

**SENATE BILL NO. 31**

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

**BY SENATOR ELTON**

**Introduced: 1/11/05**

**Referred: Health, Education and Social Services, State Affairs**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act eliminating the sunset provisions applicable to reemployment of retired**  
2 **members of the teachers' retirement system and the public employees' retirement**  
3 **system; repealing the effective date of secs. 3, 5, 9, and 12, ch. 57, SLA 2001, and secs. 5,**  
4 **7, and 9, ch. 58, SLA 2001; and providing for an effective date."**

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

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

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

14 \* **Sec. 2.** AS 39.35.150(b) is amended to read:

1 (b) A school district or regional educational attendance area that has adopted a  
 2 policy that permits the employment of retired teachers in accordance with  
 3 AS 14.20.135 shall notify the administrator that it is hiring retired teachers under  
 4 AS 14.20.135. A teacher who retired under AS 14.25.110(a) and subsequently  
 5 becomes an active member under a policy adopted in accordance with AS 14.20.135  
 6 may, within 30 days after the date of reemployment, elect to continue receiving benefit  
 7 payments during the period of reemployment by filing a waiver of coverage with the  
 8 administrator on a form provided by the administrator. An election under this  
 9 subsection waives coverage for the period of reemployment and is irrevocable during  
 10 the period of reemployment. Deductions from the member's salary may not be made  
 11 under AS 14.25.050 during the period of reemployment, and the member may not  
 12 receive credited service for the period of reemployment. A member who participated  
 13 in a retirement incentive program under ch. 26, SLA 1986; ch. 89, SLA 1989; ch. 65,  
 14 SLA 1996; ch. 4, FSSLA 1996; or ch. 92, SLA 1997, is not eligible to make an  
 15 election under this subsection [UNLESS THE MEMBER IS REEMPLOYED AS A  
 16 COMMISSIONER].

17 \* **Sec. 3.** Section 12, ch. 57, SLA 2001, as amended by sec. 6, ch. 15, SLA 2003, is  
 18 amended to read:

19 Sec. 12. AS 14.25.043(e) [AS 14.20.135; AS 14.25.043(b), 14.25.043(e),]  
 20 added by sec. 3, ch. 15, SLA 2003, is [OF THIS 2003 ACT; AS 39.35.120(b)(2),  
 21 39.35.150(b), AS AMENDED BY SEC. 4 OF THIS 2003 ACT, AND 39.35.150(c)  
 22 ARE] repealed July 1, 2005.

23 \* **Sec. 4.** AS 14.25.043(d) and AS 39.35.150(e) are repealed.

24 \* **Sec. 5.** Section 15, ch. 57, SLA 2001, and secs. 5, 7, 9, and 13, ch. 58, SLA 2001, are  
 25 repealed.

26 \* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to  
 27 read:

28 **CONDITIONAL RETROACTIVITY AND REVIVAL.** If secs. 1 - 5 of this Act take  
 29 effect after July 1, 2005,

30 (1) secs. 1 - 5 of this Act are retroactive to July 1, 2005;

31 (2) AS 14.20.135, AS 14.25.043(b), AS 39.35.120(b)(2), and 39.35.150(c), as

1 they read on June 30, 2005, are revived; and

2 (3) the amendments to AS 14.25.040(a) and AS 39.35.150(a), made by secs. 2  
3 and 8, respectively, of ch. 57, SLA 2001, are revived.

4 \* **Sec. 7.** This Act takes effect immediately under AS 01.10.070(c).