

ALASKA LEGISLATURE COMMITTEE FILES 1999-2000 8672

10149 SENATE STATE AFFAIRS

Rep. John Gonzales announced his intent to stay long enough in order to act on HB 20. Rep. Mary Miller also stayed.

Number 111

REP. BERT SHARP, prime sponsor of HB 20, described HB 20.

Rep. Carney asked if HB 20 could affect medicaid payments.

Rep. Sharp replied that it shouldn't affect medicaid payments.

Rep. Carney stated that he supported the idea.

Chair Lincoln noted the Department of Administration's (DOA) fiscal note, page 2, which stated: "The division questions if this bill is constitutional."

Rep. Sharp referred to Ms. Bathony of the DOA.

Number 233

BARBARA BATHONY, Director, Pioneers' Benefits, DOA, commented on HB 20. She stated that since so few people are involved, HB 20 may be challenged. She stated that she felt comfortable with HB 20 as it stands.

Number 262

GORDAN LANDES, Public Assistance Program Officer, Division of Medical Assistance, Department of Health and Social Services, discussed the medicaid issue.

Number 298

JOE PENTTILA, via teleconference from Petersburg, President, Petersburg Pioneers of Alaska, Igloo 25, supported HB 20.

Rep. Gonzales made a motion to move CSSH B 20(STA) out of committee with individual recommendations. There being no objections; it was so ordered.

HOUSE FINANCE COMMITTEE

April 29, 1991

1:35 p.m.

Tape HFC 91-62, Side 2, #000 - end
Tape HFC 91-63, Side 1, #000 - end
Tape HFC 91-63, Side 2, #000 - 407
Tape HFC 91-64, Side 1, #000 - 240

CALL TO ORDER

Co-Chair Mike Navarre called the meeting of the House Finance Committee to order at 1:35 p.m.

PRESENT

Co-Chair Navarre	Vice-Chair Boyer
Co-Chair MacLean	Representative Barnes
Representative Brown	Representative Jacko
Representative Koponen	Representative Larson
Representative Phillips	Representative Sharp
Representative Ulmer	

ALSO PRESENT

Representative Johnny Ellis; Representative Tom Moyer; Gene Cernaw, Representing MicroSat Corporation; Peter Diamandis, Representing MicroSat Corporation; Larry Galloway, Department of Commerce and Economic Development; Jerry Luckhaupt, Legal Services; Tom Williams, BP Exploration; Bob Blasco, Attorney, Holland America - Westours; Mary Nordale, Attorney, Holland America - Westours; and Scott Burgess, Alaska Municipal League.

SUMMARY INFORMATION

HB 11 An Act relating to qualifications for longevity bonus payments; and providing for an effective date.

CS HB 11(STA) was reported out of Committee with a "do pass" recommendation; a zero fiscal note by the Department of Health and Social Services, dated April 19, 1991; a \$5 thousand dollar fiscal note by the Department of Health and Social Services, dated April 12, 1991; and a \$165 thousand dollar fiscal note by the Department of Administration, dated April 12, 1991.

HOUSE BILL 11

"An Act relating to qualifications for longevity bonus payments; and providing for an effective date."

Representative Boyer, prime sponsor of House Bill 11, gave an overview of the bill. He stated that the bill would allow nursing home residents to qualify for a longevity bonus payment. (See Attachment 8 for detail.)

Representative Sharp asked if the bill would allow people who are discharged early to not lose their longevity benefit if they were qualified for it prior to 1985. Representative Boyer stated that was correct, if the total stay was less than 90 days.

Representative Boyer MOVED to report CS HB 11(STA) out of Committee with individual recommendations. There being NO OBJECTION, CS HB 11(STA) was reported out of Committee with individual recommendations.

HOUSE STATE AFFAIRS COMMITTEE

April 17, 1991

8:30 a.m.

MEMBERS PRESENT

Rep. Gene Kubina, Chairman
Rep. Tom Moyer, Vice Chairman
Rep. Max Gruenberg
Rep. Dave Choquette
Rep. Betty Bruckman
Rep. Mike Miller
Rep. Larry Baker

MEMBERS ABSENT

None

COMMITTEE CALENDAR

* HB 55: "An Act amending an appropriation to the budget reserve fund; and providing for an effective date."

CS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

HB 20: "An Act relating to qualifications for longevity bonus payments; and providing for an effective date."

CS for SS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

HB 122: "An Act relating to qualifications for a longevity bonus; and providing for an effective date."

HEARD AND HELD

HJR 37: Relating to the 50th anniversary of the Alaska/Siberia lend-lease program.

PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

* HB 257: "An Act relating to a medallion commemorating the 50th anniversary of the construction of the Alaska-Canada Highway; and providing for an effective date."

NOT HEARD - HELD OVER

WITNESS REGISTER

Rep. Kay Brown
Alaska House of Representatives
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Phone: 465-3784
Position Statement: Prime Sponsor of HB 55

Rep. Bert Sharp
Alaska House of Representatives
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Phone: 465-3004
Position Statement: Prime Sponsor of HB 20

Rep. Robin Taylor
Alaska House of Representatives
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Position Statement: Prime Sponsor of HB 122

Mary Lou Meiner
American Association of Retired Persons
805 Gold Belt
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Phone: 586-2568
Position Statement: In Favor of HB

Rose Palmquist
Older Persons Action Group
P.O. Box 870294
Wasilla, AK 99687
Phone: 376-2274
Position Statement: In Favor of HB

Barbara Bathony, Director
Division of Pioneer Benefits
P.O. Box CL
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Phone: 465-4400
Position Statement: In Favor of HB 20
Opposed to HB 122

PREVIOUS ACTION

BILL: HB 55
SHORT TITLE: APPROP: BUDGET RESERVE FUND

PRIME SPONSOR: BROWN
CO-SPONSOR: PARNELL,B.DAVIS,FINDELSTEIN,ELLIS,NAVARRE,
R.PHILLIPS

JRN-DATE	JRN-PG	ACTION
01/22/91	00043	(H) READ THE FIRST TIME - REFERRAL(S)
01/22/91	00043	(H) STATE AFFAIRS, FINANCE
01/24/91	00073	(H) CO-SPONSOR ADDED: R.PHILLIPS
04/17/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM

102

BILL: HB 20
SHORT TITLE: LONGEVITY BONUS/NURSING HOME RESIDENTS

PRIME SPONSOR: SHARP
CO-SPONSOR: TAYLOR,GONZALES,GRUENBERG,IVAN,MARTIN,
M.A.MILLER,G.PHILLIPS,HUDSON,ZAWACKI,LEMAN

JRN-DATE	JRN-PG	ACTION
01/11/91	00021	(H) PREFILE RELEASED
01/21/91	00021	(H) READ THE FIRST TIME - REFERRAL(S)
01/21/91	00021	(H) STATE AFFAIRS, HES, FINANCE
01/23/91	00060	(H) CO-SPONSOR ADDED: TAYLOR
02/04/91	00142	(H) SPONSOR SUBSTITUTE INTRODUCED -REFERRALS
02/04/91	00142	(H) STATE AFFAIRS, HES, FINANCE
02/06/91	00173	(H) CO-SPONSOR ADDED: HUDSON, ZAWACKI
02/11/91	00204	(H) CO-SPONSOR ADDED: LEMAN
02/27/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM

102

04/01/91	N/A	(H) STA AT 01:00 PM ANCHORAGE LIO
04/01/91	N/A	(H) MINUTE(STA)
04/17/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM

102

BILL: HB 122
SHORT TITLE: QUALIFICATIONS FOR LONGEVITY BONUSES

PRIME SPONSOR: TAYLOR
CO-SPONSOR: G.PHILLIPS,M.A.MILLER

JRN-DATE	JRN-PG	ACTION
02/08/91	00183	(H) READ THE FIRST TIME - REFERRAL(S)
02/08/91	00183	(H) STATE AFFAIRS, HES, FINANCE
02/13/91	00230	(H) CO-SPONSOR ADDED: G.PHILLIPS
03/15/91	00496	(H) CO-SPONSOR ADDED: M.A.MILLER
04/01/91	N/A	(H) STA AT 01:00 PM ANCHORAGE LIO
04/01/91	N/A	(H) MINUTE(STA)

04/17/91 N/A (H) STA AT 08:30 AM CAPITOL ROOM
102

BILL: HJR 37
SHORT TITLE: ALASKA/SIBERIA LEND-LEASE PROGRAM

PRIME SPONSOR: MOYER
CO-SPONSOR: FOSTER,BOYER,KOPONEN,SHARP,ZAWACKI,KUBINA,
CHOQUETTE

JRN-DATE	JRN-PG	ACTION
04/02/91	00648	(H) READ THE FIRST TIME - REFERRAL(S)
04/02/91	00648	(H) ITT, STATE AFFAIRS
04/08/91	N/A	(H) ITT AT 05:00 PM CAPITOL ROOM 17
04/08/91	N/A	(H) MINUTE(ITT)
04/10/91	00750	(H) ITT RPT 5DP 1NR
04/10/91	00750	(H) -ZERO FISCAL NOTE (DCED) 4/10/91
04/17/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM 102
04/17/91	00828	(H) STA RPT 6DP
04/17/91	00828	(H) -?REV ZERO FISCAL NOTE (DCED) 4/10/91
04/17/91	00852	(H) CO-SPONSORS ADDED: KUBINA, CHOQUETTE

BILL: HB 257
SHORT TITLE: AK HIGHWAY COMMEMORATIVE MEDALLION

PRIME SPONSOR: GRUENBERG
CO-SPONSOR: IVAN,BAKER,BARNES,BRUCKMAN,CARNEY,DAVIDSON,
B.DAVIS,ELLIS,GONZALES,GRUSSENDORF,KOPONEN,
LARSON,LINCOLN,M.A.MILLER,MOYER,PARNELL
G.PHILLIPS,R.PHILLIPS,SHARP,ULMER,HUDSON

JRN-DATE	JRN-PG	ACTION
04/03/91	00667	(H) READ THE FIRST TIME - REFERRAL(S)
04/03/91	00668	(H) STATE AFFAIRS, FINANCE
04/05/91	00709	(H) CO-SPONSOR ADDED: HUDSON
04/17/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM 102

ACTION NARRATIVE

TAPE 36, SIDE A Number 000

The House State Affairs Committee meeting was called to order by Chairman Kubina at 8:43 a.m. Members present were Representatives (Reps.) Kubina, Moyer, Choquette, Bruckman, and Miller.

Chairman Kubina announced that the committee would then hear HB 20 and asked REP. BERT SHARP, prime sponsor of HB 20, to join the committee at the table and introduce his bill. Chairman Kubina noted that there was a sponsor substitute (SS) for HB 20.

Rep. Sharp noted that he had enjoyed the April 1st meeting on SSHB 20 via teleconference. He stated that SSHB 20 would correct the problems regarding nursing home residents who are denied longevity bonus payments. Rep. Sharp said that anyone who moves into a nursing home becomes ineligible for longevity bonus payments.

Rep. Sharp stated that there were some constitutional questions about the longevity bonus program and that 30 to 35 people would be affected by SSHB 20.

Rep. Sharp stated that people residing in nursing homes who pay all of their own costs of care from private sources would become eligible for longevity bonus payments under SSHB 20.

Number 320

Rep. Sharp told the committee the the fiscal notes of SSHB 20 and HB 11 overlap for about \$6,000. He added that the longevity bonus hold harmless cost was six million dollars.

Rep. Sharp added that SSHB 20 would correct the discrimination in the longevity bonus program by adding a paragraph to existing statute to clarify that a self-paying resident in a nursing home would still qualify for the longevity bonus program.

Number 360

Chairman Kubina asked BARBARA BATHONY, Director of the Division of Pioneer Benefits, to explain why the Division questioned if SSHB 20 was constitutional.

Ms. Bathony stated that there was some question as to whether different groups of people would be treated equally under SSHB 20.

Number 387

Rep. Gruenberg arrived at 9:00 a.m.

Ms. Bathony added that the constitutional question arose because of the federally funded programs for medicaid and veterans.

Rep. Miller stated that he agreed with Rep. Sharp that the

whole program may be unconstitutional and he viewed SSHB 20 as a fairness issue. He added that a person's change of residence should not result in denial of the longevity bonus.

Ms. Bathony stated that the Department of Administration supported SSHB 20. She also said that the \$84,000 fiscal note is an estimate of the cost of SSHB 20 and may actually be lower.

Number 414

ROSE PALMQUIST, Wasilla, Older Persons Action Group (OPAG), stated that OPAG supported SSHB 20. She noted her concern about the word "nongovernmental" and said that while Rep. Sharp felt that social security is not considered governmental money, she thought that it was.

Number 438

Rep. Bruckman noted that social security and pension checks are issued to an individual and that they seemed like private funds to her.

Rep. Gruenberg stated that the committee may want to eliminate the word "nongovernmental".

Rep. Sharp stated that the elimination of the word would be fine with him.

Rep. Bruckman made a motion to amend SSHB 20 by removing the word "nongovernmental" from line seven, page one.

There were no objections and HB 20 was so amended.

Rep. Baker made a motion to adopt the CS for SSHB 20.

There were no objections and the CS was adopted.

Rep. Baker made a motion to pass the CS for SSHB 20 out of committee with individual recommendations. There were no objections and it was so moved.

Number 500

HOUSE STATE AFFAIRS COMMITTEE

April 10, 1991

8:00 a.m.

MEMBERS PRESENT

Rep. Gene Kubina, Chairman
Rep. Tom Moyer, Vice Chairman
Rep. Dave Choquette
Rep. Betty Bruckman
Rep. Mike Miller
Rep. Larry Baker

MEMBERS ABSENT

Rep. Max Gruenberg

COMMITTEE CALENDAR

HB 11: "An Act relating to qualifications for longevity bonus payments; and providing for an effective date."

CS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

* HB 237: "An Act establishing certain criteria that must be considered when state agency leases involve the construction of new buildings."

