

Offered: 1/18/71  
Referred: State Affairs

1 IN THE SENATE

2 SENATE BILL NO. 39

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act pertaining to the teachers' retirement system;  
7 and providing for an effective date."

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

9 \* Section 1. AS 14.25.040 is amended to read:

10 Sec. 14.25.040. MEMBERSHIP. After June 30, 1955, a teacher  
11 contracting for service with an employer, except one whose attained age  
12 in completed years on the July 1 falling on or after the date of  
13 commencement of service, less the number of years of creditable service  
14 prior to that July 1, exceeds 50, and who can complete 5 [10] years of  
15 membership service by the first day of July following his 65th birthday,  
16 is subject to this chapter.

17 \* Sec. 2. AS 14.25.110 is amended to read:

18 Sec. 14.25.110. ELIGIBILITY FOR SERVICE RETIREMENT. (a) A  
19 teacher who has completed either (1) 15 years of creditable service,  
20 the last five years of which have [HAS] been membership service in the  
21 state, [AND HAS COMPLETED AT LEAST 10 YEARS OF MEMBERSHIP SERVICE,] and  
22 who has attained the age of 55 years, or (2) 30 years of creditable  
23 service, the last five years of which have been membership service in  
24 the state, may retire from service, and apply in writing to the  
25 administrator for retirement salary. A retired teacher who has been  
26 receiving a disability retirement salary shall be eligible for a service  
27 retirement salary upon or after attaining age 60.

28 (b) A teacher who has completed 15 years of creditable service,  
29 the last five years of which have been membership service in the state,

1 [AND HAS COMPLETED AT LEAST 10 YEARS OF MEMBERSHIP SERVICE,] and who  
2 has attained the age of 65 years during a school year, shall be retired  
3 on July 1 following his 65th birthday unless the teacher is retained  
4 by request of his employer. Provisions of this subsection regarding  
5 compulsory retirement shall not apply to personnel of the University  
6 of Alaska.

7 (c) The burden is upon the applicant to prove eligibility for  
8 retirement benefits to the full satisfaction of the administration.

9 \* Sec. 3. AS 14.25.120(c)(1) is amended to read:

10 (1) If the teacher is [AT LEAST] either 60 years of age or  
11 older or has [55 YEARS OF AGE WITH] 30 years of creditable service on  
12 the date which the application for a retirement salary is filed and has  
13 paid into the retirement fund the full amount of his indebtedness, his  
14 annual retirement salary is two per cent of his highest average base  
15 salary during any three of the last 5 [10] years of membership service  
16 multiplied by the total number of years of creditable service, including  
17 credited fractional years.

18 \* Sec. 4. AS 14.25.120 is amended by adding a new subsection to read:

19 (f) In (c)(1) of this section "average base salary" means  
20 the highest average base salary during any three of the last ten  
21 years of membership service or the member's total period of member-  
22 ship service, whichever is less.

23 \* Sec. 5. AS 14.25.135 (a) is amended to read:

24 (a) A teacher is eligible for a deferred benefit if

25 (1) he terminates his employment on or after the date on  
26 which he attained age and credited service total at least 75 years

27 (2) he has completed at least 15 years of creditable service,  
28 [OF WHICH] at least 5 years of which [10 YEARS] have been in membership  
29 service, and

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(3) he does not withdraw his contributions to the retirement fund.

\* Sec. 6. AS 14.25.137(a)(1) is amended to read:

(1) he terminates his employment after completing 5 [10] years of membership service; and

\* Sec. 7. This Act takes effect on July 1, 1971.