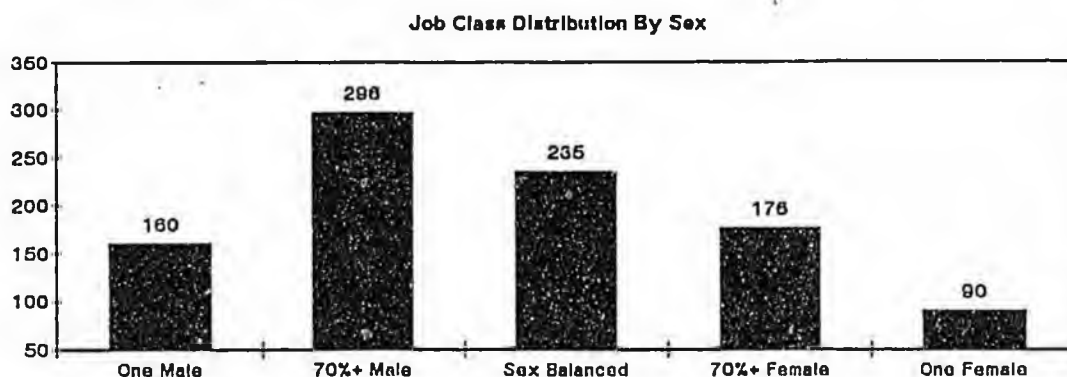
Job Class Segregation By Sex

The 957 job classifications were divided by the sex of the employees currently in the class. A job class was defined as "Dominated" if 70% or more of the employees were either male or female. If the job class was 31% to 69% male or female, that job class is defined as "Balanced." The 957 classes are defined as follows:

JOB CLASS BY SEX



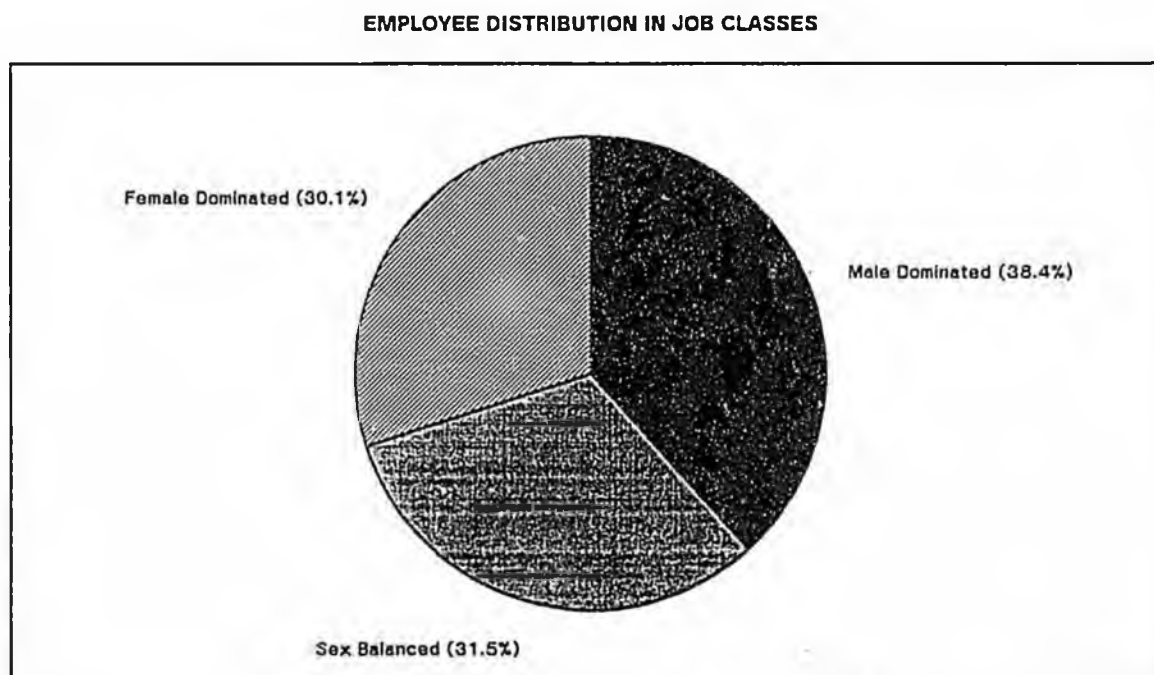
A large number of job classes were found to have a single employee. These single employee jobs are mostly at the mid-management and upper management levels. When these job classes are considered separately, the results are:



As a total, over 75% of all job classes are defined as dominated by either men or women.

Employee Segregation In Job Class By Sex

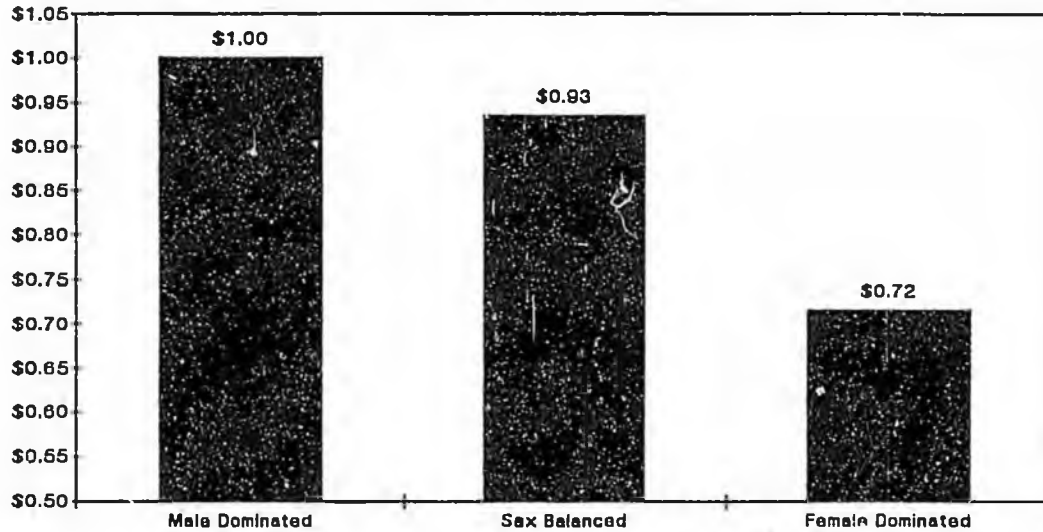
On January 20, 1993, there were 13,542 in the classified service covered by this report. A full 68% of these employees were in sex dominated job classes as follows:



Pay Trends Compared to Category of Job Class

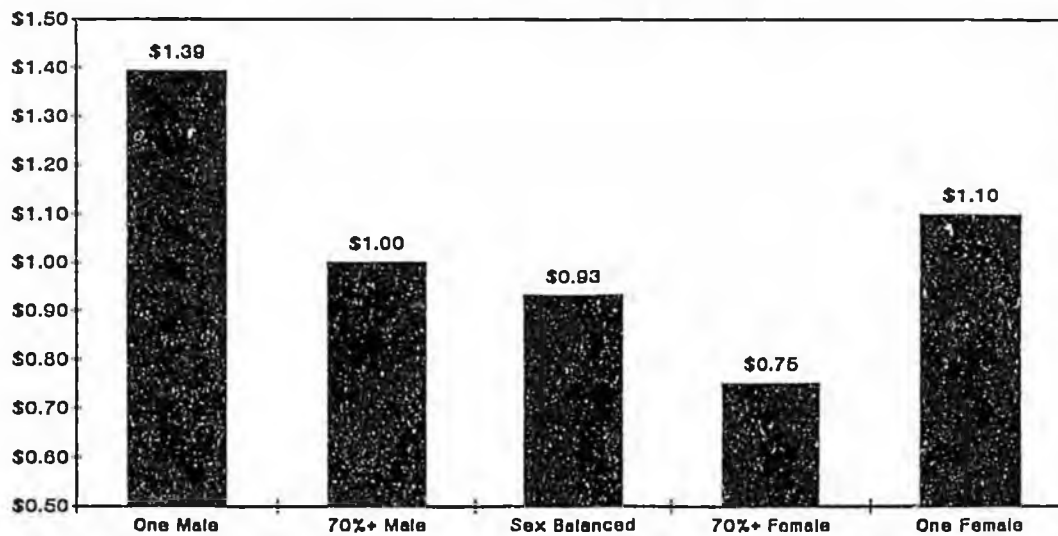
For comparison purposes, the median and mean pay for each category was found. The male dominated job class median pay was converted to \$1.00 and the other categories were calculated as a proportion of that dollar as follows:

MEDIAN PAY ALL JOB CLASSES



When the single employee job classes were considered separately, the following comparison of average pay per hour is found:

AVERAGE PAY TO MALE DOMINATED PAY

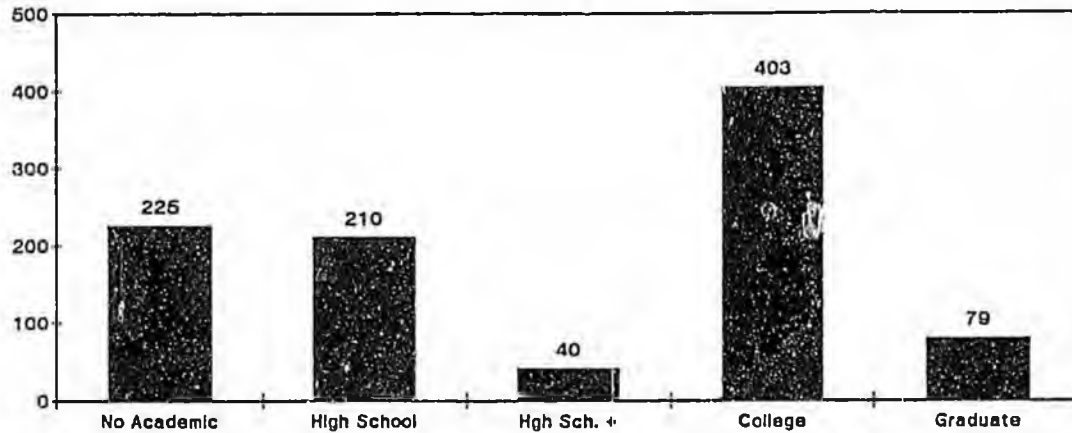


Minimum Education Requirements for Job Classes

Each job class was categorized based on the minimum academic education requirements set by the State of Alaska.

