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IN THE SENATE

BY SENATOR OWEN

SENATE BILL NO. 27

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRD LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to labor surplus."

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

* Section 1. AS 23.10 is amended by adding new sections to read:

ARTICLE 10.

Sec. 23.10.420. LABOR SURPLUS AREAS. The commissioner shall designate as a labor surplus area each area (1) where unemployment exists in excess of five per cent of the labor force, or (2) where chronic unemployment exists.

Sec. 23.10.425. OUT-OF-STATE RECRUITING. (a) No employer, unless excepted by (b) of this section, may recruit personnel from out of state when (1) there is a labor surplus area in the state, (2) unemployed persons living in the state who are qualified to do work of the nature offered by the employer are actively seeking employment, and (3) less than 80 per cent of the employer's total complement of employees are residents.

(b) The federal government and an employer who is a party to a per-hire contract which (1) is allowable under the National Labor Relations Act as amended, and (2) is in force between the employer and unions holding jurisdiction of the work, are excepted from the provisions of (a) of this section.

Sec. 23.10.430. ENFORCEMENT. (a) An aggrieved perso

1 may appeal to the commissioner to enforce the provisions of
2 secs. 420 - 435 of this chapter. The commissioner shall
3 adopt regulations defining the procedure for appeal.

4 (b) To enforce the provisions of secs. 420 - 435 of
5 this chapter the commissioner may order an employer to hire
6 a person with back wages for the period of employment
7 wrongfully withheld. The commissioner may by regulation
8 provide such other remedies for aggrieved persons as he
9 considers necessary.

10 (c) An employer may appeal to the Superior Court with-
11 in twenty days after the commissioner issues an order for a
12 stay of that order.

13 Sec. 23.10.435. DEFINITIONS. As used in secs. 420 -
14 435 of this chapter "commissioner" means the commissioner
15 of labor.