

Introduced: 2/16/66
Referred: Finance and
Judiciary

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 SENATE BILL NO. 257

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to judicial retirement in
7 Alaska; and providing for an effective
8 date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 22.25.010(a) is amended to read:

11 (a) A [SUPREME COURT] justice or [SUPERIOR COURT] judge
12 shall be retired on the date that he reaches the age of 70.
13 He is eligible for retirement pay if he has had five or more
14 years of service at the time of retirement as a justice or
15 judge.

16 * Sec. 2. AS 22.25.010(d) is amended to read:

17 (d) A justice or judge may voluntarily retire, and is
18 eligible for retirement pay when he has (1) reached the age
19 of 60 [65] years and has served for 10 years or more, or (2)
20 his age plus his years of service equal 75. If [IN THE
21 LATTER CASE, IF] the justice or judge has not reached the
22 normal retirement age of 65 years, he may elect either to have
23 his retirement pay begin when he reaches the age of 65 years,
24 or to have his retirement pay begin on an actuarial equivalent
25 basis as of the effective date of his retirement. A justice
26 or judge desiring to retire under this subsection shall file
27 with the governor a notice of his desire, together with a
28 sworn statement of the facts establishing his eligibility to
29 retire. The governor shall certify those facts to the director

1 of the Public Employees' Retirement System and declare, in
2 writing, the eligibility or ineligibility for retirement of
3 the justice or judge. If a justice or judge is eligible for
4 retirement under this subsection, his retirement pay is ef-
5 fective on the first day of the month coinciding with or
6 after the date the written declaration of the governor is
7 filed with the director. A duplicate copy of the declara-
8 tion shall be filed by the governor with the Judicial
9 Council.

10 * Sec. 3. AS 22.25.020 is amended to read:

11 Sec. 22.25.020. RETIREMENT PAY. A retired justice or
12 judge eligible for retirement pay shall receive monthly,
13 while retired, from the date of retirement until his death,
14 compensation equal to five [FOUR] per cent per year of
15 service, to a maximum of 60 [50] per cent, of the monthly
16 salary he is receiving on the date of retirement, except that
17 payments beginning before age 65 for reasons other than in-
18 capacity shall be made on an actuarial equivalent basis. A
19 justice or judge may be permitted to elect any other
20 actuarially equivalent optional form of benefit with the con-
21 sent of the retirement board. The election shall not be
22 effective until attainment of age 65 or two years from the
23 date of the election, whichever is later. The election shall
24 be in accordance with the conditions prescribed by the
25 retirement board which may include the requirement that the
26 justice or judge provide evidence of good health satisfactory
27 to the board.

28 * Sec. 4. AS 22.25 is amended by adding a new section to read:

29 Sec. 22.25.080. DEFINITIONS. In secs. 10 - 70 of this

1 chapter, "justice" means a supreme court justice, and "judge",
2 unless the context clearly indicates otherwise, means a
3 superior court judge or administrative director of courts.

4 * Sec. 5. AS 39.35.680(5) is amended to read:

5 (5) "employee" means a person who receives re-
6 muneratation for full-time personal sarvices regularly rendered
7 to an employer or who would receive remuneration except for
8 an authorized leave of absence, excluding (A) persons com-
9 pensated on a contractual or fee basis, (B) casual or part-
10 time workers in a position having duties which will not
11 permit at least six months of service during a calendar year,
12 (C) persons covered by the Alaska teachers' retirement system,
13 (D) employees of the division of marine transportation
14 engaged in operating the state ferry system who are covered
15 by a union or group retirement system to which the state
16 makes contributions, and (E) justices and judges of the
17 supreme and superior courts and the administrative director
18 of courts covered by the judicial retirement system of Alaska;

19 * Sec. 6. TRANSFER OF CONTRIBUTIONS. Upon the effective date
20 of this Act the commissioner of administration shall transfer
21 to the justices and judges' retirement account provided by
22 AS 22.25.050 all amounts then credited to the employee con-
23 tribution account and the employer asset share account of the
24 Public Employees' Retirement System of Alaska which were
25 credited to those accounts by reason of membership of the
26 administrative director of courts in the Public Employees'
27 Retirement System before the effective date of this Act.
28 The contributions required to be made under AS 22.25.060 on
29 account of the inclusion of the administrative director of

1 courts in the judicial retirement system shall commence on
2 the effective date of this Act.

3 * Sec. 7. EFFECTIVE DATE. This Act takes effect on July 1,
4 1966.

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