

ALASKA LEGISLATURE COMMITTEE FILES 2007-2008 SL&C 12621

government has raised millions of dollars for recycling programs.

Similar legislation was introduced in Scotland last month and is being discussed for the rest of the United Kingdom.

Consumers seem agreeable to giving up the bags, said Claire Wilton, senior waste campaigner at Greenpeace-UK.

"There certainly hasn't been an angry uprising of shoppers (in Ireland) saying we want our bags for free," Wilton said. "I think a lot of people recognize they are wasteful. That's why they try to save them to use again, although they often forget to bring them with them when they shop."

In Australia, about 90 percent of retailers have signed up with the government's voluntary program to reduce plastic bag use. A law that went into effect last year in Taiwan requires restaurants, supermarkets and convenience stores to charge customers for plastic bags and utensils. It has resulted in a 69 percent drop in use of plastic products, according to news reports.

One of the key concerns is litter. In China, plastic bags blowing around the streets are called "white pollution." In South Africa, the bags are so prominent in the countryside that they have won the derisive title of "national flower."

The plastics industry says the solution to bag litter is to change people, not the product.

"Every piece of litter has a human face behind it. If they are a harm to the environment in terms of visual blight, then people need to stop littering," said Rob Krebs, a spokesman for the American Plastics Council.

One of the most dramatic impacts is on marine life. About 100,000 whales, seals, turtles and other marine animals are killed by plastic bags each year worldwide, according to Planet Ark, an international environmental group.

Last September, more than 354,000 bags — most of them plastic — were collected during an international cleanup of coastal areas in the United States and 100 other countries, according to the Ocean Conservancy.

The bags were the fifth most common item of debris found on beaches.

CRACKING DOWN

Some countries are cracking down on the use of plastic bags. Here's a look at the issue:

- About 500 billion to 1 trillion plastic bags are used worldwide every year, according to Vincent Cobb, founder of reuseablebags.com.
- Countries that have banned or taken action to discourage the use of plastic bags include Australia, Bangladesh, Ireland, Italy, South Africa and Taiwan. Mumbai (formerly Bombay), India, also has banned the bags.
- Australians were using nearly 7 billion bags a year, and nearly 1.2 billion bags a year were being passed out free in Ireland before government restrictions, according to government estimates.

made into decking and building materials, he said.

The Seattle Times and Seattle Post-Intelligencer are major contributors to the area's volume of bags. The Seattle Times Co., which handles delivery of both newspapers under a business partnership, estimates it uses 300,000 plastic bags a week — covering roughly 10 percent of what's distributed, said Times spokeswoman Kerry Coughlin.

The bags are mainly for keeping newspapers dry. Sometimes they carry advertising, she said.

"They can be recycled, and we encourage it," Coughlin said.

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- Plastic industry trade associations were unable to provide estimates of plastic bag use in the United States. However, based on studies of plastic bag use in other nations, the environmental group Californians Against Waste estimates Americans use 84 billion plastic bags annually.

- The first plastic sandwich bags were introduced in 1957. Department stores started using plastic bags in the late 1970s and supermarket chains introduced the bags in the early 1980s.

- Overall, the U.S. plastics and related industries employed about 2.2 million U.S. workers and contributed nearly \$400 million to the economy in 2002, according to The Society of the Plastics Industry.

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Ikea to charge U.S. customers for plastic bags**REUTERS** 

By Jon Hurdle

Wed Feb 21, 1:59 PM ET

Sweden's IKEA will charge U.S. customers five cents for disposable plastic shopping bag, in what the international furniture giant said on Wednesday was a first step to ending their use altogether.

IKEA said the decision to stop giving away free bags to customers aimed to reduce the estimated 100 billion bags thrown away by all U.S. consumers each year.

IKEA is believed to be first retailer in the United States to undertake such a program, according to National Retail Federation spokesman Scott Krugman.

Concern about widespread pollution caused by the bags has led cities and countries from Ireland to Australia and Rwanda to ban their use. Bangladesh outlawed plastic bags after they blocked drains and contributed to flooding. Taiwan uses 80 percent fewer bags after stores began charging for them.

Environmentalists say the bags add unnecessary to landfills, clog drains and endanger wildlife.

IKEA currently provides some 70 million free bags to its U.S. customers; it expects to cut that by half in the first year and to eventually eliminate the use of the bags.

The company said it will also cut the price of reusable bags to 59 cents from 99 cents to encourage their use. The program will begin on March 15 at the company's 29 U.S. stores and the money from bag sales will go to American Forests, a conservation group.

Last June, IKEA began charging its U.K. customers for plastic bags, and has reduced its bag consumption by 95 percent, said spokeswoman Mona Astra Liss.

The average American family of four throws away about 1,500 single-use polyethylene bags, which do not degrade for around 1,000 years, IKEA said. Less than 1 percent are recycled.

"We believe Americans are starting to be more conscious of the environment," Liss said. "Our objective is to get people to really think about the impact of the bags which are strangling the planet."

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San Francisco thinks green: Plastic grocery bags banned

By John M. Glionna
Los Angeles Times

SAN FRANCISCO — This environmentally friendly city put a green spin Tuesday on the checkout question "Paper or plastic?" by becoming the first in the United States to outlaw non-recyclable plastic bags from use in supermarkets, drugstores and other large retailers.

By a 10-1 vote, the Board of Supervisors required the use of compostable or recyclable bags — a move officials predicted could soon be imitated by other cities.

Each year, businesses here dispense an estimated 180 million plastic bags that ultimately kill marine life and clog landfills, said Supervisor Ross Mirkarimi.

The Plastic Bag Reduction Ordinance, written by Mirkarimi and co-sponsored by six other supervisors, gives major supermarket chains with more than \$2 million in annual sales six months to make the switch to biodegradable bags. Pharmacies and retailers with at least five locations have one year. Violators face fines of up to \$500.

At a news conference before the bill's passage, Mirkarimi handed out canvas shopping bags that read "SF Environment: Our Home. Our City. Our Planet." The new law calls for bags that are reusable or made of recyclable paper or plastic that can be composted.

"We can take steps to make our economy a little more soulful in San Francisco," Mirkarimi said. "We can't sleepwalk into the future. The end of the era of cheap oil is here."

Advocates say biodegradable bags are stronger than conventional petroleum-based polyurethane plastic bags. In his office before the news conference, Mirkarimi produced a biodegradable bag holding 55 pounds of rocks.

The ordinance, endorsed by Mayor Gavin Newsom, was vigorously opposed by the California Grocers Association, which said that the ban would frustrate current recycling efforts and cost consumers, who would end up paying for the higher-priced bags.

"The proposed ordinance will have unintended consequences," said Kristin Power, the group's vice president of government relations. "Compostable plastic bags can't be recycled like regular plastic, so if consumers confuse the two, they'll render the entire batch unusable."

Currently only 1 percent of plastic bags are recycled, city officials said.

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A typical plastic bag cost less than a penny to produce. Paper bags cost about 5 cents apiece. The newer biodegradable bags, made from materials such as potato starch, each cost 4 to 8 cents, but advocates say the price will drop with increased demand.

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S.F. FIRST CITY TO BAN PLASTIC SHOPPING BAGS

Supermarkets and chain pharmacies will have to use recyclable or compostable sacks

Charlie Goodyear, Chronicle Staff Writer
Wednesday, March 28, 2007



Paper or plastic? Not anymore in San Francisco.

The city's Board of Supervisors approved groundbreaking legislation Tuesday to outlaw plastic checkout bags at large supermarkets in about six months and large chain pharmacies in about a year.

The ordinance, sponsored by Supervisor Ross Mirkarimi, is the first such law in any city in the United States and has been drawing global scrutiny this week.

"I am astounded and surprised by the worldwide attention," Mirkarimi said. "Hopefully, other cities and other states will follow suit."

Fifty years ago, plastic bags -- starting first with the sandwich bag -- were seen in the United States as a more sanitary and environmentally friendly alternative to the deforesting paper bag. Now an estimated 180 million plastic bags are distributed to shoppers each year in San Francisco. Made of filmy plastic, they are hard to recycle and easily blow into trees and waterways, where they are blamed for killing marine life. They also occupy much-needed landfill space.

Two years ago, San Francisco officials considered imposing a 17-cent tax on petroleum-based plastic bags before reaching a deal with the California Grocers Association. The agreement called for large supermarkets to reduce by 10 million the number of bags given to shoppers in 2006. The grocers association said it cut back by 7.6 million, but city officials called that figure unreliable and unverifiable because of poor data supplied by markets.

The dispute led to a renewed interest in outlawing the standard plastic bag, which Mirkarimi said Tuesday was a "relic of the past." Under the legislation, which passed 10-1 in the first of two votes, large markets and pharmacies will have the option of using compostable bags made of corn starch or bags made of recyclable paper. San Francisco will join a number of countries, such as Ireland, that already have outlawed plastic bags or have levied a tax on them. Final passage of the legislation is expected at the board's next scheduled meeting, and the mayor is expected to sign it.

The grocers association has warned that the new law will lead to higher prices for San Francisco

shoppers.

"We're disappointed that the Board of Supervisors is going down this path," said Kristin Power, the association's vice president for government relations. "It will frustrate recycling efforts and will increase both consumer and retailer costs. There's also a real concern about the availability and quality of compostable bags."

Power said most of the group's members operating in San Francisco are likely to switch to paper bags "simply because of the affordability and availability issues."

Mirkarimi's legislation is one in a string of environmentally sensitive measures -- such as outlawing Styrofoam food containers and encouraging clean-fuel construction vehicles at city job sites -- adopted by the city in recent months.

"It's really exciting," Jared Blumenfeld, director of the city's Department of the Environment, said after the vote on Tuesday. "We're thrilled. It's been a long time in the making."

Blumenfeld said it takes 430,000 gallons of oil to manufacture 100 million bags. Compostable bags can be recycled in the city's green garbage bins and will make it more convenient for residents to recycle food scraps, he said.

Recycling of paper bags also is far more active today than it was when the plastic bag was first introduced to U.S. consumers.

The lone dissenting voice in the board chamber on Tuesday was Supervisor Ed Jew, who noted that 95,000 small businesses in San Francisco will continue to use plastic bags. Jew, who in his third month in office has taken to critiquing his colleagues for being too quick to burden residents and businesses with new mandates, complained that Mirkarimi's legislation has taken too much of the board's time.

"We need to move on to address the larger issues in San Francisco," Jew said shortly before he voted against the ordinance.

Supervisor Michela Alioto-Pier, who introduced amendments this month that will subject pharmacy chains to the legislation, said many large businesses in San Francisco already participate in recycling programs.

"The target of this legislation is the bags themselves and improving the environment," she said.

