

Introduced: 2/14/79
Referred: Labor & Management
and Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 214

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to unemployment insurance; and
7 providing for an effective date."

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

9 * Section 1. AS 23.20.165(e) is amended to read:

10 (e) An employer shall maintain a record of the amount deducted
11 from the wages of each employee [OF HIS EMPLOYEES,] and shall furnish
12 a statement of the deductions to each employee at the times and in the
13 manner the department [COMMISSIONER] prescribes by regulation. No
14 deduction may be made from those wages paid to an employee during a
15 calendar year which are in excess of the wages subject to contributions
16 under AS 23.20.175 [SEC. 175 OF THIS CHAPTER]. If an [EMPLOYEE IN THE
17 EMPLOY OF TWO OR MORE EMPLOYERS EARNS WAGES IN ONE CALENDAR YEAR
18 TOTALING MORE THAN THE WAGES SUBJECT TO CONTRIBUTIONS, OR IF ONE]
19 employer through error makes a deduction and erroneously pays contribu-
20 tions or interest on employee [FROM HIS] wages in excess of the wages
21 subject to contributions during a calendar year, the amount of deduc-
22 tions erroneously paid may be requested by the employer as an adjust-
23 ment or refund as prescribed by AS 23.20.225(a). Employee deductions
24 in excess of the wages subject to contributions must be refunded to
25 the employee by the employer [IN EXCESS OF THOSE REQUIRED BY THIS
26 CHAPTER SHALL BE REFUNDED TO THE EMPLOYEE BY THE COMMISSIONER UPON
27 APPLICATION FOR THEM] in accordance with regulations adopted [PRE-
28 SCRIBED] by the department [HIM]. [APPLICATION MUST BE MADE DURING
29 THE CALENDAR YEAR AFTER THE CALENDAR YEAR IN WHICH THE DEDUCTIONS ARE

1 MADE.]

2 * Sec. 2. AS 23.20.175(a) is repealed and re-enacted to read:

3 (a) For the purposes of AS 23.20.165 and 23.20.170, after
4 December 31, 1973 and through December 31, 1979, wages do not include
5 that part of remuneration paid during any calendar year to an indivi-
6 dual by an employer or by his predecessor which is in excess of
7 \$10,000.

8 * Sec. 3. AS 23.20.175(c) is repealed and re-enacted to read:

9 (c) For the purposes of AS 23.20.165 and 23.20.170:

10 (1) after December 31, 1979 and through December 31, 1980,
11 wages do not include that part of remuneration paid during any calendar
12 year to an individual by an employer or by his predecessor which is in
13 excess of an amount obtained by multiplying the average annual wage,
14 as defined in AS 23.20.520(27), in Alaska for the preceding 12 month
15 period ending June 30th by 60 per cent and rounding the result to the
16 nearest multiple of \$1,000;

17 (2) after December 31, 1980 wages do not include that part
18 of remuneration paid during any calendar year to an individual by an
19 employer or by his predecessor which is in excess of an amount ob-
20 tained by multiplying the average annual wage, as defined in AS 23.20.-
21 520(27), in Alaska for the preceding 12 month period ending June 30th
22 by 75 per cent and rounding the result to the nearest multiple of
23 \$1,000.

24 * Sec. 4. AS 23.20.190(a) is amended to read:

25 (a) An employer required to pay contributions under the provi-
26 sions of AS 23.20.165 and [A PERSON] who fails to file a contribution
27 report and wage schedule on the date it is due is subject to a penalty,
28 to be assessed and collected in the same manner as contributions. If
29 the report is filed within 30 days of the date it is due, the penalty

1 is five per cent of the contributions due. For each additional 30-day
2 period or its fraction, the penalty is an additional five per cent of
3 the contributions due. However, the penalty may not exceed 25 per
4 cent of the contributions due in the aggregate and may not be less
5 than \$10 [\$2.50] for each reporting period.

6 * Sec. 5. AS 23.20.190 is amended by adding new subsections to read:

7 (d) An employer who has elected to make reimbursement payments
8 under the provisions of AS 23.20.277 and who fails to file a contribu-
9 tion report and wage schedule on the date it is due is subject to a
10 penalty, to be assessed and collected in the same manner provided for
11 contributions under this section. If the report is filed within 30
12 days of the date it is due, the penalty is one-tenth of one per cent
13 of the total wages paid for the quarter. For each additional 30-day
14 period or its fraction, the penalty is an additional one-tenth of one
15 per cent of the total wages paid for the quarter. However, the penalty
16 may not exceed one-half of one per cent of the total wages paid for
17 the quarter in the aggregate and may not be less than \$10 for each
18 reporting period.

