

HOUSE BILL NO. 467

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE

Introduced: 3/6/98

Referred: Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to employees of the legislature who are employed under a
2 personal services contract."

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

4 * **Section 1.** AS 24.10.060 is amended by adding a new subsection to read:

5 (f) An employee of the legislative branch of state government who is
6 employed under a personal services contract is not entitled to membership in the public
7 employees' retirement system (AS 39.35) for employment under the contract. The
8 employee shall be compensated under the state salary schedule set out in
9 AS 39.27.011(a). The employee is entitled to receive leave benefits and employee
10 health coverage unless the personal services contract provides to the contrary.

11 * **Sec. 2.** AS 39.30.090(b)(1) is amended to read:

12 (1) "eligible employee" means

13 (A) an employee who has served in permanent full-time or part-
14 time employment with the same governmental unit for 30 days or more, except

1 an emergency or temporary employee; [, AND]

2 (B) an elected or appointed official of a governmental unit,
3 effective upon taking the oath of office; **and**

4 **(C) a contractual employee of the legislative branch of state**
5 **government under AS 24.10.060(f) if the employee's personal services**
6 **contract provides that the employee is entitled to coverage;**

7 * **Sec. 3.** AS 39.35.680(21) is amended to read:

8 (21) "member" or "employee"

9 (A) means a person eligible to participate in the system and
10 who is covered by the system;

11 (B) includes

12 (i) **an** active member;

13 (ii) **an** inactive member;

14 (iii) **a** vested member;

15 (iv) **a** deferred vested member;

16 (v) **a nonvested** [NON-VESTED] member;

17 (vi) **a** disabled member;

18 (vii) **a** retired member;

19 (viii) an elected public officer under AS 39.35.381;

20 (C) does not include

21 (i) former members;

22 (ii) persons compensated on a contractual or fee basis;

23 (iii) casual or emergency workers or nonpermanent
24 employees as defined in AS 39.25.200;

25 (iv) persons covered by the Alaska Teachers' Retirement
26 System except as provided under AS 39.35.131 and 39.35.381, or
27 persons covered by the optional university retirement program;

28 (v) employees of the division of marine transportation
29 engaged in operating the state ferry system who are covered by a union
30 or group retirement system to which the state makes contributions;

31 (vi) justices of the supreme court or judges of the court

1 of appeals or of the superior or district courts of Alaska;

2 (vii) the administrative director of courts appointed
3 under art. IV, sec. 16 of the state constitution unless the director
4 becomes a member under AS 39.35.158; [AND]

5 (viii) members of the elected public officers' retirement
6 system (former AS 39.37); **and**

7 **(ix) contractual employees of the legislative branch**
8 **of state government under AS 24.10.060(f);**

9 (D) may include employees of the division of marine
10 transportation excluded under (C)(v) of this paragraph provided that

11 (i) the State of Alaska formally agrees to their inclusion
12 through the process of collective bargaining; and

13 (ii) no collective bargaining agreement has the effect of
14 obligating contributions made by the state under AS 39.30.150 in the
15 event the state resumes participation in the federal social security
16 system;