



Excluding business districts, alleys, school zones and residential districts, the speed limit on Alaskan roadways is:

- A 55
- B 50
- C 60
- D 45

An orange triangle with red borders like this sign means:



- A Slow moving vehicle
- B Detour
- C Work zone
- D Yield

Dim your headlights when you are _____ feet away from an oncoming vehicle.

- A 300 or more
- B 500 or more
- C 400 or more
- D 200 or more

Mandatory insurance laws require that proof of insurance be provided when involved in a crash. The penalty for driving without motor vehicle liability insurance is license suspension for a minimum of:

- A 60 days
- B 90 days
- C 2 years
- D 30 days

A conviction of reckless driving will result in:

- A Revocation of the license to drive.
- B Suspension of the privilege to drive.
- C A warning for the first occurrence, and a \$50 fine in the second.
- D A \$50 fine and 4 points on your record.

One of the ways to avoid a rear end collision with the car in front of you is:

- A Use the four-second rule.
- B Watch for brake lights.
- C Look for problems ahead.
- D All of the above.

4

This sign warns you to:



A Look for a traffic light ahead.

B Stop at the next intersection.

C Look for a railroad crossing ahead.

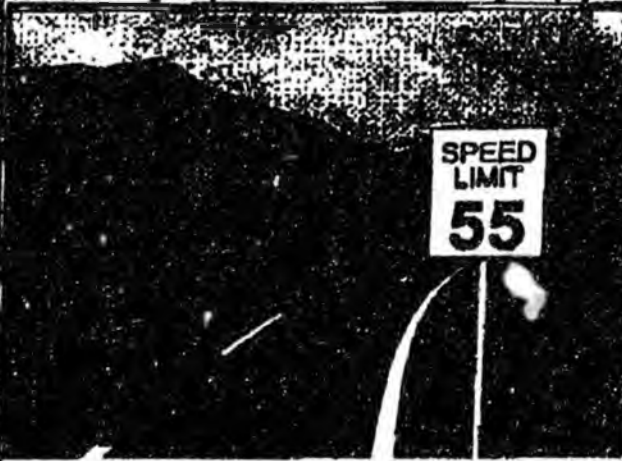
D None of these

5

Alaska Department of Motor Vehicles
Driver's License Test

I AM A SAMPLE	123-45-6789
General Knowledge	02-06-2007
Juneau Office	English(EN)
20 Questions	25 Minutes
	16 Questions

When this sign is posted on a multi-lane highway, you:



- A May go 60 miles per hour to pass another car.
- B Must go 55 miles per hour
- C May go 55 miles per hour
- D May not pass

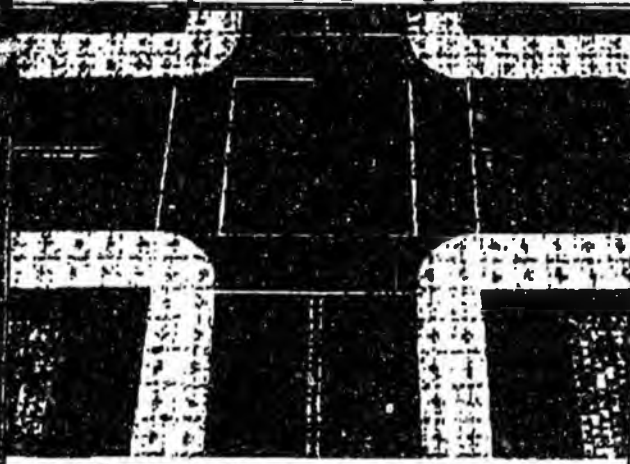
One of the penalties for Driving Under the Influence (DUI) or refusal to submit to a chemical test is loss of license for not less than:

- A 90 days
- B Six months.
- C 60 days
- D 30 days

Parking lights may only be used:

- A When visibility is poor
- B Within one hour of sunset or sunrise
- C When parked
- D All of these

The right of way law for going through an uncontrolled intersection states that:

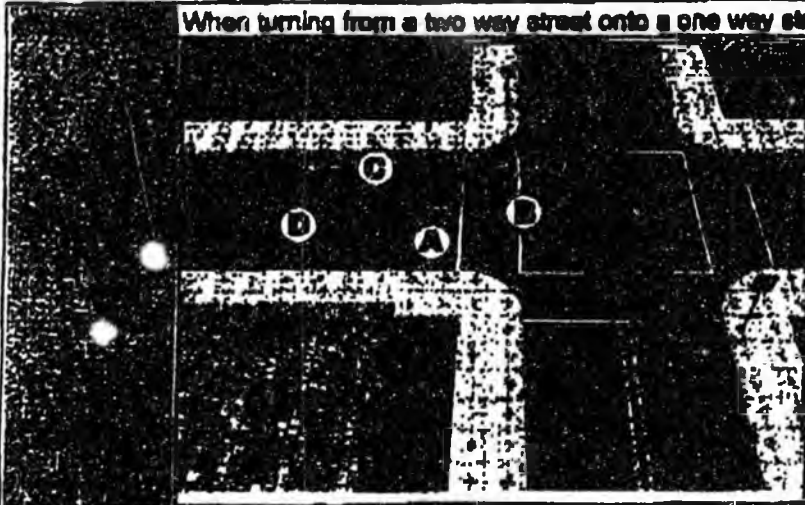


- A The driver on the right should blink the headlight to signal their intent.
- B The driver on the left has the right of way.
- C The driver on the left should never stop.
- D The driver on the right has the right of way.

Test #2

6

When turning from a two way street onto a one way street which path should you follow?



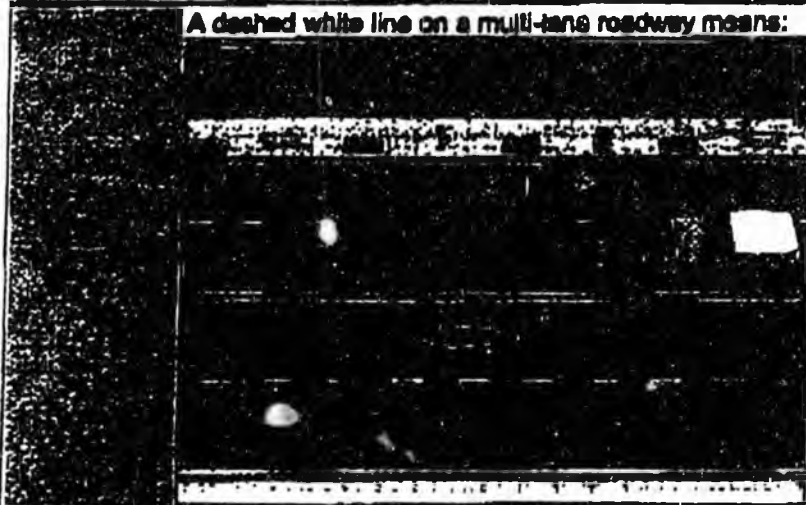
Path A

Path B

Path C

Path D

A dashed white line on a multi-lane roadway means:



Passing is permitted into any lane.

Passing is prohibited.

Passing is permitted into adjoining lane across dashed white line.

None of these

Statistics show that alcohol is

involved in more than half of all traffic deaths.

rarely involved in any traffic crashes.

the cause of all traffic crashes.

involved only in traffic crashes when death doesn't occur.

You are stopped at a railroad crossing and the train has just passed. You can:

Look to see if another train is coming and then cross the tracks if clear.

Pull aside to have a better view and then cross the tracks.

Start to cross the tracks.

Wait 20 seconds to cross the tracks.

Slower moving vehicles on a multi-lane highway should:

Use either lane

Use right hand lane

Use left hand lane

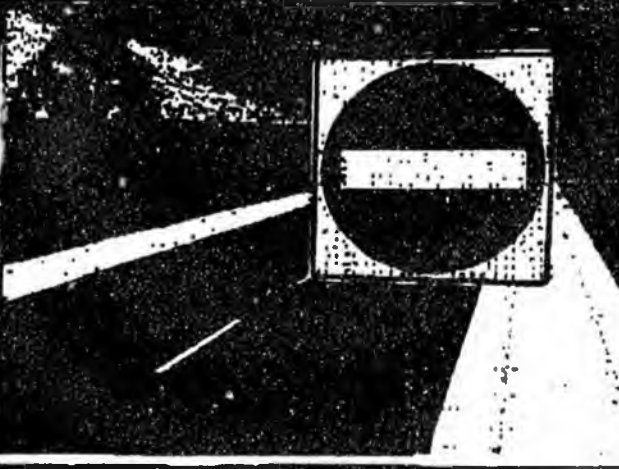
Use lane with least traffic



A siren is in operation on an emergency vehicle. You must:

- A Slow down and drive with caution
- B Stop where you are
- C Drive to the nearest intersection and stop
- D Pull over to the side and stop clear of intersection

When you see the sign below, you are allowed to:



- A Enter the street if you're only going less than one block.
- B Enter the street if the weather conditions are ideal
- C Drive in reverse into the street if you're only going less than a block.
- D None of these

A conviction of reckless driving will result in:

- A A warning for the first occurrence, and a \$50 fine in the second.
- B A \$50 fine and 4 points on your record.
- C Suspension of the privilege to drive.
- D Revocation of the license to drive.

You are driving on a highway with separated roadways with two or more lanes in each direction. A school bus has stopped in the opposite direction.

- A You must stop until the red lights stop flashing.
- B You must slow down.
- C You can proceed at 15 miles per hour.
- D You need not stop.

You must indicate your intention to turn at least _____ before turning.

- A 100 feet
- B 50 feet
- C 200 feet
- D 300 feet

Driving While Intoxicated (DWI) is a crime which carries mandatory jail sentence. What is the minimum jail time you will get in a first conviction for DWI?

- A 96 consecutive hours
- B 20 consecutive days
- C 10 consecutive days
- D 72 consecutive hours

At an intersection with a traffic light showing a left green arrow, you should:

- A Stop, then make the left turn
- B Wait until the light turns green
- C Turn left when intersection is clear
- D Always speed up and quickly turn left.

5

Operators or owners must have motor vehicle liability insurance coverage of not less than:

A \$50,000/\$100,000/\$25,000

B \$100,000/\$200,000/\$50,000

C \$25,000/\$50,000/\$5,000

D \$25,000/\$50,000/\$15,000

If you are involved in a traffic crash, you must notify the police as soon as possible, and must submit proof of insurance to DMV within 15 days:

A If there is death or personal injury or property damage of \$501.00 or more

B Only if there is property damage of \$2000.00 or more

C Only if there is property damage of \$1000.00 or more

D Or, there is death or personal injury

What does the solid red arrow mean?



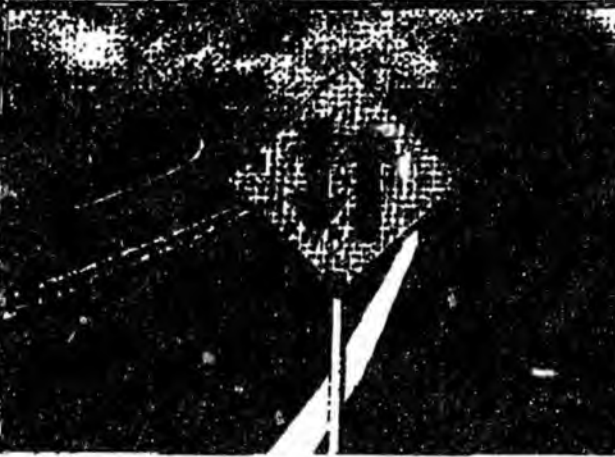
A Stop and do not turn until the arrow turns to green.

B Left turns are not permitted.

C Stop and then proceed only when it is safe to do so.

D None of these

The meaning of the sign below is:



A Two way road

B Keep to the right of a divided highway

C Traffic merging from the right

D Traffic merging from the left

9

Alaska Department of Motor Vehicles
Driver's License Test

I AM A SAMPLE	123-45-7894
General Knowledge	02-06-2007
Juneau Office	English(EN)
20 Questions	25 Minutes
	18 Questions

The school zone speed limit is:

A Only enforced when kids are arriving or leaving the school premises.

