

HOUSE BILL NO. 77

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KELLY

Introduced: 1/18/05

Referred: State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to claims against state employees."**

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

3 *** Section 1.** AS 09.50.253(h) is amended to read:

4 (h) In this section,

5 (1) "acting within the scope of the employee's office or employment"
6 means acts or omissions

7 (A) that the state employee is employed or authorized to
8 perform;

9 (B) of the state employee that occur substantially within the
10 authorized time and space limit;

11 (C) that are activated by a purpose to serve the state; and

12 (D) that do not constitute acting, or failing to act, with wilful,
13 reckless, or intentional misconduct, or with gross negligence or malice;

14 (2) "state employee"

15 (A) means

1 (i) a permanent, probationary, seasonal, temporary,
2 provisional, or nonpermanent employee in the executive, legislative, or
3 judicial branch of state government, whether in the classified, partially
4 exempt, or exempt service; [OR]

5 (ii) a person appointed to a board or commission of
6 state government; **or**

7 **(iii) an employee of the University of Alaska;**

8 (B) does not include an employee of

9 (i) [THE UNIVERSITY OF ALASKA;

10 (ii)] the Alaska Railroad Corporation; or

11 **(ii)** [(iii)] a political subdivision of the state, including a
12 regional educational attendance area.