

ALASKA LEGISLATURE COMMITTEE FILES 1981-1982 8672

1334 HESS HB 175 - HB 194 34

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175

State is chastized for 'taking from children'

175/25

by Carol Murkowski
Times Writer

A roomful of parents took the state legislature to task Monday night, accusing them of "taking money from our children."

The audience of more than 40 women, with a sprinkling of men and children, testified at a legislative hearing to discuss a proposed fee schedule to be attached to services of the state's Child Support Enforcement Agency.

The agency collects money from one divorced spouse and sends a check to the caretaker parent, ensuring that child support is paid. The service has been free in the past, but intent language attached to the agency's budget last year will require a fee schedule.

Three types of fees, on a sliding scale based on ability to pay, would be taken from the check being sent to the parent with custody of the children.

"But this is not my money," Barbara Zabriskie said strongly at the Monday session. "This money belongs to my child."

"I can't see why you legislators consider bailing out a car company and then take money from our children," Evelyn Hadfield added, garnering a round of applause.

Several women at the hearing said they supported their children with little or no help from their former husbands, and it was a constant battle to keep from turning to public assistance. An extra chunk taken from their child support could be disastrous, they said.

"The legislature should be humiliated and embarrassed at this," Sharon Desatoff said. "At this rate, it won't be long before

it won't be worthwhile to keep up the struggle."

"I am being penalized for being a working mother," Zabriskie added. "I'll be one of the persons who have to pay because I'm employed. I am employed, and I cannot afford a 10 percent fee, but I cannot afford not to use the CSEA."

Tim Jones, the only man to testify, pointed out that he had been ordered by a judge to pay support to the agency, although both he and his ex-wife had asked that he be allowed to pay the money directly to her. Paying for a service he didn't want in the first place was doubly irritating, Jones said, adding that "regulation-makers, in their wisdom, are taking money away from the very person this system is set up to protect: the child."

Another woman said her ex-husband told her he would refuse to pay any child support at all if the state was taking a part of it.

The state court system had a fee schedule from 1965-1974, when it was in charge of collecting child support monies. A report issued by the state Department of Revenue labeled the fee schedule a failure, as fees were too low to be effective, fee collections tended to discourage any child support payment, and sometimes discouraged use of the state service altogether. Without the state's enforcement, the child often didn't receive the money intended for him, and mothers were sometimes forced to go on public assistance to make ends meet.

When the state formed the Child Support Enforcement Agency in 1975, it was funded 75

percent by the federal government and 25 percent by the state. The federal money — for Aid to Families with Dependent Children and non-AFDC child support cases — was cut in March 1980. The state legislature gave the agency the \$300,000 it would need for the coming year, but added a fee requirement to make sure the agency would not be caught short again.

In June, Congress unexpectedly approved the federal funding, and the agency was able to return the \$300,000 to the state. The agency doesn't need a fee schedule now, but the language requiring it remains on the books.

Three bills have been introduced in the current legislative session to deal with the problem. Proposed Senate Bill 181 and House Bill 167 would eliminate the fee requirement, but give the agency the option to charge a fee if it becomes necessary. HB 175 does away with any fees.

The hearing audience criticized the optional fees. But Dan Copeland, CSEA administrator who helped write HB 167, said he included it because he thought such a bill would have the best chance of passing the legislature.

Copeland has advised against the fee structure in letters to the legislature, and says his mail on the issue has been "voluminous — several hundred letters," all against the fee structure.

A second hearing, a teleconference broadcast from Juneau, will be held at 5 p.m. Thursday in the Legislative Information Office, 1024 W. Sixth.

Introduced: 2/18/81
Referred: Health, Education &
Social Services

1 IN THE HOUSE

BY CLOCKSIN, GRUSSENDORF
AND MILLER

2 HOUSE BILL NO. 175

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the enforcement of child support."

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

8 * Section 1. AS 47.23.100 is amended to read:

9 Sec. 47.23.100. ALL PERSONS MAY USE AGENCY. The agency shall
10 without charge provide aid to any person due child support under the
11 laws of this state upon application. [IF THE OBLIGEE IS INDIGENT OR
12 OTHERWISE UNABLE TO PAY FOR THESE SERVICES, THE AGENCY SHALL ACT
13 WITHOUT CHARGE TO THE OBLIGEE. IF THE AGENCY DETERMINES THAT THE
14 OBLIGEE IS FINANCIALLY ABLE TO PAY, COSTS SHALL BE ASSESSED ACCORDING
15 TO REGULATIONS ADOPTED BY THE DEPARTMENT AND BE PAID INTO THE FUND
16 ESTABLISHED IN AS 47.23.030.]

17
18 *Charge obligor not obligee*

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20 *Once a payment is missed it should*
21 *become a debt owed.*
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POSITION PAPER

ON

House Bill No. 175

"An Act relating to the enforcement of child support"

This measure would delete the Child Support Enforcement Agency's statutory mandate to charge reasonable fees for collecting child support payments on behalf of single parent who have the ability to pay such fees.

The Department of Health and Social Services is unaware of any harm which may have been worked upon single parent obligees by the Department of Revenue's authority to charge fees. We do not believe it is appropriate to charge any fee for serving single parents who have low or no income.

Nevertheless, we wish to call attention to the "preventive" aspect of child support enforcement activities. Providing effective child support services to middle-income single parents is clearly in their best interest and clearly in the public interest. In many cases, regular receipt of adequate child support payments can prevent a family from being compelled to seek public assistance in order to meet its living expenses.

If the existing appropriations to the Child Support Enforcement Agency are not adequate for that agency to provide full, prompt, and effective service to families not already receiving public assistance, and if charging reasonable fees to those able to pay would generate the funds necessary to provide high-quality service, this Department would support giving the Department of Revenue the discretion to charge fees.

Recommended by:

Rod Betit

Rod Betit, Director
Division of Public
Assistance

Date:

2-28-81

Approved by:

Helen D. Beirne

Helen D. Beirne
Commissioner

Date:

2-28-81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 175

Title An Act relating to the enforcement of child support

Requested by Clocksini

Date 2/27/81

II. FISCAL DETAIL

Agency Affected Health & Social Services

Program Category Affected Social & Economic Assistance for the General Population

BRU, Program, or Subprogram(s) Affected Assistance Payments AFDC

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		0	0	0	0	0
TOTAL		0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		0	0	0	0	0
PART TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

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

House Bill No. 175 will have no measurable impact on AFDC expenditures.

IV. DATE

2/27/81

PREPARED BY

[Signature]

AGENCY

[Signature]

PHONE

465-2142

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named) M&B Approva?

[Signature]

Date 3/2/81

December 22, 1980

The Honorable Terry Martin
Alaska State House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Representative Martin:

Enclosed is a copy of proposed legislation drafted by the Child Support Enforcement Agency which, it is our understanding, the Administration intends to introduce. We support this legislation. However, we understand that two sections, Section 47.23.092 Reducing Arrears to Judgement, and Section 47.23.182 Ratification by Court of Administrative Orders, have been deleted. The purpose for the deletion appears to be to make the legislation more palatable to the Legislature.

The Child Support Enforcement Agency and the Office of the Attorney General would be saved both time and money by the inclusion of these two sections and it is, therefore, our feeling that they should be a part of new legislation. Change in the law demanded by Section 47.23.092 is long overdue. Once a payment is missed it should become a debt owed.

The proposed legislation would amend Section 47.23.100 to say that costs may be assessed the obligee according to regulations adopted by the Department, whereas the existing statute makes it mandatory to levy a fee against the obligee (and hence the child). The monetary support due the obligee (custodial parent) is for the care of the child. Therefore, it seems cruel to further penalize the child by assessing a fee against the support legally due the child. The cause of the work of the Child Support Enforcement Agency is the obligor, not the obligee or the child. All concepts of basic justice point toward levying these fees on the delinquent obligor rather than on the obligee (and hence the child).

The proposed legislation does an admirable job for the areas it addresses. It is not enough. Areas of concern to us are outlined below:

* Inflationary Adjustment

Divorce decrees make no provision for the monetary support obligation of the non-custodial parent to be increased through the years. What may have been a sufficient amount for a child's support five or ten years ago is totally inadequate today. Court orders presently processed through the Child Support Enforcement Agency average less than \$100 per month per child. A statute building in an inflationary (cost of living) adjustment

is necessary at this time. An example might be an increase each year according to the Anchorage C P I. This statutory provision would keep existing support orders from falling beneath the buying power they presently have. However, there must be a method for raising the long outdated support orders to the level of current inflation. This could be done by the Agency under present statutory authority if the Agency were properly funded and directed for this purpose by the Legislature.

Currently custodial parents are prevented from seeking amended support orders through private court action because the cost to them (and hence to the child) is normally several thousand dollars. Further, if all the custodial parents in Alaska who should have their orders raised were to privately go to the court to do so, the courts would be swamped.

Unreliable Support Income

The awesome responsibilities of the single parent are too often greatly increased by the unreliability of receiving child support income. For instance a family on AFDC may receive child support for several months in a row, long enough for them to lose their eligibility for AFDC. Then no child support may be received for months, but there is a time lag in getting back on to the AFDC rolls. During this time the family has had no or greatly reduced income. Children should not be subjected to the terror of knowing there is nothing with which to pay the rent or purchase the essential boots.

Families who do manage to stay off AFDC are often severely affected by the instability of child support income. Families who have entered into contractual agreements to purchase, such as a house or a car, have lost these purchases when child support income has not been paid, as ordered by the Court. Two concepts of dealing with this subject of undependable child support income have thus far been suggested.

A. The State of Alaska would establish a Child Support Payment Pool or Loan Fund. Currently the State of Alaska provides financial assistance to various segments of our State through loan funds to aid historical district restoration, commercial fishing, small businesses, fisheries enhancement, child care facilities, mining, residential care facilities, to name a few. A revolving fund or payment pool to benefit children in single-parent families would be an enlightened step a State, concerned about the welfare of a major portion of its people, could take.

The pool would operate under a revolving loan fund concept. Child Support payments registered through the Child Support Enforcement Agency would be made regularly from the Child

Page Three

Support Payment Pool/Revolving Fund. The children affected would no longer be subjected to the vagaries of unreliable income. The obligor, or noncustodial parent, would then owe the Child Support Payment Pool/Revolving Fund. A debt against this Pool/Fund, being a debt against the State, would be collected by the State. The State is empowered to zealously pursue and effectively collect its debts.

B. A self-activating enforcement mechanism such as that used in many of Michigan's counties. All child support orders are registered with the County's Friends of the Court. A child support payment which is late by a determined number of days evokes a computer signal. The Friends of the Court make a telephone call to the obligor. Letters of warning are also sent. The Friends of the Court may begin enforcement procedures as soon as a payment is late. Unlike the Alaska agency, they do not have to wait for the obligee to come to the agency and make a complaint. This procedure combined with Michigan's practice of jailing for non-support has made it the most effective state in the nation in collecting child support.

Additionally legislation should be enacted to provide that automatic wage assignments can be made in cases whenever practical. One obligor has stated that this method of meeting his child support obligation is the best for him because it is so "painless," he never sees it. The wage assignment would create a bookkeeping burden for employers. There would have to be a way to provide some type of reimbursement to employers who must bear this added bookkeeping expense. This cost cannot be borne by the child.

Studies show that throughout the nation the amount of child support dollars collected is in direct proportion to the amount of child support agency budget dollars appropriated. The Legislature should increase the Child Support Enforcement Agency budget substantially in order to adequately pursue the task of providing for the needs of a great percentage of Alaska's child population.

We are grateful for your willingness to obtain solutions for these children.

Sincerely,

ADVOCATES FOR CHILD SUPPORT

Judy Brakel
Kathy Schenker

Enclosures

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

Rec'd

MAR 4 1981

JAY S. HAMMOND, GOVERNOR

POUCH 5
JUNEAU, ALASKA 99811

March 5, 1981

The Honorable Donald E. Clocksin
Chairman
House Health, Education and Social
Services Committee
Room 106 - Capitol Building
Juneau, Alaska

Dear Mr. Clocksin:

Re: House Bill No. 175

House Bill No. 175, an Act relating to the enforcement of child support, was introduced in the House on February 18, 1981 and was referred to the House Health, Education and Social Services Committee.

For the consideration of the House Health, Education and Social Services Committee, I am enclosing a copy of a Fiscal Note prepared by Mr. Dan R. Copeland, Director, Child Support Enforcement, Department of Revenue, Anchorage concerning the proposed legislation.

Sincerely,



R. D. Stevenson
Special Assistant

RDS/rch

cc: Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Dan R. Copeland, Director
Child Support Enforcement
Department of Revenue
Anchorage, Alaska

Gary Jenkins, Director
Audit Division
Department of Revenue

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 175

Title An Act relating to the enforcement of child support

Requested by Clocksinn, Grussendorf and Miller Date 3/2/81

II. FISCAL DETAIL

Agency Affected Department of Revenue

Program Category Affected Revenue Collection And Management

BRU, Program, or Subprogram(s) Affected Audit Division, Child Support, Enforcement

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars) - None

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars) - None

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS - None

FULL TIME						
PART TIME						
TEMPORARY						

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

The current language in AS 47.23.100 mandates the agency to adopt regulations to charge reasonable fees for collecting child support payments on behalf of single parents who have the ability to pay such fees. At the public hearings required to adopt these regulations, the public unanimously requested this mandate be eliminated. As no fees have been collected to date, there would be no fiscal impact on eliminating the requirement to assess these fees. Although the agency does not anticipate charging a fee at any time in the foreseeable future, the agency does support maintaining the discretion to charge reasonable fees, if needed, to those individuals with the ability to pay such fees. This discretion would be critical in allowing the agency some latitude if the federal government changed its position with regard to the 75% funding or a mandatory requirement for fees. House Bill '67 is drafted to maintain the agency's discretion to respond to a specific need if ever required.

