

Introduced: 2/20/75  
Referred: Labor & Management  
and Finance

1 IN THE HOUSE

BY MCKINNON

2 HOUSE BILL NO. 186

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH 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 effective  
8 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 be  
12 financed in accordance with the provisions of this section and sec. 277  
13 of this chapter. For the purposes of this section and sec. 277 of this  
14 chapter, a nonprofit organization is the State of Alaska, or an organi-  
15 zation, or group of organizations, described in sec. 501(c)(3) of the  
16 U. S. Internal Revenue Code and exempt from income tax under sec. 501(a)  
17 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 STATE  
20 [HOSPITALS AND INSTITUTIONS OF HIGHER EDUCATION]. The state or an  
21 instrumentality of the state subject to this chapter, under sec. 525(a)(4)  
22 of this chapter, shall pay contributions under the provisions of sec. 165  
23 of this chapter, unless it elects to reimburse the department for the  
24 unemployment compensation fund according to the provisions applicable to  
25 nonprofit organizations under sec. 277 of this chapter.

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

27 (a) A service performed for an employing unit, including [STATE  
28 DEPARTMENTS AND AGENCIES,] municipalities [,] or other political sub-  
29 divisions of the state, which is excluded under the definition of

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (11) by the employees of the legislature;

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

27 (13) by the chief administrative officer of each house of  
28 the legislature;

29 (14) by persons employed in a professional capacity to make

1 a temporary and special inquiry, study, or examination as authorized by  
2 the governor, the legislature, or a legislative committee; and

3 (15) by members and commissioners of state boards, commissions  
4 or authorities.

5 \* Sec. 9. This Act takes effect January 1, 1976.  
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