

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

Section 1. Sec. 8, Ch. 100, SLA 1951, is amended to read:

Section 8. As used in this Act, "fisherman" shall be defined as any person who is licensed by the state to engage in commercial fishing and who at the

time injury is sustained or illness contracted is actually so engaged or occupied in Alaska in preparing or dismantling boats or gear used in such fishing.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 9, 1962

CHAPTER 78

AN ACT

Relating to the Teachers' Retirement System; amending Ch. 145, SLA 1955, as amended by Ch. 142, SLA 1957, Ch. 89, SLA 1960, and Ch. 128, SLA 1961; and providing for an effective date.

(S.B. 227)

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

Section 1. Subsec. (c), Sec. 2, Ch. 145, SLA 1955, as amended by Ch. 142, SLA 1957, and Ch. 89, SLA 1960, is amended to read:

(c) "Teacher" means any certified teacher, principal, supervisor, or superintendent employed on a full-time basis in the public schools of Alaska, the commissioner of education, supervisors within the Department of Education, and all full-time resident professional and administrative personnel of the University of Alaska as designated by the Board of Regents. In case of doubt, except as to personnel of the University of Alaska, the administrator shall finally determine whether or not any person is a teacher as defined in this Act.

Sec. 2. Subsec. (1), Sec. 2, Ch. 145, SLA 1955, as amended by Sec. 1, Ch. 142, SLA 1957, and Sec. 2, Ch. 89, SLA 1960, is amended to read:

(1) "Base salary" or "basic salary" means the annual salary authorized by law to be paid a teacher if employed in the same position in the Southeastern Senate District of the State of Alaska or the geographic area succeeding the Southeastern Senate District in law for the purpose of setting basic teachers' salaries for the State of Alaska. "Salary authorized" means that salary fixed by the State Board of Education and the

Department of Education pursuant to law; or, if an employee of the Department of Education, University of Alaska, or a Community College, that salary in fact paid such employee.

Sec. 3. Sec. 6, Ch. 145, SLA 1955, as amended by Sec. 4, Ch. 89, SLA 1960, is amended to read:

Sec. 6. **Contributions by Teachers.** Commencing July 1, 1955, each teacher shall contribute to the Retirement Fund an amount equal to five percent of his base salary. The contribution shall be deducted by the employer on the basis of days taught at a daily rate determined by dividing the annual contribution by 140.

Sec. 4. Sec. 16, Ch. 145, SLA 1955, as amended by Sec. 6, Ch. 142, SLA 1957, is repealed and re-enacted to read:

Sec. 16. **Interest on Individual Accounts: Payment on Withdrawal from System.** At the time a teacher begins his third year of membership service, his account shall be credited with an amount equal to the interest which his account would have earned at the interest rates prevailing during his first two years of membership service. Thereafter, such interest shall be credited to a teacher's account at the end of each school year at the rate prescribed by regulation for that year. Every teacher leaving membership service shall be entitled to a refund of his contributions to the Retirement Fund as follows:

(a) If a teacher has not been in membership service for more than two years, he shall receive his total accumulated contributions, less a deduction of \$12.50 per year or a proportionate amount for fractional years, less any amounts owing to the Retirement Fund because of previous withdrawals.

(b) If a teacher has been in membership service for any part of a third year or more, he shall receive his accumulated contributions plus interest credited to his individual contribution account, less any amounts owing to the Retirement Fund because of previous withdrawals.

(c) If a teacher who has received a refund of contributions shall be re-employed in membership service, he shall become indebted to the Retirement Fund in the amount of such refund, including interest paid him, if any, increased by the amount, if any, deducted for administrative expenses. Such indebtedness to the Retirement Fund shall bear compound interest at the rate of two percent per annum from July 1 following the date of re-employment to the date of repayment or the date of retirement of the teacher, whichever occurs first.

(d) A teacher who has received a refund under the Retirement Act of 1945 shall not be entitled to any further refunds of the nonrevertible portion of his contribution.

(e) A teacher who has forfeited his claim to any refund under the provisions of the Retirement Act of 1945 because of failure to file a timely application shall not be entitled to a refund of any portion of those contributions made under said Act.

(f) A teacher's nonrevertible contributions shall apply and be credited to the teacher's account should the teacher resume membership service and become eligible for a retirement salary.