Plastic bags by the numbers

180 million

Roughly the number of plastic shopping bags distributed in San Francisco each year.

2 to 3 cents

Amount each bag costs markets, compared with anywhere from 5 to 10 cents for a biodegradable bag.

4 trillion to 5 trillion

Number of nondegradable plastic bags used worldwide annually.

430,000 gallons

Amount of oil needed to produce 100 million nondegradable plastic bags.

Source: S.F. Department of the Environment; Worldwatch Institute

E-mail Charlie Goodyear at cgoodyear@sfchronicle.com.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2007/03/28/MNGDROT5QN1.DTL>

This article appeared on page A - 1 of the San Francisco Chronicle



SB 118 – ESTABLISHING A FEE FOR DISPOSABLE PLASTIC BAGS

BACKGROUND

ALPAR is a privately funded, non-profit organization dedicated to eliminating litter and increasing economically-viable recycling in Alaska. ALPAR programs and services are made possible by the generous support of our member companies and other dedicated businesses and organizations throughout Alaska.

ALPAR and our business supporters and members have been working to eliminate litter and increase recycling in Alaska since 1983. ALPAR's supporters have contributed funds and in-kind services valued at tens of millions of dollars over the years to recycling programs, litter control and clean up efforts across Alaska. These programs have been highly successful, well-received and implemented with little or no government support.

What's at Issue

ALPAR recognizes that plastic bag litter as well as litter of all kinds is a problem in communities and in marine environments. ALPAR supports initiatives to increase and improve the conservation, reuse and recycling of plastic bags. Major retailers have already adopted programs to lessen the impact of plastic bags and more can be done. ALPAR does not believe, however, that creating a new taxing mechanism on a single item is the best way to address the overall problem. This tax is unfair, regressive, has significant environmental downsides that must be considered and will have only a very small impact on the problem of litter in general or plastic released into marine environments. We are prepared to partner with the state on new initiatives to reduce the impact of litter caused by disposable plastic bags.

Why It's Important

- ALPAR and Alaskan businesses are concerned and proactive about litter prevention
- Changing behavior that causes litter must be addressed in a variety of ways
- A tax is punitive to all consumers, residents and businesses, not to just those who litter
- Enforcement of litter and dumping laws should be part of the solution
- Reduction in use of plastic bags saves retailers money and they can benefit from selling reusable bags
- Reduction of litter improves the economic climate and beautifies a community

Major Provisions

- Alternatives to plastic bags such as paper or compostables have significant downsides that must be considered. Example: Compostable bags when mixed with plastic recyclables is a contaminant.

Solutions

- ALPAR encourages retailers to follow the lead of large grocery stores to adopt "Best Practices" plastic bag management policies and initiatives. Programs underway include: In-store plastic bag recycling bins; store rebates for reusing bags or using canvas bags; reusable bags for sale at low price points; training store clerks to reduce the number of bags used and offered; internal plastic film recycling.
- ALPAR supports enhancing litter clean up, recycling and public awareness activities including: Volunteer and Community Service clean up efforts such as Spring clean ups, Adopt-a-Highway, Pathway, Park, Trail, Beach programs statewide; ALPAR Youth Litter Patrol Grants to Communities; Marine debris clean up efforts funded in part through existing federal legislation; new public awareness initiatives that 1) educate consumers on the importance of reducing plastic bag litter and 2) support better enforcement of litter laws.



**Alaskans for Litter
Prevention and Recycling
Keeping Alaska Beautiful**

February 14, 2008

TO: Alaska State Legislators

RE: ALPAR's initiative to increase plastic bag recycling, reuse and conservation.

Dear Legislator,

ALPAR joins other Alaskans who are concerned about litter problems that are caused by improper disposal of plastic bags. Our goal is to eliminate litter and increase recycling of all materials in Alaska including plastic bags. Plastic bags are highly recyclable with collection programs operating in many parts of Alaska since the mid 90's. The market for this material in the lower 48 and beyond is strong. Recycled plastic bags and film are being used to make a variety of products including plastic lumber and new bags. In Southcentral Alaska alone, over 400,000 lbs of plastic bags and film were recycled in 2007.

We feel that a realistic, cost effective and non-punitive way to reduce plastic bag litter and encourage recycling is to educate consumers and give them easy and convenient opportunities to make good choices for using and disposing of plastic bags in their local stores. To that end, we have introduced a new ALPAR initiative to encourage all Alaskan retailers to implement plastic bag recycling, reuse and conservation programs for their customers.

Enclosed you will find ALPAR's *In-Store Plastic Bag Recycling, Reuse and Conservation Toolkit - Best Practices for Alaska's Retailers*. This program was officially kicked off in January with a postcard mailing to over 8,500 retail stores and businesses statewide directing them to ALPAR's website (www.alparalaska.com) where the Toolkit can be downloaded.

We expect many more retailers to join stores like CARRS, Fred Meyer and WalMart who are already providing these services to Alaskans. These voluntary efforts will increase recycling of plastic bags and all recyclable plastics and reduce the number of bags that are provided at the checkout that may potentially become litter.

Please contact us at alpar@gci.net or (907) 644-7968 if you have any questions about this exciting new program for retailers that will help reduce plastics in the waste stream and encourage recycling.

Sincerely,

Mary Fisher
Executive Director

- ALASKA GOVERNOR**
Mary Fisher
- EXECUTIVE COMMITTEE**
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- Tom Cox
 - Mark Williams
 - Audrey Lee
 - Charles Myers

In-Store Plastic Bag Recycling, Reuse and Conservation Toolkit

Best Practices For Alaska's Retailers



Artwork compliments of EPIC.



INTRODUCTION:

Alaskans for Litter Prevention and Recycling (ALPAR) is partnering with businesses in Alaska to create positive change in our communities by helping to insure that plastic bags are recycled, reused and disposed of properly. Our members and Alaska's consumers and retailers recognize that more should and can be done to address environmental concerns regarding plastic bags. Our goal is to create solutions that reduce the number of plastic bags that end up in our landfills and as litter in our land and marine environments.

ALPAR along with Alaska's communities, civic organizations and volunteers have come a long way in the past 25 years making litter clean up and prevention a high priority. Volunteer community clean-ups, ALPAR Youth Litter Patrols and a host of other cleanup programs targeting beaches, creeks and rivers, parks, highways, roads, trails and pathways keep Alaska beautiful and litter free every year.

ALPAR has developed this Best Practices Toolkit for retailers interested in offering their customers new options for managing the use and disposal of plastic shopping bags. It brings together practices already in use in many retail outlets throughout North America.

BENEFITS OF PLASTIC BAGS AND PLASTIC BAG RECYCLING:

Plastic carryout bags are very lightweight, strong, waterproof and convenient. They offer environmental advantages over paper bags as well as many opportunities for reusing as shopping bags, lunch containers, waste can liners, carry-alls or for cleaning up after pets.

Since the early 90's, plastic bag and film recycling for residents in Anchorage, the MatSu Valley and Kenai has been available through community drop-offs centers. Since then, several of the large retailers have instituted collection programs for disposable shopping bags at their stores as well: Fred Meyer, Carrs/Safeway and WalMart all currently have take back programs in place. Other areas of Alaska are looking to institute new or enhanced programs to recycle plastic bags and reduce the number of those bags in our landfills or that might become litter through poor disposal habits.

Plastic bags are a highly recyclable resource. Many recovered bags are slated for the rapidly growing plastic lumber and building material markets to be used for such products as decking, fencing, railing, and outdoor furniture. Some are also recycled into new bags and other products.

WHY YOUR COMPANY SHOULD GET INVOLVED:

Offering your customers a way to recycle their plastic bags and giving them a choice to use them again or opt for reusable bags will:

- help to improve your store's public image; and
- translate into added customer service.

Plus, pallet distribution wrap can be recycled as part of this same stream, thereby eliminating disposal costs for this film.

Alaskans want to recycle! In 2004, over 60 percent of households in Anchorage recycled and the number is growing. Through your bag recycling and conservation programs, you will be offering a reasonable and effective alternative to government regulation that could see bags banned or taxed. The Alaska Legislature has considered bills in both the House and Senate proposing a 15 cent per bag tax on all disposable plastic shopping bags. By adopting recycling and conservation programs voluntarily, your business sends a strong message to the government on your commitment to product stewardship.

This Best Practices Guide will address two programs to manage plastic bag use:

- I. In-Store Collection for Recycling
- II. Encouraging Reuse and Conservation

I. Starting an In-Store Collection Program for Recycling

There are six key steps in launching an in-store plastic bag collection program:

1. Finding a market or recycler and arranging transport
2. Setting up Bins
3. Consolidation of Bags
4. Baling
5. Costs & Benefits
6. Consumer Education

1. Finding a market or recycler and arranging transport

One of the first things to be done before launching your program is to confirm an end market for your recovered plastic bags and an efficient method of transport. Retailers have the option of dealing directly with end markets or arranging recycling with their waste management firms or a recycling center who brokers the bags to the end markets. The decision is often based on material volumes. Only very high volume retailers would normally sell directly to end markets. Lower volume retailers would usually work with a waste hauler or recycling center who consolidates material from other retailers and community drop-offs to create full loads which are then sold into the market.

Hauling tips:

- Ask your recycler or hauler who picks up cardboard if they would be willing to pick up plastic film with the cardboard.
- Consider hauling to the recycling center yourself.
- Consider partnering with neighboring businesses who generate plastic film, so that you can entice a hauling company to service multiple accounts at a discount.
- Consider working with your store's home office to arrange for backhaul and recycling at the main distribution center. Ask your suppliers about the possibility of backhauling to their distribution center. Many distribution centers recover a variety of recyclable material.
- Call ALPAR at 907-644-7968 to discuss logistics and strategies for backhauling bags to recyclers.

In dealing with markets, waste haulers or recycling centers, it is important to ask questions such as:

- What are the materials that are accepted?
- What if the material doesn't meet these guidelines?
- How will the material be transported and who pays the cost of transportation?
- In what form will materials be accepted? (Bags, Bales, what sizes?)
- For baled material, what type of strapping is acceptable?
- Is there a minimum shipment?
- What kind of long-term agreement is available?
- Is there support for marketing, promotion, signage, bins, storage trailers, etc?
- What are the pricing/cost details?

Examples of End Markets:

Trex Co.

AERT

Agri-Plas (Brooks, OR)*

Nextlife, (Delray Beach, FL)*

Eno Plastics(Camarilo, CA)*

*Processes film for other manufacturers

**Recycled Plastic Markets Database – www.plasticresource.com

Recyclers/Brokers**:

Smurfit Stone Recycling (Anchorage/Renton, WA)

Weyerhaeuser (Kent, WA)

CWRR (Renton, WA)

Boise Cascade/Re-Sourcing Assoc. (Lakewood, WA)

NOTE: Determining the Type of Plastic: (from www.plasticbagrecycling.org)

Plastic bags are made out of "film", or thin flexible sheets of plastic. Plastic film is typically defined as any plastic less than 10 mm thick. The majority of plastic films are made from polyethylene resin and are readily recyclable if the material is clean, dry, and not pigmented black.

