

**SENATE CS FOR CS FOR HOUSE BILL NO. 81(RLS)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**EIGHTEENTH LEGISLATURE - FIRST SESSION**

**BY THE SENATE RULES COMMITTEE**

**Offered: 4/29/93**  
**Referred: Today's Calendar**

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the longevity bonus program."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* Section 1. AS 43.23.055 is amended to read:

4 Sec. 43.23.055. DUTIES OF THE DEPARTMENT. The department shall

5 (1) annually pay permanent fund dividends from the dividend fund;

6 (2) subject to AS 43.23.011 and paragraph (8) of this section, adopt

7 regulations under AS 44.62 (Administrative Procedure Act) that establish procedures

8 and time limits for claiming a permanent fund dividend; the department shall determine

9 the number of eligible applicants by October 1 of the year for which the dividend is

10 declared and pay the dividends by December 31 of that year;

11 (3) adopt regulations under AS 44.62 (Administrative Procedure Act)

12 that establish procedures and time limits for an individual upon emancipation or upon

13 reaching majority to apply for permanent fund dividends not received during minority

14 because the parent, guardian, or other authorized representative did not apply on behalf

1 of the individual;

2 (4) assist residents of the state, particularly in rural areas, who because  
3 of language, disability, or inaccessibility to public transportation need assistance to  
4 establish eligibility and to apply for permanent fund dividends;

5 (5) annually determine, in cooperation with the Department of  
6 Corrections, the number and identity of individuals ineligible for a permanent fund  
7 dividend under AS 43.23.005(d);

8 (6) adopt regulations that are necessary to implement AS 43.23.005(d);

9 (7) adopt regulations that establish procedures for the parent, guardian,  
10 or other authorized representative of a disabled individual to apply for prior year  
11 permanent fund dividends not received by the disabled individual because no  
12 application was submitted on behalf of the individual;

13 (8) adopt regulations that establish procedures for an individual to apply  
14 to have a dividend warrant reissued if it is returned to the department as undeliverable  
15 or it is not paid within two years of the date of its issuance; however, the department  
16 may not establish a time limit within which an application to have a warrant reissued  
17 must be filed;

18 (9) adopt regulations establishing an optional longevity bonus  
19 program to provide for the direct payment by the department of an individual's  
20 permanent fund dividend to an annuity program selected by the individual.

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

22 (a) A person who is 65 years of age or over who resides in the state for at  
23 least one year immediately preceding application for a longevity bonus under this  
24 chapter [,] may apply to the commissioner of administration no later than  
25 December 31, 1996, for qualification to receive a monthly bonus of

26 (1) \$250, if the person's application was submitted before  
27 January 1, 1994;

28 (2) \$200, if the person's application was submitted on or after  
29 January 1, 1994, but before January 1, 1995;

30 (3) \$150, if the person's application was submitted on or after  
31 January 1, 1995, but before January 1, 1996; or

1 (4) \$100, if the person's application was submitted on or after  
2 January 1, 1996, but before January 1, 1997.

3 \* Sec. 3. AS 47.45 is amended by adding a new section to read:

4 Sec. 47.45.045. REAPPLICATION AFTER DISQUALIFICATION. A person  
5 who has been disqualified under this chapter from receiving a bonus for a period of  
6 12 consecutive months or more may not reapply for qualification for a bonus unless  
7 the reapplication is made before January 1, 1997. The amount of that person's  
8 monthly bonus shall be determined under AS 47.45.010(a)(1) - (4) based on the date  
9 of reapplication.

10 \* Sec. 4. AS 47.45.070(a) is amended to read:

11 (a) An unqualified person is one who

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

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

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

27 (4) voluntarily leaves the state and remains absent from the state for  
28 a continuous period of more than 90 days;

29 (5) did not apply, under AS 47.45.010(a), before January 1, 1997,  
30 for qualification to receive a longevity bonus;

31 (6) was found qualified to receive a longevity bonus, was

1           subsequently disqualified for 12 consecutive months or more, and did not reapply  
2           before January 1, 1997.

3           \* Sec. 5. AS 43.23.055(9) is repealed on July 31, 1995, if, on June 30, 1995, fewer than  
4 5,000 individuals have elected to participate in the optional longevity bonus program  
5 established in AS 43.23.055(9), added by sec. 1 of this Act. On or after July 1, 1995, but  
6 before July 31, 1995, the commissioner of revenue shall notify the revisor of statutes and the  
7 lieutenant governor of the number of individuals who have elected before July 1, 1995, to  
8 participate in the optional longevity bonus program.

9           \* Sec. 6. SEVERABILITY. (a) Under AS 01.10.030, if any provision of  
10 AS 47.45.010(a)(1) - (4), amended by sec. 2 of this Act, AS 47.45.045, added by sec. 3 of this  
11 Act, or AS 47.45.070(a)(5) and (6), added by sec. 4 of this Act, or the application of a  
12 provision of this Act to any person or circumstance, is held invalid, the remainder of this Act  
13 and the application to other persons or circumstances shall not be affected.

14           (b) Under AS 01.10.030, if AS 43.23.055(9), added by sec. 1 of this Act, is held to  
15 violate art. II, sec. 13, Constitution of the State of Alaska, the remainder of this Act shall not  
16 be affected.