



LAWS OF ALASKA

2008

Source

CSHB 252(STA)

Chapter No.

AN ACT

Requiring paid leave from employment for organ and bone marrow donation.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Requiring paid leave from employment for organ and bone marrow donation.

2

3 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 SHORT TITLE. This Act may be known as the Richard Foster, Stanley M. Robbins,
6 and Alex Cesar Donor Act.

7 * **Sec. 2.** AS 39.20.245(b) is amended to read:

8 (b) An officer or employee, with the approval of the person authorizing the
9 employment, may donate accrued personal or annual leave to another officer or
10 employee only for use as leave for medical reasons. The official responsible for
11 employee accounts shall debit the donor's personal or annual leave account and credit
12 the donee's personal leave account, or sick leave account, as appropriate, for medical
13 reasons only, by converting the donated leave into cash value at the donor's rate of pay
14 and reconverting the cash value to hours of leave at the donee's rate of pay. Leave
15 donated under this subsection is not leave taken by the donor for purposes of

1 AS 39.20.225(c). An employee who is covered by a collective bargaining agreement
2 may donate leave to or receive donations of leave from an employee or officer who is
3 not covered by a collective bargaining agreement, notwithstanding AS 39.20.310(7)
4 and (8) [AS 39.20.310(8) AND (9)].

5 * **Sec. 3.** AS 39.20.270 is amended to read:

6 **Sec. 39.20.270. Court leave.** Notwithstanding AS 39.20.310(6)
7 [AS 39.20.310(7)], court leave shall be granted to an employee who is classified as
8 full time, whether permanent, nonpermanent, or temporary. An officer or employee
9 called to serve as a juror or subpoenaed as a witness is entitled to administrative leave
10 with pay, but compensation received by the employee or to which the employee is
11 entitled, whichever is greater, for service as a juror or witness shall be deducted from
12 pay to which the employee is entitled as a state officer or employee.

13 * **Sec. 4.** AS 39.20 is amended by adding a new section to read:

14 **Sec. 39.20.275. Leave for organ or bone marrow donation.** (a)
15 Notwithstanding AS 39.20.310(1) - (3) and (6) - (8), paid administrative leave of not
16 more than 80 hours and not less than 40 hours, unless the employee requests fewer
17 hours, shall be granted under this section to an employee who requests leave to make a
18 personal organ or bone marrow donation. Paid administrative leave may include time
19 spent on a screening process to determine whether the employee is a compatible
20 donor.

21 (b) The director of personnel in the Department of Administration shall adopt
22 regulations to implement this section.

23 (c) Nothing in this section authorizes employees to request leave for
24 contribution to or for withdrawal from a leave pool.

25 (d) In this section, "employee" means a paid employee of the executive,
26 judicial, or legislative branch of state government, a state public corporation or council
27 established by law, or the University of Alaska, whether the employee is a permanent,
28 nonpermanent, or temporary employee, who is employed for an average of 30 or more
29 scheduled hours each week.

30 * **Sec. 5.** AS 39.20.310 is amended to read:

31 **Sec. 39.20.310. Exceptions.** Except as provided in AS 39.20.275,

1 AS 39.20.200 - 39.20.330 do not apply to

2 (1) members of the state legislature, the governor, the lieutenant
3 governor, and justices and judges of the supreme and superior courts and of the court
4 of appeals, but nothing in AS 39.20.200 - 39.20.330 may be construed to diminish the
5 salaries fixed by law for these officers by reason of absence from duty on account of
6 illness or otherwise;

7 (2) magistrates serving the state on less than a full-time basis;

8 (3) officers, members of the teaching staff, and employees of the
9 University of Alaska;

10 (4) [REPEALED

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

14 (5) [(6)] members of boards, commissions, and authorities who are not
15 otherwise employed by the state;

16 (6) [(7)] temporary employees hired for periods of less than 12
17 consecutive months;

18 (7) [(8)] persons employed by the division of marine transportation as
19 masters and members of the crews operating the state ferry system who are covered by
20 collective bargaining agreements as provided in AS 23.40.040, except as expressly
21 provided by law;

22 (8) [(9)] persons employed by the state who are covered by collective
23 bargaining agreements as provided in AS 23.40.210, except as expressly provided by
24 law.