19 (e) An employer who fails to file a contribution report and wage
20 schedule on the date it is due may be required, at the discretion of
21 the department, to file a monthly contribution report and wage schedule,
22 with payment, within 30 days of the close of each month. This decision
23 shall be reviewed annually pursuant to regulations adopted by the
24 department. The monthly contribution report and wage schedule is
25 subject to the same interest and penalty provisions as provided in
26 this section and AS 23.20.185.

27 * Sec. 6. AS 23.20.220(a) is amended to read:

28 (a) When a notice of assessment is delivered or mailed to a
29 delinquent employer, the employer may within 30 days file a petition

1 in writing with the department, stating that the assessment is unjust
2 or incorrect and requesting a hearing on it. The petition shall set
3 out the reasons the assessment is objected to and the amount of contri-
4 butions which the employer admits is due and must be accompanied by a
5 bond or deposit of other security in the amount of the assessment to
6 insure collection. The department may waive the security requirement
7 if the employer submits proof of solvency or reasonable assurance, as
8 prescribed by regulations, that the contributions, interest and penal-
9 ties due are not in jeopardy. If no petition is filed within the time
10 prescribed, or if the employer fails to provide the required security,
11 the assessment is prima facie correct. However, the department may
12 entertain a subsequent application for refund, and, if denied a refund,
13 a hearing on the application in accordance with AS 23.20.225 [SEC. 225
14 OF THIS CHAPTER].

15 * Sec. 7. AS 23.20.240 is amended by adding a new subsection to read:

16 (f) In this section, "employer" includes, but is not limited to,
17 an officer or employee of a corporation or a member or employee of a
18 partnership who, as an officer, employee, or member, is under a duty
19 to perform the act in respect to which the violation occurs.

20 * Sec. 8. AS 23.20.285(b) is amended to read:

21 (b) For the purpose of computing quarterly decline quotients,
22 the department may, by regulation, prescribe (1) the manner in which
23 wages paid in the form of annual bonuses or other lump-sum payments
24 for service performed over a period of more than three months are
25 apportioned among the calendar quarters of the calendar year in which
26 the service was performed; and (2) the method for making adjustments
27 in quarterly payrolls to eliminate the effect upon quarterly decline
28 quotients resulting from unemployment which would not be compensable
29 by reason of the labor dispute provision of AS 23.20.383 [SEC. 380(9)

1 OF THIS CHAPTER].

2 * Sec. 9. AS 23.20.350 is repealed and re-enacted to read:

3 Sec. 23.20.350. AMOUNT OF BENEFITS. (a) To be eligible for
4 benefits an individual must have been paid wages in his base period
5 totaling not less than \$1,100 of which \$200 must have been paid in
6 other than the calendar quarter of his base period in which he was
7 paid the highest amount of wages, and at least eight times the current
8 weekly benefit amount must have been paid for employment, whether or
9 not covered by this chapter, since the beginning of a preceding bene-
10 fit year.

11 (b) Subject to (a) of this section, an individual's weekly
12 benefit amount is the amount shown in the applicable column (B-D)
13 opposite the amount of his total base period wages as shown in column
14 A of the following table:

		Ratio of Total Base Period Wages to High Quarter Wages Times 100		
Total Base Period Wages	At Least - But Less Than -	100 200	200 300	300 401
Columns (A)		(B)	(C)	(D)
\$ 0 - 1,099.99		\$ 00	00	00
1,100 - 1,149.99		42	42	42
1,250 - 1,499.99		47	47	47
1,500 - 1,749.99		50	50	50
1,750 - 1,999.99		53	53	53
2,000 - 2,249.99		56	56	56
2,250 - 2,499.99		59	59	59
2,500 - 2,749.99		62	62	62
2,750 - 2,999.99		65	65	65
3,000 - 3,249.99		68	68	68

