

**HOUSE BILL NO. 417**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/12/96

Referred: State Affairs, Health, Education and Social Services, Judiciary, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to eligibility for the longevity bonus; and providing for an  
2 effective date."

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

4 \* **Section 1.** AS 47.45.010(a) is amended to read:

5 (a) **Except as provided in AS 47.45.015, a** [A] person who is 65 years of age  
6 or over who resides in the state for at least one year immediately preceding application  
7 for a longevity bonus under this chapter may apply to the commissioner of  
8 administration no later than December 31, 1996, for qualification to receive a monthly  
9 bonus of

10 (1) \$250, if the person's application was submitted before  
11 January 1, 1994;

12 (2) \$200, if the person's application was submitted on or after  
13 January 1, 1994, but before January 1, 1995;

14 (3) \$150, if the person's application was submitted on or after

1 January 1, 1995, but before January 1, 1996; or

2 (4) \$100, if the person's application was submitted on or after  
3 January 1, 1996, but before January 1, 1997.

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

5 Sec. 47.45.015. MAXIMUM INCOME FOR ELIGIBILITY TO RECEIVE  
6 LONGEVITY BONUS. (a) Notwithstanding any other provision of this chapter, a  
7 person otherwise eligible to receive a bonus is disqualified from receiving the bonus  
8 for the period from July of one year through June of the following year if

9 (1) the person is not married, or is married but is not sharing a  
10 residence with the person's spouse, and the person's gross income for the calendar year  
11 preceding the July to June period equals or exceeds \$60,000; or

12 (2) the person is married, is sharing a residence with the person's  
13 spouse, and the gross income of the person and the person's spouse for the calendar  
14 year preceding the July to June period equals or exceeds \$80,000.

15 (b) A disqualification under this section is not permanent. If the circumstances  
16 of a disqualified person change so that the person would no longer be disqualified  
17 under this section, the person may reapply for the bonus. The provisions of  
18 AS 47.45.045 do not apply to a disqualification under this section.

19 (c) In order to verify gross income amounts, the commissioner of  
20 administration may, by regulation

21 (1) provide for access to records of a person who is applying for or  
22 receiving a bonus; and

23 (2) establish procedures for auditing gross income statements made by  
24 a person who is applying for or receiving a bonus.

25 (d) In this section "gross income" has the same meaning as "adjusted gross  
26 income" in 26 U.S.C. 62, except that

27 (1) income received from bonuses under this chapter is not included in  
28 gross income; and

29 (2) income that is exempt from federal income tax under 26 U.S.C. 102  
30 (gifts and inheritances) and 26 U.S.C. 103 (interest on state and local bonds) is  
31 included in gross income.

1 \* **Sec. 3.** AS 47.45.030 is amended by adding a new subsection to read:

2 (b) After qualification, a recipient who has been absent from the state for 180  
3 days or more during any one-year period is permanently disqualified from receiving  
4 the bonus. The commissioner of administration shall include on each monthly bonus  
5 application a place for a recipient to state, under penalty of perjury, that the recipient  
6 has not been absent from the state for 180 days or more during the one-year period  
7 immediately before the date of the application. If the recipient has been absent from  
8 the state for 180 days or more during the one-year period the commissioner shall  
9 provide an opportunity for the recipient to explain why the absence is believed to be  
10 beyond the control of the recipient as specified in regulations adopted by the  
11 commissioner. If the commissioner determines that a period of absence is beyond the  
12 control of the recipient, so that the total of absences not beyond the control of the  
13 recipient does not equal or exceed 180 days during this one-year period, the recipient  
14 may not be disqualified under this subsection.

15 \* **Sec. 4.** SPECIAL PROVISION FOR THOSE PERSONS WHO HAVE NOT APPLIED  
16 FOR THE BONUS BEFORE THE EFFECTIVE DATE OF THIS ACT. A person who, as  
17 of July 1, 1996, has never applied for the longevity bonus under AS 47.45, and who, by  
18 December 31, 1996, will meet the age and residency requirements of AS 47.45.010(a), must  
19 apply for the bonus before January 1, 1997, in order to preserve future eligibility for the  
20 bonus, even if the person is ineligible upon application because of AS 47.45.015, as enacted  
21 by sec. 2 of this Act. The person upon application shall be suspended from the bonus  
22 program until the time that the person is no longer disqualified under AS 47.45.015, as  
23 enacted by sec. 2 of this Act.

24 \* **Sec. 5.** APPLICABILITY. This Act applies to the eligibility determinations for bonuses  
25 paid on or after July 1, 1996.

26 \* **Sec. 6.** TRANSITION: REGULATIONS. Notwithstanding sec. 8 of this Act, the  
27 commissioner of administration may proceed to adopt regulations necessary to implement the  
28 provisions of this Act. The regulations take effect under AS 47.45.100, but not before  
29 July 1, 1996.

30 \* **Sec. 7.** Section 6 of this Act takes effect immediately under AS 01.10.070(c).

31 \* **Sec. 8.** Sections 1 - 5 of this Act take effect July 1, 1996.