

LEG. FINANCE - BILLS 1985 - 1986 2385
CSHB 237 cont. - CSHB 238 2385

- 1 (1) at age 55 with at least five years credited service, or
2 (2) with at least 20 years of credited service as a peace
3 officer or fireman, or
4 (3) with at least 30 years of credited service for all
5 other employees.

6 * Sec. 30. AS 39.35.370(b) is amended to read:

7 (b) Subject to AS 39.35.450, a [A] terminated employee is elig-
8 ible for an early retirement benefit at age 50 with at least five
9 years credited service.

10 * Sec. 31. AS 39.35.385(a) is amended to read:

11 (a) Subject to AS 39.35.450, an [AN] employee is eligible for a
12 normal retirement benefit at age 55 with at least two years of cred-
13 ited service if the employee also is eligible for a normal retirement
14 salary under the teachers' retirement system (AS 14.25).

15 * Sec. 32. AS 39.35.385(b) is amended to read:

16 (b) Subject to AS 39.35.450, an [AN] employee is eligible for an
17 early retirement benefit at age 50 with at least two years of credited
18 service if the employee also is eligible for an early retirement sal-
19 ary under the teachers' retirement system (AS 14.25).

20 * Sec. 33. AS 39.35.420(c) is amended to read:

21 (c) If, under AS 39.35.490, a vested or deferred vested member
22 designates as beneficiary to receive nonoccupational benefits someone
23 other than the surviving spouse to whom the member has been married
24 for at least one year, the administrator shall pay [TO RECEIVE
25 NONOCCUPATIONAL DEATH BENEFITS,] the designated beneficiary [SHALL BE
26 PAID]: (1) the balance of the deceased member's employee contribution
27 account; and (2) a lump-sum death benefit. The amount of the lump-sum
28 death benefit is \$100 times the years of credited service of the
29 deceased member plus \$1,000.

1 * Sec. 34. AS 39.35.430(f) is amended to read:

2 (f) If the death of an employee occurs from occupational causes
3 but no surviving spouse or dependent children exist at the time of the
4 death or if the employee designates as beneficiary under AS 39.35.490
5 someone other than the surviving spouse or dependent children, the
6 employee's designated beneficiary is entitled to receive those bene-
7 fits available to a beneficiary under AS 39.35.420(c) and no occupa-
8 tional death benefit will be paid to the surviving spouse or dependent
9 children. [IF THE DESIGNATED BENEFICIARY IS THE SURVIVING SPOUSE OR
10 DEPENDENT CHILDREN, THE BENEFICIARY SHALL RECEIVE THE BENEFIT DE-
11 SCRIBED IN (b) OF THIS SECTION.]

12 * Sec. 35. AS 39.35.440(b) is amended to read:

13 (b) Upon the death of a disabled employee who is receiving or is
14 entitled to receive an occupational disability benefit, the adminis-
15 trator shall pay the surviving spouse a surviving spouse's pension,
16 equal to 40 percent of the employee's monthly compensation at the
17 termination of employment because of occupational disability [SHALL BE
18 PAID TO THE SURVIVING SPOUSE]. If there is no surviving spouse, the
19 administrator shall pay the survivor's pension [SHALL BE PAID] in
20 equal parts to the dependent children of the employee. On the date
21 the normal retirement of the employee would have occurred if the
22 employee had lived, the administrator shall adjust the monthly pay-
23 ments to [SHALL] equal the monthly amount of the normal retirement
24 benefit to which the employee, had the employee lived and continued
25 employment until the employee's normal retirement date, would have
26 been entitled with an average monthly compensation as existed at death
27 and the credited service to which the employee would have been enti-
28 tled. If the death of an employee occurs from occupational causes but
29 no surviving spouse or dependent children exist at the time of the

1 death, or if the employee designates as beneficiary under AS 39.35.490
2 someone other than the surviving spouse or dependent children, the
3 administrator shall pay the employee's designated beneficiary [SHALL
4 BE PAID] those benefits available to a beneficiary under AS 39.35.-
5 420(c) and may not pay an [NO] occupational death benefit [WILL BE
6 PAID] to the surviving spouse or dependent children.

7 * Sec. 36. AS 39.35.450(a) is repealed and reenacted to read:

8 (a) Benefits payable under this section are in place of benefits
9 payable under AS 39.35.370, 39.35.385, and 39.35.460. Upon filing an
10 application with the administrator or when a disabled employee first
11 attains eligibility for normal retirement under AS 39.35.400(f) or
12 39.35.410(h), the employee shall designate the person who is the
13 employee's spouse at the time of appointment to retirement as the
14 contingent beneficiary. However, if the designation of the spouse is
15 revoked under (c) of this section, the employee may designate a depen-
16 dent approved by the administrator as the contingent beneficiary or
17 may take normal or early retirement under AS 39.35.370 or 39.35.385 or
18 a level income option under AS 39.35.460. The administrator shall pay
19 benefits under the option elected by the employee. The employee may
20 elect an option that provides that

21 (1) the employee is entitled to receive a reduced benefit
22 payable for life, and, after the employee's death, the contingent ben-
23 eficiary is entitled to payments in the amount of 75 percent of the
24 reduced benefit payable for life;

25 (2) the employee is entitled to receive a reduced benefit
26 payable for life, and, after the employee's death, the contingent
27 beneficiary is entitled to receive payments in the amount of 50 per-
28 cent of the reduced benefit payable for life;

29 (3) the employee is entitled to receive a reduced benefit

1 payable during the joint lifetime of the employee and the contingent
2 beneficiary, and, after the death of either the employee or the con-
3 tingent beneficiary, the survivor is entitled to receive payments in
4 the amount of 66-2/3 percent of the reduced benefit payable for life.

5 * Sec. 37. AS 39.35.450(c) is amended to read:

6 (c) An employee may elect or [,] change [, OR REVOKE] an option
7 without the approval of the administrator if the election or [,]
8 change [, OR REVOCATION] is filed in writing with the administrator
9 before the effective date of the employee's retirement. An employee
10 may revoke a joint and survivor option if the employee files with the
11 administrator before the effective date of the employee's retirement a
12 revocation and consent to the revocation signed by the employee's
13 spouse and each person entitled to benefits under a qualified domestic
14 relations order on forms provided by the administrator. The adminis-
15 trator may waive the requirement for written consent from

16 (1) a person entitled under the order if the person cannot
17 be located or for other reason established by regulation; or

18 (2) the spouse if the employee is not married, the employee
19 was not married to the spouse during any period of the employee's
20 employment with an employer, the spouse has no rights to the option
21 because of the terms of a qualified domestic relations order, the
22 spouse cannot be located, or for other reason established by regula-
23 tion.

24 * Sec. 38. AS 39.35.450 is amended by adding new subsections to read:

25 (f) The employee and any person claiming to be a contingent
26 beneficiary shall file with the administrator a marriage certificate,
27 divorce or dissolution judgment, or other evidence necessary to deter-
28 mine the applicability of this section and the identity of any contin-
29 gent beneficiary.

1 (g) If the administrator determines, based on the affidavit of
2 the employee and other evidence that an employee is eligible to elect
3 a form of payment other than a joint and survivor option under this
4 section, and no contrary evidence is presented to the administrator
5 within 60 days after the effective date of the employee's retirement,
6 no claim under this section, made by a spouse or former spouse of the
7 member, may be paid if payment would result in an increase in actuari-
8 al liability to the system.

9 (h) If an employee fails to elect an option under this section,
10 and if no effective revocation is filed with the administrator, the
11 employee is considered to have elected the option provided in (a)(2)
12 of this section.

13 * Sec. 39. AS 39.35 is amended by adding a new section to read:

14 Sec. 39.35.455. RIGHTS UNDER QUALIFIED DOMESTIC RELATIONS ORDER.
15 In this chapter the rights of a person under a qualified domestic
16 relations order take precedence over the rights of a spouse, surviving
17 spouse, or dependent child to the extent required by the order. A
18 person granted rights under a qualified domestic relations order shall
19 be treated as a spouse or surviving spouse to the extent required by
20 the order. Rights under the order are effective when the order is
21 filed with the administrator.

22 * Sec. 40. AS 39.35.490 is amended to read:

23 Sec. 39.35.490. DESIGNATION OF BENEFICIARY. (a) Each employee
24 shall designate the beneficiary or beneficiaries to whom the adminis-
25 trator shall distribute benefits payable under this chapter as a
26 consequence of the employee's death. Notwithstanding a previous
27 designation of beneficiary, a person who is the spouse of an employee
28 at the time of the employee's death automatically becomes the desig-
29 nated beneficiary if the spouse was married to the employee during

1 part of the employee's employment for an employer

2 (1) except to the extent a qualified domestic relations
3 order filed with the administrator provides for payment to a former
4 spouse or other dependent of the employee; or

5 (2) unless the employee files a revocation of beneficiary
6 accompanied by a written consent to the revocation signed by the
7 spouse and each person entitled under the order [SHALL BE DISTRI-
8 BUTED].

9 (b) Except as provided in (a) of this section, the [THE] desig-
10 nation may be changed or revoked by the employee without notice to the
11 beneficiary or beneficiaries at any time. If an employee designates
12 more than one beneficiary, each shares [SHALL SHARE] equally unless
13 the employee specifies a different allocation or preference. The
14 member shall make a designation of [A] beneficiary, [AND] a change or
15 revocation of a beneficiary, or a consent to a revocation of a benefi-
16 ciary shall be made on a form provided by the administrator and is not
17 effective until filed with the administrator.

18 (c) If an employee fails to designate a beneficiary, or if no
19 designated beneficiary survives the employee, the administrator shall
20 pay the death benefit [SHALL BE PAID]

21 (1) to the surviving spouse or, if there is none surviving,

22 (2) to the surviving children in equal parts or, if there
23 is none surviving,

24 (3) to the surviving parents in equal parts or, if there is
25 none surviving,

26 (4) to the employee's estate.

27 * Sec. 41. AS 39.35.490 is amended by adding a new subsection to read:

28 (d) A person claiming entitlement to benefits payable under this
29 chapter as a consequence of an employee's death shall provide the

1 administrator with a marriage certificate, divorce or dissolution
2 decree, or other evidence of entitlement. Documents establishing
3 entitlement may be filed with the administrator immediately after a
4 change in the employee's marital status. If the administrator does
5 not receive notification of a claim before the date 10 days after the
6 employee's death, the person claiming entitlement to the benefits is
7 not entitled to receive from the division of retirement and benefits
8 any benefit already paid by the administrator.

9 * Sec. 42. AS 39.35.500 is amended to read:

10 Sec. 39.35.500. SAFEGUARD OF EMPLOYEE FUNDS HELD BY THE SYSTEM.
11 Employee contributions and other amounts held in the pension fund are
12 exempt from Alaska state and local taxes. Amounts held on behalf of,
13 or payable to, any employee or other person who is or may become
14 eligible for benefits under the system are not subject to anticipa-
15 tion, alienation, sale, transfer, assignment, pledge, encumbrance, or
16 charge of any kind, either voluntary or involuntary, before being
17 received by the person entitled to the amount under the terms of the
18 system. An attempt to anticipate, alienate, sell, transfer, assign,
19 pledge, encumber, charge, or otherwise dispose of a right to amounts
20 held under the system is void. However, an employee's right to re-
21 ceive benefits may be assigned under a qualified domestic relations
22 order.

23 * Sec. 43. AS 39.35.680 is amended by adding a new paragraph to read:

24 (40) "qualified domestic relations order" means a divorce
25 or dissolution judgment under AS 25.24, including an order approving a
26 property settlement, that

27 (A) creates or recognizes the existence of an alter-
28 nate payee's right to, or assigns to an alternate payee the right
29 to, receive all or a portion of the benefits payable with respect

1 to an employee;

2 (B) sets out the name and last known mailing address,
3 if any, of the employee and of each alternate payee covered by
4 the order;

5 (C) sets out the amount or percentage of the employ-
6 ee's benefit, or of any survivor's benefit, to be paid to the
7 alternate payee, or sets out the manner in which that amount or
8 percentage is to be determined;

9 (D) sets out the number of payments or period to which
10 the order applies;

11 (E) does not require any type or form of benefit or
12 any option not otherwise provided by this chapter;

13 (F) does not require an increase of benefits in excess
14 of the amount provided by this chapter, determined on the basis
15 of actuarial value; and

16 (G) does not require the payment to an alternate payee
17 of benefits that are required to be paid to another alternate
18 payee under another order previously determined to be a qualified
19 domestic relations order.

20 * Sec. 44. Within 90 days after the effective date of this section, the
21 Department of Administration shall publish notice of the provisions of this
22 Act in the regularly published newsletters of the division of retirement
23 and benefits and in newspapers of general distribution in each judicial
24 district of the state, and shall make available the forms necessary to
25 implement this Act.

26 * Sec. 45. Section 44 of this Act takes effect immediately in accor-
27 dance with AS 01.10.070(c).

28 * Sec. 46. Sections 1 - 43 of this Act take effect January 1, 1986.

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to pension reform. This bill amends statutes pertaining to the state's retirement systems to include provisions similar to those enacted by the U.S. Congress in the Retirement Equity Act of 1984 (P.L. 98-397).

