

Introduced: 2/7/80
Referred: Commerce and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 404

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to Alaska National Guard and Naval
7 Militia retirement and survivor benefits; and provid-
8 ing for an effective date."

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

10 * Section 1. AS 26.05.222 is amended to read:

11 Sec. 26.05.222. CREATION AND ADMINISTRATION OF ALASKA NATIONAL
12 GUARD AND ALASKA NAVAL MILITIA RETIREMENT PLAN. There is established
13 in the public employees retirement system of Alaska a separate Alaska
14 National Guard and Alaska Naval Militia retirement plan and account,
15 which shall be administered as a part of and in like manner as the
16 public employees retirement system.

17 * Sec. 2. AS 26.05.223 is amended to read:

18 Sec. 26.05.223. COMMENCEMENT OF PARTICIPATION IN PLAN. A [AN
19 ACTIVE] member of the Alaska National Guard or Alaska Naval Militia
20 shall be included in this plan upon commencement of [HIS ACTIVE]
21 membership in the Alaska National Guard, or on January 1, 1973, which-
22 ever is later, or upon commencement of membership in the Alaska Naval
23 Militia or on July 1, 1980, whichever is later. [INCLUSION IN THE
24 PLAN IS A CONDITION OF ACTIVE MEMBERSHIP IN THE ALASKA NATIONAL GUARD.]

25 * Sec. 3. AS 26.05.224 is amended to read:

26 Sec. 26.05.224. RETIREMENT BENEFITS. (a) A [AN ACTIVE] member
27 of the Alaska National Guard on or after January 1, 1973 or a member of
28 the Alaska Naval Militia on or after July 1, 1980, is eligible for a
29 retirement pension: [PAY]

1 (1) upon voluntary retirement from the Alaska National
2 Guard or Alaska Naval Militia after a total of 20 years or more of
3 satisfactory service in the Alaska National Guard, Alaska Naval
4 Militia, or the Armed Forces of the United States, and the reserves of
5 them, or any combination of service in these components so long as at
6 least five years of service is in the Alaska National Guard or Alaska
7 Naval Militia; [AND UPON REACHING 55 YEARS OF AGE,]

8 (2) or upon involuntary retirement because of federal stan-
9 dards imposed on the Alaska National Guard or Alaska Naval Militia
10 [MEMBERS], regardless of length of service.

11 (b) Retirement pay is \$100 [\$50] a month, payable [TO BE CON-
12 TINUED] for the same number of months that the member has participated
13 satisfactorily in [PERSON WAS A MEMBER OF] the Alaska National Guard
14 or Alaska Naval Militia.

15 (c) An eligible member [WHO RETIRES] may elect to receive his
16 or her retirement pay beginning on the first day of the month in which
17 he or she becomes eligible for [COINCIDING WITH OR AFTER] retirement,
18 or the member [HE] may elect to defer payment to a later date [RECEIVE
19 HIS RETIREMENT PAY AT A DEFERRED DATE BEGINNING ON THE FIRST DAY OF
20 THE MONTH COINCIDING WITH OR AFTER THE DATE HE ELECTS FOR THE RETIRE-
21 MENT PAY TO BEGIN]. Payment of a deferred benefit may not commence
22 until application for the benefit is filed with and approved by the
23 Department of Military Affairs. Deferred payments must be made on a
24 monthly basis at the rate of \$100.

25 * Sec. 4. AS 26.05.224 is amended by adding new subsections to read:

26 (d) If a member or former member of the Alaska National Guard or
27 Alaska Naval Militia who is eligible for retirement pay dies before
28 the accrued benefit has been paid, the total remaining will be paid in
29 a lump sum to the beneficiaries named by the member in a signed writing

1 filed before death with the Alaska National Guard or Naval Militia.
2 In the absence of the writing, the remaining benefit must be paid to
3 the estate of the member or former member.

4 (e) Former members currently drawing retirement pay are entitled
5 to receive retirement pay in the amount of \$100 per month beginning in
6 the month this provision takes effect; however, they have no entitle-
7 ment to any retroactive increase in retirement pay.

8 * Sec. 5. AS 26.05.227 is amended to read:

9 Sec. 26.05.227. DEFINITION. As used in AS 26.05.222 -- 26.05.-
10 226, "member" means an active commissioned or warrant officer or en-
11 listed man or woman in the Alaska National Guard or Alaska Naval Mili-
12 tia.

13 * Sec. 6. This Act takes effect July 1, 1980.
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