

Original sponsors: Gardiner, Miller,
and Freeman

Offered: 5/5/77
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 203

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to employment of nonresidents by the
7 state and its municipalities."

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

9 * Section 1. AS 23.40.210 is amended to read:

10 Sec. 23.40.210. AGREEMENT. Upon the completion of negotiations
11 between an organization and a public employer, if a settlement is
12 reached, the employer shall reduce it to writing in the form of an
13 agreement. The agreement may include a term for which it will remain in
14 effect, not to exceed three years. The agreement shall provide for an
15 area differential in pay between employees residing in and outside the
16 state to reflect the difference in the cost of living for those em-
17 ployees. The agreement shall include a grievance procedure which shall
18 have binding arbitration as its final step. Either party to the agree-
19 ment has a right of action to enforce the agreement by petition to the
20 labor relations agency.

21 * Sec. 2. As 39.25 is amended by adding a new section to read:

22 Sec. 39.25.185. RESIDENTS OF THE STATE. (a) In all applications
23 for positions in the classified service, residents of the state shall be
24 fairly ranked with individuals not qualifying as residents of the state.
25 In all appointments made in the classified service, Alaska residents
26 shall be preferred over equally qualified or less qualified individuals
27 not qualifying as residents of the state. In all appointments made,
28 when individuals qualifying as Alaskans have applied for the position
29 being filled and when an individual not qualifying as a resident of the

1 state is appointed, the appointing authority shall justify a decision to
2 appoint a non-Alaskan. The justification is public record.

3 (b) If an individual not qualifying as an Alaska resident is
4 appointed to a position and the appointing agency certifies that no
5 qualified Alaska resident had applied for a position in that general
6 class of positions within the preceding four months, the agency shall
7 also file a statement indicating its efforts to recruit residents of the
8 state for the position.

9 * Sec. 3. AS 29.23.550 is amended by adding new subsections to read:

10 (b) In all applications for employment by a municipality, in-
11 cluding its school district, residents of the state shall be fairly
12 ranked with individuals not qualifying as residents of the state. In
13 all appointments made from a register or roster prepared under a per-
14 sonnel system established under (a) of this section, Alaska residents
15 shall be preferred over equally qualified or less qualified individuals
16 not qualifying as residents of the state. In all appointments made by
17 a municipality, when individuals qualifying as Alaskans have applied for
18 the position being filled and when an individual not qualifying as a
19 resident of the state is appointed, the appointing authority shall
20 justify a decision to appoint a non-Alaskan. The justification is
21 public record.

22 (c) If an individual not qualifying as an Alaska resident is
23 appointed to a position and the appointing authority certifies that no
24 qualified Alaska resident had applied for the position within the
25 preceding six months, the appointing authority shall also file a state-
26 ment indicating its efforts to recruit residents of the state for the
27 position.

28 (d) Subsections (b) and (c) of this section apply to home rule and
29 general law municipalities.

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* Sec. 4. AS 29.13.100 is amended by adding a new paragraph to read:
(37) AS 29.23.550(b) and (c) (municipal employment)

* Sec. 5. Section 1 of this Act may not be implemented by collective bargaining which results in an agreement which reduces the wages and fringe benefits received on the effective date of this Act by employees residing in and outside the state.