

COMMITTEE REPORT
SENATE

FURTHER:

5/6/83

Date: 5/19/83

Mr. President:

The Committee on FINANCE has had SS SB 374

Employment preferences for state residents in construction contracts by the state or an agency of the state; eff. date.

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

STATE OF ALASKA
FISCAL NOTE

5/19/83

Revision Date May 6, 1983

I. REQUEST

Bill/Resolution No. SS for SB 174
 Title: "...employment preference..."
 Sponsor: Senator Josephson
 Requestor: Senate Labor & Commerce

II. FISCAL DETAIL

Agency Affected: Labor
 Program Category Affected: Worker Protection
 BRU, Program of Subprogram(s) Affected: Labor Standards & Safety, Wage & Hour

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		72.3	76.6	81.2	86.1	91.3
200 TRAVEL		0				
300 CONTRACTUAL		21.0	22.3	23.6	25.0	26.5
400 COMMODITIES		1.0	1.1	1.2	1.3	1.4
500 EQUIPMENT		3.0	0	0	0	0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		97.3	100.0	106.0	112.4	119.2
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		97.3	100.0	106.0	112.4	119.2
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

N/A

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Donald R. Wilson *Donald Wilson*
 Division: Labor Standards and Safety *Jim Knight*
 Phone: 465-4870
 Date: May 6, 1983

Approved by Commissioner: Jim Robison *Jim Robison*
 Department: Labor
 Date: May 6, 1983

LEG:A:48

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

FISCAL NOTE

THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE

TITLE: "An Act relating to employment preference."

AGENCY AFFECTED: Department of Labor

Page 2

Under this bill the Department of Labor will be required to closely scrutinize certified payrolls to assure that residents of an area, which has been designated as an area impacted by economic disaster, are given first preference for employment, where they are available and qualified, so that the economic effects of alleviating the disaster will be maximized. If resident labor is not available, the contractor will inform the department of the number of additional workers needed, the positions to be filled, and the efforts made at recruitment in the area. The department will investigate, and if it is determined that a good faith effort has been made by the contractor, will authorize the recruitment of qualified and available workers from areas adjoining the area impacted by such economic disaster; then followed by residents of the region, and then by residents of the State at large. This expansion of auditing and investigative service will be significant and labor intensive.

Staffing would provide a technician for full-time resident audits, and a full-time investigator in the office to review audit results, make investigations of violations uncovered by the audits, and investigate complaints from sources outside the agency. The investigator would travel throughout the state to provide a quick reaction capability to remote job sites where a majority of the violations occur.

Additional workload results from the requirement that residency is based on worker hours on a craft-by-craft basis.

Assumptions:

Effective date of July 1, 1983

Inflation rate of 6% per annum

Equipment Costs of \$9,000 is a one time item

Inclusion of additional funding (\$251.8 in the Senate Budget) in the final appropriations bill.

The original fiscal note submitted for Sponsor Substitute for Senate Bill 174 requested \$349.0 (6 positions). Of this amount, \$251.8 (4 positions) has been included in the Senate Budget for the Department. This fiscal note is the difference between the original amount requested and the amount included in the Senate Budget 97.3 (2 positions).

LEG:A:48

Introduced: 4/25/83
Referred: Labor and Commerce

BY JOSEPHSON, FAHRENKAMP,
KERTTULA, V.FISCHER,
ELIASON, GILMAN,
STURGULEWSKI, PETTYJOHN,
KELLY AND HALFORD

1 IN THE SENATE

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 174

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to employment preferences for state
7 residents; and providing for an effective date."

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

9 * Section 1. AS 36.10.010 is amended to read:

10 Sec. 36.10.010. EMPLOYMENT PREFERENCE. (a) In the performance
11 of contracts let by a municipality [THE STATE, A POLITICAL SUBDIVISION
12 OF THE STATE, OR A REGIONAL SCHOOL BOARD WITH RESPECT TO AN
13 EDUCATIONAL FACILITY UNDER AS 14.08.161] for construction, repair,
14 preliminary surveys, engineering studies, consulting, maintenance work
15 or any other retention of services necessary to complete any given
16 project, 95 percent residents shall be employed where they are
17 available and qualified. If 10 or fewer persons are employed under
18 the contract, then 90 percent residents shall be employed where they
19 are available and qualified. In all cases of public works projects,
20 preference shall be given to residents. In an area which has been
21 designated as an area impacted by an economic disaster, residents of
22 that area shall be given employment preference as provided in AS
23 44.33.290, followed by other residents of the state.

