

BY REP. HUDSON, Sharp

1 IN THE HOUSE

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HOUSE BILL NO. 382

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to absences from the state for purposes of determining eligibility of seniors for certain benefits; and providing for an effective date."

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

11 * Section 1. AS 43.23.005 is amended by adding a new subsection to
12 read:

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(f) Notwithstanding the requirements in AS 43.23.095(7) relating to absences from the state, a person who is absent from the state during a year for a period that does not exceed 120 consecutive days remains eligible to receive a permanent fund dividend for that year if the person is

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(1) at least 65 years of age on the date of application;

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(2) otherwise eligible to receive the dividend.

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* Sec. 2. AS 47.45.030 is amended to read:

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Sec. 47.45.030. ABSENCE FROM THE STATE. After qualification, a recipient shall notify the commissioner of administration when the recipient expects to be absent from the state if the absence is for a continuous period that exceeds 30 days. After that notification, the recipient may no longer receive bonuses from the Department of Administration after the last regularly approved monthly application. Upon returning to the state, the recipient may again make application for a bonus. Whenever the absence is for a continuous period that exceeds

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1 120 [90] days the recipient shall be disqualified from receiving
2 bonuses for the next 12 calendar months after returning to the state.
3 However, when the commissioner of administration determines a period
4 of absence is beyond the control of the recipient, the recipient may
5 not be disqualified if the recipient still otherwise qualifies upon
6 returning to the state. Continual absences from the state, even
7 though reported, and failure to notify the commissioner of an expected
8 absence may be grounds for disqualification.

9 * Sec. 3. AS 47.45.070 is amended to read:

10 Sec. 47.45.070. UNQUALIFIED PERSONS. An unqualified person is
11 one who

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

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

23 (3) is otherwise qualified but confined in a penal or cor-
24 rectional institution or facility; upon completion of sentence or upon
25 the conferral of a pardon, parole or probation, the person may make
26 application; confinement outside the state shall be considered as
27 residence in the state if a person was convicted and sentenced from a
28 court in Alaska; revocation of parole or probation shall be cause for
29 immediate disqualification until release from confinement is again

1 effected;

2 (4) voluntarily leaves the state and remains absent from the
3 state for a continuous period of more than 120 [90] days.

4 * Sec. 4. This Act takes effect January 1, 1991.