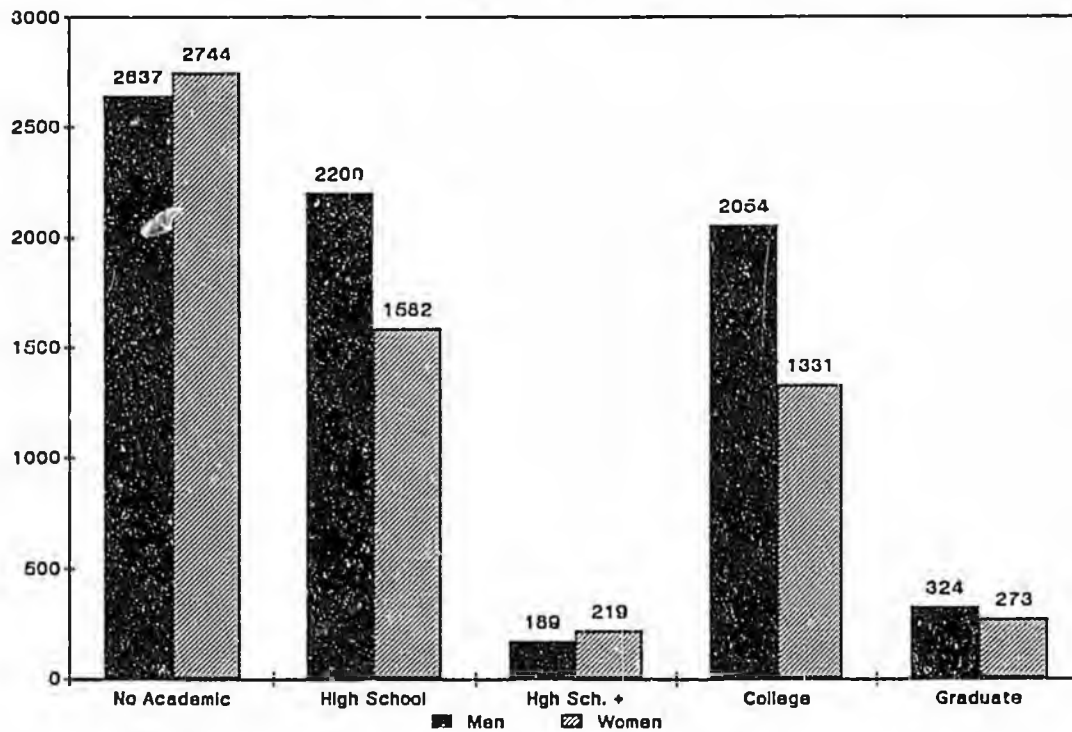
The 957 job classes are categorized as follows:

JOB CLASS DISTRIBUTION BY EDUCATION



Employees were in these job classes as follows:

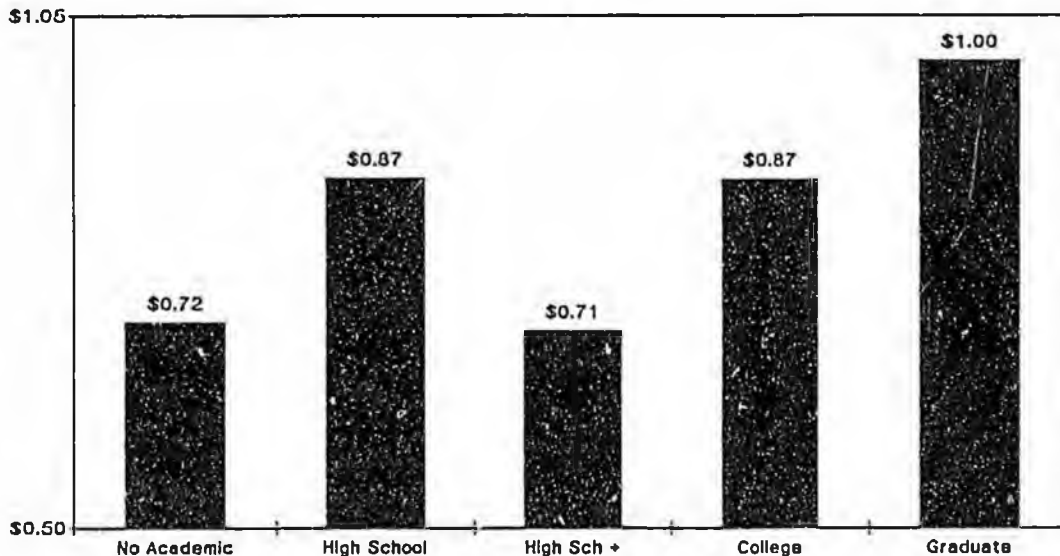
EMPLOYEES BY EDUCATION REQUIRED IN JOB



Pay Comparison Using Minimum Required Education and Job Segregation By Sex

For each academic category, the balanced and one employee job classes were excluded. The pay between male dominated and female dominated job classes were compared. In each category the male dominated pay is converted to \$1.00, as follows:

PAY IN FEMALE DOMINATED JOB CLASSES BY REQUIRED EDUCATION
COMPARED TO PAY IN MALE DOMINATED JOB CLASSES WITH SAMEW EDUCATION REQUIREMENTS
(MALE DOMINATED PAY = \$1.00)



CONCLUSIONS

The majority of employees of the State of Alaska are in jobs segregated by sex. Female dominated jobs are paid significantly less than jobs held by men. The education requirements of the job do not explain the wage disparities. However, it was found that the largest wage disparity is in those jobs that require specific skills instead of specific degrees. It appears more than coincidental that these jobs with the greatest wage disparity are also the jobs with the greatest number of female employees.

This study is not a full comparable worth survey. Neither experience nor responsibility nor workplace hazards were considered. This study also did not differentiate between the higher wages paid to specific job classes such as class 1 GGU, correctional officer, confidential, and supervisory pay scales. Inclusion of these pay scales would widen the pay disparity.

The data gained by this study does demonstrate the need for an immediate and comprehensive analysis of the State of Alaska job classification system. A comprehensive study will certainly reveal pay discrimination against women employed by the State of Alaska.

APPENDIX A.....DISTRIBUTION OF JOB CLASSES

	Number of Classes	Percent of Total
Male Dominated	456	48%
Sex Balanced	235	24%
Female Dominated	266	28%
Totals	957	100%

APPENDIX B.....DISTRIBUTION OF EMPLOYEES BY JOB CLASS

	Number of Classes	Percent of Total Job Classes
One Male Employee	160	17%
Male Dominated	296	31%
Sex Balanced	235	24%
Female Dominated	176	18%
One Female Employee	90	9%
Totals	957	99%

APPENDIX C.....DISTRIBUTION OF EMPLOYEES BY JOB CATEGORY

	Number of Employees	Percent of Total
One Male Employee	160	1%
Male Dominated	5040	37%
Sex Balanced	4265	31%
Female Dominated	3987	29%
One Female Employee	90	1%
Total	13,542	99%

APPENDIX D.....COMPARISON OF MEDIAN PAY

Median Average Pay Per Hour Male Dominated Base = \$1.00	
Male Dominated	\$ 1.00
Sex Balanced	\$.93
Female Dominated	\$.72

APPENDIX E.....AVERAGE PAY PER HOUR BY JOB CATEGORY

Average Pay Per Hour Base Of \$1.00 for Male Dominated	
One Male Employee	\$ 1.39
Male Dominated	\$ 1.00
Sex Balanced	\$.93
Female Dominated	\$.75
One Female Employee	\$ 1.10

APPENDIX F.....JOB CLASS DISTRIBUTION BY EDUCATION REQUIRED

	Classes	Total
No Academic Requirement	225	23%
High School Diploma	210	22%
High School Plus	40	4%
College Degree	403	42%
Graduate Degree	79	8%

APPENDIX G.....NUMBER OF EMPLOYEES BY REQUIRED EDUCATION

	Number of Employees	Percent of Total
No Academic Requirement	5386	40%
High School Diploma	3785	28%
High School Plus	388	3%
College Degree	3387	25%
Graduate Degree	596	4%

APPENDIX H... EMPLOYEES IN JOB CLASS WITH 2+ EMPLOYEES BY
MALE AND FEMALE DOMINATED JOB CLASS

	Male Dominated	Female Dominated
No Academic Requirement	1910	2329
High School Diploma	1617	973
High School Plus	102	187
College Degree	1334	554
Graduate Degree	77	44

APPENDIX I...COMPARISON OF MEDIAN PAY BY REQUIRED EDUCATION
BY MALE AND FEMALE DOMINATED JOB CLASS

	Male Dominated	Female Dominated
No Academic Requirement	\$ 1.00	\$.72
High School Diploma	\$ 1.00	\$.87
High School Plus	\$ 1.00	\$.71
College Degree	\$ 1.00	\$.87
Graduate Degree	\$ 1.00	\$ 1.00



SENATOR DAVE DONLEY
ALASKA STATE LEGISLATURE

August 17, 1993

Senator Randy Phillips
Chair
Senate Community and Regional Affairs Committee
P. O. Box 142
Eagle River, Alaska 99577-0142

Dear Senator Phillips:

In the first week of the last legislative session, I introduced Senate Bill 2 (SB 2) which would mandate a study to determine if pay inequities, based on sex, exist in state agencies. I believe that such inequities do exist and that in addition to them being wrong and unfair, they leave the State exposed to possible expensive lawsuits.

Therefore, I would like to request an interim hearing on this legislation at the earliest possible opportunity. I have heard from many groups and individuals from around the state on this issue and there is a great deal of concern relating to pay equity among Alaska's working men and women. Furthermore, as it appears that fiscal notes are only being prepared when a committee asks for them, I would like you to request fiscal notes from the appropriate agencies for this legislation.

Working together I believe we can put an end to any unfair practices which exist on this issue.

Thank you for your assistance with this request.

Sincerely,

A handwritten signature in cursive script that reads "Dave Donley".

Senator Dave Donley

DD/jbv

XC: Representative Fran Ulmer
Alaska Women's Political Caucus
Anchorage Central Labor Council
Alaska State Employees Association
Senator Ellis
Senator Salo
Senator Little
Senator Lincoln
Senator Zharoff
Senator Duncan

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CO-CHAIR: Anchorage Caucus • MEMBER: Senate Judiciary Committee • Senate Resources Committee

SPONSOR STATEMENT SENATE BILL 2

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

If two workers do the same of similar job, it is illegal under federal law to pay them different wages based solely on their sex. Unfortunately, there is a good reason to believe that illegal wage disparities, based on sex, exist in Alaska state government today. We know that Alaskan women working for the state are being paid less than their male counterparts.

Paying women less than men for doing the same kind of work is just plain wrong. State employees should be paid based on the value of the work they perform, and not based on whether they are men or women. If two jobs require a high school diploma, a year of experience, and have comparable hazards and responsibilities, both jobs should be paid equally.

SB 2 provides a mechanism to bring the state into compliance with federal law and to put an end to wage-based sex discrimination in state employment. Passage of SB 2 is, in itself, the right thing to do. But for those who are concerned about saving scarce state revenues, there is another reason to support SB 2. Failure to adopt this bill makes the state vulnerable to expensive, time-consuming, and divisive litigation.