B Only enforced when weather conditions are less than ideal.

C 20 miles per hour

D 25 miles per hour

When backing up your vehicle you should:

A Use only your mirror to look out for things to the rear.

B Honk your horn so pedestrians and other vehicles know what you are doing

C Turn your body and head to the right to look out the rear window.

D None of these

Driving under less than ideal conditions requires you to adjust your speed to:

A Other traffic

B Weather conditions

C Existing road conditions

D All of these

The first thing affected after drinking alcohol is a person's:

A Speech

B Judgment

C Balance

D Vision

Upon the approach of a vehicle displaying a flashing blue or red light the law requires that you must:

A Stop where you are

B Drive to the nearest intersection & stop

C Pull over to the side & stop clear of any intersection

D Slow down & drive with caution

Mandatory insurance laws require that proof of insurance be provided when involved in a crash. The penalty for driving without motor vehicle liability insurance is license suspension for a minimum of:

A 90 days

B 60 days

C 2 years

D 30 days

One of the penalties for Driving Under the Influence (DUI) or refusal to submit to a chemical test is loss of license for not less than:

A Six months.

B 90 days

C 60 days

D 30 days

Test #3

10

When turning around on a city street, the safest idea is to:

- A Drive around the block.
- B Never make a "U" turn because it is illegal.
- C Back up to where you should have been.
- D Pull over and park.

An arrow painted on the roadway means:

- A You must only follow the arrow directions when traffic lights are not working.
- B It is suggested that you make the movement indicated by the arrow.
- C You must make the movement indicated by the arrow after coming to a complete stop.
- D You must make the movement indicated by the arrow.

A flashing yellow traffic signal means:



- A Stop
- B Go straight ahead
- C No left turn
- D Slow down and proceed with caution

The closest you can get to the back of an ambulance traveling in response to an emergency is:

- A 500 feet
- B 400 feet
- C 300 feet
- D 200 feet

When getting ready to pass, you should:

- A Move out across center line to better see the road ahead.
- B Pull up close to the vehicle in front of you as safely as possible.
- C Check for a no passing zone.
- D Try to avoid passing at all as this is a very dangerous maneuver.



The sign below means:

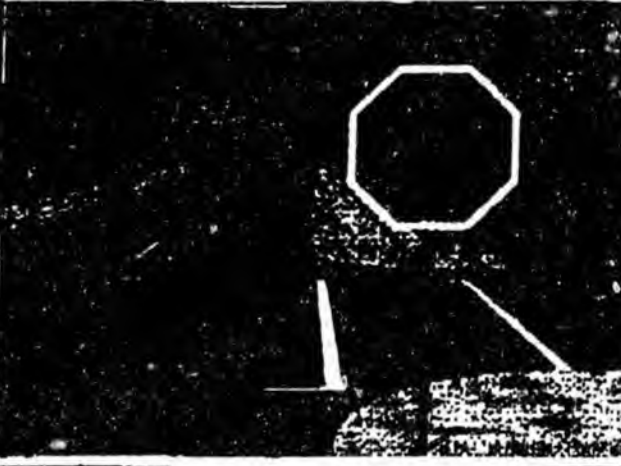


- A Sharp curve ahead
- B No left turn
- C No U turn
- D None of these

In the event of a crash, you are required to do what right away?

- A Help anyone who may be hurt
- B Stop at once
- C Warn other traffic
- D All of the above

At this sign you must:



- A Slow down and prepare to stop if another car is close
- B Make a complete stop
- C Stop at least two car lengths from the intersection
- D None of these

Dim your headlights when you are _____ feet away from an oncoming vehicle.

- A 300 or more
- B 500 or more
- C 400 or more
- D 200 or more

You are driving on a highway with separated roadways with two or more lanes in each direction. A school bus has stopped in the opposite direction.

- A You need not stop.
- B You must slow down.
- C You must stop until the red lights stop flashing.
- D You can proceed at 15 miles per hour.

12

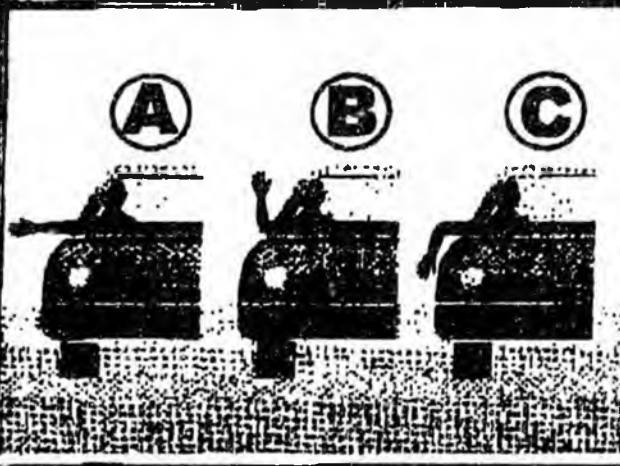
Test > I AM A SAMPLE | General Knowledge | 02-06-2007

This sign is at a corner where you want to turn left. You should:



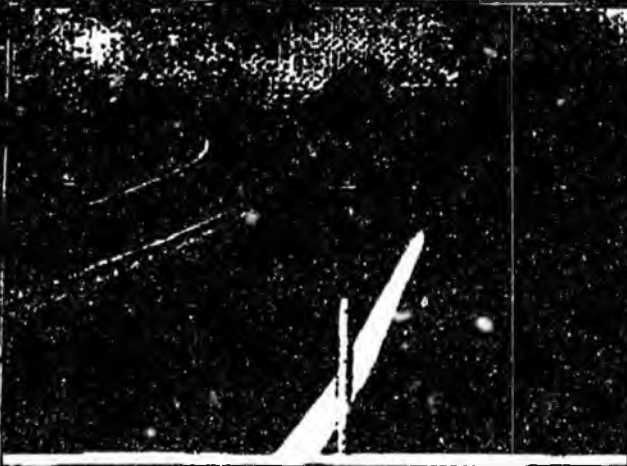
- A Turn left only if there is no other traffic
- B Back up into the street
- C Go straight ahead, no left turn permitted
- D Turn left but yield to other traffic

Which illustration shows the hand signal for a right turn?



- A Image A
- B Image B
- C Image C
- D None of these

An orange sign with black letters means:



- A Stop.
- B A warning sign to alert drivers to dangerous conditions ahead.
- C Construction.
- D Yield.

13

Alaska Department of Motor Vehicles
Driver's License Test

I AM A SAMPLE		123-45-7894
General Knowledge		02-06-2007
Juneau Office	English(EN)	25 Minutes
20 Questions	16 Questions	

A conviction of reckless driving will result in:

- A Suspension of the privilege to drive.
- B Revocation of the license to drive.
- C A warning for the first occurrence, and a \$50 fine in the second.
- D A \$50 fine and 4 points on your record.

The first thing affected after drinking alcohol is a person's:

- A Speech
- B Balance
- C Judgment
- D Vision

A pedestrian is crossing the street in a crosswalk. You must:

- A stop until the person is out of the crosswalk.
- B slow down and go around the person at a slow pace.
- C drive off as soon as the person has moved past your car.
- D honk your horn to alert them, as they are not being careful.

When this sign is posted on a multi-lane highway, you:

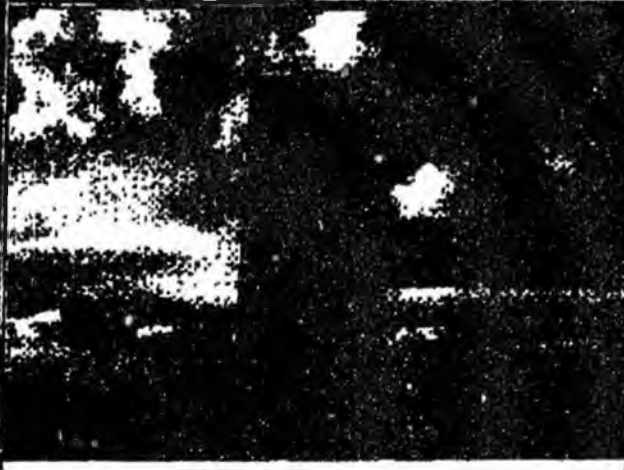


- A Must go 55 miles per hour
- B May go 60 miles per hour to pass another car.
- C May go 55 miles per hour
- D May not pass

Test #4

14

What does the solid red arrow mean?

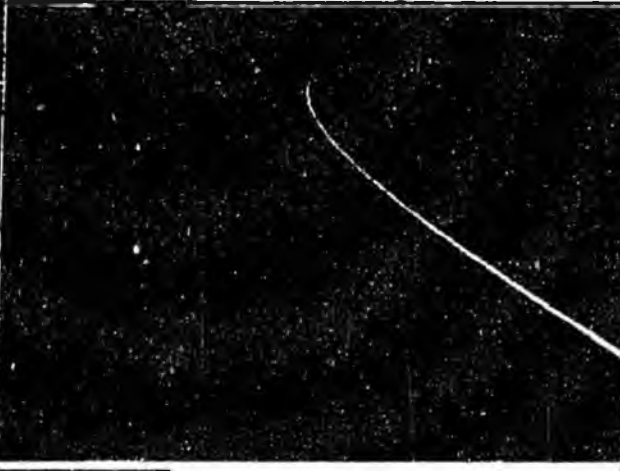


- A Stop and do not turn until the arrow turns to green.
- B Left turns are not permitted.
- C Stop and then proceed only when it is safe to do so.
- D None of these

After drinking, doing the following can help you sober up:

- A Drink black coffee. The caffeine accelerates detoxification.
- B Take a cold shower.
- C Wait a period of time. Only time will eliminate the effects of alcohol.
- D None of these

A dashed yellow line on a roadway means:



- A No passing zone
- B Passing permitted when safe
- C Residential district
- D A speed zone

When entering a controlled access highway-freeway it is important:

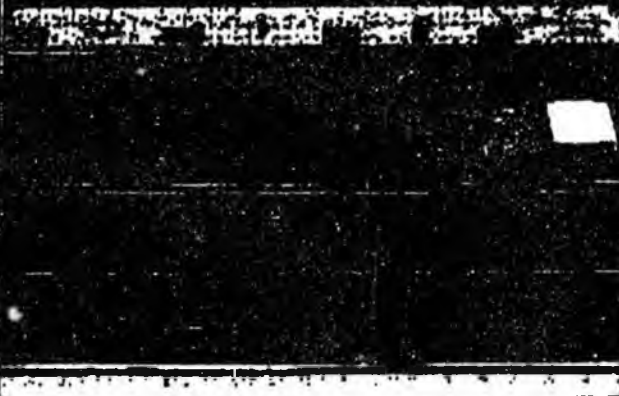
- A Get up to speed just as quickly as possible.
- B Move directly into the right hand traffic lane.
- C Make your vehicle noticed so that the drivers already on the roadway will yield and let you in.
- D Use the acceleration lane before merging into the traffic stream.

