



LAWS OF ALASKA

1996

Source

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Chapter No.

58

AN ACT

Relating to the permanent disqualification of certain individuals who have been absent from the state for payments under the longevity bonus program; relating to unpaid sabbaticals under the longevity bonus program; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: June 11, 1996

Actual Effective Date: Sections 1 - 3 take effect July 1, 1996; remainder of Act takes effect June 12, 1996

AN ACT

1 Relating to the permanent disqualification of certain individuals who have been absent from
2 the state for payments under the longevity bonus program; relating to unpaid sabbaticals under
3 the longevity bonus program; and providing for an effective date.

4

5 * **Section 1.** AS 47.45.030 is amended by adding a new subsection to read:

6 (b) The commissioner of administration shall include on each monthly bonus
7 application a place for a recipient to state, under penalty of perjury, whether the
8 recipient has been absent from the state for 180 days or more during the 12 calendar
9 months immediately before the date of the application. If the recipient has been absent
10 from the state for 180 days or more during the 12-month period, the commissioner
11 shall provide an opportunity for the recipient to identify days of the absence that the
12 recipient believes were beyond the control of the recipient as defined in regulations
13 adopted by the commissioner. If, after subtracting days of absence the commissioner

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1 determines were beyond the control of the recipient, the remaining days of absence
2 equal at least 180 days during the 12-month period, the recipient is permanently
3 disqualified from receiving the bonus.

4 * **Sec. 2.** AS 47.45 is amended by adding a new section to read:

5 Sec. 47.45.035. UNPAID SABBATICALS. Notwithstanding AS 47.45.030,
6 after qualification, a recipient may take an unpaid sabbatical for a period of up to 12
7 consecutive months by notifying the Department of Administration of the period the
8 recipient elects to be on unpaid sabbatical status. The notice shall be provided to the
9 department at least 30 days before the first day of the unpaid sabbatical period. While
10 on unpaid sabbatical status, the recipient no longer receives bonuses, but the recipient
11 may be absent from the state at any time without being disqualified. The recipient
12 may again make application for a bonus after returning to the state at the end of the
13 sabbatical period. A recipient who has taken an unpaid sabbatical may not elect to do
14 so again until a period of at least five years has elapsed beginning on the day after the
15 sabbatical ended.

16 * **Sec. 3.** AS 47.45.070(a) is amended to read:

17 (a) An unqualified person is one who

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

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

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

1 disqualification until release from confinement is again effected;

2 (4) voluntarily leaves the state and remains absent from the state for
3 a continuous period of more than 90 days or is permanently disqualified under
4 AS 47.45.030(b);

5 (5) did not apply, under AS 47.45.010(a), before January 1, 1997, for
6 qualification to receive a longevity bonus;

7 (6) was found qualified to receive a longevity bonus, was subsequently
8 disqualified for 12 consecutive months or more, and did not reapply before January 1,
9 1997.

10 * Sec. 4. ADOPTION OF REGULATIONS. The commissioner of administration may
11 adopt regulations necessary to implement secs. 1 - 3 of this Act, but regulations adopted under
12 this section may not be effective before the effective date of secs. 1 - 3 of this Act.

13 * Sec. 5. Section 4 of this Act takes effect immediately under AS 01.10.070(c).

14 * Sec. 6. Sections 1 - 3 of this Act take effect July 1, 1996.