HEARD AND HELD

HB 138: "An Act making special appropriations to the Department of Environmental Conservation for solid and hazardous waste management and for a grant to the Pacific Northwest Pollution Prevention Center and to the Department of Administration for equipment and computer software; and providing for an effective date."

CS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

WITNESS REGISTER

Rep. Mark Boyer
Alaska House of Representatives
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Phone: 465-3466
Position Statement: Sponsor of HB 11 and HB 138
Paul Voelckers
Alaska Professional Design Council
800 Glacier Avenue
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Phone: 586-1571
Position Statement: In Favor of HB 237

Bob Link, Director
Division of General Services
Department of Administration
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Position Statement: In Favor of HB 237

Sharon Macklin
Alaska Professional Design Council
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Position Statement: In Favor of HB 237

Chris Christensen, Staff Council
Administration
Alaska Court System
303 K Street
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Position Statement: Spoke in regard to HB 237

Barbara Bathony, Director
Division of Pioneers' Benefits
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Phone: 465-4400
Position Statement: In Favor of HB 11

W. Keith Gerkin
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Department of Transportation
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Phone: 465-3900
Position Statement: In Favor of HB 237

PREVIOUS ACTION

BILL: HB 11
SHORT TITLE: LONGEVITY BONUS;NURSING HOME RESIDENTS

PRIME SPONSOR: BOYER

CO-SPONSOR: ULMER

JRN-DATE	JRN-PG	ACTION
01/11/91	00019	(H) PREFILE RELEASED
01/21/91	00019	(H) READ THE FIRST TIME - REFERRAL(S)
01/21/91	00019	(H) STATE AFFAIRS, HES, FINANCE
01/22/91	00048	(H) CO-SPONSOR ADDED: ULMER
02/27/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM 102
04/01/91	N/A	(H) STA AT 01:00 PM ANCHORAGE LIO
04/01/91	N/A	(H) MINUTE(STA)
04/10/91	N/A	(H) STA AT 08:00 AM CAPITOL ROOM 102

BILL: HB 237

SHORT TITLE: STATE LEASING OF NEW BUILDINGS

PRIME SPONSOR: TRANSPORTATION

JRN-DATE	JRN-PG	ACTION
03/25/91	00576	(H) READ THE FIRST TIME - REFERRAL(S)
03/25/91	00577	(H) STATE AFFAIRS, JUDICIARY, FINANCE
04/10/91	N/A	(H) STA AT 08:00 AM CAPITOL ROOM 102

BILL: HB 138

SHORT TITLE: APPROP: CLEAN WATER FUND/WASTE MGT LOANS

PRIME SPONSOR: BOYER

CO-SPONSOR: BROWN,ULMER,FINKELSTEIN,KOPONEN,ELLIS

JRN-DATE	JRN-PG	ACTION
02/13/91	00224	(H) READ THE FIRST TIME - REFERRAL(S)
02/13/91	00224	(H) STATE AFFAIRS, RESOURCES, FINANCE
04/05/91	N/A	(H) STA AT 08:00 AM CAPITOL ROOM 102
04/08/91	N/A	(H) STA AT 08:00 AM CAPITOL ROOM 102
04/08/91	N/A	(H) MINUTE(STA)
04/10/91	00745	(H) STA RPT CS(STA) NEW TITLE 1DP 4NR
04/10/91	00746	(H) REFERRED TO RESOURCES

ACTION NARRATIVE

TAPE 33, SIDE A Number 000

The House State Affairs Committee meeting was called to

order by Chairman Kubina at 8:05 a.m. Members present were Representatives (Reps.) Kubina, Moyer, Choquette, Baker, and Miller.

Chairman Kubina announced that the committee would first hear HB 138 that morning. Chairman Kubina asked Rep. Boyer, prime sponsor of HB 138, to address the committee.

Rep. Boyer stated that a proposed committee substitute (CS) for HB 138 had been written. He noted that Mr. Jeff Mach, Department of Environmental Conservation, had been in contact with Alaskans for Litter Prevention and Recycling (ALPAR) in regard to a market survey that Rep. Baker had mentioned in the meeting of April 8, 1991. Rep. Boyer said that the study by ALPAR was several years old and did not address all of the issues that were needed. He asked that the request for funding of the market study in HB 138 be kept in the bill.

Rep. Moyer made a motion that the CS for HB 138 be adopted by the committee. There were no objections and it was so adopted.

Rep. Moyer then made a motion that the CS for HB 138 be passed out of committee with individual recommendations.

There were no objections and it was so moved.
Number 104

Chairman Kubina announced that HB 11 would be heard next.

He stated that there was a CS for HB 11 before the committee.

REP. MARK BOYER, prime sponsor of HB 11, addressed the committee. He stated that the meeting of April 1, 1991, had been well attended. He further stated that the CS for HB 11 narrowed the bill to state that anyone who spends less than 90 days in a nursing home would be allowed to continue to receive the longevity bonus. Rep. Boyer also said that this would impact five to nine longevity bonus recipients at any one time.

Number 150

Chairman Kubina stated that there were two fiscal notes for HB 11.

Rep. Boyer stated that they reflected a negative impact on the medicaid budget.

Number 170

BARBARA BATHONY, Director, Division of Pioneer Benefits, testified in favor of HB 11. She stated that the number of people affected by HB 11 had been derived by research from the private and public sector nursing homes and represented the number of people eligible for the longevity bonus at any one time.

According to Ms. Bathony, although approximately 60 residents per month would be admitted to a nursing home, many are only admitted for three to four days. She further stated that because of the declining population of pioneers, there would be a slow decline in the number of eligible recipients after the first year.

Rep. Boyer stated that over the course of a full year, only five to ten people would be eligible for the full year because of the large number of people who were admitted for only one day.

Number 220

Chairman Kubina asked Ms. Bathony if the Department of Health and Social Services was in favor of the HB 11 as amended and Ms. Bathony replied that it was.

When asked by Rep. Choquette why the number of recipients fluctuated, Ms. Bathony stated that the population group would increase, reach a peak, and then decline.

Rep. Choquette made a motion that the CS for HB 11 be adopted by the committee. There were no objections and it was so adopted.

Rep. Choquette then made a motion that the CS for HB 11 be passed out of committee with individual recommendations.

There were no objections and it was so moved.

Number 250

Rep. Boyer noted that there were three fiscal notes for HB 11. The committee only had received two, so the third fiscal note was to be sent onto the Finance Committee at the request of the committee.

HOUSE STATE AFFAIRS COMMITTEE
WORK SESSION
April 1, 1991
1:00 p.m.

MEMBERS PRESENT

Rep. Gene Kubina, Chairman
Rep. Max Gruenberg
Rep. Dave Choquette
Rep. Betty Bruckman
Rep. Larry Baker

MEMBERS ABSENT

Rep. Tom Moyer, Vice Chairman
Rep. Mike Miller

COMMITTEE CALENDAR

*HB 11: "An Act relating to qualifications for longevity bonus payments; and providing for an effective date."

HEARD AND HELD

*HB 20: "An Act relating to qualifications for longevity bonus payments; and providing for an effective date."

HEARD AND HELD

*HB 122: "An Act relating to qualifications for a longevity bonus; and providing for an effective date."

HEARD AND HELD

UNSCHEDULED BILLS DISCUSSED

SB 8: "An Act amending and making effective an annuity program and amendments to the longevity bonus program and the permanent fund dividend program provided for in secs. 2 - 18, ch. 99. SLA 1985;

and providing for an effective date."

SB 34: "An Act relating to absence from the state for purposes of qualifying for longevity bonuses."

SB 159: "An Act relating to the Alaska longevity bonus

WITNESS REGISTER

Representative Dave Donley
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
Phone: 465-3892
Position Statement: Spoke in reference to Longevity Bonus

Representative Pat Parnell
Alaska House of Representatives
P.O. Box V
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Phone: 465-2647
Position Statement: Spoke in reference to Longevity Bonus

Representative Mark Boyer
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
Phone: 465-3466
Position Statement: Prime Sponsor of HB 11

Representative Bert Sharp
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
Phone: 465-3004
Position Statement: Prime Sponsor of HB 20

Representative Robin Taylor
Alaska House of Representatives
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Phone: 465-3873
Position Statement: Prime Sponsor of HB 122

Lucille Brenwick
P.O. Box 5
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Position Statement: Spoke in reference to Longevity Bonus

Homer Thompson
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Position Statement: Spoke in reference to Longevity Bonus

Doris James
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Homer, AK 99603
Position Statement: Spoke in reference to Longevity Bonus

John Child
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Position Statement: Spoke in reference to Longevity Bonus

Clara Sypniewski
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Phone: 874-2306
Position Statement: Spoke in reference to Longevity Bonus

Lindy Loudermilk
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Position Statement: Spoke in reference to Longevity Bonus

Louie Stevens
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Position Statement: Spoke in reference to Longevity Bonus

Orian Christianson
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Position Statement: Spoke in reference to Longevity Bonus

Leberta Martin
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Position Statement: Spoke in reference to Longevity Bonus

Vernon Bailey
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Phone: 333-8894
Position Statement: Spoke in reference to Longevity Bonus

Donald Gates
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Phone: 277-5991
Position Statement: Spoke in reference to Longevity Bonus

John Riley
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Phone: 345-1719
Position Statement: Spoke in reference to Longevity Bonus

Henrietta Smay
P.O. Box 110235
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Phone: 345-0538
Position Statement: Spoke in reference to Longevity Bonus

Robert Smay
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Phone: 345-0538
Position Statement: Spoke in reference to Longevity Bonus

June Naccarato
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Phone: 272-6929
Position Statement: Spoke in reference to Longevity Bonus

C. Lippitt
2203 McKinley Ave.

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Phone: 248-4770
Position Statement: Spoke in reference to Longevity Bonus

T. P. Burrell
3716 Wesleyan
Anchorage, AK 99508
Phone: 333-2774
Position Statement: In Favor of SB, HB 20 and SB 34
Opposed to HB 122

A. O. Syren
P.O. Box 102575
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Phone: 258-9955
Position Statement: Spoke in reference to Longevity Bonus

Bill Hardesty
2117 Hillcrest
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Position Statement: Spoke in reference to Longevity Bonus

H. P. Gazaway
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Phone: 277-2073
Position Statement: Spoke in reference to Longevity Bonus

Helen Jadack

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Anchorage, AK 99503
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Position Statement: Spoke in reference to Longevity Bonus

Ernest Line
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Position Statement: Spoke in reference to Longevity Bonus

Roberley R. Waldron
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Phone: 465-2200
Position Statement: Spoke in reference to Longevity Bonus

Barbara Bathony
Department of Administration
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Phone: 465-2200
Position Statement: Spoke in reference to Longevity Bonus

Gordon Landes
Division of Medical Assistance
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Phone: 465-3030
Position Statement: Spoke in reference to Longevity Bonus

Tom Hollis
P.O. Box 870675
Wasilla, AK 99687
Phone: 376-6709
Position Statement: Spoke in reference to Longevity Bonus

Holly Hollis
P.O. Box 870675
Wasilla, AK 99687
Phone: 376-6709
Position Statement: Spoke in reference to Longevity Bonus

Roxolana E. Pomeroy
2824 Kimberlie Court
Anchorage, AK 99508
Phone: 5610651
Position Statement: Submitted written testimony against
Longevity Bonus

Jim Moody
665 10th Avenue

Fairbanks, AK 99701
Phone: 456-3000
Position Statement: In Favor of HB 20 and spoke in
reference to other Longevity Bonus
bills

Pauline Burnette
2534 Crestwood
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Phone: 276-4365
Position Statement: Spoke in reference to Longevity Bonus

Rose Palmquist
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Position Statement: Spoke in reference to Longevity Bonus

Jim McLaughlin
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Nome, AK 99764
Phone: 443-5377
Position Statement: Spoke in reference to Longevity Bonus

Myrtle Johnson
P.O. Box 608
Nome, AK 99764
Phone: 443-2842
Position Statement: Spoke in reference to Longevity Bonus

PREVIOUS ACTION

BILL: HB 11
PRIME SPONSOR: BOYER
CO-SPONSOR: ULMER

JRN-DATE	JRN-PG	ACTION
01/11/91	00019	(H) PREFILE RELEASED
01/21/91	00019	(H) READ THE FIRST TIME - REFERRAL(S)
01/21/91	00019	(H) STATE AFFAIRS, HES, FINANCE
01/22/91	00048	(H) CO-SPONSOR ADDED: ULMER
02/27/91	N/A	(H) STA AT 08:30 AM CAPITOL RM 102
04/01/91	N/A	(H) STA AT 01:00 PM ANCHORAGE LIO

BILL: HB 20
PRIME SPONSOR: SHARP
CO-SPONSOR: TAYLOR,GONZALES,GRUENBERG,IVAN,MARTIN,
M.A.MILLER,G.PHILLIPS,HUDSON,ZAWACKI,LEMAN

JRN-DATE	JRN-PG	ACTION
01/11/91	00021	(H) PREFILE RELEASED

01/21/91 00021 (H) READ THE FIRST TIME -
 REFERRAL(S)
 01/21/91 00021 (H) STATE AFFAIRS, HES, FINANCE
 01/23/91 00060 (H) CO-SPONSOR ADDED: TAYLOR
 02/04/91 00142 (H) SPONSOR SUBSTITUTE INTRODUCED
 -REFERRALS
 02/04/91 00142 (H) STATE AFFAIRS, HES, FINANCE
 02/06/91 00173 (H) CO-SPONSOR ADDED: HUDSON,
 ZAWACKI
 02/11/91 00204 (H) CO-SPONSOR ADDED: LEMAN
 02/27/91 N/A (H) STA AT 08:30 AM CAPITOL RM 102
 04/01/91 N/A (H) STA AT 01:00 PM ANCHORAGE LIO

