

SCOMM

#49:12

# ALASKA LEGISLATIVE PAY HISTORY

| <u>DATES</u>       | <u>MONTHLY SALARY</u> | <u>YEARLY SALARY</u> |      |
|--------------------|-----------------------|----------------------|------|
| 3/17/61 - 1/22/67  | 208.33                | 2,499.96             |      |
| 1/23/67 - 1/27/69  | 500.00                | 6,000.00             |      |
| 1/28/69 - 7/15/70  | 541.66                | 6,499.92             |      |
| 7/16/70 - 1/10/71  | 791.66                | 9,499.92             |      |
| 1/11/71 - 6/30/75  | 750.00                | 9,000.00             |      |
| 7/1/75 - 10/13/76  | 1,226.66              | 14,719.92            | * #1 |
| 10/14/76 - 5/15/77 | 750.00                | 9,000.00             | * #2 |
| 5/16/77 - 12/31/78 | 979.17                | 11,750.04            | * #3 |
| 1/1/79 - 12/31/79  | 1,291.66              | 15,499.92            | * #4 |
| 1/1/80 - 12/31/80  | 1,440.00              | 17,280.00            |      |
| 1/1/81 - 12/31/81  | 1,564.00              | 18,768.00            |      |
| 1/1/82 - 12/31/82  | 1,673.00              | 20,076.00            |      |
| 1/1/83 - 7/20/83   | 1,757.00              | 21,084.00            | * #5 |
| 7/21/83 - PRESENT  | 3,900.00              | 46,800.00            | * #6 |

\*1 CHAPTER 205 SLA 1975/INCLUDED LEGISLATIVE PAY RAISE  
REPEALED BY VOTERS--AUGUST 1976 PRIMARY

\*2 SALARY RETURNED TO \$750.00 PER MONTH 10/13/76

\*3 SALARY COMMISSION ENACTED 6/25/76  
THIS SALARY WAS RECOMMENDED BY COMMISSION AND  
ADOPTED BY LEGISLATURE.

\*4 SALARY COMMISSION ABOLISHED IN 1980. THIS SALARY SET  
BY LEGISLATORS.

\*5 1983 BASE + PER DIEM \$34,684-162 DAYS.

\*6 FIRST BASE SALARY WITH NO PER DIEM-EFFECTIVE 7/21/83  
28% INCREASE (\$12,756) OVER PRE-RAISE 1983 SALARY

# **ALASKA STATUTES**

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## **Title 24 Legislature**

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**OCTOBER 1978**

**Sec. 24.10.050. Other officers.** Provision for the election or appointment of other officers for either or both houses may be made in the rules. (§ 16(4) ch 157 SLA 1959)

## Article 2. Employees.

### Section 60. Legislative employees

**Sec. 24.10.060. Legislative employees.** The temporary employees of the legislature are hired for the duration of each session upon the recommendation of the rules committee of each house. Employees assigned to each house are under the supervision of the chief clerk and senate secretary. Employees assigned to the duplicating, distributing, mailing, and other centralized services are under the immediate supervision of the Legislative Affairs Agency. Permanent and temporary employees of the legislature and its agencies shall be employed subject to classification and wage plans based on the merit principle and adapted to the special needs of the legislature. Permanent employees are subject to the general state laws regarding leave and retirement. (§ 17 ch 157 SLA 1959; am § 4 ch 47 SLA 1961; am § 36 ch 32 SLA 1971)

Legislative committee report. — For report on ch 32, SLA 1971 (HB 111 am), see 1971 House Journal, p. 138.

- Article  
1. Legislators (§§ 24.15.010 — 24.15.050)  
2. Officers and Employees (§§ 24.15.060 — 24.15.070)

## Article 1. Legislators.

### Section 10. Legislative per diem 20. Annual legislative salaries 30. Additional allowances

### Section 40. Method of payment 50. Transportation allowance

**Sec. 24.15.010.** [REDACTED] The rate of per diem instead of subsistence for each member of the legislature shall be prescribed in accordance with AS 39.23. (§ 1 ch 26 SLA 1961; am § 3 ch 100 SLA 1963; am § 8 ch 193 SLA 1970; am § 5 ch 87 SLA 1971; am § 6 ch 205 SLA 1975; am § 6 ch 263 SLA 1976)

Effect of amendment. — The 1976 amendment rewrote this section.  
Editor's note. — Chapter 205, SLA 1975, which amended this section, was submitted to the voters by referendum and was rejected, effective October 14, 1976.

Legislative committee report. — For report on ch. 205, SLA 1975 (FYCS HCSSB 404), see 1975 House Journal, p. 1468.

Necessity of section. — This section was compelled by an awareness that members from the capital area incurred fewer traveling and living expenses than other members of the legislature as a result of their attending the legislative session 1962 (Op. Att'y Gen., No. 10).

Oath prerequisite for salary or per diem. — It is impossible for a newly

appointed member of the legislature to receive salary or per diem until he is sworn in as a member of the legislature pursuant to AS 24.05.170. 1969 Op. Att'y Gen., No. 20.

Am. Jur., ALR and C.J.S. references. — 49 Am. Jur., States, Territories and Dependencies, § 46.

Per diem compensation of members and officers of legislature, 1 ALR 296.  
81 C.J.S. States § 35.

**Sec. 24.15.020.** [REDACTED] Each member of the legislature is entitled to receive annual compensation prescribed in accordance with AS 39.23 to be paid in approximately equal monthly installments. The president of the senate and speaker of the house of representatives are each entitled to an additional annual sum prescribed in accordance with AS 39.23. (2 ch 26 SLA 1961; am § 1 ch 149 SLA 1966; am § 9 ch 193 SLA 1970; am § 4 ch 205 SLA 1975; am § 6 ch 148 SLA 1976; am § 7 ch 263 SLA 1976)

Effect of amendments. — The second 1976 amendment rewrote the first sentence and substituted "annual sum prescribed in accordance with AS 39.23" for "\$500 a year during tenure of office" in the second sentence. Neither 1976 amendment gave effect to the other, and this section is set out as it appears in ch. 263, SLA 1976.