If you are involved in a traffic crash, you must notify the police as soon as possible, and must submit proof of insurance to DMV within 15 days:

- A Only if there is property damage of \$2000.00 or more
- B If there is death or personal injury or property damage of \$501.00 or more
- C Only if there is property damage of \$1000.00 or more
- D Only if there is death or personal injury

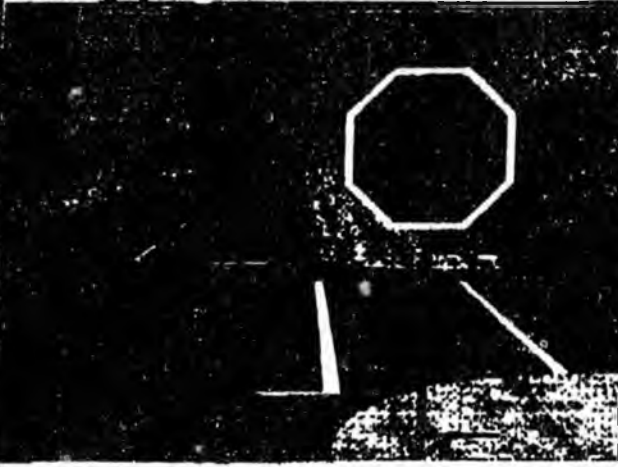
15

A dashed white line on a multi-lane roadway means:



- A Passing is prohibited.
- B Passing is permitted into adjoining lane across dashed white line.
- C Passing is permitted into any lane.
- D None of these

At this sign you must:



- A Slow down and prepare to stop if another car is close
- B Make a complete stop
- C Stop at least two car lengths from the intersection
- D None of these

Upon the approach of a vehicle displaying a flashing blue or red light the law requires that you must:

- A Stop where you are
- B Drive to the nearest intersection & stop
- C Pull over to the side & stop clear of any intersection
- D Slow down & drive with caution

Dim your headlights when you are _____ feet away from an oncoming vehicle.

- A 200 or more
- B 400 or more
- C 500 or more
- D 300 or more

You are driving on a highway with separated roadways with two or more lanes in each direction. A school bus has stopped in the opposite direction.

- A You can proceed at 15 miles per hour.
- B You must stop until the red lights stop flashing.
- C You must slow down.
- D You need not stop.

Operators or owners must have motor vehicle liability insurance coverage of not less than:

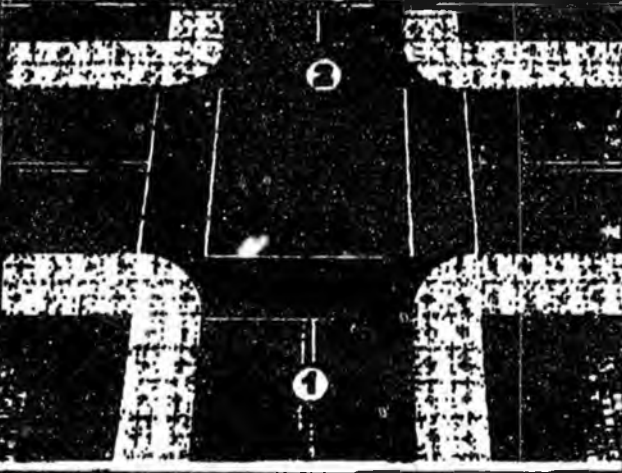
- A \$50,000/\$100,000/\$25,000
- B \$100,000/\$200,000/\$50,000
- C \$25,000/\$50,000/\$5,000
- D \$25,000/\$50,000/\$15,000

16

If you are about to miss your exit from a controlled access highway-freeway you should:

- A Pull over to the right and carefully back up to the exit ramp.
- B Continue on to the next exit.
- C Cross over the median strip to exit going the opposite way.
- D Signal your intentions, break, and move sharply to the right.

You are in the red car (1) turning left and the blue car (2) has started into the intersection. You must:



- A Yield to the blue car (2).
- B Turn quickly to the left.
- C Stop where you are.
- D Speed up so you can safely make your turn.

The sign below means:



- A Sharp curve ahead
- B No left turn
- C No U turn
- D None of these

Slower moving vehicles on a multi-lane highway should:

- A Use left hand lane
- B Use lane with least traffic
- C Use either lane
- D Use right hand lane

You are presumed driving under the influence if the alcohol concentration of your breath is _____ or more:

- A .08%
- B .06%
- C .10%
- D .40%

17

Alaska State Legislature

Chairman
State Affairs Committee

Vice-Chairman
Economic Development, Trade & Tourism
Committee

Member
Judiciary Committee
Joint Armed Services Committee

Finance Subcommittees
Corrections
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety



A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative Bob Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

Session:
Alaska State Capitol
Juneau, AK 99801-1182

Phone: (907) 465-4931
Fax: (907) 465-4316
Toll Free: (800) 870-4391

Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0205
Fax: (907) 269-0207

FAX

To: Legal Services

Fax #: 2029

From: Nancy Manly x2794
Alaska State Capitol, room 104
Juneau, AK 99801-1182

of Pages (including cover): 1

Phone: 907-465-4931
Fax: 907-465-4316

Re: State Affairs Final CS for HB 75

February 9, 2007

Please draft a final CS for HB 75. The committee adopted a CS for House Bill 75 Version M (25-LS0348\M). This version was amended as followed:

1) Amendment #1

Page 1, Line 11 and 12; after "renewed." delete the sentence: "The license issued to a person after the person has passed this test must state that the person has passed the alcohol and drug awareness and safety test."

TRANSACTION REPORT

FEB-09-2007 FRI 08:56 AM

FOR: REPRESENTATIVE BOB LYNN 907 465 4316

SEND (M)

DATE	START	RECEIVER	PAGES	TIME	NOTE	M#
FEB-09	08:55 AM	2029	1	29"	OK	24

25-LS0348\W
Luckhaupt
2/7/07

CS FOR HOUSE BILL NO. 75()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES RAMRAS, Crawford

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to driver's licenses and to alcohol and drug awareness and safety
2 testing."

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

4 * **Section 1.** AS 28.15 is amended by adding a new section to read:

5 **Sec. 28.15.085. Alcohol and drug awareness and safety examination of**
6 **applicants.** Notwithstanding another provision of this chapter and in addition to other
7 requirements, a person applying for a new license after expiration of the person's
8 license on reaching 21 years of age under AS 28.15.099 must pass a test developed
9 and administered by the department regarding alcohol and drug awareness and safety
10 and the laws relating to alcohol, drugs, and driving before the license may be issued or
11 renewed. The license issued to a person after the person has passed this test must state
12 that the person has passed the alcohol and drug awareness and safety test.

13 * **Sec. 2.** AS 28.15 is amended by adding a new section to read:

14 **Sec. 28.15.099. Expiration and renewal of license issued to person under**

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21 years of age. Notwithstanding another provision of this chapter, a driver's license issued to a person under 21 years of age expires 90 days after the person reaches 21 years of age.

25-LS0348E
Luckhaupt
1/26/07

CS FOR HOUSE BILL NO. 75()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES RAMRAS, Crawford

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to driver's licenses and alcohol awareness testing."**

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

3 *** Section 1.** AS 28.15 is amended by adding a new section to read:

4 **Sec. 28.15.085. Alcohol awareness examination of applicants.**
5 Notwithstanding another provision of this chapter and in addition to other
6 requirements, a person applying for a new license after expiration of the person's
7 license on reaching 21 years of age under AS 28.15.099 and a person 21 years of age
8 or older applying for a new license must pass a test developed and administered by the
9 department regarding alcohol awareness and safety and the laws relating to alcohol
10 and driving before the license may be issued or renewed. The license issued to a
11 person after the person has passed this test must state that the person has passed the
12 alcohol awareness test.

13 *** Sec. 2.** AS 28.15 is amended by adding a new section to read:

14 **Sec. 28.15.099. Expiration and renewal of license issued to person under**
15 **21 years of age.** Notwithstanding another provision of this chapter, a driver's license

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issued to a person under 21 years of age expires

(1) at the end of the month in which the person reaches 21 years of age if the person's birthday is on or after the first day of the month but before the 16th day of the month; or

(2) at the end of the month following the month in which the person reaches 21 years of age if the person's birthday is on or after the 16th day of the month.

Conceptual Amendment #1

page 1
line 9
after
alcohol

Bob

Conceptual Amendment to ~~add~~
add (drug as well as alcohol
awareness)

Coguer
Hold
Bill

age 16 to/or
initial license
1st renewal

draft a CS

amendment # 2

pg 1 line 12

alcohol & drug awareness test

Alaska State Legislature

Session:

State Capitol, Room 118
Juneau, Alaska 99801-1182
Ph: (907) 465-3004
Fax: (907) 465-2070
Toll Free: (877) 465-3004



Interim:

1292 Sadler Way, Suite 324
Fairbanks, Alaska 99701
Ph: (907) 452-1088
Fax: (907) 452-1146
Toll Free: (877) 465-3004

Representative Jay Ramras House District 10

Chair, House Judiciary Committee • Member, House Labor & Commerce Committee • Member, House Oil & Gas Committee • Member, House Military & Veteran Affairs Committee

Sponsor Statement HB 75

Driver's License: Alcohol Awareness/Minors 1/29/07

House Bill 75 continues my efforts to improve alcohol management and awareness in Alaska.

It stipulates that all drivers' licenses issued to a person under 21 years of age will expire within two weeks of the person's 21st birthday.

HB75 will further require that a person turning 21 years of age or a person 21 years of age or older applying for a new license must take a test regarding alcohol safety and awareness, and laws related to drinking and driving, prior to receiving an Alaska driver's license.

Once HB75 takes effect, all drivers' licenses of Alaskans 21 years of age will reflect that they have passed the alcohol awareness and safety test when they are issued an adult license. The test will serve to relate the privilege of driving to the responsibility of consuming alcohol. The test will be designed by the Division of Motor Vehicles, and it is the sponsor's intent to have MADD participate in the process of designing this test.

HB75 will also help cut down on minors consuming alcohol, since a license issued to a person over 21 years of age who has passed the test will look different than a license issued to a minor.

Please join me in supporting this important piece of legislation.

Alaska State Legislature

Session:

State Capitol, Room 118
Juneau, Alaska 99801-1182
Ph: (907) 465-3004
Fax: (907) 465-2070
Toll Free: (877) 465-3004

**Interim:**

1292 Sadler Way, Suite 324
Fairbanks, Alaska 99701
Ph: (907) 452-1088
Fax: (907) 452-1146
Toll Free: (877) 465-3004

Representative Jay Ramras House District 10

Chair, House Judiciary Committee • Member, House Labor & Commerce Committee • Member, House Oil & Gas Committee • Member, House Military & Veteran Affairs Committee

Sectional Summary

HB 75/Driver's License: Alcohol Awareness/Minors
Work Order 25-LS0348\E

Section 1. States that a person upon reaching 21 years of age or over 21 years of age applying for a new Alaska driver's license must pass a test administered by the Department of Motor Vehicles regarding alcohol awareness, safety, and laws relating to alcohol and driving before their license may be issued or renewed.

Section 2. States when a persons' driver's licenses will expire in relation to their 21st birthday.

Alaska State Legislature

Session:

State Capitol, Room 118
Juneau, Alaska 99801-1182
Ph: (907) 465-3004
Fax: (907) 465-2070
Toll Free: (877) 465-3004



Interim:

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Fairbanks, Alaska 99701
Ph: (907) 452-1088
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Representative Jay Ramras House District 10

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Changes to House Bill 75 version 25-LS0348\A to version 25-LS0348\E

The following changes were made to version \A:

- Page 1, Lines 8-9 the following language was removed [, and a person renewing a license for the first time after the effective date of this Act]. The effect of this amendment is that a person, whose driver's license is in good standing, will not be required to take the alcohol awareness test when renewing their license.
- Section 2. **Expiration and renewal of a license issued to a person 21 years of age.** This section was reworded to eliminate the problem that would occur if a person was turning 21 on the last day of the month, and it fell on a weekend. This would cause their license to expire and it would not be renewable until the following work week.



A WEEKLY NEWSPAPER
SERVING EAGLE RIVER,
CHUGIAK AND EKLUTNA

POWER SEARCH **editorial**

- Alaska Star
- Web

Story Last modified at 9:07 a.m. on Thursday, January 11, 2007

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Educated bill has prevention potential

Kudos to Rep. Jay Ramras, R-Fairbanks, of House District 10 for pre-filing a bill that goes beyond enforcement and stresses the importance of educating drivers on the dangers of alcohol and responsible drinking practices.

According to a Jan. 4 press release, legislation passed through the pre-filed bill would require those 21 years of age or older applying for a new license or renewing a license for the first time to pass a test regarding alcohol awareness, safety and the laws relating to alcohol and driving before a license is issued or renewed.