1	3,250 - 3,499.99	71	71	71
2	3,500 - 3,749.99	74	74	74
3	3,750 - 3,999.99	77	77	77
4	4,000 - 4,249.99	80	80	80
5	4,250 - 4,499.99	83	83	83
6	4,500 - 4,749.99	86	86	86
7	4,750 - 4,999.99	89	89	89
8	5,000 - 5,249.99	92	92	92
9	5,250 - 5,499.99	95	95	95
10	5,500 - 5,749.99	98	98	98
11	5,750 - 5,999.99	100	100	100
12	6,000 - 6,249.99	102	102	102
13	6,250 - 6,499.99	104	104	104
14	6,500 - 6,749.99	106	106	106
15	6,750 - 6,999.99	108	108	108
16	7,000 - 7,249.99	110	110	110
17	7,250 - 7,499.99	112	112	112
18	7,500 - 7,749.99	114	114	114
19	7,750 - 7,999.99	116	116	116
20	8,000 - 8,249.99	118	118	118
21	8,250 - 8,499.99	120	120	120
22	8,500 - 8,999.99	120	121	121
23	9,000 - 9,499.99	120	122	122
24	9,500 - 9,999.99	120	123	123
25	10,000 - 10,499.99	120	124	124
26	10,500 - 10,999.99	120	125	125
27	11,000 - 11,499.99	120	126	126
28	11,500 - 11,999.99	120	127	127
29	12,000 - 12,499.99	120	128	128

1	12,500 - 12,999.99	120	129	129
2	13,000 - 13,499.99	120	130	130
3	13,500 - 13,999.99	120	130	131
4	14,000 - 14,499.99	120	130	132
5	14,500 - 14,999.99	120	130	133
6	15,000 - 15,499.99	120	130	134
7	15,500 - 15,999.99	120	130	135
8	16,000 - 16,499.99	120	130	136
9	16,500 - 16,999.99	120	130	137
10	17,000 - 17,499.99	120	130	138
11	17,500 - 17,999.99	120	130	139
12	18,000 or more	120	130	140

13 (c) The maximum potential benefits of an individual in a benefit
14 year is 26 times his weekly benefit amount.

15 (d) Notwithstanding the provisions of (b) of this section, the
16 weekly benefit amount of an individual who has earnings in all four
17 quarters of his base period and whose high quarter wages are less than
18 four times his lowest quarter wages is the amount shown in column D
19 opposite the amount of his total base period wages as shown in column
20 A.

21 * Sec. 10. AS 23.20.360 is repealed and re-enacted to read:

22 Sec. 23.20.360. EARNINGS DEDUCTED FROM WEEKLY BENEFIT AMOUNT. An
23 eligible individual who is unemployed in a week as defined in AS 23.20.-
24 505 may earn wages for that week equal to the lesser of \$50 or his
25 weekly benefit amount without any reduction in his benefit for that
26 week. However, the weekly benefit amount will be reduced dollar for
27 dollar for any additional earnings. If the reduced benefit amount is
28 not a multiple of \$1, it will be computed to the next higher multiple
29 of \$1.

1 * Sec. 11. AS 23.20.370 is amended to read:

2 Sec. 23.20.370. BENEFITS OF DECEDENT OR INCOMPETENT. Benefits
3 due and payable to a deceased or judicially declared incompetent
4 person shall be paid, in accordance with regulations prescribed by the
5 department, to persons in the following order: spouse, child, [OR]
6 parent, sister or brother, aunt or uncle, payment to whom the depart-
7 ment finds will best carry out the purposes of this chapter. The
8 regulations need not conform to the statutes applicable to the descent
9 and distribution of decedents' estates. A receipt from the person to
10 whom the department makes payment fully discharges the fund and the
11 department from liability for the benefits.

12 * Sec. 12. AS 23.20.375(a) is amended to read:

13 Sec. 23.20.375. QUALIFICATION [ELIGIBILITY] FOR BENEFITS. (a)
14 An insured worker is qualified [ELIGIBLE] for and shall receive waiting-
15 week credit or benefits, as the case may be, for a week of his unemploy-
16 ment with respect to which he has not been determined to be disquali-
17 fied under AS 23.20.378 - 23.20.388 [SEC. 380 OF THIS CHAPTER], if
18 [THE WORKER HAS], in accordance with regulations adopted [PRESCRIBED]
19 by the department, the worker has, with respect to the week,

20 (1) filed a notice of his unemployment;

21 (2) registered for work; and

22 (3) certified for waiting-week credit or filed a claim for
23 benefits, as the case may be.