The resin coding system was originally intended for rigid plastic containers only. However, many manufacturers are now putting the code on plastic films too. Check out www.plasticsresource.com for more information about plastics recycling, resin codes, and other types of plastic. If no resin code is printed on the plastic film or bag, the film's application may indicate the resin type since different resins are chosen for their unique performance. A primary characteristic of acceptable bags and film is the ability of the material to stretch at least a little.

Mixing Plastic Film Types:

Many buyers, or end users, accept a mixture of LDPE, LLDPE, HDPE, and MDPE. It is VERY important that you check your buyer's specifications. A big challenge in recycling is accumulating enough material to efficiently transport it to market. Combining compatible material is one way to improve efficiency.

2. Setting Up Bins

Once you have found a recycler or end market for your materials, you need to determine the size, location and type of consumer collection bins. Bins should deter contamination: transparent bins or open frame racks capable of holding a transparent bag are the bins of choice for many retailers.

Avoid bins that resemble garbage cans. Bins should be placed in a visible area preferably near the front entrance. Regardless of the bin used, a clear plastic can liner should be utilized (for monitoring

material quality.) Avoid pigmented bags. Bagged films can be easily handled during transfer or baling activities. For maximum efficiency, choose liners that measure 38" by 65" approximately.

If you are working with a hauler who is picking up bagged film with other recyclables such as cardboard or baled plastic film, work with them to find how best to prepare the material for pick up.

Companies that sell recycling bins appropriate for bag recycling:

www.clearstreamrecycler.com

www.linkabag.com

www.windsorbarrel.com

www.diversi-plast.com

Process Displays: 763-512-5179

Trex and Rubbermaid offer bins that can be used for plastic bag recycling.

Signage is critical for your program's success. Signage should be clearly visible on the bins and direct the customer to the bin and instruct on what bags to place in the bin. All plastic bag collection bins need to be labeled "Recycle Your Plastic Shopping Bags Here" or "Recycle Plastic Shopping Bags Only" and lined with clear plastic bags to ease collection.

Instructions should be provided on or near the bins or racks, such as:

- Recycle plastic shopping bags only;
- Empty your plastic bags by turning them inside out;
- No paper receipts;
- Stuff your empty plastic bags into one bag; and
- Deposit in dedicated bag recycling bin
- Thank you for recycling.



PLEASE RECYCLE
Clean, Dry Plastic Bags Here



Recycle Bin Sign: This sign provides instructions on how to recycle plastic bags and film. The sign should be placed near the plastic bag recycling bin. The Progressive Bag Alliance has developed signage for your convenience. Please see additional signage at www.progressivebagalliance.com



Other bin and store signage is available in print-ready versions from:

www.plasticbagrecycling.org

Retail Bin Options

Retailers interested in implementing an at-store, take-back recycling program for plastic bags have a variety of options when it comes to deciding on the type of bin to use. Here is a quick glance at some of the different types of bins that are available currently.

Link-A-Bag Systems



This type of collection bin involves a rack-style support bin with a clear polyethylene plastic bag. The company claims that the clear bag reinforces the fact that the receptacle is for recyclables only, thus reducing contamination. Packs of bags are available as well. Custom graphics space is also available on side panels.

Further information is available at: Link-a-Bag Systems, 1211 South Salina Street, Syracuse, NY 13202. Tel: 1-800-321-8154. Web site: www.linkabag.com.

NextLife Recycling

NextLife Recycling offers a complete plastic bag collection and recycling program. The company sells its customers three different styles of collection bins. The first of these is a corrugated polypropylene bin and lid. This style of bin accommodates the large, inner plastic bag "liner" into which the smaller plastic bags are put. The bins are available in different sizes and configurations. The second style of collection bin offered by the company is a solid plastic bin "frame" with a separate bin inside. This model is designed for permanent, long-time use and can be affixed in place with bolts. If used outside, however, it needs to be kept in a covered area because it has an open top. The third collection bin style is a "heavy-duty" bin capable of withstanding extreme outdoor weather.



Further information is available at: NextLife Recycling Alliance, 1801 S. Federal Highway, Suite 305, Delray Beach, Florida 33483. Tel: 1-877-NXTLIFE or 1-877-698-5433. Web site: www.nextlife-recycling.com.

Diversi-Plast



The company offers a line of collection bins made of corrugated plastic. The material can be manufactured from recycled plastic and is available in a wide range of colours and designs. The corrugated plastic bins can also accommodate printing and can be produced with a non-skid coating on one side. The bins are said to be both durable and versatile, and extremely lightweight. The bins are made of corrugated plastic (plastic liners fused to plastic fluting). The material is said to be moisture proof and chemical resistant. The company can produce bins in a variety of styles and designs.

Further information can be found at: Diversi-Plast, 7425 Laurel Avenue, Golden Valley, MN 55426-1501. Tel: (763) 540-9700. Web site: www.diversi-plast.com.

3. Consolidation of Bags

Once you have designed a basic collection system, you now must consider how best to consolidate and transfer bags to a central location. A comprehensive plan to collect plastic film as part of your regular waste management activity can minimize labor and cost of recycling plastic bags and film.

Although little maintenance of the bins is required, a staff person should be assigned to monitor the bins and empty them when necessary. The staff person should look for contamination and remove if possible. A plastic bag could be pulled out to contain any contaminant, which would then be dropped in the nearest garbage bin. Emptying the bin simply involves pulling out the bag and tying it off. The "bag of bags" is carried back to the shipping and receiving part of the store. The retailer now has two options:

a. Central Distribution Facility

The preferred method of dealing with the large "bag of bags," particularly for larger retailers, is to ship them to a central distribution facility. Bags from individual stores can be collected and loaded onto an outgoing truck heading back to such a facility. Bags are then compacted and /or baled at the distribution center along with other film such as stretch film, shrink or bundling film before being shipped to the recycler or processor.

b. No Central Distribution Facility

Retailers that do not have access to a central distribution facility will need to collect their bags have them picked up by a waste management firm that handles recycled material. The other option is to self-haul to the recycling facility. The material will be consolidated by the recycler with material from other stores, baled and then shipped to the end user or processor. You can call ALPAR for more information on methods for moving the material to the recycling facility; (907) 644-7968 or email alpar@gci.net.

Note: Your bag manufacturer/supplier may also be able to provide sources to handle this material.

4. Baling

If plastic volume exceeds 1 ton per month, stores should consider using dedicated balers for plastic, cardboard balers or an existing trash compactor to consolidate "bags of bags" for efficient storage and lower cost transport. Baling is called for when selling to an end market but recyclers or waste haulers do not require baling to accept the material. Businesses with large volumes of shrink-wrap or pallet wrap may see significant cost savings to baling film and taking to a recycler. For example, Pepsi Cola of Anchorage saves over \$30,000 annually in waste costs by baling their pallet wrap and delivering to the recycling center.

5. Costs & Benefits:

If your location already has a recycling program, many of the costs of plastic bag recycling can be just an incremental cost of adding to an existing program. Start up costs may include:

- The purchase of new collection bins
- signage; and
- liner bags.

In calculating the annual cost of recovering plastic bags, both the incremental costs and the start up costs should be spread over a period of time. For example, the cost of containers can be spread over their useful life.

If you are baling plastic in industry size bales, you may be able to sell your plastic bags directly to the market and recoup some of your costs. More likely, though, individual stores will not be able to sell the recycled bags due to the need for additional processing. However, if plastic bag recovery is couple with plastic shrink-wrap or cardboard recovery, stores may recoup costs through lower waste hauling and landfill fees.

More and more consumers are focused on being more environmentally mindful and they want to shop at businesses that help them do that. Your business will gain additional customer goodwill by providing convenient recycling and reuse alternatives.

By joining other retailers who are voluntarily and proactively addressing the potential problems of disposable plastic bags you send a message to legislators that there are better solutions than imposing fees or bans.

6. Consumer Education

When appropriate, educate shoppers that you provide plastic bag recycling at your store. In-store posters, notation on bags, and information at the check-out counter and in your advertising will inform the public and show your commitment to product stewardship.

Download a variety of print-ready bag logos, signage, buttons, and posters at:

<http://www.progressivebagalliance.com/at-store-toolkit.html>

<http://www.plasticbagrecycling.org/02.0/s02.43.php>

Another important component in promoting the program is to ensure that the bins are located in a highly visible area in the store and are accompanied with a clear set of instructions. Retailers are encouraged to keep their customers informed about the progress of the program. This can be done through signage or flyers and can be as simple as stating that a certain quantity of bags have been recycled.

Another great way to promote the program is to have a product on display that actually uses recycled plastic shopping bags. A bench or waste receptacle made from recycled plastic lumber is a good idea and may even be available from your local hardware store. Showcasing this type of product will provide shoppers with a tangible product that they can see is made from recycled plastic shopping bags and will encourage them to keep recycling.

II. Encouraging Reuse and Conservation

1. Using Fewer Bags:

Training employees on the proper use of bags is an important component of your reuse and conservation effort. Grocers and other retailers should continue to improve their efforts to educate employees about using only the number of bags necessary to do the job as well as encouraging shoppers to reuse their disposable bags or reusable bags.

Educating employees not to double-bag groceries and to increase the number of items in each bag will result in fewer bags being used. Store purchases come in a wide range of shapes, sizes and weights. Some items should never be bagged and other products come with ready to carry packaging that reduces the need for a bag. Properly filled, bags can carry more items without breaking. Shoppers and baggers can work together to properly pack bags and reduce usage.

10 Proper Bagging Tips:

1. Do you need a bag?
2. Don't bag, large bulky items
3. Eliminate double bagging
4. Build a sturdy base
5. Secure "crushable" items
6. Pack like items together
7. Isolate certain items
8. Fill space with small items
9. Fill out the bag properly
10. Use the right size bag

2. Offering Shoppers Reusable Bags:

Many retailers and businesses of all kinds are now offering reusable shopping bags for sale or promotion. While some retailers are selling the higher priced cotton canvas bags, many are opting for adding a lightweight yet sturdy polypropylene bag that is cloth-like, water-repellent, tear-resistant and has a lower price point. Store logos can also be imprinted on the bags and is another promotional tool for your disposable bag conservation effort.

