



# Alaskans Working For Alaska!

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## Summary of the 26<sup>th</sup> Alaska Legislature April 30, 2010

The 26<sup>th</sup> Alaska Legislature completed its two-year cycle after adjourning the second session in the early morning of April 19, 2010.

Legislation that did not pass during the first or second session will need to be reintroduced as a new bill to receive consideration in the 27<sup>th</sup> Legislature. The same applies for some legislators, as 10 Senate seats and all 40 Representative seats are up for election this November.

### **BUDGET**

#### **HB 300 — Operating Budget [PASSED]**

Approval and funding for the 2010-2013 GGU contract were inserted into the mental health budget HB 302 and the operating budget HB 300 via amendment in conference committee by Sen. Lyman Hoffman. Increases for the GGU, SU and CU contracts totaled approximately \$37 million for the upcoming fiscal year.

#### **HB 230 — Capital Budget [PASSED]**

Although still subject to line item veto by the governor, the capital budget passed containing \$1.7 million for improvements to the laundry facilities at Lemon Creek Correctional Center for the Correctional Industries program. This program generates approximately \$100,000 annually and supports sister programs around the state.

#### **HB 421 — Non-Union State Contracts [PASSED]**

Funding for exempt, university and court employees was present in HB 421. The bill provides a 2% wage increase for non-covered employees and the court employees (eligible for representation) will receive a similar increase. UA employee raises were left to the discretion of the Board of Regents.

Companion bills HB 420 and SB 298 failed to update geographic cost of living adjustments to wages (Geo-Diff) for exempt, university and court employees. The Geo-Diff structure remains unchanged for those employees while GGU members received an update as a result of contract negotiations.

### **RETIREMENT/MEDICAL BENEFITS**

**SB 23 — Repeal Defined Contribution, Return to Defined Benefits [DEAD]**

A bill to repeal the Defined Contribution (DC) retirement plan and reinstate a Defined Benefit (DB) retirement system for new public employees and teachers did not pass this legislature.

However, HB 23 advanced further than other bills to correct the deficient retirement plan for new employees created by SB 141.

SB 23 was held in Senate Finance Committee for the past year without a hearing. In an effort to jumpstart discussion, the Alaska Public Pension Coalition published a whitepaper on pension reform and called a public hearing on Monday, March 29.

Senate Finance remained uninterested in considering SB 23 until the final day of the second session when the committee convened a presentation by administration on the unfunded liability of the systems. No testimony was accepted and no rebuttals to the presentation were allowed.

SB 23 enjoyed the support of leading advocate Sen. Joe Paskvan after the departure of prime sponsor Sen. Kim Elton to work in the Obama administration. The bill also had several Senate co-sponsors, including Elton's replacement Sen. Egan.

Two House companion bills, HB 30 and HB 54, were not heard during the second session. They died in their first committee of referral, House Labor & Commerce chaired by Rep. Kurt Olson.

**SB 79 — Med. Benefits for Disabled Peace Officers [DEAD]**

A bill introduced by Sen. Lesil McGuire to waive major medical premiums for peace officers disabled after 20 years of service did not clear its Senate committees of referral before the end of the second session.

**QUALITY WORK ENVIRONMENT**

**HB 176 — Nursing Mothers in the Workplace [DEAD]**

Two bills that would institutionalize break time allowances and basic facilities for nursing mothers did not make it out of committee. HB 176 and its Senate companion bill SB 42 did not receive a hearing in their respective first committees of referral.

**HB 57 — Childcare for State Employee Dependents [DEAD]**

A bill to establish childcare for dependents of state employees and officers was introduced in the form of HB 57 by Rep. Beth Kerttula. The legislation did not proceed beyond its first committee of referral, House State Affairs.

## **TERMS OF EMPLOYMENT**

### **HB 50 — Nurses Overtime [PASSED]**

A legislative fix to address concerns for quality patient care that stem from chronically understaffed hospitals passed in the form of HB 50. The bill prohibits hospitals and institutions from assigning work in excess of 14 consecutive hours without a 10-hour break to nurses. Exemptions exist for staffing, scheduling and procedural emergencies.

HB 50, sponsored by Rep. Peggy Wilson and Rep. Les Gara, succeeded in its fifth year of legislative consideration. Three bills on the matter were introduced in the last legislature. Attempts at limiting mandatory nurse overtime date back to bills submitted by Rep. Wilson in 2005 and Sen. Bettye Davis in 2007.

Dept. of Labor & Workforce Development submitted a fiscal note to the Senate Health & Social Services Committee (Mar. 27, 2009) anticipating the need to hire a fulltime investigator with associated costs approaching \$100,000 annually.

### **SB 278 — Leave for Military Spouses [DEAD]**

Had it passed, this bill would have allowed certain teachers, public employees and private sector employees to take up to 10 days of LWOP per calendar year when their spouses are on leave from deployment in a combat zone.

The bill, introduced by Sen. Bill Wielechowski, was amended in the Senate State Affairs committee and stalled in its second committee of referral Senate Labor & Commerce.

### **HB 361—CPR for Dispatchers [DEAD]**

A bill requiring that 911 dispatchers be trained in cardiopulmonary resuscitation did not reach a floor vote in own chamber. Rep. Anna Fairclough sponsored the bill, which was co-sponsored by Rep. Nancy Dahlstrom.

### **HB 77—Public Employee Disaster Leave [DEAD]**

This bill would have allowed, with exceptions, state employees to take up to 15 days of LWOP per calendar year to volunteer with the American Red Cross for disaster relief in the state. The bill indemnified the state from injury claims during such leave and a fiscal indicated no impact.

This bill advanced through its House committees of referral last session but was never calendared for a vote on the House floor.

## **BARGAINING UNIT ELIGIBILITY**

### **SB 126 — Reemployment of Retirees/Exempt Service [DEAD]**

Former Gov. Sarah Palin requested SB 126 and companion bill HB 157 last session. As introduced, the bills would 1) move two high level Dept. of Revenue positions out of classified service; 2) delay the sunset of the Retiree Return program for public employees and teachers; and 3) make permanent the Exempt status of some 20 employees in Dept. of Natural Resources who had no rights to collective bargaining as Special Projects exempt employees.

Fiscal notes attached to the legislation anticipated 20-30% increases to the salaries of the newly exempted positions and no change in cost for extending an existing employee retention program.

Both bills stalled in their respective chambers last session and were not revisited this session due to the expiration of the Retiree Return program.

### **ADVANCING THE WORKING FAMILY**

HB 37 — “Right to Work (For Less)” [DEAD]

HB 37 would have prohibited many of the trademarks of trade unionism. The deceptive expression “Right to Work” is part of an anti-union movement that claims unionism infringes on the rights of individuals.

HB 37 was introduced by Rep. Carl Gatto. Important consequences of the bill include a banning of any requirement that workers share in the expense of their representation--a central tenant of the union shop. Further, it would criminalize our current and long held union shop practices, threaten collective bargaining agreements and weaken labor organizations.

This bill died in its first committee of referral.

HR 5 — Oppose Employee Free Choice Act (EFCA) [DEAD]

HR 5 would have positioned the State House against the passage of federal legislation like H.R.1409 and S.560, otherwise known as the Employee Free Choice Act. The Employee Free Choice Act is bipartisan legislation to reform obstacles to the formation of unions. It also ensures that employers bargain in good faith and penalizes the use of coercion or harassment to influence the outcome of a union election.

Rep. Craig Johnson introduced HR 5. The resolution asserted that the Employee Free Choice Act would negatively affect both employees and small business, among other concerns.

HR 5 failed to reach the House floor during the first session and did not proceed further.