(g) All claims for refund as provided by this section must be by written application and filed with the administrator within five years from the date of termination of membership service. For the purpose of this Act only, a leave of absence shall not toll said five-year period within which said written application for refund must be filed.

Sec. 5. Sec. 17, Ch. 145, SLA 1955, as amended by Sec. 7, Ch. 142, SLA 1957, as amended by Sec. 13, Ch. 89, SLA 1960, is amended to read:

Sec. 17. Payment upon Death of Teacher. Upon receipt of a valid claim and proper proof of the death of a member who is entitled to a refund of contributions, a payment, in the amount specified hereafter, shall be paid to his estate or to any person he has nominated by written designation executed and filed with the administrator. All claims and presentations of proof shall be made within five years of termination of service or, if in membership service at the time of death, within five years after date of death.

In the case of a teacher in membership service at the time of death who has not received any retirement salary, the amount of the payment shall be the sum of (a) his accumulated contributions as determined under Sec. 16 of this Act, and (b) \$1,000, plus \$100 multiplied by the number of completed school years of membership service, plus an additional sum of \$500 if the deceased teacher is survived by one or more children under the age of 18 years at the time of his death; provided however, that in no case shall the amount payable under provision (b) exceed \$3,000.

In the case of a teacher who has received retirement salary at the time of death, the payment shall be limited to the amount of his accumulated contributions, plus all interest credited to his account to the date of retirement, less all retirement salary paid the deceased teacher; provided however, that if a teacher dies within one year after the effective date of disability retirement as specified in Sec. 14 of this Act, the payment on death shall be the amount specified in the second paragraph of this section, less the amount of any retirement salary previously paid the deceased teacher.

Upon the death of a teacher who at the time of death is not in membership service and who is entitled to a return of his contributions, the accumulated contributions as specified in Sec. 16 of this Act shall be paid to his designated beneficiary or estate. Further, if a teacher dies within one year after leav-

ing membership service and is entitled to a return of his contributions and has not received such return on all service and has not filed a claim for disability retirement but would have been eligible for such retirement if claim had been filed, the designated beneficiary or estate shall in addition be entitled to the payment specified in provision (h) of the second paragraph of this section.

Sec. 6. Sec. 18, Ch. 145, SLA 1955, as added by Sec. 14, Ch. 89, SLA 1960, is

amended to add a new subsection (4) to read:

(4) To prescribe by regulation the rate of interest that shall be credited to the individual contribution accounts of teachers each year. Such rate of interest shall be adopted on the basis of the probable effective rate of interest on a long-term basis, and such rate may be changed from time to time by subsequent regulation.

Sec. 7. This Act takes effect July 1, 1962.

Approved April 10, 1962

CHAPTER 79

AN ACT

To prohibit and make it unlawful for any person, firm, or corporation to procure or attempt to procure any telecommunication service with the intent to defraud another of the lawful charge therefor, by means of any trick, deception, or false representation; providing a penalty; and providing for an effective date.

(S.B. 111)

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

Section 1. Any individual, corporation, or other person who, with intent to defraud or to aid and abet another to defraud any individual, corporation, or other person of the lawful charge, in whole or in part, for any telecommunication service, shall obtain or attempt to obtain, or aid and abet another to obtain or to attempt to obtain any telecommunication service

(1) by charging such service to an existing telephone number or credit card number without the authority of the subscriber thereto or the legitimate holder thereof;

(2) by charging such service to a nonexistent, false, fictitious, or counterfeit telephone number or credit card number or to a suspended, terminated, expired,

canceled, or revoked telephone number or credit card number;

(3) by use of a code, prearranged scheme, or other similar stratagem or device whereby said person, in effect, sends or receives information; or

(4) by any other trick, stratagem, impersonation, false pretense, false representation, false statement, contrivance, device or means

shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be imprisoned not exceeding one year, or fined not exceeding \$1,000, or both, in the discretion of the court.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 10, 1962

CHAPTER 80

AN ACT

Relating to registration of motor vehicle dealers; amending Sec. 5, Ch. 135, SLA 1959, as amended by Sec. 1, Ch. 159, SLA 1960; and providing for an effective date.

(S.B. 161)