

SENATE BILL NO. 26

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY SENATORS ELTON AND TAYLOR, Wilken, Davis, Lincoln

Introduced: 1/21/03

Referred: 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 Alaska National
10 Guard and the Alaska Naval Militia, and who are called to active duty by the
11 appropriate state or federal authority to continue to receive the equivalent of their state
12 compensation and some or all of their state benefits.

13 (b) The Department of Administration shall implement an order issued by the
14 governor under this section. The Department of Administration may adopt emergency

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

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

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

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

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

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

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

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

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