

LEG. FINANCE - BILLS 1977 - 1978 723
HB 432 cont. thru HB 439

1 and necessary shall also be determined. Cost settling shall occur upon
2 determination of a final rate based upon departmental audit to be com-
3 pleted within 180 days of close of the fiscal year for which the full
4 cost of services, determined to be reasonable and necessary, is being
5 determined. Child care costs for foster homes shall be computed in the
6 same manner as for child care and nursing home institutions except that
7 no salary costs may be considered.

8 * Sec. 4. AS 47.40.040(b)(3) and (5) are amended to read:

9 (3) cost of additions to [DEPRECIATION AND REPLACEMENT COSTS
10 OF, AND COSTS OF ADDITIONS TO,] major property and equipment;

11 (5) services specified as nonallowable in departmental regu-
12 lations [PROVIDED WHICH ARE SUBSTANDARD TO, OR EXCEED, THE REQUIREMENTS
13 OF THE DEPARTMENT].

14 * Sec. 5. AS 47.40.050 is repealed and re-enacted to read:

15 Sec. 47.40.050. SERVICES. To the greatest extent possible the
16 department shall select services that best meet the child's needs, pro-
17 mote stability for child and family, and are available near the child's
18 home community.

19 * Sec. 6. AS 47.40.080 is amended by adding a new paragraph to read:

20 (4) "cost-settling" means the process by which, on an annual
21 basis, the actual costs incurred by a provider of services to the state
22 under this chapter are compared to the amount he has received in the
23 form of the daily rate; if state payments exceed the provider's costs,
24 the provider shall refund the excess to the state; if the provider's
25 costs exceed the state payments, the state shall pay the provider the
26 excess amount.

27 * Sec. 7. AS 47.40.010(a)(4) is repealed.
28
29

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

HOUSE BILL NO. 432

By THE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

"An Act relating to the state's purchasing of services for persons under its responsibility."

State's purchasing of services

Introduced in the House 4-5-77, 1977

HISTORY IN THE HOUSE

1977		Read first time and referred to Committee on HESS and Finance										
Apr.	5	Reported back with recommendation that										
		Read second time and										
		Read third time and										
		<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date											
Yeas	Yeas											
Nays	Nays											
Absent	Absent											
Excused	Excused											
		Reconsideration										
		<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date											
Yeas	Yeas											
Nays	Nays											
Absent	Absent											
Excused	Excused											
		Reported correctly engrossed										
		Signed by Speaker										
		Sent to Senate										
CHIEF CLERK OF THE HOUSE												

HISTORY IN THE SENATE

19		Read first time and referred to Committee on										
		Reported back with recommendation that										
		Read second time and										
		Read third time and										
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		Reported correctly engrossed										
		Signed by President										
		Returned to House										
SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

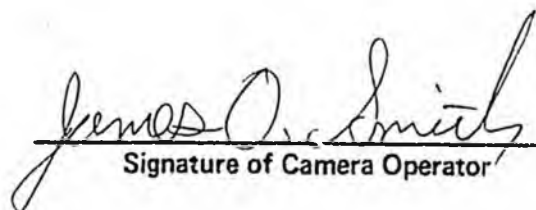
19	Received from Senate
	Concurred in Senate amendment thus adopting:
	Failed to concur in Senate amendment; asked Sen. to recede
	Senate receded from amendment
	Senate failed to recede from amendment
	FCC appointed by House
	FCC appointed by Senate
	FCC adopted
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.

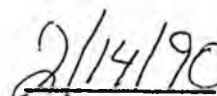


RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

COMMITTEE REPORT

4/27/77

HOUSE

July 3, 1977 Date

Mr. Speaker:

The Committee on ~~HEALTH~~ FINANCE has had HB 435

under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

<u>Freeman</u>	<u>McLain</u>	_____
<u>Wade</u>	<u>Shuman</u>	_____
<u>Wade</u>	<u>Shuman</u>	_____
<u>Wade</u>	<u>Shuman</u>	_____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____	recommends:	_____
_____	recommends:	_____
_____	recommends:	_____

Freeman
Chairman
Vice

Introduced: 4/5/77
Referred: Health, Education &
Social Services and Finance

BY COWPER, ANDERSON, AKERS,
MEEKINS, NAKAK, OSTERBACK,
SCHAEFFER AND SNIDER

1 IN THE HOUSE

2 HOUSE BILL NO. 435

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
7 ment of Community and Regional Affairs for an otitis-
8 media medical program; and providing for an effective
9 date."

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

11 * Section 1. The sum of \$200,000 is appropriated from the general fund to
12 the Department of Community and Regional Affairs for disbursement to RuralCAP
13 for an otitismedia medical program.

14 * Sec. 2. This Act takes effect July 1, 1977.

Introduced: 4/5/77
Referred: Health, Education &
Social Services and Finance

BY COWPER, ANDERSON, AKERS,
MEEKINS, NAKAK, OSTERBACK,
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4 TENTH LEGISLATURE - FIRST SESSION

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COMMITTEE REPORT

SENATE

5/7/77

5/25/77

Date

Mr. President:

The Committee on Finance has had HB 435
~~oticiamedia medical program~~
under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that
CS for _____ do pass
- (and) recommends it be referred to the _____
committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) see enclosed

MEMBERS SIGNING THE MAJORITY REPORT:

<u>William T. Tillion</u>	<u>Chairman</u>
<u>Robert</u>	<u>Member</u>
<u>Robert</u>	<u>Member</u>
<u>Robert</u>	<u>Member</u>

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

William T. Tillion
Chairman

Introduced: 4/5/77
Referred: Health, Education &
Social Services and Finance

BY COWPER, ALBERSON, AKERS,
MEEKINS, NAKAK, OSTERBACK,
SCHAEFFER AND SNIDER

1 IN THE HOUSE

2 HOUSE BILL NO. 435

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4 TENTH LEGISLATURE - FIRST SESSION

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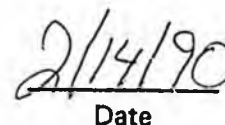


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Signature of Camera Operator


Date

COMMITTEE REPORT
SENATE

5/7/77

5/25/77

Date

Mr. President:

The Committee on Finance has had HB 435
~~otitimedia medical program~~
under consideration. A majority of the members of the Committee

recommends it do pass

recommends it do not pass

recommends it do pass with attached amendment(s)

recommends it be replaced with CS for _____ and that
CS for _____ do pass

(and) recommends it be referred to the _____
committee

reports it back without recommendation

AND attaches a report of its intent

(other) with attached

MEMBERS SIGNING THE MAJORITY REPORT:

John Tillion _____
Do Pass _____
John B. Smith _____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____
_____ recommends: _____
_____ recommends: _____

Chairman

Introduced: 4/5/77
Referred: Health, Education &
Social Services and Finance

BY COWFER, ANDERSON, AKERS,
MEEKINS, NAKAK, OSTERBACK,
SCHAEFFER AND SNIDER

1 IN THE HOUSE

2 HOUSE BILL NO. 435

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-
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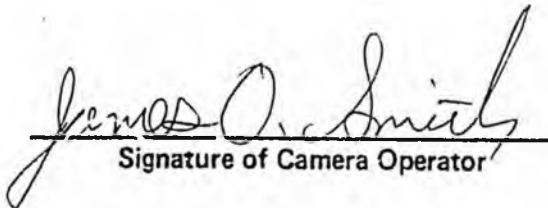
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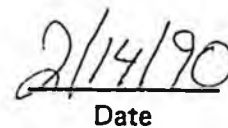


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Signature of Camera Operator


Date

"An Act making a supplemental appropriation to the Department of Revenue for additional expenses of the State Investment Advisory Committee; eff. date."

COMMITTEE REPORT

4-5-77

HOUSE

April 15, 1977 Date

Mr. Speaker:

The Committee on FINANCE has had HB 436

under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

[Signature] recommends: no Rec.

_____ recommends: _____

_____ recommends: _____

[Signature]
Chairman

Introduced: 4/5/77
Referred: Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 HOUSE BILL NO. 438

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the
7 Department of Revenue for additional expenses of the
8 State Investment Advisory Committee; and providing for
9 an effective date."

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

11 * Section 1. The sum of \$96,000 is appropriated from the general fund to
12 the Department of Revenue for additional expenses of the State Investment
13 Advisory Committee.