Here are just a few examples of reusable shopping bags:

Crestline: www.crestline.com

Bags on the Run: www.bagsontherun.com

Reuse this Bag: www.reusethebag.com

3. Offering rebates for reusing disposables and reusable bags

A great way to encourage consumers who opt to reuse their own bags is to provide a rebate on each personal bag used. Some retailers are now offering from 1 to 5 cents per bag for shoppers who bring in their own disposable or reusable bags. Regularly educating employees on providing this rebate will reduce time needed for this transaction. And, promoting this service to your customers will garner additional customer satisfaction and good will.

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**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 3/14/07

FURTHER: Finance

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 2/11/08

Labor and Commerce Committee considered SENATE BILL NO. 120

SB 120 UNEMPLOYMENT COMPENSATION BENEFITS

"An Act relating to the calculation and payment of unemployment compensation benefits; and providing for an effective date."

and recommends:

- be replaced with SCS or CS SB 120 (LC)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input type="checkbox"/>	Same Title
<input checked="" type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

NEW FISCAL NOTE(S):

PREVIOUS FISCAL NOTE(S):

Department	Fiscal			
JOLWD	1/14/08	✓		-

Department	Fiscal				FN#

APPROPRIATION - no fiscal note

Signature	Name	Initials			END
Bethie Davis	DAVIS	b			
<i>[Signature]</i>	STEVEN				X
CHAIR: <i>[Signature]</i>	Ellis	X			

25th
ALASKA STATE LEGISLATURE

Senator Johnny Ellis, Chair
Senator Gary Stevens, Vice Chair
Senator Bettye Davis
Senator Lyman Hoffman
Senator Con Bunde



State Capitol, Room 9
465-3704

Senate Labor & Commerce Committee

SB 120 Unemployment Compensation Benefits

SPONSOR STATEMENT

Alaska's current unemployment insurance benefits fall short in helping families cover living expenses during periods of unemployment. Alaska's maximum weekly unemployment insurance benefit of \$248 is the fourth lowest in the nation and has not been adjusted since 1996. Increasing the maximum weekly benefit is essential to alleviating skill shortages by ensuring Alaskan workers and their families survive periods of unemployment. Senate Bill 120 will increase the maximum weekly benefit available through unemployment insurance from \$248 to \$370.

The average weekly wage in Alaska is \$750. The current maximum weekly benefit of \$248 is only 33% of the average weekly wage, the second lowest percentage in the nation. Many western states provide a much higher average weekly wage replacement percentage with their maximum benefit amounts: Idaho and Colorado 55%, Utah 60%, Oregon and Washington 64%, Montana 66% and Hawaii 68%. Alaska's new maximum benefit proposed in SB 120 would achieve a 49% average weekly wage replacement.

To ensure our state does not continue to lag behind the rest of the nation, SB 59 calls for an annual review of wages and unemployment benefits in Alaska. Using Alaska's average weekly earnings as the basis for calculating future unemployment insurance benefits will not only provide greater flexibility, it will also make certain the benefits accurately reflect the state's economy. The maximum weekly benefit amount would be indexed to the average weekly wage in the state for the preceding fiscal year, and benefits would not exceed 50% of the average weekly wage.

Maintaining benefit amounts that keep pace with the rest of the nation, and particularly our state's economy, will help Alaskan families survive periods of unemployment. Retaining a well-trained Alaskan workforce is essential for a strong economy. Providing an overdue increase in the maximum weekly benefit amount is necessary to keep Alaska's worker in Alaska.

I urge your support of SB 120.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 485-3867 or 485-2450
FAX (907) 485-2029
Mail Stop 3101

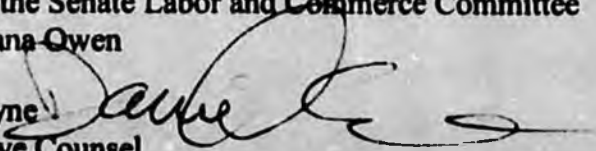
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 6, 2008

SUBJECT: State disclosure of unemployment compensation information, including certain personal "contact information," to the U.S. Department of Housing and Urban Development (CSSB 120(FIN)) (Work Order No. 25-LS0622\T)

TO: Senator Johnny Ellis
Chair of the Senate Labor and Commerce Committee
Attn: Dana Owen

FROM: Dan Wayne 
Legislative Counsel

You have asked for a citation to federal authority in support of the statement, in the sectional summary I prepared for this bill on February 26, 2008, that sec. 4 of the above-referenced bill amends the definition of "unemployment compensation information" to conform with federal requirements.

Language that would be added to AS 23.20.110(k)(1) by sec. 4 of the bill requires the state, upon request by the U.S. Department of Housing and Urban Development, to provide the current address and other contact information of certain individuals who are receiving, have received, or have applied for unemployment compensation. This seems necessary in order to comply with federal requirements. Title III of the Social Security Act, which concerns federal grants to states for unemployment compensation administration, says in part:

(a) Provisions required. The Board [Secretary of Labor] shall make no certification for payment to any State unless it finds that the law of such State, approved by the Board Secretary of Labor under the Federal Unemployment Tax Act, includes provision for

...

(7) Making available upon request to any agency of the United States charged with the administration of public works or assistance through public employment, the name, address, ordinary occupation and employment status of each recipient of unemployment compensation, and a statement of such recipient's rights to further compensation under such law;¹

If I may be of further assistance, please advise.

DCW:ljw
08-208.ljw

¹ 42 U.S.C. 503(a)(7).

CS FOR SENATE BILL NO. 120()

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

BY

Offered:
Referred:

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to disclosure of certain information from the records of the
2 Department of Labor and Workforce Development and limiting the use of the disclosed
3 information, and to the calculation and payment of unemployment compensation
4 benefits; and providing for an effective date."

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

6 * Section 1. AS 23.20.110(a) is amended to read:

7 (a) Except for disclosures required by 42 U.S.C. 503, as amended, and 20
8 C.F.R. 603, as amended, and disclosures authorized under [AS PROVIDED IN (h)
9 AND (i) OF] this section, the department shall hold information obtained from an
10 employing unit or individual in the course of administering this chapter and
11 determinations as to the benefit rights of an individual confidential and may not
12 disclose them or open them to public inspection in a manner that reveals the identity of
13 the individual or employing unit. A claimant or an employing unit [, OR THE LEGAL
14 REPRESENTATIVE OF THE CLAIMANT OR THE EMPLOYING UNIT,] is

1 entitled to information from the records of the department only to the extent necessary
2 to properly present or protest a claim or determination under this chapter. The
3 department may not provide information that is confidential under this section to
4 a person for use in any civil or administrative matter not directly involving the
5 presentation or protest of a claim or determination under this chapter; however,
6 subject [SUBJECT] to restrictions that the department prescribes by regulation, the
7 information must [MAY] be made available to the United States Department of
8 Homeland Security, Bureau of Citizenship and Immigration Services, for the
9 purpose of verifying a claimant's immigration status, to the United States
10 Railroad Retirement Board, to an agency of this state or another state or federal
11 agency charged with the administration of an unemployment compensation law or the
12 maintenance of a system of public employment offices, to the United States
13 Department of the Treasury, Internal Revenue Service [OR], for the purposes of
14 the Federal Unemployment Tax Act, or to the Department of Revenue [TO THE
15 INTERNAL REVENUE SERVICE OF THE UNITED STATES, OR,] for tax
16 purposes [, TO THE DEPARTMENT OF REVENUE]. Information obtained in the
17 course of administering this chapter or in connection with the administration of the
18 employment service may be made available to persons or agencies for purposes
19 appropriate to the operation of a public employment service or the administration of
20 employment and training programs planned or coordinated by the Alaska Workforce
21 Investment Board under AS 23.15.550 - 23.15.585.

22 * Sec. 2. AS 23.20.110(e) is amended to read:

23 (e) The department shall provide wage and unemployment compensation
24 information

25 (1) requested by a state or federal agency under an income and
26 eligibility verification system that meets the requirements of 42 U.S.C. 1320b-7
27 (Social Security Act); [OR]

28 (2) as required by federal law for child support purposes;

29 (3) to the United States Secretary of Health and Human Services
30 for the National Directory of New Hires as required by 42 U.S.C. 503 and 42
31 U.S.C. 653; or

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(4) to a state or a political subdivision of a state that administers a program funded under 42 U.S.C. 601 - 619 that provides temporary assistance for needy families.

* Sec. 3. AS 23.20.110(g) is amended to read:

(g) a recipient of records disclosed under [THE REQUIREMENTS OF] this section may not use the disclosed records for a purpose other than the purpose for which the disclosure was made. The requirements concerning the confidentiality of information obtained in the course of administering this chapter apply to officers and employees of a state, federal, [OR] municipal, or other agency to whom the department provides information as authorized by this section.

* Sec. 4. AS 23.20.110(k) is amended to read:

(k) If an individual who is applying for or participating in a housing assistance program administered by the United States Department of Housing and Urban Development gives authorization, the department shall disclose, to the United States Department of Housing and Urban Development or to representatives of the housing assistance program operating the program, wage information and unemployment compensation information. The authorization shall be made by the individual on a consent form approved by the department. The form must state the information authorized to be released and require the signature of the individual. In this subsection,

(1) "unemployment compensation information" means whether the individual is receiving, has received, or has applied for unemployment compensation, and the amount of unemployment compensation that the individual is receiving, has received, or is eligible to [WILL] receive, and the individual's current address and other contact information;

(2) "wage information" means the social security number, or numbers if there are more than one, and quarterly wages of an employee, and the name, address, state, and, if known, federal employer identification number of an employer reporting wages under this chapter.

* Sec. 5. AS 23.20.110(m) is amended to read:

(m) The department may not release information under this section to a state agency or to a person under contract with the state until the department and the agency

1 or person have entered into a written agreement that governs the release of
2 information. The written agreement must specify

3 (1) the purpose for the information;

4 (2) a description of the information to be provided;

5 (3) a description of the procedure for transmitting, securing, using, and
6 disposing of the information; [AND]

7 (4) the method of reimbursement, if any, for the cost of providing the
8 information; and

9 (5) that the department may perform on-site inspections to ensure
10 that the confidentiality requirements of this section are met.

11 * Sec. 6. AS 23.20.110(n) is amended to read:

12 (n) Notwithstanding (a) of this section, the [THE] department may produce
13 statistical and other public reports based on information obtained in the course of
14 administering this chapter, so long as the department complies with the
15 requirements of 20 C.F.R. 603, as amended, regarding the use or release of
16 confidential records [REPORTS DO NOT REVEAL WAGE AND PAYROLL
17 DATA FOR AN EMPLOYING UNIT OR THE NAME OR NUMBER
18 IDENTIFYING AN INDIVIDUAL. THE REPORTS MAY INCLUDE THE FIRM
19 NAME, ADDRESS, NORTH AMERICAN INDUSTRY CLASSIFICATION
20 SYSTEM CODE, CENSUS AREA CODE, NUMBER OF WORKERS EMPLOYED,
21 AND OCCUPATIONAL STAFFING PATTERNS FOR AN EMPLOYING UNIT].

