

Introduced: 1/18/80
Referred: Labor & Management
and Finance

1 IN THE HOUSE

BY MOSS

2 HOUSE BILL NO. 564

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to unemployment benefits for persons
7 who are domiciled in the state; and providing for an
8 effective date."

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

10 * Section 1. AS 23 is amended by adding a new chapter to read:

11 CHAPTER 22. RESIDENT UNEMPLOYMENT BENEFITS.

12 Sec. 23.22.010. RESIDENT UNEMPLOYMENT BENEFITS. (a) An individ-
13 ual who is eligible for the receipt of regular or extended unemployment
14 benefits under AS 23.20 and who is domiciled in the state may apply to
15 the commissioner of labor to receive a weekly resident unemployment
16 benefit and an augmented weekly resident unemployment benefit in the
17 amount set out in AS 23.22.030(a).

18 (b) A qualified individual shall apply in person for each week of
19 unemployment to receive a resident unemployment benefit under this
20 chapter. Persons who reside in rural areas of the state which are not
21 conveniently served by an office of the Department of Labor may apply by
22 mail to receive a resident unemployment benefit granted by this chapter.
23 The commissioner of labor shall adopt regulations which establish appli-
24 cation forms and procedures for the determination of the qualifications
25 of applicants.

26 (c) The resident unemployment benefit provided by this chapter is
27 in addition to the unemployment benefits available under the Alaska
28 Employment Security Act (AS 23.20) and is not earnings which may be
29 deducted from the weekly unemployment benefit amount as required by

1 AS 23.20.360.

2 Sec. 23.22.020. DISQUALIFICATION. The commissioner of labor shall
3 adopt regulations establishing procedures for disqualification of an
4 individual under this chapter.

5 Sec. 23.22.030. BENEFIT AMOUNT. (a) An individual's weekly
6 resident unemployment benefit amount is an amount equal to the weekly
7 benefit amount payable to the individual under AS 23.20 including any
8 augmented benefits payable for dependents. In addition, each qualified
9 individual is entitled to an augmented weekly resident unemployment
10 benefit amount as shown in the table set out in this subsection opposite
11 the election district in which he maintains his domicile.

(A)	(B)
Election district of domicile	Weekly augmented resident benefit amount
1	\$0
2	\$5
3	\$5
4	\$0
5	\$10
6a (excluding Valdez)	\$20
6b (Valdez)	\$25
7	\$5
8	\$0
9	\$10
10	\$10
11	\$10
12	\$35
13	\$35
14	\$40

1	15a (excluding Nenana)	\$45
2	15b (Nenana)	\$40
3	16a (South of Arctic Circle)	\$20
4	16b (North of Arctic Circle)	\$45
5	17	\$45
6	18	\$45
7	19	\$40

8 (b) The amount of the augmented weekly resident unemployment
9 benefit is determined by the domicile of the claimant at the time he
10 first applies for benefits and remains unchanged throughout the benefit
11 year established by the claimant for the receipt of unemployment bene-
12 fits under AS 23.20.

13 (c) Resident unemployment benefits under this chapter are payable
14 only for a week of unemployment during which unemployment benefits under
15 AS 23.20 are also payable.

16 Sec. 23.22.040. RESIDENT UNEMPLOYMENT FUND. (a) There is estab-
17 lished the resident unemployment fund for the purpose of paying the
18 weekly resident unemployment benefits provided for in this chapter. The
19 resident unemployment fund consists of all money appropriated to the
20 fund by the legislature, and other appropriated money, and income and
21 interest derived from the investment of money in the fund.

22 (b) The commissioner of labor is the administrator of the resident
23 unemployment fund.

24 Sec. 23.22.050. POWERS AND DUTIES OF THE ADMINISTRATOR. The com-
25 missioner of labor shall

- 26 (1) adopt regulations under the Administrative Procedure Act
27 (AS 44.62) necessary to carry out the provisions of this chapter;
28 (2) make expenditures from the resident unemployment fund
29 necessary to administer this chapter;

1 (3) establish and maintain an adequate system of accounts for
2 the resident unemployment fund; and

3 (4) annually publish a report showing the financial condition
4 of the resident unemployment fund.

5 Sec. 23.22.060. CUSTODY OF FUNDS. The commissioner of revenue is
6 the treasurer of the resident unemployment fund and has powers and
7 duties for this purpose including but not limited to the following:

8 (1) to act as official custodian of the cash and securities
9 belonging to the resident unemployment fund; and

10 (2) to receive all cash belonging to the resident unemploy-
11 ment fund.

12 Sec. 23.22.070. EXEMPTION FROM TAXATION AND PROCESS. Resident
13 unemployment benefits under this chapter are exempt from all state and
14 municipal taxes except sales and use taxes and are not subject to exe-
15 cution, attachment, garnishment or other process.

16 Sec. 23.22.080. FALSE STATEMENTS. A person who knowingly makes a
17 false statement, or falsifies or permits to be falsified a record re-
18 quired by this chapter or the regulations adopted under authority
19 granted by this chapter, is guilty of a class A misdemeanor. In addi-
20 tion to any other punishment adjudged by a court, a person who is con-
21 victed of a violation of this section forfeits all rights under this
22 chapter and shall make restitution of all resident unemployment benefits
23 unlawfully received.

24 Sec. 23.22.090. DEFINITIONS. In this chapter,

25 (1) "election district" means an election district designated
26 in the governor's proclamation of reapportionment and redistricting of
27 December 7, 1961;

28 (2) "dependent" means an individual's unmarried child, in-
29 cluding a stepchild and a legally adopted child, under 18 years of age

1 who is principally supported by the individual, or an individual's
2 unmarried child, including a stepchild or a legally adopted child, who
3 because of infirmity is prevented from engaging in a gainful occupation
4 and who is principally dependent upon the individual for support, re-
5 gardless of age;

6 (3) "domiciled in the state" means that the individual who is
7 applying for resident unemployment benefits

8 (A) is physically present in the state;

9 (B) has worked in employment covered by AS 23.20 in the
10 state for at least 90 days during the base period established for
11 the receipt of unemployment benefits under AS 23.20; and

12 (C) has the intent to make the state his permanent place
13 of residence.

14 * Sec. 2. AS 23.22 enacted by sec. 1 of this Act is repealed on
15 December 31, 1986.

16 * Sec. 3. This Act takes effect January 1, 1981.
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