

Introduced: 3/25/81
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY HAUGEN AND ZHAROFF
BY REQUEST

2 HOUSE BILL NO. 401

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing participation by magistrates in
7 the judicial retirement system; and providing for an
8 effective date."

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

10 * Section 1. AS 22.25.010(g) is amended to read:

11 (g) The word "justice" means a supreme court justice, and the
12 word "judge," unless the context clearly indicates otherwise, means a
13 judge of the court of appeals, a superior court judge or district court
14 judge or a magistrate.

15 * Sec. 2. AS 39.35.680(21)(C)(vi) is amended to read:

16 (vi) justices of the supreme court or judges of the
17 court of appeals or of the superior or district courts or
18 magistrates of the district courts of Alaska;

19 * Sec. 3. Notwithstanding AS 39.35.240, a person serving as a magistrate
20 on July 1, 1981, may withdraw from the public employees' retirement system
21 (AS 39.35) and receive a refund of the balance of his employee contribution
22 account and his employee savings account.

23 * Sec. 4. A person who is serving as a magistrate on July 1, 1981, may
24 receive prior service credit under AS 22.25 for service rendered as a magis-
25 trate of the Alaska court system before the effective date of this Act if he
26 (1) withdraws from the public employees' retirement system (AS 39.35); (2)
27 receives a refund of all contributions made under AS 39.35; (3) elects to
28 receive service credit under AS 22.25 for prior service as a magistrate; and
29 (4) makes retroactive contributions for service as a magistrate after



1 January 3, 1959, including service before July 1, 1978. Retroactive contri-
2 butions under this section shall be at the rate of seven percent of the
3 salary the magistrate received during the period for which contributions are
4 made. To be effective, an election under (3) of this section must be made
5 on or before June 30, 1982.

6 * Sec. 5. Notwithstanding the amendment to AS 39.35.680(21)(C)(vi) made
7 in sec. 2 of this Act, a person serving as a magistrate on July 1, 1981, may
8 receive retirement benefits from the public employees' retirement system for
9 covered service before July 1, 1981, if a refund of public employees' retire-
10 ment system contributions is not made to the magistrate.

11 * Sec. 6. The amendments to AS 22.25.010(g) and AS 39.35.680(21)(C)(vi)
12 made in secs. 1 and 2 of this Act apply only to a magistrate who retires
13 from state service after June 30, 1981.

14 * Sec. 7. This Act takes effect July 1, 1981.

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