The bill amends a number of sections of the public employees' retirement system and teachers' retirement system statutes to require consent of an employee's spouse before the employee may waive a joint and survivor benefit, obtain a refund of contributions if the employee has a vested interest in benefits, or revoke a designation of the spouse as the employee's beneficiary for various death benefits. Consent of the spouse is also required by this bill for revocation of a designation of the spouse as beneficiary for death benefits under AS 26.05.224. Until consent is obtained, the joint and survivor benefit and designation of the spouse as beneficiary are required. The judicial retirement system statute is amended to allow the spouse of a justice or judge to receive survivors' benefits if the spouse was married to the justice or judge for one year before death, instead of the current two years.

The bill allows former spouses to share in survivor's benefits, to the extent provided in a "qualified domestic relations order," as defined in secs. 16, 18, 23, and 39 of the bill.

Prohibitions against assignment of retirement benefits are removed with respect to assignments of those benefits made to satisfy marital property rights, spousal support, and child support under a qualified domestic relations order.

The commissioner of administration is required to inform retirement system participants and their spouses of the changes accomplished by this bill, and effective dates are established to assure an orderly transition to the provisions of this pension reform bill.

This bill recognizes, as does the federal Retirement Equity Act of 1984, that rights to benefits accrued during a marriage are property rights in which both partners to the marriage have an interest. The bill has been drafted to require the joint and survivor option, and spousal consent for revocation of designation of the spouse as beneficiary for benefits, only if the spouse was married to the employee during a period when rights to those benefits were being accrued.

I note that the state's Supplemental Benefits System (SBS) plan has already been amended to comply with the Retirement Equity Act requirements that the plan require a joint and survivor benefit unless the spouse waives that form of benefit, and that the plan require payment of a preretirement survivor benefit to the spouse unless the spouse waives that form of benefit. These amendments to the SBS were necessary to maintain the plan's tax-deferred status under the Internal Revenue Code.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Sheffield", written in a cursive style.

Bill Sheffield
Governor

COMMITTEE REPORT
SENATE

FURTHER: FINANCE

4/24/86

Date _____

Mr. President

The Committee on JUDICIARY considered CSHB 237(Rls)
pension reform; efd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt SCS for CSHB 237 (Jud)
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

Tim Keeg

MEMBERS HAVING
OTHER RECOMMENDATIONS

Jan Fuchs No Rec

Rich Hayward No Rec

Patrick Snyder

Chairman

do pass

Chairman recommendation

COMMITTEE REPORT
SENATE

5/12/85

FURTHER: JUDICIARY
FINANCE

Date 4/23/86

Mr. President

The Committee on STATE AFFAIRS considered CSHB 237 (RLS)
pension reform; efd.

and (a majority of the committee) (the committee) reports it back with
the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt SCS for CSHB 237 (~~RLS~~ SA)
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" [] NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

Tim Kelly

Bill Ray

V. Kris

Edwin McVies

MEMBERS HAVING
OTHER RECOMMENDATIONS

Mark Stiles
Chairman
Bob Ross
Chairman recommendation

COMMITTEE REPORT

HOUSE

(11)

4/30/85

FURTHER:

Date: 5-9-85

The Committee on FINANCE has had HB 238

"An Act relating to credit for service in the state's retirement systems for certain leave without pay; and providing for an effective date."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 238 (JUN) same title new title
- and recommends ~~DO PASS~~ NO RECOMMENDATION
- AND attaches a "Letter of Intent" ^{5-7-85 12.11} New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING DO PASS

Jan G. [Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

MEMBERS HAVING OTHER RECOMMENDATIONS:

[Signature] No Rec.

[Signature] No Rec.

[Signature] No Rec.

[Signature] No Rec.

[Signature] No Rec.

[Signature] No Rec.

[Signature] No Rec.

[Signature] No Rec.

Jan G. [Signature]
ACTING CHAIRMAN

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____ Page 1 of 2

REQUEST

Bill/Resolution No.: CSHB 238 (Jud)
 Title: "An Act relating to credited service..."
 Sponsor: Riles
 Requestor: Miller
 Date of Request: 4/29/85

FISCAL DETAIL

Agency Affected: All State
 Program Category Affected: Labor Services
 BRU, Program or Subprogram(s) Affected: PERS. TRS

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
Operating						
100 Personal Svcs						
100 Rtmnt & Bnfts		79.5	85.9	92.7	100.1	108.2
200 Travel						
300 Contractual						
400 Supplies						
500 Equipment						
600 Land & Struct						
700 Grants, Claims						
700 Tr.S Match		41.6	44.9	48.5	52.4	56.6
TOTAL OPERATING	-0-	121.1	130.8	141.2	152.5	164.8
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		114.2	123.3	133.2	143.9	155.4
FEDERAL FUNDS		3.3	3.6	4.8	4.2	4.5
OTHER		3.6	3.9	4.2	4.4	4.9
TOTAL	-0-	121.1	130.8	141.2	152.5	164.8

POSITIONS:	-0-	-0-	-0-	-0-	-0-	-0-
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: J.K. Humphreys, Director Phone: 465-4470
 Division: Retirement & Benefits Date: 4/29/85

Approved by Commissioner: Lisa Rudd Date: 5/7/85
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

CSHB 238 (JUDICIARY)
Fiscal Note Analysis
Prepared by Division of Retirement & Benefits
Department of Administration

April 29, 1985

IV Analysis:

Passage of this bill will allow members of the Public Employees (PERS), Judicial (JRS) and Teachers' (TRS) Retirement Systems to claim and purchase service for periods of authorized Leave Without Pay which resulted from pregnancy, birth of a member's child, adoption or care of the child immediately following birth. The bill also establishes a sixteen week limit on the amount of Leave Without Pay which may be claimed.

To fund this bill, the state PERS contribution rate would be increased by .0133% in FY 86. The state PERS payroll is estimated to be \$544,046,592 in FY 86 and to increase by 8% each year thereafter.

The state TRS contribution rate must be increased by .01% for FY 86. The state TRS payroll is estimated to be \$71,490,744 in FY 86 and to increase by 8% each year thereafter. The TRS State Match contribution would increase by .01% in FY 86. The TRS State Match salary is estimated to be \$416,297,654 for FY 86 and to increase by 8% each year thereafter.

The State FY 86 cost of \$121.1 is calculated as follows:

The increase in State PERS contribution rate (.0133%) times the estimated FY 86 State PERS salary (\$544,046,592.00) equals;
\$72,400.00

The increase in State TRS contribution rate (.01%) times the estimated FY 86 State TRS salary (\$71,490,744.00) equals;
\$ 7,100.00

The increase in TRS State Match contribution rate (.01%) times the estimated FY 86 TRS State Match salary (\$416,297,654) equals;
\$41,600.00

Total cost \$121,100.00

We have also estimated that Political Subdivision and School Districts costs would increase as follows:

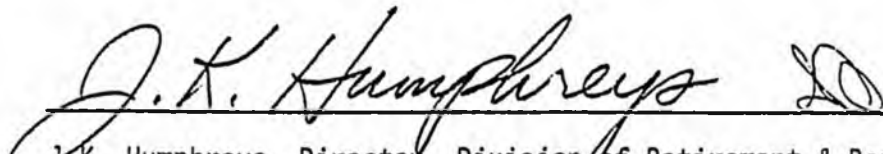
<u>FY 86</u>	<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>
\$91.4	\$98.7	\$106.6	\$115.1	\$124.3

Position Paper

CS House Bill 238 (Judiciary)

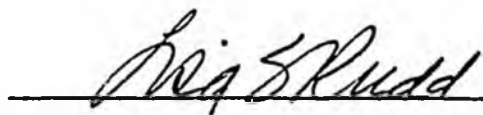
Passage of this bill would allow members of the Public Employees', Teachers' and Judicial Retirement Systems to claim and purchase up to 16 weeks of service for periods of Authorized Leave Without Pay which resulted from pregnancy, birth of a member's child, adoption or care of a child immediately following birth. The members availing themselves of this opportunity would have to pay the full actuarial cost.

The Department supports this legislation because it contributes to social good in Alaska by allowing members who are raising a family the opportunity to continue accruing service under the PERS.



J.K. Humphreys, Director, Division of Retirement & Benefits

5/2/84
Date



Lisa Rudd, Commissioner, Department of Administration

5/7/85
Date

Offered: 4/30/85
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

CS FOR HOUSE BILL NO. 238 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to personal leave for pregnancy,
7 childbirth and adoption; credit for service in the
8 state's retirement systems for certain leave without
9 pay; and providing for an effective date."

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

11 * Section 1. AS 14.20.345(b) is amended to read:

12

(b) A leave of absence is not an interruption of the continuous

13

service necessary to attain or retain retirement or tenure rights

14

according to AS 14.20.150, 14.20.155, or 14.20.160. However, the time

15

spent on leave of absence may not be counted in determining when a

16

teacher has sufficient service to enable the teacher to acquire [RE-

17

TIREMENT OR] tenure rights or, except as provided in AS 14.25.102,

18

retirement rights.

19

* Sec. 2. AS 14.25 is amended by adding a new section to read:

20

Sec. 14.25.102. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT

21

PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a) A

22

member is entitled to credit for service for up to 16 weeks of leave

23

of absence without pay authorized by an employer if the reason for the

24

leave of absence is

25

(1) pregnancy of the member;

26

(2) birth of the child of the member;

27

(3) placement of a child with the member in connection with

28

the adoption of the child by the member; or

29

(4) care of the child immediately following the child's

1 birth or placement with the member.

2 (b) To obtain credit for service under this section, the member
3 must elect to do so and shall provide verification from the employer
4 for the approved leave of absence under (a) of this section.

5 (c) After eligibility for the leave of absence service credit is
6 established, the administrator shall determine the indebtedness. The
7 indebtedness is equal to the full actuarial cost of providing benefits
8 for the service claimed and shall be based on base salary and age at
9 the time the approved leave began. Interest as prescribed by regula-
10 tion accrues on the indebtedness from the date that the approved leave
11 of absence ended.

12 (d) An outstanding indebtedness existing at the time that the
13 member retires requires an actuarial adjustment to the benefits pay-
14 able based on the approved leave of absence.

15 (e) This section does not require an employer to approve a leave
16 of absence without pay for a period longer than that allowed by stat-
17 ute or regulation. This section does not prevent approval of leave of
18 absence without pay, for the reasons set out in (a) of this section,
19 under AS 14.20.345 if a district has a policy of approving leave
20 without pay for those reasons under AS 14.20.345 and if approval of
21 leave without pay under that section would be more advantageous to the
22 member.

23 * Sec. 3. AS 22.25 is amended by adding a new section to read:

24 Sec. 22.25.015. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
25 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a) A
26 justice or judge is entitled to credit for service for up to 16 weeks
27 of authorized leave of absence without pay if the reason for the leave
28 of absence is

29 (1) pregnancy of the justice or judge;

1 (2) birth of the child of the justice or judge;

2 (3) placement of a child with the justice or judge in
3 connection with the adoption of the child by the justice or judge; or

4 (4) care of the child immediately following the child's
5 birth or placement with the justice or judge.

6 (b) To obtain credit for service under this section, the justice
7 or judge must elect to do so and shall provide verification from the
8 court administrator for the approved leave of absence under (a) of
9 this section.

10 (c) After eligibility for the leave of absence service credit is
11 established, an indebtedness shall be determined, equal to the full
12 actuarial costs of providing benefits for the service claimed. In-
13 debtedness shall be based on base salary and age at the time the ap-
14 proved leave began. Interest, as prescribed by regulation, accrues on
15 the indebtedness from the date that the approved leave of absence
16 ended.

17 * Sec. 4. AS 39.20.225(b)(4) is amended to read:

18 (4) Pregnancy and childbirth or adoption is a medical
19 reason for an [A FEMALE] officer or employee to take personal leave.
20 An [A FEMALE] officer or employee, otherwise qualified for a leave of
21 absence, is entitled to take a maximum of 16 [NINE] weeks leave imme-
22 diately preceding and following childbirth or adoption. If the offi-
23 cer's or employee's accrued personal leave is insufficient for this
24 purpose, the officer or employee is entitled to take leave without pay
25 for the balance of the 16-week [NINE-WEEK] period.

26 * Sec. 5. AS 39.35.330(b) is amended to read:

27 (b) Except as provided in AS 39.35.335, a [A] leave of absence
28 without pay that exceeds 10 working days in any calendar year or lay-
29 off status authorized by an employer will be considered as an

1 interruption of employment and no credited service will be granted.

2 * Sec. 6. AS 39.35 is amended by adding a new section to read:

3 Sec. 39.35.335. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
4 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a)

5 An employee is entitled to credit for service for up to 16 weeks of
6 leave of absence without pay authorized by an employer if the reason
7 for the leave of absence is

8 (1) pregnancy of the employee;

9 (2) birth of the child of the employee;

10 (3) placement of a child with the employee in connection
11 with the adoption of the child by the employee; or

12 (4) care of the child immediately following the child's
13 birth or placement with the employee.

14 (b) To obtain credit for service under this section, the employ-
15 ee must elect to do so and shall provide verification from the employ-
16 er for the approved leave of absence under (a) of this section.

17 (c) After eligibility for the leave of absence service credit is
18 established, an indebtedness must be determined, equal to the full
19 actuarial cost of providing benefits for the service claimed. Indebt-
20 edness shall be based on the employee's age and on the actual compen-
21 sation during the 12 months before the approved leave of absence
22 began, or, if the employee did not work full time during the 12 months
23 before the approved leave began, on the annualized compensation.
24 Interest, as prescribed by regulation, accrues on the indebtedness
25 from the date that the approved leave of absence ended.