Editor's note. — Chapter 205, SLA 1975,

which amended this section, was submitted to the voters by referendum and was rejected, effective October 14, 1976.

Oath prerequisite for salary or per diem. — See same catchline in note AS 24.15.010.

ALR reference. — Illegal election or appointment as affecting right to salary, 7 ALR 1682.

**Sec. 24.15.030.** [REDACTED] In addition, each member of the legislature is entitled to an annual allowance prescribed in accordance with AS 39.23 for postage, stationery, stenographic services and other expenses. (§ 3 ch 26 SLA 1961; am § 1 ch 8 SLA 1970; am § 10 ch 193 SLA 1970; am § 8 ch 263 SLA 1976)

Effect of amendment. — The 1976 amendment substituted "prescribed in accordance with AS 39.23" for "of \$4,000."

**Sec. 24.15.040. Method of payment.** Salaries, per diem and additional allowances for members of the legislature shall be paid by warrants drawn on vouchers approved by the legislative fiscal officer. (§ 4 ch 26 SLA 1961)

**Sec. 24.15.050. Transportation allowance.** Each member of the legislature is entitled to receive one round-trip transportation fare not to exceed the cost of first-class airline fare from his place of residence in the election district from which elected or appointed to the capital for purposes of attending regular, reconvened regular, or special sessions of the legislature. Each member receiving transportation fare is entitled

to an allowance not to exceed the cost of 200 pounds air freight each way upon submission of proper documentation to substantiate the baggage shipment. (§ 1 ch 36 SLA 1969; am § 4 ch 100 SLA 1983; am § 1 ch 106 SLA 1975)

Effect of amendment. — The 1975 allowance," and "200 pounds air freight" amendment in the second sentence, for "100 pounds excess baggage by air," substituted "an allowance" for "a baggage

## Article 2. Officers and Employees.

Section  
69 Compensation  
70 [Repealed]

Sec. 24.15.000. Compensation. (a) Temporary session employees of the legislature are compensated for each calendar day of the legislative session at the rate authorized by the Joint Rules Committee and upon approval of the house and senate.

(b) The daily compensation provided for in (a) of this section applies for each day of the session the employee is officially on the payroll. Session employees hired or retained on the payroll for pre-session or post-session work at the direction of the legislative council shall be paid on an hourly basis for hours actually worked as determined by dividing the authorized daily compensation for each position by seven, the number seven representing the average working hours each day. During sessions, all employees are employed with the understanding that they will work as many hours as may be required by their supervisors with the approval of the Rules Committees. All temporary employees are on call for duty every day of the session.

(c) Employees of agencies governed by permanent interim committees of the legislature under AS 24.20 are compensated in accordance with the general state salary schedule, including overtime payment and compensatory time policies, at levels budgeted and approved by the governing committees in accordance with law. The governing committees shall coordinate with each other on position levels and salary-related overtime and compensatory time policies to every extent possible consistent with the statutory duties and powers of each permanent committee and its agency. (§ 1 ch 13 SLA 1961; am § 1 ch 45 SLA 1965; am § 1 ch 22 SLA 1969; am § 1 ch 85 SLA 1978)

Effect of amendment. — The 1978 amendment added subsection (c).

## Sec. 24.15.070. Conditions of compensation.

Repealed by § 9 ch 126 SLA 1966.

Editor's note. — The repealed section derived from § 2, ch. 13, SLA 1961.

## Chapter 20. Agencies of the Legislature.

### Article

1. Legislative Council (§§ 24.20.010 — 24.20.100)
2. Legislative Budget and Audit Committee (§§ 24.20.151 — 24.20.211)
3. Administrative Regulation Review Committee (§§ 24.20.400 — 24.20.400)
4. Legislative Board of Retirement Benefits (§§ 24.20.500 — 24.20.570)

### Article 1. Legislative Council.

| Section                                    | Section                          |
|--------------------------------------------|----------------------------------|
| 10 Legislative council established         | 75 Code Revision Commission      |
| 20 Membership                              | 80 Intergovernmental cooperation |
| 30 Term of membership                      | 90 Assignment of projects        |
| 40 Vacancies                               | 100 Requests for service         |
| 50 Executive director and staff            | 110 Meetings                     |
| 60 Powers                                  | 120 Reports                      |
| 65 Examination of regulations and opinions | 130 Budgets                      |
| 70 Revision of statutes                    | 140 Appropriations               |

Sec. 24.20.010. Legislative council established. The Alaska Legislative Council is established as a permanent interim committee and service agency of the legislature. The establishment of the council recognizes the need of the legislature for full-time technical assistance in accomplishing the research, reporting, bill drafting, and examination and revision of statutes, and general administrative services essential to the development of sound legislation in the public interest. (§ 1 ch 17 SLA 1960)

Am. Jur., ALR and C.J.S. references. —  
49 Am. Jur., States, Territories and Dependencies, §§ 40 to 44.  
Formalities and requisites of the creation of legislative committees, 28 ALR 1154.

Power of legislative body or committee to compel attendance of nonmember as witness, 50 ALR 21; 65 ALR 1518.  
81 C.J.S., States, § 42.

Sec. 24.20.020. Membership. The legislative council is composed of the president of the senate and six other senators appointed by him, and the speaker of the house of representatives and six other representatives appointed by him. The membership from each house shall include at least one member from each of the two major political parties. The appointing authority in each house shall make and announce the appointment or reappointment of members of the council within 15 days after the convening of the first regular session of each legislature. (§ 2 ch 17 SLA 1960; am § 57 ch 69 SLA 1970; am § 1 ch 1 SLA 1973; am § 1 ch 1 SLA 1975)

Reviser's note (1973). — The election districts referred to in this section are those in existence before the legislative redistricting ordered by the Alaska

Supreme Court, June 14, 1972. Egan v. Hammond, Sup. Ct. Op. No. 815 (File No. 1711), 502 P.2d 856 (1972)

personnel rule, of any employee of the state, if the employee does not purport to speak or act in an official capacity.