24 * Sec. 2. AS 36.10.010 is amended by adding a new paragraph to read:

25 (b) When a construction project is partly or wholly funded by
26 state money and the state or an agency of the state, a department,
27 office, agency, state board, commission, regional school board with
28 respect to an educational facility under AS 14.11.020, public corpo-
29 ration or other organizational unit of or created under the executive,

1 legislative or judicial branch of state government, including the
2 University of Alaska, is a signatory to the construction contract, the
3 contract shall require that the worker hours on a craft-by-craft basis
4 shall be performed at least 95 percent by bona fide state residents.
5 If 10 or fewer persons are employed under the contract, then 90 per-
6 cent residents shall be employed where they are available and quali-
7 fied. In an area which has been designated as an area impacted by an
8 economic disaster, residents of that area shall be given employment
9 preference as provided in AS 44.33.290, followed by other residents of
10 the state.

11 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
12 10.070(c).

COMMITTEE REPORT

SENATE

FURTHER: *[Handwritten signature]*

4/25/83

Date: 5/5/83

Mr. President:

The Committee on Labor & Commerce has had SS SB 174

~~Relating to employment preferences for state residents in construction contracts by the state or an agency of the state; eff. date.~~

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- and recommends _____ new title
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the Finance Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Handwritten signature]
[Handwritten signature]

[Handwritten signature]

[Handwritten signature]
 VICE CHAIRMAN

STATE OF ALASKA
FISCAL NOTE

Revision Date: _____, 1983

I. REQUEST

Bill/Resolution No.: SSSB 174
 Title: Employ. Preference, State Residents
 Sponsor: Josephson, Kerttula, et al.
 Requestor: _____

II. FISCAL DETAIL

Agency Affected: Department of Labor
 Program Category Affected: _____
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Source)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Guy Stringham *Guy Stringham*
 Division: Labor Relations

Phone: 465-4403
 Date: April 28, 1982

Approved by Commissioner: Lisa Rudd *LSR*
 Department: ADMINISTRATION

Date: 5/4/83

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
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3/8/83

SSSB 174
POSITION PAPER

The Department of Administration supports the hiring of local and state residents for all employment opportunities. However, the legislative language appears to open certain legal questions that should be investigated or reviewed by the Attorney General's office.

Guy Stringham *Guy Stringham* 5/3/83
Director Date
Division of Labor Relations
Department of Administration

Lisa Rudd *Lisa Rudd* 5/4/83
Commissioner Date
Department of Administration

STATE OF ALASKA
FISCAL NOTE

Revision Date Original, 1983

I. REQUEST

Bill/Resolution No.: SS for SB 174
 Title: "An Act relating to employment..."
 Sponsor: Senator Josephson
 Requestor: Senate Labor & Commerce

II. FISCAL DETAIL

Agency Affected: Labor
 Program Category Affected: Worker Protection
 BRU, Program of Subprogram(s) Affected: Wage & Hour

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		217.0	230.0	243.8	258.4	273.9
200 TRAVEL		48.0	50.9	54.0	57.2	60.6
300 CONTRACTUAL		72.0	76.3	80.9	85.8	90.9
400 COMMODITIES		3.0	3.2	3.4	3.6	3.8
500 EQUIPMENT		9.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		349.0	360.4	382.1	405.0	429.2
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		349.0	360.4	382.1	405.0	429.2
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME		6	6	6	6	6
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

N/A

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Don Wilson Phone 465-4870
 Division: Labor Standards & Safety Date: 5/4/83
 Approved by Commissioner: Jim Robison Date: _____
 Department: Labor
 LEG:A:47

Distribution:

Original to Legislative Finance
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3/8/83

Detail Analysis Senate Bill 174

Under this bill, the Department of Labor will be required to closely scrutinize certified payrolls to assure that residents of an area, which has been designated as an area impacted by economic disaster, are given first preference for employment, where they are available and qualified, so that the economic effects of alleviating the disaster will be maximized. If resident labor is not available, the contractor will inform the department of the number of additional workers needed, the positions to be filled, and the efforts made at recruitment in the area. The department will investigate and, if it is determined that a good-faith effort has been made by the contractor, will authorize the recruitment of qualified and available workers from areas adjoining the area impacted by such economic disaster; then followed by residents of the region; and then by residents of the State at large. This expansion of auditing and investigative service will be significant and labor intensive.

Staffing would provide a technician in each regional office for full-time resident audits. The staffing would also provide a full-time investigator in each office to review audit results, make investigations of violations uncovered by the audits, and investigate complaints from sources outside the agency. The investigators would have a travel budget which provides a quick reaction capability to remote job sites where a majority of the violations occur.

