

**S B**

**452**

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 452

SPONSOR Rodey

BILL TITLE Repeals longevity bonus limitations on OAC

DATE REFERRED 2.8.90

HEARING SCHEDULED

FISCAL NOTE PREPARED

SPONSOR CONTACTED

INTERESTED PARTIES CONTACTED

OTHER

SB 452, Limitations on Olders Alaskans Commission.

TO TESTIFY;

Senator Rodey  
Fran Toland, OAC

NOTES;

NONE.

BY SEN. RODEY

1 IN THE SENATE

2

SENATE BILL NO. 452

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act repealing limitations on the Older Alaskans

7

Commission relating to the longevity bonus program

8

and the Alaska Pioneers' Home."

9

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

10

\* Section 1. AS 44.21.230(c) is repealed.

Falks - review, opinions = OK - No investigation powers.  
allow to comment.

Amendment #1

Comm. may comment and review but not investigate or undertake  
any responsibility for - - - - -

(c) The commission shall elect one of its members as chairperson, and may select other officers it considers necessary. (§ 2 ch 79 SLA 1981)

**Sec. 44.21.220. Compensation.** Members of the commission receive no compensation for their services, but are entitled to per diem and travel allowances authorized by law for other boards and commissions under AS 39.20.180. (§ 2 ch 79 SLA 1981)

**Sec. 44.21.230. Powers, duties, and limitations.** (a) The commission shall

(1) formulate a comprehensive statewide plan that identifies the concerns and needs of older Alaskans and, with reference to the plan adopted, prepare and submit to the governor and legislature an annual analysis and evaluation of the services that are provided to older Alaskans;

(2) make recommendations directly to the governor and legislature with respect to legislation, regulations, and appropriations for programs or services that benefit older Alaskans;

(3) encourage and aid the development of municipal commissions serving older Alaskans and community-oriented programs and services for the benefit of older Alaskans;

(4) employ an executive director who serves at the pleasure of the commission;

(5) help older Alaskans lead dignified, independent, and useful lives;

(6) request and receive reports and audits from state agencies and local institutions concerned with the conditions and needs of older Alaskans;

(7) administer, with the approval of the commissioner of administration, federal programs as provided under 42 U.S.C. 3001 — 3045i (Older Americans Act), as amended; and

(8) administer, with the approval of the commissioner of administration, state programs as provided under AS 47.65.

(b) To accomplish its duties, the commission may

(1) review, evaluate, and comment upon state programs concerned with the problems and the needs of older Alaskans;

(2) collect facts and statistics, and make studies of conditions and problems pertaining to the employment, health, financial security, social welfare, and other concerns that bear upon the well-being of older Alaskans;

(3) provide information about public programs that would be of interest or benefit to older Alaskans;

(4) appoint special committees, which may include persons who are not members of the commission, to complete necessary studies.

(5) promote community education efforts regarding the problems and concerns of older Alaskans;

(6) contract for necessary services;

(7) consult and cooperate with persons, organizations, and groups interested in or concerned with programs of assistance to older Alaskans;

(8) advocate improved programs of benefit to older Alaskans;

(9) set standards for levels of services for older Alaskans for programs administered by the commission; and

(10) adopt regulations necessary for the administration of AS 44.21.200 — 44.21.240 and to comply with federal law.

(c) The commission may not investigate, review, or undertake any responsibility for the longevity bonus program under AS 47.45 or, except for activities of the office of the long term care ombudsman, the Alaska Pioneers' Homes under AS 47.25.010 — 47.25.100. (§ 2 ch 79 SLA 1981; am § 1 ch 108 SLA 1988; am § 51 ch 50 SLA 1989)

*Effect of amendments.* — The 1988 amendment, in subsection (b), added "and" at the end of paragraph (9) and added paragraph (10).

The 1989 amendment, effective May 27, 1989, inserted "except for activities of the office of the long term care ombudsman" in subsection (c).

**Sec. 44.21.231. Office of the long term care ombudsman.** (a) The office of the long term care ombudsman is established in the commission.