IV. DATE February 5, 1981 PREPARED BY Dan R. [Signature]

AGENCY Department of Revenue

PHONE 276-8148 / 465-2320

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

Anchorage Juneau

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. House Bill 175
 Title An Act relating to the enforcement of child support
 Requested by Clocksinn, Grussendorf and Miller Date 3/2/81

II. FISCAL DETAIL
 Agency Affected Department of Revenue
 Program Category Affected Revenue Collection And Management
 BRU, Program, or Subprogram(s) Affected Audit Division, Child Support Enforcement
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars) - None

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						

TOTAL

FUNDING (Thousands of Dollars) - None

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS - None

FULL TIME						
PART TIME						
TEMPORARY						

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

The current language in AS 7.23.100 mandates the agency to adopt regulations to charge reasonable fees for collecting child support payments on behalf of single parents who have the ability to pay such fees. At the public hearings required to adopt these regulations, the public unanimously requested this mandate be eliminated. As no fees have been collected to date, there would be no fiscal impact on eliminating the requirement to assess these fees. Although the agency does not anticipate charging a fee at any time in the foreseeable future, the agency does support maintaining the discretion to charge reasonable fees, if needed, to those individuals with the ability to pay such fees. This discretion would be critical in allowing the agency some latitude if the federal government changed its position with regard to the 75% funding or a mandatory requirement for fees. House Bill 167 is drafted to maintain the agency's discretion to respond to a specific need if ever required.

IV. DATE February 5, 1981 PREPARED BY Dan R. [Signature]
 AGENCY Department of Revenue
 PHONE 276-8148 / 465-2320
 Original: Legislative Finance
 cc: Budget and Management
Prime Sponsor (First Legislator Named)
 Anchorage Juneau

Introduced: 2/17/81
Referred: Health, Education &
Social Services and Judiciary

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 167

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the enforcement of child support."
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 25.25.010(1) is amended to read:

9 (1) "state" includes the State of Alaska and a state, terri-
10 tory, or possession of the United States and the District of Columbia,
11 and a foreign country in which this or a substantially similar recip-
12 cal law has been enacted;

13 * Sec. 2. AS 47.23.020(2)(A) is amended to read:

14 (A) schedules for determining the amount an obligor is
15 liable to contribute toward the support of ~~a minor child~~ [AN
16 OBLIGEE] under this chapter and under Title IV-D, Social Security
17 Act;

18 * Sec. 3. AS 47.23.060 is amended by adding a new subsection to read:

19 (d) *Inflation factor*
20 In any proceeding to modify the duty of support, a change of
21 20 percent or more in the consumer price index which occurs after the
22 establishment of or modification of a judicial or administrative sup-
23 port order is evidence of a change of circumstances.

24 * Sec. 4. AS 47.23.100 is amended to read:

25 Sec. 47.23.100. ALL PERSONS MAY USE AGENCY. The agency shall
26 provide aid to any person due child support under the laws of this
27 state upon application. If the obligee is indigent or otherwise unable
28 to pay for those services, the agency shall act without charge to the
29 obligee. *this clause cannot law from shall*
[The agency may impose fees for services provided under this
chapter, which] IF THE AGENCY DETERMINES THAT THE OBLIGEE IS FINAN-

*Tom William - Rev. - charges fees should
be used with*

1 CIALLY ABLE TO PAY, COSTS] shall be assessed according to regulations
2 adopted by the department and [BE] paid into the fund established in
3 AS 47.23.030.

4 * Sec. 5. AS 47.23.110(4) is amended to read:

5 (4) "obligee" means the custodial parent or person who has
6 physical custody and responsibility for the minor child [A PERSON] to
7 whom a duty of support is owed;

8 * Sec. 6. AS 47.23.110 is amended by adding new paragraphs to read:

9 (7) "consumer price index" means the All Urban Consumer
10 Price Index as compiled by the United States Department of Labor,
11 Bureau of Labor Statistics, for Anchorage, Alaska or, if the obligor
12 and obligee live in the same judicial district, the index for a muni-
13 cipality within that judicial district, if the United States Department
14 of Labor compiles an index;

15 (8) "earnings" (A) means compensation paid or payable for
16 personal services, whether denominated as wages, salary, commission,
17 bonus, or other similar description and includes the gain derived from
18 the investment of capital, from labor, or from a combination of in-
19 vestment and labor; and (B) ~~does not include profit gained from the~~
20 ~~sale or conversion of a capital asset;~~

21 (9) "disposable earnings" means that part of the earnings of
22 an individual which remains after the deduction from those earnings of
23 any amount required by law to be withheld.

24 * Sec. 7. AS 47.23.130 is repealed and reenacted to read:

25 Sec. 47.23.130. SUBROGATION OF STATE. (a) If the obligor is li-
26 able to the state under AS 47.23.120(a) or (b), the state is subrogated
27 to the rights of the obligee to:

28 (1) bring an action in the superior court seeking an order
29 of support or modifying an existing order of support;

1 (2) proceed under AS 47.23.160 -- 47.23.270 to establish or
2 modify a duty of support; or

3 (3) enforce by execution, in accordance with AS 47.23.230 --
4 47.23.270, or otherwise, a support order entered in favor of the obli-
5 gee.

6 (b) To establish, ~~modify~~ or enforce an order of support, based
7 upon the subrogation of the state, the agency is not limited to the
8 amount of assistance being granted to the minor child.

9 (c) The recovery of any amount for which the obligor is liable
10 which exceeds the total assistance granted under AS 47.25.310 -- 47.25.-
11 420 shall be paid to the obligee.

12 * Sec. 8. AS 47.23.150 is amended by adding a new subsection to read:

13 (c) Refusal by the obligor to accept the notice is considered
14 service as of the time of the refusal.

15 * Sec. 9. AS 47.23.160(b) is amended to read:

16 (b) The notice and finding of financial responsibility served
17 under (a) of this section shall state

18 (1) the sum or periodic payments for which the alleged
19 obligor is found to be responsible, calculated by taking into consid-
20 eration the need of the minor child [ALLEGED OBLIGEE], the alleged
21 obligor's liability to the state under AS 47.23.130 if any, and his
22 duty of support under the law;

23 (2) the name of the alleged obligee and the minor child [HIS
24 CUSTODIAN];

25 (3) that the alleged obligor may appear and show cause in a
26 hearing held by the agency why the finding is incorrect, should not be
27 finally ordered, and should be modified or rescinded, because (A) no
28 duty of support is owed, or (B) the amount of support found to be owed
29 is incorrect;

1 (4) that if the person served with the notice and finding of
2 financial responsibility does not request a hearing within 30 days, the
3 property of the person will be subject to execution in accordance with
4 AS 47.23.230 -- 47.23.270 in the amounts stated in the finding without
5 further notice or hearing.

6 * Sec. 10. AS 47.23.160 is amended by adding a new subsection to read:

7 (c) Refusal by the obligor to accept the notice is considered
8 service as of the time of the refusal.

9 * Sec. 11. AS 47.23.170(e) is amended to read:

10 (e) The hearing officer shall consider the following in making
11 his determination under (j) of this section:

12 (1) the needs of the minor child [ALLEGED OBLIGEE], disre-
13 garding the income or assets [OF THE CUSTODIAN] of the alleged obligee;

14 (2) the amount of the alleged obligor's liability to the
15 state under AS 47.23.120 [AS 47.23.125] if any;

16 (3) the intent of the legislature that children be supported
17 as much as possible by their natural parents;

18 (4) the ability of the alleged obligor to pay.

19 * Sec. 12. AS 47.23.170(f) is amended to read:

20 (f) If the alleged obligor requesting the hearing fails to appear
21 at the hearing, the hearing officer shall enter a decision declaring
22 the property of the alleged obligor subject to execution in accordance
23 with AS 47.23.230 -- 47.23.270 in the amounts stated in the notice and
24 finding [FILING] of financial responsibility.

25 * Sec. 13. AS 47.23.190(a) is amended to read:

26 (a) Unless a support order has been entered, the obligor, or the
27 obligee [OR HIS CUSTODIAN], may petition the agency or its designer for
28 a modification of the finding or decision of responsibility previously
29 entered with regard to future periodic support payments.

1 * Sec. 14. AS 47.23.190(c) is amended to read:

2 (c) If a hearing is granted, the agency shall serve a notice of
3 hearing together with a copy of the petition and affidavits submitted
4 on the obligee [OR HIS CUSTODIAN] and the obligor personally or by
5 registered, certified, or insured mail, return receipt requested, for
6 restricted delivery only to the person to whom the notice is directed
7 or to the person authorized under federal regulation to receive his
8 restricted delivery mail.

9 * Sec. 15. AS 47.23 is amended by adding a new section to read:

10 Sec. 47.23.255. EARNINGS EXEMPT FROM ORDER OR LIEN. (a) Not
11 more than 50 percent of the disposable earnings of the obligor is
12 exempt from an order to withhold and deliver under AS 47.23.250. The
13 exempt part of the disposable earnings may be paid to the obligor even
14 if the earnings are paid monthly, weekly, or at other intervals.

15 (b) A person, political subdivision, or department of the state
16 shall withhold the nonexempt part of the earnings of the obligor at
17 each succeeding interval of payment until the entire amount of the debt
18 stated in the order to withhold and deliver has been withheld.

19 (c) An order to withhold and deliver issued to the Department of
20 Revenue remains in effect throughout the calendar year in which it is
21 served. That order applies to any tax refund or other disbursements to
22 which the obligor is entitled even if the tax refund or disbursement is
23 issued more than 30 days after service of the order.
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Shirley Miss - Nat. Sec.

Need stronger support for enforcement.
People want off welfare.

Most single people who participated made it
very clear they want natural fathers made more
responsible

Opposed to custodial fee

Anol. vici - yes. she wants stronger law.

Ester Clark - ^{Mother gone} - had three children - was
receiving only \$50⁰⁰ per child - total \$150⁰⁰

Now her daughter is suffering - her ex-husband
refused any support. Welfare she was forced
on her. Daughter committed suicidal do to hard
stresses of life forced to feel inadequate

She feels courts should make stricter
law for irresponsible fathers.

Talb

Mr. Ayeland.

Fee charges - leave discretion to Director

Locating through identification numbers.

S.S. or PHS identification no., medical no.

Employment identification no.

State employment workers no.

* Establish a revolving fund [call socialistic by some]
Dept. of Per. can collect

* automatic wage assignment "a painless way"

increase necessary in budget to increase amount
of child support dollars.

SB 181 -

Hypothetical Don if you do don if you don't

Begin the question of responsibility
Mother to cooperate for help
financial for children

Needs this
Revise Section 47.23.092 - reducing arrears.

once a payment is missed it should become a debt owed.

and Sec. 47.23.182 - Ratification by court of Administration Orders. - Review or Discontinuance

Why not have all the tool available

Where is inflationary adjustment factor.

Kathy -

By parentment needs to change attitude to more aggressive and positive

Mina Stroma - #175 support.
strong obligor or recalcitrant.

~~The Am I regret in conclusion that you feel
the natural father, even so, less than not
100% responsible.~~

She wants the father responsible.

IRS - why not allow last of obligor's payment
be deductible.

Dean Sundahl - Father who pays support.
objects to obligor paying cost - Need train investigators
Very supportive of this program.
Does not believe in revolving fund - we have AFDC

Kooliab - wants even stronger laws in 167 there
needs to be more about.

Wants some stronger more like California.

Breelyn Halfield - strap up - don't let father
get away - Once court and adjudication
is completed

Siths - Ann Low - feels they need stronger laws
She and divorcee Husband are doing fine in
support agreement.

It is the department that is causing
trouble - She did not need their help in the
first place.

Anok - OK 175 + HB 67 - ATTY
Put burden of cost on father
Karla Huntington

Joyce Mansfield River -

HB

176

COMMITTEE REPORT

HOUSE

FURTHER: FINANCE

2/18/81

(5)

Date: March 11, 1981

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HR 176

"An Act relating to general relief assistance; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HR 176 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]
CHAIRMAN

POSITION PAPER

ON

HOUSE BILL NO. 176

"An Act relating to General Relief Assistance and providing for an effective date."

This Act would revise AS 47.25.130 by raising the maximum payment made on behalf of eligible persons for subsistence needs from \$80 per month to \$160. The original \$80 maximum payment limit was established over 20 years ago, when the costs of subsistence items were far lower than they are today. Note that the maximum payment limit is established by statute. It is much lower than the qualifying standard for receiving assistance, which is the maximum income an applicant can have and still receive assistance. These maximum income limits are set administratively and vary by family composition.

The effect of the current maximum payments and qualifying limits is best illustrated by a typical General Relief case example:

An urban family consisting of two parents and a child applies having income of \$450. They present an eviction notice showing that their rent of \$450 is overdue. The family has no housing alternative. Under the current maximum, a General Relief vendor payment of only \$240 can be made to the landlord (\$80 per person). A Department staff member must contact the landlord and attempt to "deal", to find if he will allow the family to remain in its apartment with only this partial payment. In some cases, the landlord will not agree. If he does not, there is no payment made to him. The family can only use the alternative of a very short motel stay.

No statistics are kept on how frequently the \$80 maximum falls so short of actual need as to render the program useless to the applicant. However, since over 85% of General Relief Assistance is paid for rent needs, it is obvious that current rental costs are such that increasing the maximum payment per person to \$160 would virtually eliminate the programs' occasional inability to meet shelter emergencies.

However, there is a technical problem that would be created by passage of HB No. 176. The new maximum payment level would, for certain households, exceed the maximum qualifying income levels established by Alaska Administrative Code regulations. This problem can be resolved by the Department changing those regulations. HB No. 176 should be revised to increase the \$80 maximum payment level specified in AS 47.25.250, which is the primary statute under which current General Relief Payments are being made.

average 2.2 people / household

As a final comment the Department wishes to raise the concern that the General Relief statute have not been reviewed for over 20 years. We believe they are too vague and outdated to allow the Department adequate guidance in determining who is eligible and what types of assistance they should receive. It is clear to us that funding limitations over the years, coupled with significant changes in other assistance programs and in the needs of low-income Alaskans, have resulted in a General Relief program that may be significantly different from what was originally intended in the 1961 Session Laws. ✓

We would therefore welcome a comprehensive legislative study of the current General Relief program and any resulting changes in AS 47.25.120-300 that would more specifically define the Legislature's wishes concerning the program.

