

SB

247

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 3/20/00

FURTHER:

REPORTED OUT OF
S. 3/28/00

DATE TURNED IN TO OFFICE: 28 March 2000

Finance Committee considered

SENATE BILL NO. 247

"An Act relating to eligibility of certain veterans for longevity bonus payments; and providing for an effective date."

and recommends:

- be replaced with _____ CS SB 247 (FIN)
- adopt previous _____ CS _____
- attached amendment(s) For Incoming
- adopt Letter of Intent by _____ ✓
- further referral to the _____ Committee

- Senate Bill:**
- same title
 - new title
- House Bill:**
- same title
 - technical title
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Al Adams</i>	X	<i>Bob E. ...</i>	✓		
<i>Greg ...</i>	X	<i>Linda ...</i>			
<i>John D. ...</i>	✓	<i>Pete Kelly</i>	✓		
Co-Chair: <i>...</i>	✓	Co-Chair:			
Co-Chair: <i>Sean P. ...</i>	✓	Co-Chair:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
<i>Admin.</i>	<i>3/28/00</i>		<i>12.0</i>

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

REPORTED OUT OF
3/28/00

FISCAL NOTE

No. 1

Bill Version: CS5B247/ST

BILL NO. (S) Publish Date: 3/20/00

STATE OF ALASKA
2000 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) _____ Dept. Affected _____ Administration _____
 Title Veteran's Eligibility for Longevity Bonus BRU Alaska Longevity Programs
 Component Longevity Bonus
 Sponscr Senator Leman
 Requester (S) STA Component No. 26

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	12.0	12.0	12.0	12.0	12.0	12.0
Miscellaneous						
TOTAL OPERATING	12.0	12.0	12.0	12.0	12.0	12.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	12.0	12.0	12.0	12.0	12.0	12.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	12.0	12.0	12.0	12.0	12.0	12.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This bill allows a longevity bonus recipient who is also a veteran to remain eligible and receive the longevity bonus while residing in an Alaska skilled nursing facility if the veteran's care is paid for by veterans' benefits or a combination of private sources and veterans' benefits.
 During the past calendar year, 2/99 through 1/00, an average number of 4* veterans were disqualified from the longevity bonus program due to residence in an Alaska skilled nursing facility during which time the care was paid for by veterans' benefits.
 If each of the disqualified veterans normally received the maximum longevity bonus of \$250.00, the cost to the state in an average year would be \$12.0
 *Average number is 3.6 rounded up to 4

Prepared by: Jim Kohn Phone 465-2159
 Division Alaska Longevity Programs Date/Time _____
 Approved by Commissioner Robert Poe, Jr. [Signature] Date 2/28/00 2/28/00
 Agency Department of Administration

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information, call the Governor's Legislative Office

CS FOR SENATE BILL NO. 247(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS LEMAN, Tim Kelly

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to eligibility of certain persons who receive veterans' benefits for
2 longevity bonus payments; and providing for an effective date."

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

4 * Section 1. AS 47.45.070(c) is amended to read.

5 (c) Notwithstanding (a)(2) of this section, a person who resides in a nursing
6 home who meets the age and residence requirements of this chapter qualifies for the
7 bonus if the costs of care of the person at the nursing home are paid for entirely from
8 private sources, veterans' benefits, or a combination of private sources and
9 veterans' benefits.

10 * Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section
11 to read:

12 APPLICATIONS AND REAPPLICATIONS FOR LONGEVITY BONUS
13 PAYMENTS. (a) Notwithstanding AS 47.45.045, a person who qualified to receive a
14 monthly longevity bonus payment under AS 47.45.010 before January 1, 1997, but was later

1 disqualified under AS 47.45.070(a)(2) may reapply for qualification for bonus payments. If
2 the Department of Administration determines that the person is eligible for bonus payments
3 under AS 47.45.070(c), as amended in sec. 1 of this Act, and is otherwise eligible, the amount
4 of the person's monthly bonus shall be the amount the person was receiving before reapplying
5 under this subsection.

6 (b) Notwithstanding AS 47.45.010, a person who originally applied before January 1,
7 1997, and did not qualify to receive a monthly longevity bonus under AS 47.45.070(a)(2) but
8 who otherwise would have qualified may file a new application. If the Department of
9 Administration determines that the person is eligible for bonus payments under
10 AS 47.45.070(c), as amended in sec. 1 of this Act, and is otherwise eligible, the amount of
11 the person's monthly bonus shall be the amount the person would have received had the
12 person qualified under the original application.

13 * **Sec. 3.** This Act takes effect July 1, 2000.

SENATE FINANCE
COMMITTEE

Amendment Number: 21
Bill Number: SB 247
Sponsor: Leman Date: 3/22/00
Logged In By: Jamie

AMENDMENT

OFFERED IN THE SENATE FINANCE COMMITTEE

By: Senator Leman

TO: SENATE CS FOR SENATE BILL NO. 247 (STA)

Page 2, Lines 13-14:

Delete all material

SENATE FINANCE COMMITTEE
2000 COMMITTEE ACTION

Bill Number	JB247
Amendment	#1
Motion	
<u>Motion by</u>	SL
<u>Objection</u>	
<u>Objection by</u>	
<u>Removed</u>	
<u>Second Objection by</u>	
<u>Committee Member</u>	<u>Vote</u>
Senator Randy Phillips	
Senator Dave Donley	
Senator Loren Leman	
Senator Al Adams	
Senator Gary Wilken	
Senator Pete Kelly	
Senator Lyda Green	
Co-Chair Sean Parnell	
Co-Chair John Torgerson	
<u>Tally</u>	
Yea	0
Nay	0
Absent	0
<u>MOTION</u>	Adopted

During Session, January - May:
State Capitol, Room 115
Juneau, Alaska 99801
(907) 465-2095
465-3810 FAX



During Interim, June - December:
716 W 4th Ave, Suite 520
Anchorage, Alaska 99501
(907) 269-0240
269-0242 FAX

Senator Loren Leman

Sponsor Statement – CSSB 247 (STA)

“An Act relating to eligibility of certain veterans for longevity bonus payments; and providing for an effective date.”

