

Introduced: 4/17/84
Referred: Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 717

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; and
7 providing for an effective date."

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

9 * Section 1. FINDINGS AND PURPOSE. (a) The legislature finds and
10 declares that

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

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

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

19 (4) it is in the public interest to continue the longevity bonus
20 program for elderly Alaskans irrespective of need.

21 (b) The longevity bonus program is not a form of welfare and is not a
22 substitute for or supplement to public assistance. Other programs are
23 available to provide the basic necessities of life. The longevity bonus
24 program is intended to encourage elderly Alaskans to spend their retirement
25 years in the comfort of their homes.

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

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

28 (a) A person who is 65 years of age or over, who resides in the state
29 for at least one year immediately preceding application for a

1 longevity bonus under this chapter [WAS DOMICILED IN THE TERRITORY ON
2 OR BEFORE JANUARY 3, 1959 AND WHO HAS MAINTAINED A CONTINUOUS DOMICILE
3 IN THE TERRITORY OR STATE FOR 25 YEARS] may apply to the commissioner
4 of administration for qualification to receive a monthly bonus of
5 \$250.

6 (b) When the commissioner of administration determines that an
7 applicant qualifies under AS 47.45.010 -- 47.45.170 the commissioner
8 [HE] shall immediately begin payment of the bonus.

9 (c) A person who otherwise qualifies to receive a bonus provided
10 for in AS 47.45.010 -- 47.45.170 may continue to do so only as long as
11 that person continues to be a resident of [HE CONTINUOUSLY RETAINS A
12 DOMICILE IN] the state.

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

14 Sec. 47.45.030. ABSENCE FROM THE STATE. After qualification, a
15 [A] recipient shall notify the commissioner of administration when the
16 recipient [HE] expects to be absent from the state if the absence is
17 for a continuous period that exceeds 30 days. After that notifica-
18 tion, the recipient may [SHALL] no longer receive bonuses from the
19 Department of Administration after the [HIS] last regularly approved
20 monthly application. Upon returning [HIS RETURN] to the state, the
21 recipient [HE] may again make application for a bonus. Whenever the
22 absence is for a continuous period that exceeds 180 days the recipient
23 shall be disqualified from receiving bonuses for the next 12 calendar
24 months after returning [HIS RETURN] to the state. However, when the
25 commissioner of administration determines a period of absence is
26 beyond the control of the recipient, the recipient [HE] may not be
27 disqualified [,] if the recipient [HE] still otherwise qualifies upon
28 returning [HIS RETURN] to the state. Continual absences from the
29 state, even though reported, and failure to notify the commissioner of

1 an expected absence may be grounds for disqualification.

2 * Sec. 4. AS 47.45.150 is amended to read:

3 Sec. 47.45.150. DEFINITIONS. In this chapter

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

7 (2) "resident" or "resident of the state" means an indi-
8 vidual who is physically present in the state with the intent to
9 remain in the state indefinitely and to make a home in the state; a
10 person demonstrates the requisite intent by maintaining a principal
11 place of abode in the state for one year and by providing other proof
12 of intent the commissioner may require by regulation, including proof
13 that the person is not claiming residency outside the state or obtain-
14 ing benefits under a claim of residency outside the state ["DOMICILE"
15 MEANS THE PLACE WITH WHICH A PERSON HAS A SETTLED CONNECTION FOR
16 DETERMINATION OF HIS CIVIL STATUS OR OTHER LEGAL PURPOSES BECAUSE IT
17 IS ACTUALLY OR LEGALLY HIS PERMANENT AND PRINCIPAL HOME].

18 * Sec. 5. Section 2, ch. 205, SLA 1972, and AS 47.45.170 are repealed.

19 * Sec. 6. SPECIAL COMMITTEE. The State Special Committee on the Alaska
20 Longevity Bonus Program is created, consisting of two members of the Alaska
21 Senate appointed by the president of the senate, two members of the Alaska
22 House of Representatives appointed by the speaker of the house, two members
23 of the executive branch selected by the governor, and three public members
24 appointed by the governor. The committee shall determine the feasibility
25 of replacing the longevity bonus program, as amended by this Act, with an
26 annuity program, a needs-based program, or other longevity program. In
27 making the determination of feasibility required by this section, the
28 committee shall consider (1) the format and structure of alternative pro-
29 grams; (2) the cost of alternative programs as compared to the cost of the

1 longevity bonus program, as amended by this Act; (3) opinions of recipients
2 of longevity bonus payments on the question of replacing the longevity
3 bonus program with an alternative program; and (4) sources of funding for
4 the alternative programs. The committee shall report its findings on the
5 feasibility of alternative programs, together with draft legislation to
6 implement the alternative programs if the committee finds that one or more
7 programs are feasible, to the legislature and the governor by February 1,
8 1985.

9 * Sec. 7. If any provision of this Act, or the application of this Act
10 to any person or circumstance is held invalid, the remainder of this Act
11 and the application of this Act to other persons or circumstances is not
12 affected by that holding.

13 * Sec. 8. (a) A person who was qualified to receive a monthly longevi-
14 ty bonus under AS 47.45 on March 30, 1984 is presumed to be qualified to
15 receive a monthly bonus under AS 47.45 as amended by this Act. Payments
16 under AS 47.45, as amended by this Act, may be made to that person as long
17 as the person continues to qualify for payments under those provisions.

18 (b) A person (1) who is eligible to receive a monthly longevity bonus
19 under AS 47.45, as amended by this Act, for which that person was not
20 eligible under AS 47.45 on March 30, 1984, and (2) whose application for a
21 longevity bonus for a month beginning on or after May 1, 1984 is received
22 by July 1, 1984, may be paid for each month for which that person is qual-
23 ified and for which such an application was filed, notwithstanding any
24 other provision of law to the contrary.

25 * Sec. 9. Sections 1 -- 8 of this Act are retroactive to May 1, 1984.

26 * Sec. 10. This Act and AS 47.45 are repealed June 30, 1985.

27 * Sec. 11. This Act takes effect immediately in accordance with AS 01.-
28 10.070(c).