



LAWS OF ALASKA

1984

Source

HB 717 am

Chapter No.

38

AN ACT

Relating to the longevity bonus program, requiring the payment of longevity bonuses from appropriations from the general fund; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 11

Approved by the Governor: April 27, 1984
Actual Effective Date: April 28, 1984

AN ACT

Relating to the longevity bonus program, requiring the payment of longevity bonuses from appropriations from the general fund; and providing for an effective date.

* Section 1. FINDINGS AND PURPOSE. (a) The legislature finds and declares that

(1) the high cost of goods and services in Alaska and the state's remoteness and harsh environment, make it difficult for many elderly Alaskans to remain in the state after retirement;

(2) when a person is forced to live out retirement years away from home, family, and friends, that person suffers an irreparable loss;

(3) Alaska's elderly are a precious human resource, and it is in the public interest to provide a financial incentive for them to remain in the state after retirement; and

(4) it is in the public interest to continue the longevity bonus program for elderly Alaskans irrespective of need.

(b) The longevity bonus program is not a form of welfare and is not a substitute for or supplement to public assistance. Other programs are available to provide the basic necessities of life. The longevity bonus program is intended to encourage elderly Alaskans to spend their retirement years in the comfort of their homes.

* Sec. 2. AS 47.45.010 is amended to read:

Sec. 47.45.010. PERSONS WHO MAY QUALIFY FOR LONGEVITY BONUS.

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1 (a) A person who is 65 years of age or over, who resides in the state
2 for at least one year immediately preceding application for a longevi-
3 ty bonus under this chapter [WAS DOMICILED IN THE TERRITORY ON OR
4 BEFORE JANUARY 3, 1959 AND WHO HAS MAINTAINED A CONTINUOUS DOMICILE IN
5 THE TERRITORY OR STATE FOR 25 YEARS] may apply to the commissioner of
6 administration for qualification to receive a monthly bonus of \$250.

7 (b) When the commissioner of administration determines that an
8 applicant qualifies under AS 47.45.010 - 47.45.170 the commissioner
9 [HE] shall immediately begin payment of the bonus.

10 (c) A person who otherwise qualifies to receive a bonus provided
11 for in AS 47.45.010 - 47.45.170 may continue to do so only as long as
12 that person continues to be a resident of [HE CONTINUOUSLY RETAINS A
13 DOMICILE IN] the state.

14 * Sec. 3. AS 47.45.030 is amended to read:

15 Sec. 47.45.030. ABSENCE FROM THE STATE. After qualification, a
16 [A] recipient shall notify the commissioner of administration when the
17 recipient [HE] expects to be absent from the state if the absence is
18 for a continuous period that exceeds 30 days. After that notifica-
19 tion, the recipient may [SHALL] no longer receive bonuses from the
20 Department of Administration after the [HIS] last regularly approved
21 monthly application. Upon returning [HIS RETURN] to the state, the
22 recipient [HE] may again make application for a bonus. Whenever the
23 absence is for a continuous period that exceeds 180 days the recipient
24 shall be disqualified from receiving bonuses for the next 12 calendar
25 months after returning [HIS RETURN] to the state. However, when the
26 commissioner of administration determines a period of absence is
27 beyond the control of the recipient, the recipient [HE] may not be
28 disqualified [,] if the recipient [HE] still otherwise qualifies upon
29 returning [HIS RETURN] to the state. Continual absences from the

1 state, even though reported, and failure to notify the commissioner of
2 an expected absence may be grounds for disqualification.

3 * Sec. 4. AS 47.45.090(a) is amended to read:

4 (a) The [THERE IS THE] Alaska longevity bonus fund is created
5 for the purpose of paying the monthly bonuses provided for in this
6 chapter. The fund consists only of [ALL] money made available by
7 appropriations of the [STATE] legislature from the general fund, and
8 [FROM OTHER APPROPRIATED FUNDS, ALL CONTRIBUTIONS FROM WHATEVER
9 SOURCE, AND] income and interest derived from the investment of money
10 of the longevity bonus fund.

11 * Sec. 5. AS 47.45.150 is amended to read:

12 Sec. 47.45.150. DEFINITIONS. In this chapter

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

16 (2) "resident" or "resident of the state" means an indi-
17 vidual who is physically present in the state with the intent to
18 remain in the state indefinitely and to make a home in the state; a
19 person demonstrates the requisite intent by maintaining a principal
20 place of abode in the state for one year and by providing other proof
21 of intent the commissioner may require by regulation, including proof
22 that the person is not claiming residency outside the state or obtain-
23 ing benefits under a claim of residency outside the state ["DOMICILE"
24 MEANS THE PLACE WITH WHICH A PERSON HAS A SETTLED CONNECTION FOR
25 DETERMINATION OF HIS CIVIL STATUS OR OTHER LEGAL PURPOSES BECAUSE IT
26 IS ACTUALLY OR LEGALLY HIS PERMANENT AND PRINCIPAL HOME].

27 * Sec. 6. Section 2, ch. 205, SLA 1972, and AS 47.45.170 are repealed.

28 * Sec. 7. SPECIAL COMMITTEE. The State Special Committee on the Alaska
29 Longevity Bonus Program is created, consisting of two members of the Alaska

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1 Senate appointed by the president of the senate, two members of the Alaska
2 House of Representatives appointed by the speaker of the house, two members
3 of the executive branch selected by the governor, and three public members
4 appointed by the governor. The committee shall determine the feasibility
5 of replacing the longevity bonus program, as amended by this Act, with an
6 annuity program, a needs-based program, or other longevity program. In
7 making the determination of feasibility required by this section, the
8 committee shall consider (1) the format and structure of alternative pro-
9 grams; (2) the cost of alternative programs as compared to the cost of the
10 longevity bonus program, as amended by this Act; (3) opinions of recipients
11 of longevity bonus payments on the question of replacing the longevity
12 bonus program with an alternative program; and (4) sources of funding for
13 the alternative programs. The committee shall report its findings on the
14 feasibility of alternative programs, together with draft legislation to
15 implement the alternative programs if the committee finds that one or more
16 programs are feasible, to the legislature and the governor by February 1,
17 1985.

18 * Sec. 8. If any provision of this Act, or the application of this Act
19 to any person or circumstance is held invalid, the remainder of this Act
20 and the application of this Act to other persons or circumstances is not
21 affected by that holding.

22 * Sec. 9. (a) A person who was qualified to receive a monthly longevi-
23 ty bonus under AS 47.45 on March 30, 1984 is presumed to be qualified to
24 receive a monthly bonus under AS 47.45 as amended by this Act. Payments
25 under AS 47.45, as amended by this Act, may be made to that person as long
26 as the person continues to qualify for payments under those provisions.

27 (b) A person (1) who is eligible to receive a monthly longevity bonus
28 under AS 47.45, as amended by this Act, for which that person was not
29 eligible under AS 47.45 on March 30, 1984, and (2) whose application for a
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1 longevity bonus for May, June, July, or August, 1984 is received by Sep-
2 tember 1, 1984, may be paid for each month for which that person is qual-
3 ified and for which such an application was filed, notwithstanding any
4 other provision of law to the contrary.

5 * Sec. 10. Sections 1 - 8 of this Act are retroactive to May 1, 1984.

6 * Sec. 11. This Act and AS 47.45 are repealed June 30, 1985.

7 * Sec. 12. This Act takes effect immediately in accordance with AS 01.-
8 10.070(c).