

**HOUSE BILL NO. 170**

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

**BY REPRESENTATIVE KELLY**

**Introduced: 2/23/05**

**Referred: State Affairs, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the qualifications of public members of the Public Employees'**  
2 **Retirement Board and the Alaska Teachers' Retirement Board."**

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

4 **\* Section 1.** AS 14.25.035(a) is amended to read:

5 (a) There is established the Alaska Teachers' Retirement Board as follows:

6 (1) the governor shall appoint five members for overlapping three-year  
7 terms; [ONE MEMBER MUST BE A RESIDENT WHO IS RECEIVING  
8 RETIREMENT BENEFITS UNDER THIS CHAPTER;] statewide teacher  
9 organizations may submit to the governor a list of recommended nominees to serve on  
10 the board; **of the five members appointed by the governor under this paragraph,**

11 **(A) three of the five shall be persons who are not and have**  
12 **never been employed by an employer participating in a retirement**  
13 **program under this chapter, AS 14.40, AS 22.25, AS 26.05, AS 39.35, or**  
14 **former AS 39.37; and**

1                                   **(B) at least two of the five shall have significant private**  
 2                                   **sector experience in administration, financing, accounting, or economic**  
 3                                   **development;**

4                                   (2) the governor shall appoint two physicians authorized to practice  
 5 medicine in the state to serve as members of the board and two physicians authorized  
 6 to practice medicine in the state to serve as alternate members to the physician  
 7 members of the board; the physicians are members of the board only for the purpose  
 8 of hearing appeals to determine medical eligibility for disability benefits under  
 9 AS 14.25.130; the Public Employees' Retirement Board and the Teachers' Retirement  
 10 Board may submit to the governor a list of recommended physicians to serve on the  
 11 board; if the administrator, after making a reasonable effort to secure the participation  
 12 of two physicians to serve on a disability appeal, is unable to do so, the board may  
 13 hear the appeal with the participation of only one physician or alternate, in which case,  
 14 for purposes of a quorum, the board shall be considered to have only one physician as  
 15 a member; physician members and alternates serve at the pleasure of the governor.

16 \* **Sec. 2.** AS 39.35.030(b) is amended to read:

17                                   (b) Three public members are appointed by the governor to serve at the  
 18 pleasure of the governor for six-year staggered terms. [ONE OF THE PUBLIC  
 19 MEMBERS MUST BE OR HAVE BEEN EMPLOYED BY AN EMPLOYER  
 20 OTHER THAN THE STATE OF ALASKA.] The governor shall fill a vacancy in an  
 21 unexpired appointive term by appointment for the remainder of the term. **The three**  
 22 **public members appointed by the governor under this subsection shall be persons**  
 23 **who are not and have never been employed by an employer participating in a**  
 24 **retirement program under AS 14.25, AS 14.40, AS 22.25, AS 26.05, this chapter,**  
 25 **or former AS 39.37. At least two of the three public members shall have**  
 26 **significant private sector experience in administration, financing, accounting, or**  
 27 **economic development.**

28 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
 29 read:

30                                   TRANSITIONAL PROVISION. The term of a public member of the Alaska  
 31 Teachers' Retirement Board or the Public Employees' Retirement Board who has been

1 appointed by the governor before the effective date of this Act is not affected by this Act.