Senate Bill 247 restores the eligibility of certain veterans who are being cared for in nursing homes to receive longevity bonus payments.

Under AS 47.45.070, a person who resides in a nursing home can receive the longevity bonus only if “the costs of care of the person at the nursing home are paid for entirely from private sources.” As a result, persons living in nursing homes receiving veterans’ benefits are denied longevity bonus payments. Veterans’ benefits are federal benefits earned by those who have served our country in the armed forces. It is not fair to include veterans’ benefits in the same category as needs-based state benefits such as Medicaid, the receipt of which disqualifies a nursing home patient from receiving longevity bonus payments.

SB 247 amends the eligibility criteria for nursing home patients, to allow the cost of care to be paid for from private sources, veterans’ benefits, or a combination of private sources and veterans’ benefits. Those veterans disqualified under the existing statute will be permitted to reapply for qualification for bonus payments during a six-month window open from July 1, 2000 to January 1, 2001. Eligible veterans who reapply will receive the longevity monthly bonus that they would have received had they not been disqualified. The longevity bonus payments are prospective from the time of re-qualification.

Prepared by Marie Marx, Staff Aide to Senator Loren Leman (465-2095)
Last updated: March 24, 2000

ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE



Division of Legislative Finance

P.O. Box 113200
Juneau, AK 99811-3200
(907) 465-3795
FAX (907) 465-1327

MEMORANDUM

DATE: February 2, 2000
TO: Senator Loren Leman
FROM: *ldw* Danith Watts, Legislative Fiscal Analyst
SUBJ: Longevity Bonus Legislation Fiscal Impact

The following information is provided in response to your inquiry regarding potential legislation and the relationship of veterans residing in Alaska nursing homes and longevity bonus eligibility. Sources for information include Health Facilities Licensing & Certification (Health & Social Services), Longevity Programs (Administration), and the Director of Administrative Services for H&SS. Numbers are taken from the December 1999 census received by the certification office. (A list of Alaska's nursing homes and the veteran information by location is attached for your information [Attachments A and B]).

Total numbers of Alaska nursing homes: 15
Total number of beds statewide: 717
Total number of Veterans reported: 7 (or less than 1% of the total beds)
Specific locations with count:

Denali Center, Fairbanks	1
Providence Extended Care Center, Anchorage	5
Sitka Community Hospital (Long Term Care), Sitka	1

Without a specific analysis by individual (probably with each person's release of confidential information), it is difficult to ascertain the overall impact of legislation allowing veterans the opportunity to receive monthly longevity bonus checks. The pure dollars expended from the system to seven individuals would range from \$21,000 down to \$8,400 annually or less dependent upon the individuals involved (monthly benefits ranging from \$100 - \$250). Since the longevity bonus program is being phased out and is closed to new applicants, a case by case analysis would have to be formulated to determine the exact figure.

There is another side to this potential legislation that you may have already considered but the issue arose in my conversations with H&SS and Administration. The receipt of a monthly longevity bonus check would impact a recipient's eligibility for funding in Medicare, Medicaid, or General Relief programs. The ALB Hold Harmless program in H&SS (originally designed to protect Supplemental Security Income eligibility) may cover a change contemplated for veterans in nursing homes, but a statutory revision may be necessary to cover all of the bases.

Attachments as noted.

cc: Marie Cook, Staff Assistant to Senator Leman

Robert F. NESVICK
2500 FORAKER DR.
ANCHORAGE AK 99517
Phone 907-243-6300
Feb. 23, 2000

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

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

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

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

Thank You

Robert J. Nesvick

INCL 1 ATCH

STATE OF ALASKA
DEPARTMENT OF ADMINISTRATION
DIVISION OF ALASKA LONGEVITY PROGRAMS

Pioneers' Homes & Advisory Board
Longevity Bonus

Tony Knowles, Governor

PO Box 110211
 Juneau, AK 99811-0211
 Phone (907)465-4400
 FAX (907)465-4108
 (907)465-8886

March 6, 2000

The Honorable Jerry Ward
 Chair
 Senate State Affairs Committee
 Alaska State Legislature
 State Capitol
 Juneau, AK 99801-1182

Dear Mr. Chair:

This past Thursday at a hearing of your committee you requested that I provide to you the number of Alaska Longevity Bonus recipients who are temporarily disqualified for the Bonus since they are receiving Medicare benefits in skilled nursing care facilities.

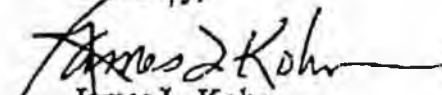
As of this date there are 159 Bonus recipients who are disqualified by statute for the Bonus since they are presently receiving Medicare benefits in skilled nursing care facilities.

Since the percentage of Medicare residents in Alaska's skilled nursing care facilities appears to remain fairly constant, this number could be used as a monthly norm.

If the Bonus was paid to this group the cost to the state could be as much as \$477.0 per year.

I hope that this information is helpful. Please contact me if I can provide any further information.

Sincerely,


 James L. Kohn
 Director

cc: Robert Poe, Jr
 Alison Elgee

Post-it* Fax Note		7671	Date	# of pages
To	Senior Home Office		From	Jim Kohn
CC	ATT: Maria		Co.	
Phone #			Phone #	
Fax #			Fax #	

Sheet1

Facility	Medicaid
Heritage Place	40
Mary Conrad Center	32
Petersburg Gen Hospital	12
Providence Extended Care Unit	164
Wrangell General Hospital	1
Wesley Rehab Center	31
St. Ann's	0
Denali Care Center	0
Central Peninsula General	1
Cordova Community Medical	7
South Peninsula Hospital	21
Ketchikan General Extended Car	7
Quyana (Norton Sound) Care	14
TOTAL:	330

- Bonus Recipients receiving VA benefits for skilled nursing care and ineligible for the bonus.

date of birth	city	zip	age
1/26/23	Anchorage	99509	77
8/14/18	Homer	99603	82
5/1/17	Fairbanks	99701	83
3/19/19	Fairbanks	99707	81
7/17/23	Delta Jct	99737	77
11/10/24	Ketchikan	99901	76
12/1/25	Wasilla	99654	75