26 (d) Any outstanding indebtedness existing at the time that the
27 employee retires requires an actuarial adjustment to the benefits pay-
28 able based on the approved leave of absence.

29 (e) This section does not require an employer to approve a leave

1 of absence without pay for a period longer than that allowed by stat-
2 ute or regulation.

3 * Sec. 7. Within 90 days after the effective date of this section, the
4 Department of Administration shall publish notice of the provisions of this
5 Act in the regularly published newsletters of the division of retirement
6 and benefits and in newspapers of general distribution in each judicial
7 district of the state.

8 * Sec. 8. Section 7 of this Act takes effect immediately in accordance
9 with AS 01.10.070(c).

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Page 1 of 2

Revision Date: _____

Page 1 of 2

REQUEST

Bill/Resolution No.: HB 238

Title: "An Act Relating to
Credited Service..."

Sponsor: _____

Requestor: _____

Date of Request: _____

FISCAL DETAIL

Agency Affected: All State Agencies

Program Category Affected: Elementary &
Secondary Education, Labor Services

BRU, Program or Subprogram(s) Affected: PERS, JRS & TRS

EXPENDITURES/REVENUES: (Thousands of Dollars)

Operating	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
100 Personal Svcs						
100 Rtmnt & Bnfts		44.8	48.4	52.3	56.3	60.9
200 Travel						
300 Contractual						
400 Supplies						
500 Equipment						
600 Land & Struct						
700 Grants, Claims						
700 TRS Match		23.3	25.2	27.2	29.4	31.7
TOTAL OPERATING	-0-	68.1	73.5	79.4	85.8	92.6

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FEDERAL FUNDS		64.2	69.3	74.9	80.9	87.3
OTHER		1.9	2.1	2.2	2.4	2.6
TOTAL	-0-	68.1	73.5	79.4	85.8	92.6

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: J.K. Humphreys, Director
Division: Retirement & Benefits

Phone: 465-4470
Date: 2/21/85

Approved by Commissioner: Lisa Rudd
Agency: Department of Administration

Date: 2-22-85

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

HB 238: Maternity Credit Bill
Fiscal Note Analysis
Prepared by Division of Retirement & Benefits
Department of Administration

February 21, 1985

IV Analysis:

Passage of this bill will allow members of the Public Employees (PERS), Judicial (JRS) and Teachers' (TRS) Retirement Systems to claim and purchase service for periods of authorized Leave Without Pay which resulted from pregnancy, birth of a member's child, adoption or care of the child immediately following birth. The bill also establishes a nine week limit on the amount of Leave Without Pay which may be claimed.

To fund this bill, the state PERS contribution rate would be increased by .0075% in FY 86. The state PERS payroll is estimated to be \$544,046,592 in FY 86 and to increase by 8% each year thereafter.

The state TRS contribution rate must be increased by .0056% for FY 86. The state TRS payroll is estimated to be \$71,490,744 in FY 86 and to increase by 8% each year thereafter. The TRS State Match contribution would increase by .0056% in FY 86. The TRS State Match salary is estimated to be \$416,297,654 for FY 86 and to increase by 8% each year thereafter.

The State FY 86 cost of \$68.1 is calculated as follows:

The increase in State PERS contribution rate (.0075%) times the estimated FY 86 State PERS salary (\$544,046,592.00) equals;
\$40,800.00

The increase in State TRS contribution rate (.0056%) times the estimated FY 86 State TRS salary (\$71,490,744.00) equals;
\$ 4,000.00

The increase in TRS State Match contribution rate (.0056%) times the estimated FY 86 TRS State Match salary (\$416,297,654) equals; \$23,300.00

Total cost \$68,100.00

We have also estimated that Political Subdivision and School Districts costs would increase as follows:

<u>FY 86</u>	<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>
\$51.4	\$55.5	\$60.0	\$64.7	\$69.9

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

NR 238

cc

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the state's retirement systems. This bill amends statutes pertaining to the teachers', judicial, and public employees' retirement systems to allow credit for service for certain approved leave without pay.

The bill allows for credited service to be obtained for up to nine weeks of approved leave of absence without pay taken in connection with pregnancy, birth, or adoption of a child, and care of a child immediately after the birth or adoption of the child. Once an employee returns to work after such a leave of absence, the employee may obtain credited service by paying the full actuarial cost of providing benefits for the service claimed. Any unpaid indebtedness for the service claimed at the time of retirement will result in an actuarial reduction in benefits.

The bill requires the commissioner of administration to inform retirement system participants of the changes accomplished by this bill.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

Pediatrician pushes for family power

By GLENN COLLINS
The New York Times

BOSTON — Dr. T. Berry Brazelton was concerned. "There's something I started noticing in my practice over the last year or so and it really shook me up," said the Harvard University pediatrician before an utterly silent conference audience. "It's a phenomenon I've begun to be aware of among expectant mothers who know they'll have to be going back to work up to three months after the baby is born."

"There is a lack of passionate commitment to the pregnancy," he said. "They don't have the dreams and fears and fantasies normal to most expectant mothers. It's as if they are guarding themselves from the turmoil of attachment. As if they are grieving already for what might be lost."

He surveyed the audience of pediatricians, developmental psychologists, health-care professionals, lawyers, policy makers

and business leaders. "If it's true that this is happening, then we'd better do something about it real quick," he said.

What he would like to do, he said, was to help such expectant mothers to understand what their denial meant, and to work actively to create a national movement to provide four months' paid maternity leave for working women.

"Because," Brazelton said, "women have remarkable strengths in coping with the stresses of job and motherhood if we can just give them enough time with that baby."

He spoke as the host of a gathering of some of the nation's leading authorities on children, parents and families. They assembled to examine "Stress and Supports for Families in the 1980s" for three days recently at the Parker House, under the auspices of Harvard University Medical School and Children's Hospital Medical Center.

Experts considered the relationship

of families to work, to chronic illn divorce and to the influence of Am corporate culture on parenthood. Pr over it all was the benign prese Brazelton, a sturdy, fatherly figu infrequently encountered wearin glasses and a half smile.

It was a collection that perhaps Brazelton could have arrayed: States Rep. George Miller was the California Democrat who heads the Select Committee on Children, You Families. Betty Friedan was there, the psychologists Jerome Kagan of H and David Elkind of Tufts Universi James R. Utaski, president of Joh Johnson Baby Products, spoke on co responsibility to families and endure sharp questioning about corporate for child care.

"I'm here," Utaski said, "because an important event and because Be

See Page C-2, CON

Illustration by Deborah

Concerned pediatrician wants to increase family power

Continued from Page C-1

talented arm-twister."

Berry, as everyone calls him, is a bit more than that. Since 1969, when his book "Infants and Mothers" was published, parents have relied on Brazelton's nonjudgmental descriptions of children's development as an antidote to anxiety that their offspring

weren't creeping, crawling, talking or walking as fast as the Joneses' tots. Other books, like "Toddlers and Parents" in 1974, have followed.

Brazelton has been called "the new Dr. Spock," a designation that amuses him.

"'New' is hardly the term to use for a man of 66," he jested. "Ben Spock is my col-

lective unconscious," he said of the man he has called his hero.

The Boston gathering, Brazelton said, was intended to extend the educational work he has fostered among pediatricians and other child-care professionals as chief of the Division of Child Development at Children's Hospital.

Of late, his educational influence has extended beyond not only the national community of parents but also the academic world, where, as an associate professor at Harvard Medical School, he has significantly influenced the training of pediatricians. On Feb. 2, 1983, the day the House Select Committee on Children, Youth and Families was created by Congress, Brazelton was the first witness to testify at the first hearing.

"Berry spoke about children and parents and his be-

lief in the power of families," Miller said, "and the conservatives were absolutely enamored of what he was saying. And I thought right then in that one hearing we paid the rent on this committee."

"We don't need more programs for children, we need different programs," Brazelton commented — programs, he said, that embody a new view of the family.

He sees the family as a system, an organism in which parents and children reciprocally influence one another. Brazelton has worked hardest to change traditional attitudes of health-care professionals, "who see families in terms of the problems they present," he said, "and not in terms of the positive strengths they offer. Too many see parents as being incompetent."



Congressional Caucus for Women's Issues

FACT SHEET ON PARENTAL LEAVE

PARENTS IN THE WORKFORCE:

- * The ranks of women in the work force have increased 173% from 1947 to 1980.
- * 85% of working women are likely to become pregnant during their working lives. Over half of those women who work while pregnant are back at work within less than a year after childbirth.
- * The view that most mothers stay at home until their children begin school is no longer valid. Half the mothers of preschool-aged children, including 57% of the mothers of children aged three to five and 46% of the mothers of children under age three, were working in 1982.
- * Women are increasingly responsible for providing family income. More than six million families are supported by working female heads-of-household. 27% of working women have husbands who earn less than \$10,000; 51% have husbands earning less than \$15,000.

Due to the lack of employment policies to accommodate working parents, many individuals are forced to choose between their job security and parenting. Parenting is an important social function. Work place policies must adapt to the increasing number of parents in the workforce.

CURRENT POLICY:

The Pregnancy Discrimination Act passed in 1978 amends Title VII of the Civil Rights Act of 1964 to provide that discrimination on the basis of pregnancy is sex discrimination under the law. The law requires that pregnancy be treated like other short-term disabilities depending upon the employee's ability or inability to work.

HOWEVER, federal law neither requires employers to provide disability leave for employees nor addresses the infant child care aspect of the experience. Consequently, there is a substantial range in what employers provide:

- * Only about half of the 150 employers surveyed by Columbia University in 1980 provided disability insurance (leave with some wage-replacement) for their employees. There is little information available on the number of employers permitting unpaid job-protected leave for employees who are temporarily disabled.

In California, for example, when Lillian Garland returned to work eight weeks after childbirth by Caesarean section, her position had been filled, and she was unemployed.

- * One-third of employers surveyed provided no paid sick leave. Some employers permit no sick leave at all in the first year of work. In Montana, for example, Tamara Buley was dismissed after missing five days of work due to pregnancy-related illness.
- * Approximately one-third of women working at least 20 hours per week in 1977, were not permitted unpaid "maternity" leave with a guarantee of the same or similar job.
- * Only 9% of the companies surveyed provided any leave for fathers.

This complete inadequacy of disability and parenting policies seriously jeopardizes family economic security.

INTERNATIONAL PERSPECTIVE:

75 countries, including many developing countries and every industrialized country EXCEPT the United States, provide some period of job-protected "maternity" leave with some amount of wage replacement. Most countries provide a benefit equal to 100% of wages.

Sweden has the most liberal policy allowing 12 months leave, with fathers enjoying an equal entitlement. Many other countries are moving toward providing paternity benefits.

By contrast, American employees are not even guaranteed job protection in the event of a short-term disability or provided a job-protected leave to care for newborn or newly-adopted infants.

MATERNITY LEAVE:

The traditional concept of maternity leave consists of a period of leave from work to accommodate the woman's physical recuperation and to allow some time for infant child care.

This pairing of the physical aspect affecting only the woman with the child care aspect, does nothing to encourage men to participate in early child rearing and in fact, locks women into this role. Furthermore, this construct does not make any provision for male employees who are temporarily disabled.

In the past, the "maternity" concept led to problems of discrimination against women in the work force. By separating pregnancy out as a unique condition, all benchmarks of what is fair or reasonable go by the wayside. The needs of the work force tend to control women's fate in maintaining their job security.

Recently, a California maternity leave statute requiring employers to provide a minimum unpaid leave of four months to women having children, was struck down as discriminatory under Title VII and the Pregnancy Discrimination Act.

PROPOSED LEGISLATION:

Federal legislation is necessary to respond to the confusion in the states about maternity policies and to address the new realities of working parents. Legislation is now being developed by Rep. Howard Berman (D-CA) and the Congressional Caucus for Women's Issues to provide:

- * Minimum disability ^{leave} for all employees who are temporarily disabled.
- * Minimum parental leave for all employees upon the birth or adoption of a child.
- * Minimum paid sick leave for all employees and for illnesses of employees' dependents.

Under this policy, both men and women who are temporarily disabled will retain their job security for a minimum period of time. Both mothers and fathers will be able to take a minimum period of time from their jobs in order to participate in the early care of newborn or newly-adopted children. Finally, parents will be able to be with their children when they are ill without jeopardizing their employment status.

The United States has been left behind in adapting work place conditions and policies to the realities of modern family life. By providing basic employment security, this comprehensive legislation goes a long way toward meeting our obligation to the health and well-being of American children and families.

Sources:

U.S. Department of Commerce, Bureau of the Census, "American Women: Three Decades of Change," August 1983.

Kammerman, Maternity Policies and Working Women, Columbia University Press, 1983.



STATE OF ALASKA
OFFICE OF THE GOVERNOR

ALASKA WOMEN'S COMMISSION
3601 C STREET - SUITE 742
ANCHORAGE, ALASKA 99503

April 18, 1985

Representative M. Mike Miller
Chair, House Judiciary Committee
Pouch V
Juneau, Alaska 99811

Dear Representative Miller:

The Alaska Women's Commission supports the amendment to HB 238 requested by Representative Clocksin which would change maternity leave to parental leave and increase the leave available from 9 weeks to 16 weeks.

