

Introduced: 2/2/78
Referred: Labor & Management
and Commerce

1 IN THE HOUSE

BY COWPER

2 HOUSE BILL NO. 724

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to independent contractors of the
7 state."

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

9 * Section 1. AS 36 is amended by adding a new chapter to read:

10 CHAPTER 30. INDEPENDENT CONTRACTORS.

11 Sec. 36.30.010. PARTICIPATION PROHIBITED. No person who, as an
12 independent contractor, performs research or conducts a study for the
13 state may participate, as an independent contractor, in any project or
14 work that is recommended as part of the research or study.

15 Sec. 36.30.020. DEFINITIONS. In this chapter, unless the context
16 requires otherwise, "independent contractor" means a person who is not
17 an employee of the state who contracts or otherwise agrees to do work
18 for the state according to his own methods and without being subject to
19 the control of the contracting agency except as to the result of the
20 work.

21 * Sec. 2. AS 36.95.010 is amended to read:

22 Sec. 36.95.010. DEFINITIONS. In chs. 5 - 30 [5 - 25] of this
23 title unless the context requires otherwise

24 (1) "contractor" means the contractor including subcontractors
25 performing work necessary to facilitate public construction;

26 (2) "laborer, mechanic, or field surveyor" means a person
27 who engages in work which is basically physical or unskilled in nature;
28 or who engages in work, requiring the use of tools or machines, which
29 basically consists of the shaping and working of materials into some type

1 of structure, machine or other object; or who engages in outdoor tasks
2 related to the operation of finding and delineating contour, dimensions,
3 position, topography, as of any part of the earth's surface, by prepara-
4 tion of measured plan or description of any area or other portion of
5 country or of road or line through any area or other portion of country;

6 (3) "public construction" or "public works" means the on-site
7 field surveying, erection, rehabilitation, alteration, extension or
8 repair, including painting or redecorating buildings, highways or other
9 improvements to real property under contract for the state or a political
10 subdivision of the state;

11 (4) "qualified" means one who, except for apprentices, is a
12 journeyman mechanic in his particular trade;

13 (5) "resident" means a person who maintains his domicile in
14 the state: domicile is the true and permanent home of a person from
15 which he has no present intention of removing and to which he intends to
16 return whenever he is away;

17 (6) "state [OR A POLITICAL SUBDIVISION OF THE STATE]" means
18 any state department, state agency, or instrumentality of the state,
19 and the University of Alaska [STATE UNIVERSITY, BOROUGH, CITY, VILLAGE,
20 SCHOOL DISTRICT OR OTHER STATE SUBDIVISION];

21 (7) "wages" includes fringe benefits;

22 (8) "political subdivision of the state" means any borough,
23 city, municipality, or other state subdivision.