

HOUSE BILL NO. 327

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/16/02

Referred: House Special Committee on Military and Veterans' Affairs, State Affairs

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to state employees who are called to active duty as reserve or auxiliary**
2 **members of the armed forces of the United States; and providing for an effective date."**

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

4 *** Section 1.** AS 39.90 is amended by adding a new section to read:

5 **Article 3. Continuation of Pay and Benefits for Certain Members**
6 **of the Armed Forces.**

7 **Sec. 39.90.200. Continuation of pay and benefits for certain members of**
8 **the reserve and auxiliary units of the armed forces.** (a) Notwithstanding any
9 contrary provision of law, the governor, through the issuance of an administrative
10 order, may authorize state employees who are members of a reserve or auxiliary
11 component of the armed forces of the United States, including the Alaska National
12 Guard and the Alaska Naval Militia, and who are called to active duty by the
13 appropriate state or federal authority, to continue to receive the equivalent of their
14 state compensation and some or all of their state benefits.

1 (b) The Department of Administration shall implement an order issued by the
 2 governor under this section. The Department of Administration may adopt emergency
 3 regulations to implement an order issued by the governor under this section, including
 4 regulations regarding the scope of compensation and benefits and any allocation
 5 between the state and the state employee of contributions relating to the benefits.
 6 Emergency regulations adopted under this section

7 (1) are not subject to AS 44.62 (Administrative Procedure Act); and

8 (2) take effect immediately unless the Department of Administration
 9 specifies another date.

10 (c) In this section, "benefits" include credited service in a state retirement
 11 system, membership in the supplemental employee benefits system under
 12 AS 39.30.150 - 39.30.180, and group life and health insurance provided under
 13 AS 39.30.090 - 39.30.095 or under a collective bargaining agreement.

14 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
 15 read:

16 **APPLICABILITY.** Until a collective bargaining agreement in effect on the effective
 17 date of this Act expires, this Act applies to state employees covered by that collective
 18 bargaining agreement only if that agreement is modified to accept the provisions of this Act.

19 * **Sec. 3.** This Act is retroactive to September 11, 2001.

20 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).