Approximately one half of the workforce employed by the State of Alaska are women. Eighty percent are of childbearing age and it is estimated that 93 percent of these women will become pregnant sometime during their work career. Yet, little has been done to ensure the children of these women will receive the critical care necessary to reach their full emotional, physical and psychological potential during the first critical months of development. According to Dr. T. Berry Brazelton, a leading pediatrician in the country from Harvard Medical School, working women need to stay home at least the first four months of a baby's life. "The first three months with any new infant are bound to be a major adjustment. If the colicky period can be lived through, the parents can enjoy at least a month of reciprocity which cements an intense parent-infant relationship." Without the fourth month the attachment is not made. Only parents can provide the irrational love needed to stimulate the infant's developmental processes during this period. Dr. Brazelton testified in 1983 at a hearing by the House Select Committee on Children, Youth and Families. He advocates a national 16 week parental leave policy.

Extensive parental benefits are provided in over 80 nations either by the employer or by national insurance plans. In France, women are entitled to 90% of their earnings for a sixteen week period and guaranteed the same or a comparable job on their return. In Sweden, "parent insurance" allows either parent to leave work for up to nine months after the birth of a child, without loss of pay. In West Germany, women receive a seven-and-one-half month paid leave.

April 18, 1985
Page Two

The proposed amendment to HB 238 is in line with and in many ways more restrictive than leave without pay programs being offered by major institutions in Alaska.

The Anchorage School District offers up to a year of leave without pay to all employees covered in their bargaining agreement. Teachers who work nine months of the year are entitled, in addition to sick and annual leave, to partially paid emergency leave, partially paid sabbatical leave and fully paid military leave. In addition, a teacher having completed one year of service is entitled to one year of leave without pay for "personal reasons" which need only be accompanied by a statement of justification.

The federal government outlines a very flexible leave without pay policy for parental leave. It specifically authorizes "paternity" leave on an annual leave, and leave without pay basis. Our proposal is made on the same basis. The federal government has also instituted a six year experiment, through 1986, to institute a flexible workday schedule.

Chugach Electric Association provides eight weeks of paid leave to new fathers and to parents adopting a child. The law firm of Bogle and Gates is in the process of formulating a policy of 90 days paid paternity leave. We are proposing no paid leave to adopting parents or new fathers or mothers in excess of leave they have already accrued.

In addition, a brief review of major law firms in Anchorage found the following policies established:

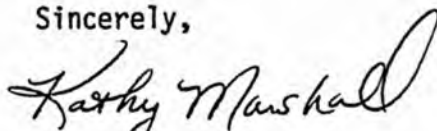
Perkins, Cole, Stone, Olsen & Williams	No established "maternity leave" Women attorneys given 90 days paid leave, followed by 6 months leave without pay.
Lane, Powell, Moss & Miller	3 months leave with pay followed undetermined amount of leave without pay.
Bogle and Gates	3 months paid maternity leave - would grant 3 months paid paternity, returning mother given option of part time work. Leave without pay policy flexible, depending on personal/firm needs.

April 18, 1985
Page Three

The Women's Commission believes that increasing parental leave without pay will strengthen families and provide a benefit to Alaska's children without costing the state additional money.

Please feel free to contact me if you have any questions about the Commission's position.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Marshall". The signature is written in dark ink and is positioned above the typed name.

Kathy Marshall
Executive Director

Offered: 4/30/85
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

CS FOR HOUSE BILL NO. 238 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to personal leave for pregnancy,
7 childbirth and adoption; credit for service in the
8 state's retirement systems for certain leave without
9 pay; and providing for an effective date."

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

11 * Section 1. AS 14.20.345(b) is amended to read:

12

(b) A leave of absence is not an interruption of the continuous
13 service necessary to attain or retain retirement or tenure rights
14 according to AS 14.20.150, 14.20.155, or 14.20.160. However, the time
15 spent on leave of absence may not be counted in determining when a
16 teacher has sufficient service to enable the teacher to acquire [RE-
17 TIREMENT OR] tenure rights or, except as provided in AS 14.25.102,
18 retirement rights.

19

* Sec. 2. AS 14.25 is amended by adding a new section to read:

20

Sec. 14.25.102. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
21 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a) A
22 member is entitled to credit for service for up to 16 weeks of leave
23 of absence without pay authorized by an employer if the reason for the
24 leave of absence is

25

(1) pregnancy of the member;

26

(2) birth of the child of the member;

27

(3) placement of a child with the member in connection with

28

the adoption of the child by the member; or

29

(4) care of the child immediately following the child's

1 birth or placement with the member.

2 (b) To obtain credit for service under this section, the member
3 must elect to do so and shall provide verification from the employer
4 for the approved leave of absence under (a) of this section.

5 (c) After eligibility for the leave of absence service credit is
6 established, the administrator shall determine the indebtedness. The
7 indebtedness is equal to the full actuarial cost of providing benefits
8 for the service claimed and shall be based on base salary and age at
9 the time the approved leave began. Interest as prescribed by regula-
10 tion accrues on the indebtedness from the date that the approved leave
11 of absence ended.

12 (d) An outstanding indebtedness existing at the time that the
13 member retires requires an actuarial adjustment to the benefits pay-
14 able based on the approved leave of absence.

15 (e) This section does not require an employer to approve a leave
16 of absence without pay for a period longer than that allowed by stat-
17 ute or regulation. This section does not prevent approval of leave of
18 absence without pay, for the reasons set out in (a) of this section,
19 under AS 14.20.345 if a district has a policy of approving leave
20 without pay for those reasons under AS 14.20.345 and if approval of
21 leave without pay under that section would be more advantageous to the
22 member.

23 * Sec. 3. AS 22.25 is amended by adding a new section to read:

24 Sec. 2' 15.015. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
25 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a) A
26 justice or judge is entitled to credit for service for up to 16 weeks
27 of authorized leave of absence without pay if the reason for the leave
28 of absence is

29 (1) pregnancy of the justice or judge;

- 1 (2) birth of the child of the justice or judge;
2 (3) placement of a child with the justice or judge in
3 connection with the adoption of the child by the justice or judge; or
4 (4) care of the child immediately following the child's
5 birth or placement with the justice or judge.

6 (b) To obtain credit for service under this section, the justice
7 or judge must elect to do so and shall provide verification from the
8 court administrator for the approved leave of absence under (a) of
9 this section.

10 (c) After eligibility for the leave of absence service credit is
11 established, an indebtedness shall be determined, equal to the full
12 actuarial costs of providing benefits for the service claimed. In-
13 debtedness shall be based on base salary and age at the time the ap-
14 proved leave began. Interest, as prescribed by regulation, accrues on
15 the indebtedness from the date that the approved leave of absence
16 ended.

17 * Sec. 4. AS 39.20.225(b)(4) is amended to read:

18 (4) Pregnancy and childbirth or adoption is a medical
19 reason for an [A FEMALE] officer or employee to take personal leave.
20 An [A FEMALE] officer or employee, otherwise qualified for a leave of
21 absence, is entitled to take a maximum of 16 [NINE] weeks leave imme-
22 diately preceding and following childbirth or adoption. If the offi-
23 cer's or employee's accrued personal leave is insufficient for this
24 purpose, the officer or employee is entitled to take leave without pay
25 for the balance of the 16-week [NINE-WEEK] period.

26 * Sec. 5. AS 39.35.330(b) is amended to read:

27 (b) Except as provided in AS 39.35.335, a [A] leave of absence
28 without pay that exceeds 10 working days in any calendar year or lay-
29 off status authorized by an employer will be considered as an

1 interruption of employment and no credited service will be granted.

2 * Sec. 6. AS 39.35 is amended by adding a new section to read:

3 Sec. 39.35.335. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
4 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a)

5 An employee is entitled to credit for service for up to 16 weeks of
6 leave of absence without pay authorized by an employer if the reason
7 for the leave of absence is

8 (1) pregnancy of the employee;

9 (2) birth of the child of the employee;

10 (3) placement of a child with the employee in connection
11 with the adoption of the child by the employee; or

12 (4) care of the child immediately following the child's
13 birth or placement with the employee.

14 (b) To obtain credit for service under this section, the employ-
15 ee must elect to do so and shall provide verification from the employ-
16 er for the approved leave of absence under (a) of this section.

17 (c) After eligibility for the leave of absence service credit is
18 established, an indebtedness must be determined, equal to the full
19 actuarial cost of providing benefits for the service claimed. Indebt-
20 edness shall be based on the employee's age and on the actual compen-
21 sation during the 12 months before the approved leave of absence
22 began, or, if the employee did not work full time during the 12 months
23 before the approved leave began, on the annualized compensation.
24 Interest, as prescribed by regulation, accrues on the indebtedness
25 from the date that the approved leave of absence ended.

26 (d) Any outstanding indebtedness existing at the time that the
27 employee retires requires an actuarial adjustment to the benefits pay-
28 able based on the approved leave of absence.

29 (e) This section does not require an employer to approve a leave

1 of absence without pay for a period longer than that allowed by stat-
2 ute or regulation.

3 * Sec. 7. Within 90 days after the effective date of this section, the
4 Department of Administration shall publish notice of the provisions of this
5 Act in the regularly published newsletters of the division of retirement
6 and benefits and in newspapers of general distribution in each judicial
7 district of the state.

8 * Sec. 8. Section 7 of this Act takes effect immediately in accordance
9 with AS 01.10.070(c).

Introduced: 2/25/85
Referred: State Affairs,
Judiciary and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 238

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to credit for service in the state's
7 retirement systems for certain leave without pay; and
8 providing for an effective date."

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

10 * Section 1. AS 14.20.345(b) is amended to read:

11 (b) A leave of absence is not an interruption of the continuous
12 service necessary to attain or retain retirement or tenure rights
13 according to AS 14.20.150, 14.20.155, or 14.20.160. However, the time
14 spent on leave of absence may not be counted in determining when a
15 teacher has sufficient service to enable the teacher to acquire [RE-
16 TIREMENT OR] tenure rights or, except as provided in AS 14.25.102,
17 retirement rights.

18 * Sec. 2. AS 14.25 is amended by adding a new section to read:

19 Sec. 14.25.102. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
20 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a) A
21 member is entitled to credit for service for up to nine weeks of leave
22 of absence without pay authorized by an employer if the reason for the
23 leave of absence is

24 (1) pregnancy of the member;

25 (2) birth of the child of the member;

26 (3) placement of a child with the member in connection with
27 the adoption of the child by the member; or

28 (4) care of the child immediately following the child's
29 birth or placement with the member.

1 (b) To obtain credit for service under this section, the member
2 must elect to do so and must provide verification from the employer
3 for the approved leave of absence under (a) of this section.

4 (c) After eligibility for the leave of absence service credit is
5 established, an indebtedness must be determined, equal to the full
6 actuarial cost of providing benefits for the service claimed. Indebt-
7 edness must be based on base salary and age at the time the approved
8 leave began. Interest, as prescribed by regulation, accrues on the
9 indebtedness from the date that the approved leave of absence ended.

10 (d) Any outstanding indebtedness existing at the time that the
11 member retires requires an actuarial adjustment to the benefits pay-
12 able based on the approved leave of absence.

13 (e) This section does not require an employer to approve a leave
14 of absence without pay for a period longer than that allowed by stat-
15 ute or regulation. This section does not prevent approval of leave of
16 absence without pay, for the reasons set out in (a) of this section,
17 under AS 14.20.345 if a district has a policy of approving leave
18 without pay for those reasons under AS 14.20.345 and if approval of
19 leave without pay under that section would be more advantageous to the
20 member.

21 * Sec. 3. AS 22.25 is amended by adding a new section to read:

22 Sec. 22.25.015. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
23 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a) A
24 justice or judge is entitled to credit for service for up to nine
25 weeks of authorized leave of absence without pay if the reason for the
26 leave of absence is

- 27 (1) pregnancy of the justice or judge;
28 (2) birth of the child of the justice or judge;
29 (3) placement of a child with the justice or judge in

1 connection with the adoption of the child by the justice or judge; or
2 (4) care of the child immediately following the child's
3 birth or placement with the justice or judge.

4 (b) To obtain credit for service under this section, the justice
5 or judge must elect to do so and must provide verification from the
6 court administrator for the approved leave of absence under (a) of
7 this section.

8 (c) After eligibility for the leave of absence service credit is
9 established, an indebtedness must be determined, equal to the full
10 actuarial costs of providing benefits for the service claimed. In-
11 debtedness must be based on base salary and age at the time the ap-
12 proved leave began. Interest, as prescribed by regulation, accrues on
13 the indebtedness from the date that the approved leave of absence
14 ended.

15 * Sec. 4. AS 39.35.330(b) is amended to read:

16 (b) Except as provided in AS 39.35.335, a [A] leave of absence
17 without pay that exceeds 10 working days in any calendar year or lay-
18 off status authorized by an employer will be considered as an inter-
19 ruption of employment and no credited service will be granted.

20 * Sec. 5. AS 39.35 is amended by adding a new section to read:

21 Sec. 39.35.335. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
22 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a)
23 An employee is entitled to credit for service for up to nine weeks of
24 leave of absence without pay authorized by an employer if the reason
25 for the leave of absence is

26 (1) pregnancy of the employee;

27 (2) birth of the child of the employee;

28 (3) placement of a child with the employee in connection
29 with the adoption of the child by the employee; or

1 (4) care of the child immediately following the child's
2 birth or placement with the employee.

3 (b) To obtain credit for service under this section, the employ-
4 ee must elect to do so and must provide verification from the employer
5 for the approved leave of absence under (a) of this section.