The Department supports the concept of an increase in maximum payment.

Recommended by: Er. Skens
for Rod Betit, Director
Division of Public Assistance

Date: _____

Approved by: Helen D. Beirne
Helen D. Beirne
Commissioner

Date: 2-26-81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 176

Title An Act Relating to General Relief Assistance

Requested by Clocksfn

Date 2/25/81

II. FISCAL DETAIL

Agency Affected Health & Social Services

Program Category Affected Social and Economic Assistance for the General Population

BRU, Program, or Subprogram(s) Affected Assistance Payments, General Relief Assistance

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		821.4	903.9	993.9	1093.3	1202.6
TOTAL		821.4	903.9	993.9	1093.3	1202.6

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		821.4	903.9	993.9	1093.3	1202.6
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME		0				
PART TIME		0				
TEMPORARY		0				

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

FY82 request calls for 1015 persons per month to receive cash or vendor payments averaging \$67.44 per person, for a total of 821.4 (1015 x \$67.44 x 12 months).

Doubling the maximum allowable monthly payment from \$80 to \$160 per person would have no effect on the number of persons found eligible. A "worst case" assumption is that all eligible persons would experience a doubling of their payments, from \$67.44 to \$134.88 per month. This would simply double program expenditures for all items except burials adding 821.4 in new expenditures.

However, a number of household receiving payments under the current payment maximum have their full emergency need met. The amount of their payments would not therefore increase with an increase in the maximum payment limit. No data is captured to indicate how many households fit in this category or how many households have "unmet need" under the current maximum. However, based on an informal 1980 survey of actual case situations, a "best case" assumption could be made that only 50% of all recipients would experience a doubling of payments under HB No. 176. This would result in an additional cost of only 410.7.

IV. DATE

2/24/81

PREPARED BY

AGENCY 1-105-24

PHONE 465-2247

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

Richard J. ...
Legislative Finance and Budget
2/25/81



REIRNE

Parole
Bill
file

3/10/81

? Presumptive sentencing
was " " "

Class. A felony =
" B " =
" C " =

what is eff. date on New Crim. Code, 12/79

3/11/81

APB 174

514 needed + 20

pregnant woman alone not covered.

hardy applicant may income allowed is 514 1 still good for A.
121 + "

400	11
150	C
450	

100 raise = 7.00 NET!
Food stamp ↓ Rent ↑

APB 176 } given relief assistance

State pays vendor

BIT grant - 6-7M

OK .. - 1M

Am .250 section Div using for auth.

Options:

○ am .250 to 160.

H B

191

COMMITTEE REPORT

HOUSE

2/19/81

FURTHER: JUDICIARY

(5)

Date: 2/19/81

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 191

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

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" ~~New~~ Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Terry Masten

John S. ...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

J. M. ... - Do Pass IF Approved

John S. ...
CHAIRMAN

Introduced: 2/19/81
Referred: Health, Education &
Social Services and Judiciary

1 IN THE HOUSE

BY PHILLIPS, BARNES AND MOSS

2 HOUSE BILL NO. 191

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH 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(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 or has inter-
13 mittently maintained a domicile in the territory or state for a cumula-
14 tive total of 30 years, may apply to the commissioner of administration
15 for qualification to receive a monthly bonus of \$200.

16 * Sec. 2. AS 47.45.010 is amended by adding a (new) subsection to read:

17 (d) For the purposes of (a) of this section, a person has inter-
18 mittently maintained a domicile in the territory or state only if he
19 has been physically present in the state for five years immediately
20 preceding his application and if the periods cumulating 30 years are 12
21 months or more in length.

22 * Sec. 3. AS 47.45.170 is amended to read:

23 Sec. 47.45.170. PURPOSE. The sole purpose of this chapter is to
24 offer and provide all law-abiding Alaskans capable of managing their
25 own affairs who have maintained a domicile in the state for at least 25
26 years continuously or 30 years intermittently and have reached a retire-
27 ment age of 65, an incentive to continue uninterrupted residency in the
28 state. Under no circumstances shall this chapter be considered a form,
29 type, or manner, of public relief. Bonuses made under this chapter are

1 not predicated on need even though they may appear to provide supple-
2 mental income to some qualified persons who would otherwise be forced to
3 become responsibilities of the state. The legislature further finds and
4 states that this legislation recognizes the economic hardships suffered
5 by many elderly Alaskans, Alaskans who through their tenacity and per-
6 severance molded Alaska as we know it through skillful application of
7 their talents. These pioneers are the same Alaskans, who in the prime
8 of their life were in effect treated as second-class citizens by the
9 federal government and who paid much of their hard-earned income to a
10 government in which they did not have the right to participate through
11 the power of the ballot. The legislature also is aware of the fact that
12 many of these pioneers have been forced to live out their retirement
13 years in areas far away from the land they loved and nurtured and there-
14 by also suffering, in many cases, the loss of familial relationship with
15 their own kin, an experience that is sad and frustrating to them as well
16 as depriving new generations of Alaskans of the benefits of their wisdom
17 and experience. This legislation hopefully will provide our pioneers
18 with the economic means to remain in and continue to serve their state
19 and to enjoy the opportunity of aiding the new Alaskan in making this
20 state truly "The Great Land."

21 * Sec. 4. This Act takes effect July 1, 1981.

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. H.B. 191
 Title An Act relating to the Alaska Longevity Bonus
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Administration
 Program Category Affected Social and Economic Assistance for the Aged
 BRU, Program, or Subprogram(s) Affected Longevity Bonus Program
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		25.2	27.7	30.5	33.5	36.9
200 TRAVEL						
300 CONTRACTUAL		5.5	6.1	6.7	7.3	8.1
400 COMMODITIES		.5	.6	.6	.7	.7
500 EQUIPMENT		1.3				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		480.0	540.0	600.0	660.0	720.0
TOTAL		512.5	574.4	637.8	701.5	765.7

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		512.5	574.4	637.8	701.5	765.7
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

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

This bill would allow an unknown number of additional recipients to become eligible for the Alaska Longevity Bonus by including those who have a cumulative total of residency in Alaska of 30 years.

In addition to the normal requirements for age, these persons must meet the following residency minimums to be eligible under the bill:

1. Intermittently maintained a domicile in the Territory or State of Alaska for a cumulative total of 30 years.

IV. DATE 2/23/81 PREPARED BY George V. Michael
 AGENCY Administration
 PHONE 465-4401

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 Representative Phillips
 Keith Specking

2. Must have been physically present in the State for 5 years immediately preceding date of application.
3. Periods of residency, for the cumulative total of 30 years, must have been for 12 months or more in length.

Although the number of additional recipients under this bill is not known, a consensus of those connected with the program is that probably 200 would be added within a short period after the effective date, and that perhaps 25 would be added each succeeding year as others who are eligible find out about the revised residency requirements.

This fiscal note assumes an effective date of July 1, 1981, and that the bonus payments would remain at the present rate of \$200 per month.

Due to the complexities of verifying intermittent segments of domicile in Alaska, an additional Benefits Assistant (Range 9) will be needed on the Longevity Bonus staff. Inflation is computed at 10% per year on all costs for this position beyond FY 82, except equipment which is a one-time cost.

Additional Bonus Payments

<u>Year</u>	<u>Additional Recipients</u>		<u>Bonus Payments</u>		<u>Months</u>		<u>Total Increase</u>
FY 81	200	x	\$200	x	12	=	\$480,000
FY 82	225	x	200	x	12	=	540,000
FY 84	250	x	200	x	12	=	600,000
FY 85	275	x	200	x	12	=	660,000
FY 86	300	x	200	x	12	=	720,000

8/C4/F

1	POSITION TITLE Benefits Assistant			RANGE/STEP 9A	BARG. UNIT. G	LOCATION Juneau	GOV	APPROV	DISAPP.						
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12 PAGE/LINE	LEG								
3	TYPE OF EXPENDITURE			JUSTIFICATION:											
	1	2	3												
4	PERSONAL SERVICES SALARY		19,205	<p>This position will be needed to process applications from persons seeking to qualify under revised provisions of H.B. 191. Due to the complexity of verifying intermittent periods of residency, approximately 37-1/2 man-hours per week will be required. This extra work load cannot be absorbed by the existing staff.</p>											
5	BENEFITS		3,032												
6	FICA		1,177												
7	HEALTH INS.		1,800												
8	TOTAL PERSONAL SERVICES	01	25,214												
9	TRAVEL	02	-0-												
10	CONTRACTUAL	03	5,500												
11	COMMODITIES	04	500												
12	EQUIPMENT	05	1,300												
13	OTHER														
14	TOTAL COST		32,514												
15	CODE	FUNDING SOURCE													
16		FED RCPTS. 1912													
17		GF MATCH. 1000													
18		GEN. FUND 1001		32,514											
19		I-A RCPTS. 1004													
20		PGM RCPTS 1008													
21	CONTINUATION														
22	ADDITION	X	FOR B&M USE ONLY												
44 KEY NUMBER _____ COLUMN NO. _____															

AGENCY Administration PROGRAM Social & Economic Asst. for the Aged

BRU Longevity Bonus

COMPONENT _____

Page 1 of 1

REVISED DATE _____

13 REQUEST FOR NEW POSITION.

FY 82

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF ADMINISTRATION

DIVISION OF PIONEERS' BENEFITS
LONGEVITY BONUS

POUCH CL
JUNEAU, ALASKA 99811

Ph: 465-4416

May 28, 1980

The Honorable Thelma Buchholdt
House of Representatives
Pouch V
Juneau, AK 99811

Dear Representative Buchholdt:

Re: Senate Bill 15 As Amended By The House

No statistical data has ever been gathered on the number of Longevity Bonus recipients who have been disqualified from receiving the Bonus for a year after return to Alaska following an absence of more than 180 days.

During the tenure of the present administrator, which commenced on July 1979, less than 12 persons who had previously been disqualified following such absence, reapplied for the Bonus after remaining in the State for the required 12 months after return. In that period, approximately 15 persons have been disqualified for absences beyond 180 days, and of that number approximately eight persons were determined to have been absent for reasons beyond their control and were reinstated to the Program following their return to Alaska. It is estimated that the State saved less than \$19,000 by withholding payment to approximately seven persons who were disqualified since July 1979.

It is known that a majority of the Longevity Bonus recipients never leave Alaska, or leave for a short period of less than 30 days, and receive Bonus payments regularly each month. It is also known that a small number of recipients actually maintain homes outside of Alaska where they reside for six months of the year, and faithfully return to Alaska immediately preceding the end of the 180 day period to insure receipt of the Bonus the remainder of the year. There is no statistical data which shows the average number of months spent outside Alaska by those who are absent for more than 30 days and less than 180 days.

Longevity Bonus recipients receive regular monthly payments except during the months they are outside of Alaska for more than 30 days. The system statistics indicate the number of persons who are qualified to receive the Bonus and the number of qualified persons who received payment. Following is a list of qualified recipients and the number of payments made since July 1978. It shows the number of recipients who are absent each month and a trend of the time of year the recipients travel away from Alaska for more than 30 days.

<u>1978/79</u>	<u># Qualified Recipients</u>	<u># Bonus Payments</u>	<u># Recipients Absent</u>
July	6756	6390	366
August	6793	6570	223
September	6838	6606	232
October	6862	6661	201
November	6935	6684	251
December	6983	6642	341
January	7008	6598	410
February	7038	6459	579
March	7045	6537	508
April	7119	6615	504
May	7190	6747	443
June	7207	6857	350
 <u>1979/80</u>			
July	7333	6984	349
August	7395	7014	381
September	7470	7097	373
October	7516	7105	411
November	7575	7177	398
December	7669	7101	508
January	7649	7012	637
February	7686	6879	807
March	7742	7001	741
April	7750	7105	645
May	7811	7355	456

A Bonus recipient is required to notify the Commissioner of Administration when he expects to be out of the State for more than 30 days. Upon such notification, his Bonus payments are discontinued until notification is received that he has returned to Alaska and desires to resume Bonus payments. A recipient may be reinstated to the Program, even after an absence of years, if the reinstatement requirement of remaining in Alaska for twelve

The Honorable Thelma Buchholdt

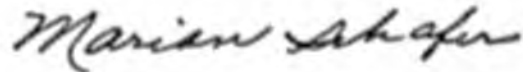
-3-

May 28, 1980

calendar months is met. It is known that a few persons who have been disqualified from the Program in years past have never reapplied for the reason that they have not been able to remain in Alaska for the required twelve calendar months before reinstatement; and some recipients leave Alaska and do not return for the reason that they have either taken up residence outside of Alaska or are deceased.

We regret that we are unable to respond with the statistical data you requested regarding persons who have been disqualified from the Program, but we will be glad to personally answer any further questions you may have.

Sincerely,



Marian Schafer
Administrator
Alaska Longevity Bonus Program

MS/a1w
LBI/B29

cc: Sue S. Greene
Deputy Commissioner for Personnel
Management

George Michael
Administrative Officer
Division of Longevity Bonus

Representative Randy Phillips
House of Representatives
Pouch C, Juneau, Alaska 99811
Dear Rep. Randy Phillips:

Alaskans Who Need Help Now--those 65 years and older on a fixed moderate income. Many of these Seniors have lost their earning power. Due to inflation some are already spending their resources and more will be doing the same in the near future. These are the proud Alaskans who do not want welfare--just want to be able to care for themselves. They do not come under many programs that are provided for the low income, but are paying taxes to support programs for the low incomes. Their taxes support anyone elected to Federal or State offices.

The ones on a moderate fixed income are not admitted to low income housing unless they pay the full rent. Here in Fairbanks in the Golden Towers it is \$556 per month if you are not classed as low income. I understand there are different rates throughout the State of Alaska. This rent is far above what our plush apartments rent for here in Fairbanks. We also bring people in from the "Lower 48" when we have Alaskans on the waiting list. The Golden Towers was to have been for Senior Citizens--instead they have younger people and mentally depressed. Some of these have been problems. This is due to HUD regulations. Why cannot Alaska Housing get out from under HUD? Give Alaska Senior Citizens a place of their own.