The release said Ramras plans to invite Mothers Against Drunk Driving officials to work with the Division of Motor Vehicles in creating the alcohol awareness and safety test to reinforce the importance of responsible driving practices for those who are legally able to drink alcohol.

The new law would also seek to reduce minor alcohol consumption, since the license of a driver who passes the test would differ in appearance from one issued to a minor, allowing those who are under 21 to be easily recognized by businesses that serve and sell alcohol.

We all know youth who want to drink can be very creative in how they obtain alcohol, but Ramras' proposed legislation is one more step toward creating responsible drivers by further reinforcing the importance of responsible drinking behavior.

No one can discount the steps taken for youth as

Birchwood Weather

Last updated: Mon, 22-Jan-2007 10:32

- Temperature: 14° F
- Rel. Humidity: 85%
- Wind: Calm
- Pressure: 29.61 in. Hg
- Visibility: 10 miles
- Conditions: Clear

Choose Your City

Calendar

January						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

far as education goes. Anchorage Police Department school resource officers work regularly within the Anchorage School District to educate youth about the dangers of drugs and alcohol through the Drug Abuse Resistance Education program.

The message of not driving while intoxicated is further reinforced for young drivers prior to obtaining a license through the DMV's standard testing, but how many of them remain aware of what the laws and repercussions are beyond the one or two questions they might have to answer to obtain or qualify for a license?

The best form of prevention is education, and Ramras' proposed legislation takes a valuable step toward reinforcing that instruction shouldn't end for young drivers who are no longer in school. Providing additional reinforcement of the importance of drinking responsibly will go a long way toward reinforcing laws and saving lives before irresponsible habits can be formed by drivers who have left the classroom behind.

It's all too easy for young drivers to embrace the right to drink when they turn 21 and forget everything that was stressed years before or for educators to say they've done their part in telling them the rules. In the end, it's each driver's responsibility to make the right decision, and no driver can plead ignorance of the laws that govern alcohol consumption and driving, but there is no harm in giving drivers a reminder and reinforcing laws, particularly when they are reaching an age of change, such as those who are becoming legally able to drink.

Driving while intoxicated is not a victimless crime. Those who drive under the influence of alcohol transform their vehicle into a weapon and threaten the life of everyone sharing the streets with them. I have no pity for drivers who make the conscious choice to climb behind the wheel while intoxicated only to end up in the back seat of a police car. However, it makes sense to give them a gentle reminder of the laws governing drinking and driving before they or someone else pays with their life.

Other legislators should take a cue from Ramras and push through what is a simple way to help keep our roadways and citizens safer. While I know there is no cure for the human tendency to forego common sense in the wake of a night of drinking, perhaps additional education will reinforce for young drivers the importance of planning before partying and the very real consequences of their actions before they end up with a MADD mother of their own.

- Mary M. Rall

This article published in The Alaska Star on Thursday, January 11, 2007.

E-MAIL STORY TO FRIEND

PRINTER FRIENDLY FORMAT

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Representative Jay Ramras
Co-Chair, House Resources
V-Chair, Economic Develop.
Tourism & Trade
House State Affairs

119 N. Cushman St. Suite 207
Fairbanks, Alaska 99701
Phone: (907) 452-1088
Fax: (907) 452-1146

Alaska State Legislature



While in Session
State Capitol, Room 104
Juneau, Alaska 99801-1182
(907) 465- 3004
Fax: 465-2070
Toll Free: (877) 465-3004

House District 10

House of Representatives

MEMO

To: Representative Bob Lynn, Chair House State Affairs Committee

Fm: Representative Jay Ramras

Date: January 29, 2007

Re: House Bill 75 – Driver’s License: Alcohol Awareness/Minors

Please accept this memo as a request that the House State Affairs Committee to hear House Bill 75. “An Act relating to driver’s licenses and alcohol awareness testing.”

Attachments to this memo:

- Sponsor Statement
- Blank CSHB75 25-LS0348\E
- Original Copy of HB 75
- Sectional for HB 75
- Changes to HB75 from version \A to version\E
- Articles

Thank you.

2-6-07

MADD Fairbanks, thoughts / comments re: Jay's DMV bill HB 75
Jane Pierson (Jay's aide)

We have not yet talked to either Jay, or Duane Bannock (DMV Director) about this bill.

Under this bill, a driver's license obtained before the driver reaches the age of 21 would expire at the end of the month in which that person reaches age 21.

A driver would then have to pass a re-test at the age of 21.

This re-test would focus on alcohol awareness and safety, and the laws related to alcohol and driving.

The new license would state that the person has passed this alcohol awareness test.

We do like the idea of putting this kind of emphasis on the dangers of drinking and driving, and we think that DMV is the appropriate place -- it's a perfect and efficient funnel point for virtually all resident drivers driving on Alaskan roads. We think that Jay's idea has merit, and that it can just be incorporated into the existing licensing process.

You can get a learner's permit at 14 -- we believe (but aren't sure) that this is a different test from the one you take at 16 to get your license.

You can get your permanent driver's license at 16.

We think that every test -- age 14 (learner's permit), age 16 (permanent driver's license), & age 21 (re-test, w/ alcohol emphasis) -- should have direct questions regarding DUI laws and the effects of driving under the influence.

We should introduce the alcohol issue early and often.

There should be tough, no-nonsense questions, statements, and graphic photos -- nothing watered down or sugar-coated.

We don't think that we should wait until age 21 (when young people often still feel that they know it all and that they're immortal).

It would be much better to influence them at the youngest age (14, for learner's

permit) when they are eager to get "wheels" and might pay closer attention to things that help them achieve that.

In subsequent years to 21, they might pay more attention to DUIs, DUI crashes, insurance rates, etc., and realize that these are very serious issues, especially as the prospect of passing the test again looms.

Kids as young as 14 are well capable of understanding the dangers of drinking and driving. (They should begin hearing this message at home and at school at a much younger age than that.) It's a mistake to wait until they are 21 to emphasize it. That's too late.

We suggest that the DUI problem be covered very thoroughly in the driver's test study manual, and that there be a significant percentage of alcohol / DUI-related questions on every test (we don't know how many questions, total or alcohol-related, are on the test now), and that you don't pass the test if you miss more than one of these questions. This will help stress the importance of this issue.

A few extra questions should add no more than a few short minutes to the test -- if they study and know the info, they breeze right through -- if they didn't study, they struggle and it's their own fault.

Again, this will help elevate the importance of alcohol issues and safety, and they will study it if only to pass the test.

We would be happy to submit and / or review questions for consideration for a test (favor multiple choice over True / False ?).

We are also in favor of requiring the viewing of the Troopers' year 2000 Alaska DUI fatalities video (~45 minutes) at one or more of the licensing ages (at 21, and again at either 14 or 16?).

It is a very, very good video, and it really brings the message home. (If you have not yet seen it, you should do so.)

While we can see DMV's point (Mr. Bannock made this point with us a couple of years ago) of not wanting to lengthen the time that one spends at DMV, we respectfully think that it is misguided in this case.

People spend many hours a week shopping, watching TV and movies, surfing the

net, watching and playing sports, etc. Again, with all due respect, we should not be cowed into believing that it's a big imposition to have them spend one extra hour at DMV **once or twice in their lifetime**, especially when it will help save lives. A strong, responsible, caring legislature should step up and demonstrate that they care more about saving Alaskan lives than they do about some tired old joke about the lines at DMV. A clever ad campaign could kill this joke in a hurry.

Incorporating these changes into the existing licensing process should minimize the cries of added state budget expense and also emphasize the importance of this issue. And theoretically, any small increase in the cost of improving the manual and test questions would be negated quickly by decreased DUI-related crashes, damages, and court costs (and DUI perpetrators should have a tough time convincing the system that they were ignorant of the law or of the consequences of driving under the influence).

Thanks for your consideration of these comments and suggestions.

Sincerely,

Pete Eagan

President, MADD Fairbanks

TRANSACTION REPORT

FEB-09-2007 FRI 01:45 PM

FOR: REPRESENTATIVE BOB LYNN 907 465 4316

SEND(M)

DATE	START	RECEIVER	PAGES	TIME	NOTE	M#
FEB-09	01:44 PM	2070	2	41"	OK	28

HB 75
Faxed CS to June

2-6-07

MA DD Fairbanks, thoughts / comments re: Jay's DMV bill HB 75
Jaime Pierson (Jay's aide)

We have not yet talked to either Jay, or Duane Bannock (DMV Director) about this bill.

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Thanks for your consideration of these comments and suggestions.

Sincerely,
Pete Eagan
President, MADD Fairbanks

HB

79

Witness List for HB 79. Longevity bonus reapplications

Stacie Kraly, assistant attorney general for human resources section of Health and Social Services, 4164

Ellie Fitjarrald, acting director of public assistance, 5847

Tam Cook, attorney and bill drafter for HB 79, 6653

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Testify
at Luby aap
Eile Fitzgarrald # DSS
Tuan Beck Bau drafter

Q5
version in wa dropped

STa meeting 3-8-07
HB 79

Nancy Manly

From: Christopher Clark [Christopher_Clark@gov.state.ak.us]
Sent: Thursday, February 08, 2007 5:47 PM
To: Nancy Manly; 'Shannon Devon'; Londi Ensor
Cc: Michael Sica; 'Jack Kreinheder'; 'Karen Rehfeld'; 'Jean Brown'; john_bitney@gov.state.ak.us; 'Lindstrom, Elmer A.'; 'Hill, Sherry'; stacie_kraly@law.state.ak.us; ellie_fitjarrald@health.state.ak.us; 'Deborah Behr'
Subject: Two fiscal notes for HB 79; one more to come
Importance: High
Attachments: HB079-DHSS-DPA1-02-08-07.pdf; HB079-DHSS-DPA3-02-08-07.pdf

Greetings, Nancy, Shannon, and Londi.

The attached two fiscal notes for HB 79 (Rep. Bob Lynn's measure relating to longevity bonus reapplications) are ready for transmittal to the House Chief Clerk's office, according to Jack Kreinheder of the Office of Management and Budget.

They are to accompany the bill that moved out of the House State Affairs Committee this [Thursday] morning.

In a nutshell, establishing a way to reapply for a longevity bonus check is linked to the longevity bonus program itself. They go hand in hand, and as such, we need to show the costs of re-establishing the program as set forth by this bill.

Which is what the two attached fiscal notes do.

The first fiscal note estimates the adjustments that would need to be made to the Governor's budget request for funding the longevity bonus program (\$33.7 million) to reflect certain assumptions outlined in the fiscal note by the Department of Health and Social Services.

The second fiscal note reflects the cost of holding harmless those seniors who, without state help, would get a longevity bonus but would lose benefits under the federal Supplemental Security Income program.

Per the suggestion of Jack Kreinheder, the Department of Health and Social Services will prepare a third fiscal note to reflect the administrative costs of operating the longevity bonus program.

As soon as that one's done, I'll forward it to y'all.

Have any questions?

Call me at the number below.

Thank you.

Thank you for your prompt attention to this,
Christopher Clark
Deputy Legislative Director
Gov. Sarah Palin
(907) 465-3994

Nancy Manly

From: Christopher Clark [Christopher_Clark@gov.state.ak.us]
Sent: Thursday, February 08, 2007 2:16 PM
To: 'Deborah Behr'; 'Jack Kreinheder'
Cc: 'Karen Rehfeld'; 'Joan Brown'; john_bitney@gov.state.ak.us; 'Hill, Sherry'; 'Shannon Devon'; 'Lindstrom, Elmer A.'; stacie_kraly@law.state.ak.us; ellie_fitzjarrald@health.state.ak.us; Nancy Manly; Londi Ensor; Michael Sica
Subject: HB 79 fiscal notes
Importance: High
Attachments: HB079-DHSS-DPA1-02-08-07.pdf; HB079-DHSS-DPA2-02-08-07.pdf; HB079-DHSS-DPA3-02-03-07.pdf

Salut, Deborah and Jack.