6 (c) After eligibility for the leave of absence service credit is
7 established, an indebtedness must be determined, equal to the full
8 actuarial cost of providing benefits for the service claimed. Indebt-
9 edness must be based on the employee's age and on the actual compensa-
10 tion during the 12 months before the approved leave of absence began,
11 or, if the employee did not work full time during the 12 months before
12 the approved leave began, on the annualized compensation. Interest,
13 as prescribed by regulation, accrues on the indebtedness from the date
14 that the approved leave of absence ended.

15 (d) Any outstanding indebtedness existing at the time that the
16 employee retires requires an actuarial adjustment to the benefits pay-
17 able based on the approved leave of absence.

18 (e) This section does not require an employer to approve a leave
19 of absence without pay for a period longer than that allowed by stat-
20 ute or regulation.

21 * Sec. 6. Within 90 days after this Act becomes law, the Department of
22 Administration shall provide notification of the provisions of this Act in
23 the regularly published newsletters of the division of retirement and
24 benefits and by publication in newspapers of general distribution in each
25 judicial district of the state.

26 * Sec. 7. Section 6 of this Act takes effect immediately in accordance
27 with AS 01.10.070(c).

COMMITTEE REPORT
SENATE

FURTHER:

5/2/86

Date _____

Mr. President

The Committee on FINANCE considered CSHB 238(Jud)am relating to personal leave for pregnancy, childbirth and adoption; credit for service in the state's retirement systems for certain leave without pay; efd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for _____
 new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Chairman

Chairman recommendation

COMMITTEE REPORT
SENATE

FURTHER: FINANCE

3/21/86

Date _____

Mr. President

The Committee on JUDICIARY considered CSHB 238(JUD)am

~~relating to~~ personal leave for pregnancy, childbirth and adoption;
credit for service in the state's retirement systems for certain leave
without pay; efd.

and (a majority of the committee) (the committee) reports it back with
the following recommendations:

- do pass
- do pass with attached amendment(s) *Recommend St. off es*
- replace with or adopt SCS for CSHB 238(SA)
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

Tim Kelly

MEMBERS HAVING
OTHER RECOMMENDATIONS

Jan Sub. No Rec
[Signature]
Rich Halford No Rec

Patrick Rydery
Chairman
do pass
Chairman recommendation

COMMITTEE REPORT

SENATE

FURTHER: JUDICIARY
FINANCE

2/3/86

Date 3/20/86

Mr. President

The Committee on STATE AFFAIRS considered CSHB 238 JUD am
relating to personal leave for pregnancy, childbirth and adoption; credit
for service in the state's retirement systems for certain leave without
pay; efd.

and (a majority of the committee) (the committee) reports it back with
the following recommendations:

do pass

do pass with attached amendment(s)

replace with/or adopt 3 CS for CSHB 238(SA)

new title

same title and recommends _____

and attached a "LETTER OF INTENT" NEW FISCAL NOTE

reports it back without recommendation

recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

Edna DeVries
Tom Kelly

MEMBERS HAVING
OTHER RECOMMENDATIONS

1 Bill Ray No Rec

[Signature]
Chairman
1 No Rec
Chairman recommendation

Offered: 3/21/86
Referred: Judiciary

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 238 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to personal leave for pregnancy,
7 childbirth and adoption; and providing for an effective
8 date."

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

10 * Section 1. AS 39.20.225(b)(4) is amended to read:

11 (4) Pregnancy and childbirth or adoption is a medical
12 reason for an [A FEMALE] officer or employee to take personal leave.
13 An [A FEMALE] officer or employee, otherwise qualified for a leave of
14 absence, is entitled to take a maximum of 16 [NINE] weeks leave immediately
15 preceding and following childbirth or adoption. If the officer's
16 or employee's accrued personal leave is insufficient for this
17 purpose, the officer or employee is entitled to take leave without pay
18 for the balance of the 16-week [NINE-WEEK] period.

19 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
20 10.070(c).

Offered: 4/30/85
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 238 (Judiciary) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to personal leave for pregnancy,
7 childbirth and adoption; credit for service in the
8 state's retirement systems for certain leave without
9 pay; and providing for an effective date."

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

11 * Section 1. AS 14.20.345(b) is amended to read:

12 (b) A leave of absence is not an interruption of the continuous
13 service necessary to attain or retain retirement or tenure rights
14 according to AS 14.20.150, 14.20.155, or 14.20.160. However, the time
15 spent on leave of absence may not be counted in determining when a
16 teacher has sufficient service to enable the teacher to acquire [RE-
17 TIREMENT OR] tenure rights or, except as provided in AS 14.25.102,
18 retirement rights.

19 * Sec. 2. AS 14.25 is amended by adding a new section to read:

20 Sec. 14.25.102. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
21 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a) A
22 member is entitled to credit for service for up to 16 weeks of leave
23 of absence without pay authorized by an employer if the reason for the
24 leave of absence is

- 25 (1) pregnancy of the member;
- 26 (2) birth of the child of the member;
- 27 (3) placement of a child with the member in connection with
28 the adoption of the child by the member; or
- 29 (4) care of the child immediately following the child's
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1 birth or placement with the member.

2 (b) To obtain credit for service under this section, the member
3 must elect to do so and shall provide verification from the employer
4 for the approved leave of absence under (a) of this section.

5 (c) After eligibility for the leave of absence service credit is
6 established, the administrator shall determine the indebtedness. The
7 indebtedness is equal to the full actuarial cost of providing benefits
8 for the service claimed and shall be based on base salary and age at
9 the time the approved leave began. Interest as prescribed by regula-
10 tion accrues on the indebtedness from the date that the approved leave
11 of absence ended.

12 (d) An outstanding indebtedness existing at the time that the
13 member retires requires an actuarial adjustment to the benefits pay-
14 able based on the approved leave of absence.

15 (e) This section does not require an employer to approve a leave
16 of absence without pay for a period longer than that allowed by stat-
17 ute or regulation. This section does not prevent approval of leave of
18 absence without pay, for the reasons set out in (a) of this section,
19 under AS 14.20.345 if a district has a policy of approving leave
20 without pay for those reasons under AS 14.20.345 and if approval of
21 leave without pay under that section would be more advantageous to the
22 member.

23 * Sec. 3. AS 22.25 is amended by adding a new section to read:

24 Sec. 22.25.015. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
25 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a) A
26 justice or judge is entitled to credit for service for up to 16 weeks
27 of authorized leave of absence without pay if the reason for the leave
28 of absence is

29 (1) pregnancy of the justice or judge;

1 (2) birth of the child of the justice or judge;

2 (3) placement of a child with the justice or judge in
3 connection with the adoption of the child by the justice or judge; or

4 (4) care of the child immediately following the child's
5 birth or placement with the justice or judge.

6 (b) To obtain credit for service under this section, the justice
7 or judge must elect to do so and shall provide verification from the
8 court administrator for the approved leave of absence under (a) of
9 this section.

10 (c) After eligibility for the leave of absence service credit is
11 established, an indebtedness shall be determined, equal to the full
12 actuarial costs of providing benefits for the service claimed. In-
13 debtedness shall be based on base salary and age at the time the ap-
14 proved leave began. Interest, as prescribed by regulation, accrues on
15 the indebtedness from the date that the approved leave of absence
16 ended.

17 * Sec. 4. AS 39.20.225(b)(4) is amended to read:

18 (4) Pregnancy and childbirth or adoption is a medical
19 reason for an [A FEMALE] officer or employee to take personal leave.
20 An [A FEMALE] officer or employee, otherwise qualified for a leave of
21 absence, is entitled to take a maximum of 16 [NINE] weeks leave imme-
22 diately preceding and following childbirth or adoption. If the offi-
23 cer's or employee's accrued personal leave is insufficient for this
24 purpose, the officer or employee is entitled to take leave without pay
25 for the balance of the 16-week [NINE-WEEK] period.

26 * Sec. 5. AS 39.35.330(b) is amended to read:

27 (b) Except as provided in AS 39.35.335, a [A] leave of absence
28 without pay that exceeds 10 working days in any calendar year or lay-
29 off status authorized by an employer will be considered as an
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1 interruption of employment and no credited service will be granted.

2 * Sec. 6. AS 39.35 is amended by adding a new section to read:

3 Sec. 39.35.335. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
4 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a)

5 An employee is entitled to credit for service for up to 16 weeks of
6 leave of absence without pay authorized by an employer if the reason
7 for the leave of absence is

8 (1) pregnancy of the employee;

9 (2) birth of the child of the employee;

10 (3) placement of a child with the employee in connection
11 with the adoption of the child by the employee; or

12 (4) care of the child immediately following the child's
13 birth or placement with the employee.

14 (b) To obtain credit for service under this section, the employ-
15 ee must elect to do so and shall provide verification from the employ-
16 er for the approved leave of absence under (a) of this section.

17 (c) After eligibility for the leave of absence service credit is
18 established, the administrator shall determine the indebtedness. The
19 indebtedness is equal to the full actuarial cost of providing benefits
20 for the service claimed and shall be based on the employee's age and
21 on the actual compensation during the 12 months before the approved
22 leave of absence began, or, if the employee did not work full time
23 during the 12 months before the approved leave began, on the annual-
24 ized compensation. Interest, as prescribed by regulation, accrues on
25 the indebtedness from the date that the approved leave of absence
26 ended.

27 (d) Any outstanding indebtedness existing at the time that the
28 employee retires requires an actuarial adjustment to the benefits pay-
29 able based on the approved leave of absence.
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1 (e) This section does not require an employer to approve a leave
2 of absence without pay for a period longer than that allowed by stat-
3 ute or regulation.

4 * Sec. 7. Within 90 days after the effective date of this section, the
5 Department of Administration shall publish notice of the provisions of this
6 Act in the regularly published newsletters of the division of retirement
7 and benefits and in newspapers of general distribution in each judicial
8 district of the state.

9 * Sec. 8. Section 7 of this Act takes effect immediately in accordance
10 with AS 01.10.070(c).

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@ 1/31

Alaska State Legislature



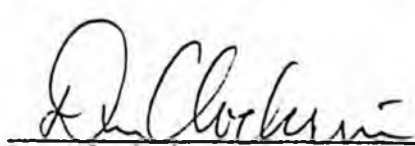

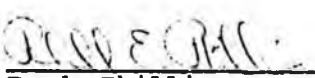
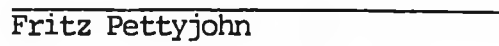



House of Representatives House Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4990

HOUSE JUDICIARY COMMITTEE
INTENT FOR CSHB 238 (Jud) am

It is the intent of the Committee that, when a position providing vital government services to the public is temporarily vacated because of parental leave authorized under CSHB 238 (Judiciary) am the supervisor should immediately fill the position with a temporary employee so that those services to the public are not interrupted.

 M. Mike Miller, Chairman	 John Sund, Vice-Chairman
 Don Clocksin	 Max Gruenberg
 Randy Phillips	 Fritz Pettyjohn
 Robin Taylor	

BILL SHEFFIELD
GOVERNOR



HB 238

cc

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the state's retirement systems. This bill amends statutes pertaining to the teachers', judicial, and public employees' retirement systems to allow credit for service for certain approved leave without pay.

The bill allows for credited service to be obtained for up to nine weeks of approved leave of absence without pay taken in connection with pregnancy, birth, or adoption of a child, and care of a child immediately after the birth or adoption of the child. Once an employee returns to work after such a leave of absence, the employee may obtain credited service by paying the full actuarial cost of providing benefits for the service claimed. Any unpaid indebtedness for the service claimed at the time of retirement will result in an actuarial reduction in benefits.

The bill requires the commissioner of administration to inform retirement system participants of the changes accomplished by this bill.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

1/31 sup 79

MF

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Page 1 of 2 Revision Date: _____

REQUEST Bill/Resolution No.: CSHB 238 (JUD) FISCAL DETAIL Agency Affected: All State
Title: "An Act relating to credited service. . ." BRU: Retirement & Benefits

Sponsor: Rules Components: PERS, TRS, JRS
 Requestor: _____
 Date of Request: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
PERSONAL SERVICES						
RTMNT & BNFTS		85.4	92.2	99.6	107.6	116.2
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
TRS MATCH		45.7	49.4	53.3	57.6	62.2
TOTAL OPERATING	-0-	131.1	141.6	152.9	165.2	178.4
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		123.6	133.5	144.2	155.7	168.2
FEDERAL FUNDS		3.6	3.9	4.2	4.6	4.9
OTHER		3.9	4.2	4.5	4.9	5.3
TOTAL	-0-	131.1	141.6	152.9	165.2	178.4

POSITIONS: -0- -0- -0- -0- -0- -0-

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

· See attached

Prepared By: J.K. Humphreys, Director *J.K. Humphreys* Phone: 465-4470
 Division: Retirement & Benefits Date: 1/24/86

Approved by Commissioner: Eleanor Andrews *EA* Date: 1/24/86
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

CSHB 238 (JUDICIARY)
Fiscal Note Analysis
Prepared by Division of Retirement & Benefits
Department of Administration

January 24, 1986

IV Analysis:

Passage of this bill will allow members of the Public Employees (PERS), Judicial (JRS) and Teachers' (TRS) Retirement Systems to claim and purchase service for periods of authorized Leave Without Pay which resulted from pregnancy, birth of a member's child, adoption or care of the child immediately following birth. The bill also establishes a sixteen week limit on the amount of Leave Without Pay which may be claimed.

To fund this bill, the state PERS contribution rate would be increased by .0133% in FY 87. The state PERS payroll is estimated to be \$590,176,728 in FY 87 and to increase by 8% each year thereafter.