We should learn from mistakes that have been made in other states. In Washington, legislators ignored evidence that women in state government were paid less than men, and refused to enact legislation like SB 2. After years of litigation, state employees in Washington achieved pay equity through court action. The ultimate cost to the state was much higher than it would have been if the legislature had voluntarily dealt with the problem.

We can also learn from the successes that have been achieved in other states. Minnesota is one of the states that voluntarily dealt with the problem of women being paid less than men. In fact, SB 2 is modeled directly after the Minnesota legislation. The approach taken in Minnesota and SB 2 is to identify instances in which we are illegally paying women less than men, to develop a plan to eliminate the sex discrimination, and for future legislatures to phase in implementation of the plan.

SB 2 promotes fairness in the workplace, and recognizes the valuable work that is being performed by the men and women in state government. And in the long run, SB 2 will save the state a great deal of money.

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ALASKA

Post-it Brand fax transmittal memo 7871		Messages: 3	
To: David Koivumemi	From: Richard Seward		
Co.	Co.		
Dept.	Phone #		
Fax #	Fax #		

MEMORANDUM

TO: David Koivumemi, Assistant Business Manager
 FROM: Richard Seward, Business Agent-Fairbanks
 RE: SB2 - Comparable Worth Pay Equity
 DATE: January 14, 1994

As you know I am assigned work with the ASEA AFSCME Local 52 Women's Issues Committee and I am the author of the 1992 and 1993 Comparable Worth Pay Equity studies. At your request, I reviewed SB2 and the Hinkel Administration's substitute for SB2 regarding Comparable Worth Pay Equity. I also reviewed the November 1993 Wilkey Letter and Pat Jones' written testimony.

First the Wilkey Letter. Mr. Wilkey is mostly accurate in his description of the hiring process for the state of Alaska. His conclusions do not follow from his assumptions, however. The sex segregation of the job classes and the failure of women to break through the "pink glass ceiling" is a failure of affirmative action in Alaska. The hiring process has absolutely nothing to do with Comparable Worth Pay Equity. Pay equity begins with "classification" of the job, not the hiring of employees. The fact is that jobs traditionally done by women are paid less than jobs traditionally done by men. The failure of affirmative action keeps women out of male dominated jobs. Basic, everyday sex discrimination pays less for jobs women are able to get. Mr. Wilkey fails to understand the problem that comparable worth pay equity is attempting to accomplish.

Second, the Administration seeks to delete collective bargaining from all aspects of SB2. The Administration goes a step further and deletes the Legislature's ability to modify the Administration's pay equity plan each year. In other words, the Administration wants complete control of Comparable Worth Pay Equity without discussion or feedback from unions, affected employees, or the Legislators who fund the plan.

We must oppose the deletion of all reference to collective bargaining for several reasons:

1. Collective Bargaining will assure that action is taken. This Administration was provided with the 1992 and the 1993 reports from ASEA AFSCME #52 clearly demonstrating the sexual segregation and pay discrimination in the State's workforce. Yet, after two years this Administration has not taken any action to rectify this discrimination. In fact, the largest job class affected is the proposed Administrative Clerical job class, largely female.

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ALASKA STATE EMPLOYEES ASSOCIATION

AFSCME Local 52, AFL-CIO

The Division of Personnel submitted recommendations for pay assignment to Commissioner Ustera in the fall of 1993. She has failed to act on her own Division's recommendations. Also, ASEA AFSCME #52 had to take this Administration to Court to get an order mandating that the state conduct public sector-private sector salary surveys already mandated by statute. This Administration thought it could decide not to follow this statute. The give and take of union input and bargaining will assure that the Administration takes action.

2. Collective Bargaining decreases the total cost to the State and increases resources available to conduct a study. The unions of State employees are affiliated with various international AFL-CIO unions. Many of these local and national unions are in the business of salary research and data compilation. Our union resources can be a great asset to the State. It is not good business sense to write a law deleting access to sources of information such as are available through Unions.

3. Collective Bargaining yields better decisions. PERA clearly recognizes that "two heads are better than one". When decisions are reached by labor and management jointly, there is a harmonious workforce making better decisions and providing better service to the people of Alaska.

For these reasons, ASEA AFSCME Local 52 opposes deletions of collective bargaining from SB2-Comparable Worth Pay Equity.

Third, the Administration substitution proposes implementation parameters to save money. The Administration proposals address jobs that are reclassified to both lower and higher salary ranges. ASEA AFSCME Local 52 opposes these proposals.

In the first place, the Administration moves that employees will be "frozen" in pay when the job is reclassified downward, but only for two years. In most State of Alaska union contracts, pay is frozen indefinitely. The State has not been able to negotiate a two year maximum on frozen pay, so it comes to the Legislature. This issue is best left where it now lies, at the bargaining table.

In the second place, the State wants to insure that a pay equity salary increase does not result in an increase to payroll. In other words, women who have been under-paid for years will not see a pay equity raise, though their daughters will be treated fairly.



ALASKA STATE EMPLOYEES ASSOCIATION

AFSCME Local 52, AFL-CIO

Under the Administration plan for example, if pay equity results in an increase of three salary ranges, employees who have earned five merit increases and a longevity bonus after seven years of meritorious service will receive the same pay as someone hired yesterday. This negates the concept of the merit system for all employees receiving "justice" for sex based pay discrimination. The Administration's "promotion" proposal goes against collective bargaining agreements and violates the merit principle. And the Administration's proposal does not create pay equity for the current employees. The issue of implementation of pay equity is best left at the bargaining table. The Union's are not stupid, we are aware of the price of oil and recent court decisions. We know that breaking the bank results in loss of jobs and services to the people of Alaska. No union desires to layoff half its members to achieve pay equity. But through collective bargaining, other states have implemented pay equity over the course of years in such a way as to preserve the integrity of the State's budget and also to implement progressively a solid pay equity program.

ASEA AFSCME Local 52 must oppose the Administration's substitution bill for SB2. The Administration's deletion of collective bargaining, desire to maintain total control of the process, and desire to achieve pay "equity" with no financial benefit to employees are all unacceptable to this union.

Please call me at 452-2303 or 1-800-478-2305 if more information is needed.

cc: Jennie Day Peterson, Business Manager-Anchorage

Subject	SB 2	Department of Administration Proposal	Comment
Add "elimination of sex based wage disparities" to the means of promoting harmonious and cooperative employee relations and assuring effective and orderly governmental operations.	Section 1 of bill, amending AS 23.40.070(3). See specifically, page 2, lines 11 and 12.	Omit	Department of Administration's proposal omits all references that imply a union right to bargain over classifications.
Collective bargaining may not defeat cost reduction provision upon implementation of new classification system.	-	Proposed AS 23.40.210(b). See also proposed AS 39.27.013 below.	Source: HB676, February 17, 1986. This provision reduced implementation costs by approximately 50 percent.
Collective bargaining agreements may provide a freeze upon reclassification downward for up to two years.	-	Proposed AS 23.40.210(c).	Source: 2 AAC 07.345(e). This provision will allow offsetting savings to be realized two years after implementation.
Provide a one-time exception upon implementation of the new classification system of the pay rules that normally apply to a reclassification upward.	-	Proposed AS 39.27.013.	Source: HB676, February 17, 1986. Employees moved upward as a result of the new classification system will receive minimal immediate increases, but will be eligible for future step increases. This provision reduced implementation costs by approximately 50 percent.
Require public employers to report results of new classification system to unions and to use the report in bargaining.	Proposed AS 39.90.210(c). Page 3, lines 4 through 9.	Omit	Department of Administration's proposal omits all references that imply a union right to bargain over classification.
Method of notice to legislature of implementation costs.	Proposed AS 39.90.210(d), sentences 2b and 3.	Delete proposed AS 39.90.210(d) sentences 2b and 3; replace with requirement that implementation cost be included during budget preparation.	This approach better prepares the public employers to implement their plans.
Legislative review and amendment of plan, potential for partial funding.	Proposed AS 39.90.210(e)	Omit	Amendment of a public employer's classification plan should not be subject to collective or political bargaining. Appropriation will be through normal budget process. Implicates separation of powers.
Require public employer to notify union when reporting to the Legislature.	Proposed AS 39.90.210(f).	Omit	Department of Administration's proposal omits all references that imply a union right to bargain over classification. Any report to the Legislature will be publicly available.

Subject	SB 2	Department of Administration Proposal	Comment
Protect public employers from unfair labor practice charges over specified amounts of money to be used for specific pay purposes.	Proposed AS 39.90.210(g)	Omit	Department of Administration's proposal omits all references that imply a union right to bargain over classification.
Recognize as public policy the negotiation of pay rate adjustments.	Proposed AS 39.90.210(h)	Omit	Department of Administration's proposal omits all references that imply a union right to bargain over classification.
Pay Equity article does not diminish duty to bargain in good faith.	Proposed AS 39.90.210(i)	Omit	Good faith bargaining requirements are established in PERA and need not be repeated here.
Specify compensation relationships required in preparation for bargaining.	Proposed AS 39.90.220	Change Section Title. Delete portion of first sentence in paragraph (a).	Department of Administration's proposal omits all references that imply a union right to bargain over classification.
Establish pay equity policy.	Proposed AS 39.90.200	No change.	-
Require classification system to determine comparable work value.	Proposed AS 39.90.210(a)	No change.	-
Specify factors in classification system.	Proposed AS 39.90.210(b)	No change.	-
Require public employers to report plan to create pay equity to the Legislature.	Proposed AS 39.90.210(d)	No change except to method of notice of cost. (See above).	-
Establish reasonable compensation relationship.	Proposed AS 39.90.220	No change except deletion of reference to collective bargaining. (See above.)	-
Definitions.	Proposed AS 39.90.300	No change.	-
Initial Report by January 1, 1996	Proposed Section 3	No change. Proposed Section 4	-
Department of Administration provide technical assistance to Court, Legislature, school districts and REAAs.	Proposed Section 3	No change. Proposed section 4	-

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

October 29, 1993

SUBJECT: Sectional Summary of SB 2. (Pay equity for public employees)
TO: Senator Dave Doniey
FROM: Teresa B. Cramer *TBC*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

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

Section 1 amends the policy statement in the Public Employment Relations Act to include eliminating sex-based disparities in public employment in the purposes for which public employees and their employers conduct collective bargaining.

Sec. 2 enacts new sections, applicable to employees of public employers, to establish a system for reaching pay equity.

Sec. 39.90.200 declares that it is the policy of the state to establish pay equity between female-dominated, male-dominated and balanced classes of employees of public employers. "Female-dominated," "male-dominated," "balanced class," and "class" are defined in Sec. 39.90.300. "Public employer" is defined to include state agencies and school districts and regional educational attendance areas.

