

Introduced by: McCloud
Date: March 15, 1983
Vote: Unanimous
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 83-62

SEEKING AMENDMENT TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM PARTICIPATION AGREEMENT TO PROVIDE CREDIT UNDER PERS UNDER CERTAIN CONDITIONS FOR SERVICE PRIOR TO JANUARY 1, 1961, WITH THE STATE AND FORMER TERRITORY OF ALASKA, AND AS A FEDERAL EMPLOYEE IN ALASKA OTHER THAN IN THE ARMED SERVICES

WHEREAS, the Kenai Peninsula Borough became a participant in the Alaska Public Employees' Retirement System on July 1, 1978, and granted to those persons employed with the Borough on that date the option to have credit under PERS for prior service back to August 3, 1964; and

WHEREAS, persons not employed by the Borough on July 1, 1978, and reemployed by the Borough since that date who had been employed by the Borough during the period between August 3, 1964, and June 30, 1978, have been allowed to obtain credit for such former service by Resolution 83-121; and

WHEREAS, the State of Alaska has offered to allow municipalities to give employment credit under the Public Employees' Retirement System to employees employed (1) before January 1, 1961 as an employee of the State or former Territory of Alaska; (2) before January 1, 1961 as an employee of the U. S. Government in Alaska, excluding service in the Armed Forces of the U. S.; or (3) after January 1, 1961 as a peace officer or correctional officer of a participating political subdivision of the State if the employee is vested and is an active peace officer in the system as of July 1, 1980.

WHEREAS, former employees of Federal, State, and Territory may be more valuable to the Borough than new employees because of their experience and knowledge of the background of Federal, State, and Borough functions, services, and methods and their knowledge of the history of Borough actions; and

WHEREAS, the State and other municipalities have given such credit to their qualified employees, but this option has never been presented to the Assembly of the Kenai Peninsula Borough; and

WHEREAS, the extension of credit of former periods of service would be an incentive and inducement to encourage such prior employees to seek employment with the Borough, and would make it easier for the Borough Administration to secure the services of such competent Territorial, State, or Federal employees when needed;

NOW THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That the State of Alaska, through its proper officer, is hereby requested to amend the Public Employees' Retirement System Participation Agreement between the State of Alaska and the Kenai Peninsula Borough by adding:

The political subdivision agrees to recognize at the employee's request service rendered to the former Territory of Alaska, the State of Alaska, or the United States Government in Alaska to the same extent and in the same manner afforded State employees under AS 39.35.360(a)(1) and (2), and AS 39.35.360(b). To receive credit for such service, an employee of the Kenai Peninsula Borough must have completed three years of credited service with the Kenai Peninsula Borough after July 1, 1978, and be a current active employee. A member may not be credited with the same period of service if the service is presently credited under Public Employees' Retirement System (AS 39.35), or could be credited therefore, through service with the State of Alaska or some other participant of PERS prior to employment with the Kenai Peninsula Borough.

Section 2. That the Kenai Peninsula Borough Assembly hereby agrees, and hereby directs the Administration of the Kenai Peninsula Borough to make payment to the Commissioner of Administration of the State of Alaska of all contributions as may be determined necessary by the Commissioner of Administration to fully fund the credits granted hereunder for employees who are eligible under Section 1 above, and likewise to make payments to the said Commissioner for any credits granted above to any persons who may be employed by the Borough in the future who can establish such eligibility.

Section 3. That the Borough Mayor is hereby requested to forward a copy of this resolution, after it has been properly executed, to the Commissioner of Administration of the State of Alaska with the request that the Commissioner consent to amendment of the Public Employees' Retirement System Participation

Agreement between the State of Alaska and the Kenai Peninsula Borough, and the Borough Mayor is further requested to complete and execute any necessary papers and instruments required by said Commissioner in order to accomplish the purposes of this resolution.

Section 4. An employee who is entitled to credited service under the terms of Section 1 above is not required to make any contributions for such service.

Section 5. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 15 DAY OF March, 1983.


Donald L. McCloud, Assembly President

ATTEST:


Borough Clerk