The state TRS contribution rate must be increased by .01% for FY 87. The state TRS payroll is estimated to be \$68,569,578 in FY 87 and to increase by 8% each year thereafter. The TRS State Match contribution would increase by .01% in FY 87. The TRS State Match salary is estimated to be \$456,833,417 for FY 87 and to increase by 8% each year thereafter.

The State FY 87 cost of \$131.1 is calculated as follows:

The increase in State PERS contribution rate (.0133%) times the estimated FY 87 State PERS salary (\$590,176,728) equals;

\$78,500.00

The increase in State TRS contribution rate (.01%) times the estimated FY 87 State TRS salary (\$68,569,578) equals;

\$ 6,900.00

The increase in TRS State Match contribution rate (.01%) times the estimated FY 87 TRS State Match salary (\$456,833,417) equals;

\$45,700.00

Total cost \$131,100.00

We have also estimated that Political Subdivision and School Districts costs (TRS and PERS) would increase as follows:

<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>	<u>FY 91</u>
\$102.7	\$110.9	\$119.8	\$129.4	\$139.7

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

500
Scp 2

Revision Date: _____

Page 1 of 2

Page 1 of 2

REQUEST
Bill/Resolution No.: HB 238
Title: "An Act Relating to
Credited Service..."
Sponsor: _____
Requestor: _____
Date of Request: _____

FISCAL DETAIL
Agency Affected: All State Agencies
Program Category Affected: Elementary &
Secondary Education, Labor Services
BRU, Program or Subprogram(s) Affected: PERS, JRS & TRS

EXPENDITURES/REVENUES: (Thousands of Dollars)

Operating	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
100 Personal Svcs						
100 Rtmnt & Bnfts		44.8	48.4	52.3	56.3	60.9
200 Travel						
300 Contractual						
400 Supplies						
500 Equipment						
600 Land & Struct						
700 Grants, Claims						
700 TRS Match		23.3	25.2	27.2	29.4	31.7
TOTAL OPERATING	-0-	68.1	73.5	79.4	85.8	92.6

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		64.2	69.3	74.9	80.9	87.3
FEDERAL FUNDS		1.9	2.1	2.2	2.4	2.6
OTHER		2.0	2.2	2.3	2.5	2.7
TOTAL	-0-	68.1	73.5	79.4	85.8	92.6

POSITIONS: -0- -0- -0- -0- -0- -0-

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: J.K. Humphreys, Director Phone: 465-4470
Division: Retirement & Benefits Date: 2/21/85

Approved by Commissioner: Lisa Rudd Date: 2-22-85
Agency: Department of Administration

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

Elem. & Secondary Educ.

HB 238: Maternity Credit Bill
Fiscal Note Analysis
Prepared by Division of Retirement & Benefits
Department of Administration

February 21, 1985

IV Analysis:

Passage of this bill will allow members of the Public Employees (PERS), Judicial (JRS) and Teachers' (TRS) Retirement Systems to claim and purchase service for periods of authorized Leave Without Pay which resulted from pregnancy, birth of a member's child, adoption or care of the child immediately following birth. The bill also establishes a nine week limit on the amount of Leave Without Pay which may be claimed.

To fund this bill, the state PERS contribution rate would be increased by .0075% in FY 86. The state PERS payroll is estimated to be \$544,046,592 in FY 86 and to increase by 8% each year thereafter.

The state TRS contribution rate must be increased by .0056% for FY 86. The state TRS payroll is estimated to be \$71,490,744 in FY 86 and to increase by 8% each year thereafter. The TRS State Match contribution would increase by .0056% in FY 86. The TRS State Match salary is estimated to be \$416,297,654 for FY 86 and to increase by 8% each year thereafter.

The State FY 86 cost of \$68.1 is calculated as follows:

The increase in State PERS contribution rate (.0075%) times the estimated FY 86 State PERS salary (\$544,046,592.00) equals;
\$40,800.00

The increase in State TRS contribution rate (.0056%) times the estimated FY 86 State TRS salary (\$71,490,744.00) equals;
\$ 4,000.00

The increase in TRS State Match contribution rate (.0056%) times the estimated FY 86 TRS State Match salary (\$416,297,654) equals; \$23,300.00

Total cost \$68,100.00

We have also estimated that Political Subdivision and School Districts costs would increase as follows:

<u>FY 86</u>	<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>
\$51.4	\$55.5	\$60.0	\$64.7	\$69.9

Sup 64

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____ Page 1 of 2

REQUEST Page 1 of 2 FISCAL DETAIL
 Bill/Resolution No.: CSHB 238 (Jud) Agency Affected: All State
 Title: "An Act relating to credited service..." Program Category Affected: Labor Services
 Sponsor: Rules BRU, Program or Subprogram(s) Affected: PERS. TRS
 Requestor: Miller
 Date of Request: 4/29/85

EXPENDITURES/REVENUES: (Thousands of Dollars)

Operating	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
100 Personal Svcs						
100 Rtmnt & Bnfts		79.5	85.9	92.7	100.1	108.2
200 Travel						
300 Contractual						
400 Supplies						
500 Equipment						
600 Land & Struct						
700 Grants, Claims						
700 TRS Match		41.6	44.9	48.5	52.4	56.6
TOTAL OPERATING	-0-	121.1	130.8	141.2	152.5	164.8
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		114.2	123.3	133.2	143.9	155.4
FEDERAL FUNDS		3.3	3.6	4.8	4.2	4.5
OTHER		3.6	3.9	4.2	4.4	4.9
TOTAL	-0-	121.1	130.8	141.2	152.5	164.8

POSITIONS: -0- -0- -0- -0- -0- -0-

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: J.K. Humphreys Director Phone: 465-4470
 Division: Retirement & Benefits Date: 4/29/85

Approved by Commissioner: Lisa Rudd Date: 5/7/85
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

Labor Services
 Rev. 7/1/84

CSHB 238 (JUDICIARY)
Fiscal Note Analysis
Prepared by Division of Retirement & Benefits
Department of Administration

April 29, 1985

IV Analysis:

Passage of this bill will allow members of the Public Employees (PERS), Judicial (JRS) and Teachers' (TRS) Retirement Systems to claim and purchase service for periods of authorized Leave Without Pay which resulted from pregnancy, birth of a member's child, adoption or care of the child immediately following birth. The bill also establishes a sixteen week limit on the amount of Leave Without Pay which may be claimed.

To fund this bill, the state PERS contribution rate would be increased by .0133% in FY 86. The state PERS payroll is estimated to be \$544,046,592 in FY 86 and to increase by 8% each year thereafter.

The state TRS contribution rate must be increased by .01% for FY 86. The state TRS payroll is estimated to be \$71,490,744 in FY 86 and to increase by 8% each year thereafter. The TRS State Match contribution would increase by .01% in FY 86. The TRS State Match salary is estimated to be \$416,297,654 for FY 86 and to increase by 8% each year thereafter.

The State FY 86 cost of \$121.1 is calculated as follows:

The increase in State PERS contribution rate (.0133%) times the estimated FY 86 State PERS salary (\$544,046,592.00) equals;
\$72,400.00

The increase in State TRS contribution rate (.01%) times the estimated FY 86 State TRS salary (\$71,490,744.00) equals;
\$ 7,100.00

The increase in TRS State Match contribution rate (.01%) times the estimated FY 86 TRS State Match salary (\$416,297,654) equals;
\$41,600.00

Total cost \$121,100.00

We have also estimated that Political Subdivision and School Districts costs would increase as follows:

<u>FY 86</u>	<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>
\$91.4	\$98.7	\$106.6	\$115.1	\$124.3

ALASKA STATE LEGISLATURE
 14th... Legislature ^{SECOND} FIRST... Session
 HOUSE BILL NO. 238
 By THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

"An Act relating to credit for service in the state's retirement systems for certain leave without pay; and providing for an effective date."

CSHB 238(Jud) BY JUDICIARY
 Offered: 4/30/85
 Referred: Finance

"An Act relating to personal leave for pregnancy, childbirth and adoption; credit for service in the state's retirement systems for certain leave without pay; and providing for an effective date."

Credit/Retirement System

Introduced in the House ..2/25..., 19.85

HISTORY IN THE HOUSE

19 85	Feb. 25	Read first time and referred to Committee on STATE AFFAIRS, JUDICIARY AND FINANCE
	Mar 29	Reported back with recommendation that State Affairs, 6 do pass, 170 no rec. to Judiciary
	Apr 30	Judiciary - CS/Jud. 5 do pass, 1 no rec. - to Finance
	May 9	Finance - CS/Jud. 4 do pass, 4 no rec. - to Rules
	Jan 24	Read second time and CS/Jud adopted, amended today
	Jan 24	Read third time and
	Jan 27	Reconsideration held until 1/29
	Jan 29	Reconsideration held until 1/31
	Jan 31	Recons. decision taken up (letter of intent adopted)
	Jan 24	PASS ed Effective Date Yeas 30 Yeas Nays 4 Nays Absent 0 Absent Excused 5 Excused
	Jan 24	Reconsideration
	Jan 31	PASS ed Effective Date Yeas 36 Yeas Nays 2 Nays Absent 0 Absent Excused 2 Excused
	1 31	Reported correctly engrossed
	1 31	Signed by Speaker
	1 31	Sent to Senate

David R. ...
 CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

1986	2 3	Read first time and referred to Committee on SA Jud Fin
	3 21	Reported back with recommendation that replaced w/ 5 CS, New title 2 do pass, 2 no rec. to Judiciary
	5 2	Jud. Rec. in Aff. Cs, 2 do pass, 2 no rec. to Finance
		Read second time and
		Read third time and
		PASS Effective Date Yeas Yeas Nays Nays Absent Absent Excused Excused
		Reconsideration
		PASS Effective Date Yeas Yeas Nays Nays Absent Absent Excused Excused
		Reported correctly engrossed
		Signed by President
		Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19		Received from Senate
		Concurred in Senate amendment thus adopting: VOTE
		Failed to concur in Senate amendment; asked Senate to recede VOTE
		Senate receded from amendment VOTE
		Senate failed to recede from amendment VOTE
		CC appointed by House
		CC appointed by Senate
		CC adopted by House VOTE
		CC adopted by Senate VOTE
		To enrolling
		Reported correctly enrolled
		Sent to Governor
	 by Governor
		Filed with Lt. Governor
		Chapter No.

Letter J. Kent

2 fiscal note

N. Supplement # 22 + 68

1-1986 fiscal note

1- Supplement # 29

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____ Page 1 of 2

REQUEST Page 1 of 2
 Bill/Resolution No.: CSHB 238 (Jud)
 Title: "An Act relating to credited service..."
 Sponsor: Rules
 Requestor: Miller
 Date of Request: 4/29/85

FISCAL DETAIL
 Agency Affected: All State
 Program Category Affected: Labor Services
 BRU, Program or Subprogram(s) Affected: PERS. TRS

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
Operating						
100 Personal Svcs						
100 Rtmnt & Bnfts		79.5	85.9	92.7	100.1	108.2
200 Travel						
300 Contractual						
400 Supplies						
500 Equipment						
600 Land & Struct						
700 Grants, Claims						
700 TRS Match		41.6	44.9	48.5	52.4	56.6
TOTAL OPERATING	-0-	121.1	130.8	141.2	152.5	164.8
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		114.2	123.3	133.2	143.9	155.4
FEDERAL FUNDS		3.3	3.6	4.8	4.2	4.5
OTHER		3.6	3.9	4.2	4.4	4.9
TOTAL	-0-	121.1	130.8	141.2	152.5	164.8

POSITIONS: -0- -0- -0- -0- -0- -0-

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: J.K. Humphreys, Director Phone: 465-4470
 Division: Retirement & Benefits Date: 4/29/85

Approved by Commissioner: Lisa Rudd Date: 5/7/85
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Labor Services
Rev. 7/1/84

CSHB 238 (JUDICIARY)
Fiscal Note Analysis
Prepared by Division of Retirement & Benefits
Department of Administration

April 29, 1985

IV Analysis:

Passage of this bill will allow members of the Public Employees (PERS), Judicial (JRS) and Teachers' (TRS) Retirement Systems to claim and purchase service for periods of authorized Leave Without Pay which resulted from pregnancy, birth of a member's child, adoption or care of the child immediately following birth. The bill also establishes a sixteen week limit on the amount of Leave Without Pay which may be claimed.

To fund this bill, the state PERS contribution rate would be increased by .0133% in FY 86. The state PERS payroll is estimated to be \$544,046,592 in FY 86 and to increase by 8% each year thereafter.

The state TRS contribution rate must be increased by .01% for FY 86. The state TRS payroll is estimated to be \$71,490,744 in FY 86 and to increase by 8% each year thereafter. The TRS State Match contribution would increase by .01% in FY 86. The TRS State Match salary is estimated to be \$416,297,654 for FY 86 and to increase by 8% each year thereafter.