Sec. 39.90.210 requires public employers to use a job evaluation system to determine the comparable work value of the work performed by each class of employees. Employers are required to meet and confer with collective bargaining representatives of their employees. Subsection (b) sets out minimum requirements for the job evaluation system. Subsection (c) requires reports from the employer to the bargaining organizations.

Subsection (d) requires employers to prepare a plan to create pay equity for positions in classes in which pay inequity has been found to exist. However, under subsection

Senator Dave Donley
October 29, 1993
Page 2

(h), setting public employee pay changes through collective bargaining remains the policy of the state.

Under subsection (e), the legislature reviews the plans and recommended appropriations of each public employer and may accept, reject, or amend the plans. The subsection sets out directions for allocation of any appropriations made to achieve pay equity. Subsection (f) directs that if a public employer finds there is pay inequity in a class that is part of a collective bargaining unit, the employer must notify the employee's union when the employer submits the plan to the legislature. Under subsection (g), an employer may set aside money to correct pay inequities without committing an unfair labor practice.

Sec. 39.90.220 requires public employers to ensure that compensation for positions meets certain standards. There should be a reasonable relationship between the compensation for positions in the different employment services, between compensation for positions in the public sector and the private sector, between the compensation for management positions and compensation of employees managed by the positions, and for compensation of positions in related classes. Subsection (b) describes how to determine if a reasonable relationship has been met.

Sec. 39.90.300 defines terms used in the previous sections, including "public employer," which includes state agencies and school districts and regional educational attendance areas.

Sec. 3 provides for deadlines and sets out the content required for the first report to the legislature.

TBC:gc
93-516.glc

DRAFT

A BILL

FOR AN ACT ENTITLED

"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."

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

Section 1: AS 23.40.210 is amended to read:

Section 23.40.210. AGREEMENT. (a) Upon the completion of negotiations between an organization and a public employer, ~~it~~^{if} a settlement is reached, the employer shall reduce it to writing in the form of an agreement. The agreement may include a term for which it will remain in effect, not to exceed three years. The agreement must [SHALL] include a pay plan designed to provide for a cost-of-living differential between the salaries paid employees residing in the state and employees residing outside the state. The plan must [SHALL] provide that the salaries paid, as of August 26, 1977, to employees residing outside the state [SHALL] remain unchanged until the difference between those salaries and the salaries paid employees residing in the state reflects the difference between the cost of living in Alaska and living in Seattle, Washington. The agreement must [SHALL] include a grievance procedure which has [SHALL HAVE] binding arbitration as its final step. Either party to the agreement has a right of action to enforce the agreement by petition to the labor relations agency.

(b) The employer and the organization may not negotiate over or include in the agreement a provision that is contrary to AS 39.27.013.

(c) The agreement may contain a provision that prevents the reduction in compensation of the incumbent of any position that is reclassified to a lower level. Such a provision may prevent a reduction in compensation for not more than two years.

Section 2: AS 39.27 is amended by adding a new section to read:

Section ³29.27.013. PAY LEVEL FOR EMPLOYEE MOVED TO HIGHER RANGE.

(a) For the purposes of moving an employee to a higher range, either through reclassification or a change in range, the employee must be placed at the lowest step in the higher pay range that does not result in a decrease in salary. This provision applies only to an action taken to implement a job evaluation system adopted under AS 39.90.200-AS 39.90.300.

(b) This section supersedes any personnel rules to the contrary.

Section 3: AS 39.90 is amended by adding new sections to read:

ARTICLE 3. PAY EQUITY

Section 39.90.200. COMPENSATION POLICY. It is the policy of this state to

establish pay equity between female-dominated, male-dominated, and balanced classes of employees in order to eliminate sex-based wage disparities in public employment.

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

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

- (1) the knowledge and skills needed for acceptable job performance, including substantive knowledge and managerial skills;
- (2) the intellectual effort required including the creativity and analytical skills needed for acceptable job performance, the degree to which the employee works independently, and the complexity of the problems assigned to the employee;
- (3) the employee's accountability for the employee's actions and the consequences of the employee's job performance, including the employee's level ^{of} discretion and the potential for benefit or harm to the employer or the public from the employee's job performance; and
- (4) working conditions, including the physical effort and skills required,

whether the job environment is disagreeable or physically demanding, and the hazards presented by the job.

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

Section 39.90.220. PUBLIC EMPLOYER CLASSIFICATION AND PAY PLANS.

(a) In preparing the position classification plan and the pay plan for employees, the public employer shall assure the compensation for

- (1) positions in the different services of the employer compare reasonably to one another;
- (2) positions in public service bear a reasonable relationship to compensation for similar positions outside public service;
- (3) management positions bears a reasonable relationship to compensation of the employees managed by the positions;
- (4) positions within one service bears a reasonable relationship among related classes and among various levels within the same occupations.

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

- (1) comparable skill, effort, responsibility, and working conditions is

comparable; and

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

Section 39.90.300. DEFINITIONS. In AS 29.90.200-39.90.300.

- (1) "balanced class" means a class in which no more than 70 percent of the incumbents are male and no more than 70 percent of the incumbents are female;
- (2) "class" means one or more positions that have similar duties and responsibilities and require similar qualifications to perform the duties so that the same descriptive title can be used with clarity for each position in the class, the same selection procedures can be used to recruit employees, and the same compensation schedule can be applied with equity to all positions in the class working under the same or substantially the same employment conditions;
- (3) "comparable work value" means the value of the work measured by the composite of the skill, effort, responsibility, and working conditions normally required in the performance of the work;
- (4) "female-dominated class" means a class in which more than 70 percent of the incumbents are female;
- (5) "male-dominated class" means a class in which more than 70 percent of the incumbents are male;
- (6) "management positions" means those positions accountable for
 - (A) determining, securing, and allocating human, financial, and other

- resources needed to accomplish objectives;
- (B) determining overall objectives, priorities, and policies within a program area;
- (C) handling significant and involved relationships with governmental leadership; or
- (D) exercising discretionary powers on a regular basis;
- (7) "pay equity" means compensation based on comparable work value;
- (8) "pay inequity" means compensation that is not based on comparable work value;
- (9) "public employer" means
 - (A) a department, institution, board, commission, division, authority, public corporation, committee, or other administrative unit of the executive, judicial, or legislative branch of State government, including the University of Alaska and the Alaska State Housing Authority, but not including the Alaska Railroad Corporation; and
 - (B) a school district or regional education attendance area.

Section 4: (a) Notwithstanding AS 39.90.210(c), enacted by Section 3 of this Act, a public employer shall make the initial report to the legislature under AS 39.90.210(c) by January 1, 1996. The initial report must include

- (1) the following information for each job class, as of July 1, 1995:
 - (A) the title of the job class, the number of incumbents, and the percentage of incumbents who are male and the percentage who are female;
 - (B) the comparable work value of the job class as determined under

the system chosen under AS 39.90.210, enacted by Section 4 of this Act;

- (2) a description of the job evaluation system used by the public employer;
- (3) a plan for establishing equitable pay relationships between female-dominated and male-dominated job classes, including
 - (A) identification of classes for which a pay inequity exists based on the comparable work value of the class;
 - (B) a timetable for implementing pay equity; and
 - (C) the estimated cost of implementing pay equity.

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

Administrative Version

WORK DRAFT

WORK DRAFT

WORK DRAFT

8-LS0163E
Cramer
1/20/94

CS FOR SENATE BILL NO. 2(CRA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS DONLEY, Ellis, Salo, Little, Lincoln, Zharoff, Duncan

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring pay equity for certain public employees and requiring the
2 compensation of certain public employees based on the value of 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 new subsections to read:

5 (b) The state and a bargaining organization representing state employees may
6 not negotiate over or include in an agreement a provision concerning pay levels that
7 is contrary to AS 39.27.013.

8 (c) An agreement may contain a provision that addresses the compensation of
9 incumbents in positions that are reclassified to a lower level and that prevents the
10 reduction of the incumbents' compensation. The provision may prevent a reduction
11 in compensation for a period not to exceed two years.

12 * Sec. 2. AS 39.27 is amended by adding a new section to read:

13 Sec. 39.27.013. PAY LEVEL FOR EMPLOYEES MOVED TO A HIGHER
14 PAY RANGE. When an employee's position is moved to a higher pay range, either

1 through reclassification or through a change in range, the employee shall be placed at
2 the lowest step in the higher pay range that does not result in a decrease in salary.
3 This section applies only to an action taken to implement a job evaluation system
4 adopted under AS 39.90.200 - 39.90.300. This section supersedes a personnel rule to
5 the contrary.

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

7 ARTICLE 3. PAY EQUITY.

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

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

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

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

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

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

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

1 (c) After considering the list of classes in which pay inequity exists, each
2 public employer shall prepare a plan to create pay equity for those positions. The
3 employer shall submit the plan to the legislature by January 1 of each odd-numbered
4 year together with the list of classes between which pay inequity exists. The employer
5 shall include the cost of implementing the plan in its budget for the next fiscal year
6 and shall implement the plan at the start of that fiscal year.

7 Sec. 39.90.220. PUBLIC EMPLOYER NEGOTIATING POSITIONS. (a) In
8 preparing the position classification plan and the pay plan for employees, the public
9 employer shall assure that compensation for

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

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

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

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

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

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

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

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

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

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

1 schedule can be applied with equity to all positions in the class working under the
2 same or substantially the same employment conditions;

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

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

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

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

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

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

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

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

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

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

21 (9) "public employer" means

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

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

28 * Sec. 4. (a) Notwithstanding AS 39.90.210(c), enacted by sec. 3 of this Act, a public
29 employer shall make the initial report to the legislature under AS 39.90.210(c) by January 1,
30 1997. The initial report must include

31 (1) the following information for each job class, as of July 1, 1996:

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

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

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

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

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

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

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

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

14 (c) In this section, "public employer" has the meaning given in AS 39.90.300.

Concerns - Legal Staff 1P

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

DATE: 1/11/93

FURTHER: L&C
JUD
FIN

Date of 5-Day Notice: 1/5/94
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: _____

CRA Committee considered SENATE BILL NO. 2

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

and recommends:

replace with _____ CS SB2 (CRA)

same title
 new title
 technical title change
(HB only)

attaches amendment(s)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
LAA	2/9/94	0	
DOA	2/10/94		\$317.3
DOL	2/10/94	0	

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

W. C. ...

OTHER RECOMMENDATIONS:

Lee Adams - Need Amendments
Gilpin L. Taylor - Need Amend
Koren X. Luman - No Rec

W. C. ...

Chair: Signature and Recommendation

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSSB 2 (CRA)

Revision Date: _____ Dept. Affected: Dept of Labor
 Title: An Act requiring pay equity for BRU: _____
certain public employees and requiring the.... Component: _____
 Sponsor: _____
 Requestor: Senate C&RA Committee COMPONENT SERIAL NO. _____

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	--0-

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of any current year (FY94) cost: \$ None

POSITIONS						
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Zero Fiscal Impact

Prepared by: Shirley Armstrong *Shirley Armstrong* Phone: 465-4949
 Division: Senate C&RA Committee Date: 2/10/94
 Approved by Commissioner: Senator Randy Phillips, Chair *R.P.* Date: 2/10/94
 Agency: Senate C&RA Committee

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SPONSOR STATEMENT SENATE BILL 2

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

If two workers do the same or similar job, it is illegal under federal law to pay them different wages based solely on their sex. Unfortunately, there is a good reason to believe that illegal wage disparities, based on sex, exist in Alaska state government today. We know that Alaskan women working for the state are being paid less than their male counterparts.