22 * Sec. 7. AS 23.20.110 is amended by adding a new subsection to read:

23 (r) The confidentiality requirements of this section do not apply to disclosure
24 of decisions and records on appeal in any matter before the department as long as the
25 federal social security number of the claimant and the employer's federal employer
26 identification number and federal social security number are redacted or removed
27 before disclosure is made.

28 * Sec. 8. AS 23.20.115 is amended to read:

29 Sec. 23.20.115. Unauthorized disclosure of information. A member of the
30 department, an employee of the department, an agent of the department, or an officer
31 or employee of a state, federal, [OR] municipal, or other agency that has been

1 provided with information by the department who, in violation of AS 23.20.110,
 2 makes a disclosure of information obtained from an employing unit or from an
 3 individual in the administration of this chapter, or a person who has obtained a list of
 4 applicants for work or of claimants or recipients of benefits under this chapter and
 5 who uses or permits the use of the list for a purpose not authorized by AS 23.20.110 is
 6 guilty of a class B misdemeanor.

7 * Sec. 9. AS 23.20.290(c) is amended to read:

8 (c) Beginning January 1, 2009 [1997], the rate of contributions for each
 9 employer is 73 [80] percent of the average benefit cost rate multiplied by the
 10 employer's experience factor set out in column C of the table in this subsection
 11 opposite the employer's applicable rate class set out in column A plus the fund
 12 solvency adjustment required under (f) of this section. However, the rate of
 13 contributions for an employer may not be less than one percent or more than six and
 14 one-half percent. The rate of contributions for an employer in rate class 21 may not be
 15 less than 5.4 percent. The rate of contributions for an employer must be rounded to the
 16 nearest 1/100th of one percent.

COLUMN A Rate Class	COLUMN B Cumulative Ratable Payroll		COLUMN C Experience Factor
	at least (percent)	but less than (percent)	
1	5		.40
2	5	10	.45
3	10	15	.50
4	15	20	.55
5	20	25	.60
6	25	30	.65
7	30	35	.70
8	35	40	.80
9	40	45	.90
10	45	50	1.00

1	11	50	55	1.00
2	12	55	60	1.10
3	13	60	65	1.20
4	14	65	70	1.30
5	15	70	75	1.35
6	16	75	80	1.40
7	17	80	85	1.45
8	18	85	90	1.50
9	19	90	95	1.55
10	20	95	99.99	1.60
11	21	99.99		1.65,

* Sec. 10. AS 23.20.290(d) is amended to read:

(d) Beginning January 1, 2009 [1997], and for each succeeding year thereafter, the rate of contributions payable by each employee of an employer who is subject to AS 23.20.165 is 27 [20] percent of the average benefit cost rate as determined in (e) of this section rounded to the nearest 1/100th of one percent. However, the rate of contributions for an employee may not be less than one-half percent or more than one percent.

* Sec. 11. AS 23.20.350(a) is amended to read:

(a) An individual who is paid at least \$2,500 [\$1,000] in wages during the individual's base period for employment covered by this chapter is eligible to receive benefits under this chapter if those wages were paid in at least two of the calendar quarters of the individual's base period.

* Sec. 12. AS 23.20.350(d) is amended to read:

(d) An individual who is eligible under (a) of this section is entitled to receive the weekly benefit amount set out in column (B) of the table in this subsection that is opposite the amount set out in column (A) of the individual's base period wages determined under (c) of this section:

	(A)	(B)
	Base Period Wages	Weekly Benefit Amount

	At least	But less than	
1			
2	0	<u>2,500</u> [1,000]	\$ 0
3	[1,000	1,250	44
4	1,250	1,500	46
5	1,500	1,750	48
6	1,750	2,000	50
7	2,000	2,250	52
8	2,250	2,500	54]
9	2,500	2,750	56
10	2,750	3,000	58
11	3,000	3,250	60
12	3,250	3,500	62
13	3,500	3,750	64
14	3,750	4,000	66
15	4,000	4,250	68
16	4,250	4,500	70
17	4,500	4,750	72
18	4,750	5,000	74
19	5,000	5,250	76
20	5,250	5,500	78
21	5,500	5,750	80
22	5,750	6,000	82
23	6,000	6,250	84
24	6,250	6,500	86
25	6,500	6,750	88
26	6,750	7,000	90
27	7,000	7,250	92
28	7,250	7,500	94
29	7,500	7,750	96
30	7,750	8,000	98
31	8,000	8,250	100

1	8,250	8,500	102
2	8,500	8,750	104
3	8,750	9,000	106
4	9,000	9,250	108
5	9,250	9,500	110
6	9,500	9,750	112
7	9,750	10,000	114
8	10,000	10,250	116
9	10,250	10,500	118
10	10,500	10,750	120
11	10,750	11,000	122
12	11,000	11,250	124
13	11,250	11,500	126
14	11,500	11,750	128
15	11,750	12,000	130
16	12,000	12,250	132
17	12,250	12,500	134
18	12,500	12,750	136
19	12,750	13,000	138
20	13,000	13,250	140
21	13,250	13,500	142
22	13,500	13,750	144
23	13,750	14,000	146
24	14,000	14,250	148
25	14,250	14,500	150
26	14,500	14,750	152
27	14,750	15,000	154
28	15,000	15,250	156
29	15,250	15,500	158
30	15,500	15,750	160
31	15,750	16,000	162

1	16,000	16,250	164
2	16,250	16,500	166
3	16,500	16,750	168
4	16,750	17,000	170
5	17,000	17,250	172
6	17,250	17,500	174
7	17,500	17,750	176
8	17,750	18,000	178
9	18,000	18,250	180
10	18,250	18,500	182
11	18,500	18,750	184
12	18,750	19,000	186
13	19,000	19,250	188
14	19,250	19,500	190
15	19,500	19,750	192
16	19,750	20,000	194
17	20,000	20,250	196
18	20,250	20,500	198
19	20,500	20,750	200
20	20,750	21,000	202
21	21,000	21,250	204
22	21,250	21,500	206
23	21,500	21,750	208
24	21,750	22,000	210
25	22,000	22,250	212
26	22,250	22,500	214
27	22,500	22,750	216
28	22,750	23,000	218
29	23,000	23,250	220
30	23,250	23,500	222
31	23,500	23,750	224

1	23,750	24,000	226
2	24,000	24,250	228
3	24,250	24,500	230
4	24,500	24,750	232
5	24,750	25,000	234
6	25,000	25,250	236
7	25,250	25,500	238
8	25,500	25,750	240
9	25,750	26,000	242
10	26,000	26,250	244
11	26,250	26,500	246
12	26,500	26,750	248
13	26,750	<u>27,000</u>	<u>250</u>
14	<u>27,000</u>	<u>27,250</u>	<u>252</u>
15	<u>27,250</u>	<u>27,500</u>	<u>254</u>
16	<u>27,500</u>	<u>27,750</u>	<u>256</u>
17	<u>27,750</u>	<u>28,000</u>	<u>258</u>
18	<u>28,000</u>	<u>28,250</u>	<u>260</u>
19	<u>28,250</u>	<u>28,500</u>	<u>262</u>
20	<u>28,500</u>	<u>28,750</u>	<u>264</u>
21	<u>28,750</u>	<u>29,000</u>	<u>266</u>
22	<u>29,000</u>	<u>29,250</u>	<u>268</u>
23	<u>29,250</u>	<u>29,500</u>	<u>270</u>
24	<u>29,500</u>	<u>29,750</u>	<u>272</u>
25	<u>29,750</u>	<u>30,000</u>	<u>274</u>
26	<u>30,000</u>	<u>30,250</u>	<u>276</u>
27	<u>30,250</u>	<u>30,500</u>	<u>278</u>
28	<u>30,500</u>	<u>30,750</u>	<u>280</u>
29	<u>30,750</u>	<u>31,000</u>	<u>282</u>
30	<u>31,000</u>	<u>31,250</u>	<u>284</u>
31	<u>31,250</u>	<u>31,500</u>	<u>286</u>

1	<u>31,500</u>	<u>31,750</u>	<u>288</u>
2	<u>31,750</u>	<u>32,000</u>	<u>290</u>
3	<u>32,000</u>	<u>32,250</u>	<u>292</u>
4	<u>32,250</u>	<u>32,500</u>	<u>294</u>
5	<u>32,500</u>	<u>32,750</u>	<u>296</u>
6	<u>32,750</u>	<u>33,000</u>	<u>298</u>
7	<u>33,000</u>	<u>33,250</u>	<u>300</u>
8	<u>33,250</u>	<u>33,500</u>	<u>302</u>
9	<u>33,500</u>	<u>33,750</u>	<u>304</u>
10	<u>33,750</u>	<u>34,000</u>	<u>306</u>
11	<u>34,000</u>	<u>34,250</u>	<u>308</u>
12	<u>34,250</u>	<u>34,500</u>	<u>310</u>
13	<u>34,500</u>	<u>34,750</u>	<u>312</u>
14	<u>34,750</u>	<u>35,000</u>	<u>314</u>
15	<u>35,000</u>	<u>35,250</u>	<u>316</u>
16	<u>35,250</u>	<u>35,500</u>	<u>318</u>
17	<u>35,500</u>	<u>35,750</u>	<u>320</u>
18	<u>35,750</u>	<u>36,000</u>	<u>322</u>
19	<u>36,000</u>	<u>36,250</u>	<u>324</u>
20	<u>36,250</u>	<u>36,500</u>	<u>326</u>
21	<u>36,500</u>	<u>36,750</u>	<u>328</u>
22	<u>36,750</u>	<u>37,000</u>	<u>330</u>
23	<u>37,000</u>	<u>37,250</u>	<u>332</u>
24	<u>37,250</u>	<u>37,500</u>	<u>334</u>
25	<u>37,500</u>	<u>37,750</u>	<u>336</u>
26	<u>37,750</u>	<u>38,000</u>	<u>338</u>
27	<u>38,000</u>	<u>38,250</u>	<u>340</u>
28	<u>38,250</u>	<u>38,500</u>	<u>342</u>
29	<u>38,500</u>	<u>38,750</u>	<u>344</u>
30	<u>38,750</u>	<u>39,000</u>	<u>346</u>
31	<u>39,000</u>	<u>39,250</u>	<u>348</u>

1	<u>39,250</u>	<u>39,500</u>	<u>350</u>
2	<u>39,500</u>	<u>39,750</u>	<u>352</u>
3	<u>39,750</u>	<u>40,000</u>	<u>354</u>
4	<u>40,000</u>	<u>40,250</u>	<u>356</u>
5	<u>40,250</u>	<u>40,500</u>	<u>358</u>
6	<u>40,500</u>	<u>40,750</u>	<u>360</u>
7	<u>40,750</u>	<u>41,000</u>	<u>362</u>
8	<u>41,000</u>	<u>41,250</u>	<u>364</u>
9	<u>41,250</u>	<u>41,500</u>	<u>366</u>
10	<u>41,500</u>	<u>41,750</u>	<u>368</u>
11	<u>41,750</u>	<u>42,000</u>	<u>370</u>
12	<u>42,000</u>		<u>370</u> [248].

