

CS FOR SENATE BILL NO. 304(RLS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE

Offered: 4/24/96

Referred: Today's Calendar

Sponsor(s): SENATE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the permanent disqualification of certain individuals who**
2 **have been absent from the state for payments under the longevity bonus**
3 **program; and providing for an effective date."**

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

5 *** Section 1.** AS 47.45.030 is amended by adding a new subsection to read:

6 (b) The commissioner of administration shall include on each monthly bonus
7 application a place for a recipient to state, under penalty of perjury, whether the
8 recipient has been absent from the state for 180 days or more during the 12 calendar
9 months immediately before the date of the application. If the recipient has been absent
10 from the state for 180 days or more during the 12-month period, the commissioner
11 shall provide an opportunity for the recipient to identify days of the absence that the
12 recipient believes were beyond the control of the recipient as defined in regulations
13 adopted by the commissioner. If, after subtracting days of absence the commissioner
14 determines were beyond the control of the recipient, the remaining days of absence

1 equal at least 180 days during the 12-month period, the recipient is permanently
2 disqualified from receiving the bonus.

3 * **Sec. 2.** AS 47.45.070(a) is amended to read:

4 (a) An unqualified person is one who

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

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

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

20 (4) voluntarily leaves the state and remains absent from the state for
21 a continuous period of more than 90 days **or is permanently disqualified under**
22 **AS 47.45.030(b)**;

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

25 (6) was found qualified to receive a longevity bonus, was subsequently
26 disqualified for 12 consecutive months or more, and did not reapply before January 1,
27 1997.

28 * **Sec. 3.** ADOPTION OF REGULATIONS. The commissioner of administration may
29 adopt regulations necessary to implement secs. 1 and 2 of this Act, but regulations adopted
30 under this section may not be effective before the effective date of secs. 1 and 2 of this Act.

31 * **Sec. 4.** Section 3 of this Act takes effect immediately under AS 01.10.070(c).

1 * **Sec. 5.** Sections 1 and 2 of this Act take effect July 1, 1996.