Assumptions:

- Effective date of July 1, 1983
- Inflation rate of 6 percent per annum
- Equipment costs of \$9,000 is a one-time item

1.	POSITION TITLE Wage and Hour Technician I			RANGE/STEP 12A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER SSforSB 174	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 99	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT					
	1			2		3			
	PERSONAL SERVICES								
5.	Salary			23,688					
6.	Benefits			3,759					
7.	Supplemental Benefits			1,452					
8.	Fixed Benefits			2,880					
9.	TOTAL PERSONAL SERVICES			01		31,779			
10.	Travel			02		-0-			
11.	Contractual			03		11,520			
12.	Commodities			04		500			
13.	Equipment			05		1,500			
14.	Other								
15.	TOTAL COST					45,299			
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		C.F. Match 1003							
18.	100	General Funds 1004			45,299				
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY									
4A KEY NUMBER _____									

This position will be required to audit certified payrolls to ascertain if contractors on public projects are employing local residents; if good faith efforts have been made to hire local residents; and further if labor from adjacent areas is being utilized when local skilled labor is not available.

Contractual service includes \$3,120 for indirect support services, and \$3,400 for rent. All other costs are normal operating expenses.

The \$1,500 in the equipment line item is to purchase basic office equipment.

13 REQUEST FOR NEW POSITION

AGENCY Labor
PROGRAM Worker Protection
BRU Labor Standards and Safety
COMPONENT Wage and Hour

FY 84

Page 1 of 6
Revised Date _____

1.	POSITION TITLE Wage and Hour Technician I			RANGE/STEP 12A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.																					
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER SSforSB 174	PCN NUMBER	BRU PRIORITY	LOCATION Fairbanks	ELECTION DISTRICT 99	LEG.																						
3.	CONTINUATION LEVEL	ADDITION	XX	JUSTIFICATION																										
4.	TYPE OF EXPENDITURE			AMOUNT																										
	1	2	3																											
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<p>FOR B&M USE ONLY</p> <p>4A KEY NUMBER _____</p>																														

13 REQUEST FOR
NEW POSITION

AGENCY Labor

PROGRAM Worker Protection

BRU Labor Standards and Safety

COMPONENT Wage and Hour

FY 84

Page 2 of 6
Revised Date _____

1.	POSITION TITLE Wage and Hour Technician I			RANGE/STEP 12A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.																					
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER SSforSB 174	PCN NUMBER	BRU PRIORITY	LOCATION Juneau	ELECTION DISTRICT 99	LEG.																						
3.	CONTINUATION LEVEL	ADDITION	XX	JUSTIFICATION																										
4.	TYPE OF EXPENDITURE			AMOUNT																										
	1	2	3																											
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This position will be required to audit certified payrolls to ascertain if contractors on public projects are employing local residents; if good faith efforts have been made to hire local residents; and further if labor from adjacent areas is being utilized when local skilled labor is not available.

Contractual service includes \$3,120 for indirect support services, and \$3,400 for rent. All other costs are normal operating expenses.

The \$1,500 in the equipment line item is to purchase basic office equipment.

13 REQUEST FOR NEW POSITION

AGENCY Labor
PROGRAM Worker Protection
BRU Labor Standards and Safety
COMPONENT Wage and Hour

FY 84

Page 3 of 6
Revised Date _____

POSITION TITLE Wage and Hour Investigator I				RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER SS for SB 174	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 99	LEG		

CONTINUATION LEVEL		ADDITION	AMOUNT
TYPE OF EXPENDITURE			
1	2	3	
PERSONAL SERVICES			
Salary	30,888		
Benefits	4,902		
Supplemental Benefits	1,894		
Fixed Benefits	2,880		
TOTAL PERSONAL SERVICES	01		40,564
Travel	02		18,000
Contractual	03		12,468
Commodities	04		500
Equipment	05		1,500
Other			
TOTAL COST			73,032

JUSTIFICATION

This position would provide professional review of the audit trail for resident hire; make investigations of suspected non-compliance and enforce the required quotas of resident to non-resident. This position would also provide quick reaction response capability to remote areas to apprehend violators while the project is still in process and funds are available for retention by the contracting agency that would have been paid to displaced residents.

Contractual services includes \$4,068 for indirect support services and \$3,400 for rent and \$5,000 for basic operating cost.

The position will require \$1,500 to purchase basic office equipment.