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
15 070(c).

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Alaska Permanent Fund

FY 77 SUPPLEMENTAL REQUEST - Department of Revenue, State Investment
Advisory Committee

TRAVEL

Board Members

Airfare	\$2,260
Per Diem	<u>2,550</u>
	4,810

Commissioner's Office

Airfare	2,545
Per Diem	<u>1,095</u>
	3,640

Total

\$ 8,450

CONTRACTUAL

Price Waterhouse & Co.

Added Consulting	\$10,000
Testimony & Ex-	
penses	<u>3,980</u>
	13,980

White, Weld & Co.

Testimony & Ex-	
penses	7,160

Alaska Pacific Bank

Testimony & Ex-	
penses	1,945

Covington & Burling (legal research on the distribution of Fund income)

Contract, One-half	20,000
Expenses	<u>1,195</u>
	21,195

Arthur D. Little (sectoral analysis of the growth potential of Alaska's economy)

Contract, One-third 40,000

Transcription of Minutes

2,500

Xeroxing of Consultant Data & Reports

750

Total
Grand Total

\$87,530
\$95,980

Introduced: 4/5/77
Referred: Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 HOUSE BILL NO. 438

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the
7 Department of Revenue for additional expenses of the
8 State Investment Advisory Committee; and providing for
9 an effective date."

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

11 * Section 1. The sum of \$96,000 is appropriated from the general fund to
12 the Department of Revenue for additional expenses of the State Investment
13 Advisory Committee.

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
15 070(c).

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James O. Smith
Signature of Camera Operator

2/14/90
Date

HB 438

FY 77 SUPPLEMENTAL REQUEST - Department of Revenue, State Investment
Advisory Committee

TRAVEL

Board Members

Airfare	\$2,260
Per Diem	<u>2,550</u>
	4,810

Commissioner's Office

Airfare	2,545
Per Diem	<u>1,095</u>
	3,640

Total

\$ 8,450

CONTRACTUAL

Price Waterhouse & Co.

Added Consulting	\$10,000
Testimony & Ex-	
penses	<u>3,980</u>
	13,980

White, Weld & Co.

Testimony & Ex-	
penses	7,160

Alaska Pacific Bank

Testimony & Ex-	
penses	1,945

Covington & Burling (legal research on the distribution of Fund income)

Contract, One-half	20,000
Expenses	<u>1,195</u>
	21,195

Arthur D. Little (sectoral analysis of the growth potential of Alaska's economy)

Contract, One-third	40,000
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Transcription of Minutes

2,500

Xeroxing of Consultant Data & Reports

750

Total
Grand Total

\$87,530
\$95,980

Gen Govt

Dept of Rev.

Alaska Permanent Fund

FY 78 BUDGET AMENDMENT - Department of Revenue, State Investment
Advisory Committee

TRAVEL

Board Members

Airfare, Per Diem \$6,580

Commissioner's Office

Air Fare 2,560
Per Diem 800
3,360

Total \$ 9,940

CONTRACTUAL

Alaska Pacific Bank

Contract & Ex-
penses 10,000

Covington & Burling

Contract, One-half 20,000
Expenses 1,195
21,195

Arthur D. Little

Contract, Two-
third 80,000
Expenses 6,440
86,440

Transcription of Minutes

5,000

Xeroxing of Consultant Data & Reports

1,750

Total \$124,385

Grand Total \$134,325

Total, FY 77 and FY 78 \$ 95,980
134,325
\$230,305

COMMITTEE REPORT
SENATE

5/7/77

July 27, 1977

Date

Mr. President:

The Committee on Finance has had HB 438
supplemental appropriation / State Investment Advisory Commission
under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that
CS for _____ do pass
- (and) recommends it be referred to the _____
committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

_____ Chairman

SENATE JOURNAL

SENATE FINANCE COMMITTEE

LETTER OF INTENT FOR HOUSE BILL NO. 438

\$96,000 is appropriated to the Department of Revenue under House Bill No. 438 for additional expenses of the State Investment Advisory Committee. The total amount includes \$40,000 for a sectoral analysis of the growth potential of Alaska's economy. This appropriation is contingent upon the following: The proposal for the aforementioned analysis shall be approved by the House and Senate Permanent Fund Committees.

John C. Sackett, Chairman
Senate Finance Committee

George H. Hohman

Chancy Croft

H. D. Meland

Joseph L. Orsini

John Butrovich

Introduced: 4/5/77
Referred: Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 HOUSE BILL NO. 438

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the
7 Department of Revenue for additional expenses of the
8 State Investment Advisory Committee; and providing for
9 an effective date."

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

11 * Section 1. The sum of \$96,000 is appropriated from the general fund to
12 the Department of Revenue for additional expenses of the State Investment
13 Advisory Committee.

14 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
15 070(c).

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HB 438
 FY 77 SUPPLEMENTAL REQUEST - Department of Revenue, State Investment
 Advisory Committee

TRAVEL

Board Members

Airfare	\$2,260
Per Diem	2,550
	<u>4,810</u>

Commissioner's Office

Airfare	2,540
Per Diem	1,095
	<u>3,640</u>

Total

\$ 8,450

CONTRACTUAL

Price Waterhouse & Co.

Added Consulting	\$10,000
Testimony & Ex-	
penses	3,980
	<u>13,980</u>

White, Weld & Co.

Testimony & Ex-	
penses	7,160

Alaska Pacific Bank

Testimony & Ex-	
penses	1,945

Covington & Burling (legal research on the distribution of Fund income)

Contract, One-half	20,000
Expenses	1,195
	<u>21,195</u>

Arthur D. Little (sectoral analysis of the growth potential of Alaska's economy)

Contract, One-third	40,000
---------------------	--------

Transcription of Minutes

2,500

Xeroxing of Consultant Data & Reports

750

Total
 Grand Total

\$87,530
\$95,980

Gen Govt

Dept of Rev.

Alaska Permanent Fund

FY 78 BUDGET AMENDMENT - Department of Revenue, State Investment
Advisory Committee

TRAVEL

Board Members

Airfare, Per Diem \$6,580

Commissioner's Office

Air Fare 2,560
Per Diem 800
3,360

Total \$ 9,940

CONTRACTUAL

Alaska Pacific Bank

Contract & Ex-
penses 10,000

Covington & Burling

Contract, One-half 20,000
Expenses 1,195
21,195

Arthur D. Little

Contract, Two-
third 80,000
Expenses 6,440
86,440

Transcription of Minutes

5,000

Xeroxing of Consultant Data & Reports

1,750

Total \$124,385

Grand Total \$134,325

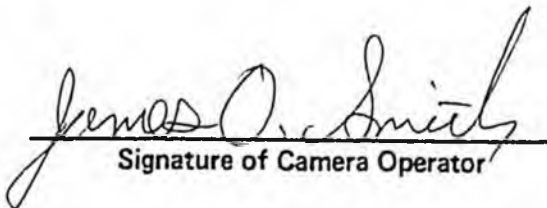
Total, FY 77 and FY 78 \$ 95,980
134,325
\$230,305

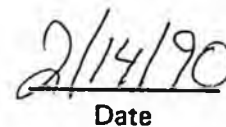


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Signature of Camera Operator


Date

COMMITTEE REPORT
SENATE

5/26/77

March 2, 1978

Date

Mr. President:

The Committee on FINANCE has had CSHB 439
Alaska Longevity Bonus

under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for CSHB 439 and that
CS for CSHB 439 do pass
- (and) recommends it be referred to the _____
committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

Chairman

Original sponsors: Guy, Akers,
Anderson, et al

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 439 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska longevity bonus; and
7 providing for an effective date."

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

9 * Section 1. AS 47.45.010(a) is amended to read:

10 (a) A person who is 65 years of age or over, who was domiciled in
11 the territory on or before January 3, 1959 and who has maintained a
12 continuous domicile in the territory or state for 25 years may apply to
13 the commissioner of administration for qualification to receive a
14 monthly bonus of \$150 [\$125].

