

**HOUSE BILL NO. 228**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES KERTTULA, Lynn, Gara**

**Introduced: 3/31/03**

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

**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 39.20 is amended by adding a new section to read:

5 **Sec. 39.20.345. Continuation of pay and benefits for certain members of**  
6 **the reserve and auxiliary units of the armed forces.** (a) Notwithstanding any  
7 contrary provision of law, the governor, through the issuance of an administrative  
8 order, may authorize state employees who are members of a reserve or auxiliary  
9 component of the armed forces of the United States, including the organized militia of  
10 Alaska, consisting of the Alaska National Guard, the Alaska Naval Militia, and the  
11 Alaska State Defense Force, and who are called to active duty by the appropriate state  
12 or federal authority to continue to receive the equivalent of their state compensation  
13 and some or all of their state benefits.

14 (b) The Department of Administration shall implement an order issued by the

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

5 Emergency regulations adopted under this section

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

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

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

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

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

18 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
 19 read:

20 **RETROACTIVITY.** This Act is retroactive to September 11, 2001.

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