(b) The heads of the administrative departments of the state may adopt internal management regulations for their respective departments, specifying exceptions to (a) (5) of this section. These regulations shall be submitted for approval to the personnel board provided for in AS 39.25.060.

(c) The provisions of (a) of this section do not diminish the authority of an authorized law enforcement agency to conduct criminal investigations of state employees suspected of being involved in criminal activity. (§ 1 ch 102 SLA 1971)

**Sec. 39.26.015. Dress codes and appearance standards.** Dress codes and appearance standards adopted by a department, division, agency, official, or other employee of the state, that are to be applied to state employees shall be in the form of a regulation subject to legislative review under the Administrative Procedure Act (AS 44.62). (§ 1 ch 13 SLA 1976)

**Sec. 39.26.020. Application of provisions.** The provisions of AS 39.26.010 and 39.26.015 apply to those state employees in the classified and partially exempt services. (§ 1 ch 102 SLA 1971; am § 2 ch 13 SLA 1976)

## Chapter 27. Pay Plan for State Employees.

### Section

- 11. Salary schedule
- 12. Temporary salary schedules
- 20. Pay step differentials by election district and in other states
- 22. Pay increments for longevity in state service
- 25. Swing and graveyard shift differentials

### Section

- 30. Annual salary survey
- 35. Preparation and submission of pay schedules
- 40. University salary survey
- 45. Definition

**Sec. 39.27.010. Basic salary schedule.** [Repealed, § 12 ch 80 SLA 1978. For current law covering the subject matter, see AS 39.27.011.]

**Sec. 39.27.011. Salary schedule.** (a) The following monthly basic salary schedule is approved as the pay plan for classified and partially exempt employees in the executive branch of the state government who are not members of a collective bargaining unit established under the authority of the Public Employment Relations Act:

| Range | Step  | Step  | Step  | Step  | Step  | Step  |
|-------|-------|-------|-------|-------|-------|-------|
| No.   | A     | B     | C     | D     | E     | F     |
| 05    | 1,321 | 1,357 | 1,397 | 1,435 | 1,478 | 1,517 |
| 06    | 1,397 | 1,435 | 1,478 | 1,517 | 1,561 | 1,607 |
| 07    | 1,478 | 1,517 | 1,561 | 1,607 | 1,657 | 1,708 |
| 08    | 1,561 | 1,607 | 1,657 | 1,708 | 1,757 | 1,812 |

| Range | Step  | Step  | Step  | Step  | Step  | Step  |
|-------|-------|-------|-------|-------|-------|-------|
| No.   | A     | B     | C     | D     | E     | F     |
| 09    | 1,657 | 1,708 | 1,757 | 1,812 | 1,871 | 1,924 |
| 10    | 1,757 | 1,812 | 1,871 | 1,924 | 1,983 | 2,043 |
| 11    | 1,871 | 1,924 | 1,983 | 2,043 | 2,111 | 2,177 |
| 12    | 1,983 | 2,043 | 2,111 | 2,177 | 2,252 | 2,329 |
| 13    | 2,111 | 2,177 | 2,252 | 2,329 | 2,410 | 2,498 |
| 14    | 2,252 | 2,329 | 2,410 | 2,498 | 2,586 | 2,684 |
| 15    | 2,410 | 2,498 | 2,586 | 2,684 | 2,771 | 2,876 |
| 16    | 2,586 | 2,684 | 2,771 | 2,876 | 2,980 | 3,088 |
| 17    | 2,771 | 2,876 | 2,980 | 3,088 | 3,193 | 3,303 |
| 18    | 2,980 | 3,088 | 3,193 | 3,303 | 3,411 | 3,540 |
| 19    | 3,193 | 3,303 | 3,411 | 3,540 | 3,649 | 3,785 |
| 20    | 3,411 | 3,540 | 3,649 | 3,785 | 3,900 | 4,045 |
| 21    | 3,649 | 3,785 | 3,900 | 4,044 | 4,170 | 4,321 |
| 22    | 3,900 | 4,044 | 4,170 | 4,321 | 4,464 | 4,628 |
| 23    | 4,170 | 4,321 | 4,464 | 4,628 | 4,782 | 4,961 |
| 24    | 4,464 | 4,628 | 4,782 | 4,961 | 5,129 | 5,303 |
| 25    | 4,782 | 4,961 | 5,129 | 5,303 | 5,498 | 5,705 |
| 26    | 4,961 | 5,129 | 5,303 | 5,498 | 5,705 | 5,910 |
| 27    | 5,129 | 5,303 | 5,498 | 5,705 | 5,910 | 6,135 |
| 28    | 5,303 | 5,498 | 5,705 | 5,910 | 6,135 | 6,349 |
| 29    | 5,498 | 5,705 | 5,910 | 6,135 | 6,349 | 6,572 |
| 30    | 5,705 | 5,910 | 6,135 | 6,349 | 6,572 | 6,804 |

(b) [Repealed, § 38 ch 3 SLA 1980.]

(c) If a state officer or employee is appointed a deputy department head or a division director and, at the time of appointment, the officer or employee is receiving a salary higher than that set for the position to which appointment has been made, the officer or employee is entitled to continue receiving the higher salary. This subsection does not apply to the salary of a person appointed to a position other than a deputy department head or a division director. (§ 12 ch 148 SLA 1976; am § 1 ch 92 SLA 1977; am §§ 1, 10 ch 80 SLA 1978; am §§ 1, 16, 30, 31, 38 ch 3 SLA 1980; am § 1 ch 50 SLA 1982; am § 1 ch 83 SLA 1983)

**Cross references.** — For applicability of the salary schedule in (a) of this section to employees of the judicial and legislative branches, see § 4, ch. 83, SLA 1983, in the Temporary and Special Acts; for the Public Employment Relations Act, see AS 23.40.

