

AMENDMENT #1

OFFERED IN THE HOUSE
TO: CSSB 24(JUD)

BY REPRESENTATIVE WILSON

- 1 Page 1, line 3, following "entities": (title amendment)
2 Insert "; and excluding contractors and persons who work for contractors from
3 participating in certain benefit plans provided by the state, certain political subdivisions,
4 or certain public organizations based on performing fee-based or contract services"
5
6 Page 2, following line 25:
7 Insert new bill sections to read:
8 "* **Sec. 4.** AS 39.35 is amended by adding a new section to read:
9 **Sec. 39.35.605. Contractors and employees of contractors excluded from**
10 **plan.** (a) A person or legal entity providing services to the state or to a political
11 subdivision or public organization on a contractual or fee basis may not participate as
12 an employer in the plan based on those services.
13 (b) A person may not participate in the plan as an employee or member as the
14 result of performing work for a person providing services under (a) of this section.
15 * **Sec. 5.** AS 39.35 is amended by adding a new section to read:
16 **Sec. 39.35.956. Contractors and employees of contractors excluded from**
17 **plan.** (a) A person or legal entity providing services to the state or to a political
18 subdivision or public organization on a contractual or fee basis may not participate as
19 an employer in the plan based on those services.
20 (b) A person may not participate in the plan as an employee or member as the
21 result of performing work for a person providing services under (a) of this section.
22 * **Sec. 6.** AS 39.35.990(16) is amended to read:
23 (16) "member" or "employee" means a person who is eligible to

1 participate in the plan and who is covered by the plan, including the governor, the
2 lieutenant governor, and a member of the legislature, but does not include

3 **(A) a full-time or part-time instructor [INSTRUCTORS] of**
4 **the Department of Labor and Workforce Development or [AND] the**
5 **Department of Education and Early Development in a position [POSITIONS]**
6 **that requires [REQUIRE] a teaching certificate; or**

7 **(B) a person who is compensated on a contractual or fee**
8 **basis;**

9 * **Sec. 7.** AS 39.35.990(17) is amended to read:

10 (17) "membership service" means full-time or part-time employment
11 **of a member or employee** with an employer in the plan;

12 * **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to
13 read:

14 **APPLICABILITY.** AS 39.35.605, enacted by sec. 4 of this Act, AS 39.35.956,
15 enacted by sec. 5 of this Act, AS 39.35.990(16), as amended by sec. 6 of this Act, and
16 AS 39.35.990(17), as amended by sec. 7 of this Act, apply to contracts entered into on or after
17 the effective date of secs. 4 - 7 of this Act."