Attached are three fiscal notes prepared by the Department of Health and Social Services for HB 79, Rep. Bob Lynn's measure relating to longevity bonus reapplications.

During this morning's hearing in House State Affairs, committee members asked whether the first and third fiscal notes (HB079-DHSS-DPA1-02-08-07 and HB079-DHSS-DPA3-02-08-07) – which show the actual costs of reinstating the longevity bonus program – are even necessary.

They argue, somewhat persuasively in my mind, that these two notes are not needed because HB 79 does not appropriate any money for the program. Rather, funding for it may be found in the Governor's proposed fiscal year 2008 operating budget bills, HB 95 and SB 50.

The measure simply provides a means for people to reapply for a longevity bonus.

Ergo, the only fiscal that needs to go with the bill is the second one HB079-DHSS-DPA2-02-08-07, or one like it.

Does that sound right to you?

If it is, I will tell the House State Affairs Committee aide or the House Chief Clerk's office only to provide one fiscal note when the measure is read across the floor and its fiscal note is posted on BASIS.

Thank you for your prompt attention to this.

Christopher Clark
Deputy Legislative Director
Gov. Sarah Palin
(907) 465-3994

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB079-DHSS-DPA1-02-07-07
 Bill Version: HB 79
 () Publish Date: _____
 Dept. Affected: Health & Social Services
 RDU Alaska Longevity Bonus Programs
 Component Longevity Bonus Grants

Revision Date/Time (Note if correction):
 Title LONGEVITY BONUS REAPPLICATIONS

Sponsor LYNN
 Requester HOUSE (STA)

Component No. 26

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	(2,769.7)	(4,633.2)	(7,543.6)	(10,138.4)	(12,636.6)	(15,043.3)
Miscellaneous						
TOTAL OPERATING	(2,769.7)	(4,633.2)	(7,543.6)	(10,138.4)	(12,636.6)	(15,043.3)

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

CHANGE IN REVENUES (0)						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	(2,769.7)	(4,633.2)	(7,543.6)	(10,138.4)	(12,636.6)	(15,043.3)
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	(2,769.7)	(4,633.2)	(7,543.6)	(10,138.4)	(12,636.6)	(15,043.3)

Estimate of any current year (FY2007) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This proposed legislation reinstates Alaska Longevity Bonus (ALB) payments for individuals who were qualified to receive them before January 1, 1997, and who received a payment in June 2003 when funding for the program ended. This legislation also provides for reapplication to be filed before January 1, 2008. Calculated savings on this fiscal note is because the comparison is to the FY08 Governors budget where ALB payments are fully funded for all recipients 12 full months.

Analysis continued on Page 2.

Prepared by: Ellie Fitzjarrald, Acting Director
 Division Public Assistance
 Approved by: Karleen Jackson, Commissioner
 Agency Department of Health and Social Services

Phone 465-5847
 Date/Time 02/07/2007
 Date 02/07/2007

FISCAL NOTE
FN # HB079-D

STATE OF ALASKA
2007 LEGISLATIVE SESSION

BILL NO. HB 79

ANALYSIS CONTINUATION

Analysis Continued:

Analysis Assumptions

- Legislation will be effective and ALB payments will begin with the benefit month July 2007.
- ALB applications will only be accepted if received before January 1, 2008.
- 12,631 former ALB recipients may be eligible to qualify for the ALB in FY08.
- 95% or approximately 11,999 will be eligible and 5% or 632 potential ALB recipients will not qualify for the ALB because they do not meet the program's residency requirements or will not apply.
- Average ALB payment is \$212/month.
- The amount of the benefit ranged from \$100 to \$250 depending on time of entry in to the program.
- An ALB recipient may not accrue an ALB payment for more than two months before the date of application in accordance with AS47.45.080.
- The number of months a person may receive ALB payments in FY08 will vary depending on date of application, as shown in the chart below.
- Program expenditures for FY09 through FY13 will decline each year as eligible seniors move away, enter nursing homes, or expire.

Benefit Amount Calculations:

FY08

Percent of Applicants	Approx # of Applicants	Must apply by	May be paid retro-active to	Number months benefits FY08	Average Monthly Benefit Amount	Total FY08 Benefit Payments	
70%	8,842	9/1/2007	7/1/2007	12	\$ 212	\$ 22,494.0	
15%	1,895	10/1/2007	8/1/2007	11	\$ 212	\$ 4,410.0	
5%	632	11/1/2007	9/1/2007	10	\$ 212	\$ 1,339.8	
4%	505	12/1/2007	10/1/2007	9	\$ 212	\$ 963.5	
1%	126	1/1/2008	11/1/2007	8	\$ 212	\$ 213.7	
5%	-632	(will not meet residency criteria or will not apply)				\$	0
Total		Average Benefit Amount= \$212.44 Rounded to \$212				\$ 29,430.3	

FY09 through FY13

	Approx Number of Recipients	Total Benefit Payments
FY09	10,836	\$27,566.8
FY10	9,692	\$24,656.5
FY11	8,672	\$22,061.6
FY12	7,690	\$19,563.4
FY13	6,744	\$17,156.7

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB079-DHSS-DPA2-02-07-07
 Bill Version: HB 79
 () Publish Date: _____
 Dept. Affected: Health & Social Services
 RDU: Alaska Longevity Bonus Programs
 Component: Longevity Bonus Hold Harmless

Revision Date/Time (Note if correction)
 Title: LONGEVITY BONUS REAPPLICATIONS

Sponsor: LYNN
 Requester: HOUSE (STA)

Component No. 2858

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	350.4	480.2	316.2	161.3	151.0	(6.2)
Miscellaneous						
TOTAL OPERATING	350.4	480.2	316.2	161.3	151.0	(6.2)
CAPITAL EXPENDITURES						
CHANGE IN REVENUES (0)						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	350.4	480.2	316.2	161.3	151.0	(6.2)
1037 GF/Mental Health						
Longevity Bonus Hold Harmless						
Other (Specify Type-do not abbreviate)						
TOTAL	350.4	480.2	316.2	161.3	151.0	(6.2)

Estimate of any current year (FY2007) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This proposed legislation reinstates Alaska Longevity Bonus (ALB) payments for individuals who were qualified to receive them before January 1, 1997, and who received a payment in June 2003 when funding for the program ended. This legislation also provides for reapplication to be filed before January 1, 2008.

Federal law governing the administration of the Supplemental Security Income (SSI) program requires the Alaska Longevity Bonus be counted as income when determining federal SSI benefits. Under AS 47.45.122, the ALB Hold Harmless replaces the SSI benefits that are denied.

As the number of recipients decreases, the benefits paid will decrease, as does the Hold Harmless.

Prepared by: Ellie Fitzgerald, Acting Director
 Division: Public Assistance
 Approved by: Karleen Jackson, Commissioner
 Agency: Department of Health and Social Services

Phone: 465-5847
 Date/Time: 02/07/2007
 Date: 02/07/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB079-DHSS-DPA2-02-07-07
 Bill Version: HB 79
 () Publish Date: _____
 Dept. Affected: Health & Social Services
 RDU: Alaska Longevity Bonus Programs
 Component: Alaska Longevity Programs Management

Revision Date/Time (Note if correction): _____
 Title: LONGEVITY BONUS REAPPLICATIONS

Sponsor: LYNN
 Requester: HOUSE (STA)

Component No. 2672

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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 (0)						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1037 GF/Mental Health						
Other(Specify Type-do not abbreviate)						
Other(Specify Type-do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This proposed legislation reinstates Alaska Longevity Bonus (ALB) payments for individuals who were qualified to receive them before January 1, 1997, and who received a payment in June 2003 when funding for the program ended. This legislation also provides for reapplication to be filed before January 1, 2008.

The Administrative costs for operating the Alaska Longevity Bonus program are included in the Governor's FY08 Budget.

Prepared by: Ellie Fitzjarrald, Acting Director
 Division: Public Assistance
 Approved by: Karleen Jackson, Commissioner
 Agency: Department of Health and Social Services

Phone 465-1754
 Date/Time 02/06/2007
 Date 02/07/2007

Nancy Manly

From: Lori Roland
Sent: Thursday, February 15, 2007 3:08 PM
To: Nancy Manly
Subject: clarification

Hi Nancy,

7:11 AM - 2/8?

During the discussion of HB 79 on Tuesday, 2/13, Rep. Johnson said the following (see below). I don't see a 60-day requirement in the bill language. I do see mention of 60 days in the handout from Rep. Gruenberg, which gives the language from AS 47.45.030(a), which is referenced in the bill. However, the way Rep. Johnson says it, it sounds like 60 days the person must be in Alaska, but the way I read the statute, it looks like an absence must not exceed 60 days. Can you clarify?

Lori

REPRESENTATIVE JOHNSON asked, "This requires a 60-day continuous period in the state. Is that consistent with the permanent fund dividend?"

LORI x6609

2/16/07 8:50 AM Lori will call Jon and try to explain.

HB 79
Amendment #
Eisenberg

Sec. 47.45.030. Absence from the state.

(a) After qualification, a recipient shall notify the commissioner of health and social services when the recipient expects to be absent from the state if the absence is for a continuous period that exceeds 60 days. After that notification, the recipient may no longer receive bonuses from the Department of Health and Social Services after the last regularly approved monthly application. Upon returning to the state, the recipient may again make application for a bonus. Failure to notify the commissioner of an expected absence may be grounds for disqualification.

25-LS0359M
Cook
2/7/07

CS FOR HOUSE BILL NO. 79()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES LYNN, THOMAS, GUTTENBERG AND KERTTULA, Nelson, Crawford, Kawasaki

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to reapplications for the Alaska longevity bonus program; and**
2 **providing for an effective date."**

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

4 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 REAPPLICATION FOR LONGEVITY BONUS. (a) Notwithstanding AS 47.45.020
7 and the requirement under AS 47.45.010(a) that applications for longevity bonus payments
8 must be filed not later than December 31, 1996, a person may file a longevity bonus
9 reapplication if the person

10 (1) qualified to receive a monthly longevity bonus payment under
11 AS 47.45.010(a) before January 1, 1997;

12 (2) was eligible for a longevity bonus for June of 2003 or did not receive that
13 bonus solely as a result of complying with AS 47.45.030(a); and

14 (3) is a resident and has maintained continuous state residency during the

1 period between June 30, 2003, and the date the reapplication is filed.

2 (b) A reapplication under this section must be filed with the commissioner of health
3 and social services before January 1, 2008. The Department of Health and Social Services
4 shall prepare a reapplication form for use under this section and may require evidence of
5 eligibility for a longevity bonus as part of the reapplication process.

6 (c) If the Department of Health and Social Services determines that a person who
7 reapplies meets the requirements of (a) of this section and is otherwise eligible under
8 AS 47.45.030(c) and 47.45.070, the amount of the person's monthly bonus shall be the
9 amount the person was eligible to receive under AS 47.45.010(a)(1) - (4).

10 * Sec. 2. This Act takes effect July 1, 2007.

Alaska State Legislature

Chairman
State Affairs Committee

Vice-Chairman
Economic Development, Trade & Tourism
Committee

Member
Judiciary Committee
Joint Armed Services Committee

Finance Subcommittees



A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

Session:
Alaska State Capitol
Juneau, AK 99801-1182

Phone: (907) 465-4931
Fax: (907) 465-4316
Toll Free: (800) 870-4391

Interim:
716 W 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0205
Fax: (907) 269-0207

Changes from HB 79, Version A, to CS for HB 79(), Version M
"An Act relating to reapplications for the Alaska longevity
bonus program; and providing for an effective date."

- Section 1(a)** Restructures the subsection to make it more readable.
- Includes another compliance requirement to consider, AS 47.45.030(a), regarding notification to the commissioner of health and social services for an absence from the state for a continuous period that exceeds 60 days. This ensures that eligible recipients won't be disqualified because of absences due to legitimate vacations and out-of-state travel.
- Section 1(b)** Replaces the Department of Administration with Department of Health and Social Services.
- Section 1(c)** Replaces the Department of Administration with Department of Health and Social Services.
- Section 2** Changes the effective date from immediately to July 1, 2007.