The State FY 86 cost of \$121.1 is calculated as follows:

The increase in State PERS contribution rate (.0133%) times the estimated FY 86 State PERS salary (\$544,046,592.00) equals;	
	\$72,400.00

The increase in State TRS contribution rate (.01%) times the estimated FY 86 State TRS salary (\$71,490,744.00) equals;	
	\$ 7,100.00

The increase in TRS State Match contribution rate (.01%) times the estimated FY 86 TRS State Match salary (\$416,297,654) equals;	
	<u>\$41,600.00</u>

Total cost	
	<u><u>\$121,100.00</u></u>

We have also estimated that Political Subdivision and School Districts costs would increase as follows:

<u>FY 86</u>	<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>
\$91.4	\$98.7	\$106.6	\$115.1	\$124.3

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

Page 1 of 2

Page 1 of 2

REQUEST
 Bill/Resolution No.: HB 238
 Title: "An Act Relating to
 Credited Service..."
 Sponsor: _____
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL
 Agency Affected: All State Agencies
 Program Category Affected: Elementary &
 Secondary Education, Labor Services
 BRU, Program or Subprogram(s) Affected:
PERS, JRS & TRS

EXPENDITURES/REVENUES: (Thousands of Dollars)

Operating	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
100 Personal Svcs						
100 Rtmnt & Bnfts		44.8	48.4	52.3	56.3	60.9
200 Travel						
300 Contractual						
400 Supplies						
500 Equipment						
600 Land & Struct						
700 Grants, Claims						
700 TRS Match		23.3	25.2	27.2	29.4	31.7
TOTAL OPERATING	-0-	68.1	73.5	79.4	85.8	92.6

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		64.2	69.3	74.9	80.9	87.3
FEDERAL FUNDS		1.9	2.1	2.2	2.4	2.6
OTHER		2.0	2.2	2.3	2.5	2.7
TOTAL	-0-	68.1	73.5	79.4	85.8	92.6

POSITIONS: -0- -0- -0- -0- -0- -0-

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: J.K. Humphreys, Director Phone: 465-4470
 Division: Retirement & Benefits Date: 2/21/85

Approved by Commissioner: Lisa Rudd Date: 2-22-85
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Elem. & Secondary Educ.

HB 238: Maternity Credit Bill
Fiscal Note Analysis
Prepared by Division of Retirement & Benefits
Department of Administration

February 21, 1985

IV Analysis:

Passage of this bill will allow members of the Public Employees (PERS), Judicial (JRS) and Teachers' (TRS) Retirement Systems to claim and purchase service for periods of authorized Leave Without Pay which resulted from pregnancy, birth of a member's child, adoption or care of the child immediately following birth. The bill also establishes a nine week limit on the amount of Leave Without Pay which may be claimed.

To fund this bill, the state PERS contribution rate would be increased by .0075% in FY 86. The state PERS payroll is estimated to be \$544,046,592 in FY 86 and to increase by 8% each year thereafter.

The state TRS contribution rate must be increased by .0056% for FY 86. The state TRS payroll is estimated to be \$71,490,744 in FY 86 and to increase by 8% each year thereafter. The TRS State Match contribution would increase by .0056% in FY 86. The TRS State Match salary is estimated to be \$416,297,654 for FY 86 and to increase by 8% each year thereafter.

The State FY 86 cost of \$68.1 is calculated as follows:

The increase in State PERS contribution rate (.0075%) times the estimated FY 86 State PERS salary (\$544,046,592.00) equals;
\$40,800.00

The increase in State TRS contribution rate (.0056%) times the estimated FY 86 State TRS salary (\$71,490,744.00) equals;
\$ 4,000.00

The increase in TRS State Match contribution rate (.0056%) times the estimated FY 86 TRS State Match salary (\$416,297,654) equals;
\$23,300.00

Total cost \$68,100.00

We have also estimated that Political Subdivision and School Districts costs would increase as follows:

<u>FY 86</u>	<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>
\$51.4	\$55.5	\$60.0	\$64.7	\$69.9

MF

1/31/86
1/24/86

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Page 1 of 2
Revision Date: _____

REQUEST FISCAL DETAIL
 Bill/Resolution No.: CSHB 238 (JUD) Agency Affected: All State
 Title: "An Act relating to credited service. . ." BRU: Retirement & Benefits

Sponsor: Rules Components: PERS, TRS, JRS
 Requestor: _____
 Date of Request: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
PERSONAL SERVICES						
RTMNT & BNFTS		85.4	92.2	99.6	107.6	116.2
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
TRS MATCH		45.7	49.4	53.3	57.6	62.2
TOTAL OPERATING	-0-	131.1	141.6	152.9	165.2	178.4
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		123.6	133.5	144.2	155.7	168.2
FEDERAL FUNDS		3.6	3.9	4.2	4.6	4.9
OTHER		3.9	4.2	4.5	4.9	5.3
TOTAL	-0-	131.1	141.6	152.9	165.2	178.4

POSITIONS: -0- -0- -0- -0- -0- -0-

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

See attached

Prepared By: J.K. Humphreys, Director Phone: 465-4470
 Division: Retirement & Benefits Date: 1/24/86

Approved by Commissioner: Eleanor Andrews Date: 1/27/86
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

CSHB 238 (JUDICIARY)
Fiscal Note Analysis
Prepared by Division of Retirement & Benefits
Department of Administration

January 24, 1986

IV Analysis:

Passage of this bill will allow members of the Public Employees (PERS), Judicial (JRS) and Teachers' (TRS) Retirement Systems to claim and purchase service for periods of authorized Leave Without Pay which resulted from pregnancy, birth of a member's child, adoption or care of the child immediately following birth. The bill also establishes a sixteen week limit on the amount of Leave Without Pay which may be claimed.

To fund this bill, the state PERS contribution rate would be increased by .0133% in FY 87. The state PERS payroll is estimated to be \$590,176,728 in FY 87 and to increase by 8% each year thereafter.

The state TRS contribution rate must be increased by .01% for FY 87. The state TRS payroll is estimated to be \$68,569,578 in FY 87 and to increase by 8% each year thereafter. The TRS State Match contribution would increase by .01% in FY 87. The TRS State Match salary is estimated to be \$456,833,417 for FY 87 and to increase by 8% each year thereafter.

The State FY 87 cost of \$131.1 is calculated as follows:

The increase in State PERS contribution rate (.0133%) times the estimated FY 87 State PERS salary (\$590,176,728) equals;	\$78,500.00
---	-------------

The increase in State TRS contribution rate (.01%) times the estimated FY 87 State TRS salary (\$68,569,578) equals;	\$ 6,900.00
--	-------------

The increase in TRS State Match contribution rate (.01%) times the estimated FY 87 TRS State Match salary (\$456,833,417) equals;	\$45,700.00
---	-------------

Total cost	<u>\$131,100.00</u>
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We have also estimated that Political Subdivision and School Districts costs (TRS and PERS) would increase as follows:

<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>	<u>FY 91</u>
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Alaska State Legislature



House of Representatives House Judiciary Committee

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4990

HOUSE JUDICIARY COMMITTEE INTENT FOR CSHB 238 (Jud) am

It is the intent of the Committee that, when a position providing vital government services to the public is temporarily vacated because of parental leave authorized under CSHB 238 (Judiciary) am the supervisor should immediately fill the position with a temporary employee so that those services to the public are not interrupted.

Handwritten signature of M. Mike Miller in cursive.

M. Mike Miller, Chairman

Handwritten signature of John Sund in cursive.

John Sund, Vice-Chairman

Handwritten signature of Don Clocksin in cursive.

Don Clocksin

Handwritten signature of Max Gruenberg in cursive.

Max Gruenberg

Handwritten signature of Randy Phillips in cursive.

Randy Phillips

Fritz Pettyjohn

Robin Taylor

Offered: 3/21/86
Referred: Judiciary

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 238 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL
6 For an Act entitled: "An Act relating to personal leave for pregnancy,
7 childbirth and adoption; and providing for an effective
8 date."

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

10 * Section 1. AS 39.20.225(b)(4) is amended to read:

11 (4) Pregnancy and childbirth or adoption is a medical
12 reason for an [A FEMALE] officer or employee to take personal leave.
13 An [A FEMALE] officer or employee, otherwise qualified for a leave of
14 absence, is entitled to take a maximum of 16 [NINE] weeks leave immediately
15 preceding and following childbirth or adoption. If the officer's or
16 employee's accrued personal leave is insufficient for this
17 purpose, the officer or employee is entitled to take leave without pay
18 for the balance of the 16-week [NINE-WEEK] period.

19 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
20 10.070(c).

Offered: 4/30/85
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2

CS FOR HOUSE BILL NO. 238 (Judiciary) am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to personal leave for pregnancy,
7 childbirth and adoption; credit for service in the
8 state's retirement systems for certain leave without
9 pay; and providing for an effective date."

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

11 * Section 1. AS 14.20.345(b) is amended to read:

12

(b) A leave of absence is not an interruption of the continuous
13 service necessary to attain or retain retirement or tenure rights
14 according to AS 14.20.150, 14.20.155, or 14.20.160. However, the time
15 spent on leave of absence may not be counted in determining when a
16 teacher has sufficient service to enable the teacher to acquire [RE-
17 TIREMENT OR] tenure rights or, except as provided in AS 14.25.102,
18 retirement rights.

19

* Sec. 2. AS 14.25 is amended by adding a new section to read:

20

Sec. 14.25.102. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
21 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a) A
22 member is entitled to credit for service for up to 16 weeks of leave
23 of absence without pay authorized by an employer if the reason for the
24 leave of absence is

25

(1) pregnancy of the member;

26

(2) birth of the child of the member;

27

(3) placement of a child with the member in connection with
28 the adoption of the child by the member; or

29

(4) care of the child immediately following the child's

1 birth or placement with the member.

2 (b) To obtain credit for service under this section, the member
3 must elect to do so and shall provide verification from the employer
4 for the approved leave of absence under (a) of this section.

5 (c) After eligibility for the leave of absence service credit is
6 established, the administrator shall determine the indebtedness. The
7 indebtedness is equal to the full actuarial cost of providing benefits
8 for the service claimed and shall be based on base salary and age at
9 the time the approved leave began. Interest as prescribed by regula-
10 tion accrues on the indebtedness from the date that the approved leave
11 of absence ended.

12 (d) An outstanding indebtedness existing at the time that the
13 member retires requires an actuarial adjustment to the benefits pay-
14 able based on the approved leave of absence.

15 (e) This section does not require an employer to approve a leave
16 of absence without pay for a period longer than that allowed by stat-
17 ute or regulation. This section does not prevent approval of leave of
18 absence without pay, for the reasons set out in (a) of this section,
19 under AS 14.20.345 if a district has a policy of approving leave
20 without pay for those reasons under AS 14.20.345 and if approval of
21 leave without pay under that section would be more advantageous to the
22 member.

23 * Sec. 3. AS 22.25 is amended by adding a new section to read:

24 Sec. 22.25.015. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
25 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a) A
26 justice or judge is entitled to credit for service for up to 16 weeks
27 of authorized leave of absence without pay if the reason for the leave
28 of absence is

29 (1) pregnancy of the justice or judge;

- 1 (2) birth of the child of the justice or judge;
2 (3) placement of a child with the justice or judge in
3 connection with the adoption of the child by the justice or judge; or
4 (4) care of the child immediately following the child's
5 birth or placement with the justice or judge.

6 (b) To obtain credit for service under this section, the justice
7 or judge must elect to do so and shall provide verification from the
8 court administrator for the approved leave of absence under (a) of
9 this section.

10 (c) After eligibility for the leave of absence service credit is
11 established, an indebtedness shall be determined, equal to the full
12 actuarial costs of providing benefits for the service claimed. In-
13 debtedness shall be based on base salary and age at the time the ap-
14 proved leave began. Interest, as prescribed by regulation, accrues on
15 the indebtedness from the date that the approved leave of absence
16 ended.

17 * Sec. 4. AS 39.20.225(b)(4) is amended to read:

18 (4) Pregnancy and childbirth or adoption is a medical
19 reason for an [A FEMALE] officer or employee to take personal leave.
20 An [A FEMALE] officer or employee, otherwise qualified for a leave of
21 absence, is entitled to take a maximum of 16 [NINE] weeks leave imme-
22 diately preceding and following childbirth or adoption. If the offi-
23 cer's or employee's accrued personal leave is insufficient for this
24 purpose, the officer or employee is entitled to take leave without pay
25 for the balance of the 16-week [NINE-WEEK] period.

26 * Sec. 5. AS 39.35.330(b) is amended to read:

27 (b) Except as provided in AS 39.35.335, a [A] leave of absence
28 without pay that exceeds 10 working days in any calendar year or lay-
29 off status authorized by an employer will be considered as an

1 interruption of employment and no credited service will be granted.

2 * Sec. 6. AS 39.35 is amended by adding a new section to read:

3 Sec. 39.35.335. CREDIT FOR SERVICE FOR LEAVE OF ABSENCE WITHOUT
4 PAY DUE TO PREGNANCY, BIRTH, ADOPTION, AND CERTAIN CHILD CARE. (a)

5 An employee is entitled to credit for service for up to 16 weeks of
6 leave of absence without pay authorized by an employer if the reason
7 for the leave of absence is

8 (1) pregnancy of the employee;

9 (2) birth of the child of the employee;

10 (3) placement of a child with the employee in connection
11 with the adoption of the child by the employee; or

12 (4) care of the child immediately following the child's
13 birth or placement with the employee.

14 (b) To obtain credit for service under this section, the employ-
15 ee must elect to do so and shall provide verification from the employ-
16 er for the approved leave of absence under (a) of this section.

17 (c) After eligibility for the leave of absence service credit is
18 established, the administrator shall determine the indebtedness. The
19 indebtedness is equal to the full actuarial cost of providing benefits
20 for the service claimed and shall be based on the employee's age and
21 on the actual compensation during the 12 months before the approved
22 leave of absence began, or, if the employee did not work full time
23 during the 12 months before the approved leave began, on the annual-
24 ized compensation. Interest, as prescribed by regulation, accrues on
25 the indebtedness from the date that the approved leave of absence
26 ended.

