

1 IN THE HOUSE

BY ULMER AND KOPONEN

2

HOUSE BILL NO. 23

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to credit for part-time service in  
7 the public employees' retirement system and the  
8 teachers' 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 14.25.040 is amended by adding a new subsection to  
12 read:

13 (d) A person who is employed at least half-time in the system  
14 during the same period that the person is employed at least half-time  
15 in a position in the public employees' retirement system under  
16 AS 39.35 shall receive credited service under each system for half-  
17 time employment.

18 \* Sec. 2. AS 39.35 is amended by adding a new section to read:

19 Sec. 39.35.131. MEMBERSHIP IN TEACHERS' AND PUBLIC EMPLOYEES'  
20 RETIREMENT SYSTEMS. A person who is employed at least half-time in  
21 the system during the same period that the person is employed at least  
22 half-time in a position in the teachers' retirement system under  
23 AS 14.25 shall receive credited service under each system for half-  
24 time employment.

25 \* Sec. 3. AS 39.35.680(21) is amended to read:

26 (21) "member" or "employee"

27 (A) means a person eligible to participate in the  
28 system and who is covered by the system;

29 (B) includes

1 (i) active member;  
2 (ii) inactive member;  
3 (iii) vested member;  
4 (iv) deferred vested member;  
5 (v) non-vested member;  
6 (vi) disabled member;  
7 (vii) retired member;  
8 (C) does not include  
9 (i) former members;  
10 (ii) persons compensated on a contractual or fee  
11 basis;  
12 (iii) casual or emergency workers or nonpermanent  
13 employees as defined in AS 39.25.200;  
14 (iv) persons covered by the Alaska Teachers'  
15 Retirement System except as provided under AS 39.35.131;  
16 (v) employees of the division of marine transpor-  
17 tation engaged in operating the state ferry system who are  
18 covered by a union or group retirement system to which the  
19 state makes contributions;  
20 (vi) justices of the supreme court or judges of  
21 the court of appeals or of the superior or district courts  
22 of Alaska;  
23 (vii) the administrative director of courts ap-  
24 pointed under art. IV, sec. 16 of the state constitution  
25 unless the director becomes a member under AS 39.35.158; and  
26 (viii) members of the elected public officers'  
27 retirement system (former AS 39.37);  
28 (D) may include employees of the division of marine  
29 transportation excluded under (C)(v) of this paragraph provided

1           that

2                           (i) the State of Alaska formally agrees to their  
3 inclusion through the process of collective bargaining; and

4                           (ii) no collective bargaining agreement has the  
5 effect of obligating contributions made by the state under  
6 AS 39.30.150 in the event the state resumes participation in  
7 the federal social security system;

8       \* Sec. 4. A person who was employed after January 15, 1988, at least  
9 half-time in a position in the public employees' retirement system under  
10 AS 39.35 in the same period that the person was employed at least half-time  
11 in a position in the teachers' retirement system under AS 14.25 may elect  
12 to receive credited service in both systems under AS 14.25.040(d) and  
13 AS 39.35.131, as enacted by secs. 1 and 2 of this Act, for employment from  
14 January 16, 1988, to the effective date of this Act. To obtain credited  
15 service under this section, the person shall elect to do so and verify the  
16 period of half-time service before July 1, 1990. When eligibility for  
17 half-time service credit has been established, an indebtedness shall be  
18 determined to the retirement system in which the person did not partici-  
19 pate. The amount of the indebtedness is the full actuarial cost of provid-  
20 ing benefits for the credited service claimed. Interest as prescribed by  
21 regulation accrues on that indebtedness beginning July 1, 1990. Any out-  
22 standing indebtedness existing at the time the person retires will require  
23 an actuarial adjustment to the benefits payable based on that service.

24       \* Sec. 5. This Act takes effect immediately under AS 01.10.070(c).