

SENATE BILL NO. 173

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY SENATOR COGHILL

Introduced: 2/8/16
Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act excluding certain persons from participating in the Public Employees'**
2 **Retirement System of Alaska."**

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

4 *** Section 1.** AS 39.35 is amended by adding a new section to read:

5 **Sec. 39.35.605. Contractors and employees of contractors excluded from**
6 **plan.** (a) A person or legal entity providing services to the state or to a political
7 subdivision or public organization on a contractual or fee basis may not participate as
8 an employer in the plan based on those services.

9 (b) A person may not participate in the plan as an employee or member as the
10 result of performing work for a person providing services under (a) of this section.

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

12 **Sec. 39.35.956. Contractors and employees of contractors excluded from**
13 **plan.** (a) A person or legal entity providing services to the state or to a political
14 subdivision or public organization on a contractual or fee basis may not participate as

1 an employer in the plan based on those services.

2 (b) A person may not participate in the plan as an employee or member as the
3 result of performing work for a person providing services under (a) of this section.

4 * **Sec. 3.** AS 39.35.990(16) is amended to read:

5 (16) "member" or "employee" means a person who is eligible to
6 participate in the plan and who is covered by the plan, including the governor, the
7 lieutenant governor, and a member of the legislature, but does not include

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

12 **(B) a person who is compensated on a contractual or fee**
13 **basis;**

14 * **Sec. 4.** AS 39.35.990(17) is amended to read:

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

17 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
18 read:

19 APPLICABILITY. AS 39.35.605, enacted by sec. 1 of this Act, AS 39.35.956,
20 enacted by sec. 2 of this Act, AS 39.35.990(16), as amended by sec. 3 of this Act, and
21 AS 39.35.990(17), as amended by sec. 4 of this Act, apply to contracts entered into on or after
22 the effective date of this Act.