

1 IN THE HOUSE BY MESSRS. STEVENS AND JOSEPHSON  
2 HOUSE BILL NO. 264  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTH LEGISLATURE - FIRST SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to the preference for  
7 Alaskan employees and products; and providing  
8 for an effective date."

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

10 \* Section 1. AS 36.10.010 is amended to read:

11 Sec. 36.10.010. EMPLOYMENT PREFERENCE. (a) In the  
12 performance of contracts let by the state, boroughs, cities  
13 and school districts for construction, repair, preliminary  
14 surveys, engineering studies or maintenance work, 95 per cent  
15 residents shall be employed where they are available and  
16 qualified. If 10 or fewer persons are employed under the  
17 contract, then 90 per cent residents shall be employed where  
18 they are available and qualified. In all cases of public  
19 work projects, preference shall be given to residents.

20 (b) The provisions of (a) of this section apply to any  
21 person who lets a contract to construct, maintain, repair, or  
22 make preliminary surveys or engineering studies for a job  
23 which requires state approval or is financed with state funds  
24 except a person who is

25 (1) a party to a per-hire contract which is  
26 allowable under the National Labor Relations Act and is in  
27 force between the employer and unions holding jurisdiction  
28 over the work; or

29 (2) bound by a contract for continuous employment

1 which was entered into outside of the state if the terms of  
2 the contract do not specify where the work of an employee is  
3 to be performed.

4 \* Sec. 2. AS 36.10 is amended by adding new sections to read:

5 Sec. 36.10.015. INSERTION OF CLAUSE IN CALLS FOR BIDS  
6 AND IN CONTRACTS ✓ A clause containing the substance of sec.  
7 10 of this chapter shall be inserted in all calls for bids  
8 and in all contracts awarded.

9 Sec. 36.10.075. UNION COERCION PROHIBITED. It is unlaw-  
10 ful for a labor organization or an official of a labor organi-  
11 zation to aid, abet, incite, compel or coerce the doing of an  
12 act forbidden under this chapter or to attempt to do so.

13 \* Sec. 3. AS 36.10.100(b) is amended to read:

14 (b) A contractor, [OR] the agent of a contractor or an  
15 official of a labor organization who violates any provision  
16 of this chapter is guilty of a misdemeanor, and upon convic-  
17 tion is punishable by a fine of not more than \$500, or by  
18 imprisonment for not more than 90 days, or by both.

19 \* Sec. 4. AS 36.10.110(3) is repealed and re-enacted to read:

20 (3) "resident" means a person living in the state  
21 with the intention of making it the place of his permanent  
22 home for an unlimited or indefinite period.

23 \* Sec. 5. AS 36.20.010 is amended to read:

24 Sec. 36.20.010. PREFERENCE OF PRODUCERS OR DEALERS  
25 IN ALASKA. When [IN] making purchases or awarding contracts  
26 for supplies, commodities or material, the state, boroughs,  
27 cities and school districts shall give [FOR AN OFFICE OR  
28 INSTITUTION OF THIS STATE] preference [SHALL BE GIVEN],  
29 whenever practicable, to producers and dealers in the state,

1 price and quality being similar [EQUAL].

2 \* Sec. 6. AS 36.20 is amended by adding new sections to read:

3 Sec. 36.20.020. INSERTION OF CLAUSE IN CALLS FOR BIDS  
4 AND IN CONTRACTS. A clause containing the substance of sec.  
5 10 of this chapter shall be inserted in all calls for bids  
6 and in contracts awarded.

7 \* Sec. 7. AS 36 is amended by adding a new chapter to read:

8 CHAPTER 22. COMPETITIVE BIDDING

9 Sec. 36.22.010. AWARD OF CONTRACTS. When competitive  
10 bids are called for by a borough, city or school district  
11 for construction, repairs, services, or purchase of supplies,  
12 materials, or equipment, the contract shall be awarded in the  
13 same manner as required of the state by AS 37.05.230(1)(B).

14 Sec. 36.22.020. REQUESTING BIDS FOR SPECIFIC BRAND  
15 PROHIBITED. When purchasing supplies, materials or equipment  
16 through competitive bidding, neither the state nor a borough,  
17 city or school district shall limit the bidding by requiring  
18 articles of a specific brand or trade mark or articles which  
19 are or contain a particular patented apparatus if the re-  
20 quirement would prevent proper competition on the part of  
21 dealers in other articles of equal utility or merit.

22 \* Sec. 8. AS 37.05.230(5) is amended to read:

23 (5) an "Alaska bidder", for the purpose of bid  
24 awards under (1)(B) of this section, is a person who

25 (A) holds a current Alaska business license,

26 (B) submits a bid for goods or services under  
27 the name as appearing on his current Alaska business  
28 license,

29 (C) has maintained a place of business within

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the state for a period of six months immediately pre-  
ceding the date of his bid,

(D) maintains within the state a  
sufficient quantity of supplies or equipment of  
the kind which his bid indicates he sells or  
performs services with so that it is apparent  
that he is not merely a bidding agent for an  
out-of-state company.

\* Sec. 9. This Act takes effect on the day after its passage  
and approval or on the day it becomes law without such approval.

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