15 * Sec. 2. AS 47.45 is amended by adding a new section to read:

16 Sec. 47.45.015. PERSONS WITH UNREGISTERED BIRTHS. (a) When the
17 birth of a person applying for a bonus under this chapter is unregis-
18 tered, the department shall, within 15 days after receipt of that per-
19 son's application,

20 (1) request that the person submit an affidavit and the af-
21 fidavits of at least three other persons verifying that the person ap-
22 plying is at least 65 years of age; and

23 (2) request the state registrar of vital statistics to con-
24 duct an investigation to establish the date of birth of the person.

25 (b) The state registrar of vital statistics shall prepare and sub-
26 mit a preliminary report of birth within 60 days after receipt of the
27 department's request. The state registrar may dispense with the re-
28 quirement to prepare and submit a preliminary report if there is suffi-
29 cient documentary evidence to permit a delayed registration of birth

1 before a preliminary report is required.

2 (c) If a person whose birth is unregistered is otherwise qualified
3 under this chapter, and the affidavits required under (a)(1) of this
4 section have been received, a bonus shall be paid to that person be-
5 ginning the month next following the earlier of either the date the
6 preliminary report of birth is received or 60 days after the state
7 registrar of vital statistics is requested to investigate the birth of
8 the person. A person whose birth is unregistered is not qualified to
9 receive a bonus under this chapter if the preliminary report required
10 under (b) of this section contains documentary evidence that the person
11 is less than 65 years of age.

12 (d) If the department finds that a bonus has been improperly paid
13 to a person after complying with the procedures required under this
14 section, it shall investigate, and if it appears from the investigation
15 that a bonus was improperly paid, the department shall cancel accrued
16 bonuses and notify the person improperly receiving the bonus of the
17 reasons for the cancellation. The state then has a claim against that
18 person which may be enforced by civil action in the name of the state by
19 the attorney general. A judgment obtained against a person on a claim
20 brought under this subsection may be satisfied from amounts due as
21 bonuses payable to that person if he subsequently becomes qualified
22 under this chapter.

23 (e) Bonuses for a person whose birth is unregistered and who is
24 otherwise qualified under this chapter shall accrue from the date of
25 application or the date of qualification, whichever is later.

26 * Sec. 3. AS 47.45.050 is amended to read:

27 Sec. 47.45.050. DEPARTMENT HEARING. (a) The Department of Ad-
28 ministration shall by certified mail notify [MAY HOLD A DEPARTMENTAL
29 HEARING UPON THE REQUEST OF] an applicant or recipient who has been

1 disqualified. The notice shall inform the [PREVIOUS TO THIS HEARING THE
2 DEPARTMENT SHALL BY CERTIFIED MAIL NOTIFY AN] applicant or recipient
3 of (1) [IN PLAIN AND COMPREHENSIVE LANGUAGE] the exact reason for his
4 disqualification; (2) his right to a hearing at his request under this
5 section; and (3) the requirements and procedure for obtaining (A) state
6 payment of his transportation expenses and per diem in connection with
7 attending the hearing, or (B) a hearing held in the vicinity of his
8 residence. The notice shall be in plain and comprehensive language.
9 Form letters using only referral to state statutes or departmental
10 [DEPARTMENT] regulations, or otherwise vague in detail, shall not be
11 considered compliance by the department with this section.

12 (b) Upon the request of the applicant or recipient, the Department
13 of Administration shall provide a reasonable opportunity for a depart-
14 mental hearing to an applicant or recipient who has been disqualified.

15 * Sec. 4. AS 47.45 is amended by adding new sections to read:

16 Sec. 47.45.055. TIME AND PLACE OF HEARING. (a) The Department of
17 Administration shall determine the time and place of a hearing held
18 under sec. 50 of this chapter. If the applicant or recipient presents
19 proof satisfactory to the department that he is unable to travel, the
20 hearing shall be held as near the residence of the applicant or reci-
21 pient as is necessary to enable him to attend the hearing. In all other
22 cases the hearing shall be held as provided in (b) of this section.

23 (b) The hearing shall be held in Juneau or Ketchikan, whichever is
24 closer to the place where the applicant or recipient resides, if the
25 applicant or recipient resides in the Southeastern Senate District; in
26 Anchorage if the applicant or recipient resides in the South Central
27 Senate District; in Fairbanks or Nome, whichever is closer to the place
28 where the applicant or recipient resides, if the applicant or recipient
29 resides in the Central or Northwestern Senate District. The Department

1 of Administration may select a different place nearer the place where
2 the applicant or recipient resides.

3 (c) Notwithstanding (a) and (b) of this section, the Department of
4 Administration and the applicant or recipient may by agreement select
5 any place in the state for a hearing to be held under sec. 50 of this
6 chapter.

7 (d) As used in this section, "senate district" means the appro-
8 priate senate district from among the constitutionally prescribed senate
9 districts as of January 3, 1959.

10 Sec. 47.45.056. PAYMENT OF APPLICANT'S TRAVEL EXPENSES. If, as a
11 result of a hearing held under sec. 50 of this chapter, the applicant or
12 recipient is found to be qualified, the Department of Administration
13 shall arrange to pay per diem and the costs of transportation of the
14 applicant or recipient in connection with attending the hearing. These
15 expenses shall be paid in the same manner and amount as for state em-
16 ployees traveling on state business.

17 * Sec. 5. AS 47.45.080 is amended to read:

18 Sec. 47.45.080. ACCRUAL OF BONUSES. Except as provided under sec.
19 15(e) of this chapter, no [NO] recipient may [, FOR ANY REASON,] receive
20 an accrual of bonuses in excess of two monthly payments. No interest
21 may be paid on accrued bonuses. Upon the death of a recipient the com-
22 missioner of administration shall pay to the beneficiary of the re-
23 ipient any accrued bonuses not to exceed two monthly payments.

24 * Sec. 6. AS 18.50.040 is amended by adding a new paragraph to read:

25 (6) prepare and submit preliminary reports of birth when
26 requested to do so by the Department of Administration under AS 47.45.-
27 015;

28 * Sec. 7. Section 1 of this Act takes effect July 1, 1978.

29 * Sec. 3. Sections 2 - 6 of this Act take effect immediately in accor-

1 dance with AS 01.10.070(c).

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THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SCS for CS for HB 439 (Finance)
 Title An Act relating to Alaska Longevity Bonus
 Requested by Senate Finance Date 3/7/78

II. FISCAL DETAIL

Agency Affected Department of Administration
 Program Category Affected Social Services
 Budget Request Unit(s) Affected Alaska Longevity Bonus

EXPENDITURES (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
100 PERSONAL SERVICES		17.2	18.1	19.0	19.9	20.9
200 TRAVEL		7.5	7.9	8.3	8.7	9.1
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		2,085.0	2,241.3	2,397.6	2,553.9	2,710.2
TOTAL		2,109.7	2,267.3	2,424.9	2,582.5	2,740.2

FUNDING (Thousands of Dollars)

GENERAL FUND		2,109.7	2,267.3	2,424.9	2,582.5	2,740.2
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

SEE ATTACHED SHEETS

Costs developed from second version working draft.
 Costs may change if later versions are adopted.

IV. DATE 3/7/78

PREPARED BY Russell Clark/Vernon L. Perry
 AGENCY Department of Administration
 PHONE 465-2293

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Senate Finance
 Governor's Office (Keith Specking)

Section 1 Increase Bonus to \$150

Starting No. represents number of recipients per fiscal year.

