

Original sponsor: State Affairs Committee

Offered: 3/6/79
Referred: State Affairs

1 IN THE HOUSE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 174

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the participation of elected
7 officials and former elected officials in the public
8 employees' retirement system; and providing for an
9 effective date."

10

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

11

* Section 1. AS 39.35.120(b) is amended to read:

12

(b) Inclusion in the system is a condition of employment for an
13 employee except as otherwise provided for an elected official.

14

* Sec. 2. AS 39.35.125 is repealed and re-enacted to read:

15

Sec. 39.35.125. PARTICIPATION OF ELECTED OFFICIALS. (a) An
16 elected official is included in the system unless he files a written
17 waiver of coverage with the administrator. A waiver under this subsec-
18 tion waives coverage of future employment as an elected official,
19 regardless of any change of employer. An elected official may file a
20 waiver under this subsection at any time after his election to office,
21 including the period before he takes the oath of his office. An elected
22 official may revoke a waiver under this subsection by filing a written
23 revocation with the administrator. A revocation under this subsection
24 operates prospectively only, and the elected official may not receive
25 credited service for service as an elected official while the waiver was
26 in effect. There is no limit on the number of times an elected official
27 may file a waiver or revocation under this subsection.

28

(b) Service as an elected official before January 1, 1980 with an
29 employer may be included retroactively if the elected official or former

1 elected official makes retroactive contributions equal to what he would
2 have made if he had been included when he took the oath of his office as
3 an elected official. The rate used to calculate the retroactive contri-
4 butions may not be less than the rate in effect on January 1, 1961. An
5 elected official or former elected official must claim prior service and
6 make retroactive contributions before February 1, 1981. An elected
7 official or former elected official may not receive credited service
8 under this subsection for any period in which he was receiving a retire-
9 ment benefit from the system. An elected official or former elected
10 official receiving a retirement benefit from the system on January 1,
11 1980 is not eligible to claim credited service under this subsection
12 unless he is reemployed as an active member and claims the credited
13 service before February 1, 1981. Service as an elected official with an
14 employer constitutes employment as an active member so long as no waiver
15 of coverage under (a) of this section is in effect.

16 (c) An elected official included in the system and his employer
17 are liable for contributions whenever he is an elected official unless a
18 waiver of coverage under (a) of this section is in effect.

19 * Sec. 3. AS 39.35.680(14) is amended to read:

20 (14) "elected official" means a person [MEMBER] whose com-
21 pensation results from personal services rendered to an employer as an
22 elected representative [AND WHO ELECTS COVERAGE UNDER AS 39.35.125];

23 * Sec. 4. AS 39.35.360(c) is repealed.

24 * Sec. 5. AS 39.35.125(a), as re-enacted in sec. 1 of this Act, applies
25 to an elected official holding office on or after January 1, 1980, even
26 though he may have assumed office before that date.

27 * Sec. 6. This Act takes effect January 1, 1980.
28
29