

**HOUSE BILL NO. 162**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
 TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Introduced: 3/9/01

Referred: State Affairs, Finance

**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 five 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.