Post-It Fax Note	7671	Date	# of pages ▶ 2
To	Sen. Leman's Office	From	Jim Kohn
Co./Dept.	NAVA	Co.	
Phone #		Phone #	
Fax #		Fax #	

LEGAL SERVICES

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

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

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

MEMORANDUM

March 21, 2000

SUBJECT: Longevity bonus payments for certain nursing home residents that are receiving veterans' benefits (SB 247)

TO: Senator Loren Leman

FROM: Tamara Brandt Cook
Director *TBC*

Under existing law a person who resides in a nursing home is not qualified for a longevity bonus payment unless the costs of nursing home care are paid for entirely from private sources. (AS 47.45.070(a)(2) and(c)). SB 247 will also permit persons whose nursing home care is paid for from veterans' benefits, or a combination of veterans' benefits and private sources to qualify for longevity bonus payments. You ask whether this change which would permit some persons in nursing homes who receive veterans' benefits to also receive longevity bonus payments would give other nursing home residents, such as Medicaid recipients, a cause of action against the state.

The only cause of action that I can think of would be based on equal protection, asserting that the state is improperly discriminating in favor of persons who receive veterans' benefits. The first step in equal protection analysis is to determine the nature of the interest impaired by the challenged enactment, in this case, receipt of longevity bonus payments. The right to receive a longevity bonus payment is merely an economic interest entitled only to minimum protection under Alaska's equal protection analysis. (*Maggard v. Sipe*, Superior Court, Third judicial District, Case No. 3AN-94-03935 CI, Order dated June 6, 1996; *State v. Anthony*, 810 P.2d 155 (Alaska 1991)) To survive challenge the state need only show that extending the benefit to people who receive veterans' benefits serves a legitimate purpose.

There is an obvious purpose in extending special benefits to veterans and their dependents--to encourage people to serve in the military. There are a great many state programs that already single out veterans' for special treatment. (AS 09.25.121, providing certain public records to veterans without charge; AS 16.05.341, free hunting and sport fishing licenses for disabled veterans; AS 18.55.330, veterans' preference in certain housing projects; AS 26.15, housing loans for veterans; AS 26.10.080, veterans' death gratuity; AS 28.10.421, special rates for vehicle registration; AS 29.45.030(e)-(i), property tax exemption for disabled veterans; AS 38.05.067, veterans' preference in purchase of residential land; AS 38.05.940, land discount for veterans; AS 39.25.159, state employment preference for veterans; AS 41.21.026(d), free state park campsite permit for disabled veterans)

Senator Loren Leman

March 21, 2000

Page 2

I believe that extending eligibility for longevity bonus payments to individuals who pay for nursing home costs with veterans' benefits while not extending that eligibility to all other nursing home residents would survive an equal protection challenge.

You also question whether other nursing home residents would have standing to bring suit. There is no reason to expect standing to be a problem, since these potential plaintiffs clearly have an interest that is adversely affected. (Trustees for Alaska v. State, 736 P.2d 324 (Alaska 1987) cert. denied, 486 U.S. 1032 (1988))

TBC:jdr

00-116.jdr

Chapter 078
Chapter: CH078
Source: CSHB 11(STA)
Action Date: June 26, 1991
Effective Date: July 1, 1991
91

AN ACT

Relating to qualifications for longevity bonus payments; and providing for an effective date.

* Section 1. AS 47.45.070 is amended by adding a new subsection to read:

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

* Sec. 2. This Act takes effect July 1, 1991.

Senate
91
SFIN
91/05/18
0845

HB 11

SENATE FINANCE COMMITTEE

May 18, 1991
8:45 a.m.

TAPES

SFC-91, #68, Side 1 (305-575);
SFC-91, #68, Side 2 (575-032)

CALL TO ORDER

Co-chairman Pat Pourchot convened the meeting at approximately 8:45 a.m.

PRESENT

In addition to Co-chairmen Pourchot and Kerttula, Senators Adams, and Duncan were present. Senator Uehling arrived soon after the meeting began. Senator Shultz arrived as it was in progress. Senator Hoffman did not attend.

ALSO ATTENDING: Senator Virginia Collins; Representative David Finkelstein; Representative Bill Hudson; Lee Fisher, Commissioner, Dept. of Revenue; Darrel Rexwinkel, Deputy Commissioner, Dept. of Revenue; Wendy Redman, Vice President for University Relations, University of Alaska; Jeff Morrison, Director, Administrative and Support Services Division, Dept.

of Military and Veterans' Affairs; Barbara Bathony, Director, Division of Pioneers' Benefits, Dept. of Administration; Chris Christensen, Staff Counsel, Alaska Court System; Gordon Landes, Dept. of Health and Social Services; Deborah Vogt, staff to the Senate Special Committee on Oil and Gas; Mark Handley, aide to Representative Gruenberg; Alexis Miller, aide to Representative Boyer; and aides to committee members and other members of the legislature.

SUMMARY INFORMATION

SB 211 - Act providing for coverage of advanced nurse practitioner services under the Medicaid program; and reordering the priorities granted to optional services offered under the Medicaid program.

Testimony was offered by Senator Collins. CSSB

211 (Finance) was then REPORTED OUT of committee with a \$57.8 fiscal note from the Dept. of Health and Social Services.

SB 300 - Act relating to tax credits for contributions to certain educational institutions; and providing for an effective date.

Testimony was presented by Former Governor Bill Sheffield, Lee Fisher, Darrel Rexwinkel, and Wendy Redman. The bill was subsequently HELD in committee pending additional information from the Dept. of Revenue.

CSHB 11 - Act relating to qualifications for longevity (STA) bonus payments; and providing for an effective date.

Testimony was presented by Gordon Landes and Alexis Miller. The bill was subsequently REPORTED OUT of committee with a \$165.0 fiscal note from the Dept. of Administration, a zero note from the Dept. of Health and Social Services (longevity bonus), and a note from the Dept. of Health and Social Services showing (\$15.0) for Medicaid.

CS FOR HOUSE BILL NO. 11 (STATE AFFAIRS)

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

Co-chairman Pourchot directed that CSHB 1 (State Affairs) next be brought on for hearing.

