



LAWS OF ALASKA

1972

Source

Chapter No.

CSSB 286 (L&M) am H

208

AN ACT

Relating to public works contracts; and providing for an effective date.

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

* Section 1. AS 36.10.010 is amended to read:

Sec. 36.10.010. EMPLOYMENT PREFERENCE. In the performance of contracts let by the state, boroughs, cities and school districts for construction, repair, preliminary surveys, engineering studies, consulting, maintenance work or any other retention of services necessary to complete any given project, 95 per cent residents shall be employed where they are available and qualified. If 10 or fewer persons are employed under the contract, then 90 per cent residents shall be employed where they are available and qualified. In all cases of public works projects, preference shall be given to residents.

* Sec. 2. AS 36.10.070 is amended by adding a new subsection to read:

(b) When residents other than laborers but included in sec. 10 of this chapter are unavailable the potential employer shall notify the commissioner of labor of the type and number of persons needed.

* Sec. 3. AS 36.10 is amended by adding new sections to read:

Sec. 36.10.075. DUTIES OF COMMISSIONER OF LABOR. The commissioner of labor shall promulgate regulations necessary to carry out the provisions of this chapter including but not limited to the method, time and content of reporting by employers covered by this chapter and reporting provisions permitting on-going supervision by the Department of Labor on all public works projects

covered by this chapter.

Sec. 36.10.076. DUTIES OF STATE OR POLITICAL SUB-DIVISION. An agency or political subdivision of the state covered by the provisions of this chapter shall notify the Department of Labor periodically regarding planned public works. Notification shall be in the form and manner prescribed by the Department of Labor.

* Sec. 4. AS 36.10.090 is amended by adding new subsections to read:

(b) A local government or school district covered by the provisions of this chapter which is found to be in violation of these provisions may be required to forfeit all or part of the state aid made available for the project in which the violation occurs and in addition may be denied up to 12 months of state revenue sharing or public school foundation money. A state department or agency head found to be in violation of this chapter may be required to forfeit his position.

(c) A person or governmental entity covered by the provisions of (b) of this section who is not satisfied by a decision of the Department of Labor may, as the final administrative process, appeal the decision to a committee consisting of the commissioners of public works, labor and administration. The commissioner of public works is the chairman of the committee. A quorum for conducting business is three members and any decision made must be supported by a majority of the committee members. The committee may, upon a showing of hardship, waive all or any part of the penalty provisions of this chapter.

* Sec. 5. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.