

SENATE BILL NO. 34

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATORS POURCHOT, Collins

Introduced: 1/21/91

Referred: State Affairs and Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to absence from the state for purposes of qualifying for longevity
2 bonuses."

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

4 * Section 1. AS 47.45.030 is amended to read:

5 Sec. 47.45.030. ABSENCE FROM THE STATE. After qualification, a recipient shall
6 notify the commissioner of administration when the recipient expects to be absent from the state
7 if the absence is for a continuous period that exceeds 30 days. After that notification, the
8 recipient may no longer receive bonuses from the Department of Administration after the last
9 regularly approved monthly application. Except as provided in (b) of this section, upon
10 [UPON] returning to the state, the recipient may again make application for a bonus.
11 [WHENEVER THE ABSENCE IS FOR A CONTINUOUS PERIOD THAT EXCEEDS 90
12 DAYS THE RECIPIENT SHALL BE DISQUALIFIED FROM RECEIVING BONUSES FOR
13 THE NEXT 12 CALENDAR MONTHS AFTER RETURNING TO THE STATE. HOWEVER,
14 WHEN THE COMMISSIONER DETERMINES A PERIOD OF ABSENCE IS BEYOND THE

1 CONTROL OF THE RECIPIENT, THE RECIPIENT MAY NOT BE DISQUALIFIED IF THE
2 RECIPIENT STILL OTHERWISE QUALIFIES UPON RETURNING TO THE STATE.]
3 Continual absences from the state, even though reported, and failure to notify the commissioner
4 of an expected absence may be grounds for disqualification.

5 * Sec. 2. AS 47.45.030 is amended by adding a new subsection to read:

6 (b) A recipient who has not qualified to receive at least seven bonuses in the last 12
7 months due to application of (a) of this section or who is absent for a continuous period that
8 exceeds 165 days may not receive bonuses for 12 months and is disqualified from the program
9 but may reapply under AS 47.45.010 at the end of the 12-month period. However, when the
10 commissioner determines that a period of absence is beyond the control of the recipient, the
11 period of absence determined to be beyond the control of the recipient may not be considered
12 in determining whether the recipient is disqualified from the program and disqualified from
13 receiving bonuses for the 12-month period.

14 * Sec. 3. AS 47.45.070 is amended to read:

15 Sec. 47.45.070. UNQUALIFIED PERSONS. An unqualified person is one who

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

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

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

30 (4) is disqualified under AS 47.45.030 | VOLUNTARILY LEAVES THE STATE
31 AND REMAINS ABSENT FROM THE STATE FOR A CONTINUOUS PERIOD OF MORE

1 THAN 90 DAYS].

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