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Referred: Finance

Original sponsors: Koponen, Clocksin,
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1 IN THE HOUSE

BY THE HEALTH, EDUCATION, AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 212 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to eligibility for longevity bonus
7 payments and the use of longevity bonus payments in
8 determining adult public assistance; and providing
9 for an effective date."

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

11 * Section 1. AS 47.45.070 is amended to read:

12 Sec. 47.45.070. UNQUALIFIED PERSONS. An unqualified person is
13 one who

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

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

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

1 court in Alaska; revocation of parole or probation shall be cause for
2 immediate disqualification until release from confinement is again
3 effected;

4 (4) voluntarily leaves the state and remains absent from
5 the state for a continuous period of more than 180 days.

6 * Sec. 2. AS 47.45 is amended by adding new sections to read:

7 Sec. 47.45.122. ELIGIBILITY FOR PUBLIC ASSISTANCE. (a) An
8 individual for whom public assistance is denied or reduced solely
9 because of the receipt of a bonus by the individual or by a member of
10 the individual's household is eligible for assistance under the gener-
11 al relief assistance program under AS 47.25.120 - 47.25.300. Notwith-
12 standing the limit in AS 47.25.130, the individual is entitled to
13 receive the same amount as the individual would have received under
14 other public assistance programs had there been no longevity bonus
15 program.

16 (b) In this section "public assistance" means

17 (1) Supplemental Security Income (42 U.S.C. 1381 - 1385);

18 (2) Medical Assistance (42 U.S.C. 1396 - 1396p);

19 (3) Adult Public Assistance (AS 47.25.430 - 47.25.615);

20 (4) Aid To Families With Dependent Children (AS 47.25.310 -
21 47.25.420); and

22 (5) any federal assistance, grant, or loan program that
23 uses income level as a criteria for eligibility.

24 Sec. 47.45.124. ELIGIBILITY FOR STATE PROGRAMS. (a) A program
25 administered by the state or any of its instrumentalities or munici-
26 palities, the eligibility for which is based on financial need, may
27 not consider a bonus as income or resources unless required to do so
28 by federal law or regulation.

29 (b) A person who is ineligible for participation in the National

1 Older American Volunteer Programs (42 U.S.C. 5001 - 5023) or the Older
2 American Community Service Employment Program (42 U.S.C. 3056 - 3056f)
3 because a bonus received by the person was considered as income or
4 resources is eligible to participate in similar programs funded by the
5 state.

6 * Sec. 3. This Act takes effect July 1, 1985.

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