**Effect of amendments.** — Sections 1, 16, and 30, ch. 3, SLA 1980, all rewrote subsection (a). Section 1 of ch. 3 is retroactive to January 1, 1979 and applied to calendar year 1979; section 16 of ch. 3 is retroactive to January 1, 1980, and applies to calendar year 1980; and section 30 of ch. 3 is effective January 1, 1981. Sections 31

and 38 of ch. 3 repealed subsection (b) and added subsection (c).

The 1982 amendment rewrote subsection (a). Section 6, ch. 50, SLA 1982 provides that the salary increases for the governor and lieutenant governor made by the 1982 amendment through the operation of AS 39.20.010 and 39.20.030, respectively, take effect when the new governor and lieutenant governor take office following November 1982 general election.

The 1983 amendment rewrote subsection (a).

**Editor's notes.** — Section 6, ch. 83, SLA 1983, provides that the 1983 amendment is retroactive to January 1, 1983.

**Sec. 39.27.012. Temporary salary schedules.** The director of personnel may establish salary schedules providing lesser amounts than those in the basic salary schedule in order to meet salary limit requirements for receipt and expenditure of federal funds. Salary rates established under authority of this section do not affect the salaries of employees provided for by a collective bargaining agreement negotiated under the authority of the Public Employment Relations Act (AS 23.40). (§ 2 ch 138 SLA 1975)

**Reviser's notes.** — Section 6, ch. 138, SLA 1975, provides: "This Act takes effect immediately in accordance with AS 01.10.070(c), and terminates upon the effective date of the pay schedule established by the State Personnel Board under

AS 39.25.070(7) (as enacted by a version of SB 318, "An Act relating to public employment; and providing for an effective date"). AS 39.25.070(7) was never enacted by a version of SB 318, so no pay schedule was adopted under it.

**Sec. 39.27.015. Cost-of-living adjustments.** [Repealed, § 12 ch 80 SLA 1978.]

**Sec. 39.27.020. Pay step differentials by election district and in other states.** (a) The following pay step differentials are approved as an amendment to the basic salary schedules provided in AS 39.27.011:

| Election District                   | Pay Steps Above Basic Salary Schedule |
|-------------------------------------|---------------------------------------|
| 1                                   | 0                                     |
| 2                                   | 1                                     |
| 3                                   | 1                                     |
| 4                                   | 0                                     |
| 5                                   | 2                                     |
| 6a (excluding Valdez Duty Station)  | 4                                     |
| 6b (Valdez Duty Station)            | 5                                     |
| 7                                   | 1                                     |
| 8                                   | 0                                     |
| 9                                   | 2                                     |
| 10                                  | 2                                     |
| 11                                  | 2                                     |
| 12                                  | 7                                     |
| 13                                  | 7                                     |
| 14                                  | 8                                     |
| 15a (excluding Nenana Duty Station) | 9                                     |
| 15b (Nenana Duty Station)           | 8                                     |
| 16a (south of Arctic Circle)        | 4                                     |
| 16b (north of Arctic Circle)        | 9                                     |

## Election District

Pay Steps Above Basic  
Salary Schedule

|                 |         |
|-----------------|---------|
| 17              | 9       |
| 18              | 9       |
| 19              | 8       |
| In other states | minus 6 |

(b) For purposes of (a) of this section, "election district" means an election district designated in the governor's proclamation of reapportionment and redistricting of December 7, 1961.

(c) The director shall establish salary differentials for positions in foreign countries. The differentials shall be adjusted annually, effective July 1, to maintain equitable relationships between salaries for positions in foreign countries and salaries for positions in Alaska. (§ 1 ch 158 SLA 1966; am § 8 ch 101 SLA 1969; am § 2 ch 87 SLA 1971; am § 3 ch 47 SLA 1974; am § 3 ch 138 SLA 1975; am § 13 ch 148 SLA 1976; am §§ 32, 33 ch 3 SLA 1980)

**Revisor's notes.** — Section 6, ch. 138, SLA 1975 provides: This Act takes effect immediately in accordance with AS 01.10.070(c), and terminates upon the effective date of the pay schedule established by the State Personnel Board under AS 39.25.070(7) (as enacted by a version of SB 318, "An Act relating to public employment; and providing for an effective date"). AS 39.25.070(7) was never enacted by a

version of SB 318, so no pay schedule was adopted under it.

**Effect of amendments.** — The 1980 amendment deleted the reference to AS 39.27.010 in the introductory language of subsection (a), substituted "In other states" for "Outside the State" in the last-listed election district in the chart of pay step differentials in subsection (a), and added subsection (c).

### Sec. 39.27.022. Pay increments for longevity in state service.

(a) Pay increments, computed at the rate of 3.75 per cent of the employee's base salary, shall be provided after an employee has remained in the final step within a given range for two years, provided that the employee has worked continuously for the state for seven years and provided that the current annual rating by the employee's supervisors is designated as "good" or higher.

(b) Additional increments, each computed at the rate of 3.75 per cent of the employee's base salary, shall be provided under the same restrictions as provided in (a) of this section when the employee has remained in the final step for four, nine and thirteen years.

(c) Longevity pay increments provided for in (a) and (b) of this section are approved under AS 39.25.150(2) as an amendment to the pay plan for employees of the state. (§ 1 ch 163 SLA 1972)

**Opinions of attorney general.** — Interpreting the longevity pay increments provided for by this section, so as to suggest that these increments may not be salary steps and therefore employees receiving these longevity increments who are promoted to a higher job series are not entitled to the salary increases required by

Personnel Rule 9.02.13 and article 7 of the agreement between the state of Alaska and Alaska Public Employees Association covering the general government unit would be at variance with the legislative intent expressed in this section. September 11, 1974, Op. Att'y Gen.

