

**SENATE BILL NO. 151**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Introduced: 4/5/95

Referred: Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act placing the administrative director of the court system in the public  
2 employees' retirement system."

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

4 \* **Section 1.** AS 22.25.012(a) is amended to read:

5 (a) An administrative director of the Alaska Court System appointed under  
6 art. IV, sec. 16 of the state constitution is entitled to retirement benefits under this  
7 chapter on the terms and conditions applicable to a superior court judge appointed after  
8 July 1, 1978, except that an administrative director may receive retirement benefits  
9 only with service as administrative director for 10 or more years. **This subsection**  
10 **only applies to an administrative director who was first appointed before the**  
11 **effective date of this Act.**

12 \* **Sec. 2.** AS 22.25.012 is amended by adding a new subsection to read:

13 (d) An administrative director of the Alaska Court System appointed on or  
14 after the effective date of this Act is a member of the public employees' retirement

1 system under AS 39.35.

2 \* **Sec. 3.** AS 39.35.158 is amended to read:

3 Sec. 39.35.158 ADMINISTRATIVE DIRECTOR OF COURTS. An  
4 administrative director of the Alaska Court System **first appointed to that position**  
5 **before the effective date of this Act** who withdraws from the judicial retirement  
6 system under AS 22.25.012 is eligible for membership in the system and shall receive  
7 credited service in the system for service rendered as administrative director. To be  
8 eligible for membership in the system under this subsection, the administrative director  
9 must contribute to the system

10 (1) the amount the director would have contributed if the director had  
11 been a member during the director's period of membership in the judicial retirement  
12 system; and

13 (2) any contributions for services as administrative director refunded  
14 by the system at the time the director became a member of the judicial retirement  
15 system.

16 \* **Sec. 4.** AS 39.35.158 is amended by adding a new subsection to read:

17 (b) An administrative director of the Alaska Court System first appointed to  
18 that position on or after the effective date of this Act is a member of this system.

19 \* **Sec. 5.** AS 39.35.680(21) is amended to read:

20 (21) "member" or "employee"

21 (A) means a person eligible to participate in the system and  
22 who is covered by the system;

23 (B) includes

24 (i) active member;

25 (ii) inactive member;

26 (iii) vested member;

27 (iv) deferred vested member;

28 (v) non-vested member;

29 (vi) disabled member;

30 (vii) retired member;

31 (viii) an elected public officer under AS 39.35.381;

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(C) does not include

(i) former members;

(ii) persons compensated on a contractual or fee basis;

(iii) casual or emergency workers or nonpermanent employees as defined in AS 39.25.200;

(iv) persons covered by the Alaska Teachers' Retirement System except as provided under AS 39.35.131 and 39.35.381, or persons covered by the optional university retirement program;

(v) 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;

(vi) justices of the supreme court or judges of the court of appeals or of the superior or district courts of Alaska;

(vii) the administrative director of courts appointed under art. IV, sec. 16 of the state constitution **who was first appointed to the position before the effective date of this Act** unless the director becomes a member under AS 39.35.158; and

(viii) members of the elected public officers' retirement system (former AS 39.37);

(D) may include employees of the division of marine transportation excluded under (C)(v) of this paragraph provided that

(i) the State of Alaska formally agrees to their inclusion through the process of collective bargaining; and

(ii) no collective bargaining agreement has the effect of obligating contributions made by the state under AS 39.30.150 in the event the state resumes participation in the federal social security system;