25-LS0359C

Cook

2/5/07

CS FOR HOUSE BILL NO. 79()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s): REPRESENTATIVES LYNN, THOMAS, GUTTENBERG AND KERTTULA, Nelson, Crawford,
Kawasaki

A BILL
FOR AN ACT ENTITLED

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

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

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 REAPPLICATION FOR LONGEVITY BONUS. (a) Notwithstanding AS 47.45.020,
7 AS 47.45.030(a), and the requirement under AS 47.45.010(a) that applications for longevity
8 bonus payments must be filed not later than December 31, 1996, a person who qualified to
9 receive a monthly longevity bonus payme under AS 47.45.010(a) before January 1, 1997,
10 and was eligible for a longevity bonus for April, May, or June of 2003 may reapply to the
11 commissioner of health and social services for monthly longevity bonus payments if the
12 person is a resident and has maintained continuous state residency during the period between
13 June 30, 2003, and the date the reapplication is filed.

14 (b) A reapplication under this section must be filed before January 1, 2008. The

1 Department of Health and Social Services shall prepare a reapplication form for use under this
2 section and may require evidence of eligibility for a longevity bonus as part of the
3 reapplication process.

4 (c) If the Department of Health and Social Services determines that a person who
5 reapplies meets the requirements of (a) of this section and is otherwise eligible under
6 AS 47.45.030(c) and 47.45.070, the amount of the person's monthly bonus shall be the
7 amount the person was eligible to receive under AS 47.45.010(a)(1) - (4).

8 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).

Alaska State Legislature

Chairman
State Affairs Committee

Vice-Chairman
Economic Development, Trade & Tourism
Committee

Member
Judiciary Committee
Joint Armed Services Committee

Finance Subcommittees



A Communication From
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District 31 Anchorage

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"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

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Anchorage, AK 99501-2133

Phone: (907) 269-0205
Fax: (907) 269-0207

Changes from HB 79 to CS for HB 79()

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

The CS for HB 79 adds another subsection, AS 47.45.030(a), to be waived so as not to disqualify qualified applicants from reapplying for longevity bonus payments because of absences due to legitimate vacations and out-of-state travel. It also adds the months of April and May to June of 2003, when payments stopped, to conform to this change.

The blank CS also inserts the "commissioner of health and social services" in place of the "commissioner of administration" in Section 1(a) and the Department of Health and Social Services in place of the "Department of Administration" in Sections 1(b) and 1(c).

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Sectional Analysis of Changes from HB 79 to CS for HB 79()
(Changes from Version 25-LS0359\A to Version 25-LS0359\C)

- Section 1(a)** Version 25-LS0359\C adds on page 1, line 7, **AS 47.45.030 (a)**, to include legitimate absences from the state. Version C also adds on page 1, line 10, the months of **April** and **May** to June of 2003 conform to this change. Version C also correctly refers on page 1, line 11, to the **commissioner of health and social services** instead of the commissioner of administration, which was listed in Version A.
- Section 1(b)** Version C correctly refers on page 2, line 1, to the **Department of Health and Social Services** in place of the Version A reference to Department of Administration.
- Section 1(c)** Version C correctly refers on page 2, line 4, to the **Department of Health and Social Services** in place of the Version A reference to Department of Administration.

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Anchorage, AK 99501-2133

Phone: (907) 269-0205
Fax: (907) 269-0207

Sectional Analysis for HB 79: Longevity Bonus Reapplications

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

- Section 1(a)** Allows qualified applicants who received a monthly longevity bonus payment in June of 2003 to reapply to the state for monthly payments, and not be disqualified for failing to follow the requirements of the "continuous eligibility procedures" under AS 47.45.020 and AS 47.45.010(a).
- Section 1(b)** Requires a qualified applicant to file a reapplication before January 1, 2008. Directs the Department of Health and Social Services to prepare a reapplication form and to check for evidence of eligibility for a longevity bonus.
- Section 1(c)** Allows the person who reapplies and meets the requirements of (a) of this section to reapply for the same monthly bonus payment they were getting under the program before the payments were stopped after June of 2003.
- Section 2** Sets an immediate effective date under AS 01.10.070(c)

Alaska State Legislature

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State Affairs Committee

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Sponsor Statement for HB 79

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

Governor Sarah Palin has included funding for the Longevity bonus program in her FY 2008 budget request. Alaska senior citizens who qualified for the program before funding was eliminated four years ago could be receiving their monthly bonus payments again.

However, without passage of House Bill 79, there will be a problem for them under the current law. When the checks stopped arriving after June of 2003, recipients stopped filing the required monthly applications for payments, thereby unintentionally violating the "continuous eligibility procedures" of the program.

HB 79 changes the statute to create a new application to allow formerly eligible recipients to reapply for their monthly bonus payments if the program is funded again.

This bill also requires qualified applicants to reapply before Jan. 1, 2008. And it directs the Department of Health and Social Services to prepare reapplication forms and to check for evidence of eligibility for a longevity bonus.

Under HB 79, those who qualify will be able to reapply for the same monthly bonus payments that they were getting before the program stopped being funded four years ago.

**Legal Opinions
For House Bill 79**

Longevity Bonus Reapplications

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

September 22, 2006

SUBJECT: Longevity Bonus Program (Work Order 25-LS0071\A)

TO: Representative Bob Lynn
Attn: Nancy Manly

FROM: Tamara Brandt Cook
Director

Earlier this month, I sent you a draft appropriation to fund the Longevity Bonus Program. Although the program has never been repealed, on reflection I expect that simply appropriating money to fund the program will not be sufficient.

The Longevity Bonus Program was not funded during fiscal year 2004, fiscal year 2005, fiscal year 2006, nor was it included in the budget for fiscal year 2007. Under AS 47.45.010(a) no person qualifies for a bonus unless the person applied before January 1, 1997. AS 47.45.020 sets up a system for continuous eligibility once the person applies and becomes eligible for the program. Continuous eligibility is based on monthly applications, or, in certain isolated rural areas, applications mailed every six months. Obviously, it is unlikely that eligible recipients have continued to mail the applications during the period that the Longevity Bonus Program was not funded for purposes of ensuring continuous eligibility or that those applications have been consistently processed. Consequently, it appears that it will be necessary to require a new application in order to insure that formerly eligible recipients have maintained residency status and continue to be eligible for the program. (AS 47.45.010(c); AS 47.45.070) This will require a statute change.

Also, be aware that reinstatement of the Longevity Bonus Program in a way that includes only the original recipients potentially muddies the legal status of the program. In 1993, the legislature decided to terminate the program by gradually phasing it out and "grandfathering in" current recipients, and, at a reduced level, future recipients who would first become eligible and apply for the bonus by the end of 1996. This legislation was challenged, but upheld by the Superior Court. (*Maggard v. Sipe*, Superior Court, Third Judicial District, Case No. 3AN-94-08935 CI, order dated June 6, 1996) Basically, the Superior Court held that because the Longevity Bonus Program provides merely an economic interest, it is entitled only to minimum scrutiny under an equal protection challenge, so that all the state needed to show was that its objectives in enacting the 1993 legislation were legitimate. The court found that the main objective was to terminate the program and save money, a legitimate state purpose. The court further found that the

Representative Bob Lynn
September 22, 2006
Page 2

purpose of gradually phasing out the program while grandfathering in recipients and those who soon would be recipients was to protect the interests of people who might have reasonably been relying on receiving the bonus. This also, the court found to be a legitimate state purpose. What saved the "grandfather" provision in the 1993 legislation from being held to unconstitutionally discriminate between newcomer seniors to the state and long time resident seniors was the fact that the state was protecting the reliance interest of people who, to some degree, were depending upon the bonus. The case was never appealed to the Supreme Court. Obviously, if the reinstated Longevity Bonus Program is challenged again on equal protection grounds, it will be harder to successfully argue that the state is validly protecting a reliance interest when the people who are eligible for the payments have, in fact, not received them for more than three years and, arguably, can no longer be reasonably relying on future receipt of those payments. This potential constitutional issue can be avoided if the Longevity Bonus Program is reopened for all seniors, but this would make the program much more expensive.

Please let me know if you would like a bill draft addressing any of these or other issues involved in reconstituting the Longevity Bonus Program.

TBC:med
06-482.med

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LEGISLATIVE AFFAIRS AGENCY
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Juneau, Alaska 99801-1182
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MEMORANDUM

February 5, 2007

SUBJECT: Senior Care Program (HB 79, Work Order No. 25-LS0359\A)

TO: Representative Bob Lynn
Chair of the House State Affairs Committee
Attn: Mike Sica

FROM: Tamara Brandt Cook
Director

How does receipt of longevity bonus payments affect eligibility for benefits under the senior care program?

The senior care program provides cash assistance benefits under AS 47.46.310 and prescription drug benefits under AS 47.46.320. Eligibility for these benefits depends upon household income. No statutory exemption is provided under the program that would remove income from certain sources from consideration for purposes of determining eligibility. The statutes that deal with the longevity bonus program do contain a "hold harmless" provision exempting bonus payments from income calculations for purposes of determining eligibility for some other benefit programs, but that statute does not apply to the senior care program. AS 47.45.122 provides:

Sec. 47.45.122. Eligibility for public assistance.

(a) An individual whose public assistance is denied or reduced solely because of the receipt of a bonus under AS 47.45.010 - 47.45.160 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.

Consequently, longevity bonus payments will be included in the calculation of household income for purposes of determining eligibility for benefits under the senior care program. The household incomes of some people could be increased as a result of receiving

Representative Bob Lynn
February 5, 2007
Page 2

longevity bonus payments beyond the maximums permitted for benefits under the senior care program. Those people will have to choose which program to apply for. On the other hand, permanent fund dividends are not counted for purposes of determining eligibility for the senior care program. (AS 43.23.075(a))

TBC:lmb
07-008.lmb

**Research, Background
For House Bill 79**

Longevity Bonus Reapplications

Longevity bonus history at a glance

- **1972:** Legislature passes original bonus plan to benefit Alaskans 65 and over, and who were in Alaska before statehood in 1959. Cost: \$2.5 million per year. Participants: 4,300.
- **1982:** U.S. Supreme Court rules in *Zobel V. Williams* that a state can't distribute benefits based on the length of each citizen's residency.
- **1984:** Program changes to benefit all seniors age 65 and older who had been in the state for a year. Cost jumps from \$24 million to \$49 million.
- **1993:** Program cost peaks at \$67 million. Legislature sunsets program.
- **1997:** Last seniors to participate in program become eligible by turning 65.
- **2002:** Program costs \$47.5 million, with about 18,000 beneficiaries.

Who gets it, and how much?

- About 12,000 seniors who were already on the program in 1994 receive \$250 per month.
- About 1,700 seniors who joined the program in 1995 receive \$200 per month.
- About 1,900 seniors who joined the program in 1996 receive \$150 per month.
- About 2,200 seniors who joined the program in 1997 receive \$100 per month.