## NOTES TO DECISIONS

The purposes of this section are twofold, namely: To provide a reward for longevity in state employ, and to reestablish an incentive for employees who have attained the final step within a given range to continue in their employment. *Alaska Pub. Employees Ass'n v. State*, Sup. Ct. Op. No. 1066 (File No. 1999), 525 P.2d 12 (1974).

**Legislative history.** — See *Alaska Pub. Employees Ass'n v. State*, Sup. Ct. Op. No. 1066 (File No. 1999), 525 P.2d 12 (1974).

The language of this section is not clear and unambiguous as to when the pay increments in either subsection (a) or (b) should be granted. *Alaska Pub. Employees Ass'n v. State*, Sup. Ct. Op. No. 1066 (File No. 1999), 525 P.2d 12 (1974).

But at least some increment intended for immediate implementation. — The language of this section is not clear and unambiguous as to when the pay increments should be implemented. However, the Free Conference Committee Report indicates an intention that at least some increment be implemented immediately. *Alaska Pub. Employees Ass'n v. State*, Sup. Ct. Op. No. 1066 (File No. 1999), 525 P.2d 12 (1974).

No basis for assigning different implementation times to increments of subsections (a) and (b). — Since the wording of subsections (a) and (b) is nearly identical, there would seem to be no basis

for assigning different implementation times to the increments, unless an indication of such legislative intent is to be found elsewhere. The supreme court has discovered no such expression of contrary legislative intent. *Alaska Pub. Employees Ass'n v. State*, Sup. Ct. Op. No. 1066 (File No. 1999), 525 P.2d 12 (1974).

Thus, employees entitled retroactively to pay increments in subsection (b). — As of July 1, 1972, state employees who otherwise met the statutory eligibility requirements and had been in the last step of their pay range for four, nine, or 13 years should have immediately received the pay increments provided by subsection (b) of this section. *Alaska Pub. Employees Ass'n v. State*, Sup. Ct. Op. No. 1066 (File No. 1999), 525 P.2d 12 (1974).

Given an indication of retroactivity in the Free Conference Committee Report on the original bill and the similarity in the phrasing of subsections (a) and (b), the most intrinsically reasonable interpretation of the bill would seem to be that, in the absence of any indications of legislative intent to the contrary, if eligibility for the initial pay increase was to become effective on July 1, 1972, then eligibility for all the incremental increases should become effective on that date. *Alaska Pub. Employees Ass'n v. State*, Sup. Ct. Op. No. 1066 (File No. 1999), 525 P.2d 12 (1974).

**Sec. 39.27.025. Swing and graveyard shift differentials.** (a) Classified and partially exempt state employees who regularly work a "swing" shift beginning between 12:00 noon and 7:59 p.m. are entitled to a one-step increase over their normal pay established by this chapter.

(b) Classified and partially exempt state employees who regularly work a "graveyard" shift beginning between 8:00 p.m. and 3:59 a.m. are entitled to a two-step increase over their normal pay established by this chapter. (§ 3 ch 87 SLA 1971)

**Sec. 39.27.030. Annual salary survey.** (a) The director of the division of personnel shall conduct an annual salary survey in the manner prescribed by AS 39.27.030 — 39.27.040, and make recommendations in pay ranges to be applied to all classes of positions in the state's partially exempt and classified service. This survey shall

(1) reflect the costs of living in the various election districts of the state by using the cost of living in Seattle, Washington, as a base of 100;

(2) reflect the competitive position of the state, first, by comparing state salary levels with salary levels of comparable classes in private industry, in other governmental agencies throughout the state, and in other states constituting the prime recruiting areas, using "bench-mark" classes selected by the director of personnel, based on the principle of like pay for like work, from as many employment categories as is necessary to reflect correctly the competitive position of the state salary levels with those paid other employees under this paragraph; and secondly, by comparing fringe benefits in the state service with other governmental agencies and major employers throughout the state.

(b) The director shall use United States Department of Labor statistics or other reliable statistical data in carrying out the provisions of (a) (1) of this section. If reliable statistics are not available, the director shall gather the data by field studies for the survey required by (a) (1) of this section.

(c) The director may use any reliable source of data in carrying out the provisions of (a) (2) of this section. When reliable statistics are not available, the director shall by field studies gather the data to carry out the provisions of (a) (2) of this section.

(d) The director shall, on a regular basis, report to the state employees association by providing a summary of the information accumulated during the data-gathering process; the director shall consult with the employees association and consider its findings before any final recommendation. (§ 1 ch 226 SLA 1970; am §§ 1, 2, 4 ch 42 SLA 1971)

**Cross references.** — For gathering data reflecting the cost of living in various election districts, see AS 44.31.020(4).

**Sec. 39.27.035. Preparation and submission of pay schedules.** The director shall prepare an annual pay schedule setting out the base pay for all classes of positions in the state's partially exempt and classified service, taking into account the statistics and reasonable internal pay relationships. The director shall also prepare annual pay schedules for persons in the state service in each election district. These annual pay schedules shall either add to or subtract from the base pay of the person in state service according to the data obtained by the annual salary survey conducted under AS 39.27.030 — 39.27.040. The base pay schedule and the election district differentials shall be prepared annually from data obtained by the annual salary survey provided for in AS 39.27.030 — 39.27.040. The salary schedule shall be reviewed by the personnel board before submission to the legislature. A report and recommended salary schedules shall be submitted to each regular session of the legislature no later than five days after the session convenes. (§ 1 ch 226 SLA 1970)