27 (d) Any outstanding indebtedness existing at the time that the
28 employee retires requires an actuarial adjustment to the benefits pay-
29 able based on the approved leave of absence.

1 (e) This section does not require an employer to approve a leave
2 of absence without pay for a period longer than that allowed by stat-
3 ute or regulation.

4 * Sec. 7. Within 90 days after the effective date of this section, the
5 Department of Administration shall publish notice of the provisions of this
6 Act in the regularly published newsletters of the division of retirement
7 and benefits and in newspapers of general distribution in each judicial
8 district of the state.

9 * Sec. 8. Section 7 of this Act takes effect immediately in accordance
10 with AS 01.10.070(c).

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

oe
1413.2.37

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the state's retirement systems. This bill amends statutes pertaining to the teachers', judicial, and public employees' retirement systems to allow credit for service for certain approved leave without pay.

The bill allows for credited service to be obtained for up to nine weeks of approved leave of absence without pay taken in connection with pregnancy, birth, or adoption of a child, and care of a child immediately after the birth or adoption of the child. Once an employee returns to work after such a leave of absence, the employee may obtain credited service by paying the full actuarial cost of providing benefits for the service claimed. Any unpaid indebtedness for the service claimed at the time of retirement will result in an actuarial reduction in benefits.

The bill requires the commissioner of administration to inform retirement system participants of the changes accomplished by this bill.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor



STATE OF ALASKA
OFFICE OF THE GOVERNOR

ALASKA WOMEN'S COMMISSION
3601 C STREET - SUITE 742
ANCHORAGE, ALASKA 99503

April 18, 1985

HB 237

Representative M. Mike Miller
Chair, House Judiciary Committee
Pouch V
Juneau, Alaska 99811

Dear Representative Miller:

The Alaska Women's Commission supports the amendment to HB 237 requested by Representative Clocksin which would change maternity leave to parental leave and increase the leave available from 9 weeks to 16 weeks.

Approximately one half of the workforce employed by the State of Alaska are women. Eighty percent are of childbearing age and it is estimated that 93 percent of these women will become pregnant sometime during their work career. Yet, little has been done to ensure the children of these women will receive the critical care necessary to reach their full emotional, physical and psychological potential during the first critical months of development. According to Dr. T. Berr Brazelton, a leading pediatrician in the country from Harvard Medical School, working women need to stay home at least the first four months of a baby's life. "The first three months with any new infant are bound to be a major adjustment. If the colicky period can be lived through, the parents can enjoy at least a month of reciprocity which cements an intense parent-infant relationship." Without the fourth month the attachment is not made. Only parents can provide the irrational love needed to stimulate the infant's developmental processes during this period. Dr. Brazelton testified in 1983 at a hearing by the House Select Committee on Children, Youth and Families. He advocates a national 16 week parental leave policy.

Extensive parental benefits are provided in over 80 nations either by the employer or by national insurance plans. In France, women are entitled to 90% of their earnings for a sixteen week period and guaranteed the same or a comparable job on their return. In Sweden, "parent insurance" allows either parent to leave work for up to nine months after the birth of a child, without loss of pay. In West Germany, women receive a seven-and-one-half month paid leave.

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The proposed amendment to HB 238 is in line with and in many ways more restrictive than leave without pay programs being offered by major institutions in Alaska.

The Anchorage School District offers up to a year of leave without pay to all employees covered in their bargaining agreement. Teachers who work nine months of the year are entitled, in addition to sick and annual leave, to partially paid emergency leave, partially paid sabbatical leave and fully paid military leave. In addition, a teacher having completed one year of service is entitled to one year of leave without pay for "personal reasons" which need only be accompanied by a statement of justification.

The federal government outlines a very flexible leave without pay policy for parental leave. It specifically authorizes "paternity" leave on an annual leave, and leave without pay basis. Our proposal is made on the same basis. The federal government has also instituted a six year experiment, through 1986, to institute a flexible workday schedule.

Chugach Electric Association provides eight weeks of paid leave to new fathers and to parents adopting a child. The law firm of Bogle and Gates is in the process of formulating a policy of 90 days paid paternity leave. We are proposing no paid leave to adopting parents or new fathers or mothers in excess of leave they have already accrued.

In addition, a brief review of major law firms in Anchorage found the following policies established:

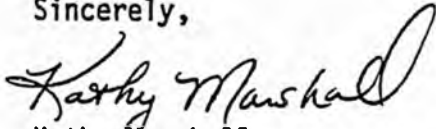
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|--|--|
| Perkins, Cole, Stone, Olsen & Williams | No established "maternity leave" Women attorneys given 90 days paid leave, followed by 6 months leave without pay. |
| Lane, Powell, Moss & Miller | 3 months leave with pay followed undetermined amount of leave without pay. |
| Bogle and Gates | 3 months paid maternity leave - would grant 3 months paid paternity, returning mother given option of part time work. Leave without pay policy flexible, depending on personal/firm needs. |

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The Women's Commission believes that increasing parental leave without pay will strengthen families and provide a benefit to Alaska's children without costing the state additional money.

Please feel free to contact me if you have any questions about the Commission's position.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Marshall". The signature is written in dark ink and is positioned above the typed name and title.

Kathy Marshall
Executive Director

Pediatrician pushes for family power

By GLENN COLLINS
The New York Times

BOSTON — Dr. T. Berry Brazelton was concerned. "There's something I started noticing in my practice over the last year or so and it really shook me up," said the Harvard University pediatrician before an utterly silent conference audience. "It's a phenomenon I've begun to be aware of among expectant mothers who know they'll have to be going back to work up to three months after the baby is born."

"There is a lack of passionate commitment to the pregnancy," he said. "They don't have the dreams and fears and fantasies normal to most expectant mothers. It's as if they are guarding themselves from the turmoil of attachment. As if they are grieving already for what might be lost."

He surveyed the audience of pediatricians, developmental psychologists, health-care professionals, lawyers, policy makers

and business leaders. "If it's true that this is happening, then we'd better do something about it real quick," he said.

What he would like to do, he said, was to help such expectant mothers to understand what their denial meant, and to work actively to create a national movement to provide four months' paid maternity leave for working women.

"Because," Brazelton said, "women have remarkable strengths in coping with the stresses of job and motherhood if we can just give them enough time with that baby."

He spoke as the host of a gathering of some of the nation's leading authorities on children, parents and families. They assembled to examine "Stress and Supports for Families in the 1980s" for three days recently at the Parker House, under the auspices of Harvard University Medical School and Children's Hospital Medical Center.

The experts considered the relationship

of families to work, to chronic illness, divorce and to the influence of American corporate culture on parenthood. For over it all was the benign presence of Brazelton, a sturdy, fatherly figure infrequently encountered wearing glasses and a half smile.

It was a collection that perhaps Brazelton could have arrayed: States Rep. George Miller was the California Democrat who heads the Select Committee on Children, Youth and Families. Betty Friedan was there, the psychologist Jerome Kagan of Harvard and David Ekstein of Tufts University. James R. Utaski, president of Johnson Baby Products, spoke on corporate responsibility to families and endured sharp questioning about corporate care for child care.

"I'm here," Utaski said, "because it's an important event and because Be

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Illustration by Deborah

Concerned pediatrician wants to increase family power

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talented arm-twister."

Berry, as everyone calls him, is a bit more than that. Since 1969, when his book "Infants and Mothers" was published, parents have relied on Brazelton's nonjudgmental descriptions of children's development as an antidote to anxiety that their offspring

weren't creeping, crawling, talking or walking as fast as the Joneses' tots. Other books, like "Toddlers and Parents" in 1974, have followed.

Brazelton has been called "the new Dr. Spock," a designation that amuses him.

"New" is hardly the term to use for a man of 66," he jested. "Ben Spock is my col-

lective unconscious," he said of the man he has called his hero.

The Boston gathering, Brazelton said, was intended to extend the educational work he has fostered among pediatricians and other child-care professionals as chief of the Division of Child Development at Children's Hospital.

Of late, his educational influence has extended beyond not only the national community of parents but also the academic world, where, as an associate professor at Harvard Medical School, he has significantly influenced the training of pediatricians. On Feb. 2, 1983, the day the House Select Committee on Children, Youth and Families was created by Congress, Brazelton was the first witness to testify at the first hearing.

"Berry spoke about children and parents and his be-

lieve in the power of families," Miller said, "and the conservatives were absolutely enamored of what he was saying. And I thought right then in that one hearing we paid the rent on this committee."

"We don't need more programs for children, we need different programs," Brazelton commented — programs, he said, that embody a new view of the family.

He sees the family as a system, an organism in which parents and children reciprocally influence one another. Brazelton has worked hardest to change traditional attitudes of health-care professionals, "who see families in terms of the problems they present," he said, "and not in terms of the positive strengths they offer. Too many see parents as being incompetent."



Congressional Caucus for Women's Issues

FACT SHEET ON PARENTAL LEAVE

PARENTS IN THE WORKFORCE:

- * The ranks of women in the work force have increased 173% from 1947 to 1980.
- * 85% of working women are likely to become pregnant during their working lives. Over half of those women who work while pregnant are back at work within less than a year after childbirth.
- * The view that most mothers stay at home until their children begin school is no longer valid. Half the mothers of preschool-aged children, including 57% of the mothers of children aged three to five and 46% of the mothers of children under age three, were working in 1982.
- * Women are increasingly responsible for providing family income. More than six million families are supported by working female heads-of-household. 27% of working women have husbands who earn less than \$10,000; 51% have husbands earning less than \$15,000.

Due to the lack of employment policies to accommodate working parents, many individuals are forced to choose between their job security and parenting. Parenting is an important social function. Work place policies must adapt to the increasing number of parents in the workforce.

CURRENT POLICY:

The Pregnancy Discrimination Act passed in 1978 amends Title VII of the Civil Rights Act of 1964 to provide that discrimination on the basis of pregnancy is sex discrimination under the law. The law requires that pregnancy be treated like other short-term disabilities depending upon the employee's ability or inability to work.

HOWEVER, federal law neither requires employers to provide disability leave for employees nor addresses the infant child care aspect of the experience. Consequently, there is a substantial range in what employers provide:

- * Only about half of the 150 employers surveyed by Columbia University in 1980 provided disability insurance (leave with some wage-replacement) for their employees. There is little information available on the number of employers permitting unpaid job-protected leave for employees who are temporarily disabled.

In California, for example, when Lillian Garland returned to work eight weeks after childbirth by Caesarean section, her position had been filled, and she was unemployed.

- * One-third of employers surveyed provided no paid sick leave. Some employers permit no sick leave at all in the first year of work. In Montana, for example, Tamara Buley was dismissed after missing five days of work due to pregnancy-related illness.
- * Approximately one-third of women working at least 20 hours per week in 1977, were not permitted unpaid "maternity" leave with a guarantee of the same or similar job.
- * Only 9% of the companies surveyed provided any leave for fathers.

This complete inadequacy of disability and parenting policies seriously jeopardizes family economic security.

INTERNATIONAL PERSPECTIVE:

75 countries, including many developing countries and every industrialized country EXCEPT the United States, provide some period of job-protected "maternity" leave with some amount of wage replacement. Most countries provide a benefit equal to 100% of wages.

Sweden has the most liberal policy allowing 12 months leave, with fathers enjoying an equal entitlement. Many other countries are moving toward providing paternity benefits.

By contrast, American employees are not even guaranteed job protection in the event of a short-term disability or provided a job-protected leave to care for newborn or newly-adopted infants.

MATERNITY LEAVE:

The traditional concept of maternity leave consists of a period of leave from work to accommodate the woman's physical recuperation and to allow some time for infant child care.

This pairing of the physical aspect affecting only the woman with the child care aspect, does nothing to encourage men to participate in early child rearing and in fact, locks women into this role. Furthermore, this construct does not make any provision for male employees who are temporarily disabled.

In the past, the "maternity" concept led to problems of discrimination against women in the work force. By separating pregnancy out as a unique condition, all benchmarks of what is fair or reasonable go by the wayside. The needs of the work force tend to control women's fate in maintaining their job security.

Recently, a California maternity leave statute requiring employers to provide a minimum unpaid leave of four months to women having children, was struck down as discriminatory under Title VII and the Pregnancy Discrimination Act.

PROPOSED LEGISLATION:

Federal legislation is necessary to respond to the confusion in the states about maternity policies and to address the new realities of working parents. Legislation is now being developed by Rep. Howard Berman (D-CA) and the Congressional Caucus for Women's Issues to provide:

- * Minimum disability for all employees who are temporarily disabled.
- * Minimum parental leave for all employees upon the birth or adoption of a child.
- * Minimum paid sick leave for all employees and for illnesses of employees' dependents.

Under this policy, both men and women who are temporarily disabled will retain their job security for a minimum period of time. Both mothers and fathers will be able to take a minimum period of time from their jobs in order to participate in the early care of newborn or newly-adopted children. Finally, parents will be able to be with their children when they are ill without jeopardizing their employment status.

The United States has been left behind in adapting work place conditions and policies to the realities of modern family life. By providing basic employment security, this comprehensive legislation goes a long way toward meeting our obligation to the health and well-being of American children and families.

Sources:

U.S. Department of Commerce, Bureau of the Census, "American Women: Three Decades of Change," August 1983.

Kamerman, Maternity Policies and Working Women, Columbia University Press, 1983.