

Introduced: 4/26/77
Referred: Labor & Management,
State Affairs and Finance

1 IN THE HOUSE

BY ELIASON

2 HOUSE BILL NO. 507

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to pensions and retirement credit for
7 occupational and nonoccupational disability under the
8 public employees' retirement system; and providing for
9 an effective date."

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

11 * Section 1. AS 39.35.400(c) and (d) are amended to read:

12 (c) If the disabled employee becomes ineligible to receive non-
13 occupational disability benefits, he is entitled to receive a normal or
14 early retirement pension if he would have been eligible for the pension
15 had his employment continued during the period of disability. The [HOW-
16 EVER, THE] period of disability constitutes [DOES NOT CONSTITUTE]
17 credited service, except that a period of disability beginning before
18 July 1, 1977 does not constitute credited service.

19 (d) The monthly amount of a nonoccupational disability pension is
20 40 per cent of the disabled employee's gross monthly compensation at the
21 time of termination due to disability, except that the [THE] monthly
22 amount of the nonoccupational disability pension shall be determined in
23 accordance with sec. 370(c) of this chapter, considering the employee's
24 credited service and compensation before termination of employment if
25 the termination occurred before July 1, 1977.

26 * Sec. 2. AS 39.35.400(f) is repealed and re-enacted to read:

27 (f) Upon reaching the normal retirement date, an employee who is
28 receiving the nonoccupational disability pension and who is eligible for
29 a retirement pension under this section or sec. 370 of this chapter

1 may, at his election, continue to receive nonoccupational retirement
2 benefits under (d) of this section or he may receive normal retirement
3 benefits calculated under sec. 370(c) of this chapter. A retired em-
4 ployee's nonoccupational disability pension shall terminate when the
5 employee first attains eligibility for normal retirement, and his normal
6 retirement benefit shall be calculated under sec. 370(c) of this chapter
7 if his period of nonoccupational disability began before July 1, 1977.

8 * Sec. 3. AS 39.35.410(h) is repealed and re-enacted to read:

9 (h) Upon reaching the normal retirement date, an employee who is
10 receiving an occupational disability pension and who is eligible for a
11 retirement pension under this section or sec. 370 of this chapter may,
12 at his election, continue to receive occupational retirement benefits
13 under (d) of this section or he may receive normal retirement benefits
14 calculated under sec. 370(c) of this chapter. A retired employee's
15 occupational disability pension shall terminate when the employee first
16 attains eligibility for normal retirement, and his normal retirement
17 benefit shall be calculated under the provisions of sec. 370(c) of this
18 chapter if his period of occupational disability began before July 1,
19 1977.

20 * Sec. 4. This Act takes effect July 1, 1977.
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