

CHAPTER 29

AN ACT

[H. B. 85]

Pertaining to the payment of retirement and disability benefits to teachers under the Teachers' Retirement System; Amending Sections 37-5-24 and 37-5-25 ACLA 1949; and establishing an effective date.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. That Section 37-5-24 ACLA 1949 is hereby amended to read as follows:

Section 37-5-24. Retirement age benefits.

Eligibility: Payments: Service credits. Every certified teacher who has taught school twenty-five years, of which period at least fifteen years have been spent in the public schools of the Territory or the University of Alaska, shall be eligible to retire from active teaching service and upon reaching the age of fifty-five years shall be entitled to receive for life from the Teachers' Retirement Fund a retirement salary of Twelve Hundred Dollars (\$1,200.00) per year payable in four equal quarterly installments, October 1, January 1, April 1, and July 1. To be eligible to receive retirement salary under this Act a teacher must pay into the Retirement Fund an amount equal to twenty-five times ninety dollars (25 x \$90) and no teacher shall be required to pay a greater sum. All teachers actively engaged in the profession in Alaska, and those who may later come into the Retirement System, and all aged teachers not so engaged who have already rendered the required years of service and apply for retirement bene-

Retirement
age.

Retirement
salary.

Maximum
payment
by beneficiaries.

Prior
service
credits.

fits, shall be given credit hereunder for all previous teaching service in the Territory; provided that all such teachers may also claim and be given credit for teaching service not exceeding ten years rendered by them respectively in any other political subdivision of the United States; provided, further, that in every case the last five years of teaching prior to retirement which are claimed and credited must have been in Alaska. All teachers shall have the privilege at any time of paying into the Retirement Fund, for each year of previous service, not to exceed twenty-five, and equal amounts shall be paid by the Territory into said Fund, as provided in (37-5-30 herein); or, in the alternative, the quarterly benefits payable to teachers after retirement may be withheld and credited on arrearages until such time as the total teacher's contribution in each case shall equal the sum due hereunder.

Payments to
fund for
prior
service.

Exemption
from taxation.

Exemption from taxation and process. Teachers' retirement salaries shall be exempt from any Territorial or municipal tax and shall not be subject to execution, attachment, garnishment or any other process whatsoever.

Compulsory
retirement.

Retirement. To be eligible for these benefits a teacher must retire from teaching service, except as hereinafter provided. After becoming eligible for retirement from active service a teacher may be retired or retained in service at the discretion of the employer and the employee. Retirement is compulsory at the age of sixty, Provided, however, that there shall be no restrictions on the occupation of a teacher who has reached the compulsory retirement age of 60 years and who is otherwise eligible for retire-

ment benefits, except with respect to teaching in the Alaska Public School System. Provided, however, the compulsory retirement provisions of this section shall not apply to the administrative head, teachers, instructors, librarian, extension service and Experiment Station personnel of the University of Alaska, except for the purpose of determining whether or not they shall become participating members of the Retirement System as prescribed in Section 8 hereof; provided, however, that university connected teachers of advanced years who have been admitted into the System prior hereto may hereafter elect whether to remain or withdraw. In case of withdrawal, the withdrawing teacher shall be refunded all money heretofore withheld from him or otherwise paid by him into the Retirement System.

Exceptions.

Withdrawal
from
system.

Section 2. That Section 37-5-25 ACLA 1949 is hereby amended to read as follows:

Section 37-5-25. Disability Retirement. Every teacher employed in the public schools of the Territory and the University of Alaska who has been a contributing member of the retirement system for at least twenty-seven months who becomes permanently disabled for teaching while employed as a teacher shall be entitled immediately to the benefits of the Retirement System at the time of his disability in the same proportion as his years of service bear to twenty-five, provided further, he shall not receive more than twenty-five twenty-fifths of the maximum amount allowed under the provisions of this Act. Provided further, that the Teachers' Retirement Board shall have the right to compel such teacher to submit to a physical

Disability
Retirement.

Ratio of
benefits.

Examination.

or mental examination by one or more physicians or medical officers, and provided further the Board shall be the sole judge of what constitutes disability to teach under this Act.

Effective date.

Section 3. This Act shall become effective July 1, 1951.

Approved March 19, 1951.

CHAPTER 30**AN ACT**

[S. B. 3]

To appropriate the sum of \$566.41 for making terminal leave payment on the account of W. Leonard Smith, deceased, former Territorial Highway Engineer, to his widow, Barbara Smith; and declaring an emergency.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. WHEREAS, W. Leonard Smith, who took office as Territorial Highway Engineer on April 1, 1945, died in office on September 30, 1947, at which time he had accrued unused leave as follows:

(a) From April 1, 1945, to April 1, 1947, one month's leave accrued while his salary was \$466.66 per month;

(b) From April 1, 1947, to September 30, 1947, one-half month's leave accrued while his salary was \$550.00 per month, resulting in the sum of \$275.00 less \$175.25 being amount of St. Ann's Hospital bill against Territory for services rendered W. Leonard Smith; and

WHEREAS, said W. Leonard Smith left no estate in