

HB

1988

CS FOR HOUSE BILL NO. 198(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES ELTON, Robinson, Davies

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to absences from the state for purposes of eligibility for
2 permanent fund dividends to care for a terminally ill parent, spouse, sibling,
3 child, or stepchild; to care for a parent, spouse, sibling, child, or stepchild with
4 a critical life-threatening illness whose treatment plan, as recommended by the
5 attending physician, requires travel outside the state for treatment at a medical
6 specialty complex; and to settle the estate of a deceased parent, spouse, sibling,
7 child, or stepchild; and providing for an effective date."

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

9 * Section 1. FINDINGS AND INTENT. The legislature finds that care of a terminally ill
10 individual by a member of that individual's immediate family is a socially beneficial and, in
11 this time of escalating health care costs, economically efficient measure. It is the intent of the
12 legislature to provide support to the families in this state during times of bereavement and to
13 encourage residents to provide personal care for terminally ill family members.

1 * Sec. 2. AS 43.23.095(8) is amended to read:

2 (8) "state resident" means an individual who is physically present in the
3 state with the intent to remain permanently; in the state under the requirements of
4 AS 01.10.055 or, if the individual is not physically present in the state, intends to
5 return to the state and remain permanently in the state under the requirements of
6 AS 01.10.055, and is absent only for any of the following reasons:

7 (A) vocational, professional, or other specific education for
8 which a comparable program was not reasonably available in the state;

9 (B) secondary or postsecondary education;

10 (C) military service;

11 (D) medical treatment;

12 (E) service in Congress;

13 (F) other reasons which the commissioner may establish by
14 regulation; [OR]

15 (G) service in the Peace Corps;

16 (H) to care for the individual's terminally ill parent, spouse,
17 sibling, child, or stepchild;

18 (I) to settle the estate of the individual's deceased parent,
19 spouse, sibling, child, or stepchild; or

20 (J) to care for a parent, spouse, sibling, child, or stepchild
21 with a critical life-threatening illness whose treatment plan, as
22 recommended by the attending physician, requires travel outside the state
23 for treatment at a medical specialty complex;

24 * Sec. 3. This Act takes effect January 1, 1997.



REPRESENTATIVE KIM ELTON

**CSHB 198 (STA)
PFD Bereavement Absence**

Sponsor Statement

CSHB 198 adds three allowable absences to residency determinations under the permanent fund dividend program:

- (1) for the purpose caring for a family member with a critical, life-threatening illness;
- (2) for the purpose of caring for a terminally ill family member;
- (3) for the purpose of settling the estate of a deceased family member.

Family member is defined in the bill as "parent, spouse, sibling, child, or step-child."

Care of a critically or terminally ill family member is an important family responsibility with both family and societal benefits. Family care provides the opportunity to express the love and support necessary to ease the pain of a person's most difficult days and weeks of life. Care provided by family members lowers the cost of health care for individuals who would otherwise be institutionalized, and thus lowers health care costs for society. Settling the estate of a family member is one of the unavoidable and burdensome duties imposed by death. Alaskans who undertake these difficult family responsibilities should not be punished financially by losing their permanent fund dividends.

It is unknown at this time how many Alaskans might apply for a "bereavement absence" because the agency has not recorded this data from past applications. If the number of persons absent for this reason is small, it will have a negligible effect on the amount of the permanent fund dividend. CSHB 198 has no effect on the general fund; there are no additional processing costs anticipated by the Permanent Fund Dividend Division.

CSHB 198 is supported by the American Association of Retired Persons, the Alaska Geriatric Exchange Network (AGENET), and the Alaska Women's Lobby.