Longevity should have been increased at least a year ago to provide help to meet some of their needs. Consideration should also be given to those who are capable of additional earnings but due to Social Security regulations they are limited and are forced to return Social Security. Their cost of transportation and deductions from income results in the fact they are working for nothing.

In 1971 I was a delegate to the White House Conference on Aging. I wish you could have heard the very sad reports on how the elderly were being cared for in private nursing homes, and yet the owners bragged on how much money they made off their inmates. I have stood helplessly by and heard men and women scream and cry when taken from the hospital to the Poor House (County Home). Thank God, Alaska has Pioneer Homes where our Alaskans can live in dignity. Let's keep our Pioneer Homes as they are.

A great deal of credit goes to our Office on Aging under Danny Plotnick for the outstanding services our Senior Citizens are receiving throughout the State. Thousands of Seniors are receiving many benefits. Each year this office offers more programs and reaches out farther to many outlying areas. I do not want to see a change at this time. I have worked with this staff since 1971, seen many changes, all for the better. Let's not make a change now. Do you want to see these Alaskans (1) leave Alaska; (2) suffer malnutrition; (3) unable to cope with the high cost of medical and hospital expenses; (4) cutting down on heat and light due to increase in utilities; (5) mentally depressed; and (6) last but not least, suicide.

During this session of legislation please consider the needs of the people on a Fixed Moderate Income.

Sincerely,

Doris Southall

Doris Southall

DS/na

cc: Governor Jay Hammond

Dr. Helen Helms, Commissioner, Dept. of Health & Social Services, State of Alaska
M. D. Plotnick, Coordinator, State Office on Aging

March 23, 1979

Representative Randy Phillips
Alaska State Legislature
Mail Station 3100. Pouch V
Juneau, Alaska 99801

Dear Representative Phillips:

It is my understanding that you introduced a bill in the house to correct the inequity of a number of Alaskans not receiving longevity bonuses due to having lived outside at sometime.

Those of us affected, will surely appreciate a bill being passed to enable us to participate in this program. Inflation really hits the retired individual who lives in Alaska.

To speak of my own case, I came to Anchorage in the summer of 1944; part of the time I worked for the Federal Government, the rest, owned and operated my own business. In 1955, due to illness and business problems of my family in California, I had to leave Alaska to assist my family. It was not my choice to be out of Alaska and I owned property here during all of the time I was outside. It was the summer of 1963 before I could again return home to Anchorage and I have lived here continuously since that time.

It seems to me that when you were here in early days and have spent most of your adult life here, that you should not be penalized for circumstances that really were not under your control. Meeting the original date of residency and having the proper number of years of residency should be the requirements.

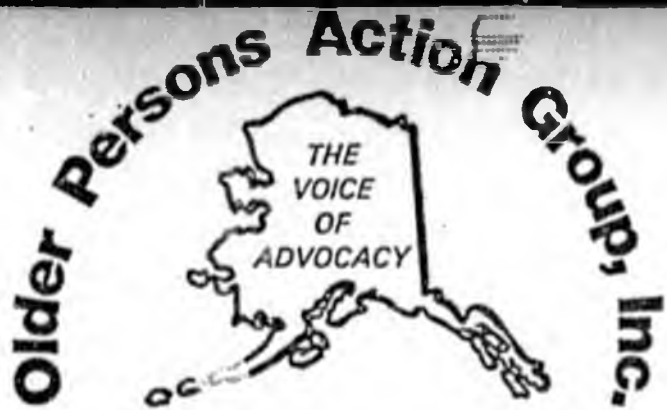
It was mentioned that the bill under consideration would require us to spend more years to qualify than is required for those now receiving bonuses. It does not seem that such a penalty is really justifiable.

My thanks to you for introducing the bill and to it's supporters in the legislature.

Sincerely,

Margery A. McCormick
Margery McCormick

P. O. Box 1038
Anchorage, Alaska 99510



325 E. 3rd Avenue • Anchorage, AK99501

272-2772 • 272-9317

February 15, 1979

Randy Phillips
State Representative
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Randy:

Thank you for providing a copy of H. B. 15 and your letter of February 9th.

I was sorry to see your H. B. 13 of the 10th Legislative Session go by the board. The concept was one of two recommendations that I made in 1974, when I administered the Longevity Bonus Program.

The figures used in the last session to estimate the cost of the change, created considerable doubt in my mind as to their accuracy and if used again this session should be scrutinized sharply.

Our first priority at this time is for the legislature to provide the avenues for a more realistic and efficient "in home care", also called Home Health-Home Support Program. Our suggestion is for the bill to provide for a budget transfer from the Health and Social Services 1980 Budget of \$5,000,000.00 from Medicaid-General Relief Medical to Home Health-Home Support. We recommend that the bill provide for local administration with state supervision or monitoring and that payments to relatives be included which would tend to hold families together. It is hoped that a savings in taxpayer funds can be realized by expansion of in home care.

Regarding H. B. 15, I have provided OPAG and the Anchorage Municipal Commission for Senior Citizens with copies of your letter and bill. I expect that both organizations will help to distribute the message.

Thank you again for your interest and concern.

Sincerely,

Rose Palmquist
President, Board of Directors

Mr. Randy Phillips
House of Rep's.
Juneau, AK.

Anchorage, AK. 99501
March 25, 1978

Dear Sir: I was in Juneau last spring with a group of seniors from the Anchorage area.

Regretted having to leave without a chance to talk to you. I have your letter of May 9th, '77 and am pleased to know that you will continue to work for the enactment of HB #13. (Hope 13 isn't unlucky this yr)

Thank you again for sponsoring HB #13 amendment? It is just the ticket for me & numerous other Alaskans. Giving you a re-hash: I was born in Valdez in 1906 residing in Alaska (the possession, Territory & State) about 40 yrs.; but am un-able to find a string of 25 consecutive yrs. in my record of residence. Under the existing law I must wait, at least, until 1983 to be eligible to qualify for the Longevity Bonus (if I'm still around then).

I have never been on relief and never wanted any charity but would gladly accept the AK. Longevity Bonus, as in my view it is not de-meaning charity, simply a High Cost of Living Bonus.

As you know the built in inflation in our economy has been depressing the standard of living for those of us on fixed incomes. We seem to be getting a double dose here in the 49th state: Current Bureau of Labor figures put our cost of living 64% higher than the National Average.

Myself and several other seniors, who I know, could survive a cost of living bonus. Without the Longevity Bonus if present trends continue, we may be forced to look for lower cost living elsewhere; although we would rather remain in Alaska our Home State.

The State Treasury coffers should fill with oil Royalty money as N. Slope production reaches its peak.

I hope all deserving Alaskans will share in this wealth as a bonus for developing this frontier into a state. These pioneers endured the dis-advantages of frontier life including high cost of living and should be rewarded in full or at least be partially reimbursed.

... - so far the "oil bonanza" has hurt many
bene fitted in many cases. For example: I did
not get in on the lucrative payroll of pipeline
construction; but was hit by the extra inflation
caused by the boom.

What can I do to help get HB#13
through House Finance and on its way to becoming
a law? Would writing letters to the Rep's, who
voted against #13, asking them to support it, do a
good? do you think?

I'm green as grass on legislative
procedure but will do what I can as I'm quite
vitaly concerned. will talk it up with other Senior.
It is a fair bill & shouldn't be opposed too strongly.

Much obliged for your work in my beha.

yours sincerely

Tripp Gavigan
Tripp Gavigan

Note:

Rep's = Representatives for those who voted "yea" on #

" = Reprobates " " " " " "Nay" "

T.G.

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

MEMORANDUM

January 18, 1977

SUBJECT: Alaska Longevity Bonus Impact Survey

TO : The Honorable Randy Phillips
Alaska State Representative

FROM : Gregg K. Erickson
Director
Research Division

The Department of Health and Social Services recently released the results of an indepth study of the effects of the Alaska Longevity Bonus on the elderly in the state, with special consideration of those persons on public assistance. Since the study was funded with 100% state monies and was the result of three years' effort, the Division of Research summarized the 102 page report for legislator use. Since you sponsored HB 13 dealing with the Longevity Bonus, this report may be of some interest to you. The report contains details concerning the type of person served and the benefits derived from the Longevity Bonus Program.

Copies of the complete report can be obtained from:

Lawrence J. Sullivan, Director
Division of Public Assistance
Pouch H-07
Juneau, Alaska 99811
Phone: 465-3355

If you have comments or questions, please do not hesitate to contact me.

GKE:cm

Attachment

Brief Summary of Alaska Longevity
Bonus Impact Survey: 1975

General Overview

During 1973, the Alaska Longevity Bonus Program was instituted in the state. The bonus was authorized by the State legislature to reward elderly Alaskans for having settled the state. This reward is in the form of a monthly payment of \$100 to Alaskan citizens who meet certain criteria listed in AS 47.45.010-.170. (The award was raised to \$125 monthly effective July 1, 1976.) That statute requires, in order to be eligible, that the individual must:

- 1) 65 years of age or older
- 2) Have lived in Alaska for twenty-five years
- 3) Have resided in the state on or before January 3, 1959.

The monthly check was given as an incentive to these pioneer Alaskans to continue uninterrupted residency in the state, so that they would not be forced to leave Alaska upon or prior to retirement due to insufficient funds, as often happened in the past. The payment level is uniform statewide and does not vary according to client's needs or resources.

Many persons receiving this special \$100 bonus for their service to Alaska still have insufficient resources to meet their daily needs. Certain of these persons are also eligible for public assistance through the Department of Health and Social Services. If these needy persons apply and are determined to qualify they can receive a monthly check to meet their daily living needs. The maximum for that check is set in state law. Eligibility for those categorical assistance programs is based on the client's earned (less allowable deductions) and unearned funds and resources. Federal law and regulation set requirements as to what income is counted and what deductions are allowed.

In order that Alaska Longevity Bonus checks not be counted as income for purposes of determining public assistance payments, a waiver had to be granted from the federal government. As a condition of that waiver, the Department of Health and Social Services had to conduct a research project to determine the effect of Longevity Bonus on Alaska's elderly, with special emphasis on those persons who receive monthly public assistance checks as well. The survey was initiated in 1973 and was continued in 1975. The 1975 results were released in the fall of 1976. A permanent exemption excluding the bonus payments from being counted as income for determinations for public assistance was passed by Congress and became law in January, 1976.

Research Plan

The bonus study does represent a significant piece of research. Through it, characteristics of bonus recipients can be discerned. During 1975, the Department of Health and Social Services and various senior citizen groups interviewed 472 elderly persons. The sample was randomly chosen from across the state to represent three major groups of people:

- 1) People who received Longevity Bonus Payments Only
- 2) People who received Longevity Bonus Payments and received Public Assistance (Old Age Assistance)
- 3) People who received Public Assistance (Old Age Assistance only)

At the time the interviews were made 3,814 people were receiving Longevity Bonus payments, 435 people were receiving only Old Age Assistance; and 1,450 people participated in both programs. The study estimates that there were over 8,000 persons in the state that were over 65 years of age. Therefore, over 70% of the elderly population was reflected in this study.

The persons selected were asked questions on three main topic areas:

- (1) Does the Longevity Bonus reduce outmigration of elderly Alaskans?
- (2) Does the Longevity Bonus increase the independence of those who receive it, especially low income recipients?
- (3) Does the Longevity Bonus increase the life satisfaction of those who receive it, with special emphasis placed upon an evaluation of the effect of the Bonus on the lives and on the general life satisfaction of the low-income elderly?

Study Findings

The study reached the following conclusions:

- (1) The Bonus has a significant positive impact upon the elderly Alaskans receiving it.

92.2% of all Bonus recipients interviewed said they are experiencing improvements in their well-being. Most persons used the Bonus to pay for food and clothing, followed by fuel and home maintenance. The study concludes that Bonus is being used for essentials.

- (2) Bonus-only recipients exhibit a greater degree of independence than do elderly person on public assistance only.

The survey found that recipients of only the Longevity Bonus generally need less assistance in obtaining essentials of normal life such as transportation, food, and clothing, than do elderly only on public assistance. Also, Bonus only recipients tend to own their own home, while elderly receiving only public assistance generally rent.

- (3) Most elderly Alaskans do not intend to leave the state; however, the Bonus is enabling those who want to stay, to remain.

Nearly one-third of all Bonus only recipients stated that the Bonus positively affected their plans to stay in Alaska. Also, an additional

5.2% of persons on both Bonus and Old Age Assistance programs said the Bonus had an effect on their plans to stay in the State. The study concludes the Bonus seems to have the greatest effect upon those persons with higher income with regards to emigration decisions.

- (4) Bonus recipients have a lower rate of social service use than do non-recipients.

The study found that twice as many elderly on public assistance in the sample used Food Stamps than do persons receiving both the Bonus and Old Age Assistance. It also discovered that hardly any Bonus-only recipients use food stamps. The study also found that nearly 1/3 of all Bonus recipients reported that the Bonus allowed them to delay or prevent entry to, or to leave an institution. Finally, the study revealed that 30% of recipients of Bonus-only appear to be eligible for public assistance, but do not receive it. The researchers concluded that these people prefer to remain off welfare.

- (5) The Bonus is contributing significantly to the life-satisfaction of the elderly.

The study found that of the 5,264 persons receiving the Bonus, 4,859 persons' situations improved because of it. Only 258 persons (5%) did not view the Bonus as significantly improving their living situations. Also, they did not see that their living situations would decline without the Bonus. The study concluded that Bonus recipients are better able to pay for medical expenses and to obtain food and that Bonus recipients are more active, physically and socially, than elderly only on public assistance.