Web posted Sunday, March 16, 2003

By MASHA HERBST
JUNEAU EMPIRE © 2003

Alaska Longevity Bonus Statistical Summary

Final Payment Issued August 2003

Active Participants Receiving Warrant:	17,412
Total Warrants Issued:	17,560
Total Cost of Warrants Issued:	\$3,843,651

Includes past warrants due to some participants

Budget

	FY 2002	14 Pmts FY 2003
Authorized	\$51,158,600	\$55,852,800
Cost	50,958,000	55,275,500
Difference	\$200,600	\$577,300

History

Fiscal Year	Total Cost	Bonus Amount	# Recipients (FY end)
1973	\$2,532,300	\$100	4,753
1974	6,009,700	100	5,250
1975	6,255,300	100	5,463
1976	6,533,400	100	5,553
1977	8,666,900	125	6,228
1978	9,444,200	125	6,671
1979	12,195,500	150	7,207
1980	13,226,500	150	7,897
1981	19,420,600	200	8,527
1982	26,198,750	250	9,101
1983	27,504,500	250	9,731
1984	29,155,750	250	10,769
1985	43,096,750	250	15,135
1986	44,024,250	250	15,763
1987	46,943,250	250	16,834
1988	49,994,000	250	17,675
1989	53,348,500	250	18,439
1990	57,172,700	250	19,490
1991	60,069,500	250	20,298
1992	63,073,750	250	21,645
1993	66,607,500	250	22,741
1994	70,414,100	See (5)	23,850
1995	72,709,500	See (5)	24,959
1996	73,270,100	See (5)	26,083
1997	71,950,800	See (5)	26,427
1998	68,031,900	See (5)	24,610
1999	63,528,300	See (5)	23,039
2000	59,125,450	See (5)	21,467
2001	54,829,900	See (5)	20,238
2002	50,967,990	See (5)	18,741
2003	55,275,500	See (5)	18,741

See (1)

See (2)

See (3)

See (4)

Projected Cost if Program Continued

Fiscal Year	Total Cost	Average # Monthly Recipients
2004	44,777,917	17,252
2005	41,543,333	16,081
2006	38,344,167	14,917
2007	35,203,333	13,766
2008	32,130,417	12,631
2009	29,080,833	11,468
2010	26,115,000	10,324
2011	23,361,667	9,304
2012	20,743,333	8,322
2013	18,250,000	7,376
2014	15,914,583	6,484
2015	13,740,417	5,654
2016	11,734,167	4,883
2017	9,901,250	4,165
2018	8,251,250	3,510
2019	6,768,750	2,917
2020	5,457,083	2,390
2021	4,326,667	1,931
2022	3,342,917	1,524
2023	2,510,833	1,168
2024	1,832,917	876
2025	1,282,083	638
2026	848,750	447
2027	525,833	298
2028	288,333	176
2029	116,250	81
2030	36,250	28
2031	5,833	5

Note (1) 25 year residency requirement

Note (2) 1 year residency requirement, 5/1

Note (3) 2 year residency requirement, 1/1

Note (4) 1 year residency requirement, 6/11

Note (5) The Longevity Bonus Program is being phased out. New applicants in: 1994 received \$200 per month, 1995 received \$150 per month and 1996 received \$100 per month. No recipients were added to the program after December 31, 1996. All people on the program prior to 1997 continue to receive their monthly bonus as long as they maintain their eligibility.

Note (6) 14 Payments were issued in FY 2003. The May and June 2003 payments, issued in July and August 2003, were paid from an FY 2003 supplemental appropriation rather than an FY 2004 appropriation.

Note (7) The Longevity Bonus Program was terminated and the final payment was issued August 1, 2003. Based on average the low payment estimate per the October 2002 forecast run of the McDowell Group model.

born and is thus influenced only by assumptions of migration or death.

Population Projections by Age

Middle series, 2005-2029



School age populations

Four age groups approximate the school age population. Ages 5-11 kindergarten and elementary school, ages 12-13 junior high, ages 14-17 high school, and ages 18-22 college and post-secondary education.

The historical uncertainty of fertility trends, compounded by migration, makes the future number of school-age children the most uncertain to project. (See Exhibit 14.) In 2000, there were about 76,000 children ages 5-11. Since 2000, this number has declined and in the mid level projection should bottom out in 2004 at 72,500. This age group should rise to 2000 levels again by 2009. The number should stabilize at 86,000 for the following decade.

Children ages 12-13 numbered about 22,100 in 2000 and peaked at 23,600 in 2003. (See Exhibit 15.) This age group is expected to decline until 2009 when it should bottom out at about 21,000, according to the mid level projection. It should return to 2003 levels by about 2019.

(continued on page 13)

Age	2005	2009	2014	2019	2024	2029
0-4	53,101	54,661	57,660	59,296	59,597	59,343
5-9	51,456	55,642	57,583	60,335	61,700	61,770
10	10,394	10,663	11,700	11,957	12,418	12,508
11	10,794	10,592	11,540	11,904	12,408	12,552
12	11,076	10,328	11,513	11,888	12,412	12,630
13	11,426	10,748	11,601	11,826	12,339	12,617
14	11,760	10,659	11,228	11,722	12,214	12,590
15	11,940	10,968	10,877	11,873	12,081	12,490
16	11,320	11,119	10,719	11,626	11,941	12,393
17	11,036	11,231	10,183	11,324	11,649	12,121
18	10,461	11,170	10,152	10,958	11,133	11,588
19	10,041	10,849	9,530	10,046	10,482	10,910
20-24	43,685	47,463	48,559	44,362	48,321	49,366
25-29	42,478	45,375	50,325	51,103	46,569	50,154
30-34	45,610	46,715	49,579	54,248	54,728	49,919
35-39	47,846	47,398	47,959	50,576	54,950	55,144
40-44	54,712	47,386	46,435	46,782	49,137	53,216
45-49	55,913	54,209	45,414	44,320	44,482	46,609
50-54	50,799	53,529	51,712	42,954	41,760	41,805
55-59	38,865	46,956	50,104	48,289	39,675	38,453
60-64	24,680	32,893	42,219	46,023	44,309	36,005
65-69	15,379	20,586	29,458	38,104	41,621	40,107
70-74	10,814	12,489	17,917	26,032	33,815	36,998
75-79	8,026	6,472	10,123	14,918	22,077	28,753
80-84	5,105	5,747	6,322	7,762	11,749	17,750
85-89	2,519	3,286	3,936	4,366	5,525	8,544
90-94	1,016	1,253	1,933	2,333	2,597	3,449
95+	352	514	724	1,243	1,768	2,170
16+	490,657	517,740	543,301	567,369	588,283	605,454
18+	468,301	495,390	522,399	544,419	564,693	580,940
65+	43,211	52,347	70,413	94,758	119,152	137,771
Total	662,604	692,001	727,003	758,170	783,452	801,904
Median Age	33.4	33.7	34.0	34.5	35.2	35.8
Males per 100 Females	105.5	104.5	103.3	102.0	100.8	99.5
Youth Dependency (<18/18-64)	45.7	44.4	45.3	47.5	49.1	49.9
Aged Dependency (65+/18-64)	10.2	11.8	15.6	21.1	26.7	31.1

Source: Alaska Department of Labor and Workforce Development, Research and Analysis Section

**News Articles
For House Bill 79**

Longevity Bonus Reapplications

Gov. Palin puts longevity bonus back in budget

by Natasha Rasheed
Saturday, Jan. 27, 2007

Anchorage, Alaska - Gov. Sarah Palin says money for the longevity bonus is back in the budget. The governor says she put \$33 million in the budget to reinstate the program. Palin says she will work with lawmakers to make sure the funding stays.

The program provided some senior citizens up to \$250 a month until it was vetoed by Gov. Frank Murkowski in 2003.

Approximately 13,000 Alaskans qualify for longevity bonus.



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House Majority Leader John Coghill, R-North Pole, who is backing Binkley, criticized Murkowski for dropping the program all at once but said he would not support an effort to reinstate it.

"It was the right thing to do," he said of Murkowski's ending the program, "He just did it the wrong way."

The hurdle of an unwilling Legislature hasn't stopped both Republican and Democratic candidates from criticizing the governor for his veto and vowing to bring the program back.

"It was a poor, misguided decision to lop our seniors off a program that was scheduled to phase out," Palin told the News-Miner last month, "I think it was a huge mistake."

Palin said she would reinstate the program and that the state could afford it.

According to the Department of Health, about 13,800 seniors would qualify for the bonus in 2007. Murkowski vetoed the funding when more than 17,000 qualified.

Knowles said he would reinstate the program as it was when he left the office of governor in 2002. He said the "vast majority" of the bonus funds went to people who are now over 75 and have no other way of supplementing an often "very meager" cash supply.

Croft and Binkley also said they would bring back the Longevity Bonus.

"It was a promise," said Croft.

Murkowski defended his veto in a July interview with the News-Miner. He said the program was unfair because it was not based on financial need and that a budget deficit forced him to cut state spending.

"I'm willing to take the heat," he said, "I can justify my actions because we had to make some cuts."

Ultimately, bringing back the Longevity Bonus could take more than a new governor.

Democratic lawmakers tried in 2004 and again in 2005 to restore funding to the program, but none of their proposals made it out of committee.

Rep. Les Gara of Anchorage, who led a push for funding in 2005, said the issue had become political, with Republican lawmakers backing the Republican governor.

Coghill mentioned a desire by lawmakers to cut the program over five years but acknowledged that lawmakers turned down multiple chances to reinstate it.

"The Legislature is probably culpable in some degree," he said.

Whether a new governor could bring lawmakers around is another question.

Coghill claimed the political will to bring the program back does not exist.

Binkley disputed the claim.

"I believe with the governor leading the way that it will happen," he said.

Staff writer Stefan Milkowski can be reached at smilkowski@newsminer.com or 459-7577.

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Apprehension, excitement and relief about longevity bonus



Anchorage senior citizens discuss the newly-reinstated longevity bonus. (Kris Riley/KTUU-TV)

by Natasha Rasheed
Friday, Dec. 15, 2006

Anchorage, Alaska - This morning, Gov. Sarah Palin announced that she plans to reinstate the longevity bonus for seniors. But with that announcement comes some apprehension and many seniors hope it isn't an empty promise.

Norma Erickson, who is 76 years old, knows a thing or two about the value of a dollar. For Erickson, \$150 is enough to pay for utilities, as well as a chance to buy presents for her grandchildren.



Norma Erickson (above) said the bonus would help her and others living on a fixed income make ends meet. (Kris Riley/KTUU-TV)

"It really helped me a lot and it took a long time before I got used to cutting here and cutting there and, you know, getting used to it," Erickson said.

In 2003, then-Gov. Frank Murkowski decided to end the longevity bonus program, which paid eligible seniors as much as \$250 a month.

"I just thought the suddenness of it -- I figured they could have done it by a year, kind of phased it out, so people could get used to it and plan otherwise," said Erickson.



Gov. Palin announced Friday that she intends to reinstate the longevity bonus for Alaska seniors. (Kris Riley/KTUU-TV)

But with a new administration comes a new plan. Palin says she plans to reinstate the longevity bonus, and at the Anchorage Senior Center, the news produced excitement for some.

"Wonderful! I was getting it for about five years and when it stopped it really hurt my budget," said Phillip McGuire, a senior citizen in Anchorage.

Others were apprehensive of Palin's offer.



Former Gov. Frank Murkowski (above) vetoed the seniors program in 2003. His popularity never recovered. (Kris Riley/KTUU-TV)

"I'm concerned about how the state is going to operate financially. I am not sure if she has taken that all into consideration or not. I'm sure it's popular with us senior citizens, but we have to think about how the state's going to make it down the road and our children," said Vincent Casey a senior citizen in Anchorage.

While some think it's a refreshing change for Alaska, officials estimate it would cost the state \$33.7 million to start making the payments again to the seniors who received it before. Finding the money will be up to the Legislature.

For Erickson, it would be a better quality of life and a change she hopes to see happen with the new administration. It is important to note that this is not yet a done deal.



Vincent Casey (above) was apprehensive about the program's reinstatement and worried about state's fiscal solvency. (Kris Riley/KTUU-TV)

The money must still be appropriated by the Legislature in order for seniors to get the checks.

At the time of the veto by Murkowski, the program was already being phased out with no new recipients and a bitter joke among seniors was that they were not dying fast enough.

In 2003, approximately 18,000 senior Alaskans got the monthly longevity bonus checks, or roughly half the senior population.

Today, Palin said that roughly 13,000 seniors would be eligible for the reinstated program, indicating that about 5,000 of the former recipients either moved or passed away.