Paying women less than men for doing the same kind of work is just plain wrong. State employees should be paid based on the value of the work they perform, and not based on whether they are men or women. If two jobs require a high school diploma, a year of experience, and have comparable hazards and responsibilities, both jobs should be paid equally.

SB 2 provides a mechanism to bring the state into compliance with federal law and to put an end to wage-based sex discrimination in state employment. Passage of SB 2 is, in itself, the right thing to do. But for those who are concerned about saving scarce state revenues, there is another reason to support SB 2. Failure to adopt this bill makes the state vulnerable to expensive, time-consuming, and divisive litigation.

We should learn from mistakes that have been made in other states. In Washington, legislators ignored evidence that women in state government were paid less than men, and refused to enact legislation like SB 2. After years of litigation, state employees in Washington achieved pay equity through court action. The ultimate cost to the state was much higher than it would have been if the legislature had voluntarily dealt with the problem.

We can also learn from the successes that have been achieved in other states. Minnesota is one of the states that voluntarily dealt with the problem of women being paid less than men. In fact, SB 2 is modeled directly after the Minnesota legislation. The approach taken in Minnesota and SB 2 is to identify instances in which we are illegally paying women less than men, to develop a plan to eliminate the sex discrimination, and for future legislatures to phase in implementation of the plan.

SB 2 promotes fairness in the workplace, and recognizes the valuable work that is being performed by the men and women in state government. And in the long run, SB 2 will save the state a great deal of money.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. SB2

Revision Date: _____ Department Affected: Administration
 Title: "An Act requiring pay equity...and requiring compensation...based on the value of work performed." BRU: Personnel/OEEO
 Sponsor: Donley Component: Personnel/OEEO
 Requestor: Senate Community and Regional Affairs Committee COMPONENT SERIAL NO. 56

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL	0	298.8	149.3	0	0	0
TRAVEL	0	6.0	0	0	0	0
CONTRACTUAL	0	0.5	8.5	0	0	0
SUPPLIES	0	1.5	0.5	0	0	0
EQUIPMENT	0	10.5	0	0	0	0
LAND &	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	317.3	158.3	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING:

1002 Federal	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	317.3	158.3	0	0	0
1005 GF/Program	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
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	7	7	0	0	0

Estimate of current year (FY93) impact: \$0

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Kevin Ritchie *Michael P. Donley*
 Division: Personnel/OEEO

Phone: 465-4429
 Date: 9/1/93

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

Date: 9/2/93

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. SB2

ANALYSIS: (continued)

This legislation would force the State to change its classification system from the "whole job" system currently in use. We will change it to the Alaska Quantitative Evaluation System (AQES). AQES reached a preliminary stage of development with a \$500.0 thousand appropriation in 1983. The costs shown are required to complete the development. The project would begin in FY95 and be completed by January 1, 1996.

Costs of reactivating AQES:

	FY 95	FY 96	Total
100 - Personnel			
2 Personnel Specialists R 18	113.9	57.0	170.9
2 Personnel Specialists R 16	98.9	49.4	148.3
2 Clerk Typists R 8	59.7	29.8	89.5
1/2 Analyst Programmer R 17	26.3	13.1	39.4
Subtotal	298.8	149.3	448.1
200 - Travel for Audits	6.0		6.0
300 - Contractual			
Printing new specs, etc		8.0	8.0
Telephone	.5	.5	1.0
400 - Supplies	1.5	.5	2.0
500 - Equipment			
2 computers (for programmer and typist); 1 printer	10.5		10.5
Totals	317.3	158.3	475.6

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO : SB 2

Revision Date: _____
 Title: "Pay Equity based on value of work"
 Sponsor: Senator D. Donley
 Requestor: Senate CRA

Department Affected: Labor
 BRU: Office of the Commissioner
 Component: Alaska Labor Relations Agency
 COMPONENT SERIAL NO. 1200

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: \$ None

ANALYSIS: (Attach a separate page if necessary)
 It is not anticipated that SB 2 would have a fiscal impact on the operation of the Alaska Labor Relations Agency (ALRA). Though SB 2 would amend the Public Employment Relations Act (PERA), it does not provide the ALRA with enforcement authority. Moreover, Section 2 of the bill eliminates potential conflicts between efforts to remedy sex based wage disparities and unfair labor practices under PERA thereby avoiding a potential cost to the agency under the bill.

Prepared by: Jan DeYoung, Hearing Examiner Phone: 269-4895
 Division: Alaska Labor Relations Agency Date: 8/20/93

Approved by Commissioner: Charles W. Mahler
 Agency: Department of Labor Date: 8/20/93

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: SB 2

Revision Date: _____
Title: An Act requiring pay equity for certain public employees and requiring the compensation...
Sponsor: Senator Donley
Requestor: Senate C&RA

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

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
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. Legislative employees are exempt and are not covered by a collective bargaining unit. If the Legislative Affairs Agency prepares a report, it is anticipated that if technical assistance is needed we will be contacting the Department of Administration for assistance.

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

Pamela A. Stoops

Phone: 465-3850
Date: 8/20/93

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

Pamela A. Stoops for WWE

Date: 8/20/93

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

SB

15

01/14

DATE: 1/11/93

FURTHER: JUDICIARY
FINANCE

Date of 5-Day Notice: 1/21/93
(in accordance with Uniform Rule 23)

DATE TURNED
INTO OFFICE: _____

CRA Committee considered SENATE BILL NO. 15

"An Act relating to the village public safety officers program."

and recommends:

replace with _____ CS SB15 (CRA)

same title
 new title
 technical
title change
(HB only)

attaches amendment(s)

adopts _____ Letter of Intent

further referral to the ~~SENATE~~

do pass

do not pass

no recommendation

individual recommendations

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
Dept of Public Safety	1/21/93	X	

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS: -

Ed Adams
Frank P. Zhanoff

OTHER RECOMMENDATIONS:

Roll E. Roll No Rec
Adrian L. Taylor No Rec

Roll E. Roll

Chair: Signature and Recommendation

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: SB 15

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to the village public safety officers program BRU: Village Public Safety Officers
 Component: VPSO Contracts
 Sponsor: Senator Adams
 Requestor: Senator Adams COMPONENT SERIAL NO. 516

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

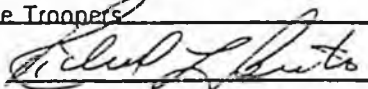
POSITIONS:

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 (FY 93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary.)

No additional costs are anticipated.

Prepared By: Francis C. Allan Phone: 259-5691
 Division: Alaska State Troopers Date: 1/20/93
 Approved by Commissioner:  Date: 1/21/93
 Agency: Richard I. Burton, Dept. of Public Safety

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DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 3, 1993

SUBJECT: Village Public Safety Officers Program (CSSB 15(CRA))

TO: Scnator Randy Phillips
Chair, Community and Regional Affairs Committee

FROM: Tamara Brandt Cook
Director *TBC*

Here is a draft committee substitute you requested for SB 15. One of the differences between this draft and the original bill is that, while the original bill simply authorized the commissioner of public safety to enter into contracts to provide law enforcement services in rural areas, under the draft contracts may only be entered into with Native regional nonprofit corporations.

To the extent that the village public safety officers program is available only to Native corporations and is intended to benefit Native villages but not other villages, the bill may be susceptible to constitutional challenge based upon equal protection considerations.

TBC:lmb
93-018.lmb

Enclosure

8-LS0114E
Cook
2/3/93

CS FOR SENATE BILL NO. 15(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS ADAMS, Lincoln, Zharoff, Duncan

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the village public safety officers program."

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

3 * Section 1. AS 18.65 is amended by adding a new section to read:

4 ARTICLE 8. VILLAGE PUBLIC SAFETY OFFICERS.

5 Sec. 18.65.670. VILLAGE PUBLIC SAFETY OFFICERS PROGRAM. (a)

6 There is created in the Department of Public Safety a village public safety officer
7 program to assist local governments and villages through Native nonprofit regional
8 corporations to appoint, train, supervise, and retain persons to serve as village public
9 safety officers to administer functions relative to the protection of life and property in
10 rural areas of the state.

11 (b) With funds appropriated for that purpose, the commissioner of public
12 safety shall provide grants to Native nonprofit regional corporations for village public
13 safety officers.

14 (c) The commissioner of public safety may adopt regulations related to village

1 public safety officers, including minimum standards and training, criteria for
2 community or corporation participation, and the interaction between the Department
3 of Public Safety and village public safety officers.



Alaska State Legislature

Senator Randy Phillips

SESSION
State Capitol
Juneau, AK 99801
(907) 465-4949
800-478-4950
Fax: 465-4979

INTERIM
P.O. Box 142
Eagle River AK 99577
(907) 694-4949

CHAIR
Legislative Budget & Audit
Community & Regional Affairs

VICE-CHAIR
Transportation

MEMBER
Alaska Commission on
Postsecondary Education

Phillips' Fax

DATE: 2/1/93

TO: LAA Legal Fax# 465-2029
2 pages

FROM: Spiller & Artis Fax# (907) 465-4979
Tel: (907) 465-4949
Toll Free: (800) 478-4950

Comments: Please prepare a CS for
SC+RA Committee - need a
draft for our meeting tomorrow
at 9:00 AM



Alaska State Legislature

Senator Randy Phillips

SESSION
State Capitol
Juneau, AK 99801
(907) 465-4949
800-478-4950
Fax: 465-4979

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P.O. Box 142
Eagle River AK 99577
(907) 694-4949

CHAIR
Legislative Budget & Audit
Community & Regional Affairs

VICE-CHAIR
Transportation

MEMBER
Alaska Commission on
Postsecondary Education

Phillips' Fax

DATE: 9/11/93

TO: LAA Legal . Fax# 2029

Peggy 2 pages

FROM: Shirley Anthony Fax# (907) 465-4979

Tel: (907) 465-4949

Toll Free: (800) 478-4950

Comments: Here are the new changes
requested by Adors office to the
proposed substitute sent over
earlier today -

Proposed substitute for SB 15

AS 18 is amended by adding a new chapter to read:

CHAPTER 69. VILLAGE PUBLIC SAFETY OFFICER PROGRAM.