ALEXIS MILLER, aide to Representative Mark Boyer, came before committee. As background information, she explained that in qualifying for the longevity bonus payment, senior citizens must meet certain requirements and criteria at both the state and federal level. Receipt of the bonus causes problems for some seniors in meeting the federal determination of income eligibility under the supplemental security income section (part of the federal Social Security Act).

Prior to 1984, the longevity bonus was exempt from the determination of income eligibility at the federal level.

Federal law changed in the fall of 1984 to include the bonus as income. That put many seniors in nursing homes over the income limit allowable to qualify for Medicaid. After extensive debate, the legislature determined that a blanket disqualification of all nursing home residents was needed to comply with new federal law.

Since 1985, the Dept. of Administration has received frequent

complaints from seniors about loss of the bonus upon entering a nursing home. Approximately 600 people are impacted each year. Although federal law allows seniors who were in the program prior to 1985 to exclude the bonus from income calculations, few seniors realized the exemption existed. The state also failed to acknowledge that seniors receiving the bonus prior to 1985 were eligible to continue receiving the payment. The Dept. of Administration now feels those seniors should receive the bonus. That change should become effective this session.

Co-chairman Pourchot voiced his understanding that, unlike the initial blanket disqualification, the state is now permitted, under federal law, to grant "up to ninety days' exemption and not endanger Medicaid payments." Ms. Miller concurred in the foregoing for those who qualified prior to 1985. Impacted seniors must thus be over seventy years of age at the present time.

Co-chairman Pourchot called for additional testimony on the legislation.

GORDON LANDES, Program Officer, Division of Medical Assistance, Dept. of Health and Social Services, came before committee. He advised that earlier fiscal notes presented by the department may no longer be valid. Those notes contain considerable sums for assistance payments within the Division of Public Assistance. Mr. Landes advised that the notes had been reduced to zero by the House State Affairs' Committee Substitute.

Mr. Landes then noted federal and general fund savings of (\$7.5) each, set forth on the department fiscal note relating to Medicaid. He explained that savings result from the fact that some of the bonus payments that would be made to private nursing home medicaid recipients by extending the bonus to them would be confiscated by the nursing home and the Medicaid program to apply to the cost of care. Much of the funding, would not, however, and would flow through the recipient's maintenance of the home the recipient is utilizing. Medicaid savings are illusory in that the proposed bill would drive longevity bonus general funds, via the recipient, through the Medicaid program to drive out the 50 percent in federal funds.

The smaller the Medicaid savings in this instance, the better the situation is for the state general fund.

Co-chairman Pourchot referenced the department note dated 5-16-91 as the proper note for inclusion with the bill.

Senator Adams MOVED that CSHB 11 (State Affairs) pass from committee with individual recommendations. No objection having been raised, CSHB 11 (State Affairs) was REPORTED OUT of committee with a \$165.0 fiscal note from the Dept. of Administration, Longevity Bonus; a zero note from the Dept. of

Health and Social Services, Assistance Payments, Alaska Longevity Bonus Hold Harmless; and a note from the Dept. of Health and Social Services, Medicaid Facility showing a general fund savings of (\$7.5) and a federal savings of (\$7.5). All members present signed the committee report with a "do pass" recommendation. (Co-chairman Kerttula and Senator Hoffman were temporarily absent from the meeting and did not sign.)

Senate
91
SHES
91/05/14
0905

SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

May 14, 1991

9:05 a.m.

MEMBERS PRESENT

Senator Arliss Sturgulewski, Chairman
Senator Paul Fischer, Vice-Chairman
Senator Sam Cotten
Senator Curt Menard

MEMBERS ABSENT

Senator Lyman Hoffman

COMMITTEE CALENDAR

CS FOR HOUSE BILL NO. 11 (STATE AFFAIRS)

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

SENATE CS FOR CS FOR HOUSE BILL NO. 85 (TRANSPORTATION)

"An Act relating to fighting equipment required on a school bus; and providing for an effective date."

CS FOR HOUSE BILL NO. 96 (HES) am

"An Act relating to free tuition and fees for a spouse or dependent of certain state residents who died while serving in the United States armed services or who were listed as prisoners of war or missing in action."

PREVIOUS SENATE COMMITTEE ACTION

HB 11 - See HESS Committee minutes dated 5/14/91.

HB 85 - See Transportation Committee minutes dated 5/2/91.

HB 96 - See HESS Committee minutes dated 5/14/91.

WITNESS REGISTER

Alexis Miller, Legislative Staff
to Representative Boyer
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

POSITION STATEMENT: Gave sponsor statement for CSHB 11
(STATE AFFAIRS).

Gorden Landus, Public Assistance Program Officer
Division of Medical Assistance
Department of Health and Social Services
P.O. Box H-07
Juneau, Alaska 99811

POSITION STATEMENT: Answered questions on CSHB 11
(STATE AFFAIRS).

Tom Ackerly, Legislative Staff
to Representative Mike Navarre
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

POSITION STATEMENT: Gave sponsor statement for SCSCSHB 85
(TRANS).

Romayne Kareen, Administrator
Pupil Transportation Program
Department of Education
Box F
Juneau, Alaska 99811

POSITION STATEMENT: Supports SCSCSHB 85 (TRANS).

Landa Holtan, Legislative Staff
to Representative Bill Hudson
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

POSITION STATEMENT: Gave sponsor statement for CSHB 96
(HES) am.

Representative Bill Hudson
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

POSITION STATEMENT: Answered questions on CSHB 96 (HES) am.

ACTION NARRATIVE

TAPE 1, SIDE 1
Number 001

CHAIRMAN STURGULEWSKI called the Senate HESS Committee meeting to order at 9:05 a.m.

The first order of business to come before the Senate HESS Committee members was CSHB 11 (STATE AFFAIRS). ALEXIS MILLER, legislative staff to Representative Mark Boyer, sponsor of the measure, read a statement into the record:

"In qualifying for the longevity bonus payment, senior citizens must have met a number of requirements and criteria, at both the state and federal level. Receipt of the longevity bonus causes some problems for many elderly in meeting the federal determination of income eligibility under the Supplemental Security Income Section, which is part of the Federal Social Security Act.