BILL: HB 122
 PRIME SPONSOR: TAYLOR
 CO-SPONSOR: G.PHILLIPS,M.A.MILLER

JRN-DATE	JRN-PG	ACTION
02/08/91	00183	(H) READ THE FIRST TIME - REFERRAL(S)
02/08/91	00183	(H) STATE AFFAIRS, HES, FINANCE
02/13/91	00230	(H) CO-SPONSOR ADDED: G.PHILLIPS
03/15/91	00496	(H) CO-SPONSOR ADDED: M.A.MILLER
04/01/91	N/A	(H) STA AT 01:00 PM ANCHORAGE LIO

BILL: SB 8
 PRIME SPONSOR: KERTTULA
 CO-SPONSOR: HALFORD

JRN-DATE	JRN-PG	ACTION
01/11/91	00021	(S) PREFILE RELEASED
01/21/91	00021	(S) READ THE FIRST TIME - REFERRAL(S)
01/21/91	00021	(S) STATE AFFAIRS, THEN FINANCE
02/08/91	00183	(S) CO-SPONSOR ADDED: HALFORD

BILL: SB 34
 PRIME SPONSOR: POURCHOT
 CO-SPONSOR: COLLINS

JRN-DATE	JRN-PG	ACTION
01/11/91	00028	(S) PREFILE RELEASED
01/21/91	00028	(S) READ THE FIRST TIME - REFERRAL(S)
01/21/91	00028	(S) STATE AFFAIRS, THEN FINANCE
01/28/91	N/A	(S) STA AT 01:30 PM BELTZ RM 211
01/28/91	N/A	(S) MINUTE(STA)
01/30/91	N/A	(S) STA AT 01:30 PM BELTZ RM 211
01/30/91	N/A	(S) MINUTE(STA)
02/04/91	N/A	(S) STA AT 01:30 PM BELTZ RM 211
02/04/91	N/A	(S) MINUTE(STA)
02/08/91	00176	(S) STA RPT CS 2DP 1NR SAME TITLE
02/08/91	00177	(S) FN TO SB PUBLISHED (ADM)

02/08/91 00177 (S) ZERO FN TO CS PUBLISHED (ADM)
 02/12/91 00215 (S) FIN RPT 6DP (STA)CS
 02/12/91 00215 (S) PREVIOUS ZERO FN TO STA CS
 (ADM)
 02/12/91 00215 (S) REFERRED TO RULES
 02/12/91 N/A (S) FIN AT 09:00 AM FINANCE RM 518
 02/12/91 N/A (S) MINUTE(FIN)
 02/13/91 N/A (S) RLS AT 11:30 AM BUTROVICH RM
 205
 02/13/91 N/A (S) MINUTE(RUL)

BILL: SB 159

PRIME SPONSOR: RULES BY REQUEST OF THE GOVERNOR

JRN-DATE	JRN-PG	ACTION
03/01/91	00406	(S) READ THE FIRST TIME - REFERRAL(S)
03/01/91	00406	(S) HES, STATE AFFAIRS, JUDICIARY, FINANCE
03/01/91	00406	(S) FISCAL NOTE PUBLISHED (ADM)
03/01/91	00406	(S) GOVERNOR'S TRANSMITTAL LETTER
03/06/91	00454	(S) REFERRAL SEQUENCE CHANGED:

03/06/91 00455 (S) STA, HES, JUD, FIN
 03/27/91 N/A (S) STA AT 01:30 PM BELTZ RM 211

ACTION NARRATIVE

TAPE 27, SIDE A Number 000

The House State Affairs Committee meeting was called to order by Chairman Kubina at 1:14 p.m. Members present were Reps. Kubina, Gruenberg, Choquette, Bruckman, and Baker.

Chairman Kubina announced that the meeting was a WORK SESSION on HB 11, HB 20 and HB 122. Chairman Kubina also stated that discussion would be held regarding SB 8, SB 34 and SB 159.

Rep. Boyer, prime sponsor of HB 11, introduced his bill.

Rep. Sharp, prime sponsor of HB 20, introduced his bill.

Rep. Taylor, prime sponsor of HB 122, introduced his bill.

Chairman Kubina then called on the witnesses in Anchorage and around the state on teleconference to testify.

Testimony continued through all of Tape 27, Sides A and B.

On Side B, Number 200, Chairman Kubina called for anyone in the audience or on teleconference who was in support of SB 159 to come forward. No one did and this was noted for the record.

Audience and teleconference testimony on the Longevity Bonus continued through Tape 28, Sides A and B.

There being no further business to come before the House State Affairs Committee, Chairman Kubina adjourned the meeting at 4:04 p.m.

Attachments, written testimony, tapes and a printed copy of the minutes for this meeting can be found in the House State Affairs Committee, Room 102, Capitol, until final adjournment of the 17th Legislature; thereafter, they may be found in the Legislative Reference Library, Court Plaza, 6th floor.

House
91
HSTA

NURSING FACILITIES IN THE STATE OF ALASKA

# BEDS	NURSING FACILITY	ADMINISTRATOR	ADDRESS	CITY	ZIP	PHONE
16	Columbia Alaska Regional Hospital Transitional Care	Cathy Rhyme	2801 DeBarr Rd.	Anchorage	99508	276-1131
10	Cordova Community Medical Center LTC	Greg Porter	PO Box 160	Cordova	99574	424-8000
90	Denali Center	Michael Powers	1510 19th Ave.	Fairbanks	99701	458-5100
45	Heritage Place	Dennis Murray	232 Rockwell	Soldotna	99669	262-2545
46	Ketchikan General Hospital LTC	Ed Mahn	3100 Tongass	Ketchikan	99901	225-5171
89	Mary Conrad Center	Karl Garber	9100 Centennial	Anchorage	99504	333-8100
224	Providence Extended Care Center	Tom Boling	4900 Eagle	Anchorage	99503	562-2281
19	Providence Kodiak Island Medical Center	Phillip Kline	1915 E. Rezanof Drive	Kodiak	99615	486-9532
14	Petersburg Medical Center LTC	Gary Grandy	PO Box 589	Petersburg	99833	772-4291
15	Quyanna Care Center	Maurice Ninham	PO Box 966	Nome	99762	443-3311
5	Sitka Community Hospital LTC	Grant Asay	209 Moller Ave.	Sitka	99835	747-3241
20	South Peninsula Hospital LTC	Charles Franz Nancy Farrinton, Mgr.	4300 Bartlett	Homer	99603	235-8101
44	St. Ann's Care Center	Kathleen Kloster	415 6th Street	Juneau	99801	586-3883
66	Wesley Rehabilitation Care Center	Richard Jones	PO Box 430	Seward	99664	224-5241
14	Wrangell General Hospital LTC	Brian Gilbert	PO Box 1081	Wrangell	99929	874-7000
717						

P. 02

FAX NO. 9074654108

LONGEVITY PROGRAMS

FEB-01-00 TUE 06:07 PM

STATE OF ALASKA

DEPT. OF HEALTH & SOCIAL SERVICES

DIVISION OF MEDICAL ASSISTANCE
HEALTH FACILITIES LICENSING AND CERTIFICATION

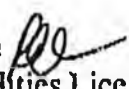
TONY KNOWLES, GOVERNOR

4730 BUSINESS PARK BLVD., SUITE 18
ANCHORAGE, ALASKA 99503-7137
PHONE: (907) 661-8001
FAX: (907) 661-3011

MEMORANDUM

DATE: February 2, 2000

TO: Danith Watts
Legislative Finance Division

FROM: Ron Cowan 
Health Facilities Licensing & Certification

SUBJECT: Request for Information – Veterans in Alaska Nursing Homes

As you requested, below is the number of veterans reported to be in Alaska nursing homes during the month of December 1999. Please note this information is voluntarily submitted by the nursing homes, and reflects their census only on the day the report was completed.

<u>FACILITY</u>	<u>No. of VETERANS REPORTED</u>
Alaska Regional Hospital Transitional Care	0
Cordova Community Medical Center LTC	0
Denali Center	1
Heritage Place	0
Ketchikan General Hospital LTC	0
Mary Conrad Center	0
Providence Extended Care Center	5
Providence Kodiak Island Medical Center	0
Petersburg Medical Center LTC	0
Quyanna Care Center	0
Sitka Community Hospital LTC	1
South Peninsula Hospital LTC	0
St. Ann's Care Center	0
Wesley Rehabilitation Care Center	0
Wrangell Medical Center	0

Attachment B

CHAPTER 45. ALASKA LONGEVITY BONUS

Section

10. Persons who may qualify for longevity bonus.
20. Continuous eligibility procedures.
30. Absence from the state.
35. Unpaid sabbaticals.
40. Disqualification.
45. Reapplication after disqualification.
50. Department hearing.
60. Legal remedy.
70. Unqualified persons.
80. Accrual of bonuses.
90. [Repealed.]
100. Powers and duties of the administrator.
110. Treasurer of system.
120. Exemption from state and local taxation and from debt collection.
122. Eligibility for public assistance.
130. Death or cessation of residency.
140. Penalty for false statements.
150. Definitions.
160. Administrative Procedure Act not applicable.
170. [Repealed.]

Annotations

Legislative history reports. For report on ch. 205, SLA 1972 (FCCS HCS CSSB 211), which enacted this chapter, see 1972 House Journal, p. 751.

Collateral references. 79 Am. Jur. 2d, Welfare Laws, §§ 36, 37.

81 C.J.S., Social Security and Public Welfare, §§ 96-101.

Sec. 47.45.010. Persons who may qualify for longevity bonus.

Statute text

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

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

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

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

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

(b) When the commissioner of administration determines that an applicant qualifies under this chapter the commissioner shall immediately begin payment of the bonus.

(c) A person who otherwise qualifies to receive a bonus provided for in this chapter may continue to do so only as long as that person continues to be a resident of the state.

(d) [Repealed, § 62 ch 21 SLA 1991.]

History

(§ 1 ch 205 SLA 1972; am § 1 ch 33 SLA 1976; am § 1 ch 89 SLA 1978; am § 1 ch 147 SLA 1980; am § 1 ch 13 SLA 1981; am § 2 ch 38 SLA 1984; r § 11 ch 38 SLA 1984; am §§ 5, 6 ch 107 SLA 1989; am §§ 61, 62 ch 21 SLA 1991; am § 2 ch 64 SLA 1993)

Annotations

Revisor's notes. Sections 1 and 17, ch. 99, SLA 1985 each amend (a) of this section. The effective date of each amendment is contingent upon the repeal of the other (see §§ 25 and 26, ch. 99, SLA 1985).

If the amendment made by § 1, ch. 99, SLA 1985 becomes law, the subsection will read: "(a) A person who is 65 years of age on or before January 1, 1988, who resides in the state for at least one year immediately preceding application for a longevity bonus under this chapter may apply to the commissioner of administration for qualification to receive a monthly bonus of \$250 upon reaching age 65."

If the amendment made by § 17, ch. 99, SLA 1985 becomes law, the subsection will read: "(a) A person who is 65 years of age or over, who resides in the state for at least one year immediately preceding application for a longevity bonus under this chapter may apply to the commissioner of administration for qualification to receive a monthly bonus."

In addition, § 18, ch. 99, SLA 1985 adds a new section, AS 47.45.015, to be effective if § 1, ch. 99, SLA 1985 is repealed. If § 18, ch. 99, SLA 1985 becomes law, the new section will read: "Sec. 47.45.015. Amount of bonus. (a) Except as provided in (b) of this section, the monthly longevity bonus is equal to \$250, minus the maximum possible straight life annuity for a person 65 years of age under the annuity program (AS 43.23.110 - 43.23.130), as determined by the commissioner of administration.

"(b) A person who is 65 years of age on or before January 1, 1988, is entitled to the full longevity bonus payment without reduction for the annuity program."

Cross references. For legislative findings and purpose in connection with the 1984 amendment to this section, see § 1, ch. 38, SLA 1984 in the Temporary and Special Acts; for legislative findings in connection with the 1989 amendment to (a) of this section, see § 1(b), ch. 107, SLA 1989 in the Temporary and Special Acts.

Effect of amendments. The 1991 amendment, effective June 11, 1991, substituted "one year" for "two years" in subsection (a) and repealed subsection (d).

The 1993 amendment, effective September 20, 1993, in subsection (a), inserted "no later than December 31, 1996" and added paragraphs (1)-(4).

Editor's notes. Section 8, ch. 107, SLA 1989 provides that notwithstanding the amendment to (a) of this section by § 5 of ch. 107, "if an individual received a longevity bonus payment for any month during 1989, the individual's eligibility to receive bonus payments during 1990 shall be determined under the law as it existed before that amendment."

Section 6(a), ch. 64, SLA 1993 provides that "[u]nder AS 01.10.030, if any provision of AS 47.45.010(a)(1)-(4), amended by § 2 of this Act, AS 47.45.045, added by § 3 of this Act, or AS 47.45.070(a)(5) and (6), added by § 4 of this Act, or the application of a provision of this Act to any person or circumstance, is held invalid, the remainder of this Act and the application to other persons or circumstances shall not be affected."

NOTES TO DECISIONS

Constitutionality. - The 1989 amendment to subsection (a) of this section, imposing a two-year residency requirement for applicants, is unconstitutional; the one year requirement in subsection (d) is the applicable period, since no appeal is pending. *Lindley, et al. v. Malone*, Superior Court, 3rd Jud. Dist. C.A. No. 90-2586 (1990). (The 1991 amendment to this section codified this decision.)

Challenge to residency and domicile requirements. - State of Alaska and former administrator of longevity bonus program could not be held liable, either on constitutional grounds or under the federal Civil Rights Act, for monetary damages sought on behalf of plaintiff class members who had successfully challenged the former 25-year residency and pre-statehood domicile requirements of this chapter. *Vest v. Schafer*, 757 P.2d 588 (Alaska 1988), cert. denied, 491 U.S. 904, 109 S. Ct. 3184, 105 L. Ed. 2d 693 (1989).

Longevity Bonus Program is unconstitutional. - The Longevity Bonus Program creates an exclusive class that is to receive special benefits due to the length of the class member's residence in Alaska and thus is unconstitutional under the equal protection clause of the United States Constitution and § 1, art. I, of the state constitution. *Schafer v. Vest*, 680 P.2d 1169 (Alaska 1984), (decided prior to 1984 amendments).

