

SENATE CS FOR HOUSE BILL NO. 162(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 4/19/02

Referred: Finance

Sponsor(s): HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to absences from the state under the longevity bonus program."**

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

3 * **Section 1.** AS 47.45.030(a) is amended to read:

4 (a) After qualification, a recipient shall notify the commissioner of
5 administration when the recipient expects to be absent from the state if the absence is
6 for a continuous period that exceeds 60 [30] days. After that notification, the recipient
7 may no longer receive bonuses from the Department of Administration after the last
8 regularly approved monthly application. Upon returning to the state, the recipient may
9 again make application for a bonus. Failure [WHENEVER THE ABSENCE IS FOR
10 A CONTINUOUS PERIOD THAT EXCEEDS 90 DAYS THE RECIPIENT SHALL
11 BE DISQUALIFIED FROM RECEIVING BONUSES FOR THE NEXT 12
12 CALENDAR MONTHS AFTER RETURNING TO THE STATE. HOWEVER,
13 WHEN THE COMMISSIONER DETERMINES A PERIOD OF ABSENCE IS
14 BEYOND THE CONTROL OF THE RECIPIENT, THE RECIPIENT MAY NOT BE
15 DISQUALIFIED IF THE RECIPIENT STILL OTHERWISE QUALIFIES UPON

1 RETURNING TO THE STATE. CONTINUAL ABSENCES FROM THE STATE,
 2 EVEN THOUGH REPORTED, AND FAILURE] to notify the commissioner of an
 3 expected absence may be grounds for disqualification.

4 * **Sec. 2.** AS 47.45.030 is amended by adding a new subsection to read:

5 (c) A recipient who has been absent from the state for a continuous period that
 6 exceeds three years is permanently disqualified from receiving bonuses.

7 * **Sec. 3.** AS 47.45.070(a) is amended to read:

8 (a) An unqualified person is one who

9 (1) does not meet the age or residence requirements as provided for
 10 under this chapter;

11 (2) meets the age and residence requirements of this chapter but either
 12 is confined in a state or federal mental health institution or facility and is certified by
 13 the state as unable to manage personal affairs, or resides in a nursing home as that
 14 term is defined in AS 08.70.180; however, if that person, at the time of commitment or
 15 commencement of residence, provided the principal support of a spouse, the
 16 commissioner of administration may determine to pay the confined person's bonus to
 17 the person's spouse until the spouse is qualified for a bonus;

18 (3) is otherwise qualified but confined in a penal or correctional
 19 institution or facility; upon completion of sentence or upon the conferral of a pardon,
 20 parole, or probation, the person may make application; confinement outside the state
 21 shall be considered as residence in the state if a person was convicted and sentenced
 22 from a court in Alaska; revocation of parole or probation shall be cause for immediate
 23 disqualification until release from confinement is again effected;

24 (4) [VOLUNTARILY LEAVES THE STATE AND REMAINS
 25 ABSENT FROM THE STATE FOR A CONTINUOUS PERIOD OF MORE THAN
 26 90 DAYS OR] is permanently disqualified under **AS 47.45.030(c)** [AS 47.45.030(b)];

27 (5) did not apply, under AS 47.45.010(a), before January 1, 1997, for
 28 qualification to receive a longevity bonus;

29 (6) was found qualified to receive a longevity bonus **and** [,] was
 30 subsequently **permanently** disqualified **under former AS 47.45.030(b) or former**
 31 **AS 47.45.045** [FOR 12 CONSECUTIVE MONTHS OR MORE, AND DID NOT

1 REAPPLY BEFORE JANUARY 1, 1997].

2 * **Sec. 4.** AS 47.45.030(b), 47.45.035, and 47.45.045 are repealed.

3 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

5 APPLICABILITY. This Act applies only to absences from the state that begin after
6 the effective date of this Act. AS 47.45.030, 47.45.035, 47.45.045, and 47.45.070(a) apply as
7 those statutes read before the effective date of this Act to a period of absence that began
8 before the effective date of this Act.