

Offered: 3/5/84
Referred: Rules

Original sponsors: Hayes, Adams,
Szymanski, et al

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 655 (Finance)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the longevity bonus program;
7 requiring the payment of longevity bonuses from
8 appropriations from the general fund; and providing
9 for an effective date."

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

11 * Section 1. FINDINGS AND PURPOSE. The legislature finds and declares
12 that

13 (1) the high cost of goods and services in Alaska and the
14 state's remoteness and harsh environment, make it difficult for many el-
15 derly Alaskans to remain in the state after retirement;

16 (2) when a person is forced to live out retirement years away
17 from home, family and friends, that person suffers an irreparable loss;

18 (3) Alaska's elderly are a precious human resource, and it is in
19 the public interest to provide a financial incentive for them to remain in
20 the state after retirement; and

21 (4) it is in the public interest to continue the longevity bonus
22 program for elderly Alaskans irrespective of need; the longevity bonus
23 program is not a form of welfare and is not a substitute for or supplement
24 to public assistance; other programs are available to provide the basic
25 necessities of life; the longevity bonus program is intended to encourage
26 elderly Alaskans to spend their retirement years in the comfort of their
27 homes.

28 * Sec. 2. AS 47.45.010 is amended to read:

29 Sec. 47.45.010. PERSONS WHO MAY QUALIFY FOR LONGEVITY BONUS.

1 (a) A person who is 65 years of age or over, who resides in the state
2 for at least one year immediately preceding the application for a
3 longevity bonus under this chapter [WAS DOMICILED IN THE TERRITORY ON
4 OR BEFORE JANUARY 3, 1959 AND WHO HAS MAINTAINED A CONTINUOUS DOMICILE
5 IN THE TERRITORY OR STATE FOR 25 YEARS] may apply to the commissioner
6 of administration for qualification to receive a monthly bonus of
7 \$250.

8 (b) When the commissioner of administration determines that an
9 applicant qualifies under AS 47.45 the commissioner [HE] shall immedi-
10 ately begin payment of the bonus.

11 (c) A person who otherwise qualifies to receive a bonus provided
12 for in AS 47.45 may continue to do so only as long as that person
13 continues to be a resident of [HE CONTINUOUSLY RETAINS A DOMICILE IN]
14 the state.

15 (d) Notwithstanding (a) of this section, on July 1, 1990, the
16 age requirement for eligibility for a longevity bonus shall be in-
17 creased to 66 years of age. On July 1 of each succeeding year the age
18 requirement shall be increased by one year.

19 * Sec. 3. AS 47.45.030 is amended to read:

20 Sec. 47.45.030. ABSENCE FROM THE STATE. After qualification a
21 [A] recipient shall notify the commissioner of administration when the
22 recipient [HE] expects to be absent from the state if the absence is
23 for a continuous period that exceeds 30 days. After that notifica-
24 tion, the recipient shall no longer receive bonuses from the Depart-
25 ment of Administration after the [HIS] last regularly approved monthly
26 application. Upon returning [HIS RETURN] to the state the recipient
27 [HE] may again make application for a bonus. Whenever the absence is
28 for a continuous period that exceeds 180 days the recipient shall be
29 disqualified from receiving bonuses for the next 12 calendar months

1 after returning [HIS RETURN] to the state. However, when the commis-
2 sioner of administration determines a period of absence is beyond the
3 control of the recipient, the recipient [HE] may not be disqualified,
4 if the recipient [HE] still otherwise qualifies upon returning [HIS
5 RETURN] to the state. Continual absences from the state, even though
6 reported, and failure to notify the commissioner of an expected ab-
7 sence may be grounds for disqualification.

8 * Sec. 4. AS 47.45.090(a) is amended to read:

9 (a) The [THERE IS THE] Alaska longevity bonus fund is created
10 for the purpose of paying the monthly bonuses provided for in this
11 chapter. The fund consists only of [ALL] money made available by
12 appropriations of the [STATE] legislature from the general fund [.,],
13 and [FROM OTHER APPROPRIATED FUNDS, ALL CONTRIBUTIONS FROM WHATEVER
14 SOURCE, AND] income and interest derived from the investment of money
15 of the longevity bonus fund.

16 * Sec. 5. AS 47.45.150 is amended to read:

17 Sec. 47.45.150. DEFINITIONS. In this chapter

18 (1) "bonus" means a monthly Alaska longevity bonus payment
19 made to a person or the person's [HIS] beneficiary who qualifies under
20 this chapter;

21 (2) "resident" or "resident of the state" means an indi-
22 vidual who is physically present in the state with the intent to
23 remain in the state indefinitely and to make a home in the state; a
24 person demonstrates the requisite intent by maintaining a principal
25 place of abode in the state for one year and by providing other proof
26 of intent the commissioner may require by regulation, including proof
27 that the person is not claiming residency outside the state or obtain-
28 ing benefits under a claim of residency outside the state ["DOMICILE"
29 MEANS THE PLACE WITH WHICH A PERSON HAS A SETTLED CONNECTION FOR

1 DETERMINATION OF HIS CIVIL STATUS OR OTHER LEGAL PURPOSES BECAUSE IT
2 IS ACTUALLY OR LEGALLY HIS PERMANENT AND PRINCIPAL HOME].

3 * Sec. 6. Section 2, ch. 205, SLA 1972, and AS 47.45.170 are repealed.

4 * Sec. 7. A person who is qualified to receive a monthly longevity
5 bonus under AS 47.45.010(a) immediately before the effective date of this
6 Act is qualified to receive a monthly bonus under AS 47.45.010(a), as
7 amended by sec. 2 of this Act, and is not required to reapply for quali-
8 fication.

9 * Sec. 8. This Act takes effect on the date of a final decision by the
10 Alaska Supreme Court affirming the decision of the superior court in the
11 case of Rodney Vest, et al v. Marian Schafer and State of Alaska, No. 1JU-
12 82-1103 CIV, Superior Court for the State of Alaska, First Judicial Dis-
13 trict at Juneau, on the constitutionality of the Alaska longevity bonus
14 program.