Sec. 47.45.020. Continuous eligibility procedures.

Statute text

After qualification, monthly applications for bonuses may be made in person to any office of the Department of Administration. Mailed monthly applications shall also be considered by the department. In-person or mailed applications shall be made on forms provided by the department and shall conform to the conditions as provided by regulation. The commissioner of administration may make exceptions for those residents who are isolated in rural areas and cannot mail a monthly application; however, they shall mail an application at least once every six months.

History

(§ 1 ch 205 SLA 1972; r § 11 ch 38 SLA 1984)

Sec. 47.45.030. Absence from the state.

Statute text

(a) After qualification, a recipient shall notify the commissioner of administration when the recipient expects to be absent from the state if the absence is for a continuous period that exceeds 30 days. After that notification, the recipient may no longer receive bonuses from the Department of Administration after the last regularly approved monthly application. Upon returning to the state, the recipient may again make application for a bonus. Whenever the absence is for a continuous period that exceeds 90 days the recipient shall be disqualified from receiving bonuses for the next 12 calendar months after returning to the state. However, when the commissioner determines a period of absence is beyond the control of the recipient, the recipient may not be disqualified if the recipient still otherwise qualifies upon returning to the state. Continual absences from the state, even though reported, and failure to notify the commissioner of an expected absence may be grounds for disqualification.

(b) The commissioner of administration shall include on each monthly bonus application a place for a recipient to state, under penalty of perjury, whether the recipient has been absent from the state for 180 days or more during the 12 calendar months immediately before the date of the application. If the recipient has been absent from the state for 180

days or more during the 12-month period, the commissioner shall provide an opportunity for the recipient to identify days of the absence that the recipient believes were beyond the control of the recipient as defined in regulations adopted by the commissioner. If, after subtracting days of absence the commissioner determines were beyond the control of the recipient, the remaining days of absence equal at least 180 days during the 12-month period, the recipient is permanently disqualified from receiving the bonus.

History

(§ 1 ch 205 SLA 1972; am § 3 ch 38 SLA 1984; r § 11 ch 38 SLA 1984; am § 19 ch 99 SLA 1985; am § 1 ch 58 SLA 1996)

Annotations

Effect of amendments. The 1996 amendment, effective July 1, 1996, added subsection (b).

Sec. 47.45.035. Unpaid sabbaticals.

Statute text

Notwithstanding AS 47.45.030, after qualification, a recipient may take an unpaid sabbatical for a period of up to 12 consecutive months by notifying the Department of Administration of the period the recipient elects to be on unpaid sabbatical status. The notice shall be provided to the department at least 30 days before the first day of the unpaid sabbatical period. While on unpaid sabbatical status, the recipient no longer receives bonuses, but the recipient may be absent from the state at any time without being disqualified. The recipient may again make application for a bonus after returning to the state at the end of the sabbatical period. A recipient who has taken an unpaid sabbatical may not elect to do so again until a period of at least five years has elapsed beginning on the day after the sabbatical ended.

History

(§ 2 ch 58 SLA 1996)

Annotations

Effective dates. Section 6, ch. 58, SLA 1996 makes this section effective July 1, 1996.

Sec. 47.45.040. Disqualification.

Statute text

Disqualification under this chapter shall rest solely with the commissioner of administration and shall be outlined in the regulations adopted under AS 47.45.100(1).

History

(§ 1 ch 205 SLA 1972; r § 11 ch 38 SLA 1984)

Sec. 47.45.045. Reapplication after disqualification.

Statute text

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

History

(§ 3 ch 64 SLA 1993)

Annotations

Editor's notes. Section 6(a), ch. 64, SLA 1993 provides that "[u]nder AS 01.10.03C, if any provision of AS 47.45.010(a)(1)-(4), amended by § 2 of this Act, AS 47.45.045,

added by § 3 of this Act, or AS 47.45.070(a)(5) and (6), added by § 4 of this Act, or the application of a provision of this Act to any person or circumstance, is held invalid, the remainder of this Act and the application to other persons or circumstances shall not be affected."

Sec. 47.45.050. Department hearing.

Statute text

The Department of Administration may hold a departmental hearing upon the request of an applicant or recipient who has been disqualified. Before this hearing the department shall by certified mail notify an applicant or recipient in plain and comprehensive language the exact reason for the disqualification. Form letters using only referral to state statutes or department regulations, or otherwise vague in detail, are not considered compliance by the department with this section.

History

(§ 1 ch 205 SLA 1972; r § 11 ch 38 SLA 1984)

Sec. 47.45.060. Legal remedy.

Statute text

Legal remedy from disqualification may be sought by an applicant or recipient in any court of competent jurisdiction in the state. The burden of proof shall rest solely upon the applicant or recipient and any costs related to a disqualification verdict determined against the applicant or recipient may be recoverable by the attorney general from that person, or from any agency representing that person supported in whole, or in part, with state appropriations.

History

(§ 1 ch 205 SLA 1972; r § 11 ch 38 SLA 1984)

Sec. 47.45.070. Unqualified persons.

Statute text

(a) An unqualified person is one who

- (1) does not meet the age or residence requirements as provided for under this chapter;
- (2) meets the age and residence requirements of this chapter but either is confined in a state or federal mental health institution or facility and is certified by the state as unable to manage personal affairs, or resides in a nursing home as that term is defined in AS 08.70.180; however, if that person, at the time of commitment or commencement of residence, provided the principal support of a spouse, the commissioner of administration may determine to pay the confined person's bonus to the person's spouse until the spouse is qualified for a bonus;
- (3) is otherwise qualified but confined in a penal or correctional institution or facility; upon completion of sentence or upon the conferral of a pardon, parole, or probation, the person may make application; confinement outside the state shall be considered as residence in the state if a person was convicted and sentenced from a court in Alaska; revocation of parole or probation shall be cause for immediate disqualification until release from confinement is again effected;
- (4) voluntarily leaves the state and remains absent from the state for a continuous period of more than 90 days or is permanently disqualified under AS 47.45.030(b);
- (5) did not apply, under AS 47.45.010(a), before January 1, 1997, for qualification to receive a longevity bonus;

(6) was found qualified to receive a longevity bonus, was subsequently disqualified for 12 consecutive months or more, and did not reapply before January 1, 1997.

(b) Notwithstanding (a)(2) of this section, a person who meets the age and residence requirements of this chapter qualifies for the bonus during any period of residence in a nursing home that does not exceed 90 consecutive days if the bonus is exempt from the determination of income eligibility under Supplemental Security Income in 42 U.S.C. 1382a (Sec. 1612(b)(2)(B), Social Security Act), as amended.

(c) Notwithstanding (a)(2) of this section, a person who resides in a nursing home who meets the age and residence requirements of this chapter qualifies for the bonus if the costs of care of the person at the nursing home are paid for entirely from private sources.

History

(§ 1 ch 205 SLA 1972; am § 20 ch 99 SLA 1985; am § 1 ch 78 SLA 1991; am § 1 ch 108 SLA 1992; am § 4 ch 64 SLA 1993; am § 3 ch 58 SLA 1996)

Annotations

Effect of amendments. The 1991 amendment, effective July 1, 1991, added subsection (b).

The 1992 amendment, effective July 1, 1992, added subsection (c).

The 1993 amendment, effective September 20, 1993, added paragraphs (a)(5) and (a)(6).

The 1996 amendment, effective July 1, 1996, added "or is permanently disqualified under AS 47.45.030(b)" at the end of paragraph (a)(4).

Editor's notes. Section 6(a), ch. 64, SLA 1993 provides that "[u]nder AS 01.10.030, if any provision of AS 47.45.010(a)(1)-(4), amended by § 2 of this Act, AS 47.45.045, added by § 3 of this Act, or AS 47.45.070(a)(5) and (6), added by § 4 of this Act, or the application of a provision of this Act to any person or circumstance, is held invalid, the remainder of this Act and the application to other persons or circumstances shall not be affected."

Sec. 47.45.080. Accrual of bonuses.

Statute text

A recipient may not for any reason, receive an accrual of bonuses in excess of two monthly payments. Interest may not be paid on accrued bonuses. Upon the death of a recipient the commissioner of administration shall pay to the beneficiary of the recipient any accrued bonuses not to exceed two monthly payments.

History

(§ 1 ch 205 SLA 1972; r § 11 ch 38 SLA 1984)

Sec. 47.45.090. Alaska longevity bonus fund. [Repealed, § 12 ch 42 SLA 1997.].

Sec. 47.45.100. Powers and duties of the administrator.

Statute text

The commissioner of administration shall

(1) adopt regulations necessary to carry out the provisions of this chapter;

(2) [Repealed, § 12 ch 42 SLA 1997.]

(3) [Repealed, § 12 ch 42 SLA 1997.]

(4) [Repealed, § 33 ch 126 SLA 1994.]

History

(§ 1 ch 205 SLA 1972; am § 35 ch 126 SLA 1994; am § 12 ch 42 SLA 1997)

Annotations

Effect of amendments. The 1994 amendment, effective July 1, 1994, repealed paragraph (4), relating to the administrator's annual report on the financial condition of the fund.

The 1997 amendment, effective July 1, 1997, repealed paragraphs (2) and (3).

Sec. 47.45.110. Treasurer of system.

Statute text

The commissioner of revenue is the treasurer of the system and has powers and duties for this purpose.

History

(§ 1 ch 205 SLA 1972; r § 11 ch 38 SLA 1984; am § 7 ch 42 SLA 1997)

Annotations

Effect of amendments. The 1997 amendment, effective July 1, 1997, rewrote this section.

Sec. 47.45.120. Exemption from state and local taxation and from debt collection.

Statute text

(a) Bonuses received under this chapter are exempt from all state and political subdivision taxes except sales and use taxes. A bonus received under this chapter is not exempt from a federal tax requirement.

(b) Bonuses received under this chapter are exempt from levy to enforce the collection of a debt as provided in AS 09.38 (exemptions).

History

(§ 1 ch 205 SLA 1972; am § 13 ch 62 SLA 1982; r § 11 ch 38 SLA 1984)

Sec. 47.45.122. Eligibility for public assistance.

Statute text

(a) An individual whose public assistance is denied or reduced solely because of the receipt of a bonus under this chapter by the individual or by a member of the individual's household is eligible for assistance under the general relief assistance program in AS 47.25.120 - 47.25.300. Notwithstanding the limit in AS 47.25.130, the individual is entitled to receive the same amount as the individual would have received under other public assistance programs had the individual not received a longevity bonus.

(b) In this section "other public assistance" means

(1) Supplemental Security Income under 42 U.S.C. 1381 - 1385;

(2) Medicaid under 42 U.S.C. 1396 - 1396p; and

(3) Adult Public Assistance under AS 47.25.430 - 47.25.615.

History

(§ 21 ch 99 SLA 1985)

Sec. 47.45.130. Death or cessation of residency.

Statute text

The commissioner of administration shall establish procedures to stop a bonus when a recipient under this chapter no longer qualifies. When a recipient dies or discontinues residency in the state the recipient's qualification for a bonus shall stop at the time of the recipient's last approved monthly application.

History

(§ 1 ch 205 SLA 1972)

Sec. 47.45.140. Penalty for false statements.

Statute text

A person who wilfully or knowingly makes a false statement, or falsifies or permits to be falsified any record required by this chapter, is guilty of a misdemeanor and, upon conviction, is punishable by a fine of not more than \$500, or by imprisonment for not more than six months, or by both, forfeits all rights under this chapter, and shall make adequate restitution for any bonuses illegally received.

History

(§ 1 ch 205 SLA 1972)

Sec. 47.45.150. Definitions.

Statute text

In this chapter

(1) "bonus" means a monthly Alaska longevity bonus payment made to a person or the person's beneficiary who qualifies under this chapter;

(2) "resident" or "resident of the state" means an individual who is physically present in the state with the intent to remain in the state indefinitely and to make a home in the state; a person demonstrates the requisite intent by maintaining a principal place of abode in the state for one year and by providing other proof of intent the commissioner may require by regulation, including proof that the person is not claiming residency outside the state or obtaining benefits under a claim of residency outside the state.

History

(§ 1 ch 205 SLA 1972; am § 5 ch 38 SLA 1984)

Sec. 47.45.160. Administrative Procedure Act not applicable.

Statute text

AS 44.62 (Administrative Procedure Act) does not apply to this chapter.

History

(§ 1 ch 205 SLA 1972)

Sec. 47.45.170. Purpose. [Repealed, § 6 ch 38 SLA 1984.].

Sec. 08.70.180. Definitions.

In this chapter,

- (1) "department" means the Department of Community and Economic Development;
- (2) "license" means the certificate awarded by the department to a qualified person that entitles the person to be a nursing home administrator in this state;
- (3) "licensee" means a person who has been granted a license to be a nursing home administrator in this state by the department;
- (4) "nursing home" means a facility which is operated in connection with a hospital or in which nursing care, intermediate care, and medical services are prescribed by or performed under the general direction of persons licensed to practice medicine or surgery within the state for the accommodation of convalescents or other persons who are not acutely ill but who do require skilled or intermediate nursing care and related medical services; the term "nursing home" is restricted to those facilities the purpose of which is to provide skilled or intermediate nursing care and related medical services for a period of not less than 24 hours a day to individuals admitted because of illness, disease or physical or mental infirmity;
- (5) "nursing home administrator" means a person who manages, supervises, or is in general charge of a nursing home, even though the duties are shared with another person; a member of a board of directors of a nursing home is an administrator only if the board member also serves in the administrative capacity defined in this paragraph.

Robert F. NESVICK
2500 FORAKER DR.
ANCHORAGE AK 99517
Phone 907-243-6308
Feb. 29, 2000

Senator Loren Leman
State Office Building
JUNEAU AK FAX # 907-465-3810

REF. The state statute that addresses a recipient of the Longevity Bonus receiving the monthly bonus while admitted to either a long term care facility or nursing home for one or more days:

As a disabled veteran I strongly object to this action when the V.A. is paying the entire cost of admission. Although the V.A. is not a private source it is federally funded and does not rely on state resources.