24 * Sec. 13. AS 23.20.375(c) is amended to read:

25 (c) Benefits based on service in employment defined in AS
26 23.20.525(a)(4) [SEC. 525(a)(4)] (5), (6) and (14) [OF THIS CHAPTER]
27 are payable in the same amount, on the same terms and subject to the
28 same conditions as compensation payable on the basis of other service
29 subject to this chapter; except that, effective January 1, 1979 [1978],

1 benefits based on service in an instructional, research or principal
2 administrative capacity for an educational institution and benefits
3 based on service in any other capacity for an educational institution
4 other than one of higher education may not be paid to an individual
5 for any week of unemployment which begins during the period between
6 two successive academic years, or during a similar period between two
7 regular terms, whether or not successive, or during a period of paid
8 sabbatical leave provided for in the individual's contract, if the
9 individual performs services in the first of those academic years or
10 terms and if there is a contract or reasonable assurance that the
11 individual will perform services in the same or a similar capacity for
12 any educational institution in the second of those academic years or
13 terms.

14 * Sec. 14. AS 23.20 is amended by adding new sections to read:

15 Sec. 23.20.378. ABLE AND AVAILABLE. (a) An insured worker is
16 disqualified for waiting-week credit or benefits for a week of his
17 unemployment if, with respect to that week, the department finds that
18 he was not able to work, or not available for suitable work, or not
19 seeking work. However, an insured worker is not disqualified for
20 waiting-week credit or benefits for a week of his unemployment because
21 of failure to comply with the provisions of this section if:

22 (1) he is unable to work because he is ill or disabled, or
23 if he resides in the state and is not available for work because of
24 his noncommercial fishing and hunting necessary for the survival of
25 himself or his dependents; and

26 (2) that condition occurs during an uninterrupted period of
27 unemployment which follows a week for which he filed a compensable
28 claim and no work which would have been suitable before the period of
29 fishing, hunting, illness, or disability was offered him for any part

1 of the week for which he is filing.

2 (b) A waiver of disqualification on the basis of illness or
3 disability under (a) of this section may not exceed six consecutive
4 weeks.

5 (c) An insured worker is not disqualified for waiting-week
6 credit or benefits for a week of unemployment if, with respect to that
7 week and at the discretion of the director or his designee, work
8 search is waived due to lack of work in the area.

9 (d) An insured worker is disqualified for waiting-week credit or
10 benefits for a week of unemployment while attending an established
11 school in a course of study providing academic instruction of nine or
12 more hours per week, or the equivalent. A disqualification under this
13 subsection commences with the first week of academic instruction and
14 ends with the week immediately before the first full week in which the
15 individual is no longer attending classes if the period of nonattend-
16 ance is anticipated to last at least 60 days. The term "school"
17 includes primary schools, secondary schools, and institutions of
18 higher education.

19 Sec. 23.20.379. VOLUNTARY QUIT, DISCHARGE FOR MISCONDUCT, AND
20 REFUSAL OF WORK. (a) An insured worker is disqualified for waiting-
21 week credit or benefits for the week in which he first files or re-
22 opens his claim for benefits and for the next five weeks of continuous
23 unemployment immediately following that week if he:

24 (1) left his last suitable work voluntarily without good
25 cause; or

26 (2) was discharged for misconduct connected with his work.

27 (b) An insured worker is disqualified for waiting-week credit or
28 benefits for a week and the next five weeks of continuous unemployment
29 immediately following that week if with respect to that week he has

1 failed without good cause:

2 (1) to apply for available suitable work to which he was
3 referred by the employment center; or

4 (2) to accept suitable work when offered to him.

5 (c) The maximum potential duration of benefits for unemployment
6 to which an insured worker would otherwise have been entitled is
7 reduced by the number of weeks the insured worker is disqualified for
8 waiting-week credit or benefits under (a) or (b) of this section.

9 (d) The disqualification and reduction of benefits provided in
10 this section continue until the individual terminates them by returning
11 to bona fide employment and earning at least six times his weekly
12 benefit amount.

13 * Sec. 15. AS 23.20.381 is amended by adding a new subsection to read:

14 (e) An insured worker is disqualified for waiting-week credit or
15 benefits for a week of employment if, with respect to that week, the
16 department finds that for the week or any part of it he has received
17 or is seeking unemployment benefits under another employment security
18 law in a manner other than in accordance with the reciprocal arrange-
19 ments between the department and other states or the federal govern-
20 ment. If an appropriate agency makes a final determination that the
21 worker is not entitled to benefits under the other law, this subsection
22 does not apply.

23 * Sec. 16. AS 23.20 is amended by adding new sections to read:

24 Sec. 23.20.383. LABOR DISPUTE DISQUALIFICATION. (a) An insured
25 worker is disqualified for waiting-week credit or benefits for a week
26 of his unemployment if, with respect to that week, the department
27 finds his unemployment is due to a labor dispute at the immediate
28 establishment or other premises at which he is or was last employed.
29 For the purposes of this section, each separate department of the same

1 premises which is commonly conducted as a separate business in separate
2 premises is considered a separate establishment or other premises.

