



# LAWS OF ALASKA

1990

**Source**

SB 370

**Chapter No.**

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## AN ACT

Expanding the Public Employees' Retirement Board and the Teachers' Retirement Board to include two physician members to hear disability appeals; dissolving the Public Employees' and Teachers' Disability Review Board; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 13

Approved by the Governor: May 11, 1990  
Actual Effective Date: July 1, 1990

AN ACT

Expanding the Public Employees' Retirement Board and the Teachers' Retirement Board to include two physician members to hear disability appeals; dissolving the Public Employees' and Teachers' Disability Review Board; and providing for an effective date.

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 AS 14.25.035(a) is repealed and reenacted to read:

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

(1) the governor shall appoint five members for overlapping three-year terms; one member must be a resident who is receiving retirement benefits under this chapter; statewide teacher organizations may submit to the governor a list of recommended nominees to serve on the board;

(2) the governor shall appoint physicians authorized to practice medicine in the state to serve as members of the board only for the purpose of hearing appeals to determine medical eligibility for disability benefits under AS 14.25.130; the governor shall appoint two physicians each from at least two of the state's four judicial districts; the Public Employees' Retirement Board and the Teachers' Retirement Board may submit to the governor a list of recommended physicians to serve on the board; the two physician members from the judicial district in which a disability appeal hearing is conducted

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

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 AS 14.25.035(b) is repealed and reenacted to read:

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

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

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

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

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

28 (d) The governor shall appoint physicians authorized to practice  
29 medicine in the state to serve as members of the board only for the

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

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

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

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

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

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