

Introduced: 1/8/90
Referred: State Affairs and Finance

go00060s

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

1 IN THE SENATE

2

SENATE BILL NO. 370

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act expanding the Public Employees Retirement
7 Board and the Teachers' Retirement Board to include
8 two physician members to hear disability appeals;
9 dissolving the Public Employees' and Teachers'
10 Disability Review Board; and providing for an effective
11 date."

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

13 * Section 1. AS 14.25.035(a) is repealed and reenacted to read:

14 (a) There is established the Alaska Teachers' Retirement Board
15 as follows:

16 (1) The governor shall appoint five members for overlapping
17 three-year terms. One member must be a resident who is receiving
18 retirement benefits under this chapter. Statewide teacher organiza-
19 tions may submit to the governor a list of recommended nominees to
20 serve on the board.

21 (2) The governor shall appoint physicians authorized to
22 practice medicine in the state to serve as members of the board only
23 for the purpose of hearing appeals to determine medical eligibility
24 for disability benefits under AS 14.25.130. The governor shall ap-
25 point two physicians each from at least two of the state's four judi-
26 cial districts. The Public Employees Retirement Board and the
27 Teachers' Retirement Board may submit to the governor a list of
28 recommended physicians to serve on the board. The two physician
29 members from the judicial district in which a disability appeal

1 hearing is conducted shall serve on the board during the hearing. If
2 one or more of the physicians in the judicial district in which a
3 disability hearing is conducted is unable to serve at the hearing, or
4 if there is no physician member from that judicial district, other
5 physician members shall serve at the hearing, selected for such
6 hearings on a rotating basis, in accordance with regulations adopted
7 by the board. Physician members serve at the pleasure of the
8 governor.

9 * Sec. 2. AS 14.25.035(b) is repealed and reenacted to read:

10 (b) Members of the board appointed under (a)(1) of this section
11 do not receive compensation for their services on the board. Physi-
12 cian members of the board are entitled to hourly compensation for
13 their services at a rate to be determined by the commissioner of
14 administration. The rate of compensation shall be consistent with the
15 physicians' normal hourly earnings. All members of the board are
16 entitled to travel expenses and per diem when it is necessary to
17 travel.

18 * Sec. 3. AS 39.35.030 is repealed and reenacted to read:

19 Sec. 39.35.030. PUBLIC EMPLOYEES RETIREMENT BOARD. (a) There
20 is established a Public Employees Retirement Board as provided in this
21 section.

22 (b) Three members of the board are the members of the personnel
23 board of the Department of Administration (AS 39.25.060).

24 (c) Two members of the board must be members of the system
25 elected by a majority of the votes cast by members of the system.
26 Elections shall be conducted by the board. The term of office of an
27 elected member is six years. A vacancy in an unexpired elective term
28 shall be filled by election for a new six-year term.

29 (d) The governor shall appoint physicians authorized to practice

1 medicine in the state to serve as members of the board only for the
2 purpose of hearing appeals to determine medical eligibility for
3 disability benefits under AS 39.35.400 and 39.35.410. The governor
4 shall appoint two physicians each from at least two of the state's
5 four judicial districts. The Public Employees Retirement Board and
6 the Teachers' Retirement Board may submit to the governor a list of
7 recommended physicians to serve on the board. The two physician
8 members from the judicial district in which a disability appeal
9 hearing is conducted shall serve on the board during the hearing. If
10 one or more of the physicians in the judicial district in which a
11 disability hearing is conducted is unable to serve at the hearing, or
12 if there is no physician member from that judicial district, other
13 physician members shall serve at the hearing, selected for such
14 hearings on a rotating basis, in accordance with regulations adopted
15 by the board. Physician members serve at the pleasure of the
16 governor.

17 (e) Members of the board identified in (b) of this section or
18 elected under (c) of this section do not receive compensation for
19 their services on the board. Physician members of the board are
20 entitled to hourly compensation for their services at a rate to be
21 determined by the commissioner of administration. The rate of compen-
22 sation shall be consistent with the physicians' normal hourly
23 earnings. All members of the board are entitled to travel expenses
24 and per diem when it is necessary to travel.

25 * Sec. 4. AS 39.36.010, 39.36.020, and 39.36.500 are repealed.

26 * Sec. 5. TRANSITION. Notwithstanding secs. 1 and 3 of this Act,
27 physicians appointed to serve on the former Public Employees' and Teachers'
28 Disability Review Board (repealed by sec. 4 of this Act) are appointed to
29 serve as physician members of the Alaska Teachers' Retirement Board and the

1 Public Employees Retirement Board until physician members are appointed by
2 the governor under AS 14.25.035(a)(2), as reenacted by sec. 1 of this Act,
3 and under AS 39.35.030(d) as reenacted by sec. 3 of this Act. A physician
4 member of the former Public Employees' and Teachers' Disability Review
5 Board may be appointed by the governor to serve as a physician member of
6 the Alaska Teachers' Retirement Board and the Public Employees Retirement
7 Board.

8 * Sec. 6. This Act takes effect July 1, 1990.