

HOUSE BILL NO. 20

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES STEVENS, Gatto

Introduced: 1/21/03

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to reemployment of and benefits for retired teachers and principals,**
2 **including those who participated in retirement incentive programs, and to the**
3 **employment as teachers of members of the public employees' retirement system who**
4 **participated in a retirement incentive program; and providing for an effective date."**

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

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

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

1 administrator of the teachers' retirement system (AS 14.25) that it is hiring retired
2 teachers under this section.

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

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

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

22 (d) A member of the public employees' retirement system who participated in
23 a retirement incentive program under ch. 26, SLA 1986; ch. 89, SLA 1989; ch. 65,
24 SLA 1996; ch. 4, FSSLA 1996; or ch. 92, SLA 1997, who subsequently becomes a
25 teacher under a policy adopted in accordance with AS 14.20.135(a) may become an
26 active member under AS 14.25.040 without losing the incentive credit provided under
27 the applicable retirement incentive plan and is not subject to any related reemployment
28 indebtedness.

29 * **Sec. 4.** The uncodified law of the State of Alaska enacted in sec. 12, ch. 57, SLA 2001, is
30 amended to read:

31 Sec. 12. AS 14.20.135, **as amended by sec. 1 of this 2003 Act;**

1 AS 14.25.043(b), as amended by sec. 2 of this 2003 Act; AS 14.25.043(d), added by
2 sec. 3 of this 2003 Act; AS 39.35.120(b)(2), 39.35.150(b), and 39.35.150(c) are
3 repealed July 1, 2005.

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

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