

IN THE SENATE

SENATE BILL NO. 1037

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1275, IDAHO CODE, TO REMOVE LAN-
2 GUAGE RELATING TO FACT-FINDERS, APPOINTMENT AND HEARINGS, TO ESTABLISH
3 PROVISIONS RELATING TO TERMS OF AGREEMENTS, TO PROVIDE THAT AGREEMENTS
4 SHALL HAVE A ONE YEAR DURATION, TO ESTABLISH PROVISIONS RELATING TO LIM-
5 ITATIONS ON THE PARTIES' AUTHORITY; AND DECLARING AN EMERGENCY.
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7 Be It Enacted by the Legislature of the State of Idaho:

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

10 33-1275. ~~FACT-FINDERS -- APPOINTMENT -- HEARINGS TERMS OF AGREE-~~
11 ~~MENTS. 1. If mediation fails to bring agreement on all negotiable issues,~~
12 ~~the issues which remain in dispute may be submitted to fact-finding by re-~~
13 ~~quest of either party. One or more fact-finders shall be appointed by the~~
14 ~~parties by mutual agreement. If such agreement cannot be reached within~~
15 ~~thirty (30) days of the request for such appointment, the state superinten-~~
16 ~~dent of public instruction shall make such appointment. The fact-finder~~
17 ~~shall have authority to establish procedural rules, conduct investigations~~
18 ~~and hold hearings during which each party to the dispute shall be given an~~
19 ~~opportunity to present its case with supporting evidence.~~

20 2. ~~Within thirty (30) days following designation of the fact-finder,~~
21 ~~he shall submit a report in writing to the respective representatives of~~
22 ~~the board and the professional employees, setting forth findings of fact~~
23 ~~and recommendations on the issues submitted. All agreements, by any name or~~
24 ~~title, entered into pursuant to the provisions of this act, shall have a one~~
25 ~~(1) year duration of July 1 through June 30 of the ensuing fiscal year. The~~
26 ~~parties shall not have the authority to enter into any agreement negoti-~~
27 ~~ated under the provisions of this act that has any term that allows for such~~
28 ~~agreement or any provision of such agreement to be in any force or effect for~~
29 ~~multiple years or indefinitely, or otherwise does not expire on its own terms~~
30 ~~on or before June 30 of the ensuing fiscal year.~~

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