

HOUSE BILL NO. 391

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

BY REPRESENTATIVE KELLY

Introduced: 2/19/08

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to project labor agreements."**

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

3 * **Section 1.** AS 36.30 is amended by adding a new section to read:

4 **Sec. 36.30.405. Project labor agreements.** (a) A construction contract on a
5 project in which the state acts as a market participant may require that a contractor
6 commit to negotiate, before construction, a project labor agreement to the maximum
7 extent permitted by law.

8 (b) A project labor agreement under (a) of this section must, to the extent
9 permitted by law, include a requirement that each employee eligible to earn fringe
10 benefits because of the agreement may sign a declaration of benefits. The declaration
11 must allow the employee to elect that, if an employer makes any contribution of fringe
12 benefits on the employee's behalf in connection with the project, the employer shall
13 make the contribution to a fringe benefits program selected by the employee from
14 among fringe benefits programs participated in or administered by

15 (1) the employer who makes the contribution;

1 (2) another employer of the employee; or

2 (3) the labor representative that negotiated the project labor agreement.

3 (c) In this section,

4 (1) "contractor" means a person who executes a contract with the state;

5 (2) "project labor agreement" means a comprehensive collective
6 bargaining agreement between the contractor or the contractor's representative and the
7 appropriate labor representatives to ensure expedited construction with labor stability
8 for the project by qualified residents of the state;

9 (3) "state" has the meaning given to "agency" in AS 36.30.990.

10 * **Sec. 2.** AS 43.90.130(17) is amended to read:

11 (17) commit to negotiate, before construction, a project labor
12 agreement to the maximum extent permitted by law; **a project labor agreement**
13 **under this paragraph must, to the extent permitted by law, include a requirement**
14 **that each employee who is eligible to receive fringe benefits because of the**
15 **agreement may sign a declaration of benefits; the declaration must allow the**
16 **employee to elect that, if an employer makes any contribution of fringe benefits**
17 **on the employee's behalf in connection with the project, the employer shall make**
18 **the contribution to a fringe benefits program selected by the employee from**
19 **among fringe benefits programs participated in or administered by (A) the**
20 **employer who makes the contribution, (B) another employer of the employee, or**
21 **(C) the labor representative that negotiated the project labor agreement;** in this
22 paragraph, "project labor agreement" means a comprehensive collective bargaining
23 agreement between the licensee or its agent and the appropriate labor representatives
24 to ensure expedited construction with labor stability for the project by qualified
25 residents of the state;

26 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
27 read:

28 APPLICABILITY. (a) AS 36.30.405, added by sec. 1 of this Act, applies to
29 construction contracts under AS 36.30 for which the deadline to submit responsive proposals
30 to the state occurs 10 days or more after the effective date of this Act.

31 (b) AS 43.90.130(17), amended by sec. 2 of this Act, applies to construction contracts

- 1 under AS 43.90 for which the application period closes 10 days or more after the effective
- 2 date of this Act.