

Original sponsor: Ray

Offered: 3/30/72
Referred: Rules

1 IN THE SENATE

BY THE LABOR AND MANAGEMENT
COMMITTEE

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CS FOR SENATE BILL NO. 286

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to public works contracts; and providing for an effective date."

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

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* Section 1. AS 36.10.010 is amended to read:

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

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

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

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

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

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

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

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

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

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