

CS FOR HOUSE BILL NO. 124(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/22/97

Referred: Rules

Sponsor(s): REPRESENTATIVE VEZEY

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 except to ensure cost savings to the public employer.

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 may, by ordinance, and a political subdivision other than
10 a municipality may, by resolution, choose to accept or reject application of the
11 provisions of AS 23.40.070 - 23.40.260 at any time.

12 * **Sec. 3.** AS 29.35.685(c) is amended to read:

13 (c) AS 23.40.070 - 23.40.260 apply to employees of an authority established
14 under AS 29.35.600 - 29.35.730 unless all municipalities participating in the authority
15 are exempt under AS 23.40.085 [SEC. 4, CH. 113, SLA 1972].

16 * **Sec. 4.** Section 4, ch. 113, SLA 1972, and sec. 11, ch. 1, SLA 1992, are repealed.

17 * **Sec. 5.** This Act does not terminate or modify the terms of a collective bargaining
18 agreement in effect on the effective date of this Act.