**Sec. 39.27.040. University salary survey.** The director shall conduct an annual salary survey in the manner prescribed by AS 39.27.030 — 39.27.035, and make recommendations to the Board of Regents of the University of Alaska on pay ranges to be applied to all classes of positions excluding academic and research positions in the university system. The Board of Regents shall consider these recommendations when establishing pay schedules for employees. (§ 1 ch 226 SLA 1970)

**Sec. 39.27.045. Definition.** In AS 39.27.030 — 39.27.040, "director" means the director of the division of personnel. (§ 1 ch 226 SLA 1970)

## Chapter 30. Insurance and Supplemental Employee Benefits.

### Article

1. Old Age and Survivors Insurance (§§ 39.30.010 — 39.30.080)
2. Group Life and Health Insurance (§§ 39.30.090 — 39.30.100)
3. Special Hazard Insurance (§ 39.30.130)
4. Supplemental Employee Benefits on Withdrawal from Social Security (§§ 39.30.150 — 39.30.180)

### Article 1. Old Age and Survivors Insurance.

#### Section

10. Federal territorial agreement
20. Contributions by employees
30. Plans for coverage of employees of political subdivisions
40. Deposits and withdrawals

#### Section

50. Administrative costs
60. Regulations
70. Studies and reports
80. Definitions

**Sec. 39.30.010. Federal territorial agreement.** (a) The director of finance, with the approval of the governor, may on behalf of the territory enter into an agreement with the Federal Security Administrator, consistent with AS 39.30.010 — 39.30.080, for the purpose of extending the benefits of the federal old age and survivors insurance system to employees of the territory or a political subdivision with respect to services specified in the agreement that constitute employment.

(b) The agreement may contain provisions relating to coverage, benefits, contributions, effective date, modification and termination of the agreement, administration, and other appropriate provisions that the parties agree upon, but, except as may be otherwise required under the Social Security Act as to the services to be covered, the agreement shall provide in effect that

(1) benefits will be provided for employees whose services are covered by the agreement, and their dependents and survivors, on the same basis as though the services constituted employment within the meaning of 42 U.S.C. 401 — 433 (Title II, Social Security Act);