FY 79	6,950	X	12	X	25	=	\$2,085.0
FY 80	7,471	X	12	X	25	=	\$2,241.3
FY 81	7,992	X	12	X	25	=	\$2,397.6
FY 82	8,513	X	12	X	25	=	\$2,583.9
FY 83	9,034	X	12	X	25	=	\$2,710.2

Section 2 Establishing Eligibility

- (a) 1 Assume no additional cost
- (a) 2 Assume no additional cost
- (b) No estimate of cost available
- (c) Assume no additional cost
- (d) Assume no additional cost
 - Court and other cost
 - subtracted future benefits
- (e) Assume no additional cost
 - Operating budget will have funds
 - for all eligible persons

Section 4 and 5 Department Hearing/Time and Place

- Assume - 6 to 12 hearings annually
- Travel and per diem average \$350.00 ea. of two persons per trip
- Require one Clerk Typist III to transcribe hearings and handle added administrative duties
- 3-6 persons would win hearings
- Average cost of \$200 for travel and per diem
- Inflation at 5% annually

FY 79 Cost

9 trips X 2 persons X \$350	=	\$6.3	200
1 Clerk Typist III	=	17.2	100
6 Winners at 200 each	=	1.2	200
		24.7	

	FY 79	FY 80	FY 81	FY 82	FY 83
100 Pers. Svc.	17.2	18.1	19.0	19.9	20.9
200 Travel	7.5	7.9	8.3	8.7	9.1
TOTAL	24.7	26.0	27.3	28.6	30.0

Section 6

No cost

Section 7

No cost

Section 9

Added to Section 1

Section 10

Assume little effect on Sec. 2-8

SUMMARY OF COSTS

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
100 Pers.						
Svcs		17.2	18.1	19.0	19.9	20.9
200 Travel		7.5	7.9	8.3	8.7	9.1
700 Grants		2,085.0	2,241.3	2,397.6	2,553.9	2,710.2
		<u>2,109.7</u>	<u>2,267.3</u>	<u>2,424.9</u>	<u>2,582.5</u>	<u>2,740.2</u>

SENATE
JOURNAL SUPPLEMENT

March 8, 1978

Wednesday

No. 16

SCS
CSHB
439
(Fin)

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SCS for CS for HB 439 (Finance)
 Title An Act Relating to Alaska Longevity Bonus
 Requested by Senate Finance Date 3/7/78

II. FISCAL DETAIL

Agency Affected Department of Administration
 Program Category Affected Social Services
 Budget Request Unit(s) Affected Alaska Longevity bonus

EXPENDITURES (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
100 PERSONAL SERVICES		17.2	18.1	19.0	19.9	20.9
200 TRAVEL		7.5	7.9	8.3	8.7	9.1
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCT. ACQ.						
700 GRANTS, CLAIMS, ETC.		2,085.6	2,241.3	2,327.6	2,553.9	2,710.2
TOTAL		2,109.7	2,267.3	2,424.9	2,582.5	2,740.2

FUNDING (Thousands of Dollars)

GENERAL FUND	2,109.7	2,267.3	2,424.9	2,582.5	2,740.2
FEDERAL FUNDS					
OTHER (Specify)					

POSITIONS

FULL TIME					
PART TIME					
TEMPORARY					

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

SEE ATTACHED SHEETS

Cont'd developed from second version working draft.
 Cont'd may change if later versions are adopted.

IV. DATE 3/7/78

PREPARED BY Russell Cliff/Vernon J. Perry
 AGENCY Department of Administration
 PHONE 465-2253

Longevity Bonus Bills

SB 97 - Governor - (S) HESS

- 1) adds requirement that person must have been 21 years of age on Jan 3, 1959.
- 2) makes payments retroactive to date of eligibility or application, whichever is later.

SB 160 - Rodey, Kertulla, etc - (S) HESS

- 1) ties bonus payments to quarterly adjustment of CPI ✓

* SB 177 - Rodey, Kertulla, etc - (S) HESS

- 1) changes payments from \$125 to \$150.

SB 358 - Bradley - (S) State Affairs

- 1) changes requirements for hearing
- 2) provides for transportation, \$ per diem if applicant must travel to hearing
- 3) provides for appeal to ~~Supp~~ Superior Court for de novo review.

SB 392 - Governor - (S) HESS

- 1) ties bonus payments to CPI. ✓

SB 418 - Hohman (S) State Affairs

- 1) changes bonus payments from \$125 to \$150.

SB 493 - Tillion, Huber, Kestulla (S) State Affairs
1) changes bonus payments from ³125 to ³150

HB 12 - Miller & Duncan (H) Finance

1) provides for payment up to 90 days for out-of-state hospitalization

2) Retroactive to Sept 1, 1975

CS HB 12 - HESS - (H) Finance

1) ~~Deletes~~ Deletes retroactive clause.

HB 13 - Phillips - (H) Finance

1) adds "^{or} intermittent domicile for cumulative total of 30 years" to continuous domicile for 25 years.

HB 556 - Swanson, Snider (H) State Affairs

1) changes payments from ³125 to ³150.

HB 639 - Bradley, Carpenter (H) State Affairs

1) changes age requirement from 65 to 62.

Introduced: 1/28/77
Referred: Health, Education &
Social Services

1 THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 97

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the longevity bonus; and providing
7 for an effective date."

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

9 * Section 1. AS 47.45.010(a) is amended to read:

10 (a) A person who is 65 years of age or over, who was domiciled
11 in the territory on or before January 3, 1959, who was at least 21
12 years of age on that date, and who has maintained a continuous domicile
13 in the territory or state for 25 years may apply to the commissioner
14 of administration for qualification to receive a monthly bonus of
15 \$125.

16 * Sec. 2. AS 47.45.010(b) is amended to read:

17 (b) When the commissioner of administration determines that an
18 applicant qualifies under this chapter he shall immediately begin
19 payment of the bonus. Notwithstanding the provisions of sec. 80 of
20 this chapter, payments are retroactive to the date of eligibility or
21 of the application, whichever is later.

22 * Sec. 3. This Act takes effect July 1, 1977.
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Introduced: 2/15/77
Referred: Health, Education &
Social Services and Finance

BY RODEY, KERTTULA, RAY, TILLION,
COLLETTA AND HUBER

1 IN THE SENATE

2 SENATE BILL NO. 160

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska longevity bonus; and
7 providing for an effective date."

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

9 * Section 1. AS 47.45.010 is amended by adding a new subsection to read:

10 (d) After the effective date of this Act, the bonus specified in
11 (a) of this section shall be adjusted quarterly to reflect the cost-of-
12 living per cent increase determined by the United States Department of
13 Labor, Bureau of Labor Statistics Consumer Price Index for Anchorage,
14 Alaska; however, no adjustment may be made for increases of less than
15 one per cent. The adjustment required under this subsection shall be
16 paid monthly, beginning with the bonus for the month which follows the
17 publication of the quarterly index figure by the United States Department
18 of Labor, Bureau of Labor Statistics.

19 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
20 070(c).

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Introduced: 1/10/78
Referred: Health, Education &
Social Services and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 392

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE -- SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing a method of adjusting the Alaska
7 longevity bonus."

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

9 * Section 1. AS 47.45 is amended by adding a new section to read:

10 Sec. 47.45.015. ADJUSTMENT OF BONUS. (a) The commissioner of
11 administration shall adjust the bonus rate provided for in sec. 10 of
12 this chapter in accordance with changes in the Consumer Price Index
13 for Anchorage, Alaska, published by the Bureau of Labor Statistics,
14 United States Department of Labor. The Consumer Price Index for
15 October 1977 is considered the initial Consumer Price Index.

16 (b) In making the adjustments under (a) of this section, the
17 commissioner shall comply with the following procedure:

18 (1) after November 30 and before December 31 of each year
19 the commissioner shall determine the change in the October Consumer
20 Price Index for the current year from the October Consumer Price Index
21 for the previous year;

22 (2) the commissioner shall then

23 (A) compute the percentage increase or decrease for
24 that period; and

25 (B) adjust the bonus rate set out in sec. 10 of this
26 chapter by the same percentage increase or decrease, rounded to
27 the nearest dollar;

28 (3) no later than the 10th day of each regular session of
29 the legislature, the commissioner shall submit the adjusted bonus rate

1 to the legislature; if not disapproved by the legislature by a resolu-
2 tion concurred in by a majority of the members of each house within 45
3 days after submission, or by the end of the session, whichever occurs
4 first, the new rate becomes law.

5 (c) The adjusted bonus rate becomes effective on July 1 of the
6 year in which it becomes law.

7 (d) If an adjusted bonus rate submitted to the legislature under
8 (b) of this section is disapproved by the legislature, the commissioner
9 may, within 15 days after the disapproval, submit a revised adjusted
10 bonus rate. That rate becomes law if not disapproved within 30 days
11 or by the end of the session, whichever occurs first, and becomes
12 effective July 1.

Introduced: 1/17/78
Referred: State Affairs and
Finance

1 IN THE SENATE

BY HOHMAN

2 SENATE BILL NO. 418

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska longevity bonus; and
7 providing for an effective date."

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

9 * Section 1. AS 47.45.010(a) is amended to read:

10 (a) A person who is 65 years of age or over, who was domiciled
11 in the territory on or before January 3, 1959 and who has maintained a
12 continuous domicile in the territory or state for 25 years may apply to
13 the commissioner of administration for qualification to receive a monthly
14 bonus of \$150 [\$125].

