

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 37 (L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 4/29/91
Referred: Transportation, Finance

Sponsor(s): SENATORS MENARD, Rodey, Collins

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to food and housing for construction workers at remote construction sites
2 on certain state construction projects; and providing for an effective date."

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

4 * Section 1. AS 36.90 is amended by adding a new section to read:

5 Sec. 36.90.110. FOOD AND HOUSING AT REMOTE STATE CONSTRUCTION
6 SITES. (a) Except as provided in (b) and (c) of this section, the state shall require that a
7 contractor provide food and housing to an employee of the contractor working on a state
8 construction project at a remote construction site. The contractor may not consider the cost of
9 the food and housing in setting wages for the employee or in meeting wage requirements under
10 AS 23.10.065 or AS 36.05.

11 (b) Before the award of a state construction contract, the state shall estimate the length
12 of active, on-site workdays required to complete the project, and the number of contractor
13 employees required at peak employment periods. If the estimate indicates that the project will
14 require fewer than 60 continuous calendar days of active on-site work or fewer than 15 contractor

1 employees at peak employment periods, the project is exempt from the requirement to provide
2 food and housing set out in (a) of this section.

3 (c) A contractor who provides adequate transportation to employees is exempt from the
4 requirement to provide food and housing set out in (a) of this section for those employees for
5 whom the transportation is provided. Transportation is adequate under this subsection if it

6 (1) transports the employee from the departure point to the work site in 60
7 minutes or less or if the employer pays wages to the employee for time spent travelling to the
8 work site in excess of 60 minutes; return transportation shall be provided on the same basis;

9 (2) is available each workday at times reasonably close to the beginning and
10 ending of each work shift;

11 (3) begins from and returns to a departure point that is central to either a location
12 where commercially available food and lodging establishments exist or which is the domicile of
13 the employee; and

14 (4) meets applicable transportation safety standards.

15 (d) Unless a state construction contract is exempt under (b) or (c) of this section, the
16 specifications for the contract must contain a provision setting out the requirement for providing
17 food and housing at remote construction sites and the optional provisions for transportation
18 services. When this provision is required in a contract, the contract must designate the site and
19 include relevant permits for the housing.

20 (e) The Department of Transportation and Public Facilities shall implement this section
21 by regulation.

22 (f) In this section,

23 (1) "domicile" means the principal place of residence of an individual during the
24 90 days before employment on the state construction project;

25 (2) "remote" means a work site that is either more than 50 road miles from or
26 inaccessible by two-wheel drive vehicles from a location that has commercial food and lodging
27 establishments adequate to accommodate the work force of the state construction project;

28 (3) "state construction" means the on-site field surveying, erection, rehabilitation,
29 alteration, extension, or repair, including painting or redecorating, of buildings, highways, or
30 other improvements to real property, under contract for the state.

31 * Sec. 2. This Act does not apply to a contract for a state construction project that was entered into

1 before September 1, 1991.

2 * Sec. 3. This Act takes effect September 1, 1991.