Revision Date: 3/26/96 Dept. Affected: Revenue
 Title: Eligibility for PFD BRU: Permanent Fund Dividend Division
 Component: Permanent Fund Dividend Division
 Sponsor: Representatives ELTON, Robinson, Davies
 Requestor: House State Affairs COMPONENT SERIAL NO. 981

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost \$ 0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

(See Attached Analysis)

Prepared by: Nanci A. Jones, Director *[Signature]* Phone: 465-2323
 Division: Permanent Fund Dividend Division Date: 3/26/96
 Approved by Commissioner: Wilson L. Condon *[Signature]* Date: 3/26/96
 Agency: Department of Revenue

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Department of Revenue
Permanent Fund Dividend Division

Fiscal Note Analysis
House Bill 198

This bill amends the Definitions section of AS 43.23.095(8) by adding two additional allowable absences to the list of absences allowable for purposes of qualifying for a Permanent Fund Dividend. The proposed additional absences are: caring for the individual's terminally ill parent, spouse, sibling, child, or step-child; and absence from the state to settle the estate of the individual's deceased parent, spouse, sibling, child, or step-child. The effective date of this bill is January 1, 1996.

The fiscal effects of this bill are minimal and can be absorbed by the PFD Division.



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March 6, 1995

Representative Kim Elton
Alaska House of Representatives
State Capitol
Juneau, AK 99801-1182

MAR 03 1995

Dear Representative Elton:

This letter is to inform you of the intent of the State Legislative Committee to support HB 198, entitled PFD Bereavement Absences. The passage of HB 198 would be a great assistance to many seniors in Alaska and to other Alaskans of younger generations as well.

Our intent is to work with you as this bill progresses through committee hearings.

Sincerely,

Rupe Andrews, CCTF Coordinator, AARP

AGENET

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March 6, 1995

Representative Kim Elton
Capitol Building
Room 112
Juneau, Alaska 99811

Dear Representative Elton:

The Alaska Geriatric Network Exchange (AGENET) is pleased to be asked to support HB 198 which would allow Alaskans absence from the state to care for a terminally ill family member or settle the estate of a deceased family member.

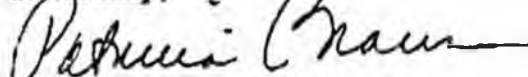
Members of AGENET are well aware of the need for Alaskans to care for family members. We, in managing senior services across the state, understand the situations described above. We advocate for Alaskans who have family members outside of Alaska to be able to care for those individuals so that honor and dignity remain with the terminally ill person as well as the caregivers as long as possible.

AGENET members also clearly understand the need to grieve a loved one and the importance of being able to do so in a proper manner. By allowing a "bereavement absence" for Alaskans, individuals would be able to be with other family members during a relative's death and be able to be a supportive family members in staying to take care of estate settlements.

Due to the geography and distance for those of us who choose to live in this beautiful state, it is difficult to even travel to get to family members who are terminally ill. HB 198 would allow Alaskans to be able take the time and care each of us would want to give to our loved ones who are sick and dying without suffering further financial penalties.

Thank you, Representative Elton, for introducing HB 198. It is a bill that will enhance Alaskans' role in caring for their families though they may be thousands of miles away.

Sincerely,



Patricia Branson, President
AGENET

ALASKA WOMEN'S LOBBY

P.O. BOX 22156, JUNEAU, ALASKA 99802

POSITION PAPER ON PFD BEREAVEMENT ABSENCES - HB 198

The Alaska Women's Lobby strongly supports the creation of an additional allowable absence for PFD eligibility.

HB 198 would allow a resident an excused absence for the purpose of caring for a terminally ill family member and for the settling of the family member's estate after death.

Many Alaskans have elderly family members living in other states. It is also fairly common for seriously ill Alaskans to travel out of state for specialized medical care. It is very important for the family unit that a person be able to care for a parent or a spouse who has a serious health condition.

Three quarters of all caregivers for older people are women. The caregiver's burden is a heavy one. He or she should not have to also suffer the additional penalty of being denied PFD eligibility.

We believe it is simply good public policy to lend support to families by encouraging rather than discouraging residents to provide personal care for terminally ill family members.

We urge the passage of HB 198.