

Introduced: 1/13/81
Referred: Labor & Commerce

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 50

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

9 * Section 1. AS 23.20.362 is repealed and reenacted to read:

10 Sec. 23.20.362. DISQUALIFYING OR DEDUCTIBLE INCOME. (a) The
11 amount of benefits payable to an insured worker for a week of unemploy-
12 ment which begins in a period for which the insured worker receives a
13 pension, retirement or retired pay, annuity, or similar periodic pay-
14 ment which is based on the previous work of the insured worker, shall
15 be reduced by the amount of the payment which is attributable to that
16 week. The requirements of this subsection apply only if

17 (1) the pension, retirement or retired pay, annuity, or sim-
18 ilar periodic payment is provided under a plan maintained or contrib-
19 uted to by an employer of the insured worker during the base period of
20 the insured worker, and

21 (2) for a periodic payment other than a payment made under
22 the Social Security Act or the Railroad Retirement Act of 1974 or ear-
23 lier versions of those federal laws, the service performed for an em-
24 ployer by the insured worker after the beginning of the base period or
25 remuneration for those services affects eligibility for, or increases
26 the amount of the pension, retirement or retired pay, annuity or simi-
27 lar periodic payment.

28 (b) The reduction of benefits provided in (a) of this section
29 does not apply to that portion, if any, of a pension, retirement or re-

1 tired pay, annuity, or similar periodic payment which is attributable
2 to contributions of the insured worker.

3 (c) The amount of benefits payable to an insured worker for a
4 week of unemployment shall be reduced by the amount of any payment at-
5 tributable to that week which compensates the insured worker for a dis-
6 missal from employment without notice, or for accrued vacation, sick
7 leave, or holidays.

8 (d) An individual is not entitled to benefits for a week of unem-
9 ployment for which he has received or is seeking unemployment benefits
10 under another employment security law in a manner other than in accor-
11 dance with the reciprocal arrangements with other states or the federal
12 government. This subsection does not apply if the appropriate agency
13 finally determines that the individual is not entitled to benefits un-
14 der the other law.

15 (e) If, after a reduction of a benefit amount under (a) or (c) of
16 this section, the weekly benefit amount is not a multiple of \$1, the
17 benefit amount shall be increased to the next higher multiple of \$1.

18 * Sec. 2. AS 23.20.408 is amended by adding new subsections to read:

19 (i) Except as provided in (j) of this section, an individual is
20 not eligible for extended benefits for a week of unemployment if

21 (1) the individual files a claim for extended benefits which
22 are payable under this chapter for that week;

23 (2) the claim is an interstate claim filed in any state in
24 accordance with the interstate benefit payment arrangement under AS
25 23.20.085; and

26 (3) an extended benefit period is not in effect for the week
27 in the state in which the interstate claim is filed.

28 (j) Subsection (i) of this section does not apply to the first
29 two weeks for which extended benefits are payable to an individual (de-

1 terminated without regard to (1) of this section) under an interstate
2 claim filed in accordance with AS 23.20.085.

3 * Sec. 3. AS 23.20.390(b) is amended to read:

4 (b) The department shall promptly prepare and deliver or mail to
5 the individual at his last address of record a notice of determination
6 of liability declaring that the individual has been determined liable
7 to refund the amount of benefits to which he is not entitled. The
8 amount, if not previously collected, shall be deducted from future
9 benefits payable to the individual. However, if the department deter-
10 mines that an individual has died, or has acted in good faith in claim-
11 ing and receiving benefits to which he was not entitled, and [OR] that
12 great hardship would result from charging the individual with repayment
13 of the benefits, the department may absolve the individual from liabil-
14 ity to the fund for repayment of all or a portion of those benefits.

15 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
16 070(c).