Veterans receiving service connected disability payments should not have to forfeit their monthly Longevity Bonus when admitted for a service connected disability.

Thank You

Robert F. Nesvick

Incl 1 ATCh

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 10, 2000

SUBJECT: Longevity bonus payments to persons who receive veterans' benefits (CSSC 247(); 21-LS1363\G)

TO: Senator Loren Leman
Attn: Marie Marx

FROM: Tamara Brandt Cook
Director *TBC*

You asked me to follow up on the memorandum dated March 3, 2000 by asking Mr. James Kohn, Alaska Longevity Bonus Program, whether it is possible for the state to lose any Medicaid funding as a result of making individuals who pay for nursing home care with veterans' benefits eligible for longevity bonus payments. I talked with Mr. Kohn by phone and he felt that it would be quite unlikely that a person who is receiving veterans' benefits would also qualify for Medicaid, however, he asked me to check with Mr. Jon Sherwood also.

I reached Mr. Sherwood this morning. He informed me that there exists a "theoretical possibility" that a person who is paying for nursing home care entirely from veterans' benefits, or a combination of veterans's benefits and private sources, would still qualify for some level of Medicaid which would be lost if the person also received a longevity bonus payment. However, he could not think of a set of facts that would lead to that result. Mr. Sherwood did point out that it would be possible for a person with veterans' benefits and private sources that fluctuate in value to go on and off the longevity bonus program. Because of delays in getting the person on and off the Medicaid program, this can result in the lose of a month of Medicaid during transition periods. This problem will probably involve fluctuations in private sources more than in Veterans' Benefits, and exists now in a few cases, such as when Native Corporations pay one-time dividends to shareholders.

I hope this information is useful. If you wish to contact Mr. Jon Sherwood directly, he can be reached at 465-5820.

TBC:pl
00-088.plm

HOUSE FINANCE COMMITTEE

April 29, 1991

1:35 p.m.

Tape HFC 91-62, Side 2, #000 - end
Tape HFC 91-63, Side 1, #000 - end
Tape HFC 91-63, Side 2, #000 - 407
Tape HFC 91-64, Side 1, #000 - 240

CALL TO ORDER

Co-Chair Mike Navarre called the meeting of the House Finance Committee to order at 1:35 p.m.

PRESENT

Co-Chair Navarre	Vice-Chair Boyer
Co-Chair MacLean	Representative Barnes
Representative Brown	Representative Jacko
Representative Koponen	Representative Larson
Representative Phillips	Representative Sharp
Representative Ulmer	

ALSO PRESENT

Representative Johnny Ellis; Representative Tom Moyer; Gene Cernaw, Representing MicroSat Corporation; Peter Diamandis, Representing MicroSat Corporation; Larry Galloway, Department of Commerce and Economic Development; Jerry Luckhaupt, Legal Services; Tom Williams, BP Exploration; Bob Blasco, Attorney, Holland America - Westours; Mary Nordale, Attorney, Holland America - Westours; and Scott Burgess, Alaska Municipal League.

SUMMARY INFORMATION

HB 11 An Act relating to qualifications for longevity bonus payments; and providing for an effective date.

CS HB 11(STA) was reported out of Committee with a "do pass" recommendation; a zero fiscal note by the Department of Health and Social Services, dated April 19, 1991; a \$5 thousand dollar fiscal note by the Department of Health and Social Services, dated April 12, 1991; and a \$165 thousand dollar fiscal note by the Department of Administration, dated April 12, 1991.

HOUSE BILL 11

"An Act relating to qualifications for longevity bonus payments; and providing for an effective date."

Representative Boyer, prime sponsor of House Bill 11, gave an overview of the bill. He stated that the bill would allow nursing home residents to qualify for a longevity bonus payment. (See Attachment 8 for detail.)

Representative Sharp asked if the bill would allow people who are discharged early to not lose their longevity benefit if they were qualified for it prior to 1985. Representative Boyer stated that was correct, if the total stay was less than 90 days.

Representative Boyer MOVED to report CS HB 11(STA) out of Committee with individual recommendations. There being NO OBJECTION, CS HB 11(STA) was reported out of Committee with individual recommendations.

HOUSE STATE AFFAIRS COMMITTEE

April 10, 1991

8:00 a.m.

MEMBERS PRESENT

Rep. Gene Kubina, Chairman
Rep. Tom Moyer, Vice Chairman
Rep. Dave Choquette
Rep. Betty Bruckman
Rep. Mike Miller
Rep. Larry Baker

MEMBERS ABSENT

Rep. Max Gruenberg

COMMITTEE CALENDAR

HB 11: "An Act relating to qualifications for longevity bonus payments; and providing for an effective date."

CS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

* HB 237: "An Act establishing certain criteria that must be considered when state agency leases involve the construction of new buildings."

HEARD AND HELD

HB 138: "An Act making special appropriations to the Department of Environmental Conservation for solid and hazardous waste management and for a grant to the Pacific Northwest Pollution Prevention Center and to the Department of Administration for equipment and computer software; and providing for an effective date."

CS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

WITNESS REGISTER

Rep. Mark Boyer
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811

Phone: 465-3466
Position Statement: Sponsor of HB 11 and HB 138
Paul Voelckers
Alaska Professional Design Council
800 Glacier Avenue
Juneau, AK 99801
Phone: 586-1371
Position Statement: In Favor of HB 237

Bob Link, Director
Division of General Services
Department of Administration
P.O. Box C
Juneau, AK 99811
Phone: 465-2250
Position Statement: In Favor of HB 237

Sharon Macklin
Alaska Professional Design Council
315 5th Street, #8
Juneau, AK 99801
Phone: 586-9518
Position Statement: In Favor of HB 237

Chris Christensen, Staff Council
Administration
Alaska Court System
303 K Street
Anchorage, AK 99501
Position Statement: Spoke in regard to HB 237

Barbara Bathony, Director
Division of Pioneers' Benefits
P.O. Box CL
Juneau, AK 99811
Phone: 465-4400
Position Statement: In Favor of HB 11

W. Keith Gerkin
Deputy Commissioner of Operations
Department of Transportation
P.O. Box Z
Juneau, AK 99811
Phone: 465-3900
Position Statement: In Favor of HB 237

PREVIOUS ACTION

BILL: HB 11
SHORT TITLE: LONGEVITY BONUS;NURSING HOME RESIDENTS

PRIME SPONSOR: BOYER

CO-SPONSOR: ULMER

JRN-DATE	JRN-PG	ACTION
01/11/91	00019	(H) PREFILE RELEASED
01/21/91	00019	(H) READ THE FIRST TIME - REFERRAL(S)
01/21/91	00019	(H) STATE AFFAIRS, HES, FINANCE
01/22/91	00048	(H) CO-SPONSOR ADDED: ULMER
02/27/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM 102
04/01/91	N/A	(H) STA AT 01:00 PM ANCHORAGE LIO
04/01/91	N/A	(H) MINUTE(STA)
04/10/91	N/A	(H) STA AT 08:00 AM CAPITOL ROOM 102

BILL: HB 237

SHORT TITLE: STATE LEASING OF NEW BUILDINGS

PRIME SPONSOR: TRANSPORTATION

JRN-DATE	JRN-PG	ACTION
03/25/91	00576	(H) READ THE FIRST TIME - REFERRAL(S)
03/25/91	00577	(H) STATE AFFAIRS, JUDICIARY, FINANCE
04/10/91	N/A	(H) STA AT 08:00 AM CAPITOL ROOM 102

BILL: HB 138

SHORT TITLE: APPROP: CLEAN WATER FUND/WASTE MGT LOANS

PRIME SPONSOR: BOYER

CO-SPONSOR: BROWN,ULMER,FINKELSTEIN,KOPONEN,ELLIS

JRN-DATE	JRN-PG	ACTION
02/13/91	00224	(H) READ THE FIRST TIME - REFERRAL(S)
02/13/91	00224	(H) STATE AFFAIRS, RESOURCES, FINANCE
04/05/91	N/A	(H) STA AT 08:00 AM CAPITOL ROOM 102
04/08/91	N/A	(H) STA AT 08:00 AM CAPITOL ROOM 102
04/08/91	N/A	(H) MINUTE(STA)
04/10/91	00745	(H) STA RPT CS(STA) NEW TITLE 1DP 4NR
04/10/91	00746	(H) REFERRED TO RESOURCES

ACTION NARRATIVE

TAPE 33, SIDE A Number 000

The House State Affairs Committee meeting was called to

order by Chairman Kubina at 8:05 a.m. Members present were Representatives (Reps.) Kubina, Moyer, Choquette, Baker, and Miller.

Chairman Kubina announced that the committee would first hear HB 138 that morning. Chairman Kubina asked Rep. Boyer, prime sponsor of HB 138, to address the committee.

Rep. Boyer stated that a proposed committee substitute (CS) for HB 138 had been written. He noted that Mr. Jeff Mach, Department of Environmental Conservation, had been in contact with Alaskans for Litter Prevention and Recycling (ALPAR) in regard to a market survey that Rep. Baker had mentioned in the meeting of April 8, 1991. Rep. Boyer said that the study by ALPAR was several years old and did not address all of the issues that were needed. He asked that the request for funding of the market study in HB 138 be kept in the bill.

Rep. Moyer made a motion that the CS for HB 138 be adopted by the committee. There were no objections and it was so adopted.

Rep. Moyer then made a motion that the CS for HB 138 be passed out of committee with individual recommendations.

There were no objections and it was so moved.
Number 104

Chairman Kubina announced that HB 11 would be heard next.

He stated that there was a CS for HB 11 before the committee.

REP. MARK BOYER, prime sponsor of HB 11, addressed the committee. He stated that the meeting of April 1, 1991, had been well attended. He further stated that the CS for HB 11 narrowed the bill to state that anyone who spends less than 90 days in a nursing home would be allowed to continue to receive the longevity bonus. Rep. Boyer also said that this would impact five to nine longevity bonus recipients at any one time.

Number 150

Chairman Kubina stated that there were two fiscal notes for HB 11.

Rep. Boyer stated that they reflected a negative impact on the medicaid budget.

Number 170

BARBARA BATHONY, Director, Division of Pioneer Benefits, testified in favor of HB 11. She stated that the number of people affected by HB 11 had been derived by research from the private and public sector nursing homes and represented the number of people eligible for the longevity bonus at any one time.

According to Ms. Bathony, although approximately 60 residents per month would be admitted to a nursing home, many are only admitted for three to four days. She further stated that because of the declining population of pioneers, there would be a slow decline in the number of eligible recipients after the first year.

Rep. Boyer stated that over the course of a full year, only five to ten people would be eligible for the full year because of the large number of people who were admitted for only one day.

Number 220

Chairman Kubina asked Ms. Bathony if the Department of Health and Social Services was in favor of the HB 11 as amended and Ms. Bathony replied that it was.

When asked by Rep. Choquette why the number of recipients fluctuated, Ms. Bathony stated that the population group would increase, reach a peak, and then decline.

Rep. Choquette made a motion that the CS for HB 11 be adopted by the committee. There were no objections and it was so adopted.

Rep. Choquette then made a motion that the CS for HB 11 be passed out of committee with individual recommendations.

There were no objections and it was so moved.

Number 250

Rep. Boyer noted that there were three fiscal notes for HB 11. The committee only had received two, so the third fiscal note was to be sent onto the Finance Committee at the request of the committee.

HOUSE STATE AFFAIRS COMMITTEE

April 17, 1991

8:30 a.m.

MEMBERS PRESENT

Rep. Gene Kubina, Chairman
Rep. Tom Moyer, Vice Chairman
Rep. Max Gruenberg
Rep. Dave Choquette
Rep. Betty Bruckman
Rep. Mike Miller
Rep. Larry Baker

MEMBERS ABSENT

None

COMMITTEE CALENDAR

* HB 55: "An Act amending an appropriation to the budget reserve fund; and providing for an effective date."

CS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

HB 20: "An Act relating to qualifications for longevity bonus payments; and providing for an effective date."

CS for SS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

HB 122: "An Act relating to qualifications for a longevity bonus; and providing for an effective date."

HEARD AND HELD

HJR 37: Relating to the 50th anniversary of the Alaska/Siberia lend-lease program.

PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

* HB 257: "An Act relating to a medallion commemorating the 50th anniversary of the construction of the Alaska-Canada Highway; and providing for an effective date."

