

HOUSE BILL NO. 353

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE KREISS-TOMKINS

Introduced: 2/26/14

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to accrual of service in the public employees' retirement system by a**
2 **seaman employed on a state-operated ferry while the seaman is unable to work and is**
3 **receiving workers' compensation benefits."**

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

5 *** Section 1.** AS 39.35.330 is amended by adding a new subsection to read:

6 (e) Notwithstanding (b) of this section, a seaman employed on a state-operated
7 ferry, who takes a leave of absence without pay from work because the seaman is
8 unable to work because of an on-the-job injury or occupational illness for which the
9 seaman is receiving benefits under AS 23.30, is entitled to accrue credited service
10 without charge to the seaman for the time on leave of absence without pay status. A
11 seaman who receives credited service under this subsection may not also elect to
12 receive credited service under (c) of this section. A seaman's entitlement to credited
13 service under this subsection ends on the earlier of the date the seaman

14 (1) accrues two years of service under this subsection;

- 1 (2) receives a fit-for-duty letter;
- 2 (3) is eligible to receive benefits under AS 39.35.370(a); or
- 3 (4) is eligible to receive benefits under AS 39.35.410(a).

4 * **Sec. 2.** AS 39.35 is amended by adding a new section to read:

5 **Sec. 39.35.974. Special rules for seaman membership service.**

6 Notwithstanding contrary provisions of AS 39.35.700 - 39.35.990, a seaman employed
 7 on a state-operated ferry, who is on leave of absence without pay because the seaman
 8 is unable to work due to an on-the-job injury or occupational illness for which the
 9 seaman is receiving benefits under AS 23.30, is entitled to accrue membership service
 10 in the plan, without charge to the seaman, for the purpose of eligibility for benefits
 11 under the plan that are based on years of membership service. A seaman's entitlement
 12 to credited service under this subsection ends on the earlier of the date the seaman

- 13 (1) accrues two years of service under this subsection;
- 14 (2) receives a fit-for-duty letter;
- 15 (3) is eligible to retire under AS 39.35.870(a); or
- 16 (4) is eligible to receive benefits under AS 39.35.890(a).

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

19 **APPLICABILITY.** AS 39.35.330(e), added by sec. 1 of this Act and AS 39.35.974,
 20 added by sec. 2 of this Act, apply to credited service for a leave of absence that begins on or
 21 after the effective date of this Act.