15 * Sec. 2. This Act is retroactive to January 1, 1978.

16 * Sec. 3 This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

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Introduced: 2/14/78
Referred: State Affairs and
Finance

1 IN THE SENATE

BY TILLION, HUBER AND KERTTULA

2 SENATE BILL NO. 493

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska longevity bonus."

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

8 * Section 1. AS 47.45.010(a) is amended to read:

9 (a) A person who is 65 years of age or over, who was domiciled in
10 the territory on or before January 3, 1959 and who has maintained a
11 continuous domicile in the territory or state for 25 years may apply to
12 the commissioner of administration for qualification to receive a
13 monthly bonus of \$200 [\$125].
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1 IN THE HOUSE

BY MILLER AND DUNCAN

2 HOUSE BILL NO. 12

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing that absence from the state for
7 medical reasons shall not be considered in computation
8 of longevity bonus; and providing for an effective
9 date."

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

11 * Section 1. AS 47.45.030 is amended by adding a new subsection to read:

12 (b) A recipient who upon the direction of a physician receives
13 medical attention or hospitalization outside the state shall continue to
14 receive bonuses during his absence, up to 90 days.

15 → * Sec. 2. This Act is retroactive to September 1, 1975.

16 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

18 HB 439

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Original sponsors: Miller, Duncan
and Bennett

Offered: 1/25/77
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 12

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing that absence from the state for
7 medical reasons shall not be considered in computation
8 of longevity bonus; and providing for an effective
9 date."

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

11 * Section 1. AS 47.45.030 is amended by adding a new subsection to read:

12 (b) A recipient who upon the direction of a physician licensed to
13 practice in Alaska receives hospitalization or hospital outpatient care
14 outside the state shall continue to receive bonuses during his absence,
15 up to 90 days.

16 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

18 HB 439
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1 IN THE HOUSE

BY PHILLIPS

2 HOUSE BILL NO. 13

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska longevity bonus."

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

8 * Section 1. AS 47.45.010(a) is amended to read:

9 (a) A person who is 65 years of age or over, who was domiciled in
10 the territory on or before January 3, 1959 and who has maintained a
11 continuous domicile in the territory or state for 25 years or has inter-
12 mittently maintained a domicile in the territory or state for a cumula-
13 tive total of 30 years, may apply to the commissioner of administration
14 for qualification to receive a monthly bonus of \$125.

15 * Sec. 2. AS 47.45.170 is amended to read:

16 Sec. 47.45.170. PURPOSE. The sole purpose of this chapter is to
17 offer and provide all law-abiding Alaskans capable of managing their own
18 affairs who have maintained a domicile in the state for at least 25
19 years continuously or 30 years intermittently and have reached a retire-
20 ment age of 65, an incentive to continue uninterrupted residency in the
21 state. Under no circumstances shall this chapter be considered a form,
22 type, or manner, of public relief. Bonuses made under this chapter are
23 not predicated on need even though they may appear to provide supple-
24 mental income to some qualified persons who would otherwise be forced to
25 become responsibilities of the state. The legislature further finds and
26 states that this legislation recognizes the economic hardships suffered
27 by many elderly Alaskans, Alaskans who through their tenacity and
28 perseverance molded Alaska as we know it through skillful application of
29 their talents. These pioneers are the same Alaskans, who in the prime

1 of their life were in effect treated as second-class citizens by the
2 federal government and who paid much of their hard-earned income to a
3 government in which they did not have the right to participate through
4 the power of the ballot. The legislature also is aware of the fact that
5 many of these pioneers have been forced to live out their retirement
6 years in areas far away from the land they loved and nurtured and
7 thereby also suffering, in many cases, the loss of familial relationship
8 with their own kin, an experience that is sad and frustrating to them as
9 well as depriving new generations of Alaskans of the benefits of their
10 wisdom and experience. This legislation hopefully will provide our
11 pioneers with the economic means to remain in and continue to serve
12 their state and to enjoy the opportunity of aiding the new Alaskan in
13 making this state truly "The Great Land."

CORRECTION

HOUSE BILL NO. 556

Page 1, Line 4: Should read SECOND SESSION not
FIRST SESSION

Please replace this corrected version of above Bill and
discard other.

Introduced: 1/9/78
Referred: State Affairs
and Finance

1 IN THE HOUSE

SWANSON AND SNIDER

2 HOUSE BILL NO. 556

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska longevity bonus; and
7 providing for an effective date."

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

9 * Section 1. AS 47.45.010(a) is amended to read:

10 (a) A person who is 65 years of age or over, who was domiciled
11 in the territory on or before January 3, 1959 and who has maintained a
12 continuous domicile in the territory or state for 25 years may apply to
13 the commissioner of administration for qualification to receive a monthly
14 bonus of \$150 [\$125].

15 * Sec. 2. ~~This Act is~~ retroactive to January 1, 1978.

16 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

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Introduced: 1/17/78
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY BRADLEY AND CARPENTER

2 HOUSE BILL NO. 639

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska longevity bonus; and
7 providir , for an effective date."

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

9 * Section 1. AS 47.45.010(a) is amended to read:

10 (a) A person who is 62 [65] years of age or over, who was domi-
11 ciled in the territory on or before January 3, 1959 and who has main-
12 tained a continuous domicile in the territory or state for 25 years may
13 apply to the commissioner of administration for qualification to receive
14 a monthly bonus of \$125.

15 * Sec. 2. AS 47.45.170 is amended to read:

16 Sec. 47.45.170. PURPOSE. The sole purpose of this chapter is to
17 offer and provide all law-abiding Alaskans capable of managing their own
18 affairs who have maintained a domicile in the state for at least 25
19 years and have reached a retirement age of 62 [65], an incentive to
20 continue uninterrupted residency in the state. Under no circumstances
21 shall this chapter be considered a form, type, or manner, of public
22 relief. Bonuses made under this chapter are not predicated on need even
23 though they may appear to provide supplemental income to some qualified
24 persons who would otherwise be forced to become responsibilities of the
25 state. The legislature further finds and states that this legislation
26 recognizes the economic hardships suffered by many elderly Alaskans,
27 Alaskans who through their tenacity and perseverance molded Alaska as we
28 know it through skillful application of their talents. These pioneers
29 are the same Alaskans, who in the prime of their life were in effect

1 treated as second-class citizens by the federal government and who paid
2 much of their hard-earned income to a government in which they did not
3 have the right to participate through the power of the ballot. The
4 legislature also is aware of the fact that many of these pioneers have
5 been forced to live out their retirement years in areas far away from
6 the land they loved and nurtured and thereby also suffering, in many
7 cases, the loss of familial relationship with their own kin, an ex-
8 perience that is sad and frustrating to them as well as depriving new
9 generations of Alaskans of the benefits of their wisdom and experience.
10 This legislation hopefully will provide our pioneers with the economic
11 means to remain in and continue to serve their state and to enjoy the
12 opportunity of aiding the new Alaskan in making this state truly "The
13 Great Land."

14 * Sec. 3. This Act takes effect July 1, 1978.
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ALASKA

LONGEVITY

BONUS

PROGRAM



REGULATIONS

STATE OF ALASKA
DEPARTMENT OF ADMINISTRATION
DIVISION OF PIONEERS BENEFITS

REGULATIONS GOVERNING PARTICIPATION
IN THE
ALASKA LONGEVITY BONUS PROGRAM

(AS 47.45.010 - .170)

(EFFECTIVE FEBRUARY 1ST, 1977)

The following regulations are promulgated in accordance with AS 47.45.100(1) to set forth the administrative procedures adopted by the Department of Administration in administering this program. These regulations supersede all previous regulations established for this program.

1) MONTHLY BONUS PAYMENTS

Commencement of Longevity Bonus payments.

Bonus payments commence the month following approval of the application.

Monthly reapplication for bonus payment.

Each monthly Longevity Bonus warrant has attached to it a reapplication stub. The first two payments are automatically processed, thereafter the attached stub must be returned to authorize the next month's warrant.

Reapplication stubs must be returned to the Longevity Bonus Office IMMEDIATELY.

