

HOUSE BILL NO. 140(efd fld)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Amended: 3/17/03
Introduced: 2/28/03

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to benefits for retired teachers or employees who participated in**
2 **retirement incentive programs and are subsequently reemployed as a commissioner."**

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

4 *** Section 1.** AS 14.25.043(a) is amended to read:

5 (a) If a retired member again becomes an active member, benefit payments
6 may not be made during the period of reemployment unless the teacher makes an
7 election under (b) or (e) of this section. The retirement benefit must be suspended for
8 the entire school year if the teacher is reemployed as an active teacher for a period
9 equivalent to a year of service. During the period of reemployment, the member is
10 subject to AS 14.25.050 and deductions from the member's salary will be made in
11 accordance with AS 14.25.050.

12 *** Sec. 2.** AS 14.25.043 is amended by adding new subsections to read:

13 (d) A member who retired under AS 14.25.110(a) and participated in a
14 retirement incentive program under ch. 26, SLA 1986; ch. 89, SLA 1989; ch. 65, SLA

1 1996; ch. 4, FSSLA 1996; or ch. 92, SLA 1997, who is subsequently reemployed as a
 2 commissioner may become an active member without losing the incentive credit
 3 provided under the applicable retirement incentive plan and is not subject to any
 4 related reemployment indebtedness.

5 (e) A member who retired under AS 14.25.110(a) and participated in a
 6 retirement incentive program under ch. 26, SLA 1986; ch. 89, SLA 1989; ch. 65, SLA
 7 1996; ch. 4, FSSLA 1996; or ch. 92, SLA 1997, who is subsequently reemployed as a
 8 commissioner and becomes an active member may, within 30 days of the date of
 9 reemployment, elect to continue receiving benefit payments during the period of
 10 reemployment by filing a waiver of coverage with the administrator on a form
 11 provided by the administrator. An election under this subsection waives coverage for
 12 the period of reemployment and is irrevocable during the period of reemployment.
 13 Deductions from the member's salary may not be made under AS 14.25.050 during the
 14 period of reemployment, and the member may not receive credited service for the
 15 period of reemployment. A member who makes an election under this section does
 16 not lose the incentive credit provided under the applicable retirement incentive plan
 17 and is not subject to any related reemployment indebtedness.

18 * **Sec. 3.** AS 39.35.150(b) is amended to read:

19 (b) A member who retired under AS 39.35.370(a) and subsequently becomes
 20 an active member may, within 30 days of the date of reemployment, elect to continue
 21 receiving benefit payments during the period of reemployment by filing an election
 22 with the administrator on a form provided by the administrator. An election under this
 23 subsection waives coverage for the period of reemployment and is irrevocable during
 24 the period of reemployment. During the period of reemployment, deductions from the
 25 member's salary may not be made under AS 39.35.160 and the member may not
 26 receive credited service. A member who participated in a retirement incentive
 27 program under ch. 26, SLA 1986; ch. 89, SLA 1989; ch. 65, SLA 1996; ch. 4, FSSLA
 28 1996; or ch. 92, SLA 1997, is not eligible to make an election under this subsection
 29 **unless the member is reemployed as a commissioner.**

30 * **Sec. 4.** AS 39.35.150 is amended by adding a new subsection to read:

31 (e) A member who retired under 39.35.370(a) and participated in a retirement

1 incentive program under ch. 26, SLA 1986; ch. 89, SLA 1989; ch. 65, SLA 1996;
2 ch. 4, FSSLA 1996; or ch. 92, SLA 1997, who is subsequently reemployed as a
3 commissioner may become an active member without losing the incentive credit
4 provided under the applicable retirement incentive plan and is not subject to any
5 related reemployment indebtedness.

6 * **Sec. 5.** The uncodified law of the State of Alaska enacted in sec. 12, ch. 57, SLA 2001, is
7 amended to read:

8 Sec. 12. AS 14.20.135; AS 14.25.043(b), **14.25.043(e), added by sec. 2 of**
9 **this 2003 Act;** AS 39.35.120(b)(2), 39.35.150(b), **as amended by sec. 3 of this 2003**
10 **Act,** and 39.35.150(c) are repealed July 1, 2005.