Prepared by:

Deborah Behr
Division of Research Services

January 24, 1977

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER / POUCH C - JUNEAU 99811

465-2200

March 17, 1980

Honorable Thelma Buchholdt
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Representative Buchholdt:

Re: House Bill 15 to Amend the Longevity
Bonus Program

House Bill 15 would amend the eligibility requirements for the Longevity Bonus to include persons who, in addition to meeting the necessary minimum age of 65 and domicile in Alaska on or before January 3, 1959, have been domiciled in Alaska intermittently for a cumulative total of thirty years. The bill would also require that persons who qualify for the Bonus with intermittent domicile must be physically present in the state for five years immediately preceding application and that the periods of residency comprising the cumulative total of thirty years be for twelve months or more in duration.

There is no accurate data base on which to estimate the number of persons who would be affected by this bill. It is assumed, however, that appropriately 200 recipients would be added to the Program within a short period of time after the effective date and twenty-five persons added the second year. The fiscal note which applies to this bill assumes the present benefit payment of \$150.00 per month and an effective date of July 1, 1980. Based upon these assumptions, the note provides for a total increase in benefits of \$360,000 the first year and \$405,000 thereafter. It also provides for an increase in personal services to accommodate the added workload in the Longevity Bonus office.

Although this legislation will enable a greater number of persons to receive the Bonus, the burden of verifying segments of domicile for twelve months or more in duration could be difficult for the applicants. Throughout the years, men and women have been drawn to Alaska for periods of short duration to avail themselves of employment or were assigned to tours of duty for military or government service. They rarely established permanent domicile or considered Alaska to be their home, but moved in and out of Alaska during the course of employment or the assigned period. Seldom did those people involve themselves in the development of Alaska, but remained here to satisfy their monetary goals and then left to continue domicile elsewhere, many of them intending to never return.

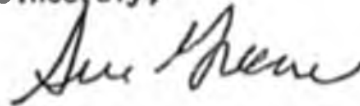
Honorable Thelma Buchholdt
Page 2

March 17, 1980

Is it the intention of the State to reward those people who periodically domiciled in Alaska in the same way it rewards those who had the tenacity and perseverance to remain and maintain continuous domicile in Alaska for at least twenty-five years? If so, the Department of Administration has no particular objection to the bill, except that it will be difficult and costly in man-hours to administer.

If this bill is passed, we recommend amending line 18, page 1, to read "...in the state continuously for five years..." This would clarify intent in the event of doubt.

Sincerely,



Sue S. Greene
Deputy Commissioner
Personnel Management

SSG/mjc
cc: Keith Specking

BILL ANALYSIS

ASSIGNMENT DATE _____

UNASSIGNED _____

DEPARTMENT Administration	SPONSOR (PRINCIPAL) Representative Randy Phillips	BILL NO. House Bill 15
------------------------------	--	---------------------------

DEPARTMENT POSITION	
---------------------	--

DIVISION DIRECTOR Vernon L. Perry	DATE 2-22-80	COMMISSIONER W. R. Hudson	DATE
--------------------------------------	-----------------	------------------------------	------

GOVERNOR'S OFFICE USE

POSITION NOTED POSITION APPROVED POSITION DISAPPROVED

BY: _____ DATE: _____

SUMMARY

(1) RELATED BILLS (SIMILAR OR CONFLICTING)

<p>(2) a. ORGANIZATIONAL SUPPORT FOR BILL</p>	<p>(2) b. ORGANIZATIONAL OPPOSITION TO BILL</p> <p>Increased administrative functions generated by applicants' need to verify intermittent segments of domicile in Alaska</p>
---	---

(3) PROGRAM EFFECTS OF BILL

Increase the number of Longevity Bonus recipients by including persons who have intermittently maintained a domicile in the territory or state for a cumulative total of 30 years, provided he has been physically present in the state for 5 years immediately preceding application and periods of cumulative 30 years are for 12 months or more in length.

(4) FISCAL IMPACT: NONE FISCAL ANALYSIS ATTACHED

(5) AMENDMENTS PROPOSED:

"An Act relating to the Alaska Longevity Bonus"; Secs. AS 47.45.010(a); new section AS 47.45.010; and AS 47.45.010

(6) COMMENTS:

The applicant's burden of verifying domicile segments for 12 months or more may be extremely difficult. Men and women have long been drawn to Alaska for periods of short duration because of employment opportunities in the fishing, mining, lumber and construction industries, for example; or were assigned to tours of duty in Alaska for military or government service. Rarely did they establish permanent domicile or consider Alaska their home, but regarded it as a temporary residence to be occupied during the course of employment or assignment. Seldom were they involved in the development of Alaska, but were more interested in the profits to be gained and soon left to continue domicile elsewhere, many of them intending never to return.

Is it the intention of the State to reward those who periodically domiciled outside of Alaska in the same way it rewards those who had the tenacity and perseverance to remain continuously for at least 25 years?

STATE OF ALASKA THE LEGISLATURE

POUCH V - STATE CAPITOL
JUNEAU, ALASKA 99811
907 463-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 21, 1980

SUBJECT: Constitutionality of CSHB 15
 Longevity Bonus (Work Order No. 8497)

TO: Representative Randy Phillips

FROM: Billy G. Berrier *BGB*
 Director
 Division of Legal Services

You have asked whether in our opinion CSHB 15 which adds persons who have intermittently maintained a domicile in Alaska for a cumulative total of 30 years is constitutional.

You have requested a summary opinion, so I will not discuss the cases which form the basis for my opinion. In conclusionary form, it is my opinion that classifications of state residents by length of residency are of questionable constitutional validity and that the Alaska Supreme Court will uphold a durational residency classification which discriminates against nonresidents if

- (1) there is a compelling state interest which justifies the discrimination;
- (2) the length of residency is reasonable; and
- (3) the personal right of nonresidents which is impaired by the residency requirement is not a privilege of national citizenship under the U.S. Constitution.

A determination of these questions is a fact determination. The purposes stated in AS 47.45.170 appear to be factually supported by the findings of that section.

While a court determination would be necessary to determine whether the interest involved is a compelling state interest and whether the interest could be accomplished by less constitutionally intrusive means, in my opinion the addition of

Representative Randy Phillips
Page 2
April 21, 1980

persons with 30 years total residency in Alaska which has been interrupted would not create additional constitutional problems.

BGB:jdn

**FISCAL NOTE
REVISED**

I. REQUEST
 Bill/Resolution No. H. B. 191
 Title An Act relating to the Alaska Longevity Bonus
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Administration
 Program Category Affected Social and Economic Assistance for the Aged
 BRU, Program, Or Subprogram(s) Affected Longevity Bonus Program
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		25.4	27.9	30.7	33.8	37.2
200 TRAVEL						
300 CONTRACTUAL		5.7	6.3	6.9	7.6	8.4
400 COMMODITIES		6	7	7	8	9
500 EQUIPMENT		1.4				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		600.0	675.0	750.0	825.0	900.0
TOTAL		633.1	709.9	788.3	867.2	946.5

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		633.1	709.9	788.3	867.2	946.5
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)
 This bill would allow a number of additional recipients to become eligible for the Alaska Longevity Bonus by including those who have a cumulative total of residency in Alaska of 30 years.
 In addition to the normal requirements for age, these persons must meet the following residency minimums to be eligible under the bill:

1. Intermittently maintained a domicile in the Territory or State of Alaska for a cumulative total of 30 years.

IV. DATE March 3, 1982 PREPARED BY George T. Michael
 AGENCY Administration
 Original: Legislative Finance PHCNE 465-4401
 cci: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)
 Representative Phillips
 Keith Specking

2. Must have been physically present in the State for 5 years immediately preceding date of application.
3. Periods of residency, for the cumulative total of 30 years, must have been for 12 months or more in length.

Although the number of additional recipients under this bill is not known, a consensus of those connected with the program is that probably 200 would be added within a short period after the effective date, and that perhaps 25 would be added each succeeding year as others who are eligible find out about the revised residency requirements.

The fiscal note assumes an effective date of July 1, 1982, and that the bonus payments would remain at the present rate of \$250 per month.

Due to the complexities of verifying intermittent segments of domicile in Alaska, an additional Benefits Assistant (Range 9) will be needed to the Longevity Bonus staff. Inflation is computed at 10% per year on all costs for this position beyond FY'82, except equipment which is a one-time cost.

Additional Bonus Payments

FY 83	200	x	\$250	x	12	•	\$600,000
FY 84	225	x	\$250	x	12	•	\$675,000
FY 85	250	>	\$250	x	12	•	\$750,000
FY 86	275	x	\$250	x	12	•	\$825,000
FY 87	300	x	\$250	x	12	•	\$900,000

(SA)

1	POSITION TITLE Benefits Assistant			RANGE/STEP 9A	BAIG. UNIT. G	LOCATION Juneau	APPROV.	DISAPP.						
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12 PAGE/LINE	REQ.							
3	TYPE OF EXPENDITURE			JUSTIFICATION:										
	1	2	3											
4	PERSONAL SERVICES:		<p>This position will be needed to process applications from persons seeking to qualify under revised provisions of H.B. 191. Due to the complexity of verifying intermittent periods of residency, approximately 37-1/2 man-hours per week will be required. This extra work load cannot be absorbed by the existing staff.</p>											
	SALARY	\$1,578/mo.							18,936					
5	BENEFITS								3,073					
6	SDS								1,161					
7	FIXED BENEFITS								2,196					
8	TOTAL PERSONAL SERVICES	01							25,366					
9	TRAVEL	02							-0-					
10	CONTRACTUAL	03							5,700					
11	COMMODITIES	04							600					
12	EQUIPMENT	05							1,430					
13	OTHER													
14	TOTAL COST								33,096					
	RECEIPT CODE	FUNDING SOURCE												
15		FEL RCPTS 1007												
16		GR MATCH 1001												
17		GEN FUND 1001		33,096										
18		I-A RCPTS 1007												
19		FGM RCPTS 1021												
20		OTHER												
21	CONTINUATION			FOR B&M USE ONLY										
22	ADDITION	X												
4A	KEY NUMBER	COLUMN NO.												

AGENCY Administration PROGRAM Social and Economic Asst. for the Aged

Longevity Bonus

BRU _____

COMPONENT _____

13 REQUEST FOR NEW POSITION

PAGE 1 of 1 REVISED DATE _____

FY 83

II. FISCAL DETAIL

Agency Affected Administration
 Program Category Affected Social and Economic Assistance for the Aged
 BRU, Program, or Subprogram(s) Affected Longevity Bonus Program
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		25.2	27.7	30.5	33.5	36.9
200 TRAVEL						
300 CONTRACTUAL		5.5	6.1	6.7	7.3	8.1
400 COMMODITIES		.5	.6	.6	.7	.7
500 EQUIPMENT		1.3				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		480.0	540.0	600.0	660.0	720.0
TOTAL		512.5	574.4	637.8	701.5	765.7

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		512.5	574.4	637.8	701.5	765.7
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

This bill would allow an unknown number of additional recipients to become eligible for the Alaska Longevity Bonus by including those who have a cumulative total of residency in Alaska of 30 years.

In addition to the normal requirements for age, these persons must meet the following residency minimums to be eligible under the bill:

1. Intermittently maintained a domicile in the Territory or State of Alaska for a cumulative total of 30 years.

IV. DATE 2/23/81 PREPARED BY George D. Michael

AGENCY Administration

Original: Legislative Finance PHONE 465-4401

cc: Budget and Management

Prime Sponsor (First Legislator Named)

Representative Phillips

33-001 (Rev. 12/80) Keith Spackling

2. Must have been physically present in the State for 5 years immediately preceding date of application.
3. Periods of residency, for the cumulative total of 30 years, must have been for 12 months or more in length.

Although the number of additional recipients under this bill is not known, a consensus of those connected with the program is that probably 200 would be added within a short period after the effective date, and that perhaps 25 would be added each succeeding year as others who are eligible find out about the revised residency requirements.

This fiscal note assumes an effective date of July 1, 1981, and that the bonus payments would remain at the present rate of \$200 per month.

Due to the complexities of verifying intermittent segments of domicile in Alaska, an additional Benefits Assistant (Range 9) will be needed on the Longevity Bonus staff. Inflation is computed at 10% per year on all costs for this position beyond FY 82, except equipment which is a one-time cost.

Additional Bonus Payments

<u>Year</u>	<u>Additional Recipients</u>		<u>Bonus Payments</u>		<u>Months</u>		<u>Total Increase</u>
FY 82	200	x	\$200	x	12	=	\$480,000
FY 83	225	x	200	x	12	=	540,000
FY 84	250	x	200	x	12	=	600,000
FY 85	275	x	200	x	12	=	660,000
FY 86	300	x	200	x	12	=	720,000

8/C4/F

1	POSITION TITLE Benefits Assistant			RANGE/STEP 9A	BARG. UNIT. G	LOCATION Juneau	GOV	APPROV.	DISAP					
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12 PAGE/LINE	LEG							
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:								
	1	2	3		<p>This position will be needed to process applications from persons seeking to qualify under revised provisions of H.B. 191. Due to the complexity of verifying intermittent periods of residency, approximately 37-1/2 man-hours per week will be required. This extra work load cannot be absorbed by the existing staff.</p>									
4	PERSONAL SERVICES: SALARY	19,205												
5	BENEFITS	3,032												
6	FICA	1,177												
7	HEALTH INS.	1,800												
8	TOTAL PERSONAL SERVICES	01	25,214											
9	TRAVEL	02	-0-											
10	CONTRACTUAL	03	5,500											
11	COMMODITIES	04	500											
12	EQUIPMENT	05	1,300											
13	OTHER													
14	TOTAL COST		32,514											
	CODE	FUNDING SOURCE												
15		FED RCPTS 1002												
16		GF MATCH 1003												
17		GEN. FUND 1004		32,514										
18		I-ABCPTS 1005												
19		PGM RCPTS 1028												
20		OTHER												
21	CONTINUATION													
22	ADDITION	X		FOR B&M USE ONLY										
4A KEY NUMBER				COLUMN NO.										