13 * Sec. 13. AS 23.20.350(e) is amended to read:

14 (e) An individual who is eligible under (d) or (h) of this section is entitled to
15 receive a weekly benefit under this chapter for the number of weeks set out in column
16 (B) of the table in this subsection opposite the applicable earnings ratio of the
17 individual set out in column (A):

18	(A)	(B)
19	Earnings Ratio	Number of Weeks
20	less than 1.50	16
21	1.50-1.99	18
22	2.00-2.49	20
23	2.50-2.99	22
24	3.00-3.49	24
25	3.50 or more	26 ₁

26 * Sec. 14. AS 23.20.350 is amended by adding new subsections to read:

27 (h) Notwithstanding (d) of this section, for a benefit year beginning on or after
28 January 1, 2009, an individual who is eligible under (a) of this section is entitled to
29 receive the weekly benefit amount calculated in accordance with this subsection and
30 set under (i) of this section if the individual's base period wages determined under (c)
31 of this section are at least \$42,250. The department shall adopt regulations to establish

1 a methodology to calculate new amounts that increase the highest weekly benefit
2 amount shown in (d) of this section by \$2 increments and the highest base period
3 wages amount shown in (d) of this section by \$250 increments if the average weekly
4 wage in this state, as calculated under (k) of this section, has increased by an
5 increment amount established by the department in the regulations. The methodology
6 established under this subsection may not result in new weekly benefit amounts that
7 exceed 50 percent replacement of the average weekly wages in this state as determined
8 under (k) of this section. By December 1 of each year, the department shall apply the
9 methodology established under this subsection to calculate any new weekly benefit
10 and base period wages amounts.

11 (i) By December 1 of each year, the department shall give notice of any
12 proposed new weekly benefit amounts calculated under (h) of this section by posting
13 notice on the Alaska Online Public Notice System (AS 44.62.175), furnishing notice
14 to interested persons who have requested notification, and providing a press release to
15 the media. In the notice, the department shall provide the public with an opportunity to
16 comment on the accuracy of the department's calculations. Fifteen days after posting
17 the notice on the Alaska Online Public Notice System, the department shall set the
18 new weekly benefit amounts. A new weekly benefit amount set under this subsection
19 applies January 1 of the following calendar year, but does not apply to an individual
20 whose current benefit year began before that date. The department may set new
21 weekly benefit amounts under this subsection only once each calendar year, beginning
22 in December 2008. The process under this subsection is exempt from AS 44.62
23 (Administrative Procedure Act), but the weekly benefit amounts set under this
24 subsection shall be submitted to the lieutenant governor for publication in the Alaska
25 Administrative Code for informational purposes.

26 (j) The commissioner shall report to the governor and the legislature if the
27 average weekly wage in this state decreases to the extent that an adjustment in weekly
28 benefit amounts set in (d) of this section or under (h) and (i) of this section is
29 appropriate for the proper administration of trust funds under this chapter.

30 (k) By December 1 of each year, the department shall determine the average
31 weekly wage in this state by dividing the average annual wage in this state for the

1 preceding 12-month period ending June 30 by 52. The resulting figure is the average
2 weekly wage in this state for purposes of the department's calculations under (h) and
3 (j) of this section. For purposes of this subsection, the department's calculation of the
4 average annual wage in this state must include the wages of all employees in the state,
5 both public and private, who are covered by this chapter.

6 * Sec. 15. AS 23.20.526(d)(8) is amended to read:

7 (8) in the employ of the state or a political subdivision of the state if the
8 service is performed by an individual in the exercise of duties

9 (A) as a judicial officer, the governor, the lieutenant governor,
10 a person hired or appointed as the head or deputy head of a department in the
11 executive branch, a person hired or appointed as the director of a division of a
12 department in the executive branch, an assistant to the governor, a chair or
13 member of a state commission or board, state investment officers and the state
14 comptroller in the Department of Revenue, an appointed or elected municipal
15 officer, any other elected official, the fiscal analyst of the legislative finance
16 division, the legislative auditor of the legislative audit division, the executive
17 director of the Legislative Affairs Agency, and the directors of the divisions
18 within the Legislative Affairs Agency;

19 (B) as a member of the Alaska Army National Guard or Alaska
20 Air National Guard or Alaska Naval Militia;

21 (C) as an employee serving on only a temporary basis in case
22 of fire, storm, snow, earthquake, flood, or similar emergency; or

23 (D) as an election official or election worker if the amount of
24 remuneration received by the individual during the calendar year for services
25 as an election official or election worker is less than \$2,500 [~~\$1,000~~];

26 * Sec. 16. AS 23.20.110(h), 23.20.110(i), and 23.20.110(j) are repealed.

27 * Sec. 17. The uncodified law of the State of Alaska is amended by adding a new section to
28 read:

29 TRANSITION: REGULATIONS. Notwithstanding sec. 19 of this Act, the
30 Department of Labor and Workforce Development may immediately proceed to adopt
31 regulations necessary to implement the changes made by this Act. The regulations take effect

1 under AS 44.62 (Administrative Procedure Act), but not before the effective date of the
2 statutory change.

3 * Sec. 18. Sections 1 - 8, 16, and 17 of this Act take effect immediately under
4 AS 01.10.070(c).

5 * Sec. 19. Except as provided in sec. 18 of this Act, this Act takes effect January 1, 2009.

25-LS0622VK

Wayne

2/8/08

CS FOR SENATE BILL NO. 120()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): SENATE LABOR AND COMME TTEE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to disclosure of certain information from the records of the
 2 Department of Labor and Workforce Development and limiting the use of the disclosed
 3 information, and to the calculation and payment of unemployment compensation
 4 benefits; denying unemployment compensation benefits to insured workers who are
 5 discharged for misconduct; and providing for an effective date."

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 * Section 1. AS 23.20.110(a) is amended to read:

8 (a) Except for disclosures required by 42 U.S.C. 503, as amended, and 20
 9 C.F.R. 603, as amended, and disclosures authorized under [AS PROVIDED IN (h)
 10 AND (i) OF] this section, the department shall hold information obtained from an
 11 employing unit or individual in the course of administering this chapter and
 12 determinations as to the benefit rights of an individual confidential and may not
 13 disclose them or open them to public inspection in a manner that reveals the identity of

1 the individual or employing unit. A claimant or an employing unit [, OR THE LEGAL
2 REPRESENTATIVE OF THE CLAIMANT OR THE EMPLOYING UNIT,] is
3 entitled to information from the records of the department only to the extent necessary
4 to properly present or protest a claim or determination under this chapter. The
5 department may not provide information that is confidential under this section to
6 a person for use in any civil or administrative matter not directly involving the
7 presentation or protest of a claim or determination under this chapter: however,
8 subject [SUBJECT] to restrictions that the department prescribes by regulation, the
9 information must [MAY] be made available to the United States Department of
10 Homeland Security, Bureau of Citizenship and Immigration Services, for the
11 purpose of verifying a claimant's immigration status, to the United States
12 Railroad Retirement Board, to an agency of this state or another state or federal
13 agency charged with the administration of an unemployment compensation law or the
14 maintenance of a system of public employment offices, to the United States
15 Department of the Treasury, Internal Revenue Service [OR], for the purposes of
16 the Federal Unemployment Tax Act, or to the Department of Revenue [TO THE
17 INTERNAL REVENUE SERVICE OF THE UNITED STATES, OR,] for tax
18 purposes [, TO THE DEPARTMENT OF REVENUE]. Information obtained in the
19 course of administering this chapter or in connection with the administration of the
20 employment service may be made available to persons or agencies for purposes
21 appropriate to the operation of a public employment service or the administration of
22 employment and training programs planned or coordinated by the Alaska Workforce
23 Investment Board under AS 23.15.550 - 23.15.585.

24 * Sec. 2. AS 23.20.110(e) is amended to read:

25 (e) The department shall provide wage and unemployment compensation
26 information

27 (1) requested by a state or federal agency under an income and
28 eligibility verification system that meets the requirements of 42 U.S.C. 1320b-7
29 (Social Security Act); [OR]

30 (2) as required by federal law for child support purposes;

31 (3) to the United States Secretary of Health and Human Services

1 for the National Directory of New Hires as required by 42 U.S.C. 503 and 42
2 U.S.C. 653; or

3 (4) to a state or a political subdivision of a state that administers a
4 program funded under 42 U.S.C. 601 - 619 that provides temporary assistance
5 for needy families.

6 * Sec. 3. AS 23.20.110(g) is amended to read:

7 (g) A recipient of records disclosed under [THE REQUIREMENTS OF]
8 this section may not use the disclosed records for a purpose other than the
9 purpose for which the disclosure was made. The requirements concerning the
10 confidentiality of information obtained in the course of administering this chapter
11 apply to officers and employees of a state, federal, [OR] municipal, or other agency to
12 whom the department provides information as authorized by this section.

13 * Sec. 4. AS 23.20.110(k) is amended to read:

14 (k) If an individual who is applying for or participating in a housing assistance
15 program administered by the United States Department of Housing and Urban
16 Development gives authorization, the department shall disclose, to the United States
17 Department of Housing and Urban Development or to representatives of the housing
18 assistance program operating the program, wage information and unemployment
19 compensation information. The authorization shall be made by the individual on a
20 consent form approved by the department. The form must state the information
21 authorized to be released and require the signature of the individual. In this subsection,

22 (1) "unemployment compensation information" means whether the
23 individual is receiving, has received, or has applied for unemployment compensation,
24 and the amount of unemployment compensation that the individual is receiving, has
25 received, or is eligible to [WILL] receive, and the individual's current address and
26 other contact information:

27 (2) "wage information" means the social security number, or numbers
28 if there are more than one, and quarterly wages of an employee, and the name,
29 address, state, and, if known, federal employer identification number of an employer
30 reporting wages under this chapter.

