



# LAWS OF ALASKA

1966

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SB 174 am by House

Chapter No.:  
155

## AN ACT

Relating to the Public Employees' Retirement System of Alaska;  
and providing for an effective date.

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

\* Section 1. AS 39.35.120(b) is amended to read:

(b) Inclusion in the system is a condition of employment for an employee except an elected official.

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

Sec. 39.35.125. PARTICIPATION OF ELECTED OFFICIALS.

(a) An elected official may be included in the system if, within 60 days after taking the oath of his office or within 60 days after the effective date of this Act

(1) he directs his employer in writing to make the necessary deductions from his salary and to pay into the system the contributions required by and for an employee under this chapter and

(2) notice is given the commissioner of administration in writing.

(b) After an elected official has elected to be included in the system he and his employer are liable for

contributions whenever he is a qualified elected official of a participating employer.

- \* Sec. 3. AS 39.35.170 is amended to read:

Sec. 39.35.170. EMPLOYMENT CONTRIBUTIONS MANDATORY.

Contributions of employees shall be made by payroll deductions. Every included employee shall be considered to consent to payroll deductions. It is of no consequence that a payroll deduction may cause the compensation paid in cash to an employee to be reduced below the minimum required by law. Payment of an employee's compensation, less payroll deductions, is a full and complete discharge and satisfaction of all claims and demands by the employee relating to remuneration of his services during the period covered by the payment, except with respect to the benefits provided under the system.

- \* Sec. 4. AS 39.35.300 is amended to read:

Sec. 39.35.300. EMPLOYMENT WITH THE STATE. An employee is entitled to service credit for the entire period of uninterrupted employment with the state for which he makes contributions required by this chapter beginning January 1, 1961, or the latest date the employee entered employment, whichever is later, and ending with the termination of his employment, regardless of the office, department, division, or agency of the state in which he was employed.

- \* Sec. 5. AS 39.35.360(a) is amended to read:

(a) An employee who completes three years of service with the state after January 1, 1961, for which he makes contributions required by this chapter is entitled to service credit for employment rendered to the state and former territory of Alaska before January 1, 1961, regardless of

the office, department, division, or agency of the state or territory in which he was employed.

\* Sec. 6. AS 39.35.360 is amended by adding a new subsection to read:

(c) An elected state official who elects to participate in the system under sec. 125 of this chapter is entitled to service credit for service rendered to the state or territory before 1961 if

(1) he pays contributions with respect to all his service rendered to the state after January 1, 1961, and

(2) his service rendered to the state after January 1, 1961, totals three years or more.

\* Sec. 7. AS 39.35.370(a) is amended to read:

(a) An employee is eligible for a normal retirement pension if his employment is terminated on or after his normal retirement date and after he completes eight or more years of credited service.

\* Sec. 8. AS 39.35.390(a) is amended to read:

(a) An employee is eligible for a deferred vested retirement benefit if his employment is terminated on or after attainment of age 50 and credited service of eight years and he does not withdraw the balance in his employee contribution account.

\* Sec. 9. AS 39.35.400(a) is amended to read:

(a) An employee is eligible for a nonoccupational disability pension if his employment is terminated because of a nonoccupational disability before his normal retirement date and after eight or more years of credited service.

\* Sec. 10. AS 39.35.680(5) is repealed and re-enacted to read:

(5) "employee"

(A) means a person who receives remuneration for full-time personal services regularly rendered to an employer or who would receive remuneration except for an authorized leave of absence;

(B) means an elected official who, within 60 days after taking the oath of his office or within 60 days after the effective date of this Act elects to pay contributions required of an employee and to be included in the system under sec. 125 of this chapter;

(C) does not include

(i) persons compensated on a contractual or fee basis,

(ii) casual or part-time workers in a position having duties which will not permit at least six months of service during a calendar year,

(iii) persons covered by the Alaska teachers' retirement system,

(iv) employees of the division of marine transportation engaged in operating the state ferry system who are covered by a union or group retirement system to which the state makes contributions, and

(v) justices and judges of the supreme and superior courts of Alaska; for purposes of this subsection a state legislator is considered to be a full-time elected official.

\* Sec. 11. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.