

**SENATE BILL NO. 320**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

**BY SENATOR SEEKINS**

**Introduced: 2/11/04**

**Referred: Health, Education and Social Services, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to contracts between the University of Alaska and its employees**  
2 **involving research or other development of intellectual property and to the authority of**  
3 **the president of the University of Alaska regarding employee contracts for development**  
4 **of intellectual property."**

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

6 \* **Section 1.** AS 14.40.210(a) is amended to read:

7 (a) The president of the University of Alaska may

8 (1) give general direction to the work of the University of Alaska in all  
9 its departments subject to the approval of the Board of Regents;

10 (2) appoint the deans, heads of departments, professors, assistants,  
11 instructors, tutors, and other officers of the University of Alaska to the positions  
12 established by the Board of Regents;

13 (3) establish procedures for receipt, expenditure, and fiscal year  
14 reporting of university receipts;

1                   **(4) approve a contract between the University of Alaska and an**  
 2                   **employee that authorizes the employee to conduct research or other development**  
 3                   **of intellectual property and to develop, operate, or own a business related to or**  
 4                   **resulting from the research conducted during the employment; a business**  
 5                   **described under this paragraph may be jointly owned by the employee and the**  
 6                   **University of Alaska.**

7 \* **Sec. 2.** AS 23.40.075 is amended to read:

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

10                   (1) reemployment rights for injured state employees under  
 11 AS 39.25.158;

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

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

16                   (4) authority for agencies to create temporary positions under  
 17 AS 47.27.055(c); **or**

18                   **(5) provisions contained in a contract under AS 14.40.210(a)(4).**

19 \* **Sec. 3.** AS 39.52.910(a) is amended to read:

20                   (a) Except as specifically provided, this chapter applies to all public officers  
 21 within executive-branch agencies, including members of boards or commissions. This  
 22 chapter does not apply to

23                   **(1)** a former public officer of an executive-branch agency unless a  
 24 provision specifically states that it so applies;

25                   **(2)** [. THIS CHAPTER DOES NOT APPLY TO] legislators covered  
 26 by AS 24.60; **or**

27                   **(3) the University of Alaska and an employee of the University of**  
 28 **Alaska as to activities or employment under a contract between the employee and**  
 29 **the university described in AS 14.40.210(a)(4).**