"Prior to 1964, the longevity bonus was exempt from the determination of income eligibility at the federal level.

But the federal law changed in the fall of 1984, to include

the bonus as income. This put many seniors in nursing homes over the income allowable to qualify for Medicaid. After extensive debate, the legislature decided that a blanket disqualification of all nursing home residents was needed to comply with the new federal law.

"Since 1985, the Department of Administration has received frequent complaints from seniors about the loss of the bonus upon entering a nursing home. Approximately 600 people are affected by this law each year. Although, federal law allows those seniors who were on the program prior to 1985, to exclude the bonus from income calculations, when the state changed the law few apparently realized that this exemption existed. The state failed to acknowledge that seniors who had received a bonus prior to 1985 actually were eligible to continue receiving the payment. The Department of Administration now feels that those seniors should indeed receive the bonus and that the legislature should consider this change this session.

"The bill would allow seniors to continue to receive a bonus for up to 3 months (90 days) after entering a nursing home.

The majority of elderly entering a nursing home stay for less than 3 months. Recognizing that the average stay in a nursing home was three months, the Federal Government recently changed federal law to allow seniors to obtain their bonus without being disqualified for other federal programs. The language in the State Affairs committee substitute would bring our law into conformity with the federal statutes. Both the Department of Administration and the Department of Health and Social Services are in agreement that this legislation is the best route to take."

GORDEN LANDUS, Public Assistance Program Officer, Division of Medical Assistance, Department of Health and Social Services, came before the committee members. CHAIRMAN STURGULEWSKI asked Mr. Landus what the situation is for those people who have been receiving the longevity bonus prior to 1985. She asked if a person goes into a nursing home for longer than 90 days, would that income continue to

be exempt. Mr. Landus indicated it would continue to be exempt if they were to continue to receive it. The federal act, as it came out of the budget compromise, didn't distinguish ones living arrangements, as it says it doesn't count for federal purposes. Medicaid in doing its determination on people who have a fairly high income, above the adult public assistance standard but under the special 300 percent standard, has to count if it were being received past 90 days.

Number 116

SENATOR COTTEN said he believed the legislation would allow people who move into nursing homes to continue to receive their longevity bonus check for three months and those who

received it before 1985 could start receiving their check again. He asked why the Department of Administration's fiscal note is \$165 thousand. MR. LANDUS indicated he participated in the construction of Administration's fiscal note and said he was surprised that their numbers were as high as they were, but it relates to how rapidly people move back and forth in the pioneer home system. The department looked at their turnover and derived their number from the number of people who move, for a short term, into a nursing wing and then the patient's condition stabilizes and improves, and they would move back into the residential wing. Chairman Sturgulewski said the bill would apply to people in pioneer homes who don't presently get the longevity bonus, but those who were receiving it prior to 1985 will now start getting it again. MS. MILLER noted that those people are 70 years or older and it would continue to decrease.

Number 149

CHAIRMAN STURGULEWSKI said the fiscal note speaks to the 40 new admissions, over 65, based on the three months. She said she doesn't think that the section allows for those that qualified prior to 1985. She asked if their costs aren't already included in longevity. MR. LANDUS explained that the current administrative regulations in the Department of Administration stopped the bonus, despite it being in a retrospective mode. They now make an exception to nursing home admissions. They have a reporting system from the private sector, nursing homes and their own facilities that will immediately stop the bonus when one moves to a nursing bed in the pioneers home or in a private nursing home. Mr. Landus said the regulations currently read that the prohibition is effective even if it is a one day admission in the course of a calendar month. He said up until April, they were not paying any bonuses to anyone in a nursing home bed, for reasons that he doesn't fully understand but relates to the complaints from seniors. Mr. Landus said effective in April, the department extended their retrospective in hoping to apply to nursing home

residents both in the private sector and pioneer homes. He noted that they are under a two month retrospective, so the check you receive in April is based on your report of circumstances that happened in February. That reduces the entire expenditure panning around HB 11, because everyone who enters a nursing home bed, under the Administration change in policy, will continue to get the bonus for two months whether it is countable federally or not countable.

SENATOR COTTEN said the State Affairs committee substitute deals with the 90 days and doesn't deal with receiving the bonus before 1985. MS. MILLER said that is where the legislation references the Federal Social Security Act.

Senator Cotten asked if a person would qualify for the bonus if a stay doesn't exceed 90 days and as long as the bonus is

exempt. Therefore, if a stay is 91 days, a patient could receive a check even if they were receiving the bonus before 1985. MR. LANDUS said that is the way he reads the bill.

He said the reason the language is so illusory in its reference to the Social Security Act is that there are some profound legal questions and confusing federal criteria that has been added to the exemption. The primary one is that you need not only to have been receiving the old bonus that was based on the twenty-five year residency, but you also according to the federal act you had to have been under public assistance prior to the 1985 change of rules.

Number 259

SENATOR FISCHER moved and asked unanimous consent to pass CSHB 11 (STATE AFFAIRS), out of the Senate HESS Committee with individual recommendations. Hearing no objection, it was so ordered.

House
91
HHES
91/04/17
0800

HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES
STANDING COMMITTEE
April 17, 1991
8:00 a.m.

MEMBERS PRESENT

Rep. Georgianna Lincoln, Co-Chair
Rep. Patrick Carney, Co-Chair
Rep. Bettye Davis, Vice-Chair (arrived later)
Rep. Cheri Davis
Rep. Mark Hanley (arrived later)
Rep. John Gonzales
Rep. Mary Miller

MEMBERS ABSENT

None

COMMITTEE CALENDAR

SB 24: "An Act making supplemental appropriations to the Department of Administration and the Department of Health and Social Services related to the longevity bonus program; and providing for an effective date."

CSSB 24(FIN) MOVED OUT -- DO PASS

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

CSHB 11(STA) MOVED OUT -- DO PASS

Chair Lincoln announced that HB 11, with two fiscal notes, was next on the calendar.