NOT HEARD - HELD OVER

WITNESS REGISTER

Rep. Kay Brown
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
Phone: 465-3784
Position Statement: Prime Sponsor of HB 55

Rep. Bert Sharp
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
Phone: 465-3004
Position Statement: Prime Sponsor of HB 20

Rep. Robin Taylor
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
Phone: 465-3873
Position Statement: Prime Sponsor of HB 122

Mary Lou Meiner
American Association of Retired Persons
805 Gold Belt
Juneau, AK 99801
Phone: 586-2568
Position Statement: In Favor of HB

Rose Palmquist
Older Persons Action Group
P.O. Box 870294
Wasilla, AK 99687
Phone: 376-2274
Position Statement: In Favor of HB

Barbara Bathony, Director
Division of Pioneer Benefits
P.O. Box CL
Juneau, AK 99811
Phone: 465-4400
Position Statement: In Favor of HB 20
Opposed to HB 122

PREVIOUS ACTION

BILL: HB 55
SHORT TITLE: APPROP: BUDGET RESERVE FUND

PRIME SPONSOR: BROWN
CO-SPONSOR: PARNELL,B.DAVIS,FINKELSTEIN,ELLIS,NAVARRE,
R.PHILLIPS

JRN-DATE	JRN-PG	ACTION
01/22/91	00043	(H) READ THE FIRST TIME - REFERRAL(S)
01/22/91	00043	(H) STATE AFFAIRS, FINANCE
01/24/91	00073	(H) CO-SPONSOR ADDED: R.PHILLIPS
04/17/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM 102

BILL: HB 20
SHORT TITLE: LONGEVITY BONUS/NURSING HOME RESIDENTS

PRIME SPONSOR: SHARP
CO-SPONSOR: TAYLOR,GONZALES,GRUENBERG,IVAN,MARTIN,
M.A.MILLER,G.PHILLIPS,HUDSON,ZAWACKI,LEMAN

JRN-DATE	JRN-PG	ACTION
01/11/91	00021	(H) PREFILE RELEASED
01/21/91	00021	(H) READ THE FIRST TIME - REFERRAL(S)
01/21/91	00021	(H) STATE AFFAIRS, HES, FINANCE
01/23/91	00060	(H) CO-SPONSOR ADDED: TAYLOR
02/04/91	00142	(H) SPONSOR SUBSTITUTE INTRODUCED -REFERRALS
02/04/91	00142	(H) STATE AFFAIRS, HES, FINANCE
02/06/91	00173	(H) CO-SPONSOR ADDED: HUDSON, ZAWACKI
02/11/91	00204	(H) CO-SPONSOR ADDED: LEMAN
02/27/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM 102
04/01/91	N/A	(H) STA AT 01:00 PM ANCHORAGE LIO
04/01/91	N/A	(H) MINUTE(STA)
04/17/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM 102

BILL: HB 122
SHORT TITLE: QUALIFICATIONS FOR LONGEVITY BONUSES

PRIME SPONSOR: TAYLOR
CO-SPONSOR: G.PHILLIPS,M.A.MILLER

JRN-DATE	JRN-PG	ACTION
02/08/91	00183	(H) READ THE FIRST TIME - REFERRAL(S)
02/08/91	00183	(H) STATE AFFAIRS, HES, FINANCE
02/13/91	00230	(H) CO-SPONSOR ADDED: G.PHILLIPS
03/15/91	00496	(H) CO-SPONSOR ADDED: M.A.MILLER
04/01/91	N/A	(H) STA AT 01:00 PM ANCHORAGE LIO
04/01/91	N/A	(H) MINUTE(STA)

04/17/91 N/A (H) STA AT 08:30 AM CAPITOL ROOM
102

BILL: HJR 37
SHORT TITLE: ALASKA/SIBERIA LEND-LEASE PROGRAM

PRIME SPONSOR: MOYER
CO-SPONSOR: FOSTER,BOYER,KOPONEN,SHARP,ZAWACKI,KUBINA,
CHOQUETTE

JRN-DATE	JRN-PG	ACTION
04/02/91	00648	(H) READ THE FIRST TIME - REFERRAL(S)
04/02/91	00648	(H) ITT, STATE AFFAIRS
04/08/91	N/A	(H) ITT AT 05:00 PM CAPITOL ROOM 17
04/08/91	N/A	(H) MINUTE(ITT)
04/10/91	00750	(H) ITT RPT 5DP 1NR
04/10/91	00750	(H) -ZERO FISCAL NOTE (DCED) 4/10/91
04/17/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM 102
04/17/91	00828	(H) STA RPT 6DP
04/17/91	00828	(H) -PREV ZERO FISCAL NOTE (DCED) 4/10/91
04/17/91	00852	(H) CO-SPONSORS ADDED: KUBINA, CHOQUETTE

BILL: HB 257
SHORT TITLE: AK HIGHWAY COMMEMORATIVE MEDALLION

PRIME SPONSOR: GRUENBERG
CO-SPONSOR: IVAN,BAKER,BARNES,BRUCKMAN,CARNEY,DAVIDSON,
B.DAVIS,ELLIS,GONZALES,GRUSSENDORF,KOPONEN,
LARSON,LINCOLN,M.A.MILLER,MOYER,PARNELL
G.PHILLIPS,R.PHILLIPS,SHARP,ULMER,HUDSON

JRN-DATE	JRN-PG	ACTION
04/03/91	00667	(H) READ THE FIRST TIME - REFERRAL(S)
04/03/91	00668	(H) STATE AFFAIRS, FINANCE
04/05/91	00709	(H) CO-SPONSOR ADDED: HUDSON
04/17/91	N/A	(H) STA AT 08:30 AM CAPITOL ROOM 102

ACTION NARRATIVE

TAPE 36, SIDE A Number 000

The House State Affairs Committee meeting was called to order by Chairman Kubina at 8:43 a.m. Members present were Representatives (Reps.) Kubina, Moyer, Choquette, Bruckman, and Miller.

Chairman Kubina announced that the committee would then hear HB 20 and asked REP. BERT SHARP, prime sponsor of HB 20, to join the committee at the table and introduce his bill. Chairman Kubina noted that there was a sponsor substitute (SS) for HB 20.

Rep. Sharp noted that he had enjoyed the April 1st meeting on SSHB 20 via teleconference. He stated that SSHB 20 would correct the problems regarding nursing home residents who are denied longevity bonus payments. Rep. Sharp said that anyone who moves into a nursing home becomes ineligible for longevity bonus payments.

Rep. Sharp stated that there were some constitutional questions about the longevity bonus program and that 30 to 35 people would be affected by SSHB 20.

Rep. Sharp stated that people residing in nursing homes who pay all of their own costs of care from private sources would become eligible for longevity bonus payments under SSHB 20.

Number 320

Rep. Sharp told the committee the the fiscal notes of SSHB 20 and HB 11 overlap for about \$6,000. He added that the longevity bonus hold harmless cost was six million dollars.

Rep. Sharp added that SSHB 20 would correct the discrimination in the longevity bonus program by adding a paragraph to existing statute to clarify that a self-paying resident in a nursing home would still qualify for the longevity bonus program.

Number 360

Chairman Kubina asked BARBARA BATHONY, Director of the Division of Pioneer Benefits, to explain why the Division questioned if SSHB 20 was constitutional.

Ms. Bathony stated that there was some question as to whether different groups of people would be treated equally under SSHB 20.

Number 387

Rep. Gruenberg arrived at 9:00 a.m.

Ms. Bathony added that the constitutional question arose because of the federally funded programs for medicaid and veterans.

Rep. Miller stated that he agreed with Rep. Sharp that the

whole program may be unconstitutional and he viewed SS HB 20 as a fairness issue. He added that a person's change of residence should not result in denial of the longevity bonus.

Ms. Bathony stated that the Department of Administration supported SSHB 20. She also said that the \$84,000 fiscal note is an estimate of the cost of SSHB 20 and may actually be lower.

Number 414

ROSE PALMQUIST, Wasilla, Older Persons Action Group (OPAG), stated that OPAG supported SSHB 20. She noted her concern about the word "nongovernmental" and said that while Rep. Sharp felt that social security is not considered governmental money, she thought that it was.

Number 438

Rep. Bruckman noted that social security and pension checks are issued to an individual and that they seemed like private funds to her.

Rep. Gruenberg stated that the committee may want to eliminate the word "nongovernmental".

Rep. Sharp stated that the elimination of the word would be fine with him.

Rep. Bruckman made a motion to amend SSHB 20 by removing the word "nongovernmental" from line seven, page one.

There were no objections and HB 20 was so amended.

Rep. Baker made a motion to adopt the CS for SSHB 20.

There were no objections and the CS was adopted.

Rep. Baker made a motion to pass the CS for SSHB 20 out of committee with individual recommendations. There were no objections and it was so moved.

Number 500

HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES
STANDING COMMITTEE

May 6, 1991
8:00 a.m.

MEMBERS PRESENT

Rep. Georgianna Lincoln, Co-Chair
Rep. Patrick Carney, Co-Chair
Rep. Mark Hanley
Rep. John Gonzales
Rep. Mary Miller

MEMBERS ABSENT

Rep. Bettye Davis, Vice-Chair
Rep. Cheri Davis

COMMITTEE CALENDAR

HB 253: "An Act relating to training for child care workers."

CSHB 253(HES) - MOVED OUT WITH INDIVIDUAL RECOMMENDATIONS

*HB 52: "An Act relating to child support for children who are not minors and representation of their interest during certain proceedings."

HEARD AND REFERRED TO SUBCOMMITTEE

HB 132: "An Act making a special appropriation to the Department of Transportation and Public Facilities, Alaska marine highway system, for handicapped access on certain state ferries; and providing for an effective date."

CSHB 132(TRA) MOVED OUT - DO PASS

HB 20: "An Act relating to qualifications for longevity bonus payments; and providing for an effective date."

CSSSHB 20(STA) MOVED OUT - DO PASS

*HJR 42: Urging the Bush Administration and the Congress to increase funding for the Women, Infants, and Children Program so that it is available to all eligible persons.

NOT HEARD - HELD OVER TILL TUESDAY, MAY 7, 1991

* First public hearing.

WITNESS REGISTER

Dianne Lindback, Legislative Aide
Rep. Fran Ulmer
P.O. Box V
Juneau, Alaska 99811
(907) 465-4947
Position Statement: Commented on HB 52

Ardith Lynch, Deputy Director
Child Support Enforcement Division
Department of Revenue
550 West 7th
Anchorage, Alaska 99501
(907) 263-6272
Position Statement: Commented on HB 52

Sherry Goll, Lobbyist
Alaska Women's Lobby
P.O. Box 22156
Juneau, Alaska 99802
(907) 463-6744
Position Statement: Supported HB 52

Rep. Jerry Mackie
House of Representatives
P.O. Box V
Juneau, Alaska 99811
(907) 465-4925
Position Statement: Prime Sponsor of HB 132

Jim Ayers, Director
Alaska Marine Highway System
P.O. Box R
Juneau, Alaska 99811
(907) 465-3959
Position Statement: Commented on HB 132

Rep. Bert Sharp
House of Representatives
P.O. Box V
Juneau, Alaska 99811
(907) 465-3004
Position Statement: Prime Sponsor of HB 20

Barbara Bathony, Director
Pioneers' Benefits

Department of Administration
P.O. Box CL
Juneau, Alaska 99811
(907) 465-4400
Position Statement: Commented on HB 20

Gordon Landes, Public Assistance Program Officer
Division of Medical Assistance
Department of Health and Social Services
P.O. Box H-07
Juneau, Alaska 99811
(907) 465-3355
Position Statement: Commented on HB 20

Joe Penttila, President
Pioneer of Alaska, Igloo 25, Petersburg
P.O. Box 1069
Petersburg, Alaska 99833
(907) 772-3531
Position Statement: Supported HB 20

PREVIOUS ACTION

BILL: HB 253
SHORT TITLE: TRAINING OF CHILD CARE WORKERS

PRIME SPONSOR: ELLIS
CO-SPONSOR: C.DAVIS,GRUENBERG,KOPONEN,ULMER

JRN-DATE	JRN-PG	ACTION
04/03/91	667	(H) READ THE FIRST TIME - REFERRAL(S)
04/03/91	667	(H) CRA, HES, FIN
04/24/91		(H) CRA AT 01:30 PM CAPITOL RM 124
04/24/91		(H) MINUTE(CRA)
04/26/91	969	(H) CRA RPT CS(CRA) NEW TITLE 4DP 3NR
04/26/91	970	(H) -FISCAL NOTE (DC&RA) 4/26/91
05/02/91		(H) HES AT 08:00 AM CAPITOL RM 106
05/02/91		(H) MINUTE(HES)
05/02/91		(H) MINUTE(HES)
05/03/91		(H) MINUTE(HES)
05/06/91		(H) MINUTE(HES)

BILL: HB 52
SHORT TITLE: CHILD SUPPORT FOR NONMINORS

PRIME SPONSOR: ULMER
CO-SPONSOR: B.DAVIS

JRN-DATE	JRN-PG	ACTION
01/22/91	42	(H) READ THE FIRST TIME -

REFERRAL(S)
01/22/91 42 (H) HES, JUDICIARY
05/06/91 (H) HES AT 08:00 AM CAPITOL RM 106
05/06/91 (H) MINUTE(HES)

BILL: HB 132
SHORT TITLE: APPROP: HANDICAPPED ACCESS ON FERRIES

PRIME SPONSOR: MACKIE
CO-SPONSOR: HUDSON,BROWN

JRN-DATE	JRN-PG	ACTION
02/11/91	201	(H) READ THE FIRST TIME - REFERRAL(S)
02/11/91	202	(H) TRA, HES, FINANCE
02/20/91	280	(H) CO-SPONSOR ADDED: BROWN
03/05/91		(H) TRA AT 08:30 AM CAPITOL RM 17
03/05/91		(H) MINUTE(TRA)
04/18/91		(H) TRA AT 08:30 AM CAPITOL RM 17
04/23/91		(H) TRA AT 08:30 AM CAPITOL RM 17
04/23/91		(H) MINUTE(TRA)
04/24/91	926	(H) TRA RPT CS(TRA) 3DP 1NR
04/24/91	926	(H) LETTER OF INTENT WITH TRA REPORT
05/06/91	1137	(H) HES RPT CS(TRA) 5DP
05/06/91	1138	(H) REFERRED TO FINANCE
05/06/91		(H) HES AT 08:00 AM CAPITOL RM 106
05/06/91		(H) MINUTE(HES)

BILL: HB 20
SHORT TITLE: LONGEVITY BONUS/NURSING HOME RESIDENTS
NAME: SSHB 20

PRIME SPONSOR: SHARP
CO-SPONSOR: TAYLOR,GONZALES,GRUENBERG,IVAN,MARTIN,
M.A.MILLER,G.PHILLIPS,HUDSON,ZAWACKI,LEMAN

JRN-DATE	JRN-PG	ACTION
01/11/91	21	(H) PREFILE RELEASED
01/21/91	21	(H) READ THE FIRST TIME - REFERRAL(S)
01/21/91	21	(H) STATE AFFAIRS, HES, FINANCE
01/23/91	60	(H) CO-SPONSOR ADDED: TAYLOR
02/04/91	142	(H) SPONSOR SUBSTITUTE INTRODUCED -REFERRALS
02/04/91	142	(H) STATE AFFAIRS, HES, FINANCE
02/06/91	173	(H) CO-SPONSOR ADDED: HUDSON, ZAWACKI
02/11/91	204	(H) CO-SPONSOR ADDED: LEMAN
02/27/91		(H) STA AT 08:30 AM CAPITOL RM 102
04/01/91		(H) STA AT 01:00 PM ANCHORAGE LIO
04/01/91		(H) MINUTE(STA)
04/17/91		(H) STA AT 08:30 AM CAPITOL RM 102