AS 18.69.010. VILLAGE PUBLIC SAFETY OFFICER PROGRAM. (a)

There is created in the Department of Public Safety a Village Public Safety Officer Program to assist local governments and village^s ~~or~~ ^{through} regional non-profit corporations to appoint, train, supervise and retain persons to serve as village public safety officers to administer functions relative to the protection of life and property in rural Alaska.

(b) With funds appropriated for that purpose, the commissioner of public safety shall provide grants to [local governments and village or] regional non-profit corporations for village public safety officers.

(c) The commissioner of public safety may adopt regulations related to village public safety officers, including minimum standards and training, criteria for community or corporation participation, and the interaction between the Department of Public Safety and village public safety officers.

One of the ^{can} chairmen would like to do it. This HM is OK w/ Dept of P.S., law, contractors, and myself.
TAS
Ed Helander

Proposed substitute for SB 15

AS 18 is amended by adding a new chapter to read:

CHAPTER 69. VILLAGE PUBLIC SAFETY OFFICER PROGRAM.

AS 18.69.010. VILLAGE PUBLIC SAFETY OFFICER PROGRAM. (a)
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supervise and retain persons to serve as village public safety
officers to administer functions relative to the protection of
life and property in rural Alaska.

(b) With funds appropriated for that purpose, the
commissioner of public safety shall provide grants to ~~local~~
~~governments and village or~~ regional non-profit corporations
for village public safety officers.

(c) The commissioner of public safety may adopt regulations
related to village public safety officers, including minimum
standards and training, criteria for community or corporation
participation, and the interaction between the Department of
Public Safety and village public safety officers.

*AS 18.69.010
Village Public Safety Officer
Program*

STATE OF ALASKA

DEPARTMENT OF LAW

CRIMINAL DIVISION

WALTER J. HICKEL, GOVERNOR

PLEASE REPLY TO:

CRIMINAL DIVISION CENTRAL OFFICE
P. O. BOX 110300 - STATE CAPITOL
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3428

OFFICE OF SPECIAL PROSECUTIONS
AND APPEALS
1031 W. 4TH AVENUE, SUITE 318
ANCHORAGE, ALASKA 99501-5993
PHONE: (907) 279-7424

January 25, 1993

The Honorable Randy Phillips
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Phillips:

At the request of Senator Adams' staff, we offer the attached proposed substitute for SB 15, an act relating to village public safety officers (VPSO).

It is our understanding that SB 15 intended to codify the present VPSO program. To that end, subsections (a) and (b) of the proposed amendment attempt to describe the VPSO program as it exists today. As you may be aware, under the current program, the village public safety officers not employees of the state, but are employees of the regional corporations that hire them. This proposed amendment continues that practice, so that the department's role is not to employ the officers, but rather to assist the corporations and local governments in doing so.

This amendment also continues the current practice whereby the department, with funding provided specifically for that purpose, passes funds to regional corporations. This proposal would, however, broaden the program to make it possible for local government units to participate directly, rather than through a corporation.

This amendment reflects the goals of the current VPSO program, which is designed to provide a broad range of public safety functions, not solely law enforcement. We therefore felt it was best to create the program as a separate function in the Department of Public Safety, in a separate chapter in Title 18, rather than overly emphasizing the law enforcement role by putting the program in AS 18.65, which essentially deals with the law enforcement powers of state troopers.

We also felt that in defining the role of VPSOs it was more appropriate in subsection (a) to use the term "administer functions relative to the protection of life and property," which is a term used in other general public safety statutes, rather than

The Honorable Randy Phillips
Alaska State Legislature

January 25, 1993
Page 2

to introduce a new term, "basic public safety and law enforcement functions."

Subsection (c) of this proposal, like subsection (b) of SB 15, provides the commissioner with authority to adopt regulations to run the program and to set minimum training standards for officers.

Please contact me if I can be of assistance.

Sincerely,

CHARLES E. COLE
ATTORNEY GENERAL

By: Dean J. Guaneli
Dean J. Guaneli
Assistant Attorney General &
Criminal Division Administrator

DJG:jf

cc: The Honorable Al Adams
Alaska State Senate

Richard Burton, Commissioner
Department of Public Safety

Chris Lethin
Office of the Governor

Proposed substitute for SB 15

AS 18 is amended by adding a new chapter to read:

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AS 18.69.010. VILLAGE PUBLIC SAFETY OFFICER PROGRAM. (a)
There is created in the Department of Public Safety a Village Public Safety Officer Program to assist local governments and village or regional non-profit corporations to appoint, train, supervise and retain persons to serve as village public safety officers to administer functions relative to the protection of life and property in rural Alaska.

(b) With funds appropriated for that purpose, the commissioner of public safety shall provide grants to local governments and village or regional non-profit corporations for village public safety officers.

(c) The commissioner of public safety may adopt regulations related to village public safety officers, including minimum standards and training, criteria for community or corporation participation, and the interaction between the Department of Public Safety and village public safety officers.

8-LS0114E
Cook
2/1/93

CS FOR SENATE BILL NO. 15(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATORS ADAMS, Lincoln, Zharoff, Duncan

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the village public safety officers program."**

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

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4 **ARTICLE 8. VILLAGE PUBLIC SAFETY OFFICERS.**

5 **Sec. 18.65.670. VILLAGE PUBLIC SAFETY OFFICERS PROGRAM. (a)**

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7 **program to assist local governments and villages through regional nonprofit**
8 **corporations to appoint, train, supervise, and retain persons to serve as village public**
9 **safety officers to administer functions relative to the protection of life and property in**
10 **rural areas of the state.**

11 **(b) With funds appropriated for that purpose, the commissioner of public**
12 **safety shall provide grants to regional nonprofit corporations for village public safety**
13 **officers.**

14 **(c) The commissioner of public safety may adopt regulations related to village**

1
2
3

public safety officers, including minimum standards and training, criteria for community or corporation participation, and the interaction between the Department of Public Safety and village public safety officers.

Bethel

✓ Howard Amos ^{lastly}
(SBIS)

Kotzebue ^{Heard}
✓ Fred Armstrong SBIS

Anchorage
Captain Stearns

Name

✓ Josie King SBIS ^{lastly}
✓ Chuck Wheeler SBIS ^{heard}

~~heard~~ Claudia Doyle SB48

Alaska State Legislature

Senator Al Adams



Official Business

WHILE IN SESSION
State Capitol
Juneau, Alaska 99801-1182
(907) 465-3707
Fax 463-4867

OUT OF SESSION
P.O. Box 333
Kotzebue, Alaska 99752
(907) 442-3245

January 19, 1993

TO: Senator Phillips, Chairman
Senate Community and Regional Affairs Committee

FROM: Senator Al Adams *AA*

RE: Hearing on SB 15

The purpose of this memo is to request a hearing on SB 15. This bill would put the Village Public Safety Officer program into the Alaska Statutes.

The VPSO program was created in 1980 to address public safety issues in rural Alaskan communities and as a means to reduce the loss of life due to fires, drowning, lost persons and the lack of emergency medical assistance. The VPSO is the highest trained public safety person in the community and provides an immediate response to law enforcement issues. In serious law enforcement matters the VPSO is responsible until assistance from the Alaska State Troopers is available. (The program has always operated as an extension of the Alaska State Troopers.) In theory, becoming a VPSO is the first rung on a public safety career path for most interested rural residents.

Every community in the state has the need for public safety services. Without these services protection of life and property is threatened, and individuals suffer unnecessarily from devastating preventable losses. This program deals with these challenging problems in many of the sparsely populated communities in rural Alaska.

Although this bill is the top priority of the contractors of this program and is supported by the Department of Public Safety, simply putting this program into the statutes does not address all of the concerns with the existing program. It is a first step. It is time to

formalize the program. Putting this program into the statutes will provide the Department the ability to, through regulations, address issues such as criteria for entry and participation, training standards and some uniform standards for such things as salary schedules.

Alaska State Legislature

Senator Al Adams

WHILE IN SESSION
State Capitol
Juneau, Alaska 99801-1182
(907) 465-3707
Fax 463-4867

OUT OF SESSION
P.O. Box 333
Kotzebue, Alaska 99752
(907) 442-3245

Official Business

January 19, 1993

TO: Senator Phillips, Chairman
Senate Community and Regional Affairs Committee

FROM: Senator Al Adams *As it*

RE: Hearing on SB 15 *As it*

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formalize the program. Putting this program into the statutes will provide the Department the ability to, through regulations, address issues such as criteria for entry and participation, training standards and some uniform standards for such things as salary schedules.

Village Public Safety Officer Program

In the late 1970's, the Department of Public Safety recognized that there was a need for a wider range of public safety services in the villages than was provided by the Village Police Officer Program.

Bush conditions in Alaska are so completely at variance with urban conditions that they defy attempts to transpose urban public safety response mechanisms into rural villages. Needed was an approach to village public safety problems that is consistent with rural conditions, sensitive to ethnic lifestyles, cost effective, and gives some reasonable promise of being successful over the long term. This realization, coupled with the decline of the Village Police Officer Program, led to a proposal for a new public safety program tailored specifically for bush Alaska--the Village Public Safety Officer (VPSO) Program. The concept of the VPSO program was to train an officer in five public safety areas: fire suppression, law enforcement, search and rescue, water safety and emergency medical services. It was thought that this type of training would provide the VPSO with the rudimentary tools required to handle most incidents which are serious threats to life and property in the bush.

In 1979 a small pilot program was launched with 19 officers. Originally, the funding for the VPSO program was provided by a small Law Enforcement Assistance Administration (LEAA) grant; it was subsequently continued through the CETA Manpower programs of the regional Native corporations. The original program requested \$500,000 for fiscal year 1981; the legislature funded the project for \$2.9 million, supporting 52 VPSO positions. As the program developed and expanded, funding increased along with the number of officers authorized. By fiscal year 1982 the program had grown to 108 VPSO positions and 7 oversight troopers with a budget of \$6.7 million. Today the program supports 124 positions in the 123 villages with a budget of \$6.8 million.

Problems which the VPSO Program attempts to address

Many social and criminal problems requiring the public safety services stem from the widespread abuse of alcohol among village residents. Alcohol abuse stands as the primary crime-related factor in the villages. The VPSOs are proactive in enforcing Title 4 alcohol prohibition statutes, drinking and driving laws and providing drug and alcohol awareness messages at schools and in the villages.

Reduce water-related fatalities in Rural Alaska. Most of these deaths are alcohol related, although cold water and lack of knowing how to swim are contributing factors. The Oversight Troopers, as well as VPSOs, are thoroughly familiar with preventative methods, regulations, and laws relating to water safety. The Department of Public Safety provides training in the areas of boating safety, boating regulations, use of personal flotation devices (PFDs),

medical treatment, and public awareness through the VPSOs, media presentations, and publications.