(b) The ombudsman shall be hired by the commission. A member of the commission who has a financial interest in a long term care facility in the state, or who has any other conflict of interest, may not participate in the hiring of the ombudsman. The ombudsman is a full-time position in the classified service.

(c) The ombudsman may not have a financial interest in a long term care facility in the state. The commission shall adopt regulations to ensure that the ombudsman, and employees and volunteers of the office, do not have a conflict of interest or an appearance of a conflict of interest. (§ 2 ch 108 SLA 1988)

**Sec. 44.21.232. Duties and powers of the long term care ombudsman.** (a) The ombudsman shall investigate and resolve a complaint made by or on behalf of an older Alaskan who resides in a long term care facility in the state if the complaint relates to a decision, action, or failure to act by a provider or a representative of a provider of long term care services, or by a public agency or social services agency, that may adversely affect the health, safety, welfare, or rights of the older Alaskan.

(b) The ombudsman may investigate and resolve a complaint made by or on behalf of an older Alaskan relating to the long term care or residential circumstances of the older Alaskan. Complaints under this

Patrick M. Rodey  
Senator

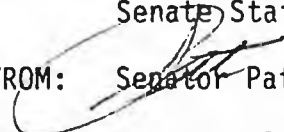
# Alaska State Legislature



## Senate

3111 C. St., Suite 510  
Anchorage, Alaska 99503  
(907) 561-7618

During Session:  
P.O. Box V  
Juneau, Alaska 99811  
(907) 465-3793

DATE: March 26, 1990  
TO : Senator Pat Pourchot, Chair  
Senate State Affairs Committee  
FROM:  Senator Patrick Rodey  
RE : Senate Bill 452

I would appreciate your consideration in scheduling Senate Bill 452 in the Senate State Affairs Committee at your earliest convenience.

The proposal expands the powers of the Older Alaskans Commission by repealing AS 44.21.230 (c) - a copy is attached - which currently denies the OAC the authority to investigate, review or undertake any responsibility for the longevity bonus program or the Alaska Pioneers' Homes.

Senate Bill 452 would establish a policy to allow the OAC to participate in matters regarding Alaska's seniors.

There is no fiscal impact.

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_ Agency Affected: Administration  
 Title: An Act repealing limitations on BRU: Older Alaskans Commission  
the OAC relating to the longevity bonus\*  
 Sponsor: Reidy Components: \_\_\_\_\_  
 Requestor: \_\_\_\_\_

\*program and the Alaska Pioneers' Home.  
 EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

There is no fiscal impact to FY 90.

There will be no fiscal impact to FY 91, as no additional staff is required.

Prepared by: Connie J. Sipe, Executive Director Phone: 465-3250  
 Division: Older Alaskans Commission Date: \_\_\_\_\_  
 Approved by Commissioner: Frank S. Baxter Date: 4/23/90  
 Agency: Department of Administration

Distribution (by preparer):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

Original sponsor(s): SEN. RODEY

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 452 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the Older Alaskans Commission to  
7 exercise review and comment powers relating to the  
8 longevity bonus program and the Alaska Pioneers'  
9 Home."

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

11 \* Section 1. AS 44.21.230(c) is amended to read:

12 (c) The commission may review and comment on, but may not inves-  
13 tigate [, REVIEW,] or undertake any responsibility for, the longevity  
14 bonus program under AS 47.45. The commission may review and comment  
15 on, but [OR], except for activities of the office of the long term  
16 care ombudsman, may not investigate or undertake any responsibility  
17 for, the Alaska Pioneers' Homes under AS 47.25.010 - 47.25.100.  
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25

Original sponsor(s): SEN. RODEY

CS PASSED  
"ALL" DO PASS

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16 care ombudsman, may not investigate or undertake any responsibility  
17 for, the Alaska Pioneers' Homes under AS 47.25.010 - 47.25.100.

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19  
20 S.A. — instead of repealing limitations statute,  
21 the C.S. allows OAC may review and  
22 comment on longevity bonus and Pioneer Homes  
23 but not investigate or take responsibility for.  
24  
25