

**CS FOR SENATE BILL NO. 9(HES)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 3/23/99

Referred: Finance

Sponsor(s): SENATORS WILKEN, Ellis, Taylor, Pete Kelly, Tim Kelly, Phillips, Donley, Mackie

REPRESENTATIVES Brice, Davies, Croft, Smalley, Harris, Masek, Kemplen, Mulder, Rokeberg, Cissna

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the calculation of employee contributions and credited service  
2 in the public employees' retirement system for noncertificated employees of school  
3 districts, regional educational attendance areas, the special education service agency,  
4 the Alaska Vocational Technical Center, and the state boarding schools; and  
5 providing for an effective date."

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

7 \* **Section 1.** AS 39.35.160 is amended by adding a new subsection to read:

8 (c) An employee who has made an irrevocable election under AS 39.35.300(c)  
9 or 39.35.310(c) to have the employee's years of service as a noncertificated employee  
10 of a state boarding school, of a school district or regional educational attendance area,  
11 of the special education service agency, or of the Alaska Vocational Technical Center  
12 determined by reference to AS 14.25.220 shall pay a contribution surcharge for that  
13 service. The amount of the surcharge is the difference between the amount the

1 employer would have had to contribute under AS 39.35.250 - 39.35.290 for the  
2 employee when treating the employee's credited service as service earned under  
3 AS 39.35.300(c) or 39.35.310(c) less the amount the employer would have had to  
4 contribute under AS 39.35.250 - 39.35.290 without treating the employee's credited  
5 service as service earned under AS 39.35.300(c) or 39.35.310(c).

6 \* **Sec. 2.** AS 39.35.300 is amended by adding a new subsection to read:

7 (c) A noncertificated employee of the Alaska Vocational Technical Center or  
8 a state boarding school who first becomes a member of the system on or after the  
9 effective date of this Act may, within 90 days after the employee first joins the system,  
10 make an irrevocable election under this subsection to have the years of service that the  
11 employee earns as a noncertificated employee determined using the table for service  
12 on or after July 1, 1969, that is set out in the definition of "year of service" in  
13 AS 14.25.220. A noncertificated employee of the Alaska Vocational Technical Center  
14 or a state boarding school who is an active member of the system on the effective date  
15 of this Act may, within 180 days after the effective date of this Act, make the  
16 irrevocable election. A member of the system who is an inactive member on the  
17 effective date of this Act and who is later employed as a noncertificated employee of  
18 the Alaska Vocational Technical Center or a state boarding school may, within 90 days  
19 after beginning the subsequent employment, make the irrevocable election. An  
20 election under this subsection shall be made in writing on a form provided by the  
21 administrator. The election applies to the employee's service earned for the school  
22 year in which the election is accepted by the administrator and applies to all  
23 subsequent employment as a noncertificated employee of a state boarding school, a  
24 school district or regional educational attendance area, the special education service  
25 agency, or the Alaska Vocational Technical Center. An employee who makes an  
26 election under this subsection shall pay the contribution surcharge as set out in  
27 AS 39.35.160(c).

28 \* **Sec. 3.** AS 39.35.310 is amended by adding a new subsection to read:

29 (c) A noncertificated employee of a school district, a regional educational  
30 attendance area, or the special education service agency who first becomes a member  
31 of the system on or after the effective date of this Act may, within 90 days after the

1 employee first joins the system, make an irrevocable election under this subsection to  
2 have the years of service that the employee earns as a noncertificated employee  
3 determined using the table for service on or after July 1, 1969, that is set out in the  
4 definition of "year of service" in AS 14.25.220. A noncertificated employee of a  
5 school district, a regional educational attendance area, or the special education service  
6 agency who is an active member of the system on the effective date of this Act may,  
7 within 180 days after the effective date of this Act, make the irrevocable election. A  
8 member of the system who is an inactive member on the effective date of this Act and  
9 who later is employed as a noncertificated employee of a school district, a regional  
10 educational attendance area, or the special education service agency may, within 90  
11 days after beginning the subsequent employment, make the irrevocable election. An  
12 election under this subsection shall be made in writing on a form provided by the  
13 administrator. The election applies to the employee's service earned for the school  
14 year in which the election is accepted by the administrator and applies to all  
15 subsequent employment as a noncertificated employee of a state boarding school, a  
16 school district or regional educational attendance area, the special education service  
17 agency, or the Alaska Vocational Technical Center. An employee who makes an  
18 election under this subsection shall pay the contribution surcharge as set out in  
19 AS 39.35.160(c).

20 \* **Sec. 4.** This Act takes effect July 1, 1999.