

CS FOR HOUSE BILL NO. 252(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 5/10/07

Referred: State Affairs

Sponsor(s): REPRESENTATIVES LEDOUX, Foster, Lynn, Doogan, Kohring, Thomas, Kawasaki

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring paid leave from employment for organ and bone marrow donation."**

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

3 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 SHORT TITLE. This Act may be known as the Richard Foster and Alec Cesar Donor
6 Act.

7 * **Sec. 2.** AS 39.20.245(b) is amended to read:

8 (b) An officer or employee, with the approval of the person authorizing the
9 employment, may donate accrued personal or annual leave to another officer or
10 employee only for use as leave for medical reasons. The official responsible for
11 employee accounts shall debit the donor's personal or annual leave account and credit
12 the donee's personal leave account, or sick leave account, as appropriate, for medical
13 reasons only, by converting the donated leave into cash value at the donor's rate of pay
14 and reconverting the cash value to hours of leave at the donee's rate of pay. Leave
15 donated under this subsection is not leave taken by the donor for purposes of

1 AS 39.20.225(c). An employee who is covered by a collective bargaining agreement
 2 may donate leave to or receive donations of leave from an employee or officer who is
 3 not covered by a collective bargaining agreement, notwithstanding AS 39.20.310(7)
 4 and (8) [AS 39.20.310(8) AND (9)].

5 * **Sec. 3.** AS 39.20.270 is amended to read:

6 **Sec. 39.20.270. Court leave.** Notwithstanding AS 39.20.310(6)
 7 [AS 39.20.310(7)], court leave shall be granted to an employee who is classified as
 8 full time, whether permanent, nonpermanent, or temporary. An officer or employee
 9 called to serve as a juror or subpoenaed as a witness is entitled to administrative leave
 10 with pay, but compensation received by the employee or to which the employee is
 11 entitled, whichever is greater, for service as a juror or witness shall be deducted from
 12 pay to which the employee is entitled as a state officer or employee.

13 * **Sec. 4.** AS 39.20 is amended by adding a new section to read:

14 **Sec. 39.20.275. Leave for organ or bone marrow donation.** (a)
 15 Notwithstanding AS 39.20.310(1) - (3) and (6) - (8), paid administrative leave of not
 16 less than 40 hours, unless the employee requests fewer hours, shall be granted under
 17 this section to an employee who requests leave to make a personal organ or bone
 18 marrow donation. Paid administrative leave may not include time spent on a screening
 19 process to determine whether the employee is a compatible donor.

20 (b) The director of personnel in the Department of Administration shall adopt
 21 regulations to implement this section.

22 (c) Nothing in this section authorizes employees to request leave for
 23 contribution to or for withdrawal from a leave pool.

24 (d) In this section, "employee" means an employee of the executive, judicial,
 25 or legislative branch of state government, the Alaska Railroad Corporation, or the
 26 University of Alaska, whether the employee is a permanent, nonpermanent, or
 27 temporary employee, who is employed for an average of 30 or more scheduled hours
 28 each week and who is paid by a warrant issued by the state.

29 * **Sec. 5.** AS 39.20.310 is amended to read:

30 **Sec. 39.20.310. Exceptions.** Except as provided in AS 39.20.275,
 31 AS 39.20.200 - 39.20.330 do not apply to

1 (1) members of the state legislature, the governor, the lieutenant
2 governor, and justices and judges of the supreme and superior courts and of the court
3 of appeals, but nothing in AS 39.20.200 - 39.20.330 may be construed to diminish the
4 salaries fixed by law for these officers by reason of absence from duty on account of
5 illness or otherwise;

6 (2) magistrates serving the state on less than a full-time basis;

7 (3) officers, members of the teaching staff, and employees of the
8 University of Alaska;

9 (4) [REPEALED

10 (5)] persons employed in a professional capacity to make a temporary
11 and special inquiry, study, or examination as authorized by the governor, the
12 legislature, or a legislative committee;

13 (5) [(6)] members of boards, commissions, and authorities who are not
14 otherwise employed by the state;

15 (6) [(7)] temporary employees hired for periods of less than 12
16 consecutive months;

17 (7) [(8)] persons employed by the division of marine transportation as
18 masters and members of the crews operating the state ferry system who are covered by
19 collective bargaining agreements as provided in AS 23.40.040, except as expressly
20 provided by law;

21 (8) [(9)] persons employed by the state who are covered by collective
22 bargaining agreements as provided in AS 23.40.210, except as expressly provided by
23 law.