

IN THE SENATE

SENATE BILL NO. 1094

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1275, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO FACT-FINDERS, APPOINTMENT AND HEARINGS, TO ESTABLISH PROVISIONS RELATING TO TERMS OF AGREEMENTS, TO PROVIDE THAT AGREEMENTS SHALL HAVE A ONE YEAR DURATION, TO ESTABLISH PROVISIONS RELATING TO LIMITATIONS ON THE PARTIES' AUTHORITY, TO ESTABLISH PROVISIONS RELATING TO CERTAIN AGREEMENTS HAVING A NONROLLING TWO YEAR DURATION AND TO ESTABLISH PROVISIONS RELATING TO WHAT A FINANCIAL TERM INCLUDES; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-1275, Idaho Code, be, and the same is hereby amended to read as follows:

~~33-1275. FACT-FINDERS -- APPOINTMENT -- HEARINGS TERMS OF AGREEMENTS. 1. If mediation fails to bring agreement on all negotiable issues, the issues which remain in dispute may be submitted to fact-finding by request of either party. One or more fact-finders shall be appointed by the parties by mutual agreement. If such agreement cannot be reached within thirty (30) days of the request for such appointment, the state superintendent of public instruction shall make such appointment. The fact-finder shall have authority to establish procedural rules, conduct investigations and hold hearings during which each party to the dispute shall be given an opportunity to present its case with supporting evidence.~~

~~2. Within thirty (30) days following designation of the fact-finder, he shall submit a report in writing to the respective representatives of the board and the professional employees, setting forth findings of fact and recommendations on the issues submitted~~

~~(1) All agreements, by any name or title, entered into pursuant to the provisions of this act, shall have a one (1) year duration of July 1 through June 30 of the ensuing fiscal year. The parties shall not have the authority to enter into any agreement negotiated under the provisions of this act that has any term that allows for such agreement or any provision of such agreement to be in any force or effect for multiple years or indefinitely, or otherwise does not expire on its own terms on or before June 30 of the ensuing fiscal year.~~

~~(2) Notwithstanding the provisions of subsection (1) of this section, upon mutual ratification, any nonfinancial term of any agreement entered into pursuant to this act may have a nonrolling two (2) year duration with a designated start date and end date. A second year term for any nonfinancial two (2) year term cannot be added, automatically or by mutual consent, back into the agreement after the expiration of the first year but rather may be addressed by the parties at the expiration of the end date of the two (2) year term. For the purpose of this section, a financial term shall include, but~~

1 not necessarily be limited to, employee salary, employee insurance benefits  
2 or any other term that has a direct or indirect economic cost to the district.

3       SECTION 2. An emergency existing therefor, which emergency is hereby  
4 declared to exist, this act shall be in full force and effect on and after its  
5 passage and approval.