The latest date for return and qualification for the next monthly bonus payment is printed in the lower left-hand corner of the stub.

When reapplication stubs are not returned in time or not returned at all, the bonus payment for that month will be automatically stopped.

To be reinstated for that month or months the recipient must re-apply with a statement that he is eligible by reason of continued residence (at least 30-days) in the State.

Any person who makes a false statement is guilty of a misdemeanor and upon conviction is punishable by a fine of \$500.00 or imprisonment.

2) SIGNATURES

Applicants and recipients are required to sign applications and reapplication stubs in person. Power of Attorney is acceptable when recipient has been declared mentally incompetent by a court of competent jurisdiction and a copy of the court order is furnished to the Longevity Bonus Office or in other cases as determined by the Commissioner of Administration. Persons otherwise unable to write their own name may mark an "X" witnessed by two persons not related to applicant.

7) APPEALS IN DISQUALIFICATION

Disqualification rests solely with the Commissioner of Administration.

A) Hearings.

A departmental hearing may be held upon request of an applicant or recipient who has been disqualified.

Notice of such hearing shall be given the applicant or recipient in advance by certified mail.

A decision by the Commissioner of Administration is final except as may be determined through subsequent legal process.

B) Legal remedy.

May be sought by an applicant or recipient in any court of competent jurisdiction.

Burden of proof rests with the applicant or recipient.

Costs related to a disqualification verdict rendered against an applicant or recipient may be recoverable by the State.

To request an application write to:

LONGEVITY BONUS PROGRAM
POUCH CL
JUNEAU, ALASKA 99802

must be notified in advance of the month a recipient expects to discontinue residency in the State.

Any bonus payments issued beyond the month of last eligibility must be returned to the Longevity Bonus Office.

5) ACCRUAL OF MONTHLY BONUS PAYMENT

No recipient may, for any reason, receive an accrual of bonuses in excess of two monthly payments.

No interest may be paid on accrued bonuses.

Beneficiaries of a deceased recipient may not receive an accrual of more than two bonuses.

6) EXEMPTION FROM TAXATION AND PROCESS

A) State and Local taxes.

Monthly bonuses are exempt from all State and political subdivision taxes except sales and use taxes and are not subject to execution, attachment, garnishment or other process.

B) Federal taxes.

Bonus payments received are not exempt from Federal tax requirements.

3) LOSS OF ELIGIBILITY FOR MONTHLY LONGEVITY BONUS PAYMENT

A person once determined eligible is continuously eligible by return of the reapplication stub each month but becomes ineligible under the following conditions:

A) Absences from the State.

Absences more than 30-days but less than 180-days.

Recipients are required to notify the Longevity Bonus Office before leaving the State when absence over 30 continuous days is planned.

Absence of more than 30-days results in discontinuance of bonus payments until the recipient returns to Alaska. Each such 30-day period represents the loss of one monthly payment.

Upon returning to Alaska the recipient must notify the Longevity Bonus Office for reinstatement of monthly bonus payments.

If a period of absence is beyond the control of the recipient he may not be disqualified if he still otherwise qualifies upon his return to the State.

B) Continuous absence exceeding 180-days.

Recipients who are continuously absent from the State

for more than 180-days are disqualified from receiving bonus payments for 12 months after their return to the State. An application for reinstatement will be sent upon request after the 12-months continuous residence in the State has been satisfied.

A return to the State for 30-days or more during such 180-day period will void this disqualification.

C) Continued absences.

CONTINUED absences from the State, even though reported, may be grounds for disqualification.

D) Failure to report.

CONTINUED failure to notify the Longevity Bonus Office of an expected absence may be grounds for disqualification.

ABSENCE FROM THE STATE AND USE OF A SECOND PARTY TO RECEIVE AND FORWARD BONUS PAYMENTS AND REAPPLICATION STUBS IS CAUSE FOR DISQUALIFICATION FROM THE PROGRAM.

Any person who makes a false statement is guilty of a misdemeanor and upon conviction is punishable by a fine of \$500.00 or imprisonment.

E) Confinement in a penal or correctional institution or facility.

A person receiving longevity bonus payments is disqualified from further payments if sentenced to a penal or correctional facility for more than 30-days.

F) Breaking of parole or probation.

A person receiving a longevity bonus payment is disqualified from further payments until release from confinement is again effected.

4) FINAL TERMINATION FROM PROGRAM

When a recipient is deceased or discontinues residency in the State, qualification for a bonus stops at that time.

A) Death of a recipient.

The Longevity Bonus Office must be notified immediately upon the death of a recipient by a member of the family or administrator of the estate.

Any bonus payments issued beyond the month of death must be returned to the Longevity Bonus Office.

B) Discontinuance of residency in the State.

The Longevity Bonus Office

ALASKA

LONGEVITY

BONUS

PROGRAM



INITIAL

ELIGIBILITY

STATE OF ALASKA
DEPARTMENT OF ADMINISTRATION
DIVISION OF PIONEERS BENEFITS

INITIAL ELIGIBILITY FOR THE
ALASKA LONGEVITY BONUS PROGRAM

(AS 47.45.010 - .170)
(EFFECTIVE FEBRUARY 1ST, 1977)

- C) Confinement in a penal or correction institution at time of application.

Upon completion of sentence or upon conferral of a pardon, parole or probation, a person otherwise qualified may make application for the bonus.

Confinement outside the State shall be considered as residence in the State if a person was convicted and sentenced from a court in Alaska and return is made immediately following release.

PLEASE NOTE:

APPLICANT MUST BE IN ALASKA
TO BE ELIGIBLE TO RECEIVE
BONUS AT THE TIME OF APPROVAL.

To request an application write to:

LONGEVITY BONUS PROGRAM
POUCH CL
JUNEAU, ALASKA 99803

Additional proofs of continuous domicile which may be considered when absence occurred.

Spouse remains domiciled in Alaska.

Voting absentee.

Maintaining an active business in Alaska.

Payment of Territorial or State individual income tax.

INITIAL DISQUALIFICATION FOR LONGEVITY BONUS PAYMENTS

- A) Applicant does not meet age or continuous domicile requirements.
- B) Mental incompetence. Applicant is confined in a State or Federal mental health institution or facility and is certified by the State as unable to manage own affairs.

If applicant is otherwise eligible at the time of commitment and is the principal support of a spouse the confined person's bonus may be paid to the spouse until the spouse is qualified for a bonus.

Death of the confined person terminates payment of the bonus to an otherwise ineligible spouse.

The sole purpose of the Alaska Longevity Bonus Program is to offer and provide long-time Alaska residents capable of managing their own affairs an incentive to continue uninterrupted residency in the State after age 65.

INITIAL QUALIFICATION FOR LONGEVITY BONUS PAYMENTS

Two criteria must be met in order to establish eligibility for Alaska Longevity Bonus payments.

A) Age

To be eligible, applicants must be 65-years of age or older.

The following are considered proof of age but are not inclusive:

Birth certificate or copy of same.

Baptismal certificate or copy of same.

Birth date as accepted by the Social Security Administration.

Citizenship, immigration records or old census reports.

Records of other Federal, State or private agencies which indicate age when above are not available.

B) Continuous Domicile in Alaska

To be eligible applicants must also have maintained a continuous domicile in the Territory and State 25-years commencing on or before January 3rd, 1959.

The following reasons for interim absence from the Territory or State will be accepted in establishing a continuous domicile in Alaska:

In military service when inducted from Alaska and return is made immediately following separation.

In school or fulfilling the requirements of a school program on a full-time basis and return is made immediately upon completion requirements.

Confined in a penal or correctional institution if sentenced from a court in Alaska and return is made immediately following completion of a sentence.

Foreign work duty, non-voluntary and return is made immediately following completion of duty.

Missionary work, non-voluntary and return is made immediately following completion of duty.

Outside travel not exceeding six continuous months.

Medical attention when the required medical attention is not attainable in Alaska for the applicant or for a member of the immediate family.

Receiving care in a hospital, nursing home or sanitarium.

Receiving care as an outpatient following surgery.

Care and treatment at an established medical clinic.

Treatment for special respiratory conditions.

Dental work when not available in Alaska.

Outside care for an immediate family member. For each such case there will be an evaluation of the family member's need for the presence of the applicant.

Other outside medical care as may be determined applicable.