Number 098

REP. MARK BOYER, prime sponsor of HB 11, explained the background of the legislation. He said HB 11 would track federal changes in statutes and would allow for those people who are in nursing homes for less than 90 days, if they qualified prior to October 1, 1985, to retain their longevity bonus payment. Rep. Boyer addressed the \$165,000 fiscal note from the Department of Administration (DOA),

representing a number of people called "qualified slots" for the bonus. He commented that the fiscal note was misleading in a sense because it only represents nine or ten fully funded slots, which only affects about 600 or 700 people in the sense that people are always coming and going. He said that many more people were touched than what was shown on the fiscal note.

Number 177

GORDON LANDES, Public Assistance Programs Officer, Division of Medical Assistance, Department of Health and Social Services (DHSS), distributed a position paper and fiscal note which indicated that the total effect for CSHB 11(STA) would be approximately \$5,000 savings in Medicaid. He addressed the fiscal note attachment dated April 15, 1991.

Number 212

Rep. Carney made a motion to move CSHB 11(STA) out of committee with fiscal notes with unanimous consent.

There being no objections, it was so ordered.

HOUSE FINANCE COMMITTEE

April 29, 1991

1:35 p.m.

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

CALL TO ORDER

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

PRESENT

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

ALSO PRESENT

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

SUMMARY INFORMATION

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

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

HOUSE BILL 11

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

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

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

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

HOUSE STATE AFFAIRS COMMITTEE

April 10, 1991

8:00 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

Rep. Max Gruenberg

COMMITTEE CALENDAR

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

CS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

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

HEARD AND HELD

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

CS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

WITNESS REGISTER

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

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

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

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

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

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

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

PREVIOUS ACTION

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

PRIME SPONSOR: BOYER

CO-SPONSOR: ULMER

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

BILL: HB 237
SHORT TITLE: STATE LEASING OF NEW BUILDINGS

PRIME SPONSOR: TRANSPORTATION

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

BILL: HB 138
SHORT TITLE: APPROP: CLEAN WATER FUND/WASTE MGT LOANS

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

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

ACTION NARRATIVE

TAPE 33, SIDE A Number 000

The House State Affairs Committee meeting was called to

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

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

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

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

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

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

Chairman Kubina announced that HB 11 would be heard next.

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

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

Number 150

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

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

Number 170

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

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

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

Number 220

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

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

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

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

There were no objections and it was so moved.

Number 250

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

Chapter 108
Chapter: CH108
Source: CSSSHB20 (FIN)
Action Date: June 20, 1992
Effective Date: July 1, 1992
92

AN ACT

Relating to qualifications for longevity bonus payments; and providing for an effective date.

* Section 1. AS 47.45.070 is amended by adding a new subsection to read:

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

* Sec. 2. This Act takes effect July 1, 1992.

Senate
92
SFIN
92/05/06
1340

HB20

SENATE FINANCE COMMITTEE

May 6, 1992
1:40 p.m.

TAPES SFC-92, Y, Side 1 (001-157)
SFC-92, Y, Side 2 (161-591)
SFC-92, Z, Side 1 (001-568)
SFC-92, Z, Side 2 (565-515)

CALL TO ORDER

Co-chairman Pourchot convened the meeting at approximately
1:55 p.m.

PRESENT

In addition to Co-chairman Pourchot, Senators Adams, Shultz,
and Uehling were present. Co-chairman Kerttula and Senators
Duncan and Hoffman arrived shortly after the meeting began.

ALSO PRESENT: Scott Burgess, Executive Director, Alaska
Municipal League; Allison Elgee, aide to Rep. Navarre;

Senator Sturgulewski; Colonel Thomas Carroll, Dept. of
Military & Veterans Affairs (DMVA); Jeff Morrison, Director,
Administrative Services & Support, DMVA; Sandra Wicks,
Deputy Director, Division of Municipal & Regional
Assistance, Dept. of Community & Regional Affairs; Dave
Harding, aide to Rep. Maclean; Charlie May Moore,
Administrator Teacher Certification, Dept. of Education;

Mike McMullen, Manager System Services, Dept. of
Administration; Barnaby Dow, aide to Rep. Ulmer; Chris
Christensen, Staff Counsel, Alaska Court System; Gloria
Hartzman, aide to Rep. Sharp; Dennis Dewitt, Director,
Division of Pioneers' Benefits, Dept. of Administration;

Gordon Landis, Division of Medical Assistance, Dept. of
Health & Social Services; Edith Jacobsen, aide to Rep.
Jacko; Duane Gilley, Director, Education Finance & Support,
Dept. of Education; Mike Greany, Director, Legislative
Finance Division (LFD); Nancy Slagle, fiscal analyst, LFD;

aides to committee and other members of the legislature.

SUMMARY OF INFORMATION

CSHB 573 - An Act relating to state and municipal programs that
(Finance) provide a financial benefit to entities and individuals, including an exemption from municipal property taxation for certain primary residences; and providing for an effective date.

Discussion was had with Allison Elgee, Scott

Burgess, Colonel Carroll, Jeff Morrison, Senator Sturgulewski, and Sandra Wicks. Ms. Elgee presented a comparison of the provisions in the CSHB 573(FIN) and SCS CSHB 573(HES) versions of the bill. CSHB 573(FIN) was subsequently HELD in committee for further review.

CSHB 326 - An Act relating to requirements for limited teacher
(Finance) certificates; defining 'teacher'; and providing for an effective date.

Discussion was had with Dave Hardy and Charlie May Moore. CSHB 326(FIN) was subsequently REPORTED OUT of committee with a \$19.3 (program receipts) fiscal note from the Dept. of Education. Co-chairman Pourchot and Senators Hoffman, Shultz, Duncan, and Uehling signed the committee report "do pass".

CSHB 385 - An Act relating to video display terminals.

(L&C) am

Discussion was had with Barnaby Dow and Mike McMullen. SCS CSHB 385(L&C) was REPORTED OUT of committee with a \$28.5 (inter-agency receipts) fiscal note from the Dept. of Administration. Co-chairman Pourchot and Senators Duncan and Uehling signed the committee report "do pass". Senator Shultz signed "no recommendation".

HB 443 - An Act increasing the total number of superior court judges from 30 to 31, increasing the number of superior court judges in the fourth judicial district from five to six, and decreasing the number of district judges in the fourth judicial district from four to three; and providing

for an effective date.

