

Amended by

1 IN THE SENATE

BY SENATOR STEPOVICH

2 SENATE BILL NO. 132

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to establish a retirement system
7 for Territorial peace officers."

8 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

9 Section 1. DEFINITION. The word "officer" when used in this
10 Act shall mean the officer personnel of the Department of Terri-
11 torial Police.

12 Sec. 2. TERRITORIAL POLICEMEN'S RETIREMENT SYSTEM; CREATION.
13 A retirement system is hereby created and established to be known
14 as the Territorial Policemen's Retirement System. It is the
15 legislative intent and purpose of this Act to provide certain
16 retirement and other benefits for officers of the Department of
17 Territorial Police in the amounts and under the terms and condi-
18 tions hereinafter set forth. It is further the legislative intent
19 and purpose of this Act that the benefits from this plan are
20 completely independent of and in addition to any coverage under
21 Federal Social Security.

22 Sec. 3. RETIREMENT SYSTEM; MEMBERSHIP. Every officer who
23 is employed by the Territory of Alaska on July 1, 1955, and every
24 person employed as an officer thereafter, shall be a member of
25 this system.

26 Sec. 4. RETIREMENT SYSTEM; CONTRIBUTION. Each officer
27 while in the service of the Department of Territorial Police
28 shall pay a sum equal to five per cent of his monthly salary but
29 not exceeding the sum of twenty dollars per month except as

hereinafter provided. The Territorial Treasurer shall cause a detailed report of all monthly deductions to be made each month to the Police Commission. In addition thereto, there shall be transferred from the General Fund of the Territorial Treasury, from any moneys not otherwise appropriated, a sum equal to the amount of said salary deductions each month, the same to be credited to the fund created by this Act.

Sec. 5. TERRITORIAL POLICEMEN'S RETIREMENT FUND; RECEIPTS; EXPENSES. All money received by said system shall be set aside by the Territorial Treasurer and credited to the Territorial Policemen's Retirement Fund created by this Act. Out of said fund shall be paid the expenses of the system, and the benefits and annuities as provided in this Act. The amount of contributions required from officers and from the General Fund may be increased from time to time to insure the actuarial soundness of the retirement fund created by this Act.

Sec. 6. RETIREMENT SYSTEM; ADMINISTRATION; POLICE COMMISSION; RULES AND REGULATIONS. The general administration of the Territorial Policemen's Retirement System is hereby vested in the Police Commission. The Police Commission shall make rules and regulations not inconsistent herewith, as may be necessary to carry out the provisions of this Act.

Sec. 7. TERRITORIAL TREASURER; MONTHLY STATEMENTS; WARRANTS; DISBURSEMENT. The Territorial Treasurer shall transmit monthly to the Police Commission a detailed statement showing all credits to and disbursements from said fund. Warrants shall be issued only upon vouchers signed by the person designated as certifying officer for such purpose by resolution of the Police Commission.

Sec. 8. RETIREMENT SYSTEM; EXECUTIVE OFFICER; RECORDS. The

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executive officer in charge of the system shall keep a record of all acts and proceedings taken by the Police Commission. He shall keep a complete record of the names of all the members, their ages and length of service, the salary of each member, together with such other facts as may be necessary in the administration of the provisions of this Act, and for the purpose of obtaining such facts, he shall have access to the records of the various departments of the Territorial government. A certified copy of a birth certificate or delayed birth certificate shall be prima facie evidence of the age of the person named therein.

Sec. 9. RETIREMENT SYSTEM; FUNDS; INVESTMENT. The Police Commission is hereby authorized to invest such funds of the system as in the judgment of the Police Commission are not needed for immediate purposes, in such securities as are duly authorized or legal investments for investment of funds in the General Fund of the Territorial Treasury, and shall sell any such securities when necessary to provide money for the payment of benefits or annuities.

Sec. 10. RETIREMENT SYSTEM; POWERS. The system may sue or be sued in the name of the system, and in all actions brought by or against it, the system shall be represented by the Attorney General who shall also be the legal adviser for the system.