04/17/91 (H) MINUTE(STA)
 04/19/91 864 (H) STA RPT CS(STA) 6DP
 04/19/91 864 (H) -FISCAL NOTE (ADM) 4/19/91
 04/19/91 864 (H) -ZERO FISCAL NOTE (DHSS)
 4/19/91
 05/06/91 1136 (H) HES RPT CS(STA) 4DP
 05/06/91 1136 (H) -FISCAL NOTE (ADM) 5/6/91
 05/06/91 1137 (H) -PREV ZERO FN (DHSS) 4/19/91
 05/06/91 1137 (H) REFERRED TO FINANCE
 05/06/91 (H) HES AT 08:00 AM CAPITOL RM 106
 05/06/91 (H) MINUTE(HES)

BILL: HJR 42

SHORT TITLE: FUNDING OF WOMEN/INFANTS/CHILDREN PROGRAM

PRIME SPONSOR: B.DAVIS

CO-SPONSOR: BROWN, ELLIS, KOPONEN, C.DAVIS, BRUCKMAN,
 FINKELSTEIN, ULMER, NAVARRE, MOYER, MACLEAN,
 LINCOLN, KUBINA, JACKO, IVAN, GRUENBERG, MACKIE,
 BOYER, PARNELL, LARSON, CARNEY, DONLEY, BAKER,
 FOSTER, GONZALES, SHARP, ZAWACKI, DAVIDSON

JRN-DATE	JRN-PG	ACTION
04/26/91	976	(H) READ THE FIRST TIME - REFERRAL(S)
04/26/91	976	(H) HES
04/29/91	1023	(H) CO-SPONSOR ADDED: DAVIDSON
05/06/91		(H) HES AT 08:00 AM CAPITOL RM 106
05/06/91		(H) MINUTE(HES)
05/06/91		(H) MINUTE(HES)

ACTION NARRATIVE

TAPE 49, SIDE A Number 000

The House Committee on Health, Education and Social
 Services (HESS) was called to order by Co-Chair Georgianna
 Lincoln at 8:12 a.m. on May 6, 1991. Representatives
 (Reps.) Patrick Carney, John Gonzales, Mark Hanley, Mary
 Miller and Chair Georgianna Lincoln were present. Reps.

Bettye Davis and Cheri Davis were absent.

Chair Lincoln announced that the meeting was on
 teleconference with Anchorage, Mat-Su, Petersburg, and
 Soldotna. She informed members they would first consider
 HB 253, which had previously been heard on Friday, May 3,
 1991.

Rep. John Gonzales announced his intent to stay long enough in order to act on HB 20. Rep. Mary Miller also stayed.

Number 111

REP. BERT SHARP, prime sponsor of HB 20, described HB 20.

Rep. Carney asked if HB 20 could affect medicaid payments.

Rep. Sharp replied that it shouldn't affect medicaid payments.

Rep. Carney stated that he supported the idea.

Chair Lincoln noted the Department of Administration's (DOA) fiscal note, page 2, which stated: "The division questions if this bill is constitutional."

Rep. Sharp referred to Ms. Bathony of the DOA.

Number 233

BARBARA BATHONY, Director, Pioneers' Benefits, DOA, commented on HB 20. She stated that since so few people are involved, HB 20 may be challenged. She stated that she felt comfortable with HB 20 as it stands.

Number 262

GORDAN LANDES, Public Assistance Program Officer, Division of Medical Assistance, Department of Health and Social Services, discussed the medicaid issue.

Number 298

JOE PENTTILA, via teleconference from Petersburg, President, Petersburg Pioneers of Alaska, Igloo 25, supported HB 20.

Rep. Gonzales made a motion to move CSSH B 20(STA) out of committee with individual recommendations. There being no objections; it was so ordered.

HOUSE STATE AFFAIRS COMMITTEE
WORK SESSION
April 1, 1991
1:00 p.m.

MEMBERS PRESENT

Rep. Gene Kubina, Chairman
Rep. Max Gruenberg
Rep. Dave Choquette
Rep. Betty Bruckman
Rep. Larry Baker

MEMBERS ABSENT

Rep. Tom Moyer, Vice Chairman
Rep. Mike Miller

COMMITTEE CALENDAR

*HB 11: "An Act relating to qualifications for longevity bonus payments; and providing for an effective date."

HEARD AND HELD

*HB 20: "An Act relating to qualifications for longevity bonus payments; and providing for an effective date."

HEARD AND HELD

*HB 122: "An Act relating to qualifications for a longevity bonus; and providing for an effective date."

HEARD AND HELD

UNSCHEDULED BILLS DISCUSSED

SB 8: "An Act amending and making effective an annuity program and amendments to the longevity bonus program and the permanent fund dividend program provided for in secs. 2 - 18, ch. 99, SLA 1985;

and providing for an effective date."

SB 34: "An Act relating to absence from the state for purposes of qualifying for longevity bonuses."

SB 159: "An Act relating to the Alaska longevity bonus

WITNESS REGISTER

Representative Dave Donley
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
Phone: 465-3892
Position Statement: Spoke in reference to Longevity Bonus

Representative Pat Parnell
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
Phone: 465-2647
Position Statement: Spoke in reference to Longevity Bonus

Representative Mark Boyer
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
Phone: 465-3466
Position Statement: Prime Sponsor of HB 11

Representative Bert Sharp
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
Phone: 465-3004
Position Statement: Prime Sponsor of HB 20

Representative Robin Taylor
Alaska House of Representatives
P.O. Box V
Juneau, AK 99811
Phone: 465-3873
Position Statement: Prime Sponsor of HB 122

Lucille Brenwick
P.O. Box 5
Copper Center, AK 99573
Phone: 822-3491
Position Statement: Spoke in reference to Longevity Bonus

Homer Thompson
P.O. Box 9
Homer, AK 99603
Position Statement: Spoke in reference to Longevity Bonus

Doris James
36745 James Road
Homer, AK 99603
Position Statement: Spoke in reference to Longevity Bonus

John Child
P.O. Box 543
Homer, AK 99603
Phone: 235-8807
Position Statement: Spoke in reference to Longevity Bonus

Clara Sypniewski
P.O. Box 921
Wrangell, AK 99929
Phone: 874-2306
Position Statement: Spoke in reference to Longevity Bonus

Lindy Loudermilk
10441 Loudermilk Circle
Anchorage, AK 99516
Phone: 346-1671
Position Statement: Spoke in reference to Longevity Bonus

Louie Stevens
2026 E. 37
Anchorage, AK 99508
Phone: 561-0308
Position Statement: Spoke in reference to Longevity Bonus

Orian Christianson
9635 Stonegate Drive
Anchorage, AK 99515
Phone: 349-4506
Position Statement: Spoke in reference to Longevity Bonus

Leberta Martin
2120 C Street, #2
Anchorage, AK 99503
Phone: 279-0891
Position Statement: Spoke in reference to Longevity Bonus

Vernon Bailey
7247 Spruce Street
Anchorage, AK 99507
Phone: 333-8894
Position Statement: Spoke in reference to Longevity Bonus

Donald Gates
2501 Lake Otis
Anchorage, AK 99508
Phone: 277-5991
Position Statement: Spoke in reference to Longevity Bonus

John Riley
P.O. Box 110512
Anchorage, AK 99511
Phone: 345-1719
Position Statement: Spoke in reference to Longevity Bonus

Henrietta Smay
P.O. Box 110235
Anchorage, AK 99511
Phone: 345-0538
Position Statement: Spoke in reference to Longevity Bonus

Robert Smay
P.O. Box 110235
Anchorage, AK 99511
Phone: 345-0538
Position Statement: Spoke in reference to Longevity Bonus

June Naccarato
1903 Lake Otis
Anchorage, AK 99507
Phone: 272-6929
Position Statement: Spoke in reference to Longevity Bonus

C. Lippitt
2203 McKinley Ave.

Anchorage, AK 99517
Phone: 248-4770
Position Statement: Spoke in reference to Longevity Bonus

T. P. Burrell
3716 Wesleyan
Anchorage, AK 99508
Phone: 333-2774
Position Statement: In Favor of SB, HB 20 and SB 34
Opposed to HB 122

A. O. Syren
P.O. Box 102575
Anchorage, AK 99510
Phone: 258-9955
Position Statement: Spoke in reference to Longevity Bonus

Bill Hardesty
2117 Hillcrest
Anchorage, AK 99503
Phone: 277-7006
Position Statement: Spoke in reference to Longevity Bonus

H. P. Gazaway
1521 W. 14th
Anchorage, AK 99501
Phone: 277-2073
Position Statement: Spoke in reference to Longevity Bonus

Helen Jadack

200 23rd Ave. West
Anchorage, AK 99503
Phone: 272-1074
Position Statement: Spoke in reference to Longevity Bonus

Ernest Line
2645 Whispering Woods
Wasilla, AK 99687
Phone: 376-6709
Position Statement: Spoke in reference to Longevity Bonus

Roberley R. Waldron
Department of Administration
P.O. Box C
Juneau, AK 99811
Phone: 465-2200
Position Statement: Spoke in reference to Longevity Bonus

Barbara Bathony
Department of Administration
P.O. Box C
Juneau, AK 99811
Phone: 465-2200
Position Statement: Spoke in reference to Longevity Bonus

Gordon Landes
Division of Medical Assistance
P.O. Box H-07
Juneau, AK 99811
Phone: 465-3030
Position Statement: Spoke in reference to Longevity Bonus

Tom Hollis
P.O. Box 870675
Wasilla, AK 99687
Phone: 376-6709
Position Statement: Spoke in reference to Longevity Bonus

Holly Hollis
P.O. Box 870675
Wasilla, AK 99687
Phone: 376-6709
Position Statement: Spoke in reference to Longevity Bonus

Roxolana E. Pomeroy
2824 Kimberlie Court
Anchorage, AK 99508
Phone: 5610651
Position Statement: Submitted written testimony against
Longevity Bonus

Jim Moody
665 10th Avenue

Fairbanks, AK 99701
Phone: 456-3000
Position Statement: In Favor of HB 20 and spoke in
reference to other Longevity Bonus
bills

Pauline Burnette
2534 Crestwood
Anchorage, AK 99508
Phone: 276-4365
Position Statement: Spoke in reference to Longevity Bonus

Rose Palmquist
P.O. Box 870294
Wasilla, AK 99687
Phone: 376-2279
Position Statement: Spoke in reference to Longevity Bonus

Jim McLaughlin
P.O. Box 880
Nome, AK 99764
Phone: 443-5377
Position Statement: Spoke in reference to Longevity Bonus

Myrtle Johnson
P.O. Box 608
Nome, AK 99764
Phone: 443-2842
Position Statement: Spoke in reference to Longevity Bonus

PREVIOUS ACTION

BILL: HB 11
PRIME SPONSOR: BOYER
CO-SPONSOR: ULMER

JRN-DATE	JRN-PG	ACTION
01/11/91	00019 (H)	PREFILE RELEASED
01/21/91	00019 (H)	READ THE FIRST TIME - REFERRAL(S)
01/21/91	00019 (H)	STATE AFFAIRS, HES, FINANCE
01/22/91	00048 (H)	CO-SPONSOR ADDED: ULMER
02/27/91	N/A (H)	STA AT 08:30 AM CAPITOL RM 102
04/01/91	N/A (H)	STA AT 01:00 PM ANCHORAGE LIO

BILL: HB 20
PRIME SPONSOR: SHARP
CO-SPONSOR: TAYLOR, GONZALES, GRUENBERG, IVAN, MARTIN,
M.A. MILLER, G. PHILLIPS, HUDSON, ZAWACKI, LEMAN

JRN-DATE	JRN-PG	ACTION
01/11/91	00021 (H)	PREFILE RELEASED

01/21/91 00021 (H) READ THE FIRST TIME -
REFERRAL(S)
01/21/91 00021 (H) STATE AFFAIRS, HES, FINANCE
01/23/91 00060 (H) CO-SPONSOR ADDED: TAYLOR
02/04/91 00142 (H) SPONSOR SUBSTITUTE INTRODUCED
-REFERRALS
02/04/91 00142 (H) STATE AFFAIRS, HES, FINANCE
02/06/91 00173 (H) CO-SPONSOR ADDED: HUDSON,
ZAWACKI
02/11/91 00204 (H) CO-SPONSOR ADDED: LEMAN
02/27/91 N/A (H) STA AT 08:30 AM CAPITOL RM 102
04/01/91 N/A (H) STA AT 01:00 PM ANCHORAGE LIO

BILL: HB 122
PRIME SPONSOR: TAYLOR
CO-SPONSOR: G.PHILLIPS,M.A.MILLER

JRN-DATE	JRN-PG	ACTION
02/08/91	00183	(H) READ THE FIRST TIME - REFERRAL(S)
02/08/91	00183	(H) STATE AFFAIRS, HES, FINANCE
02/13/91	00230	(H) CO-SPONSOR ADDED: G.PHILLIPS
03/15/91	00496	(H) CO-SPONSOR ADDED: M.A.MILLER
04/01/91	N/A	(H) STA AT 01:00 PM ANCHORAGE LIO

BILL: SB 8
PRIME SPONSOR: KERTTULA
CO-SPONSOR: HALFORD

JRN-DATE	JRN-PG	ACTION
01/11/91	00021	(S) PREFILE RELEASED
01/21/91	00021	(S) READ THE FIRST TIME - REFERRAL(S)
01/21/91	00021	(S) STATE AFFAIRS, THEN FINANCE
02/08/91	00183	(S) CO-SPONSOR ADDED: HALFORD