AGENCY Administration PROGRAM Social & Economic Asst. for the Aged

BRU Longevity Bonus

13 REQUEST FOR NEW POSITION.

COMPONENT _____

Page 1 of 1

REVISED DATE _____

FY 82

STATE OF ALASKA

W. S. HAMMOND, GOVERNOR

DEPARTMENT OF ADMINISTRATION

DIVISION OF PIONEERS' BENEFITS
LONGEVITY BONUS

POUCH CL
JUNEAU, ALASKA 99811

Ph: 465-4416

May 28, 1980

The Honorable Thelma Buchholdt
House of Representatives
Pouch V
Juneau, AK 99811

Dear Representative Buchholdt:

Re: Senate Bill 15 As Amended By The House

No statistical data has ever been gathered on the number of Longevity Bonus recipients who have been disqualified from receiving the Bonus for a year after return to Alaska following an absence of more than 180 days.

During the tenure of the present administrator, which commenced on July 1979, less than 12 persons who had previously been disqualified following such absence, reapplied for the Bonus after remaining in the State for the required 12 months after return. In that period, approximately 15 persons have been disqualified for absences beyond 180 days, and of that number approximately eight persons were determined to have been absent for reasons beyond their control and were reinstated to the Program following their return to Alaska. It is estimated that the State saved less than \$19,000 by withholding payment to approximately seven persons who were disqualified since July 1979.

It is known that a majority of the Longevity Bonus recipients never leave Alaska, or leave for a short period of less than 30 days, and receive Bonus payments regularly each month. It is also known that a small number of recipients actually maintain homes outside of Alaska where they reside for six months of the year, and faithfully return to Alaska immediately preceding the end of the 180 day period to insure receipt of the Bonus the remainder of the year. There is no statistical data which shows the average number of months spent outside Alaska by those who are absent for more than 30 days and less than 180 days.

Longevity Bonus recipients receive regular monthly payments except during the months they are outside of Alaska for more than 30 days. The system statistics indicate the number of persons who are qualified to receive the Bonus and the number of qualified persons who received payment. Following is a list of qualified recipients and the number of payments made since July 1978. It shows the number of recipients who are absent each month and a trend of the time of year the recipients travel away from Alaska for more than 30 days.

<u>1978/79</u>	<u># Qualified Recipients</u>	<u># Bonus Payments</u>	<u># Recipients Absent</u>
July	6756	6390	366
August	6793	6570	223
September	6838	6606	232
October	6862	6661	201
November	6935	6684	251
December	6983	6642	341
January	7008	6598	410
February	7038	6459	579
March	7045	6537	508
April	7119	6615	504
May	7190	6747	443
June	7207	6857	350
 <u>1979/80</u>			
July	7333	6984	349
August	7395	7014	381
September	7470	7097	373
October	7516	7105	411
November	7575	7177	398
December	7609	7101	500
January	7649	7012	637
February	7686	6879	807
March	7742	7001	741
April	7750	7105	645
May	7811	7355	456

A Bonus recipient is required to notify the Commissioner of Administration when he expects to be out of the State for more than 30 days. Upon such notification, his Bonus payments are discontinued until notification is received that he has returned to Alaska and desires to resume Bonus payments. A recipient may be reinstated to the Program, even after an absence of years, if the reinstatement requirement of remaining in Alaska for twelve

The Honorable Thelma Buchholdt

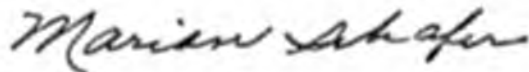
-3-

May 28, 1980

calendar months is met. It is known that a few persons who have been disqualified from the Program in years past have never reapplied for the reason that they have not been able to remain in Alaska for the required twelve calendar months before reinstatement; and some recipients leave Alaska and do not return for the reason that they have either taken up residence outside of Alaska or are deceased.

We regret that we are unable to respond with the statistical data you requested regarding persons who have been disqualified from the Program, but we will be glad to personally answer any further questions you may have.

Sincerely,



Marian Schafer
Administrator
Alaska Longevity Bonus Program

MS/aiv
LB1/B29

cc: Sue S. Greene
Deputy Commissioner for Personnel
Management

George Michael
Administrative Officer
Division of Longevity Bonus

Representative Randy Phillips
House of Representatives
Pouch C Juneau, Alaska 99811

Dear Rep. Randy Phillips:

Alaskans Who Need Help Now--those 65 years and older on a fixed moderate income. Many of these Seniors have lost their earning power. Due to inflation some are already spending their resources and more will be doing the same in the near future. These are the proud Alaskans who do not want welfare--just want to be able to care for themselves. They do not come under many programs that are provided for the low income, but are paying taxes to support programs for the low incomes. Their taxes support anyone elected to Federal or State offices.

The ones on a moderate fixed income are not admitted to low income housing unless they pay the full rent. Here in Fairbanks in the Golden Towers it is \$556 per month if you are not classed as low income. I understand there are different rates throughout the State of Alaska. This rent is far above what our plush apartments rent for here in Fairbanks. We also bring people in from the "Lower 48" when we have Alaskans on the waiting list. The Golden Towers was to have been for Senior Citizens--instead they have younger people and mentally depressed. Some of these have been problems. This is due to HUD regulations. Why cannot Alaska Housing get out from under HUD? Give Alaska Senior Citizens a place of their own.

Longevity should have been increased at least a year ago to provide help to meet some of their needs. Consideration should also be given to those who are capable of additional earnings but due to Social Security regulations they are limited and are forced to return Social Security. Their cost of transportation and deductions from income results in the fact they are working for nothing.

In 1971 I was a delegate to the White House Conference on Aging. I wish you could have heard the very sad reports on how the elderly were being cared for in private nursing homes, and yet the owners bragged on how much money they made off their inmates. I have stood helplessly by and heard men and women scream and cry when taken from the hospital to the Poor House (County Home). Thank God, Alaska has Pioneer Homes where our Alaskans can live in dignity. Let's keep our Pioneer Homes as they are.

A great deal of credit goes to our Office on Aging under Danny Plotnick for the outstanding services our Senior Citizens are receiving throughout the State. Thousands of Seniors are receiving many benefits. Each year this office offers more programs and reaches out farther to many outlying areas. I do not want to see a change at this time. I have worked with this staff since 1971, seen many changes, all for the better. Let's not make a change now. Do you want to see these Alaskans (1) leave Alaska; (2) suffer malnutrition; (3) unable to cope with the high cost of medical and hospital expenses; (4) cutting down on heat and light due to increase in utilities; (5) mentally depressed; and (6) last but not least, suicide.

During this session of legislation please consider the needs of the people on a Fixed Moderate Income.

Sincerely,
Doris Southall

Doris Southall
DS/ss

cc: Governor Jay Hammond
Dr. Helen Belme, Commissioner, Dept. of Health & Social Services, State of Alaska
H. D. Plotnick, Coordinator, State Office on Aging

March 23, 1979

Representative Randy Phillips
Alaska State Legislature
Mail Station 3100, Pouch V
Juneau, Alaska 99801

Dear Representative Phillips:

It is my understanding that you introduced a bill in the house to correct the inequity of a number of Alaskans not receiving longevity bonuses due to having lived outside at sometime.

Those of us affected, will surely appreciate a bill being passed to enable us to participate in this program. Inflation really hits the retired individual who lives in Alaska.

To speak of my own case, I came to Anchorage in the summer of 1944; part of the time I worked for the Federal Government, the rest, owned and operated my own business. In 1955, due to illness and business problems of my family in California, I had to leave Alaska to assist my family. It was not my choice to be out of Alaska and I owned property here during all of the time I was outside. It was the summer of 1963 before I could again return home to Anchorage and I have lived here continuously since that time.

It seems to me that when you were here in early days and have spent most of your adult life here, that you should not be penalized for circumstances that really were not under your control. Meeting the original date of residency and having the proper number of years of residency should be the requirements.

It was mentioned that the bill under consideration would require us to spend more years to qualify than is required for those now receiving bonuses. It does not seem that such a penalty is really justifiable.

My thanks to you for introducing the bill and to its supporters in the legislature.

Sincerely,

Margery McCormick
Margery McCormick

P. O. Box 1038
Anchorage, Alaska 99510



325 E. 3rd Avenue • Anchorage, AK99501

272-2772 • 272-9317

February 15, 1979

Randy Phillips
State Representative
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Randy:

Thank you for providing a copy of H. B. 15 and your letter of February 9th.

I was sorry to see your H. B. 13 of the 10th Legislative Session go by the board. The concept was one of two recommendations that I made in 1974, when I administered the Longevity Bonus Program.

The figures used in the last session to estimate the cost of the change, created considerable doubt in my mind as to their accuracy and if used again this session should be scrutinized sharply.

Our first priority at this time is for the legislature to provide the avenues for a more realistic and efficient "in home care", also called Home Health-Home Support Program. Our suggestion is for the bill to provide for a budget transfer from the Health and Social Services 1980 Budget of \$5,000,000.00 from Medicaid-General Relief Medical to Home Health-Home Support. We recommend that the bill provide for local administration with state supervision or monitoring and that payments to relatives be included which would tend to hold families together. It is hoped that a savings in taxpayer funds can be realized by expansion of in home care.

Regarding H. B. 15, I have provided OPAG and the Anchorage Municipal Commission for Senior Citizens with copies of your letter and bill. I expect that both organizations will help to distribute the message.

Thank you again for your interest and concern.

Sincerely,

Rose Palmquist
President, Board of Directors

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 18, 1977

SUBJECT: Alaska Longevity Bonus Impact Survey

TO : The Honorable Randy Phillips
Alaska State Representative

FROM : Gregg K. Erickson
Director
Research Division

The Department of Health and Social Services recently released the results of an indepth study of the effects of the Alaska Longevity Bonus on the elderly in the state, with special consideration of those persons on public assistance. Since the study was funded with 100% state monies and was the result of three years' effort, the Division of Research summarized the 102 page report for legislator use. Since you sponsored HB 13 dealing with the Longevity Bonus, this report may be of some interest to you. The report contains details concerning the type of person served and the benefits derived from the Longevity Bonus Program.

Copies of the complete report can be obtained from:

Lawrence J. Sullivan, Director
Division of Public Assistance
Pouch H-07
Juneau, Alaska 99811
Phone: 465-3355

If you have comments or questions, please do not hesitate to contact me.

GKE:cm

Attachment

Brief Summary of Alaska Longevity Bonus Impact Survey: 1975

General Overview

During 1973, the Alaska Longevity Bonus Program was instituted in the state. The bonus was authorized by the State legislature to reward elderly Alaskans for having settled the state. This reward is in the form of a monthly payment of \$100 to Alaskan citizens who meet certain criteria listed in AS 47.45.010-.170. (The award was raised to \$125 monthly effective July 1, 1976.) That statute requires, in order to be eligible, that the individual must:

- 1) 65 years of age or older
- 2) Have lived in Alaska for twenty-five years
- 3) Have resided in the state on or before January 3, 1959.

The monthly check was given as an incentive to these pioneer Alaskans to continue uninterrupted residency in the state, so that they would not be forced to leave Alaska upon or prior to retirement due to insufficient funds, as often happened in the past. The payment level is uniform statewide and does not vary according to client's needs or resources.

Many persons receiving this special \$100 bonus for their service to Alaska still have insufficient resources to meet their daily needs. Certain of these persons are also eligible for public assistance through the Department of Health and Social Services. If these needy persons apply and are determined to qualify they can receive a monthly check to meet their daily living needs. The maximum for that check is set in state law. Eligibility for those categorical assistance programs is based on the client's earned (less allowable deductions) and unearned funds and resources. Federal law and regulation set requirements as to what income is counted and what deductions are allowed.

In order that Alaska Longevity Bonus checks not be counted as income for purposes of determining public assistance payments, a waiver had to be granted from the federal government. As a condition of that waiver, the Department of Health and Social Services had to conduct a research project to determine the effect of Longevity Bonus on Alaska's elderly, with special emphasis on those persons who receive monthly public assistance checks as well. The survey was initiated in 1973 and was continued in 1975. The 1975 results were released in the fall of 1976. A permanent exemption excluding the bonus payments from being counted as income for determinations for public assistance was passed by Congress and became law in January, 1976.

Research Plan

The bonus study does represent a significant piece of research. Through it, characteristics of bonus recipients can be discerned. During 1975, the Department of Health and Social Services and various senior citizen groups interviewed 472 elderly persons. The sample was randomly chosen from across the state to represent three major groups of people:

- 1) People who received Longevity Bonus Payments Only
- 2) People who received Longevity Bonus Payments and received Public Assistance (Old Age Assistance)
- 3) People who received Public Assistance (Old Age Assistance only)

At the time the interviews were made 3,814 people were receiving Longevity Bonus payments, 435 people were receiving only Old Age Assistance; and 1,450 people participated in both programs. The study estimates that there were over 8,000 persons in the state that were over 65 years of age. Therefore, over 70% of the elderly population was reflected in this study.

The persons selected were asked questions on three main topic areas:

- (1) Does the Longevity Bonus reduce outmigration of elderly Alaskans?
- (2) Does the Longevity Bonus increase the independence of those who receive it, especially low income recipients?
- (3) Does the Longevity Bonus increase the life satisfaction of those who receive it, with special emphasis placed upon an evaluation of the effect of the Bonus on the lives and on the general life satisfaction of the low-income elderly?

Study Findings

The study reached the following conclusions:

- (1) The Bonus has a significant positive impact upon the elderly Alaskans receiving it.

92.2% of all Bonus recipients interviewed said they are experiencing improvements in their well-being. Most persons used the Bonus to pay for food and clothing, followed by fuel and home maintenance. The study concludes that Bonus is being used for essentials.

- (2) Bonus-only recipients exhibit a greater degree of independence than do elderly person on public assistance only.

The survey found that recipients of only the Longevity Bonus generally need less assistance in obtaining essentials of normal life such as transportation, food, and clothing, than do elderly only on public assistance. Also, Bonus only recipients tend to own their own home, while elderly receiving only public assistance generally rent.

- (3) Most elderly Alaskans do not intend to leave the state; however, the Bonus is enabling those who want to stay, to remain.