1965

125-150-200

Longevity.

150
100

Calc.

1 mo - 6 weeks. Average. / week.

More funds to travel.

90% of unregistered births are Native.

30 processed a month.

More than 15 are over 60 days.

If an applicant is disqualified
from receiving benefits on
the basis of age as
recorded by the Bureau
of Vital Statistics

Mildred Richards

Joan Brooks 3393

Mildred Richards - Vital Statistics # 3393 1-27-78

Responsibility is upon applicant to obtain documents - VS gets records. Time consuming process - even when they come up with birthday, it is hard for older people to understand how they come up with it - People go on word of mouth

In some cases it has taken years to determine someone's age - reviewing cases which go back 20 years

6 months is best effort

1-31-78 - possibly a change to allow accrual of benefits beyond 2 months

WO #3829
Baldwin

Original sponsors: Guy, Akers,
Anderson, et al

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 439 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska longevity bonus; and
7 providing for an effective date."

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

9 * Section 1. AS 47.45 is amended by adding a new section to read:

10 Sec. 47.45.015. PERSONS WITH UNREGISTERED BIRTHS. (a) When the
11 birth of a person applying for a bonus under this chapter is unregis-
12 tered, the department shall, within 15 days after receipt of that per-
13 son's application request the state registrar of vital statistics to
14 conduct an investigation to establish the date of birth of the person.
15 The state registrar shall prepare and submit a preliminary report of
16 birth within 60 days after receipt of the department's request. The
17 state registrar may dispense with a preliminary report if there is
18 sufficient documentary evidence to permit a delayed registration of
19 birth before a preliminary report is required.

20 (b) A bonus shall be paid to a person whose birth is unregistered
21 beginning the month next following the earlier of either the date the
22 preliminary report of birth is received or 60 days after the state
23 registrar is requested to investigate the birth of the person. If a
24 preliminary report contains documentary evidence that a person is not
25 qualified to receive a bonus, a bonus may not be paid until a delayed
26 certificate of birth for that person is registered and he is qualified
27 to receive a bonus under this chapter.

28 (c) If the department finds that a bonus has been improperly paid
29 to a person after complying with the procedures required under this

1 section, it shall investigate, and if it appears from the investigation
2 that the bonus was paid to an unqualified person, the department shall
3 cancel accrued bonuses and notify the recipient of the reasons for the
4 cancellation. The state then has a claim against the person who im-
5 properly received bonuses. The claim may be enforced by civil action in
6 the name of the state by the attorney general to recover the amount paid
7 to the person, with interest, together with the necessary costs of the
8 action.

9 * Sec. 2. AS 47.45.030 is amended by adding a new subsection to read:

10 (b) A recipient who upon the direction of a physician licensed to
11 practice in Alaska receives hospitalization or hospital outpatient care
12 outside the state shall continue to receive bonuses during his absence,
13 up to 90 days.

14 * Sec. 3. AS 47.45.050 is repealed and re-enacted to read:

15 Sec. 47.45.050. DEPARTMENT HEARING. (a) The Department of Admin-
16 istration shall by certified mail notify an applicant or recipient who
17 has been disqualified. The notice shall inform the applicant or reci-
18 pient of the exact reason for his disqualification and of his right to a
19 hearing at his request under this section. The notice shall be in plain
20 and comprehensive language. Form letters using only referral to state
21 statutes or departmental regulations, or otherwise vague in detail, are
22 not considered compliance by the department with this section.

23 (b) Upon the request of an applicant or recipient who has been
24 disqualified, the Department of Administration shall hold an open de-
25 partmental hearing at a reasonable time and place.

26 * Sec. 4. AS 18.50.040 is amended by adding a new paragraph to read:

27 (6) prepare and submit preliminary reports of birth when re-
28 quested to do so by the Department of Administration under AS 47.45.015

29 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.

1 070(c).

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Russ Clark 1-31-78

Estimated that
In any given month
8% are outside for
medical reasons.

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SCS for CS for HB 439
 Title An Act requiring hearings on disqualifications and continuing coverage
 Requested by Senate State Affairs Date 1/26/78 for illne
 absences.

II. FISCAL DETAIL

Agency Affected Department of Administration
 Program Category Affected Social Services
 Budget Request Unit(s) Affected Longevity Bonus

EXPENDITURES (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
100 PERSONAL SERVICES						
200 TRAVEL		8.4	8.8	9.3	9.7	10.2
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		84.0	90.0	96.0	102.0	108.0
TOTAL	-0-	92.4	98.8	105.3	111.7	118.2

FUNDING (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
GENERAL FUND	-0-	92.4	98.8	105.3	111.7	118.2
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

AS 47.45.030 (b)

ASSUMPTIONS: Number of recipients effected .8 percent annually.
 Bonus payment to continue at \$125 per month.

YR.	No. RECIPIENT	
FY79	6,950	x .008 = 56 x 12 = 672 x \$125 = \$84,000
FY80	7,171	x .008 = 60 x 12 = 720 x \$125 = \$90,000
FY81	7,992	x .008 = 64 x 12 = 768 x \$125 = \$96,000
FY82	8,513	x .008 = 68 x 12 = 816 x \$125 = \$102,000
FY83	9,034	x .008 = 72 x 12 = 864 x \$125 = \$108,000

AS 47.45.050 (b)

Based on receiving 6-12 hearing requests annually. Primary cost would be travel to locations & per diem at \$350 per person per trip. Assume 12 trips for two persons annually and inflation at 5%.

IV. DATE 1/27/78

PREPARED BY Russell Clark
 AGENCY Department of Administration
 PHONE 465-2293

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Guy
 Office of the Governor - Keith Specking

33-001 (Rev. 12/77) Vern Perry

Fiscal Note requested 1-26-78

HB 439 - Tightens requirement of hearing upon disqualification.

(H ESS) CS HB 439 - Further tightens requirement

(S) (State Affairs) - Continues bonuses for up to 90 days for persons receiving medical care outside states

1-27-78

Asked Russ Clark (#2293) if hearing wasnt required now - told him I wanted fiscal note on extending benefits to those who were outside for medical care

Send all pertinent back-up to recipients -
- Most problems come in disputing age records.

Original sponsors: Guy, Akers,
Anderson, et al

Offered: 5/26/77
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2

SENATE CS FOR CS FOR HOUSE BILL NO. 439

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the Alaska longevity bonus; and
7 providing for an effective date."

7

8

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

9

* Section 1. AS 47.45.030 is amended by adding a new subsection to read:

10

(b) A recipient who upon the direction of a physician licensed to
11 practice in Alaska receives hospitalization or hospital outpatient care
12 outside the state shall continue to receive bonuses during his absence,
13 up to 90 days.

13

14

* Sec. 2. AS 47.45.050 is repealed and re-enacted to read:

15

Sec. 47.45.050. DEPARTMENT HEARING. (a) The Department of Admin-
16 istration shall by certified mail notify an applicant or recipient who
17 has been disqualified. The notice shall inform the applicant or reci-
18 pient of the exact reason for his disqualification and of his right to
19 a hearing at his request under this section. The notice shall be in
20 plain and comprehensive language. Form letters using only referral to
21 state statutes or departmental regulations, or otherwise vague in detail,
22 shall not be considered compliance by the department with this section.

22

23

(b) Upon the request of an applicant or recipient who has been
24 disqualified, the Department of Administration shall hold an open depart-
25 mental hearing at a reasonable time and place.

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26

* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-

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070(c).

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Original sponsors: Guy, Akers,
Anderson, et al

Offered: 5/4/77
Referred: Rules

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 439

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the Alaska longevity bonus."

7

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

8

* Section 1. AS 47.45.050 is repealed and re-enacted to read:

9

Sec. 47.45.050. DEPARTMENT HEARING. (a) The Department of

10

Administration shall by certified mail notify an applicant or recipient

11

who has been disqualified. The notice shall inform the applicant or

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recipient of the exact reason for his disqualification and of his right

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to a hearing at his request under this section. The notice shall be in

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plain and comprehensive language. Form letters using only referral to

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state statutes or departmental regulations, or otherwise vague in detail,

16

shall not be considered compliance by the department with this section.

17

(b) Upon the request of an applicant or recipient who has been

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disqualified, the Department of Administration shall hold an open depart-

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mental hearing at a reasonable time and place.