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LEGISLATION SUBJECT SUMMARY

R01-33F-3045

| SUBJECT         | NUMBER | ABBREVIATED TITLE                             | SPONSOR        | REQUESTED BY | CURRENT STATUS    |
|-----------------|--------|-----------------------------------------------|----------------|--------------|-------------------|
| RETIREMENT      | HB 228 | RETIREMENT BENEFITS FOR PART-TIME TEACHERS    | SUND           |              | (H) RLS           |
|                 | HB 234 | RETIREMENT CREDIT FOR MILITARY SERVICE        | HESS           |              | (H) SA            |
|                 | HB 237 | SPOUSE AS BENEFICIARY OF PENSION BENEFITS     | RULES          | THE GOVERNOR | (S) SA            |
|                 | HB 252 | PERS: CONTRIBUTIONS/RETIREMENT AGE/BENEFITS   | MILLER.MM      |              | (S) SA            |
|                 | HB 282 | TEMPORARY SERVICE CREDIT IN PERS              | FULLER         | BY REQUEST   | (H) SA            |
|                 | HB 292 | PERS CREDITS; PART-TIME SCHOOL EMPLOYEES      | KOPONEN        |              | (H) HESS          |
|                 | HB 382 | ACCELERATED RETIREMENT IN PERS                | DUNCAN         |              | (H) SA            |
|                 | SB 10  | MILITARY RETIREMENT BENEFITS INCREASE         | KELLY          |              | (S) FIN           |
|                 | SB 36  | PERS RETIREMENT CREDIT; UNUSED SICK LEAVE     | FISCHER.P      |              | (S) C&RA          |
|                 | SB 58  | MAGISTRATES IN JUDICIAL RETIREMENT SYSTEM     | ZIEGLER        | BY REQUEST   | (S) SA            |
|                 | SB 92  | DEFERRED COMPENSATION BENEFIT UNDER SBS       | RULES          | THE GOVERNOR | (S) FIN           |
|                 | SB 121 | MISC. CHANGES IN VARIOUS RETIREMENT LAWS      | RULES          | THE GOVERNOR | (S) FIN           |
|                 | SB 145 | TRS POST-RETIREMENT PENSION ADJUSTMENTS       | FISCHER.V      |              | (S) SA            |
|                 | SB 207 | FREEZE STATE SALARIES; MISC. OTHER CHANGES    | FINANCE        |              | (H) SA            |
| REVENUE         | HB 60  | APPROP: FY86 OPERATING BUDGET/LOAN PROGRAMS   | RULES          | THE GOVERNOR | CHAPTER 98 SLA 85 |
|                 | HB 338 | ESTABLISHING A STATE LOTTERY                  | THOMPSON       |              | (H) L&C           |
|                 | HB 353 | TAXATION OF OIL AND GAS CORPORATIONS          | FINANCE        |              | (H) FIN           |
|                 | SB 7   | REINSTATING STATE INCOME TAX ON INDIVIDUALS   | ZIEGLER        | BY REQUEST   | (S) JUD           |
| REVENUE SHARING | SB 68  | REPEALING CERTAIN DEDICATED FUNDS             | RULES          | THE GOVERNOR | (S) FIN           |
|                 | SB 50  | DETERMINING POPULATION FOR STATE AID PROGRAMS | FERGUSON       |              | (S) C&RA          |
| RIGHTS          | HB 147 | DIVISION OF EQUAL EMPLOYMENT OPPORTUNITY      | RULES          | THE GOVERNOR | CHAPTER 97 SLA 85 |
|                 | HB 172 | RIGHTS OF BLIND AND DISABLED PERSONS          | DUNCAN         |              | (S) HESS          |
|                 | HB 359 | AGENCY USE OF SOCIAL SECURITY NUMBERS         | MARROU         |              | (H) SA            |
|                 | HB 377 | HANDICAPPED ACCESS TO PUBLIC BUILDINGS        | GOLL           |              | (H) RLS           |
|                 | HB 393 | RIGHTS OF DISABLED PERSONS                    | JUDICIARY      |              | (S) JUD           |
|                 | HJR 32 | CIVIL RIGHTS RESTORATION ACT OF 1985          | GOLL           |              | (S) SA            |
|                 | HJR 45 | CONSTITUTIONAL RIGHT TO KEEP AND BEAR ARMS    | MARROU         |              | (H) JUD           |
|                 | SB 140 | RIGHTS OF THE TERMINALLY ILL                  | ELIASON        |              | (H) JUD           |
|                 | SB 168 | RIGHTS OF PERSONS WITH DISABILITIES           | RODEY          |              | (S) JUD           |
|                 | SJR 16 | USE OF COCAINE, HEROIN, MARIJUANA, ETC.       | FISCHER.P      |              | (S) HESS          |
| SAFETY          | HB 57  | APPROP: ASBESTOS HAZARD ABATEMENT PROGRAM     | GRUENBERG      |              | (H) FIN           |
|                 | HB 364 | COMMERCIAL VEHICLE LICENSING & INSPECTION     | TRANSPORTATION |              | (H) FIN           |
|                 | HB 47  | REQUIRING CABOOSES ON CERTAIN TRAINS          | CATO           |              | (H) SA            |
|                 | SB 253 | HARMFUL PHYSICAL AGENTS IN WORKPLACES         | JOSEPHSON      |              | (S) L&C           |
|                 | SB 256 | WORKPLACE EXPOSURE TO MICROWAVE RADIATION     | COGHILL        |              | (S) L&C           |
|                 | SB 310 | NATURAL HAZARDS SAFETY COMMISSION             | STURGULEWSKI   |              | (S) SA            |
|                 | SB 313 | REQUIRING CABOOSES ON CERTAIN TRAINS          | KERTTULA       |              | (S) L&C           |
|                 | HB 45  | REPEAL LEGIS PAY RAISE; REQ VOUCHER REPORT    | MARROU         |              | (H) SA            |
|                 | HB 48  | REPEAL LEGISLATIVE PAY RAISE                  | HURLEY         | THE GOVERNOR | (H) JUD           |
|                 | HB 62  | PREVAILING WAGE/OVERTIME; PUBLIC CONSTRCTN    | RULES          |              | (H) FIN           |
|                 | HB 107 | REPEAL LEGIS PAY RAISE; SET UP COMMISSION     | PIGNALBERI     |              | (H) SA            |
|                 | HB 129 | LEGISLATORS' SALARY COMMISSION                | PIGNALBERI     |              | (H) SA            |
|                 | HB 132 | SALARY LIMIT FOR CERTAIN PUBLIC EMPLOYEES     | SZYMANSKI      |              | (H) JUD           |
|                 | HB 176 | WAGE RATES; PUBLIC CONSTRUCTION CONTRACTS     | HERRMANN       |              | (H) L&C           |
|                 | HB 225 | COMPENSATION FOR BOARD OF FISHERIES           | HERRMANN       | BY REQUEST   | (H) RES           |
|                 | HB 243 | SALARY SCHEDULE; NON-BARGAINING EMPLOYEES     | RULES          | THE GOVERNOR | CHAPTER 87 SLA 85 |
|                 | HCR 28 | JOINT SPECIAL COMMITTEE ON LEGISLATIVE PAY    | RULES          |              | (H) RLS           |
|                 | HJR 10 | FUTURE LEGIS PAY RAISES REQUIRE REFERENDUM    | COLLINS        |              | (H) SA            |
|                 | HJR 47 | CONST. AMDT: COMPENSATION OF LEGISLATORS      | MARROU         |              | (H) SA            |
|                 | SB 5   | REPEAL LEGISLATIVE PAY RAISE                  | FERGUSON       |              | (S) SA            |