31 * Sec. 5. AS 23.20.110(m) is amended to read:

1 (m) The department may not release information under this section to a state
2 agency or to a person under contract with the state until the department and the agency
3 or person have entered into a written agreement that governs the release of
4 information. The written agreement must specify

5 (1) the purpose for the information;

6 (2) a description of the information to be provided;

7 (3) a description of the procedure for transmitting, securing, using, and
8 disposing of the information; [AND]

9 (4) the method of reimbursement, if any, for the cost of providing the
10 information; and

11 (5) that the department may perform on-site inspections to ensure
12 that the confidentiality requirements of this section are met.

13 * Sec. 6. AS 23.20.110(n) is amended to read:

14 (n) Notwithstanding (a) of this section, the [THE] department may produce
15 statistical and other public reports based on information obtained in the course of
16 administering this chapter, so long as the department complies with the
17 requirements of 20 C.F.R. 603, as amended, regarding the use or release of
18 confidential records [REPORTS DO NOT REVEAL WAGE AND PAYROLL
19 DATA FOR AN EMPLOYING UNIT OR THE NAME OR NUMBER
20 IDENTIFYING AN INDIVIDUAL. THE REPORTS MAY INCLUDE THE FIRM
21 NAME, ADDRESS, NORTH AMERICAN INDUSTRY CLASSIFICATION
22 SYSTEM CODE, CENSUS AREA CODE, NUMBER OF WORKERS EMPLOYED,
23 AND OCCUPATIONAL STAFFING PATTERNS FOR AN EMPLOYING UNIT].

24 * Sec. 7. AS 23.20.110 is amended by adding a new subsection to read:

25 (r) The confidentiality requirements of this section do not apply to disclosure
26 of decisions and records on appeal in any matter before the department as long as the
27 federal social security number of the claimant and the employer's federal employer
28 identification number and federal social security number are redacted or removed
29 before disclosure is made.

30 * Sec. 8. AS 23.20.115 is amended to read:

31 Sec. 23.20.115. Unauthorized disclosure of information. A member of the

1 department, an employee of the department, an agent of the department, or an officer
 2 or employee of a state, federal, [OR] municipal, or other agency that has been
 3 provided with information by the department who, in violation of AS 23.20.110,
 4 makes a disclosure of information obtained from an employing unit or from an
 5 individual in the administration of this chapter, or a person who has obtained a list of
 6 applicants for work or of claimants or recipients of benefits under this chapter and
 7 who uses or permits the use of the list for a purpose not authorized by AS 23.20.110 is
 8 guilty of a class B misdemeanor.

9 * Sec. 9. AS 23.20.290(c) is amended to read:

10 (c) Beginning January 1, 2009 [1997], the rate of contributions for each
 11 employer is 78 [80] percent of the average benefit cost rate multiplied by the
 12 employer's experience factor set out in column C of the table in this subsection
 13 opposite the employer's applicable rate class set out in column A plus the fund
 14 solvency adjustment required under (f) of this section. However, the rate of
 15 contributions for an employer may not be less than one percent or more than six and
 16 one-half percent. The rate of contributions for an employer in rate class 21 may not be
 17 less than 5.4 percent. The rate of contributions for an employer must be rounded to the
 18 nearest 1/100th of one percent.

COLUMN A	COLUMN B		COLUMN C
Rate Class	Cumulative Ratable Payroll		Experience Factor
	at least	but less than	
	(percent)	(percent)	
1	5		.40
2	5	10	.45
3	10	15	.50
4	15	20	.55
5	20	25	.60
6	25	30	.65
7	30	35	.70
8	35	40	.80

1	9	40	45	.90
2	10	45	50	1.00
3	11	50	55	1.00
4	12	55	60	1.10
5	13	60	65	1.20
6	14	65	70	1.30
7	15	70	75	1.35
8	16	75	80	1.40
9	17	80	85	1.45
10	18	85	90	1.50
11	19	90	95	1.55
12	20	95	99.99	1.60
13	21	99.99		1.65

14 * Sec. 10. AS 23.20.290(d) is amended to read:

15 (d) Beginning January 1, 2009 [1997], and for each succeeding year thereafter,
 16 the rate of contributions payable by each employee of an employer who is subject to
 17 AS 23.20.165 is 22 [20] percent of the average benefit cost rate as determined in (e) of
 18 this section rounded to the nearest 1/100th of one percent. However, the rate of
 19 contributions for an employee may not be less than one-half percent or more than one
 20 percent.

21 * Sec. 11. AS 23.20.340(c) is amended to read:

22 (d) Unless the claimant is determined to be disqualified for benefits under
 23 AS 23.20.360, 23.20.362, 23.20.375, 23.20.377 - 23.20.387 [23.20.378 - 23.20.387],
 24 or 23.20.505, benefits shall be promptly paid in accordance with the initial
 25 determination or subsequent redetermination.

26 * Sec. 12. AS 23.20.340(f) is amended to read:

27 (f) If a determination of disqualification under AS 23.20.360, 23.20.362,
 28 23.20.375, 23.20.377 - 23.20.387 [23.20.378 - 23.20.387], or 23.20.505 is made, the
 29 claimant shall be promptly notified of the determination and the reasons for it. The
 30 claimant and other interested parties as defined by regulations of the department may
 31 appeal the determination in the same manner prescribed in this chapter for appeals of

1 initial determinations and redeterminations. Benefits may not be paid while a
 2 determination is being appealed for any week for which the determination of
 3 disqualification was made. However, if a decision on the appeal allows benefits to the
 4 claimant, those benefits must be paid promptly.

5 * Sec. 13. AS 23.20.350(d) is amended to read:

6 (d) An individual who is eligible under (a) of this section is entitled to receive
 7 the weekly benefit amount set out in column (B) of the table in this subsection that is
 8 opposite the amount set out in column (A) of the individual's base period wages
 9 determined under (c) of this section:

	(A)		(B)
	Base Period Wages		Weekly Benefit
			Amount
	At least	But less than	
14	0	1,000	\$ 0
15	1,000	1,250	44
16	1,250	1,500	46
17	1,500	1,750	48
18	1,750	2,000	50
19	2,000	2,250	52
20	2,250	2,500	54
21	2,500	2,750	56
22	2,750	3,000	58
23	3,000	3,250	60
24	3,250	3,500	62
25	3,500	3,750	64
26	3,750	4,000	66
27	4,000	4,250	68
28	4,250	4,500	70
29	4,500	4,750	72
30	4,750	5,000	74
31	5,000	5,250	76

1	5,250	5,500	78
2	5,500	5,750	80
3	5,750	6,000	82
4	6,000	6,250	84
5	6,250	6,500	86
6	6,500	6,750	88
7	6,750	7,000	90
8	7,000	7,250	92
9	7,250	7,500	94
10	7,500	7,750	96
11	7,750	8,000	98
12	8,000	8,250	100
13	8,250	8,500	102
14	8,500	8,750	104
15	8,750	9,000	106
16	9,000	9,250	108
17	9,250	9,500	110
18	9,500	9,750	112
19	9,750	10,000	114
20	10,000	10,250	116
21	10,250	10,500	118
22	10,500	10,750	120
23	10,750	11,000	122
24	11,000	11,250	124
25	11,250	11,500	126
26	11,500	11,750	128
27	11,750	12,000	130
28	12,000	12,250	132
29	12,250	12,500	134
30	12,500	12,750	136
31	12,750	13,000	138

1	13,000	13,250	140
2	13,250	13,500	142
3	13,500	13,750	144
4	13,750	14,000	146
5	14,000	14,250	148
6	14,250	14,500	150
7	14,500	14,750	152
8	14,750	15,000	154
9	15,000	15,250	156
10	15,250	15,500	158
11	15,500	15,750	160
12	15,750	16,000	162
13	16,000	16,250	164
14	16,250	16,500	166
15	16,500	16,750	168
16	16,750	17,000	170
17	17,000	17,250	172
18	17,250	17,500	174
19	17,500	17,750	176
20	17,750	18,000	178
21	18,000	18,250	180
22	18,250	18,500	182
23	18,500	18,750	184
24	18,750	19,000	186
25	19,000	19,250	188
26	19,250	19,500	190
27	19,500	19,750	192
28	19,750	20,000	194
29	20,000	20,250	196
30	20,250	20,500	198
31	20,500	20,750	200

1	20,750	21,000	202
2	21,000	21,250	204
3	21,250	21,500	206
4	21,500	21,750	208
5	21,750	22,000	210
6	22,000	22,250	212
7	22,250	22,500	214
8	22,500	22,750	216
9	22,750	23,000	218
10	23,000	23,250	220
11	23,250	23,500	222
12	23,500	23,750	224
13	23,750	24,000	226
14	24,000	24,250	228
15	24,250	24,500	230
16	24,500	24,750	232
17	24,750	25,000	234
18	25,000	25,250	236
19	25,250	25,500	238
20	25,500	25,750	240
21	25,750	26,000	242
22	26,000	26,250	244
23	26,250	26,500	246
24	26,500	26,750	248
25	26,750	<u>27,000</u>	<u>250</u>
26	<u>27,000</u>	<u>27,250</u>	<u>252</u>
27	<u>27,250</u>	<u>27,500</u>	<u>254</u>
28	<u>27,500</u>	<u>27,750</u>	<u>256</u>
29	<u>27,750</u>	<u>28,000</u>	<u>258</u>
30	<u>28,000</u>	<u>28,250</u>	<u>260</u>
31	<u>28,250</u>	<u>28,500</u>	<u>262</u>

1	<u>28.500</u>	<u>28.750</u>	<u>264</u>
2	<u>28.750</u>	<u>29.000</u>	<u>266</u>
3	<u>29.000</u>	<u>29.250</u>	<u>268</u>
4	<u>29.250</u>	<u>29.500</u>	<u>270</u>
5	<u>29.500</u>	<u>29.750</u>	<u>272</u>
6	<u>29.750</u>	<u>30.000</u>	<u>274</u>
7	<u>30.000</u>	<u>30.250</u>	<u>276</u>
8	<u>30.250</u>	<u>30.500</u>	<u>278</u>
9	<u>30.500</u>	<u>30.750</u>	<u>280</u>
10	<u>30.750</u>	<u>31.000</u>	<u>282</u>
11	<u>31.000</u>	<u>31.250</u>	<u>284</u>
12	<u>31.250</u>	<u>31.500</u>	<u>286</u>
13	<u>31.500</u>	<u>31.750</u>	<u>288</u>
14	<u>31.750</u>	<u>32.000</u>	<u>290</u>
15	<u>32.000</u>	<u>32.250</u>	<u>292</u>
16	<u>32.250</u>	<u>32.500</u>	<u>294</u>
17	<u>32.500</u>	<u>32.750</u>	<u>296</u>
18	<u>32.750</u>	<u>33.000</u>	<u>298</u>
19	<u>33.000</u>	<u>33.250</u>	<u>300</u>
20	<u>33.250</u>	<u>33.500</u>	<u>302</u>
21	<u>33.500</u>	<u>33.750</u>	<u>304</u>
22	<u>33.750</u>	<u>34.000</u>	<u>306</u>
23	<u>34.000</u>	<u>34.250</u>	<u>308</u>
24	<u>34.250</u>	<u>34.500</u>	<u>310</u>
25	<u>34.500</u>	<u>34.750</u>	<u>312</u>
26	<u>34.750</u>	<u>35.000</u>	<u>314</u>
27	<u>35.000</u>	<u>35.250</u>	<u>316</u>
28	<u>35.250</u>	<u>35.500</u>	<u>318</u>
29	<u>35.500</u>	<u>35.750</u>	<u>320</u>
30	<u>35.750</u>	<u>36.000</u>	<u>322</u>
31	<u>36.000</u>	<u>36.250</u>	<u>324</u>

