

CS FOR HOUSE BILL NO. 391(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 3/17/08

Referred: Finance

Sponsor(s): REPRESENTATIVE KELLY

A BILL

FOR AN ACT ENTITLED

1 "An Act authorizing certain state contracts to require project labor agreements and
2 requiring that project labor agreements negotiated under the Alaska Gasline
3 Inducement Act, and certain project labor agreements negotiated under the State
4 Procurement Code, include terms allowing each employee who is eligible to receive
5 benefits because of that project labor agreement to select the benefits program to which
6 the employer shall contribute the employee's benefits."

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

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

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

13 (b) A project labor agreement under (a) of this section must, to the extent

1 permitted by law, include a requirement that each employee eligible to earn benefits
 2 because of the agreement may sign a declaration of benefits. The declaration must
 3 allow the employee to elect that, if an employer makes any contribution of benefits on
 4 the employee's behalf in connection with the project, the employer shall make the
 5 contribution to a benefits program selected by the employee from among benefits
 6 programs participated in or administered by

7 (1) the employer who makes the contribution;

8 (2) another employer of the employee; or

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

10 (c) An employer or labor representative who participates in or administers a
 11 benefits program that is available for selection by an employee under (b) of this
 12 section shall provide to the employee a written description of the benefits program
 13 within seven days after a request by the employee.

14 (d) In this section,

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

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

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

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

22 (17) commit to negotiate, before construction, a project labor
 23 agreement to the maximum extent permitted by law; **a project labor agreement**
 24 **under this paragraph must, to the extent permitted by law, include a requirement**
 25 **that each employee who is eligible to receive benefits because of the agreement**
 26 **may sign a declaration of benefits; the declaration must allow the employee to**
 27 **elect that, if an employer makes any contribution of benefits on the employee's**
 28 **behalf in connection with the project, the employer shall make the contribution**
 29 **to a benefits program selected by the employee from among benefits programs**
 30 **participated in or administered by (A) the employer who makes the contribution,**
 31 **(B) another employer of the employee, or (C) the labor representative that**

1 **negotiated the project labor agreement; an employer or labor representative who**
2 **administers a benefits program that is available for selection by an employee**
3 **under this paragraph shall provide the employee with a written description of the**
4 **benefits program within seven days after a request by the employee;** in this
5 paragraph, "project labor agreement" means a comprehensive collective bargaining
6 agreement between the licensee or its agent and the appropriate labor representatives
7 to ensure expedited construction with labor stability for the project by qualified
8 residents of the state;

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

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

14 (b) AS 43.90.130(17), amended by sec. 2 of this Act, applies to construction contracts
15 under AS 43.90 for which the application period closes 10 days or more after the effective
16 date of this Act.