Nearly one-third of all Bonus only recipients stated that the Bonus positively affected their plans to stay in Alaska. Also, an additional

5.2% of persons on both Bonus and Old Age Assistance programs said the Bonus had an effect on their plans to stay in the State. The study concludes the Bonus seems to have the greatest effect upon those persons with higher income with regards to emigration decisions.

- (4) Bonus recipients have a lower rate of social service use than do non-recipients.

The study found that twice as many elderly on public assistance in the sample used Food Stamps than do persons receiving both the Bonus and Old Age Assistance. It also discovered that hardly any Bonus-only recipients use food stamps. The study also found that nearly 1/3 of all Bonus recipients reported that the Bonus allowed them to delay or prevent entry to, or to leave an institution. Finally, the study revealed that 30% of recipients of Bonus-only appear to be eligible for public assistance, but do not receive it. The researchers concluded that these people prefer to remain off welfare.

- (5) The Bonus is contributing significantly to the life-satisfaction of the elderly.

The study found that of the 5,267 persons receiving the Bonus, 4,859 persons' situations improved because of it. Only 258 persons (5%) did not view the Bonus as significantly improving their living situations. Also, they did not see that their living situations would decline without the Bonus. The study concluded that Bonus recipients are better able to pay for medical expenses and to obtain food and that Bonus recipients are more active, physically and socially, than elderly only on public assistance.

Prepared by:

Deborah Behr
Division of Research Services

January 24, 1977

3-5-82

WB 191

Rep. Phillips

Fred Muller - Dept. of Adm.

"Pioneer Home adv. Bd." opposer

Are Reps ready yet?

Will send me draft

HB

192

Pop. of Sandpt. ?

Funding Information	
General Fund	\$8,000,000
Other Funds	-0-
	<u>\$8,000,000</u>

Introduced: 2/19/81
Referred: Health, Education & Social Services and Finance

Revenue wants 5,275,000 - Amendment 500

1 IN THE HOUSE BY SUTCLIFFE

HOUSE BILL NO. 192

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE - FIRST SESSION

A BILL

6 For an Act entitled: "An Act making a special appropriation for construction
7 of a school at Sand Point, and providing for an effective
8 date."

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

10 * Section 1. The sum of \$8,000,000 is appropriated from the general fund
11 for payment as a grant to the City of Sand Point for construction of a
12 school.

13 * Sec. 2. The appropriation made by this Act shall be disbursed in
14 accordance with AS 37.05.915.

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

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NEA - ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

*Xerox
6 copies*

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PHONE (907) 456 4425

February 24, 1981

**TO: Chairman Don Clocksin
Members of the House HESS Committee**

**FROM: Bob Manners
NEA-Alaska**

RE: House Bill 192

MEMORANDUM OF SUPPORT

NEA-Alaska strongly supports the passage of HB 192 which makes a special appropriation for construction of a school at Sand Point and encourages that this legislation be given expeditious and favorable consideration.

In this era of rather extensive new school constructions, additions, and extensive building programs it is essential that we take a closer look at those Districts in which the current facilities are far less than adequate.

"Less than adequate" does not even accurately describe the present circumstance in Sand Point. Library facilities are not sufficient, thus denying some children access to library services. Converting hallways to classrooms and purloining space from other classrooms has become necessary. Needless to say, lounge areas, workrooms, storage rooms, and even office space is virtually non-existent due to the need for classroom space.

The adequacy of the gym and various shop areas is far less than desirable and may even be in violation of fire/safety codes and standards. Quite naturally this circumstance significantly constrains and actually eliminates many essential programs and services to students.

Sand Point is a growing community and continued growth is a realistic projection. It is essential that immediate support be available so that they might be able to offer the kind of educational program to their students that students in other parts of the state already enjoy.

With our financial resources, Alaska must make adequate provision for our most important "natural resource", the education of our youth.

Thank you for your consideration. We look forward to the opportunity to provide more information when your committee considers this bill.

**C: Stephen R. McCombs, President
Sand Point Education Assn.
William Eubank, President
Sand Point Board of Education**

**Representative Eric Sutcliffe
Representative Sam Cotton
Senator Bob Mulcahy**

Sand Point City School District

Box 101
Sand Point, Alaska 99661
(907) 383-2393



Frederick J. Kent
Superintendent
Board of Directors
William Eskens
President
Edna Jacobson
Janet Ludrick
Inge Martinson
Deborah Morris

*Recently incorporated
Hardly rich communities
160 dwelling*

February 3, 1981

Ocean view - Peter Pan

City Resolution 81- *3% top* School Resolution 81-
Boat Harbour

A resolution requesting funds for the construction of a new school building in Sand Point by the Sand Point City Council and the Sand Point City School Board.

Whereas, the existing educational facility at Sand Point is inadequate for present and future needs, and

Whereas, said facility is below minimum guidelines of the Department of Education, Department of Transportation and Public Facilities, and requirements of the Holly Hootch Case Decree, and

Whereas, the present four acre site is substandard and does not allow for additions to handle present or future needs of an expanding population, and

Whereas, the existing vocational area is insufficient to allow for adequate fisheries related education so vital to our area, and

Whereas, sufficient utilization of the existing structure as a combination city hall-state office building has been validated.

Now, therefore, it is hereby resolved by the city council of Sand Point and the School Board of Sand Point that they recognize the need for a new school as their number one priority, and request that funds be made available to complete said project.

Adopted by the City Council of Sand Point, Alaska at a regular meeting of said council held this 10th day of February, 1981.

Mayor City of Sand Point

Adopted by the School Board of Sand Point, Alaska at a regular meeting of said board held this 2nd day of February 1981.

President - School Board

Sand Point City School District

Box 101
Sand Point, Alaska 99661
(907) 383-2393



Frederic J. Kent
Superintendent
Board of Directors
William Schank
President
Edna Jacobson
Janet Lathrick
Inge Mathisen
Eleanor Morris

Members of City Council

W. J. Schank
William P. Egan
Raymond Lathrick
Andrew J. Smith Jr.
Robert E. McCallister
Paul F. ...

Members of School Board

Edna J. Jacobson
Inge Mathisen
Eleanor Morris
Janet Lathrick
William R. ...

c.c Governor
State agencies
Senators
Legislators



NEA - ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

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February 24, 1981

TO: Chairman Don Clocksin
Members of the House HESS Committee

FROM: Bob Manners
NEA-Alaska

RE: House Bill 192

MEMORANDUM OF SUPPORT

NEA-Alaska strongly supports the passage of HB 192 which makes a special appropriation for construction of a school at Sand Point and encourages that this legislation be given expeditious and favorable consideration. *65 sent on SB 211*

In this era of rather extensive new school constructions, additions, and extensive building programs, it is essential that we take a closer look at those Districts in which the current facilities are far less than adequate.

"Less than adequate" does not even accurately describe the present circumstance in Sand Point. Library facilities are not sufficient, thus denying some children access to library services. Converting hallways to classrooms and purloining space from other classrooms has become necessary. Needless to say, lounge areas, workrooms, storage rooms, and even office space is virtually non-existent due to the need for classroom space.

The adequacy of the gym and various shop areas is far less than desirable and may even be in violation of fire/safety codes and standards. Quite naturally this circumstance significantly constrains and actually eliminates many essential programs and services to students.

Sand Point is a growing community and continued growth is a realistic projection. It is essential that immediate support be available so that they might be able to offer the kind of educational program to their students that students in other parts of the state already enjoy.

With our financial resource, Alaska must make adequate provision for our most important "natural resource", the education of our youth.

Thank you for your consideration. We look forward to the opportunity to provide more information when your committee considers this bill.

C: Stephen P. McCombs, President
Sand Point Education Assn.
William Zubank, President
Sand Point Board of Education

Representative Eric Sutcliffe
Representative Sam Cotton
Senator Bob Mulcahy

STUDY FOR A NEW ELEMENTARY SECONDARY EDUCATIONAL COMPLEX FOR THE
CITY OF SAND POINT, ALASKA.

ABSTRACT

The existing educational facility is inadequate for present and future needs. The facilities included are below the minimum guidelines of the State of Alaska Department of Education, the Department of Transportation and Public Facilities and the requirements of the Molly Hootch Case Decree. Furthermore, the 4 acre site is substandard and will not readily accept an addition sufficient to handle present or future needs of the rapidly growing Sand Point population.

The existing facility does not meet many elements of current Life Safety Codes, Handicapped Statues and Guidelines, Energy Guidelines and Uniform Building, Mechanical and Electrical Codes. The building is poorly organized, inefficient, difficult to heat and costly to maintain.

It is the desire of the City of Sand Point to construct a new educational complex located either to the north of the existing community or as an alternative between the developing airport center and the existing community adjacent to the boat harbor. Land in the amount of 25 acres would be dedicated for a long range development for the school site to accommodate a twenty to thirty year growth period. The site size is commensurate with DOE Guidelines. The facility would be approximately 37,000 square feet as required by DCE/DOT Standards. The project cost of this facility, to be opened in September, 1983 based on funding in 1981 would be \$8,000,000 complete. The school, once completed, would house 182 students and would accommodate probable growth until a first addition could be completed.

The facility would reduce operation and maintenance costs by 10% on a per capita student basis and fuel consumption by 44% on a per square foot comparison with the existing facility.

Current School Enrollment and Projections Based on No Additional Growth

The attached table illustrates the total school age children in Sand Point by grade since 1976 as well as the total enrollment figures listed in the Comprehensive Plan. The additional figures represent the projected school growth based on no change in current population structure. The city pre school figures of 13, 4-year olds and 17, 3-year olds and the present jump to 18 kindergarten pupils were used to determine the average of 16 new school students in each grade each year. These figures exceed the 1977 plan estimates. This is consistent with the 1977 Comprehensive Plan which stated 25% of the population consisted of school age (5 - 18) children. The 1979 percentage is 20%. This decline is viewed as temporary. This is caused by the sudden population increase consisting of young couples with pre school youngsters or who have recently or will soon have children. The statistics show a relatively small change in families with children in other grades.

The long range timetable for growth in school enrollment without additional growth in the community is shown on the tables. A total enrollment of 205 to 210 should be envisioned by 1990. This would require a 37,000 square foot facility with 25,000 square feet of assignable space and a 15 to 25 acre site. The present facility contains only 13,351 assignable square feet. Its specific deficiencies are outlined in the existing facility section of this report. These requirements should be construed as absolute minimums based on no additional community growth.

SAND POINT SCHOOL ENROLLMENT

GRADE	1976-77		1977-78		1978-79		1979-80	
	EST.	ACTUAL	EST.	ACTUAL	EST.	ACTUAL	EST.	ACTUAL
K		11		6		8		18
1		7		9		9		11
2		7		7		10		9
3		11		6		8		11
4		9		13		5		9
5		9		10		11		6
6		11		11		8		14
7		11		11		11		11
8		19		13		11		11
9		7		18		12		12
10		17		11		10		13
11		11		17		8		19
12		3		7		15		11
<u>TOTAL</u>	132	133	133	<u>139</u>	135	<u>126</u>	136	<u>155</u>

SAND POINT SCHOOL ENROLLMENT GROWTH THROUGH 1992 ASSUMING NO FURTHER POPULATION INCREASE

<u>GRADE</u>	<u>1977</u>	<u>1980-81</u>	<u>1977</u>	<u>1981-82</u>	<u>1982-83</u>	<u>1983-84</u>
K	EST.	13	EST.	16	16	16
1		18		13	16	16
2		11		18	13	16
3		9		11	18	13
4		11		9	11	18
5		9		11	9	11
6		6		9	11	9
7		14		6	9	11
8		11		14	6	9
9		11		11	14	6
10		12		11	11	14
11		13		12	11	11
12		19		13	12	11
<hr/>						
TOTAL	125	157	129	154	157	161

SAND POINT SCHOOL ENROLLMENT GROWTH THROUGH 1991-92 ASSUMING NO FURTHER POPULATION GROWTH

<u>GRADE</u>	<u>1984-85</u>	<u>1985-86</u>	<u>1986-87</u>	<u>1987-88</u>	<u>1988-89</u>	<u>1989-90</u>	<u>1990-91</u>	<u>1991-92</u>
K	16	16	16	16	16	16	16	16
1	16	16	16	16	16	16	16	16
2	16	16	16	16	16	16	16	16
3	16	16	16	16	16	16	16	16
4	13	16	16	16	16	16	16	16
5	18	13	16	16	16	16	16	16
6	11	18	13	16	16	16	16	16
7	9	11	18	13	16	16	16	16
8	11	9	11	18	13	16	16	16
9	9	11	9	11	18	13	16	16
10	6	9	11	9	11	18	13	16
11	14	6	9	11	9	11	18	16
12	11	14	6	9	11	9	11	18
<hr/>								
TOTAL	166	171	173	183	190	195	202	207

H B

194

COMMITTEE REPORT

HOUSE

2/19/81

FURTHER: FINANCE

(5)

Date: 2/1/82

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 194

"An Act relating to prisoner employment and correctional industries; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

do pass do not pass

do pass with attached amendments(s)

replace with CS for HB 194 (H 2000) same title new title

and recommends do not pass

AND attaches a "Letter o" Intent" New Fiscal Note

reports it back without recommendation

referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

[Signature]
[Signature]
[Signature]

[Signature]
Vice CHAIRMAN

Sec. 33.30.150. Visitation privileges. An honor prisoner with good behavior serving a sentence of one year or more may be permitted as a privilege and not as a right to visit with his family at a place other than his place of confinement and at his own expense for a period not exceeding one week nor more frequently than once each six months under rules and regulations adopted by the commissioner and in his sole discretion. The wilful failure of a prisoner to return to the place of confinement not later than the expiration of a period during which he is authorized to be away from the place of confinement under this section is an unlawful evasion under AS 11.30.093. (§ 7 ch 133 SLA 1960; am § 4 ch 171 SLA 1976)

Effect of amendment. — The 1976 amendment added the second sentence.

Article 3. General Provisions.