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Longevity Bonus becoming election focal point

By Stefan Milkowski

Staff Writer

Published August 17, 2006

A controversial veto made by Gov. Frank Murkowski three years ago is coming back as a hot-button campaign issue.

Four of the five leading candidates for governor—Republicans Sarah Palin and John Binkley and Democrats Tony Knowles and Eric Croft—have said they would reinstate the state's Longevity Bonus Program, which gave financial assistance to certain Alaskan seniors.

Only Murkowski is standing behind his decision to cut the program's funding.

According to the departments of Law and Health and Social Services, bringing the program back would be fairly straightforward.

The program, which offered seniors monthly payments of up to \$250, ended when Murkowski chose not to fund it, but the law behind it still exists. According to Mark Morones, spokesman for the Department of Law, the bonus could probably be reinstated without a hitch if the governor and Legislature made an appropriation for it.

Janet Clarke of the Department of Health and Social Services, which administered the program, said the same.

Because the program was already being phased out, it would cost significantly less than it did when Murkowski vetoed funding for it in 2003.

The program offered monthly payments of \$250 to residents who had lived in Alaska at least a year, were at least 65 years old, and applied before 1994. Lesser payments were available to those who turned 65 in 1994, 1995, and 1996. No one was allowed to enter the program after 1996.

According to estimates from the Department of Health, the bonus would cost the state a little more than \$35 million in fiscal year 2007 and less each year until there were no more recipients. The program would have cost roughly \$45 million in fiscal year 2004.

The biggest challenge for a new governor could be convincing a Republican-controlled Legislature to reinstate the program.

**Relevant Alaska Statutes
For House Bill 79**

Longevity Bonus Reapplications

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

(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 AS 47.45.010 - 47.45.160 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 health and social services determines that an applicant qualifies under AS 47.45.010 - 47.45.160 the commissioner shall immediately begin payment of the bonus.

(c) A person who otherwise qualifies to receive a bonus provided for in AS 47.45.010 - 47.45.160 may continue to do so only as long as that person continues to be a resident of the state.

(d) *[Repealed, Sec. 62 ch 21 SLA 1991].*

Sec. 47.45.020. Continuous eligibility procedures.

After qualification, monthly applications for bonuses may be made in person to any office of the Department of Health and Social Services. 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 health and social services 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.

Sec. 47.45.030. Absence from the state.

(a) After qualification, a recipient shall notify the commissioner of health and social services when the recipient expects to be absent from

the state if the absence is for a continuous period that exceeds 60 days. After that notification, the recipient may no longer receive bonuses from the Department of Health and Social Services after the last regularly approved monthly application. Upon returning to the state, the recipient may again make application for a bonus. Failure to notify the commissioner of an expected absence may be grounds for disqualification.

(b) *[Repealed, Sec. 4 ch 78 SLA 2002].*

(c) A recipient who has been absent from the state for a continuous period that exceeds three years is permanently disqualified from receiving bonuses.

Sec. 47.45.035. Unpaid sabbaticals. [Repealed, Sec. 4 ch 78 SLA 2002].

Repealed or Renumbered

Sec. 47.45.040. Disqualification.

Disqualification under AS 47.45.010 - 47.45.160 shall rest solely with the commissioner of health and social services and shall be outlined in the regulations adopted under AS 47.45.100 (1).

Sec. 47.45.045. Reapplication after disqualification. [Repealed, Sec. 4 ch 78 SLA 2002].

Repealed or Renumbered

Sec. 47.45.050. Department hearing.

The Department of Health and Social Services may arrange with the office of administrative hearings (AS 44.64.010) to hold a 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.

Sec. 47.45.060. Legal remedy.

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.

Sec. 47.45.070. Unqualified persons.

(a) An unqualified person is one who

(1) does not meet the age or residence requirements as provided for under AS 47.45.010 - 47.45.160;

(2) meets the age and residence requirements of AS 47.45.010 - 47.45.160 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 health and social services 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) is permanently disqualified under AS 47.45.030 (c);

(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 and was subsequently permanently disqualified under former AS 47.45.030 (b) or former AS 47.45.045.

(b) Notwithstanding (a)(2) of this section, a person who meets the age and residence requirements of AS 47.45.010 - 47.45.160 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 AS 47.45.010 - 47.45.160 qualifies for the bonus if the costs of care of the person at the nursing home are paid for entirely from private sources, veterans' benefits, or a combination of private sources and veterans' benefits.

Sec. 47.45.300. Senior care program.

(a) The senior care program is established in the Department of Health and Social Services to provide cash assistance benefits and prescription drug benefits as far as practicable under appropriations provided by law.

(b) The department shall

(1) administer the program; and

(2) adopt regulations under AS 44.62 to carry out the purposes of the program.

(c) If the department estimates that appropriations for the program are insufficient to meet the demands of the program in a fiscal year, the department may reduce or eliminate the benefits available to recipients. Benefits shall be reduced or eliminated in the following order:

(1) deductible coverage under AS 47.45.320 (c);

(2) premium coverage under AS 47.45.320 (c);

(3) cash assistance under AS 47.45.310 (b).

Sec. 47.45.310. Cash assistance benefit.

(a) To be eligible for a cash assistance benefit under the program, an individual shall

(1) be 65 years of age or older;

(2) be a resident of the state;

(3) have household income that does not exceed

(A) \$16,133 a year if the household consists of one person; or

(B) \$21,641 a year if the household consists of two people;

(4) meet other eligibility requirements specified in this subsection and in regulations adopted under this subsection; and

(5) apply on a form provided by the department; the department may use an abbreviated form for an individual who received a payment under an assistance program for seniors that paid \$120 a month and was

administered by the department on or before the effective date of this section.

(b) An eligible individual who meets the income standard of (a)(3) of this section shall receive cash assistance of \$120 a month as far as practicable under appropriations available to the program.

(c) Cash assistance provided under this section is inalienable by assignment or transfer and is exempt from garnishment, levy, or execution as provided in AS 09.38.015.

Sec. 47.45.320. Prescription drug benefit.

(a) To be eligible for a prescription drug benefit under the program, an individual

(1) shall be 65 years of age or older;

(2) shall be a resident of the state;

(3) shall have household income that does not exceed

(A) \$20,913 a year if the household consists of one person; or

(B) \$28,053 a year if the household consists of two people;

(4) may not be receiving a cash assistance payment under AS 47.45.310;

(5) shall be enrolled in at least one of the prescription drug programs described in (c) of this section;

(6) shall meet other eligibility requirements specified in this subsection and in regulations adopted under this subsection; and

(7) shall apply on a form provided by the department; the department may use an abbreviated form for individuals who received a payment under an assistance program for seniors that paid \$120 a month and was administered by the department on or before the effective date of this section.

(b) To receive a prescription drug benefit under this section, an individual

(1) may not also receive a similar prescription drug benefit, except for a prescription drug program offered by a facility that operates under the authority of 25 U.S.C. 450 - 458bbb-2; and

(2) if eligible for a similar prescription drug benefit, shall assign to the department the individual's right to payment of the other prescription drug benefit.

(c) The department may pay an eligible individual's premium and deductible for a prescription drug benefit authorized under

(1) 42 U.S.C. 1395w-101 - 1395w-152 (Medicare Prescription Drug, Improvement and Modernization Act of 2003), as amended, including

(A) a prescription drug plan funded under 42 U.S.C. 1395w-101 - 1395w-152 (Medicare Prescription Drug, Improvement and Modernization Act of 2003), as amended; and

(B) a Medicare Advantage plan that provides prescription drug coverage qualified under 42 U.S.C. 1395w-101 - 1395w-152 (Medicare Prescription Drug, Improvement and Modernization Act of 2003), as amended;

(2) a group health plan, including the federal employees health benefits program and qualified retiree prescription drug plan as defined in 42 U.S.C. 1395w-132 (sec. 1860D-22(a)(2) of the Social Security Act), as amended;

(3) coverage of prescription drugs for veterans, survivors, and dependents under 38 U.S.C. 1701 - 1784, as amended;

(4) coverage under a Medicare supplemental policy, such as medigap under 42 U.S.C. 1395ss (sec. 1882 of the Social Security Act), as amended, and as specified in 42 C.F.R. 403.205, that provides a prescription drug benefit regardless of whether the coverage was issued in accordance with the standardization requirement under 42 U.S.C. 1395ss(p)(1) (sec. 1882(p)(1) of the Social Security Act), as amended;

(5) military coverage under 10 U.S.C. 1071 - 1110, as amended; or

(6) any other private plan that is identified by the department as providing coverage actuarially equivalent to 42 U.S.C. 1395w-101 - 1395w-152 (Medicare Prescription Drug, Improvement and Modernization Act of 2003), as amended.

(d) If an eligible individual has a prescription drug benefit that is specified in (c) of this section, but that benefit does not require the individual to pay either a premium or a deductible, the department may not pay a prescription drug benefit to the individual under this section.

(e) The total prescription drug benefit that an eligible individual may receive under this section in a fiscal year may not exceed the annual premium cost of a plan identified in (c) of this section and any deductible required under 42 U.S.C. 1395w-101 - 1395w-152 (Medicare Prescription Drug, Improvement and Modernization Act of 2003), as amended.

(f) The department may not pay a prescription drug benefit under this section to an individual who has a prescription drug benefit authorized under

(1) Medicaid under 42 U.S.C. 1396 - 1396v (Title XIX of the Social Security Act), as amended; or

(2) a waiver under 42 U.S.C. 1315 (sec. 1115 of the Social Security Act), as amended.

(g) An individual residing in a public institution, a nursing facility, the Alaska Pioneers' Home, or the Alaska Veterans' Home is not eligible for a prescription drug benefit under this section. For purposes of this subsection, an individual is not considered to be residing in a public institution or nursing facility if the individual is institutionalized for medical services for a period of less than three months and continues to maintain and provide for the expenses of the individual's home or living arrangement to which that individual may return upon discharge from the institution or facility.

Sec. 47.45.330. Continuation of benefits.

An eligible individual who leaves the state may not receive a cash assistance benefit under AS 47.45.310 or prescription drug benefit under AS 47.45.320 during the absence unless the individual's absence is temporary and is for one of the following reasons:

(1) to receive medical treatment for the individual;

(2) to accompany the individual's family member who is receiving medical treatment outside the state; or

(3) for a vacation, business trip, or other absence of less than 30 consecutive days, unless the individual has applied for and received a time extension from the department for special circumstances.

Sec. 47.45.340. Appeal rights.

An individual who receives a determination from the department that denies, limits, or modifies a cash assistance benefit or prescription drug benefit under AS 47.45.300 - 47.45.390, other than a determination under AS 47.45.300 (c) to reduce or eliminate benefits, may request a hearing before the department under regulations adopted by the department.

Sec. 47.45.350. Ability to recover or recoup improper assistance benefits.

An individual is liable to the department for the value of assistance or benefits improperly paid to the person under AS 47.45.310 or 47.45.320 if the improper payment was based on inaccurate or incomplete information provided by the individual. In a civil action brought by the state to recover from the individual the value of assistance or benefits improperly paid under AS 47.45.310 or 47.45.320, the state may recover from the individual the costs of investigation and prosecution of the civil action, including attorney fees as determined under court rules.

Sec. 47.45.360. Alaska senior care fund.

The Alaska senior care fund is established as an account in the general fund. The fund shall be used by the commissioner of health and social services to pay for costs incurred in the provision of senior services under AS 47.45.300 - 47.45.390. The fund consists of

- (1) money in the former senior care fund established in sec. 2, ch. 3, SLA 2004;
- (2) appropriations to the Alaska senior care fund; and
- (3) any appropriation of interest earned on money in the Alaska senior care fund.

Sec. 47.45.390. Definitions.

In AS 47.45.300 - 47.45.390,

- (1) "department" means the Department of Health and Social Services;
- (2) "eligible individual" means an individual who meets the requirements of AS 47.45.310 or 47.45.320 and regulations adopted under those statutes for eligibility for the program;