

Original sponsors: Duncan, Cotten,  
Gardiner, et al

Offered: 3/14/79  
Referred: Rules

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 260 am

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 legislators in  
7 state retirement systems; and providing for an effec-  
8 tive date."

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

10 \* Section 1. AS 14.25.040 is amended by adding new subsections to read:

11 (b) A state legislator who was an active member of this system  
12 within the 12 months immediately preceding his election to office may  
13 elect to be an active member of this system for as long as he serves  
14 continuously as a state legislator if, within 90 days after taking the  
15 oath of his office,

16 (1) he directs his employer in writing to make the necessary  
17 deductions from his salary and to pay into the system the contributions  
18 required by and for a member under this chapter; and

19 (2) notice is given the administrator in writing.

20 (c) A state legislator is not entitled to elect membership under  
21 (b) of this section if he is covered for the same period of service  
22 under the public employees' retirement system (AS 39.35). An election  
23 of membership under (b) of this section is retroactive to the date the  
24 state legislator took the oath of his office. A state legislator may  
25 not receive membership credit under (b) of this section for legislative  
26 service performed before the legislative session during which he elected  
27 membership under (b) of this section.

28 \* Sec. 2. AS 14.25.220(2) is amended to read:

29 (2) "base salary" or "basic salary"

1           (A) means any remuneration accrued under a contract to a  
2 teacher for professional services rendered during any school year;  
3 for purposes of AS 14.25.050, base salary accrued includes any pay-  
4 ments made after June 30 of a school year for services rendered  
5 before the end of the school year;

6           (B) has the same meaning as "compensation" under AS 39.-  
7 35.680(8) when applied to a state legislator who elects membership  
8 under AS 14.25.040(b);

9 \* Sec. 3. AS 14.25.220(4) is amended to read:

10           (4) "employer" means a public school district, the Board of  
11 Regents of the University of Alaska, [OR] the Department of Education,  
12 or the state legislature with respect to a state legislator who elects  
13 membership under AS 14.25.040(b);

14 \* Sec. 4. AS 14.25.220(5) is amended to read:

15           (5) "membership service" means

16           (A) service as a teacher in a public school within the  
17 Territory or State of Alaska, or both, under the supervision and  
18 control of the Territorial Board of Education, [OR] the Department  
19 of Education, the school board of any city or borough school dis-  
20 trict, or the Board of Regents of the University of Alaska; [, OR]

21           (B) any period during which the teacher is on an  
22 approved sabbatical leave granted in accordance with AS 14.20.310  
23 or is receiving a disability retirement salary; or

24           (C) continuous service as a state legislator when per-  
25 formed by a state legislator who elects membership under AS 14.25.-  
26 040(b);

27 \* Sec. 5. AS 14.25.220(15) is amended to read:

28           (15) "teacher" or "member" means a certified teacher, certi-  
29 fied school nurse, principal, supervisor, or superintendent employed on

1 a full-time or a part-time basis in a position having duties which  
2 normally require a year of service in the public schools of the state,  
3 the commissioner of education, supervisors within the Department of  
4 Education, [AND] all full-time resident professional and administrative  
5 personnel of the University of Alaska, and a state legislator who elects  
6 membership under AS 14.25.040(b); in case of doubt, the administrator  
7 shall finally determine whether or not a person is a teacher as defined  
8 in this chapter;

9 \* Sec. 6. AS 39.35.125(a) is amended to read:

10 (a) An elected official, other than a state legislator who is an  
11 active member of the teachers' retirement system, may be included in the  
12 system if, within 60 days after taking the oath of his office or within  
13 60 days after May 12, 1966

14 (1) he directs his employer in writing to make the necessary  
15 deductions from his salary and to pay into the system the contributions  
16 required by and for an employee under this chapter and

17 (2) notice is given the commissioner of administration in  
18 writing.

19 \* Sec. 7. AS 39.35.125(c) is amended to read:

20 (c) An elected official, other than a state legislator who is an  
21 active member of the teachers' retirement system, may be included retro-  
22 actively in the system if he makes retroactive contributions equal to  
23 what he would have made if he had elected to be included when he became  
24 eligible under (a) of this section.

25 \* Sec. 8. A qualified member of the Eleventh State Legislature is eli-  
26 gible to elect membership under AS 14.25.040(b), enacted in sec. 1 of this  
27 Act if he complies with the requirements for electing membership within 30  
28 days after the effective date of this Act.

29 \* Sec. 9. This Act takes effect immediately in accordance with AS 01.10.-

1 070(c).

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