

HB

503

Original sponsors: Uehling, Furnace,
Ringstad, et al

DRAFT

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 503 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Pioneers' Home."

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

8 * Section 1. AS 47.25.020(b) is amended to read:

9 (b) Every person admitted to the Pioneers' Home, except a person
10 admitted under AS 47.25.030, who receives income from any source in
11 excess of \$100 per [\$35 A] month may be required by the Department of
12 Administration to pay the excess to the Department of Administration
13 immediately upon receipt of the money in payment, or part payment, of
14 the cost of the person's [HIS] maintenance.

15 * Sec. 2. AS 47.25.020(c) is amended to read:

16 (c) At the end of each month the payments made under (b) of this
17 section shall be transmitted to the commissioner of revenue together
18 with the names of the persons making them and the amount paid by each.
19 The Department of Administration may pay [THE SUM OF \$35 A MONTH] to a
20 resident without funds the sum of \$100 per month.

21 * Sec. 3. AS 47.25.030 is amended by adding new subsections to read:

22 (b) The Department of Administration shall adopt regulations
23 establishing a daily or monthly rate for the compensation a resident
24 is to be charged under (a) of this section. The commissioner of
25 administration shall review the rate each year.

26 (c) The Department of Administration shall provide to all resi-
27 dents of the Pioneers' Home written notice of any proposed increase in
28 the rate charged for care and support of persons at the home. Notice
29 under this section shall be given not less than 60 days before an

1 before an increase is adopted. The notice shall include the time,
2 date, and place of a hearing to be held by the Department of Adminis-
3 tration under (d) of this section.

4 (d) Not less than 30 days before a proposed rate increase is
5 adopted, the Department of Administration shall conduct a hearing at
6 which interested persons shall be given the opportunity to submit
7 written or oral testimony, statements, arguments or contentions relat-
8 ing to the proposed rate increase. The department shall consider all
9 relevant matter presented to it before adopting a rate increase.

10 * Sec. 4. AS 47.25.070 is repealed and reenacted to read:

11 Sec. 47.25.070. INDEBTEDNESS OF PIONEERS' HOME RESIDENT TO
12 STATE. (a) The following expenses incurred for a pioneers' home
13 resident under AS 47.25.010 - 47.25.110 are a debt to the state and
14 may be recovered during the life of the resident:

15 (1) costs of standard or nursing care provided in the
16 Pioneers' Home each month to the resident not exceeding the rate
17 established by the Department of Administration under AS 47.25.030,
18 with credit given for any amounts paid by or collected from the resi-
19 dent;

20 (2) allowances paid under AS 47.25.020(c);

21 (3) cost of hospitalization and medical treatment provided
22 outside the Pioneers' Home; *HEBS MEDICARE recovery,*

23 (4) *performed* arrearages in fees for ~~television~~ *television* and ~~telephone~~ *telephone* ser-
24 vices provided in the Pioneers' Home;

25 (5) prescription medicine; and

26 (6) burial and related expenses.

27 (b) The debt is a first, prior and preferred claim against the
28 estate of the Pioneers' Home resident after the resident's death, and
29 after all claims for food, clothing, fuel, shelter, medical aid, or

1 burial expenses are paid. Heirlooms without regard to value are
2 exempt from a claim by the state under this section.

3 (c) Money left in charge of the Department of Administration by
4 a deceased resident of the Pioneers' Home may be used for the burial
5 and funeral expenses of the resident and for the improvement of the
6 burial plot of the Pioneers' Home.

7 (d) The clothing and other personal effects left by a deceased
8 Pioneers' Home resident may be used for the benefit of other resi-
9 dents, or may be given to relatives or to persons designated by the
10 resident, or sold and the proceeds applied in the manner provided for
11 money left by a deceased resident.

12 (e) In this section, "heirloom" means personal property of
13 sentimental value to a Pioneers' Home resident that has been in the
14 possession of the resident's family for 10 years or more or was a gift
15 to the resident.

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17 110 - and not recoverable from a collateral
18 source or
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CHAIRMAN
HOUSE SPECIAL COMMITTEE
ON STATE LOANS

VICE-CHAIRMAN
HOUSE RESOURCES COMMITTEE
HOUSE LABOR AND COMMERCE COMMITTEE

MEMBER
JOINT OIL & GAS COMMITTEE
HOUSE FINANCE SUBCOMMITTEE ON
ADMINISTRATION, REVENUE
AND THE GOVERNOR'S OFFICE

Alaska State Legislature



House of Representatives

Representative
RICK UEHLING

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Date: February 10, 1984

To: Rep. Mitch Abood
Chair, State Affairs Committee

From: Rep. Rick Uehling *R.U.*

Subject: CS HB503 (State Affairs)

The Committee Substitute addresses the two major concerns of the original bill:

1. Raising the monthly allowance from \$35.00 to \$100.00.
2. Allows personal property of the resident to be passed on to the family in the event the resident incurs a debt to the state. The Committee Substitute deletes the \$10,000 exemption and replaces it with an exemption for heirlooms without regard to value, and defines heirlooms as personal property of sentimental value to a Pioneer resident that has been in the family for ten years or more, or was a gift to the resident.

Additionally, the Committee Substitute addresses several concerns of the Pioneer Home residents and attempts to clarify in statute, procedures for establishing and raising of rates, and specifies which expenses the state is allowed to recover as debts to the state. Furthermore, the Committee Substitute makes technical changes to clarify whom the statute pertains to. The Committee Substitute also addresses a request by the residents to allow them to designate a person, other than a relative, to handle their clothing and other personal effects after they are deceased.

Introduced: 1/10/84
Referred: State Affairs and
Finance

*70- medicade
rental agreement.*

BY UEHLING, FURNACE,
RINGSTAD AND BARNES

1 IN THE HOUSE

2

HOUSE BILL NO. 503

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to income, allowances and debts of
7 residents of the Alaska Pioneers' Home."

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

17 such Pioneers

9 * Section 1. AS 47.25.020(b) is amended to read:

10 (b) Every person admitted to the Pioneers' Home, except a person
11 admitted under AS 47.25.030, who receives income from any source in
12 excess of \$100 per [\$35 A] month may be required by the Department of
13 Administration to pay the excess to the Department of Administration
14 immediately upon receipt of the money in payment, or part payment, of
15 the cost of the person's [HIS] maintenance.

16 * Sec. 2. AS 47.25.020(c) is amended to read:

17 (c) At the end of each month the payments made under (b) of this
18 section shall be transmitted to the commissioner of revenue together
19 with the names of the persons making them and the amount paid by each.
20 The Department of Administration may pay the sum of \$100 per [\$35 A]
21 month to a resident without funds.

SUFFICIENT (PLAINTIFF)

22 * Sec. 3. AS 47.25.070(a) is amended to read:

23 (a) An expense incurred for a person under AS 47.25.010 - 47.25.
24 [WITH INTEREST AT A RATE OF SIX PERCENT A YEAR FROM DATE OF
25 PAYMENT,] is a debt to the state and may be recovered during the life
26 of the beneficiary. The debt is a first, prior and preferred claim
27 against the estate of the beneficiary after the beneficiary's [HIS]
28 death, and after all claims for food, clothing, fuel, shelter, medical
29 aid or burial expenses are paid. Personal property of the beneficiary

*Certain types of Per Prop
not monetary*

1 having a total fair market value of not more than \$10,000 is exempt
2 from a claim by the state under this section.

CHAIRMAN

HOUSE SPECIAL COMMITTEE
ON STATE LOANS

VICE-CHAIRMAN

HOUSE RESOURCES COMMITTEE
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Date: January 17, 1984

To: Representative Mitch Abood
Chairman, State Affairs Committee

From: Representative Rick Uehling *R. Uehling*

Subject: HB503 - An Act relating to income, allowances
and debts of residents of the Alaska
Pioneers' Home.

FILE COPY

The purposes of HB503 are twofold:

During the last session the Legislature, in a letter of intent to last years' budget, required that the Department of Administration raise the fees charged to the residents of the Pioneer Home.

These rent increases were from \$225.00 to \$425.00 for regular residents and from \$275.00 to \$525.00 for residents who receive skilled nursing care.

At the time of the rent increase the residents met with members of the Legislature and representatives of the Department of Administration to request, first, that the increase be delayed, and secondly, that the amount of the monthly stipend (discretionary income) allowed residents be increased from \$35.00 to \$100.00.

Needless to say the rent increase was not delayed. However, the increase in rent, from \$225.00 to \$425.00, took up what additional money many of the residents had left each month leaving them to receive only the \$35.00 monthly allowance.

There had not been an increase in the stipend in thirteen years. I do not believe that \$35.00 a month is sufficient for the residents of the Pioneer Home to purchase necessities such as prescription drugs, clothing, and personal items like shampoo, and toothpaste as well as an occasional splurge for a trip to the barber or beauty shop. Therefore, this legislation increases the allowance amount from \$35.00 to \$100.00 a month.

Memo of 1-17-84 (Continued)

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The second portion of the bill addresses a large concern of many of the elderly at the Pioneer Home.

When a person cannot afford to pay the full amount of their rent to the Pioneer Home and also receives a stipend, they incur a debt to the State, which accrues six percent interest. This debt is then recovered by the State from the estate of the individual.

The residents of the Pioneer Home worry that they will be unable to pass on to their children personal possessions, such as wedding rings, coin collections, and other heirlooms which might have special meaning to the family.

In reality, this clause is seldom if ever used, because when a resident dies and owes a debt to the State, he rarely has an estate from which the debt may be recovered.

However, with the large increase in rents, many residents are concerned that they will in the future incur a debt to the State and therefore be unable to pass to their families personal possessions.

This legislation deletes the interest charge from the debt owed to the State, and allows for up to \$10,000 worth of personal possessions to be passed on to the family.

It is important to remember that this section is currently almost never used, and that the changes are primarily for the peace of mind of the residents of the Pioneer Home.

INTRODUCTION OF BILLS (House)

HB 502, (cont'd)

14.20.584. Provides for the confirmation by the Court of the arbitrator's award, and provides for Court vacation of an award in certain circumstances similar to those applicable under the Alaska Arbitration Act.

14.20.585. Provides for modification or correction of an award, under circumstances similar to those applicable in the Alaska Arbitration Act where modification or correction is provided for.

14.20.590. Requires grievance procedures and a definition of "grievances" in all agreements. Requires each agreement to provide a method for the selection of an arbitrator to resolve grievances.

14.20.600. Requires the educational employees labor relations agency to set forth procedures to safeguard the rights of "nonassociation" of employees having "bona fide religious convictions".

14.20.605. Establishes the educational employees labor relations agency, as explained above. Members of the agency receive no compensation, but are entitled to per diem and travel expenses. The agency may employ staff to implement the provisions of the chapter.

14.20.606. Functions set out in AS 23.40.120 - 23.40.180 are to be performed by the educational employees labor relations agency, as well as specific functions set out in this chapter.

The school board and the employee organization alike are prohibited from "unfair labor practices", as described in AS 23.40.110.

14.20.610. Reiterates the power of school boards to "make final decisions on educational policies".

Sec. 13. (Temporary Provision). School Boards must make their initial local option decision between last best offer mediated arbitration and the right-to-strike within 90 days after enactment of the chapter.

Sec. 14. (Temporary Provision). "Grandfather" clause for existing negotiating units and negotiating agreements.

Sec. 15. (Temporary Provision). The effective date is to be immediate.

Pioneers' Home
Residents
(income &
debts)

HOUSE BILL NO. 503, by Reps. Uehling, Furnace, Ringstad, Barnes and Goll. Would raise the amount a resident of the Alaska Pioneers' Home is allowed to keep to \$100 (currently \$35). A resident without funds would be paid \$100 a month by the Dept. of Administration (currently \$35).

Amends AS 47.25.070(a) (Indebtedness of Beneficiary to State) by deleting reference to six percent interest on expenses incurred for a resident of the Pioneers' Home: "An expense incurred for a person under AS 47.25.010 - 47.25.110 [with interest at a rate of six percent a year from date of payment,] is a debt to the state and may be recovered during the life of the beneficiary. . . .". Adds language stating that personal property of the beneficiary having a total fair market value of not more than \$10,000 is exempt from a claim by the state.

Does not provide for an effective date (becomes effective 90 days following Governor's signature).

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This handbook is designed to answer many questions about eligibility, application procedures, finances and life in the Pioneers' Homes. Additional information and applications may be secured at the addresses on the last page of this booklet.

Applicable laws governing the Pioneers' Homes in the State of Alaska are included for your information.

State of Alaska
Bill Sheffield, Governor

Lisa Rudd, Commissioner
Department of Administration

E. Louis Keller, Director
Division of Pioneers' Benefits

December 1983

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