Prior to the VPSO Program, on-site emergency medical situations were primarily the responsibility of the federally funded community health aide in villages that had this service. VPSOs receive 60 hours of emergency trauma and treatment training during their six weeks at the Public Safety Academy. This provides each VPSO community with on-site personnel trained and qualified to be the first responder or backup responder to emergency medical situations.

In addition to the aforementioned VPSO responsibilities, search and rescue is also a primary function of the VPSO. Each is given training in search and rescue methods and in the formation of rescue groups within their communities.

Funding

Funding for the Program is set up through a separate budget request unit with the Division of State Troopers' budget. The legislature provides funds for the Program. These funds are then channeled by individual contracts to ten regional non-profit Native corporations on a cost reimbursement basis. The primary purpose of regional contracting is to place the local administration of the Program into the hands of an organization sensitive to the specific needs of the areas to be served and to deal with a workable number of contracts while retaining a certain amount of regional flexibility. Each contractor, with the concurrence of the Division of State Troopers, selects which communities will participate.

Once the community has been selected, the local community, with the assistance of the State Troopers and contractor, is responsible for the selection and the daily activities of the VPSO. The contractor arranges for all salary payments based on the submission of time sheets from the communities. Group insurance plans, retirement plans, and maintenance of full financial accountability of contracted funds is also the responsibility of the contractor.

Support

Once selected, the VPSO receives support from the Alaska State Troopers. These "Oversight Troopers" assist on a day to day basis and provide to each a wide spectrum of the on-the-job training.

Law enforcement in most rural areas is the responsibility of the State Troopers. From Bush outposts the Troopers attempt to respond immediately to emergencies, as quickly as possible to felony cases, and as soon as possible to misdemeanors. Their efforts, however, are often hampered by delayed notification, long response distance, the uncertainties of weather and transportation, and limited manpower. In communities associated with the VPSO Program, citizens are afforded immediate response to all emergencies without delays caused by weather, distance, or budgetary restraints.

Although VPSOs are not expected to handle high risk or complex investigative situations, they do act as a valuable communications link with the Troopers, and their immediate action, as directed by the Oversight Trooper, can extinguish many potentially volatile situations and can often protect items of evidentiary value until trooper arrival.

Training

Currently, all Village Public Safety Officer recruits must pass a six-week resident training course held at the Department of Public Safety Academy in Sitka, Alaska. The basic VPSO course includes training in emergency trauma and treatment, procedural law, search and rescue, water safety, and arrest. Participants must also complete a required physical fitness program. Annual regional training, in one week increments, is also mandatory for VPSOs.

Through the Department of Public Safety's Fire Service Training Division, VPSOs receive 90 hours of training in basic fire fighting techniques, as well as instruction into the development of volunteer fire departments. A primary objective of the VPSO Program is to encourage the establishment of volunteer fire departments through concerted efforts by the Department of Public Safety, State Troopers, and VPSOs.

Once a VPSO is selected, he is assigned an "Oversight Trooper" (a commissioned Alaska State Trooper) to act as mentor and to provide technical assistance and on-the-job training. Oversight visits to the village are made by the trooper. During the visits the trooper provides on-the-job training in criminal investigation, fire safety, and other public safety areas. The Trooper meets with village leaders and the VPSO to discuss issues relating to the village's public safety needs and the VPSO's job performance.

Part of the conceptual design of the VPSO Program is to provide a long term career ladder for the rural, often native, individual seeking advancement in the public safety field. The Department of Public Safety provides advanced training to those qualified individuals recommended by their villages, the non-profit, and Oversight Trooper, thereby enhancing their chances for employment in municipal police and fire departments, or with the State of Alaska as a State Trooper, or Fish and Wildlife Trooper, state or local corrections officers, or in a government or private security position.

VPSO Job Description and Duties

The city manager, mayor and/or the village council in conjunction with the Oversight Trooper, decide what the VPSOs specific day to day duties will be. VPSO duties will often vary from village to village.

The following is a list of possible duties. It does not cover all public safety-related duties now being performed by VPSOs in the state but is a minimum guide of services the VPSO will provide.

1. Law Enforcement
 - a. Patrol on foot and enforce State laws and local ordinances.
 - b. Investigate misdemeanor crimes, traffic violations, and write reports.
 - c. Assist Troopers during felony investigation.
 - d. Transport prisoners
2. Fire Protection
 - a. Maintain fire equipment.
 - b. Conduct fire drills in schools.
 - c. Conduct fire department meetings.
 - d. Train volunteer firefighters in firefighting.
 - e. Conduct fire prevention surveys.
3. Search and Rescue
 - a. Organize a search and rescue team and act as a liaison for DPS in the community.
 - b. Train SAR team members.
 - c. Maintain a list of available SAR equipment and supplies on hand.
 - d. Direct SARs by coordination with the Alaska State Troopers.
4. General Public Safety Duties
 - a. Assist health aides in emergency situations.
 - b. Provide public safety information to schools and the public.
 - c. Provide dog control and vaccinate for rabies.
 - d. Water and snowmachine safety.

VPSOs WHO HAVE ADVANCED

* Perry Barr	CSO, Trooper	VPSO/MPA Course
* Joe Masters	Trooper	
* Chris Masters	Sand Pt. / Unalaska PD	
John Tarrelli	Bristol Bay Borough PD	VPSO/MPA Course
Robert Beasley	FWEO	VPSO/MPA Course
Tom Clark	Juneau Fire Department	VPSO/MPA Course
* Larry Dirks	Unalaska PD	VPSO/MPA Course
Steve Gomez	Manilaq VPSO Coordinator	VPSO/MPA Course
Kenneth Jewell	Kotzebue PD / Parc's Officer	VPSO/MPA Course
* Howard Ames	AVCP VPSO Coordinator	
Ron Reynolds	FAA Aviation Security	
James Agner	Sand Pt. PD	
Ronald Avery	Aspen, Co. PD	
John Bilyeu	Bethel PD	
Scott Eddy	Greens Creek Mine Medic	MPA
* James Galaktianoff	Constable	
* Celina James	Corrections Officer	
* Dennis Lincoln	Nome PD	
Paul Longpre	Bethel PD	
Kenneth Luce	Wrangell PD	
* Jerry Mackie	State Legislator	
Daniel Pasquariello	Dillingham PD	
* Elliott Reid	CSO	
* Wassillie Roland	Corrections Officer	
* William Roland	Corrections Officer	
* Walter Shane	St. Paul PD	
Kevin Short	Bethel PD / Cordova PD	
* Jon Trigg	Nome PD	
* Dean Westlake	Kotzebue PD	

* Alaska Native

VILLAGE PUBLIC SAFETY OFFICER TRAINING SYLLABUSWEEK 1

<u>ADMINISTRATIVE TESTING AND PHYSICAL EVALUATIONS</u>	8.0
<u>PHYSICAL LECTURE AND CLASS TIME</u>	46.0
<u>PATROL PROCEDURES</u>	5.0
<u>ROLE OF THE CRIMINAL JUSTICE SYSTEM</u>	2.0
<u>USE OF FORCE</u>	2.0
<u>PROBABLE CAUSE</u>	2.0
<u>CRIME PREVENTION</u>	8.0
<u>OFFICER SAFETY</u>	2.0
<u>ROLE OF POLICE</u>	2.0
<u>JUDICIAL PROCESS</u>	1.0
<u>POLICE ETHICS</u>	2.0
<u>ROLE OF THE COURT</u>	2.0
<u>ROLE OF THE DISTRICT ATTORNEY</u>	2.0
<u>TESTING</u>	2.0
TOTAL	91.0

WEEK 2

<u>CRIMINAL CODE</u>	16.0
<u>REPORT WRITING</u>	16.0
<u>VPSO CONCEPT & HISTORY</u>	8.0
<u>TESTING</u>	2.0
TOTAL	42.0

WEEK 3

<u>CPR</u>	8.0
<u>EMERGENCY TRAUMA TRAINING</u>	32.0
<u>TESTING</u>	2.0
TOTAL	42.0

WEEK 4

<u>HAZARDOUS MATERIALS</u>	2.5
<u>SEARCH AND RESCUE</u>	10.0
<u>LOCAL EMERGENCY PLANNING</u>	12.0
<u>CORONERS PROCEDURES</u>	3.0
<u>COLD WATER SURVIVAL</u>	4.0
<u>TESTING</u>	2.0
TOTAL	40.5

DEPT. OF AERONAUTICS 1020 1-1-80 90/35/2058- 202 480715 0

Village Public Safety Officer Training Syllabus, Con't

WEEK 5

<u>CHILD SEXUAL ASSAULT</u>	2.0
<u>DOMESTIC VIOLENCE</u>	4.0
<u>ADVANCED SOBRIETY TECHNIQUES</u>	2.0
<u>INTERVIEW AND INTERROGATION</u>	2.0
<u>RULES OF EVIDENCE</u>	2.0
<u>VIOLENT CRIMES/VICTIM-WITNESS PROGRAM</u>	1.0
<u>ROLE OF THE PUBLIC DEFENDER</u>	2.0
<u>MIRANDA</u>	1.0
<u>LAWS OF ARREST</u>	1.0
<u>HOW TO HANDLE THE MENTALLY ILL</u>	2.0
<u>TESTING</u>	2.0
TOTAL	38.0

WEEK 6

<u>CRIMINAL INVESTIGATIONS</u>	6.5
<u>SEARCH WARRANTS/CRIMINAL COMPLAINTS</u>	4.0
<u>LATENT PRINTS</u>	4.0
<u>CRIME SCENE PRACTICAL</u>	8.0
<u>REPORT REVIEW</u>	1.0
<u>COURTROOM TESTIMONY /DEMEANOR</u>	2.2
<u>MOOT COURT</u>	4.0
<u>FINAL EXAM</u>	3.0
TOTAL	33.5

TOTAL OF ALL WEEKS 287

30/35/2055- 463 486/12 9

The VPSO program BRU has three components, the largest is for contracts with regional non-profit native corporations. The VPSO program was authorized more positions than it could consistently fill and funds which would otherwise have been used for authorized positions lapsed. Therefore, when budget reduction scenarios emerged during the mid 1980's, funding was reduced from contracts to account for the equivalent of "vacancy and turnover savings". However, aggressive program management combined with the ability to fill all positions would provide the Contractors with a dilemma. They would have the ability to fill all positions, but would be required to "force vacant" positions to stay within the authorized funding. This, of course, defeats the purpose of having authorized VPSO positions.