RECEIPT CODE	FUNDING SOURCE	AMOUNT
	Federal Receipts 1002	
	G.F. Match 1003	
	General Funds 1004	73,032
	I-A Receipts 1005	
	Program Receipts 1028	
	Other	

RR 3&M USE ONLY
4A KEY NUMBER _____

REQUEST FOR
NEW POSITION

AGENCY Labor

PROGRAM Public Protection

BRU Labor Standards and Safety

COMPONENT Wage and Hour

Page 6 of 6

Revised Date _____

FY 84

POSITION TITLE Wage and Hour Investigator I				RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	COV	APPROV	DISAP
TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER SSforSB 174	PCN NUMBER	BRU PRIORITY	LOCATION Fairbanks	ELECTION DISTRICT 99	LEG		

CONTINUATION LEVEL		ADDITION	
TYPE OF EXPENDITURE		AMOUNT	
1	2	3	
PERSONAL SERVICES			
Salary	30,888		
Benefits	4,902		
Supplemental Benefits	1,894		
Fixed Benefits	2,880		
TOTAL PERSONAL SERVICES	01	40,564	
Travel	02	18,000	
Contractual	03	12,468	
Commodities	04	500	
Equipment	05	1,500	
Other			
TOTAL COST		73,032	

JUSTIFICATION

This position would provide professional review of the audit trail for resident hire; make investigations of suspected non-compliance and enforce the required quotas of resident to non-resident. This position would also provide quick reaction response capability to remote areas to apprehend violators while the project is still in process and funds are available for retention by the contracting agency that would have been paid to displaced residents.

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	Federal Receipts 1002	
	G.F. Match 1003	
	General Funds 1004	73,032
	I-A Receipts 1005	
	Program Receipts 1028	
	Other	

The position will require \$1,500 to purchase basic office equipment.

FOR B&M USE ONLY
4A KEY NUMBER _____

REQUEST FOR
NEW POSITION

AGENCY Labor

PROGRAM Public Protection

BRU Labor Standards and Safety

COMPONENT Wage and Hour

Page 5 of 6

Revised Date _____

FY 84

1.	POSITION TITLE Wage and Hour Investigator I			RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISABT.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER SSforSB 174	PCN NUMBER	BRU PRIORITY	LOCATION Juneau	ELECTION DISTRICT 99	LEG.	

3.	CONTINUATION LEVEL	ADDITION			
4.	TYPE OF EXPENDITURE		AMOUNT		
	1	2	3		
	PERSONAL SERVICES				
5.	Salary	30,888			
6.	Benefits	4,902			
7.	Supplemental Benefits	1,894			
8.	Fixed Benefits	2,880			
9.	TOTAL PERSONAL SERVICES	01	40,564		
10.	Travel	02	12,000		
11.	Contractual	03	12,468		
12.	Commodities	04	500		
13.	Equipment	05	1,500		
14.	Other				
15.	TOTAL COST		67,032		

JUSTIFICATION

This position would provide professional review of the audit trail for resident hire; make investigations of suspected non-compliance and enforce the required quotas of resident to non-resident. This position would also provide quick reaction response capability to remote areas to apprehend violators while the project is still in process and funds are available for retention by the contracting agency that would have been paid to displaced residents.

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	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	67,032
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

FOR B&M USE ONLY
4A KEY NUMBER _____

AGENCY Labor

PROGRAM Public Protection

BRU Labor Standards and Safety

COMPONENT Wage and Hour

13 REQUEST FOR NEW POSITION

Page 4 of 6
Revised Date _____

FY 84

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. Sponsor Substitute for SB 174
 Title Act relating to employment preferences for state residents
 Requested by Senate Finance Committee Date May 9, 1983

II. FISCAL DETAIL
 Agency Affected _____
 Program Category Affected _____
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES	0	0	0			
200 TRAVEL	0	0	0			
300 CONTRACTUAL	0	0	0			
400 COMMODITIES	0	0	0			
500 EQUIPMENT	0	0	0			
600 LAND & STRUCTURES	0	0	0			
700 GRANTS, CLAIMS, ETC.	0	0	0			
TOTAL	0	0	0			

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0			
FEDERAL FUNDS	0	0	0			
OTHER (Specify Fund Source)	0	0	0			

POSITIONS

FULL TIME	0	0	0			
PART TIME	0	0	0			
TEMPORARY	0	0	0			

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE May 9, 1983 PREPARED BY *John Sackett*
 AGENCY John Sackett, Co-chairman
 PHONE Senate Finance Committee
465-3753
 Original: Legislative Finance
 cc: Budget and Management
 Time Sponsor (First Legislator Named)