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Introduced: 4/6/77
Referred: Health, Education &
Social Services

BY GUY, AKERS, ANDERSON, BRADLEY,
BROWN, BUCHHOLDT, COTTEN, GRUENING,
KELLY, LETHIN, MCKINNON, MEEKINS,
NAKAK, OSE, PHILLIPS AND SCHAEFFER

1 IN THE HOUSE

2 HOUSE BILL NO. 439

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska longevity bonus."

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

8 * Section 1. AS 47.45.050 is amended to read:

9 Sec. 47.45.050. DEPARTMENT HEARING. Upon the request of the
10 applicant, the [THE] Department of Administration shall provide a
11 reasonable opportunity for [MAY HOLD] a departmental hearing to [UPON
12 THE REQUEST OF] an applicant or recipient who has been disqualified.
13 Previous to this hearing the department shall by certified mail notify
14 an applicant or recipient in plain and comprehensive language the exact
15 reason for his disqualification. Form letters using only referral to
16 state statutes or department regulations, or otherwise vague in detail,
17 shall not be considered compliance by the department with this section.

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. 3 439

Title An Act relating to the Alaska Longevity Bonus

Requested by Rep. Guy

Date 4/26/77

II. FISCAL DETAIL

Agency Affected Administration

Program Category Affected Social Services

Budget Request Unit(s) Affected Longevity Bonus

EXPENDITURES (Thousands of Dollars)

Assumes average annual increase of 5%

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL		8.4	8.8	9.3	9.7	10.2
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	8.4	8.8	9.3	9.7	10.2

FUNDING (Thousands of Dollars)

GENERAL FUND		8.4	8.8	9.3	9.7	10.2
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Based on receiving 6-12 hearing requests annually. Rejections normally result from the claimant not meeting the 25 year residency or proof of age requirement. Assuming most hearings would be conducted in outlying areas and require two people, twelve trips would cost about 8.34 at .7 per trip including per diem.

IV. DATE 4/26/77

PREPARED BY Kellus Sewell

AGENCY Administrative Services

PHONE 465-2277

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named) Rep. Guy

4627

WO #3829
Baldwin

Original sponsors: Guy, Akers,
Anderson, et al

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 439 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska longevity bonus; and
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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 47.45 is amended by adding a new section to read:

10 Sec. 47.45.015. PERSONS WITH UNREGISTERED BIRTHS. (a) When the
11 birth of a person applying for a bonus under this chapter is unregis-
12 tered, the department shall, within 15 days after receipt of that per-
13 son's application ^{(1) request to be received from the applicant and 3 other persons} request the state registrar of vital statistics to
14 conduct an investigation to establish the date of birth of the person.
15 The state registrar shall prepare and submit a preliminary report of
16 birth within 60 days after receipt of the department's request. The
17 state registrar may dispense with a preliminary report if there is
18 sufficient documentary evidence to permit a delayed registration of
19 birth before a preliminary report is required.

20 (b) A bonus shall be paid to a person whose birth is unregistered
21 beginning the month next following the earlier of either the date the
22 preliminary report of birth is received or 60 days after the state
23 registrar is requested to investigate the birth of the person. ^{unless} if a
24 preliminary report contains documentary evidence that a person is not
25 qualified to receive a bonus, ^{shall} a bonus may not be paid, until a delayed
26 certificate of birth for that person is registered and he is qualified
27 to receive a bonus under this chapter.

28 (c) If the department finds that a bonus has been improperly paid
29 to a person after complying with the procedures required under this

Not understanding provision of 47.45.080, bonuses shall accrue from the date of receipt of the application unless the preliminary report or delayed registration indicates that the bonus shall accrue from the date of the application. If applicant is at least 65 years of age, 2-80(2)

1 section, it shall investigate, and if it appears from the investigation
 2 that the bonus was paid to an unqualified person, the department shall
 3 *stop payment of future bonuses* cancel accrued bonuses, and notify the recipient of the reasons, ~~for the~~
 4 ~~cancellation~~. The state then has a claim against the person who im-
 5 properly received bonuses. The claim may be enforced by civil action in
 6 the name of the state by the attorney general to recover the amount paid
 7 to the person, *and the person who has received future bonuses for which the* ~~with interest, together with the necessary costs of the~~
 8 ~~action.~~ *applicant may be eligible.*

9 * Sec. 2. AS 47.45.030 is amended by adding a new subsection to read:

10 (b) A recipient who upon the direction of a physician licensed to
 11 practice in Alaska receives hospitalization or hospital outpatient care
 12 outside the state shall continue to receive bonuses during his absence,
 13 up to 90 days.

14 * Sec. 3. AS 47.45.050 is repealed and re-enacted to read:

15 Sec. 47.45.050. DEPARTMENT HEARING. (a) The Department of Admin-
 16 istration shall by certified mail notify an applicant or recipient who
 17 has been disqualified. The notice shall inform the applicant or reci-
 18 pient of the exact reason for his disqualification and of his right to a
 19 hearing at his request under this section. The notice shall be in plain
 20 and comprehensive language. Form letters using only referral to state
 21 statutes or departmental regulations, or otherwise vague in detail, are
 22 not considered compliance by the department with this section.

23 (b) Upon the request of an applicant or recipient who has been
 24 disqualified, the Department of Administration shall hold an open de-
 25 partmental hearing at a reasonable time and place.

26 * Sec. 4. AS 18.50.040 is amended by adding a new paragraph to read:

27 (6) prepare and submit preliminary reports of birth when re-
 28 quested to do so by the Department of Administration under AS 47.45.015;

29 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-

STATE OF ALASKA

HUMAN RIGHTS COMMISSION

JAY S. HAMMOND, GOVERNOR

204 East 5th Avenue
Room 217
Anchorage, Alaska 99501
Phone: 274-4692

February 10, 1978

Senator John C. Sackett
Pouch V
Juneau, Alaska 99811

Dear Senator Sackett:

Thank you for calling my attention to a possible problem of discriminatory admission requirements in the Longevity Bonus Program. I have initiated investigation by filing a complaint pursuant to AS 18.80.100. A copy is attached. (See Hotel, Motel etc., Loc. 879 v. Thomas 12 EPD 11,078 (AK Sup. Ct. 1976) concerning the authority for such complaints.)

The investigation will center on a comparison of Natives and non-Natives to whom the age requirement has been applied. The theory, of course, is that a disproportionate number of Natives has been refused for lack of proof of age where reasonable evidence that such people in fact were 65 actually was or could have been offered. (This case does not challenge the state's right to deny the program to anyone who can offer literally no credible proof of age.)

On this point it may be relevant that the brochure lists several types of acceptable proof, but adds that those proofs "are not inclusive." Of course, in practice the standards may have been more stringently applied to Natives.

The most helpful evidence would be examples of elderly Natives who actually applied and were refused for lack of acceptable proof, or who are presently pending eligibility determination. We should expect to identify such people during our investigation, but if you know of any examples it would help us verify what the state's records reveal.

The length of time to investigate this matter will largely depend upon how complete and accessible the records are. (There would be further difficulties if the longevity bonus staff cannot identify applicants by race.)

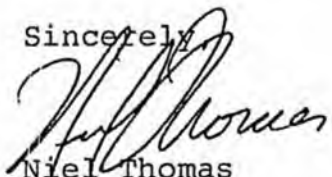
It has also occurred to me that one might challenge the age requirement itself as racially discriminatory. The Native lifespan is much shorter than the non-Native. If the program is to serve elderly Alaskans, why shouldn't it have a differential age cut-off? Just by mortality tables one could conclude that the 50 year old Native is as "old" as the 65 year old non-Native. I could probably locate very credible medical testimony on this point.

Of course, such a case would be frontier stuff, as a matter of law. (But see, in an employment context, the principle of disparate impact enunciated by the U.S. Supreme Court in Griggs v. Duke Power Co., 401 U.S. 424 (1971). That case suggests by analogy, that a government benefit which impacts differentially on the basis of race must withstand "strict scrutiny" to pass muster.)

Since you only asked us to look into eligibility determinations, that's all I'm doing at this stage. If you would like to see us explore this broader question, however, that option is still open.

We will keep you informed.

Sincerely,



Niel Thomas
Executive Director

NT/jsc

Attachment