Estimate to reduce underfunding/vacancy factor: \$380,000

In some instances, not all contract funds allocated for VPSO positions could be spent due to high VPSO turnover or inability to recruit VPSOs. Funds have then been used for other VPSO Contractor administrative expenses by contract amendment. In state terminology that would be the same as transferring personal services to other line items.

One approach would be to more fully fund the contracts for direct VPSO costs (e.g. salary, benefits etc.) and disallow any contract amendment which would transfer those funds to other line items of expenditures. This, however, prevents the VPSO Contractor from utilizing available funds to cover legitimate needs.

SB

26

FIRST COMMITTEE OF REFERRAL

DATE: 1/11/93

FURTHER: STATE AFFAIRS
JUDICIARY
FINANCE

Date of 5-Day Notice: 1/21/93
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2-9-93

CRA Committee considered SENATE BILL NO. 26

"An Act relating to the location of the convening of the legislature in regular session; and providing for an effective date."

and recommends:

replace with _____ 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

Department	Date	Zero	Fiscal
Legislature	2/3/93		\$
Governor	1/27/93		\$
Dept of HESS	1/27/93		\$230.0
Dept of Labor	1/29/93		\$
Dept of Law	1/29/93		\$
Dept of Admin	2/3/93		\$
Dept of DNRC	1/27/93	✓	\$0

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
Dept of Public Safety	1/28/93		\$
Dept of Revenue	1/29/93		\$
Dept of DOT	1/28/93		\$
Dept of Comm	1/25/93		\$
Dept of CRA	1/29/93		\$39.2
Dept of COR	1/29/93		\$
Dept of Educ	1/29/93		\$
Dept of DEC	1/26/93		\$
Dept of F&F	1/26/93		\$
Dept of M&V	1/29/93		\$

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

Rick Halford

OTHER RECOMMENDATIONS:

Admin L Taylor NO Pass
Carl Halford Do Not Pass

Roll E. Steed Do Pass!

Chair: Signature and Recommendation

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: SB26

Revision Date: _____
Title: An Act relating to the location of the
convening of the legislature in regular session...
Sponsor: Senator Phillips
Requestor: Senator Phillips

Department Affected: Legislature
BRU: All
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	378.3	-121.7	-121.7	-121.7	-121.7
CONTRACTUAL	0	589.2	-25.0	-25.0	-25.0	-25.0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	1,654.4	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	2,621.9	-146.7	-146.7	-146.7	-146.7

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	2,621.9	-146.7	-146.7	-146.7	-146.7
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE	0	0	0	0	0	0
TOTAL	0	2,621.9	-146.7	-146.7	-146.7	-146.7

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)

SB 26 proposes the convening of the Nineteenth Alaska Legislature to take place in the Municipality of Anchorage.

This fiscal note was prepared using the assumptions and analysis prepared by the Legislative Research Agency and this office.

(Continued on page 2)

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

Pamela A. Stoops

Phone: 465-3850
Date: 1/22/93

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

Warren W. Endicott

Date: 1/22/93

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

CONTINUATION OF FISCAL NOTE: SB 26

The following assumptions have been made in preparing this fiscal note:

- Office space currently leased at 3111 C Street in Anchorage would no longer be required. A savings of this lease space would offset the cost of leasing a legislative building in Anchorage to accommodate the legislative branch.
- All legislative offices and positions now permanently located in Juneau will move to the Municipality of Anchorage except a portion of the Juneau Legislative Information Office (LIO), Juneau Legislator's offices, a portion of the Ombudsman's Office, Legislative Research, and most of the offices of Legislative Budget and Audit. Approximately 100 positions will be transferred.
- State agencies currently leasing privately owned offices in Juneau will relocate to fill vacated state-owned Juneau legislative office space.

This analysis is limited to the direct fiscal impact on the state government of moving the Legislature to the Municipality of Anchorage. It does not attempt to evaluate the various socio-economic impacts on either Juneau or the Municipality of Anchorage; nor does it attempt to evaluate the cost of inconvenience and inefficiency associated with the physical separation of the Legislative and Executive Branches of Government or the value of benefits that might be derived from the move.

It is necessary to move the Legislative support agencies to the Municipality of Anchorage to be able to print bills, draft bills, fix computer equipment, janitorial and maintenance services, personnel and finance support, etc. in order to carry out efficiently and timely their responsibility.

The estimates presented in this fiscal note are conservative--that is, they may understate the actual expenses that might be incurred if the move were to take place. For example, our estimate of the lease rate for a legislative building assumes that the structure will provide Class A office space, but the requirements for custom-fitted chambers, meeting rooms, and private legislative offices could cause the lease rate to be substantially higher. Also, we have assumed no new furniture would be purchased, nor computer systems. In fact, the Legislature would probably need some of both. For example, moving to a new building would provide an opportunity for a local area network computer system to be installed (at a cost of approximately \$3 million).

SUMMARY OF ESTIMATED COSTS/SAVINGS OF SB 26:

PERSONAL SERVICES

1. There are no personal services expenditures or savings. There would be a cost shifting of positions transferred from Juneau to the Municipality of Anchorage and also many session jobs would be filled in the Municipality of Anchorage versus Juneau.

TRAVEL

2. Estimated transportation costs for moving Agency full-time legislative personnel to the Municipality of Anchorage (estimate 50 people, one-time cost) - \$500,000.
3. Estimated annual savings from decreased legislator moving expenses - (\$184,870).

CONTINUATION OF FISCAL NOTE: SB 26

TRAVEL (continued)

4. Estimated annual savings of session per diem because of more legislators residing within the 50 mile limit - (\$113,315).
5. Estimated annual increase in Executive Branch travel to the Municipality of Anchorage is approximately \$176,500.

CONTRACTUAL

6. Estimated freight costs to move legislative offices to the Municipality of Anchorage (one-time cost) - \$148,896.
7. Estimated communication costs in installing a telephone system in a leased building in the Municipality of Anchorage and voting machine installation (one-time cost) - \$465,300.
8. Estimated annual lease cost of building in the Municipality of Anchorage - \$2,160,000.
9. Estimated annual savings from consolidation of Juneau office space - (\$2,115,359).
10. Estimated cost of moving Juneau state agencies to Juneau state-owned office space (one-time cost) - \$295,455.
11. Estimated annual savings of discontinued lease space in Anchorage for legislators, staff and LIO (3111 C Street). They would be consolidated under #8 - (\$365,072).

CAPITAL OUTLAY

12. Estimated cost of renovating Capitol offices (one-time cost) - \$1,654,400.

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

130 Seward Street, Suite 313
Juneau, AK 99801-2197
907 465-3800

MEMORANDUM

TO: Senator Randy Phillips, Chair
Senate Community & Regional Affairs Committee

FROM: Pamela A. Stoops, Director *pan*
Administrative Services

DATE: February 3, 1993

SUBJECT: SB 26

Attached is a revised fiscal note for SB 26. I have deleted the Executive Branch travel figure since it will be reflected in their fiscal note(s).

The remodeling of the Capitol will not be in the Executive Branch fiscal note(s). Mike Nizich, Director of Administrative Services, for Office of the Governor states it is the Legislature's building.

Without renovation of the Capitol it is assumed a decrease in savings would occur because some of the state offices would not move. They would stay in leased space and not occupy state-owned space. If the space is not renovated, only one-half to two-thirds of the space could be utilized as general office space. I do not feel comfortable eliminating the one-time cost for this renovation.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: SB26

Revision Date: _____
Title: An Act relating to the location of the
convening of the legislature in regular session...
Sponsor: Senator Phillips
Requestor: Senator Phillips

Department Affected: Legislature
BRU: All
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	201.8	-298.2	-298.2	-298.2	-298.2
CONTRACTUAL	0	589.2	-25.0	-25.0	-25.0	-25.0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	1,654.4	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	2,445.4	-323.2	-323.2	-323.2	-323.2

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	2,445.4	-323.2	-323.2	-323.2	-323.2
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE	0	0	0	0	0	0
TOTAL	0	2,445.4	-323.2	-323.2	-323.2	-323.2

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)

SB 26 proposes the convening of the Nineteenth Alaska Legislature to take place in the Municipality of Anchorage.

This fiscal note was prepared using the assumptions and analysis prepared by the Legislative Research Agency and this office.

(Continued on page 2)

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

Pamela A. Stoops

Phone: 465-3850
Date: 2/3/93

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

Warren W. Endicott

Date: 2/3/93

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

CONTINUATION OF FISCAL NOTE: SB 26

The following assumptions have been made in preparing this fiscal note:

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The estimates presented in this fiscal note are conservative--that is, they may understate the actual expenses that might be incurred if the move were to take place. For example, our estimate of the lease rate for a legislative building assumes that the structure will provide Class A office space, but the requirements for custom-fitted chambers, meeting rooms, and private legislative offices could cause the lease rate to be substantially higher. Also, we have assumed no new furniture would be purchased, nor computer systems. In fact, the Legislature would probably need some of both. For example, moving to a new building would provide an opportunity for a local area network computer system to be installed (at a cost of approximately \$3 million).

SUMMARY OF ESTIMATED COSTS/SAVINGS OF SB 26:

PERSONAL SERVICES

1. There are no personal services expenditures or savings. There would be a cost shifting of positions transferred from Juneau to the Municipality of Anchorage and also many session jobs would be filled in the Municipality of Anchorage versus Juneau.

TRAVEL

2. Estimated transportation costs for moving Agency full-time legislative personnel to the Municipality of Anchorage (estimate 50 people, one-time cost) - \$500,000.
3. Estimated annual savings from decreased legislator moving expenses - (\$184,870).

CONTINUATION OF FISCAL NOTE: SB 26

TRAVEL (continued)

4. Estimated annual savings of session per diem because of more legislators residing within the 50 mile limit - (\$113,315).

CONTRACTUAL

6. Estimated freight costs to move legislative offices to the Municipality of Anchorage (one-time cost) - \$148,896.
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STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO: SB26

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convening of the legislature in regular session...
Sponsor: Senator Phillips
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Department Affected: Legislature
BRU: All
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	378.3	-121.7	-121.7	-121.7	-121.7
CONTRACTUAL	0	589.2	-25.0	-25.0	-25.0	-25.0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	1,654.4	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	2,621.9	-146.7	-146.7	-146.7	-146.7

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	2,621.9	-146.7	-146.7	-146.7	-146.7
FEDERAL FUNDS	0	0	0	0	0	0
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TOTAL	0	2,621.9	-146.7	-146.7	-146.7	-146.7

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: _____

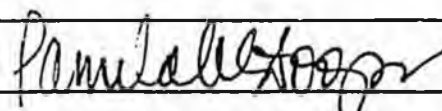
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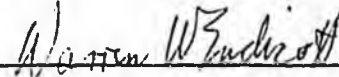
(Continued on page 2)

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



Phone: 465-3850
Date: 1/22/93

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



Date: 1/22/93

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

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