

Introduced: 3/14/86  
Referred: Labor and Commerce

BY THE LABOR AND  
COMMERCE COMMITTEE

1 IN THE SENATE

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SENATE BILL NO. 463

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - SECOND SESSION

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A BILL

6 For an Act entitled: "An Act imposing requirements on employers who hire  
7 nonresidents for employment in the state; and provid-  
8 ing for an effective date."

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

10 \* Section 1. AS 23.10 is amended by adding new sections to read:

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ARTICLE 7. NONRESIDENT HIRE.

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Sec. 23.10.500. DUTIES OF EMPLOYERS. (a) When an employer

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hires a person who is not a resident of this state, the employer shall

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(1) provide the person, on the first day of employment,

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with fully paid transportation from the work site in this state to the

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person's place of residence and with clothing and other personal

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supplies adequate to protect the employee from the effects of the

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climate and environment of the work site;

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(2) provide the police department or state troopers' office

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nearest to the work site a list that includes the date and place of

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each felony conviction of the employee within the past 20 years;

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(3) require the employee to secure a certificate of good

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health under AS 23.10.530 before the employee begins work for the

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employer in this state;

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(4) post a surety bond in the amount of \$10,000 to be

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forfeited to the state if a nonresident employee brings a serious

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infectious or communicable disease into the state or if a nonresident

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employee with a prior felony conviction required to be reported under

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(a)(2) of this section commits a felony in this state while an

1       employee of the employer;

2               (5) require the employee, if the employee owns a motor  
3       vehicle located in this state, to register the vehicle in this state  
4       under AS 28.10; and

5               (6) require the employee, if the employee has a driver's  
6       license issued by a licensing jurisdiction other than this state, to  
7       secure an operator's license under AS 28.15.

8               (b) An employer who hires a nonresident for work in this state  
9       shall provide the employee with an orientation program to acquaint the  
10      employee with Alaskan culture and environmental concerns, to make the  
11      employee sensitive to the ecosystem and habitat of the area or areas  
12      of the state in which the employee will work, and to minimize the  
13      negative impact of the nonresident on the prevailing culture and  
14      environment.

15              (c) An employer who employs a person who is not a resident of  
16      this state shall certify within 20 days after the date of hire to the  
17      Department of Labor that the requirements of this section have been  
18      met. The employer shall file a report with the Department of Labor  
19      every six months summarizing the information from the certifications  
20      and containing other information required by the department.

21              (d) An employer who forfeits a bond under (a)(4) of this section  
22      may not be licensed in an occupation or to perform work in this state  
23      for five years after the date of forfeiture.

24              (e) An employer who violates this section is liable for a civil  
25      fine of \$1,000 for each violation.

26              Sec. 23.10.510. REGULATIONS. The Department of Labor shall  
27      adopt regulations under AS 44.62 (Administrative Procedure Act) to  
28      implement this chapter.

29              Sec. 23.10.520. CERTIFICATES OF HEALTH. The Department of

1 Health and Social Services shall establish by regulation the require-  
2 ments for issuing certificates of good health. Before issuing a  
3 certificate, the department shall require an applicant to submit  
4 evidence that the applicant is free from serious infectious or com-  
5 municable disease.

6 Sec. 23.10.600. DEFINITIONS. In AS 23.10.500 - 23.10.600,

7 (1) "employee" means a person who performs a service for  
8 wages or other remuneration under a contract of hire, written or oral,  
9 express or implied and includes a person employed by the state or a  
10 political subdivision of the state;

11 (2) "employer" means a person who has at least one employee  
12 and includes an agent of an employer.

13 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
14 10.070(c).