Section	Section
225. Gratuity for institutional work	300. Crime against convict in penitentiary
250. Work furlough	310. Effect of judgment of imprisonment in penitentiary
260. Rehabilitation furloughs	320. Effect of sentence to life imprisonment
270. Employment of imprisoned persons	
280. Credit for labor while imprisoned	
290. Forfeiture of property upon conviction and lien for fine and costs	

Sec. 33.30.225. Gratuity for institutional work. A prisoner not on furlough may not be required to perform work other than personal house-keeping while detained or confined in a prison facility. A prisoner who voluntarily participates in institutional work programs is eligible for a gratuity payment. The amount of the gratuity may not exceed \$3 a day and must be the same among all state prison facilities for the performance of similar work. (§ 1 ch 124 SLA 1978)

Editor's note. — Section 2, ch 134, SLA 1978, provides: "No position in the classified service existing on the effective date of this Act may be abolished in favor of employing a prisoner to carry out the responsibilities of the position."

Sec. 33.30.250. Work furlough.

(f) The wilful failure of a prisoner to return to the place of confinement not later than the expiration of any period during which he is authorized to be away from the place of confinement under this section, is an unlawful evasion under AS 11.30.093. (am § 5 ch 171 SLA 1976)

Effect of amendment. — The 1976 amendment substituted "unlawful evasion under AS 11.30.093" for "escape from the end of subsection (f). As the rest of the section was not

Quoted in *Donlun v. State*, Sup. Ct. Op. No. 1270 (File No. 2438), 550 P.2d 369 (1976); *Rader v. State*, Sup. Ct. Op. No. 1499 (File No. 3123), 568 P.2d 408 (1977); *Wallon v. State*, Sup. Ct. Op. No. 1468 (File No. 2736), 568 P.2d 981 (1977).

Stated in *Godwin v. State*, Sup. Ct. Op. No. 1278 (File No. 2793), 554 P.2d 453 (1970).

Cited in *McGinnis v. Stevens*, Sup. Ct. Op. No. 1207 (File Nos. 2255, 2312), 543 P.2d 1221 (1976).

Sec. 33.30.260. Rehabilitation furloughs. The commissioner may authorize a prisoner to participate in educational, training, medical, psychiatric, or other rehabilitation programs approved by the commissioner. When the prisoner is not participating in a rehabilitation program, he shall be confined in the jail unless the commissioner directs otherwise. If the prisoner violates the conditions established for his conduct or custody, the commissioner may order the balance of the prisoner's sentence to be spent in actual confinement. The wilful failure of a prisoner to return to the place of confinement not later than the expiration of any period during which he is authorized to be away from the place of confinement under this section, is an unlawful evasion under AS 11.30.093. (§ 1 ch 67 SLA 1970; am § 6 ch 171 SLA 1976)

Effect of amendment. — The 1976 amendment substituted "unlawful evasion under AS 11.30.093" for "escape from the place of confinement and is punishable under the laws relating to escape" at the end of the fourth sentence.

The test of a prisoner's right to receive treatment for health problems outlined in *Bowring v. Godwin*, 551 P.2d 44 (4th Cir. 1977), is an appropriate one and the supreme court adopts its criteria in determining questions as to the right of a prisoner to receive psychological or psychiatric care under the provisions of AS 33.30.020 and AS 33.30.050. *Rust v. State*, Sup. Ct. Op. No. 1088 (File No. 3172), 582 P.2d 134, on rehearing modified on other grounds, 584 P.2d 38 (1978).

Foreword to the provisions of AS

33.30.020 and AS 33.30.050 a prisoner in the custody of the Division of Corrections has the right to receive psychological or psychiatric treatment if a physician or other health care provider, exercising ordinary skill and care at the time of observation, concludes with reasonable medical certainty that the prisoner's symptoms evidence a serious disease or injury, that such disease or injury is curable or may be substantially alleviated and that the potential for harm to the prisoner by reason of delay or denial of care would be substantial. *Rust v. State*, Sup. Ct. Op. No. 1088 (File No. 3172), 582 P.2d 134, on rehearing modified on other grounds, 584 P.2d 38 (1978).

Sec. 33.30.270. Employment of imprisoned persons. The attorney general may prescribe regulations governing the employment on public works of persons sentenced to imprisonment in jail or the penitentiary inside the state. (§ 65-2-14 ACLA 1949; am § 22 ch 166 SLA 1978)

Revisor's note. — AS 33.30.010 — 33.30.040 may supersede this section.

This section is partially superseded by AS 41.30.110 (b).

The section derived from the present AS

revisor of statutes pursuant to § 22, ch. 166, SLA 1978 (revision of criminal code).

Applied in *United States v. Kono*, 4 Alas. 613 (1912).

Sec. 33.30.280. Credit for labor while imprisoned. For the purpose of satisfying a judgment given against a prisoner for a fine, or for the costs and disbursements in the proceeding against him, the prisoner shall be credited with \$2 for every day's labor performed by him under AS 33.30.270. (§ 65-2-14 ACLA 1949; am § 22 ch 166 SLA 1978)

Revisor's note. — This section is partially superseded by AS 41.20.110 (b). The section derived from the present AS 11.05.120 and was renumbered by the revisor of statutes pursuant to § 22, ch. 166, SLA 1978 (revision of criminal code).

Sec. 33.30.290. Forfeiture of property upon conviction and lien for fine and costs. A conviction of a person for a crime does not work a forfeiture of property, except in cases where a forfeiture is expressly provided by law. However, in all cases of the commission or attempt to commit a felony the state has a lien, from the time of the commission or attempt, upon all the property of the defendant for the purpose of satisfying a judgment which may be given against him for a fine and for the costs and disbursements in the proceeding against him for the crime. (§ 65-2-15 ACLA 1949; am § 22 ch 166 SLA 1978)

Revisor's note. — The section derived from the present AS 11.05.130 and was renumbered by the revisor of statutes pursuant to § 22, ch. 166, SLA 1978 (revision of criminal code). Applied in *One Cocktail Glass v. State*, Sup. Ct. Op. No. 1437 (File No. 2729), 565 P.2d 1285 (1977). Cited in *United States v. Three Thousand Two Hundred Thirty-Six Dollars*, 187 F. Supp. 495 (D. Ala. 1958).

Sec. 33.30.300. Crime against convict in penitentiary. A convict sentenced to imprisonment in the penitentiary is under the protection of the law, and any injury to his person not authorized by law is punishable as if he was not convicted or sentenced. (§ 65-2-11 ACLA 1949; am § 22 ch 166 SLA 1978)

Revisor's note. — The section derived from the present AS 11.05.090 and was renumbered by the revisor of statutes pursuant to § 22, ch. 166, SLA 1978 (revision of criminal code).

Sec. 33.30.310. Effect of judgment of imprisonment in penitentiary. A judgment of imprisonment in the penitentiary for a term less than for life suspends the civil rights of the person sentenced, and forfeits all public offices and all private trusts, authority, or power during the term of duration of imprisonment. (§ 65-2-9 ACLA 1949; am § 22 ch 166 SLA 1978)

Revisor's note. — The section derived from the present AS 11.05.070 and was renumbered by the revisor of statutes pursuant to § 22, ch. 166, SLA 1978 (revision of criminal code). Cross reference — As to voter

This section and AS 33.15.190 deny parolees right to initiate civil suit. — In light of the absence of indications of legislative intent to distinguish the use of "the civil rights" in this section from "all civil rights," and the strong common law authority holding that convicts are denied civil access to the courts, the supreme court held that this section and AS 33.15.190 combine to deny parolees the right to initiate civil suit. *Bush v. Reid*, Sup. Ct. Op. No. 973 (File No. 1841), 516 P.2d 1215 (1973).

This section and AS 33.15.190 when read together clearly indicate that a parolee's civil rights, similar to those of a prisoner, remain suspended during the time he is in the custody of the parole board. *Bush v. Reid*, Sup. Ct. Op. No. 973 (File No. 1841), 516 P.2d 1215 (1973).

AS 33.15.190 expressly states that a parolee is subject to the disabilities imposed by this section. *State v. McCracken*, Sup. Ct. Op. No. 978 (File No. 1781), 520 P.2d 787 (1973).

This section and AS 33.15.190 combine to deny a parolee the right to initiate civil suit; but such denial of access to the civil courts is a violation of due process and equal protection provisions of the Alaska and United States constitutions. *State v. McCracken*, Sup. Ct. Op. No. 978 (File No. 1781), 520 P.2d 787 (1973).

Sec. 33.30.320. Effect of sentence to life imprisonment. A person sentenced to imprisonment in the penitentiary thereafter considered civilly dead. (§ 65-2-10 ACLA 1949; am 166 SLA 1978)

Revisor's note. — The section derived from the present AS 11.05.090 and was renumbered by the revisor of statutes pursuant to § 22, ch. 166, SLA 1978 (revision of criminal code).

Punishment under this section is unconstitutional. — The court did not find the punishment under this section to be so "cruel and unusual" as to constitute "cruel and unusual punishment" nor the statute vague. *Bush v. Reid*, Sup. Ct. Op. No. 973 (File No. 1841), 516 P.2d 1215 (1973).

But AS 33.15.190 is unconstitutional. — See *State v. McCracken*, Sup. Ct. Op. No. 978 (File No. 1781), 520 P.2d 787 (1973).

The administration of the system differs substantially from the administration of a prison. The reasons for denying civil access to civil courts do not logically support the "civil rights" of parolees. *Bush v. Reid*, Sup. Ct. Op. No. 973 (File No. 1841), 516 P.2d 1215 (1973).

As to statute of limitations affected by holding in *State v. McCracken*, Sup. Ct. Op. No. 978 (File No. 1781), 520 P.2d 787 (1973), see *State v. McCracken*, Sup. Ct. Op. No. 978 (File No. 1781), 520 P.2d 787 (1973).

Effect of section on requirement for location of lands. — See *Vedin v. McCracken*, 753 (9th Cir. 1977).

Am. Jur. reference. — 4 *Prisons and Prisoners*, § 38 (1973).

Cross reference. — A qualification for felony in AS 15.05.030.

Am. Jur. reference. — 1 *Death*, § 2 et seq.

to complete any given project, 95 per cent residents shall be employed where they are available and qualified. If 10 or fewer persons are employed under the contract, then 90 per cent residents shall be employed where they are available and qualified. In all cases of public works projects, preference shall be given to residents. (§ 1a ch 177 SLA 1960; am § 11 ch 142 SLA 1972; am § 1 ch 208 SLA 1972)

Effect of amendments. — The first 1972 amendment substituted "or a political subdivision of the state" for "boroughs, cities and school districts" in the first sentence. The second 1972 amendment, in the first sentence, substituted "consulting" for "or" and inserted "or any other retention of services necessary to complete any given project." Am. Jur. reference.—43 Am. Jur., Public Works and Contracts, § 123.

Sec. 36.10.020. Apprentices. Apprentices must be properly registered apprentices in their particular craft. (§ 1c ch 177 SLA 1960)

Sec. 36.10.030. Reduction of work force. When a work force is reduced, resident workers, except supervisory personnel, shall be terminated last. (§ 1d ch 177 SLA 1960)

Sec. 36.10.040. Application to contracts involving federal funds. In a contract involving expenditure of federal aid funds, this chapter may not be enforced in a manner that conflicts with federal statutes giving preference to veterans or prohibiting other preferences or discriminations among United States citizens. (§ 2 ch 177 SLA 1960)

Am. Jur. reference.—43 Am. Jur., Public Works and Contracts, § 4.

Sec. 36.10.050. Employment of aliens.

Repealed by § 17 ch 142 SLA 1972.

Editor's note.—The repealed section derived from § 2, ch 177, SLA 1960. Am. Jur. reference.—43 Am. Jur., Public Works and Contracts, §§ 17, 51, 52, 123.

Sec. 36.10.060. Employment of prisoners. No prisoner currently serving sentence in a penal or correctional institution may be employed on a public works project subject to the provisions of this chapter. (§ 4 ch 177 SLA 1960)

Sec. 36.10.070. Unavailability of resident workers. (a) When resident labor is unavailable, the contractor shall inform the commissioner of labor of the number of additional workers needed. The commissioner of labor shall investigate the facts and designate the

(b) When residents other than laborers, but who are included in § 10 of this chapter, are unavailable the potential employer shall notify the commissioner of labor of the type and number of persons needed. (§ 5 ch 177 SLA 1960; am § 2 ch 208 SLA 1972)

Effect of amendment. — The 1972 amendment added subsection (b).

Sec. 36.10.075. Duties of commissioner of labor. The commissioner of labor shall promulgate regulations necessary to carry out the provisions of this chapter including but not limited to the method, time and content of reporting by employers covered by this chapter and reporting provisions permitting on-going supervision by the Department of Labor on all public works projects covered by this chapter. (§ 3 ch 208 SLA 1972)

Sec. 36.10.076. Duties of state or political subdivision. An agency or political subdivision of the state covered by the provisions of this chapter shall notify the Department of Labor periodically regarding planned public works. Notification shall be in the form and manner prescribed by the Department of Labor. (§ 3 ch 208 SLA 1972)

Sec. 36.10.080. Chapter incorporated in contracts. The provisions of this chapter are considered to be a part of every public works contract let after April 24, 1960. (§ 6 ch 177 SLA 1960)

Sec. 36.10.090. Publication of list of violators. (a) The commissioner of labor shall distribute to all departments and agencies of the state government and to all political subdivisions of the state a list of the names of persons or firms convicted of a violation of this chapter. No person appearing on the list and no firm, corporation, partnership or association in which the person has an interest may work as a contractor or subcontractor on a public construction contract for the state or a political subdivision until after three years from the date of publication of the list.

(b) A local government or school district covered by the provisions of this chapter which is found to be in violation of these provisions may be required to forfeit all or part of the state aid made available for the project in which the violation occurs and in addition may be denied up to 12 months of state revenue sharing or public school foundation monies. A state department or agency head found to be in violation of this chapter may be required to forfeit his position.

(c) A person or governmental entity covered by the provisions