3 (b) This section does not apply if the department finds that (1)
4 an insured worker was not participating in or directly interested in
5 the labor dispute which caused his unemployment, and (2) he did not
6 belong to a grade or class of workers which, immediately before the
7 commencement of the dispute, had any members employed at the premises
8 at which the dispute occurred who were participating in or directly
9 interested in the dispute.

10 Sec. 23.20.387. DISQUALIFICATION FOR MISREPRESENTATION. (a) An
11 individual is disqualified for benefits for a period not to exceed 52
12 weeks if the department finds that the individual has knowingly made a
13 false statement or misrepresentation as to a material fact or know-
14 ingly failed to report a material fact with intent to obtain or increase
15 any benefits under this chapter. The length of this period of dis-
16 qualification and the time when this period begins shall be determined
17 by the department according to the circumstances in each case. How-
18 ever, in no case may it be less than six weeks.

19 (b) No person may be disqualified from receiving benefits under
20 this provision unless there is documented evidence that he has made a
21 false statement or a misrepresentation as to a material fact or has
22 failed to disclose a material fact. There must be evidence of an
23 intention to defraud, and the act must be knowing and must involve
24 material facts before a determination of fraudulent misrepresentation
25 or nondisclosure may be made.

26 * Sec. 17. AS 23.20.390(b) is amended to read:

27 (b) The [AS SOON AS THE] department [HAS KNOWLEDGE OF PAYMENTS
28 OF BENEFITS TO AN INDIVIDUAL UNDER THE CIRCUMSTANCES MENTIONED IN THIS
29 SECTION, IT] shall promptly prepare and deliver or mail to the indivi-

1 dual at his last [KNOWN] address of record a notice of determination
2 of liability declaring that the individual has been determined liable
3 to refund the amount of benefits to which he is not entitled [PAID
4 UNDER THE CIRCUMSTANCES MENTIONED IN THIS SECTION]. The amount, if
5 not previously collected, shall be deducted from future benefits
6 payable to the individual. However, if the department determines that
7 an individual has died, or has acted in good faith in claiming and
8 receiving benefits to which he was not entitled, or [AND] that great
9 hardship would result from charging the individual with repayment of
10 the benefits, the department may absolve the individual from liability
11 to the fund for repayment of all or a portion of those benefits.

12 * Sec. 18. AS 23.20.407 is amended to read:

13 Sec. 23.20.407. WEEKLY EXTENDED BENEFIT AMOUNT; TOTAL PAYABLE.

14 (a) The weekly extended benefit amount payable to an individual for
15 a week of total unemployment in his eligibility period is an amount
16 equal to the weekly [BASIC OR AUGMENTED] benefit amount [AMOUNTS]
17 payable to him during his applicable benefit year.

18 (b) The total extended benefit amount payable to any eligible
19 individual with respect to his applicable benefit year is the least of
20 the following amounts:

21 (1) 50 per cent of the total amount of regular benefits [,
22 INCLUDING DEPENDENTS' ALLOWANCES,] which were payable to him under
23 this chapter in his applicable benefit year;

24 (2) 13 times his [AVERAGE] weekly benefit amount [, INCLUD-
25 ING DEPENDENTS' ALLOWANCES,] which was payable to him under this
26 chapter for a week of total unemployment in the applicable benefit
27 year; or

28 (3) 39 times his [AVERAGE] weekly benefit amount [, INCLUD-
29 ING DEPENDENTS' ALLOWANCES,] which was payable to him under this

1 chapter for a week of total unemployment in the applicable benefit
2 year, reduced by the total amount of regular benefits which were paid
3 or considered paid to him under this chapter with respect to the
4 benefit year.

5 * Sec. 19. AS 23.20.415(a) is amended to read:

6 (a) A party entitled to notice of determination provided in
7 AS 23.20.340 [SEC. 340 OF THIS CHAPTER] may file an appeal from the
8 determination to an appeal tribunal within the time specified in that
9 section. However, an appeal from a determination which involves
10 AS 23.20.383 [SEC. 380(9) OF THIS CHAPTER] shall be made to the depart-
11 ment. The parties to an appeal from a determination shall include all
12 those entitled to notice of the determination and a properly designated
13 representative of the department.

