

CS FOR HOUSE BILL NO. 416(EDU)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON EDUCATION

Offered: 3/1/02

Referred: Health Education and Social Services

Sponsor(s): HOUSE SPECIAL COMMITTEE ON EDUCATION

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to reemployment of and benefits for retired teachers and principals
2 who participated in retirement incentive programs; and providing for an effective date."

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

4 * **Section 1.** AS 14.20.135(a) is amended to read:

5 (a) **If the Department of Education and Early Development, a** [A] school
6 district, **or a** regional educational attendance area [THAT] has or anticipates having a
7 shortage of teachers qualified to teach in a particular discipline or specialty, **the**
8 **department, district, or attendance area** may, by resolution, adopt a policy that
9 permits the employment of retired teachers who are qualified to teach in the discipline
10 or specialty in accordance with this section. The policy must describe the
11 circumstances that constitute the shortage. If a shortage of teachers exists as described
12 in the policy, the **department,** district, or attendance area shall notify the
13 administrator of the teachers' retirement system (AS 14.25) that it is hiring retired
14 teachers under this section.

15 * **Sec. 2.** AS 14.25.043(b) is amended to read:

1 (b) **The Department of Education and Early Development, a** [A] school
 2 district, **or a** regional educational attendance area that has adopted a policy that
 3 permits the employment of retired teachers in accordance with AS 14.20.135 shall
 4 notify the administrator that it is hiring retired teachers under AS 14.20.135. A teacher
 5 who retired under AS 14.25.110(a) and subsequently becomes an active member under
 6 a policy adopted in accordance with AS 14.20.135 may, within 30 days of the date of
 7 reemployment, elect to continue receiving benefit payments during the period of
 8 reemployment by filing a waiver of coverage with the administrator on a form
 9 provided by the administrator. An election under this subsection waives coverage for
 10 the period of reemployment and is irrevocable during the period of reemployment.
 11 Deductions from the member's salary may not be made under AS 14.25.050 during the
 12 period of reemployment, and the member may not receive credited service for the
 13 period of reemployment. [A MEMBER WHO PARTICIPATED IN A
 14 RETIREMENT INCENTIVE PROGRAM UNDER CH. 26, SLA 1986; CH. 89, SLA
 15 1989; CH. 65, SLA 1996; CH. 4, FSSLA 1996; OR CH. 92, SLA 1997, IS NOT
 16 ELIGIBLE TO MAKE AN ELECTION UNDER THIS SUBSECTION.]

17 * **Sec. 3.** AS 14.25.043 is amended by adding a new subsection to read:

18 (d) A retired teacher who participated in a retirement incentive program under
 19 ch. 26, SLA 1986; ch. 89, SLA 1989; ch. 65, SLA 1996; ch. 4, FSSLA 1996; or ch.
 20 92, SLA 1997, and who is subsequently reemployed under this section shall be paid at
 21 the rate new teachers are paid according to the negotiated salary schedule of the school
 22 district or regional education attendance area that hires the teacher.

23 * **Sec. 4.** The uncodified law enacted in sec. 12, ch. 57, SLA 2001, is amended to read:

24 Sec. 12. AS 14.20.135, **as amended by sec. 1 of this 2002 Act;**
 25 **AS 14.25.043(b), as amended by sec. 2 of this 2002 Act; AS 14.25.043(d), added by**
 26 **sec. 3 of this 2002 Act;** AS 39.35.120(b)(2), 39.35.150(b), and 39.35.150(c) are
 27 repealed July 1, 2005.

28 * **Sec. 5.** AS 14.20.135(c) is repealed.

29 * **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).