Sec. 11. RETIREMENT; ALLOWANCE. Every officer who shall have been in the employ of the Territory for twenty-years or more, and shall have attained the age of fifty-five years, shall be entitled to receive a monthly annuity, upon his separation from the Territorial service, of an amount equal to one-twelfth of two per cent of each salary payment made by the Territory, which annuity shall be paid during the remainder of his life; Provided,

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1 that any officer who has been employed by the Territory as such
2 for more than thirteen years and less than twenty years, when
3 he attains the age of fifty-five years may, if physically quali-
4 fied, continue as such officer until he has attained the age of
5 sixty years and thereupon and upon his compliance with the pro-
6 vision hereof relative to salary deductions, and upon separation
7 from Territorial service, he shall be entitled to the annuity,
8 as provided for in this section; or such officer may pay a sum
9 which will result by multiplying the number of months which he
10 would be required to serve so as to complete twenty years of
11 service, by the amount of his monthly salary deductions at the
12 time when he attains the age of fifty-five years, and thereupon
13 and upon his separation from the service, he shall be entitled to
14 a monthly annuity of an amount equal to one-twelfth of two per
15 cent of the total of the following: Each salary payment made to
16 the officer by the Territory, plus an amount resulting by multi-
17 plying the salary received monthly by the officer at the time he
18 attains the age of fifty-five, or the date of retirement which-
19 ever is later in point of time, by the number of months required
20 to attain the age of sixty years. No officer shall continue as
21 such after he attains the age of sixty years.

22 Sec. 12. RETIREMENT; MAXIMUM ALLOWANCE. No officer shall
23 receive an annuity in excess of one hundred dollars per month.

24 Sec. 13. RETIREMENT; DISABILITY; CONDITIONS. Any officer
25 less than fifty-five years of age who has been employed as such
26 for at least ten years, and who shall become disabled and
27 physically unfit to perform his duties as such, subsequent to
28 July 1, 1955, as a direct result of an injury, or other disability
29 incurred in or arising out of any act of duty which shall render

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1 him physically unable to perform his duties as such officer, shall
2 receive disability benefits during the period of such disability
3 of an amount equal to one-twelfth of two per cent of the total of
4 the following: Each salary payment made to the officer by the
5 Territory, plus an amount resulting by multiplying the salary
6 received monthly by the officer at the time when such disability
7 occurs by the number of months required to attain the age of
8 fifty-five years. No officer shall receive disability benefits
9 in excess of one hundred dollars per month. In the event that
10 such officer shall die during the period of such disability, the
11 amount he has paid into said fund, less the amount of the dis-
12 ability benefits received by him prior to his death, shall be
13 paid to the surviving spouse, if any, and if there be no surviving
14 spouse, then to the heirs as provided by the laws of descent.

15 Sec. 14. RETIREMENT; DISABILITY; EXCEPTIONS. No officer
16 shall receive any disability benefit payments when there remains
17 to his credit unused annual leave or sick leave or under any
18 other circumstances, when during the period of disability there
19 has been no impairment of his salary.

20 Sec. 15. RETIREMENT; DISABILITY PROOF. No disability bene-
21 fit payments shall be made except upon adequate proof furnished
22 to the system of the existence of such disability, and during the
23 time when any such benefits are being paid, the system shall have
24 the right, at reasonable times, to require the disabled officer
25 to submit proof of the continuance of the disability claimed.

26 Sec. 16. RETIREMENT; DISABILITY; MEDICAL EXAMINATIONS;
27 EXPENSE. The system shall have the right to demand a physical
28 examination of the member by a physician chosen by the system
29 and at the expense of the system.

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Sec. 17. TERMINATION OF MEMBERSHIP; ACCUMULATED CONTRIBUTIONS. Should any officer, prior to becoming fifty-five years of age, and with less than twenty years of service, become separated from Territorial service as an officer, either voluntarily or involuntarily, such officer shall thereupon be entitled to receive all payments which have been made by salary deductions into the fund created by this Act; and in the event of his death the amount he has paid into said fund, less all payments received by him hereunder, shall be paid to the surviving spouse, if any, and if there be no surviving spouse, then to the heirs as provided by the laws of descent.

Sec. 18. RETIREMENT SYSTEM; FUNDS; EXEMPT FROM EXECUTION AND ATTACHMENT. All annuities or benefits which any person shall be entitled to receive under the provisions of this Act shall not be subject to garnishment, attachment or levy, and the same shall at all times be exempt.

Sec. 19. RETIREMENT; TOTAL SERVICE CREDIT. In computing length of service under this Act; such service shall include any service with the Department of Territorial Police, officer personnel, as established by the Act creating the Department of Territorial Police.

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