

Introduced: 1/25/73  
Referred: Labor & Management  
and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 140

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act extending employment security coverage to  
7 employees of the state; and providing for an  
8 effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 \* Section 1. AS 23.20.276(a) is amended to read:

11 (a) Benefits paid to employees of nonprofit organizations shall  
12 be financed in accordance with the provisions of this section and sec.  
13 277 of this chapter. For the purposes of this section and sec. 277 of  
14 this chapter, a nonprofit organization is the State of Alaska, or  
15 an organization, or group of organizations, described in sec. 501(c)(3)  
16 of the U. S. Internal Revenue Code and exempt from income tax under  
17 sec. 501(a) of that code.

18 \* Sec. 2. AS 23.20.278 is amended to read:

19 Sec. 23.20.278. FINANCING BENEFITS PAID TO EMPLOYEES OF THE  
20 STATE [HOSPITALS AND INSTITUTIONS OF HIGHER EDUCATION]. The state or  
21 an instrumentality of the state subject to this chapter, under sec.  
22 525(a)(4) of this chapter, shall pay contributions under the provisions  
23 of sec. 165 of this chapter, unless it elects to reimburse the de-  
24 partment for the unemployment compensation fund according to the pro-  
25 visions applicable to nonprofit organizations under sec. 277 of this  
26 chapter.

27 \* Sec. 3. AS 23.20.325(a) is amended to read:

28 (a) A service performed for an employing unit, including [STATE  
29 DEPARTMENTS AND AGENCIES,] municipalities [,] or other political sub-

1 divisions of the state, which is excluded under the definition of  
2 employment, and with respect to which no payments are required under  
3 the employment security law of another state or of the federal govern-  
4 ment, is considered employment for all purposes of this chapter if the  
5 department approves a written election to that effect filed by the  
6 employing unit for which the service is performed, as of the date  
7 stated in the approval. The department may not approve an election  
8 unless it (1) includes all the service of the type specified in each  
9 establishment or place of business for which the election is made, and  
10 (2) is made for not less than two calendar years.

11 \* Sec. 4. AS 23.20.520(12) is amended to read:

12 (12) "employing unit" means the State of Alaska, or an  
13 individual or type of organization, partnership, association, trust,  
14 estate, joint trust company, insurance company or domestic or foreign  
15 corporation, or the receiver, referee in bankruptcy, trustee, or  
16 successor of one of these, or the legal representative of a deceased  
17 person, which has or subsequent to January 1, 1937, had one or more  
18 individuals performing service for it within the state; an [AND] indi-  
19 vidual performing services inside the state for an employing unit which  
20 maintains two or more separate establishments inside the state is  
21 considered as employed by a single employing unit for the purposes of  
22 this chapter; notwithstanding any provision in this chapter, any  
23 employing unit which employs individuals whose services must be  
24 covered by the unemployment insurance laws of this state after  
25 December 31, 1971 as a condition of approval of the unemployment in-  
26 surance laws of this state under sec. 3304(a) of the U. S. Internal  
27 Revenue Code of 1954, as amended, will be considered an employer as  
28 to those individuals and shall be subject to contributions on all  
29 wages paid after December 31, 1971, or reimbursement payments to

1 cover benefits paid based on services performed after December 31,  
2 1971, depending on the applicable law;

3 \* Sec. 5. AS 23.20.525(a)(4) is amended to read:

4 (4) service performed after December 31, 1971 by an indi-  
5 vidual in the employ of this state or any instrumentality of this  
6 state [, OR IN THE EMPLOY OF THIS STATE AND ONE OR MORE STATES OR THEIR  
7 INSTRUMENTALITIES, FOR A HOSPITAL OR INSTITUTION OF HIGHER EDUCATION IN  
8 THIS STATE (EXCEPT SERVICE DESCRIBED IN SEC. 526(d) OF THIS CHAPTER)  
9 IF THE SERVICE IS EXCLUDED FROM THE TERM "EMPLOYMENT" SOLELY BY REASON  
10 OF SEC. 3306(c)(7) OF THE FEDERAL UNEMPLOYMENT TAX ACT];

11 \* Sec. 6. AS 23.20.526(a)(16) is amended to read:

12 (16) [EXCEPT AS PROVIDED IN SEC. 525(a)(4) OF THIS CHAPTER,]  
13 service performed in the employ of [THE STATE OR] a political sub-  
14 division of the state unless coverage is elected under sec. 325 or  
15 sec. 326 of this chapter;

16 \* Sec. 7. AS 23.20.526(d)(4) is amended to read:

17 (4) for a [STATE] hospital in a state prison or other state  
18 correctional institution by an inmate of the [A] prison or correctional  
19 institution;

20 \* Sec. 8. AS 23.20.526(d) is amended by adding new paragraphs to read:

21 (8) by persons elected to public office by popular vote or  
22 appointed to fill vacancies in elected offices;

23 (9) by justices of the supreme court, judges of the superior  
24 court, judges and magistrates of other state courts established by law;

25 (10) by the administrative director of the state court  
26 system;

27 (11) by the employees of the legislature;

28 (12) by the commissioner and deputy commissioner of each  
29 principal department in the executive branch;

1 (13) by the chief administrative officer of each house of  
2 the legislature;

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

6 (15) by members and commissioners of state boards,  
7 commissions or authorities.

8 \* Sec. 9. This Act takes effect January 1, 1974.