1	<u>36.250</u>	<u>36.500</u>	<u>326</u>
2	<u>36.500</u>	<u>36.750</u>	<u>328</u>
3	<u>36.750</u>	<u>37.000</u>	<u>330</u>
4	<u>37.000</u>	<u>37.250</u>	<u>332</u>
5	<u>37.250</u>	<u>37.500</u>	<u>334</u>
6	<u>37.500</u>	<u>37.750</u>	<u>336</u>
7	<u>37.750</u>	<u>38.000</u>	<u>338</u>
8	<u>38.000</u>	<u>38.250</u>	<u>340</u>
9	<u>38.250</u>	<u>38.500</u>	<u>342</u>
10	<u>38.500</u>	<u>38.750</u>	<u>344</u>
11	<u>38.750</u>	<u>39.000</u>	<u>346</u>
12	<u>39.000</u>	<u>39.250</u>	<u>348</u>
13	<u>39.250</u>	<u>39.500</u>	<u>350</u>
14	<u>39.500</u>	<u>39.750</u>	<u>352</u>
15	<u>39.750</u>	<u>40.000</u>	<u>354</u>
16	<u>40.000</u>	<u>40.250</u>	<u>356</u>
17	<u>40.250</u>	<u>40.500</u>	<u>358</u>
18	<u>40.500</u>	<u>40.750</u>	<u>360</u>
19	<u>40.750</u>	<u>41.000</u>	<u>362</u>
20	<u>41.000</u>	<u>41.250</u>	<u>364</u>
21	<u>41.250</u>	<u>41.500</u>	<u>366</u>
22	<u>41.500</u>	<u>41.750</u>	<u>368</u>
23	<u>41.750</u>	<u>42.000</u>	<u>370</u>
24	<u>42.000</u>		<u>370 [248].</u>

25 * Sec. 14. AS 23.20.350(e) is amended to read:

26 (e) An individual who is eligible under (d) or (h) of this section is entitled to
27 receive a weekly benefit under this chapter for the number of weeks set out in column
28 (B) of the table in this subsection opposite the applicable earnings ratio of the
29 individual set out in column (A):

30	(A)	(B)
31	Earnings Ratio	Number of Weeks

1	less than 1.50	16
2	1.50-1.99	18
3	2.00-2.49	20
4	2.50-2.99	22
5	3.00-3.49	24
6	3.50 or more	26,

7 * **Sec. 15.** AS 23.20.350 is amended by adding new subsections to read:

8 (h) Notwithstanding (d) of this section, for a benefit year beginning on or after
 9 January 1, 2009, an individual who is eligible under (a) of this section is entitled to
 10 receive the weekly benefit amount calculated in accordance with this subsection and
 11 set under (i) of this section if the individual's base period wages determined under (c)
 12 of this section are at least \$42,250. The department shall adopt regulations to establish
 13 a methodology to calculate new amounts that increase the highest weekly benefit
 14 amount shown in (d) of this section by \$2 increments and the highest base period
 15 wages amount shown in (d) of this section by \$250 increments if the average weekly
 16 wage in this state, as calculated under (k) of this section, has increased by an
 17 increment amount established by the department in the regulations. The methodology
 18 established under this subsection may not result in new weekly benefit amounts that
 19 exceed 50 percent replacement of the average weekly wages in this state as determined
 20 under (k) of this section. By December 1 of each year, the department shall apply the
 21 methodology established under this subsection to calculate any new weekly benefit
 22 and base period wages amounts.

23 (i) By December 1 of each year, the department shall give notice of any
 24 proposed new weekly benefit amounts calculated under (h) of this section by posting
 25 notice on the Alaska Online Public Notice System (AS 44.62.175), furnishing notice
 26 to interested persons who have requested notification, and providing a press release to
 27 the media. In the notice, the department shall provide the public with an opportunity to
 28 comment on the accuracy of the department's calculations. Fifteen days after posting
 29 the notice on the Alaska Online Public Notice System, the department shall set the
 30 new weekly benefit amounts. A new weekly benefit amount set under this subsection
 31 applies January 1 of the following calendar year, but does not apply to an individual

1 whose current benefit year began before that date. The department may set new
2 weekly benefit amounts under this subsection only once each calendar year, beginning
3 in December 2008. The process under this subsection is exempt from AS 44.62
4 (Administrative Procedure Act), but the weekly benefit amounts set under this
5 subsection shall be submitted to the lieutenant governor for publication in the Alaska
6 Administrative Code for informational purposes.

7 (j) The commissioner shall report to the governor and the legislature if the
8 average weekly wage in this state decreases to the extent that an adjustment in weekly
9 benefit amounts set in (d) of this section or under (h) and (i) of this section is
10 appropriate for the proper administration of trust funds under this chapter.

11 (k) By December 1 of each year, the department shall determine the average
12 weekly wage in this state by dividing the average annual wage in this state for the
13 preceding 12-month period ending June 30 by 52. The resulting figure is the average
14 weekly wage in this state for purposes of the department's calculations under (h) and
15 (j) of this section. For purposes of this subsection, the department's calculation of the
16 average annual wage in this state must include the wages of all employees in the state,
17 both public and private, who are covered by this chapter.

18 * Sec. 16. AS 23.20.375(a) is amended to read:

19 (a) An insured worker is entitled to receive waiting-week credit or benefits for
20 a week of unemployment for which the insured worker has not been disqualified under
21 AS 23.20.360, 23.20.362, 23.20.377 - 23.20.387 [23.20.378 - 23.20.387], or 23.20.505
22 if, in accordance with regulations adopted by the department, the insured worker has

23 (1) made an initial claim for benefits; and

24 (2) for that week, certified for waiting-week credit or made a claim for
25 benefits.

26 * Sec. 17. AS 23.20 is amended by adding a new section to read:

27 **Sec. 23.20.377. Discharge for misconduct.** (a) An insured worker is
28 disqualified for unemployment insurance benefits if the insured worker was
29 discharged for misconduct connected with the insured worker's last work.

30 (b) The disqualification required in (a) of this section is terminated if the
31 insured worker returns to employment and earns at least eight times the insured

1 worker's weekly benefit amount. However, if the disqualification was for a discharge
2 based on a felony or theft connected with the insured worker's last work, the
3 disqualification is terminated when the insured worker has worked subsequent to the
4 discharge from work and earned 20 times the insured worker's weekly benefit amount
5 in employment covered under this chapter.

6 (c) In this section,

7 (1) "alcohol" has the meaning given in AS 23.10.699;

8 (2) "drugs" has the meaning given in AS 23.10.699;

9 (3) "misconduct" includes conduct in violation of an employer's policy
10 concerning the use of drugs or alcohol, but only if the policy is consistent with
11 AS 23.10.620.

12 * Sec. 18. AS 23.20.379(a) is amended to read:

13 (a) An insured worker is disqualified for waiting-week credit or benefits for
14 the first week in which the insured worker is unemployed and for the next five weeks
15 of unemployment following that week if the insured worker

16 [(1)] left the insured worker's last suitable work voluntarily without
17 good cause [; OR

18 (2) WAS DISCHARGED FOR MISCONDUCT CONNECTED
19 WITH THE INSURED WORKER'S LAST WORK].

20 * Sec. 19. AS 23.20.406(h) is amended to read:

21 (h) An individual is not eligible to receive extended benefits for any week of
22 unemployment in the individual's eligibility period if the individual has been
23 disqualified for benefits because the individual

24 (1) voluntarily left work [, WAS DISCHARGED FOR
25 MISCONDUCT,] or refused an offer of suitable work, unless the disqualification
26 imposed for those reasons has been terminated in accordance with AS 23.20.379(d);

27 or

28 (2) was discharged for misconduct connected with the insured
29 worker's last work unless the disqualification imposed for that reason has been
30 terminated under AS 23.20.377(b).

31 * Sec. 20. AS 23.20.520(20) is amended to read:

1 (20) "waiting week" means the first week of unemployment for which
2 an individual files a claim during the individual's benefit year and for which no
3 disqualification is imposed under AS 23.20.360, 23.20.362, 23.20.375, and 23.20.377
4 - 23.20.387 [23.20.378 - 23.20.387];

5 * Sec. 21. AS 23.20.110(h), 23.20.110(i), and 23.20.110(j) are repealed.

6 * Sec. 22. AS 23.20.379(e) and 23.20.379(f) are repealed.

7 * Sec. 23. The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 TRANSITION: REGULATIONS. Notwithstanding sec. 25 of this Act, the
10 Department of Labor and Workforce Development may immediately proceed to adopt
11 regulations necessary to implement the changes made by this Act. The regulations take effect
12 under AS 44.62 (Administrative Procedure Act), but not before the effective date of the
13 statutory change.

14 * Sec. 24. Sections 1 - 8, 21, and 23 of this Act take effect immediately under
15 AS 01.10.070(c).

16 * Sec. 25. Except as provided in sec. 24 of this Act, this Act takes effect January 1, 2009.

25-LS0622M
Wayne
2/7/08

CS FOR SENATE BILL NO. 120()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to disclosure of certain information from the records of the
2 Department of Labor and Workforce Development and limiting the use of the disclosed
3 information, and to the calculation and payment of unemployment compensation
4 benefits; denying unemployment compensation benefits to insured workers who are
5 discharged for misconduct; and providing for an effective date."

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 * Section 1. AS 23.20.110(a) is amended to read:

8 (a) Except for disclosures required by 42 U.S.C. 503, as amended, and 20
9 C.F.R. 603, as amended, and disclosures authorized under [AS PROVIDED IN (h)
10 AND (i) OF] this section, the department shall hold information obtained from an
11 employing unit or individual in the course of administering this chapter and
12 determinations as to the benefit rights of an individual confidential and may not
13 disclose them or open them to public inspection in a manner that reveals the identity of