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LEGISLATION SUBJECT SUMMARY

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| SUBJECT              | NUMBER | ABBREVIATED TITLE                                 | SPONSOR     | REQUESTED BY | CURRENT STATUS    |
|----------------------|--------|---------------------------------------------------|-------------|--------------|-------------------|
| SALARIES & ALLOWANCE | SB 92  | DEFERRED COMPENSATION BENEFIT UNDER SBS           | RULES       | THE GOVERNOR | (S) FIN           |
|                      | SB 100 | LIMIT CERTAIN PUBLIC EMPLOYEES' SALARIES          | FISCHER, P  |              | (S) SA            |
|                      | SB 161 | COMMISSION TO SET PAY OF ELECTED OFFICIALS        | JOSEPHSON   |              | (S) JUD           |
|                      | SB 207 | FREEZE STATE SALARIES; MISC. OTHER CHANGES        | F. LANCE    |              | (H) SA            |
|                      | SB 225 | SALARY SCHEDULE; NON-BARGAINING EMPLOYEES         | RULES       | THE GOVERNOR | (S) RLS           |
|                      | SB 296 | SALARY REDUCTION FOR STATE EMPLOYEES              | FERGUSON    |              | (S) SA            |
|                      | SB 305 | SALARY FREEZE FOR STATE EMPLOYEES                 | FINANCE     |              | (S) SA            |
|                      | SCR 19 | JOINT SPECIAL COMMITTEE ON LEGISLATIVE PAY        | RULES       |              | LEGIS RESOLVE 21  |
|                      | SJR 15 | ELECTED OFFICIALS COMPENSATION COMMISSION         | JOSEPHSON   |              | (S) JUD           |
|                      |        |                                                   |             |              |                   |
| SANITATION           | HB 134 | DISASTER RELIEF FOR HAINES SEWER SYSTEM           | RULES       | THE GOVERNOR | CHAPTER 3 SLA 85  |
|                      | HB 380 | PUBLIC UTILITY WATER ASSESSMENTS                  | SZYMANSKI   |              | (H) C&RA          |
|                      | SB 307 | HAZARDOUS SEWAGE TREATMENT FACILITIES             | ELIASON     |              | (S) RES           |
| SCIENCE & TECHNOLOGY | HB 46  | AVALANCHE/FIRE WEATHER FORECASTING SYSTEM         | MILLER, MM  |              | (H) SA            |
|                      | HB 169 | AVALANCHE/FIRE WEATHER FORECASTING SYSTEM         | RULES       | THE GOVERNOR | (H) RES           |
|                      | HJR 13 | SISTER STATE RELATION WITH HEILONGJIANG           | RULES       | THE GOVERNOR | LEGIS RESOLVE 2   |
|                      | HR 4   | HOUSE COMMITTEE ON TELECOMMUNICATIONS             | GRUSSENDORF |              | HOUSE RESOLVE 4   |
|                      | SB 262 | PROCLAIM ANNUAL AMATEUR RADIO WEEK                | FISCHER, P  |              | (H) SA            |
|                      | SJR 4  | ALASKAN TEACHER TRAVELING ON SPACE SHUTTLE        | FERGUSON    |              | (S) HESS          |
| SECURITIES           | HB 126 | EXTENDING COVERAGE OF SECURITIES ACT              | RULES       | THE GOVERNOR | (S) JUD           |
| SENIOR CITIZENS      | HB 37  | APPROP: 50TH ANNIV OF AK RURAL REHAB CORP; PALMER | LARSON      |              | (H) RLS           |
|                      | HB 52  | APPROP: PIONEERS' HOME IN KENAI                   | NAVARRE     |              | (H) FIN           |
|                      | HB 124 | EXTENDING OLDER ALASKANS COMMISSION               | RULES       | THE GOVERNOR | CHAPTER 38 SLA 85 |
|                      | HB 190 | SENIOR CITIZEN HOUSING LOANS; FUND                | MILLER, MM  |              | (H) FIN           |
|                      | HB 204 | APPROP: HOUSING LOANS FOR DISABLED PERSONS        | FURNACE     |              | (H) LOAN          |
|                      | HB 210 | LONGEV. BONUS; PERM. FUND DIV.; ANNUITIES         | TAYLOR      |              | (H) SA            |
|                      | HB 239 | PHASING OUT THE LONGEVITY BONUS PROGRAM           | FINANCE     |              | (S) SA            |
|                      | HB 265 | APPROP: ANCHORAGE PIONEERS' HOME                  | UEHLING     |              | (H) SA            |
|                      | HB 275 | APPROP: KETCHIKAN PIONEERS' HOME                  | SUND        |              | (H) SA            |
|                      | HB 398 | EXTEND LONGEVITY BONUS PROGRAM ONE YEAR           | RULES       |              | (H) FIN           |
|                      | HCR 16 | DECLARING INTENTIONS AS TO LONGEVITY BONUS        | HURLEY      |              | (S) SA            |
|                      | SB 32  | SENIOR CITIZEN EMPLOYMENT PROGRAM                 | FISCHER, V  |              | (S) SA            |
|                      | SB 54  | APPROP: 50TH ANNIV. OF AK RURAL REHAB CORP.       | KERTTULA    |              | (S) FIN           |
|                      | SB 113 | TAX EXEMPTIONS FOR PROPERTY AND VEHICLES          | RULES       | THE GOVERNOR | (H) C&RA          |
|                      | SB 137 | SENIOR CITIZEN HOUSING LOANS; FUND                | RODEY       |              | (S) FIN           |
|                      | SB 160 | APPROP: KODIAK PIONEERS' HOME                     | ZHAROFF     |              | (S) SA            |
|                      | SB 249 | APPROP: SEN. CITIZEN HOMEOWNER TAX EXEMPT'N       | RODEY       |              | (S) FIN           |
|                      | SB 261 | APPROP: KENAI PIONEERS' HOME                      | FISCHER, P  |              | (S) SA            |
|                      | SB 287 | EXTEND LONGEVITY BONUS PROGRAM ONE YEAR           | FERGUSON    |              | (S) SA            |
|                      | SB 312 | ALASKA RR/FREE PASSENGER SERV FOR SENIORS         | KERTTULA    |              | (S) L&C           |
|                      | SCR 12 | SENIOR CITIZENS' HOUSING; PIONEERS' HOMES         | KERTTULA    |              | (S) SA            |
|                      |        |                                                   |             |              |                   |
|                      |        |                                                   |             |              |                   |
|                      |        |                                                   |             |              |                   |
| SENTENCES            | HB 446 | RESCIND SENTENCE IF CONDUCT DECRIMINALIZED        | MARROU      |              | (H) JUD           |
| SENTENCING           | HB 17  | PENALTY FOR MULTIPLE JOYRIDING OFFENSES           | UEHLING     |              | CHAPTER 15 SLA 85 |
|                      | HB 54  | INCREASE PENALTIES; DRUNK DRIVING (DWI)           | COLLINS     |              | (H) HESS          |
|                      | HB 85  | CORRECTIONAL RESTITUTION CENTERS                  | JUDICIARY   |              | (H) HESS          |
|                      | HB 137 | HARM TO FETUS AS SENTENCING AGGRAVATOR            | BINKLEY     |              | (H) JUD           |
|                      | HB 141 | PAROLE PROCEDURES; BOARD OF PAROLE                | RULES       | THE GOVERNOR | CHAPTER 88 SLA 85 |
|                      | HB 163 | CAPITAL PUNISHMENT FOR FIRST DEGREE MURDER        | PETTYJOHN   |              | (H) HESS          |
|                      | HB 164 | DIVERSION PROGRAM; COURT APPROVAL REQUIRED        | TAYLOR      |              | (H) JUD           |
|                      | HB 188 | ALTERNATIVE CORRECTIONAL FACILITIES               | MILLER, MM  |              | (H) HESS          |