14 * Sec. 20. AS 23.20.435(a) is amended to read:

15 (a) An appeal to the department by a party is a matter of right
16 if the decision of the appeal tribunal reverses or modifies the
17 determination of the department, or if a question arising under
18 AS 23.20.383 [SEC. 380(9) OF THIS CHAPTER] is presented. In all other
19 cases further appeal to the department is permitted only at the dis-
20 cretion of the department.

21 * Sec. 21. AS 23.20.485 is amended to read:

22 Sec. 23.20.485. FALSE STATEMENT TO SECURE BENEFITS. A person
23 who makes a false statement or misrepresentation knowing it is false
24 or who knowingly fails to disclose a material fact, with intent to
25 obtain or increase a benefit or other payment under this chapter or
26 under an employment security law of another state, of the federal
27 government, or of a foreign government, either for himself or for
28 another person, upon conviction, is punishable by a fine of [OR] not
29 more than \$500 [\$200], or by imprisonment for not more than six months

1 [60 DAYS], or by both. Each false statement or misrepresentation or
2 failure to disclose a material fact is a separate offense.

3 * Sec. 22. AS 23.20.490 is amended to read:

4 Sec. 23.20.490. ACTS OF EMPLOYER PROHIBITED. (a) An employing
5 unit or an officer or agent of an employing unit may not (1) make a
6 false statement or representation knowing it is false, (2) knowingly
7 fail to disclose a material fact to prevent or reduce the payment of
8 benefits to an individual entitled to them, or to avoid or reduce a
9 contribution or other payment required from an employing unit under
10 this chapter, or (3) knowingly [WILFULLY] fail or refuse to make a
11 contribution or other payment, or to furnish a report required by this
12 chapter or by authority granted under this chapter, or to produce or
13 permit the inspection or copying of records as required by this chapter

14 (b) An employing unit or officer or agent of an employing unit,
15 upon conviction of violating (a) of this section, is punishable by a
16 fine of not more than \$1,000 [\$200], or by imprisonment for not more
17 than one year [60 DAYS], or by both.

18 * Sec. 23. AS 23.20.505 is amended to read:

19 Sec. 23.20.505. UNEMPLOYED INDIVIDUAL. An individual is con-
20 sidered "unemployed" in a week during which he performs no services
21 and for [WITH RESPECT TO] which no remuneration is payable to him, or
22 in a week of less than full-time work if the remuneration payable to
23 him for the week is less than his [BASIC] weekly benefit amount or \$50
24 [PLUS \$10 OR ONE AND ONE-HALF TIMES HIS BASIC WEEKLY BENEFIT AMOUNT,]
25 whichever amount is less [GREATER].

26 * Sec. 24. AS 23.20.520(26) is amended to read:

27 (26) "vocational training" means vocational or technical
28 training in schools or classes, including but not limited to, field or
29 laboratory work and remedial or related academic instruction, which is

1 conducted as a program designed to prepare individuals for gainful
2 employment in trades, skills or crafts; the term "vocational training"
3 does not include programs of instruction for an individual, including
4 transfer credit programs of instruction given at community colleges,
5 which are intended primarily to lead toward a degree from institutions
6 of higher education; [ACADEMIC EDUCATION WHOSE PURPOSE IS TO PREPARE
7 INDIVIDUALS FOR EMPLOYMENT IN OCCUPATIONS GENERALLY CLASSIFIED AS
8 PROFESSIONAL OR WHICH REQUIRE A BACCALAUREATE OR HIGHER DEGREE FROM
9 INSTITUTIONS OF HIGHER LEARNING.]

10 * Sec. 25. AS 23.20.520 is amended by adding a new paragraph to read:

11 (27) "average annual wage" means the amount determined by
12 dividing the total wages paid by covered employers during a 12-month
13 period by the average monthly employment reported by covered employers
14 for the same period.

15 * Sec. 26. AS 23.20.380 is repealed.

16 * Sec. 27. Section 13 of this Act takes effect immediately in accordance
17 with AS 01.10.070(c) and is retroactive to January 1, 1979.

18 * Sec. 28. Sections 8, 11, 12, 14 - 17, 19 - 22, 24 and 26 of this Act
19 take effect on July 1, 1979.

20 * Sec. 29. Sections 1 - 7, 10, 23, and 25 of this Act take effect on
21 January 1, 1980.

22 * Sec. 30. Sections 9 and 18 of this Act take effect on January 1, 1980
23 but apply only to those individuals who establish a benefit year on or
24 after that date.