BILL: SB 34
PRIME SPONSOR: POURCHOT
CO-SPONSOR: COLLINS

JRN-DATE	JRN-PG	ACTION
01/11/91	00028	(S) PREFILE RELEASED
01/21/91	00028	(S) READ THE FIRST TIME - REFERRAL(S)
01/21/91	00028	(S) STATE AFFAIRS, THEN FINANCE
01/28/91	N/A	(S) STA AT 01:30 PM BELTZ RM 211
01/28/91	N/A	(S) MINUTE(STA)
01/30/91	N/A	(S) STA AT 01:30 PM BELTZ RM 211
01/30/91	N/A	(S) MINUTE(STA)
02/04/91	N/A	(S) STA AT 01:30 PM BELTZ RM 211
02/04/91	N/A	(S) MINUTE(STA)
02/08/91	00176	(S) STA RPT CS 2DP 1NR SAME TITLE
02/08/91	00177	(S) FN TO SB PUBLISHED (ADM)

02/08/91 00177 (S) ZERO FN TO CS PUBLISHED (ADM)
 02/12/91 00215 (S) FIN RPT 6DP (STA)CS
 02/12/91 00215 (S) PREVIOUS ZERO FN TO STA CS
 (ADM)
 02/12/91 00215 (S) REFERRED TO RULES
 02/12/91 N/A (S) FIN AT 09:00 AM FINANCE RM 518
 02/12/91 N/A (S) MINUTE(FIN)
 02/13/91 N/A (S) RLS AT 11:30 AM BUTROVICH RM
 205
 02/13/91 N/A (S) MINUTE(RUL)

BILL: SB 159

PRIME SPONSOR: RULES BY REQUEST OF THE GOVERNOR

JRN-DATE	JRN-PG	ACTION
03/01/91	00406	(S) READ THE FIRST TIME - REFERRAL(S)
03/01/91	00406	(S) HES, STATE AFFAIRS, JUDICIARY, FINANCE
03/01/91	00406	(S) FISCAL NOTE PUBLISHED (ADM)
03/01/91	00406	(S) GOVERNOR'S TRANSMITTAL LETTER
03/06/91	00454	(S) REFERRAL SEQUENCE CHANGED:
03/06/91	00455	(S) STA, HES, JUD, FIN
03/27/91	N/A	(S) STA AT 01:30 PM BELTZ RM 211

ACTION NARRATIVE

TAPE 27, SIDE A Number 000

The House State Affairs Committee meeting was called to order by Chairman Kubina at 1:14 p.m. Members present were Reps. Kubina, Gruenberg, Choquette, Bruckman, and Baker.

Chairman Kubina announced that the meeting was a WORK SESSION on HB 11, HB 20 and HB 122. Chairman Kubina also stated that discussion would be held regarding SB 8, SB 34 and SB 159.

Rep. Boyer, prime sponsor of HB 11, introduced his bill.

Rep. Sharp, prime sponsor of HB 20, introduced his bill.

Rep. Taylor, prime sponsor of HB 122, introduced his bill.

Chairman Kubina then called on the witnesses in Anchorage and around the state on teleconference to testify.

Testimony continued through all of Tape 27, Sides A and B.

On Side B, Number 200, Chairman Kubina called for anyone in the audience or on teleconference who was in support of SB 159 to come forward. No one did and this was noted for the record.

Audience and teleconference testimony on the Longevity Bonus continued through Tape 28, Sides A and B.

There being no further business to come before the House State Affairs Committee, Chairman Kubina adjourned the meeting at 4:04 p.m.

Attachments, written testimony, tapes and a printed copy of the minutes for this meeting can be found in the House State Affairs Committee, Room 102, Capitol, until final adjournment of the 17th Legislature; thereafter, they may be found in the Legislative Reference Library, Court Plaza, 6th floor.

House
91
HSTA



Teleconference Participants

TCN: 10566

Participant Lists

View List for

ALL



Testifiers



Go >>>

Close Window

Participants

Unidentified Testifiers: 0

Unidentified Observers: 0

ANCHORAGE (ANC)

1

Name: Mr. Laddie Shaw

Phone:

Address:

Affiliation: DMVA

City /St /Zip:

Type: Testifier

Bill: SB 247: VETERANS' ELIGIBILITY FOR LONGEVITY BONUS

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education & Early Development
State of Alaska



Teleconference Participants

TCN: 10566

Participant Lists

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ALL

Testifiers

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Participants

Unidentified Testifiers:

Unidentified Observers:

ANCHORAGE (ANC)

1

Name: Mr. Laddie Shaw

Address:

City /St /Zip:

Bill: SB 247: VETERANS' ELIGIBILITY FOR LONGEVITY BONUS

Phone:

Affiliation: DMVA

Type: Testifier



Teleconference Participants

TCN: 10499

Participant Lists

View List for

ALL

Testifiers

Go

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Participants

Unidentified Testifiers: 0

Unidentified Observers: 0

KETCHIKAN (KTN)

1 Name: Ms. Andrea Jacobson
Address:
City / St / Zip: Ketchikan AK 99901
Bill: Confirmation Hearing

Phone:
Affiliation: APOC
Type: Testifier

NOME (NOM)

1 Name: Mr. Emory C. Wheeler
Address: PO Box 1209
City / St / Zip: Nome AK 99762
Bill: SB 247: VETERANS' ELIGIBILITY FOR LONGEVITY BONUS

Phone: 443-7206
Affiliation:
Type: Testifier

we ALSO HAVE
Laddie SHAW
on Line For
BOTH SB247
+ SB236

Robert F. Nesvick
2500 FORAKER DR.
ANCHORAGE AK 99517
Phone 907-243-6303
Feb. 28, 2000

Senator Loren Leman
State Office Building
JUNEAU AK FAX # 907-465-3810

Re: The state statute that addresses a recipient of the Longevity Bonus receiving the monthly bonus while admitted to either a long term care facility or nursing home for one or more days:

As a disabled veteran I strongly object to this action when the V.A. is paying the entire cost of admission. Although the V.A. is not a private source it is federally funded and does not rely on state resources.

Veterans receiving service connected disability payments should not have to forfeit their monthly Longevity Bonus when admitted for a service connected disability.

Thank You

Robert F. Nesvick

Incl 1 ATCh

SB

262



SENATOR JERRY WARD

ALASKA STATE LEGISLATURE

SPONSOR STATEMENT FOR SB 262

“An Act relating to motor vehicle license plates for disabled persons.”

At this time a leased vehicle is considered owned by a commercial entity. The commercial entity is considered the legal owner. The handicap and/or disabled veterans plates are exempted from paying both the registration fees and taxes; therefore the free plates may not be used in conjunction with a commercially owned vehicle. SB 262 adds the words or leased and owned or leased to Section 1. AS 28.10.181(d) and to Section 2 AS 28.10.421 (d)(3). Adding this language will allow handicap and/or disabled veterans to place their license plates on a leased personal vehicle.

January-May: STATE CAPITOL • JUNEAU, AK • 99801-1182 • (907) 465-4940 • FAX (907) 465-3766
ANCHORAGE: 716 W. 4th AVE. • STE. 450 • ANCHORAGE, AK 99501 • (907) 269-0106 • FAX (907) 269-0109
KENAI: 145 MAIN STREET LOOP • KENAI, AK • 99611 • (907) 283-7996 • FAX (907) 283-3075

Chairman, Senate Transportation Committee • Chairman, Senate State Affairs Committee
Senator_Jerry_Ward@legis.state.ak.us

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. SB 262

Revision Date/Time (Note if correction) _____ Dept. Affect Administration
 Title "An act relating to motor vehicle license plates BRU Division of Motor Vehicles
for disabled persons." Component Motor Vehicles
 Sponsor Senator Ward
 Requester (S) STA Component Serial No. 2348

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()	(173.8)	(173.8)	(173.8)	(173.8)	(173.8)	(173.8)
------------------------	---------	---------	---------	---------	---------	---------

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY00) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS. (Attach a separate page if necessary)

See attached sheet.

Prepared by Charles R. Hosack Phone 269-5559
 Division Motor Vehicles Date/Time _____
 Approved by Commissioner Robert Poe, Jr. Alison M. Elger Date 2/22/00
 Agency Department of Administration

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

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FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

Bill No. SB 262

Analysis Continued

Registration fees are charged to the owner of the vehicle rather than the person using the vehicle. A person leasing a vehicle has no ownership rights in the vehicle and therefore DMV charges no fees to this person. The fees are charged to the commercial leasing company that owns the vehicle. In one respect since DMV charges no fees to the person leasing the vehicle, DMV cannot exempt them from fees that are not assessed and therefore the bill has no fiscal impact.

It appears that the sponsor's intent is to exempt commercial companies from paying registration fees if the vehicle is leased to a person with qualifying disabilities. If the bill were amended to accomplish this, there would be a revenue loss to the state. In 1999 there were 5539 vehicles registered by persons with disabilities and these vehicles were registered at no charge. Industry reports are that approximately 20% of new vehicles are leased. If this same percentage were applied to these vehicles then an additional 1100 vehicles could be exempt from the biennial registration of \$158. The revenue loss to the state would be \$173,800. This bill does not exempt the person from paying the municipal taxes that are collected by DMV at time of registration so there is no revenue loss to the municipalities.

STATE OF ALASKA

TONY KNOWLES,
GOVERNORRobert Poe
CommissionerDEPARTMENT OF ADMINISTRATION
Division of Motor Vehicles43335 Kalifornsky Beach Rd
Suite 10
Soldotna, AK 99669

(907)262-4681

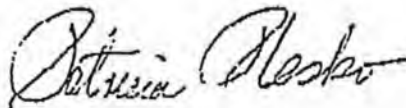
Ed Sipple
176 Farnsworth
Soldotna, AK 99669

Dear Mr. Sipple:

January 28, 2000

You have asked for a letter stating why we are unable to place your handicap plates upon your leased vehicle. A leased vehicle is owned by the commercial entity, which in your case is GMAC. You have entered into a contract with GMAC to use this vehicle for the duration agreed upon. They are the legal owners. The handicap plates are exempted from paying both the registration fees and any taxes; therefore the free plates may not be used in conjunction with a commercially owned vehicle. Registration fees are governed by Alaska Statute 28.10.421. You may find an interesting letter to the editor, in the Anchorage Daily News, dated July 11th, 1999 contributed by the director of the Division of Motor Vehicles, regarding the subject of leased vehicles and their fees.

I sincerely hope this information is helpful. You may call us if you have any questions. We do answer the phone from 8:30 am until 10:00 am. Monday through Friday.

Patricia Plesko,
Office Manager

1-LS1408VA
Ford
2/8/00

SENATE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY SENATOR WARD

Introduced:
Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to motor vehicle license plates for disabled persons."**

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

3 *** Section 1.** AS 28.10.181(d) is amended to read:

4 (d) Vehicles owned or leased by disabled veterans, including persons disabled
5 in the line of duty while serving in the Alaska Territorial Guard, or other persons with
6 disabilities. Upon the request of a person with a disability that limits or impairs the
7 ability to walk, as defined in 23 C.F.R. 1235.2, the department shall (1) register one
8 owned or leased passenger vehicle in the name of the person without charge; and (2)
9 issue a specially designed registration plate that displays (A) recognition of the
10 disabled veteran if the applicant's disability originated from the applicant's service with
11 the Alaska Territorial Guard or the armed forces of the United States; and (B) the
12 standard symbol of disability (the wheelchair logo). A disabled veteran who is not
13 otherwise qualified under this subsection, but who presents to the department written
14 proof that the person is at least 70 percent disabled or medically handicapped as a
15 consequence of service in the Alaska Territorial Guard or the armed forces of the

1 United States, may register one owned or leased passenger vehicle without charge,
 2 and the department shall issue a specially designed registration plate that displays
 3 recognition of the disabled veteran that does not display the standard handicap symbol
 4 and does not carry with it special parking privileges. For purposes of this subsection,
 5 proof of disability may be provided by a person licensed as a physician under
 6 AS 08.64 or as an advanced nurse practitioner under AS 08.68.

7 * Sec. 2. AS 28.10.421(d)(3) is amended to read:

8 (3) a vehicle owned or leased by a disabled veteran or other
 9 handicapped person [,] and registered under AS 28.10.181 or a vehicle owned by a
 10 resident 65 years of age or older who files a written application for an exemption on
 11 a form prescribed by the department none;

FAX COVER SHEET

Senator Jerry Ward

Alaska State Senate

907 465-4940

907 465-3766 Fax

TO: Bob Favaretto

ATTN:

FAX NUMBER: 283 - 6506

FROM: Senator Jerry Ward

DATE: February 9, 2000

RE: I called your office this morning. Would like your opinion about the enclosed proposed bill. Your comments would be greatly appreciated. I can be reached at 283-7996. Thank you.

of page(s) including cover 3

E-mail: Sentator_Jerry_Ward@legis.state.ak.us

WORK ORDER REQUEST FORM

W.O. [21] LS-1408

KEYWORDS: DISABLED ASSIGNED: Ford

LICENSING

MOTOR VEHICLES

REQUEST FOR: New Bill TAKEN BY: Ford

SUBJECT: License Plates for Disabled

REQUESTED FOR: SEN WARD BY: Loretta PHONE: 465-4940

DELIVER TO: Sen. Ward, Cap. 423

INSTRUCTIONS: Amend AS 28.10.181(d) to allow a disabled person who leases a vehicle to get plates.

OBTAIN

SPECIAL DRAFTING INSTRUCTIONS ATTACHED []

AUTHORIZED TO CONFER WITH _____

RETURN _____

_____ TO REQUESTOR

APPROVED: DIRECTOR, LEGAL SERVICES

REVIEWED _____

IN 02/02/00 DUE _____

TYPED: Draft _____ Date _____

Final _____ Date _____

PROOFED _____ DELIVERED _____

SPECIAL INSTRUCTIONS to TYPING/PROOFING

Request for DRAFT