

HOUSE BILL NO. 124

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE VEZEY

Introduced: 2/12/97

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to items not subject to collective bargaining and to application**
2 **of the Public Employment Relations Act to municipalities and other political**
3 **subdivisions."**

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

5 *** Section 1.** AS 23.40.075 is amended to read:

6 **Sec. 23.40.075. Items not subject to bargaining.** The parties may not
7 negotiate terms contrary to the

8 (1) reemployment rights for injured state employees under
9 AS 39.25.158;

10 (2) reemployment rights of the organized militia under AS 26.05.075;

11 (3) authority of the Department of Health and Social Services under
12 AS 47.27.035 to assign Alaska temporary assistance program participants to a work
13 activity considered appropriate by the Department of Health and Social Services; [OR]

14 (4) authority for agencies to create temporary positions under

1 AS 47.27.055(c); or

2 (5) right of the employer to contract out or privatize services or
3 functions previously performed by employees or that could be performed by
4 employees.

5 * **Sec. 2.** AS 23.40 is amended by adding a new section to read:

6 **Sec. 23.40.085. Application to political subdivisions.** (a) Except as provided
7 in (b) of this section, the provisions of AS 23.40.070 - 23.40.260 do not apply to
8 municipalities and other political subdivisions of the state.

9 (b) A municipality or political subdivision of the state may, by majority vote
10 of the voters participating in the election,

11 (1) elect to be covered by the provisions of AS 23.40.070 - 23.40.260
12 if the municipality or political subdivision is not covered by those provisions at the
13 time of the election;

14 (2) reject coverage by the provisions of AS 23.40.070 - 23.40.260 if
15 the municipality or political subdivision is covered by those provisions at the time of
16 the election.

17 * **Sec. 3.** Section 4, ch. 113, SLA 1972, and sec. 11, ch. 1, SLA 1992, are repealed.

18 * **Sec. 4.** This Act does not terminate or modify the terms of a collective bargaining
19 agreement in effect on the effective date of this Act.