Discussion was had with Chris Christensen. HB 443 was subsequently REPORTED OUT of committee with zero fiscal notes from the Dept. of Law, DOA/Office of Public Advocacy, DOA/Public Defender, and a \$126.2 note from the Court System. Senators Hoffman and Shultz signed the committee report "do pass".

Co-chairman Pourchot and Senators Duncan and Uehling signed "no recommendation. Co-chairman Kerttula signed "do not pass".

CSSSHB 20 - An Act relating to qualifications for longevity

(Finance) bonus payments; and providing for an effective date.

Discussion was had with Gloria Hartzman and Dennis DeWitt. CSSSHB 20(FIN) was subsequently REPORTED OUT of committee with a zero fiscal note from the Dept. of Health & Social Services. Co-chairman Pourchot and Senators Duncan, Shultz, and Uehling signed the committee report "do pass".

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 20 (FINANCE)

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

Co-chairman Pourchot directed CSSSHB 20(FIN) be brought on for discussion.

GLORIA HARTZMAN, aide to Representative Sharp came before committee. Ms. Hartzman stated that the bill would correct the 1985 legislation, which by a broad brush approach, made all nursing home residents ineligible for longevity bonus payments. There is a small percentage of nursing home

residents who pay their total nursing home charges, ranging from \$5,000 to \$9,000 a month, entirely from private resources, until their savings are exhausted. The legislation is designed to correct a discriminatory disenfranchisement action. A person residing in a nursing home would be eligible to continue receiving a longevity bonus payment, if the costs of care of the person residing in the nursing home are paid entirely from private sources.

The Division of Pioneers' Benefits conducted two telephone survey, one in December 1990 and the other late last year, which indicated that there are approximately twenty-nine self-pay patients who would be eligible for the longevity

bonus. Ms. Hartzman advised that she had recently contacted three of the facilities and was told that the numbers were significantly lower than the most recent survey. That indicates that the bill's fiscal note prepared by the Department of Administration is more than adequate. She further advised that it is a "fair assumption" that the majority of the funds would eventually be used to continue the self-pay option for a few more months by those residents, providing an offset to future state medicaid costs.

DENNIS DEWITT, Director, Division of Pioneers' Benefits next came before committee. Speaking to the fiscal note he prepared for the Department of Administration, Mr. Dewitt voiced his belief that there are approximately twenty-nine people who would qualify and that the cost of the longevity bonus would be about \$87.0 per year.

Senator Duncan asked Mr. Dewitt what the department's position was on the legislation. Mr. Dewitt replied that "the department was not supporting but was neutral on the bill".

In response to Senator Uehling's inquiry, Mr. Dewitt voiced his belief that the number of people qualifying would not fluctuate over time and if anything, it might not be as large as it is now.

GORDON LANDIS, Division of Medical Assistance, Dept. of Health and Social Services came to the table. Co-chairman Pourchot asked Mr. Landis to address the question of whether or not the legislation would endanger medicaid payments in those facilities.

End, SFC-92, Z, Side 1
Begin, SFC-92, Z, Side 2

Mr. Landis explained that the rationale behind the prohibition of issuance of longevity bonus payments to nursing homes recipients who are on medicaid, came from a change in the Social Security Act in 1984-85 and a resulting

adversarial administrative hearing. This particular legislation was discussed last year and again this year with the health care finance administration representatives that provide the medicaid funding. Because of changes in the work relationship and changes in the nature of the bonus itself, the health care finance administration does not have a problem with the bill. The division does not feel the legislation is problematic.

Senator Uehling MOVED for passage of CSSSHB 20(Finance) from committee with individual recommendations. No objection having been raised, CSSSHB 20(Finance) was REPORTED OUT of committee with the accompanying zero note from the Dept. of Health & Social Services and a \$87.0 fiscal note from the

Department of Administration.

House
92
HFIN
92/02/19
1340

HOUSE FINANCE COMMITTEE
February 19, 1992
1:40 P.M.

TAPE HFC 92-13, Side 1, #000 - end.

TAPE HFC 92-13, Side 2, #000 - end.

TAPE HFC 92-14, Side 1, #000 - 541.

CALL TO ORDER

Co-Chair Mike Navarre called the meeting of the House Finance Committee to order at 1:40 p.m.

PRESENT

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

Representative Ulmer was not present for the meeting.

ALSO PRESENT

Chris Ashenbrenner, Division of Medical Assistance, Department of Health and Social Services; Representative Donley; Laurie Otto, Aide, Representative Donley; John Salemi, Public Defender, Alaska Public Defender Agency;

Gayle Horetski, Deputy Commissioner, Department of Public Safety; Margot Knuth, Assistant Attorney General, Department of Law; Diane Schenker, Special Assistant, Department of Corrections.

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

CSSS HB 20 (FIN) was reported out of Committee with a "do pass" recommendation and with a zero

fiscal note from the Department of Health and Social Services and a fiscal note in the amount of \$87 thousand by the Department of Administration.

HB 396 An Act relating to the crimes of assault, sexual assault, unlawful exploitation of a minor, and misconduct involving weapons; relating to the

1

statute of limitations in criminal offenses;

imposing a standard of proof in sentencing proceedings; requiring a 99-year prison term without discretionary parole for first degree murder if the defendant has a prior murder conviction, kills a peace officer, fire fighter, or correctional officer, or commits a torture murder; relating to sentencing of certain first felony offenders; limiting a court's discretion to refer certain criminal cases to a three-judge sentencing panel based upon the defendant's potential for rehabilitation; relating to sentencing and discretionary parole of offenders found to have an exceptional potential for rehabilitation; and amending Alaska Rule of Criminal Procedure 35.

CS HB 396 (JUD) was reported out of Committee with "no recommendation" and with a fiscal note in the amount of \$102.2 from the Department of Administration and zero fiscal notes by the Department of Corrections, the Department of Law, the Alaska Court System and the Department of Public Safety.

HOUSE BILL 20

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

Representative Sharp stated that HB 20 would correct a change in the law which happened in 1985 which made all nursing home residents ineligible for Longevity Bonus payments. Care for most nursing home residents is carried by the state and federal government. There is a small percentage of nursing home residents whose total nursing home charges range from \$5 - \$8 thousand dollars per month which is paid entirely by private resources.

