

Offered: 5/1/85
For Today's Calendar

Original sponsor: Finance Committee

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 CS FOR HOUSE BILL NO. 239 (Finance)
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 a longevity bonus; and providing
7 for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. FINDINGS AND PURPOSE. The legislature finds and declares
10 that
11 (1) the state is committed to the elderly and has been since
12 territorial days, as evidenced by the many programs benefiting the elderly,
13 including the Alaska longevity bonus program; the Alaska Supreme Court in
14 Schafer v. Vest, however, struck down the original longevity bonus program,
15 thus requiring action by the legislature; as a result, the program is now
16 open to an ever-increasing number of recipients, placing an ever-expanding
17 burden on the general fund;
18 (2) projections of declining oil revenue, combined with an
19 increasing senior citizen population, make it clear that the longevity
20 bonus program will be increasingly difficult to fund and it must be a-
21 mended;
22 (3) the state still desires to recognize the achievements of
23 Alaska's elderly, who served Alaska prior to statehood; thus, the legisla-
24 ture is committed to the principle that those currently receiving the
25 longevity bonus will continue to receive it in the future;
26 (4) this legislation provides for the eventual phasing out of
27 the current program in as fair and cost effective a manner as possible,
28 leaving it to subsequent legislatures to decide if another program is
29 needed to assist future Alaskan elders at some later point in time.

1 * Sec. 2. AS 47.45.010(a) is amended to read:

2 (a) A person who is 65 years of age or over on or before July 1,
3 1986, who resides in the state for at least one year immediately
4 preceding application for a longevity bonus under this chapter may
5 apply to the commissioner of administration for qualification to
6 receive a monthly bonus of \$250 upon reaching age 65.

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

8 Sec. 47.45.030. ABSENCE FROM THE STATE. After qualification, a
9 recipient shall notify the commissioner of administration when the
10 recipient expects to be absent from the state if the absence is for a
11 continuous period that exceeds 30 days. After that notification, the
12 recipient may no longer receive bonuses from the Department of Admin-
13 istration after the last regularly approved monthly application. Upon
14 returning to the state, the recipient may again make application for a
15 bonus. Whenever the absence is for a continuous period that exceeds 90
16 [180] days the recipient shall be disqualified from receiving bonuses
17 for the next 12 calendar months after returning to the state. However,
18 when the commissioner of administration determines a period of absence
19 is beyond the control of the recipient, the recipient may not be
20 disqualified if the recipient still otherwise qualifies upon returning
21 to the state. Continual absences from the state, even though report-
22 ed, and failure to notify the commissioner of an expected absence may
23 be grounds for disqualification.

24 * Sec. 4. AS 47.45.070 is amended to read:

25 Sec. 47.45.070. UNQUALIFIED PERSONS. An unqualified person is
26 one who

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

29 (2) meets the age and residence requirements of this

1 chapter but either is confined in a state or federal mental health
2 institution or facility and is certified by the state as unable to
3 manage personal affairs, or resides in a nursing home as that term is
4 defined in AS 08.70.180; however, if that person, at the time of
5 commitment or commencement of residence, provided the principal
6 support of a spouse, the commissioner of administration may determine
7 to pay the confined person's bonus to the person's spouse until the
8 spouse is qualified for a bonus;

9 (3) is otherwise qualified but confined in a penal or
10 correctional institution or facility; upon completion of sentence or
11 upon the conferral of a pardon, parole or probation, the person may
12 make application; confinement outside the state shall be considered as
13 residence in the state if a person was convicted and sentenced from a
14 court in Alaska; revocation of parole or probation shall be cause for
15 immediate disqualification until release from confinement is again
16 effected;

17 (4) voluntarily leaves the state and remains absent from
18 the state for a continuous period of more than 90 [180] days.

19 * Sec. 5. AS 47.45 is amended by adding a new section to read:

20 Sec. 47.45.122. ELIGIBILITY FOR PUBLIC ASSISTANCE. (a) An
21 individual whose public assistance is denied or reduced solely because
22 of the receipt of a bonus under this chapter by the individual or by a
23 member of the individual's household is eligible for assistance under
24 the general relief assistance program in AS 47.25.120 - 47.25.300.
25 Notwithstanding the limit in AS 47.25.130, the individual is entitled
26 to receive the same amount as the individual would have received under
27 other public assistance programs had the individual not received a
28 longevity bonus.

29 (b) In this section "other public assistance" means

- 1 (1) Supplemental Security Income (42 U.S.C. 1381 - 1385);
2 (2) Medicaid (42 U.S.C. 1396 - 1396p); and
3 (3) Adult Public Assistance (AS 47.25.430 - 47.25.615).
4 * Sec. 6. Section 11, ch. 38, SLA 1984 is repealed.
5 * Sec. 7. Sections 1 - 5 of this Act take effect July 1, 1985.
6 * Sec. 8. Section 6 of this Act takes effect immediately in accordance
7 with AS 01.10.070(c).