

Original sponsor: Ray

Offered: 3/30/72  
Referred: Rules

1 IN THE SENATE

BY THE LABOR AND MANAGEMENT COMMITTEE

2 CS FOR SENATE BILL NO. 286

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public works contracts; and pro-  
7 viding for an effective date."

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

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

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

20 \* Sec. 2. AS 36.10.070 is amended by adding a new subsection to read:

21 (b) When residents other than laborers but included in sec. 10  
22 of this chapter are unavailable the potential employer shall notify  
23 the commissioner of labor of the type and number of persons needed.

24 \* Sec. 3. AS 36.10 is amended by adding new sections to read:

25 Sec. 36.10.075. DUTIES OF COMMISSIONER OF LABOR. The commissioner  
26 of labor shall promulgate regulations necessary to carry out the  
27 provisions of this chapter including but not limited to the method,  
28 time and content of reporting by employers covered by this chapter and  
29 reporting provisions permitting on-going supervision by the Department

1 of Labor on all public works projects covered by this chapter.

2 Sec. 36.10.076. DUTIES OF STATE OR POLITICAL SUBDIVISION. An  
3 agency or political subdivision of the state covered by the provisions  
4 of this chapter shall notify the Department of Labor periodically  
5 regarding planned public works. Notification shall be in the form and  
6 manner prescribed by the Department of Labor.

7 \* Sec. 4. AS 36.10.090 is amended by adding new subsections to read:

8 (b) A local government or school district covered by the provi-  
9 sions of this chapter which is found to be in violation of these pro-  
10 visions may be required to forfeit all or part of the state aid made  
11 available for the project in which the violation occurs and in addition  
12 may be denied up to 12 months of state revenue sharing or public school  
13 foundation money. A state department or agency head found to be in  
14 violation of this chapter may be required to forfeit his position.

15 (c) A person or governmental entity covered by the provisions of  
16 (b) of this section who is not satisfied by a decision of the Department  
17 of Labor may, as the final administrative process, appeal the decision  
18 to a committee consisting of the commissioners of public works, labor  
19 and administration. The commissioner of public works is the chairman  
20 of the committee. A quorum for conducting business is three members  
21 and any decision made must be supported by a majority of the committee  
22 members. The committee may, upon a showing of hardship, waive all or  
23 any part of the penalty provisions of this chapter.

24 \* Sec. 5. This Act takes effect on the day after its passage and approval  
25 or on the day it becomes law without approval.  
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