The legislation is designed to correct discriminatory disenfranchisement. Under the proposed legislation, a person residing in a nursing home would be eligible to receive a longevity bonus payment if the cost of care is paid entirely from private sources. Currently, there are

twenty-nine self paid patients who are eligible for the longevity bonus under this bill. The maximum annual increase would be \$75 - \$90 thousand dollars as indicated in the fiscal note.

Representative Brown asked if the "hold harmless" clause would interfere with the eligibility of these patients.

Representative Sharp replied that those eligible to receive

2

the longevity bonus are not eligible to receive Medicaid.

Consequently, there is no "hold harmless".

CHRIS ASHENBRENNER, DIVISION OF MEDICAL ASSISTANCE, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, stated that the proposed legislation would not impact the "hold harmless" patients. The anticipated expenditure to the Department is approximately \$40 thousand dollars.

Co-Chair Navarre MOVED to change the effective date to July, 1, 1992. There being NO OBJECTION, it was so ordered.

Representative Larson asked if there would be legal ramifications to the proposed legislation. Representative Sharp replied that this was discussed in the House State Affairs Committee last year and the opinion was there would be no inequity problems.

Representative Sharp MOVED to report CS HB 20 (JUD) out of Committee with individual recommendations and with the accompanying fiscal notes. There being NO OBJECTION, it was so ordered.

CS HB 20 (JUD) was reported out of Committee with a "do pass" recommendation and with a fiscal note in the amount of \$87 thousand by the Department of Administration and a zero fiscal note by the Department of Health and Social Services.

HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES
STANDING COMMITTEE

May 6, 1991
8:00 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

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

COMMITTEE CALENDAR

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

CSHB 253(HES) - MOVED OUT WITH INDIVIDUAL RECOMMENDATIONS

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

HEARD AND REFERRED TO SUBCOMMITTEE

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

CSHB 132(TRA) MOVED OUT - DO PASS

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

CSSSHB 20(STA) MOVED OUT - DO PASS

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

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

* First public hearing.

WITNESS REGISTER

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

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

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

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

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

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

Barbara Bathony, Director
Pioneers' Benefits

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

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

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

PREVIOUS ACTION

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

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

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

BILL: HB 52
SHORT TITLE: CHILD SUPPORT FOR NONMINORS

PRIME SPONSOR: ULMER
CO-SPONSOR: B.DAVIS

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

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

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

PRIME SPONSOR: MACKIE
 CO-SPONSOR: HUDSON,BROWN

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

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

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

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

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

BILL: HJR 42

SHORT TITLE: FUNDING OF WOMEN/INFANTS/CHILDREN PROGRAM

PRIME SPONSOR: B.DAVIS

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

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

ACTION NARRATIVE

TAPE 49, SIDE A Number 000

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

Bettye Davis and Cheri Davis were absent.

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

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

Number 111

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

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

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

Rep. Carney stated that he supported the idea.

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

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

Number 233

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

Number 262

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

Number 298

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

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

HOUSE STATE AFFAIRS COMMITTEE

April 17, 1991

8:30 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

None

COMMITTEE CALENDAR

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

CS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

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

CS for SS PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

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

HEARD AND HELD

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

PASSED OUT OF COMMITTEE WITH INDIVIDUAL RECOMMENDATIONS

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

NOT HEARD - HELD OVER

WITNESS REGISTER

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

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

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

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

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

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

PREVIOUS ACTION

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

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

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

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

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

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

BILL: HB 122
SHORT TITLE: QUALIFICATIONS FOR LONGEVITY BONUSES

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

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

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

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

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

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

BILL: HB 257
SHORT TITLE: AK HIGHWAY COMMEMORATIVE MEDALLION

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

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

ACTION NARRATIVE

TAPE 36, SIDE A Number 000

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

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

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

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

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

Number 320

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

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

Number 360

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

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

Number 387

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

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

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

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

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

Number 414

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

Number 438

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

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

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

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

There were no objections and HB 20 was so amended.

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

There were no objections and the CS was adopted.

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

Number 500

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

MEMBERS PRESENT

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

MEMBERS ABSENT

Rep. Tom Moyer, Vice Chairman
Rep. Mike Miller

COMMITTEE CALENDAR

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

HEARD AND HELD

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

HEARD AND HELD

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

HEARD AND HELD

UNSCHEDULED BILLS DISCUSSED

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

and providing for an effective date."

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

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

WITNESS REGISTER

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

C. Lippitt
2203 McKinley Ave.

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

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

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

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

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

Helen Jadack

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

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

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

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

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

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

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

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

Jim Moody
665 10th Avenue

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

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

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

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

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

PREVIOUS ACTION

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

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

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

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

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

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

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

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

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

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

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

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

BILL: SB 159

PRIME SPONSOR: RULES BY REQUEST OF THE GOVERNOR

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

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

ACTION NARRATIVE

TAPE 27, SIDE A Number 000

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

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

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

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

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

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

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

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

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

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

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

House
91
HSTA

SENATE FINANCE COMMITTEE

SIGN-IN

SB 247-VETERANS' ELIGIBILITY FOR LONGEVITY BONUS

NAME: Alison M. Egan Subject/Bill No: SB 247
Co./Dept./Title: Dep Comm / DOA Phone: 465-2200
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: Nancy Walker Subject/Bill No: SB 247
Co./Dept./Title: Medical Assist Admin / DMH/DHS Phone: 465-3555
Address: PO Box 110660 Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

OFF-NET TELECONFERENCE PARTICIPANTS

Name: Laddie Shaw
Location: Ft. Rich
Affiliation:
Bill: SB 247

Name: Galen Atwater
Location: Meiers Lake
Affiliation:
Bill: SB 271

Name: Janice Adair
Location: Anchorage
Affiliation: DEC
Bill: SB 271

Name: Alan Lemaster
Location: Gakona
Affiliation:
Bill: SB 271

Name:
Location:
Affiliation:
Bill:

Name:
Location:
Affiliation:
Bill: