

Received in the Senate: 1/15/24; Introduced: 1/16/24
Referred: Judiciary

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Referred: Labor & Commerce

EXECUTIVE ORDER NO. 135

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance
2 with AS 24.08.210, I order the following:

3 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient
6 administration to eliminate the Alaska Safety Advisory Council and transfer its duties to the
7 Department of Labor and Workforce Development. This action will encourage the
8 development of expertise, eliminate duplication of function, and provide a single point of
9 responsibility for state policy relating to health, safety, and accident prevention.

10 * **Sec. 2.** AS 18.60.030 is amended to read:

11 **Sec. 18.60.030. Duties of Department of Labor and Workforce**
12 **Development.** The Department of Labor and Workforce Development shall

13 (1) study ways and means for prevention of accidents to persons on the
14 streets and highways, in and on the water, in aircraft usage, in homes, on the farms, at
15 schools, in industrial and commercial plants, and in public places;

16 (2) plan and execute safety programs, including educational
17 campaigns, designed to reduce accidents in every field of activity;

18 (3) work in cooperation with official and unofficial organizations and
19 instrumentalities in the state that are interested in the promotion of safety so that
20 possible resources can be marshalled and utilized to reduce the menace of accidental
21 death and injury;

22 (4) work toward obtaining better observance and enforcement of laws
23 governing street and highway traffic, and assist in bringing about, wherever feasible,
24 the application of modern engineering measures for the prevention of traffic accidents;

25 (5) confer with and make recommendations to the public agencies
26 responsible for safeguarding the people against accidents, and especially with and to

1 the Department of Transportation and Public Facilities, the Department of Public
2 Safety, the Department of Education and Early Development, the Department of
3 Natural Resources, the Department of Health, and the heads or representatives of
4 federal departments and agencies operating in the state particularly concerned with
5 safety programs and accident prevention;

6 (6) establish and enforce occupational safety and health standards that
7 prescribe requirements for safe and healthful working conditions for all employment,
8 including state and local government employment, and the requirements are to be at
9 least as effective as those requirements adopted by the United States Secretary of
10 Labor under 29 U.S.C. 655 (§ 6 of P.L. 91-596);

11 (7) require an employer to maintain records and submit reports to the
12 department which records and reports are necessary or appropriate for the enforcement
13 of AS 18.60.010 - 18.60.105 and to maintain records and submit reports to the United
14 States Secretary of Labor in the same manner and to the same extent as set out in
15 federal law and regulations;

16 (8) require an employer to maintain records and submit reports
17 appropriate for use in developing information regarding the causes and prevention of
18 occupational accidents and illnesses;

19 (9) require an employer to make periodic inspections when necessary
20 to carry out the record and reporting requirements of (7) and (8) of this section;

21 (10) participate in occupational safety and health programs if it finds
22 they are necessary to meet the occupational health and safety needs of the state;

23 (11) execute on behalf of the state agreements or contracts necessary
24 or desirable to enable the state to participate in occupational safety and health
25 programs, and to receive and expend funds made available for programs of the state;

26 (12) annually publish a list of toxic and hazardous substances and
27 physical agents;

28 (13) maintain a current set of OSHA form 20's or equivalent
29 information for toxic and hazardous substances and for physical agents, and other
30 information relevant to toxic and hazardous substances and physical agents;

31 (14) assist employers, upon request, to develop employee safety

1 education programs and to identify and obtain information on toxic and hazardous
 2 substances and physical agents;

3 **(15) make recommendations to the governor and the legislature on**
 4 **the achievement of a coordinated state policy and program for the safety and**
 5 **health of residents of the state;**

6 **(16) organize and hold an annual governor's safety conference to**
 7 **bring together citizens interested in safety and health matters; the department**
 8 **may charge a fee to attend the safety conference based on the estimated cost to**
 9 **organize and hold the conference.**

10 * **Sec. 3.** AS 18.60.830, 18.60.835, and 18.60.840 are repealed.

11 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
 12 read:

13 TRANSITION. (a) The terms of the members of the Alaska Safety Advisory Council
 14 established under AS 18.60.830 terminate on the effective date of this Order.

15 (b) Litigation, hearings, investigations, and other proceedings pending under a law
 16 repealed or amended by this Order, or in connection with a function transferred by this Order,
 17 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment
 18 provided for in this Order.

19 (c) Contracts, rights, liabilities, and obligations created by or under a law repealed or
 20 affected by this Order, and in effect on the effective date of this Order, remain in effect
 21 notwithstanding this Order's taking effect.

22 (d) Records, equipment, appropriations, and other property of an agency of the state
 23 whose functions are transferred under this Order shall be transferred to implement the
 24 provisions of this Order.

25 * **Sec. 5.** This Order takes effect July 1, 2024.

DATED: _____

 Mike Dunleavy
 Governor