#### SESSION 1993

#### SENATE BILL 479

Short Title: Senior Tar Heel Legislature.

Sponsors: Senators Perdue; Albertson, Jordan, Parnell, Martin of Pitt, Hoyle, Richardson, Gunter, Forrester, Hartsell, Ballance, Smith, Edwards, Speed, Plyler, Marshall, Codington, Winner of Mecklenburg, Plexico, Warren, and Tally.

Referred to: Rules and Operation of the Senate.

### March 11, 1993

1	A BILL TO BE ENTITLED			
2	AN ACT TO ESTABLISH THE SENIOR TAR HEEL LEGISLATURE.			
3	Whereas, North Carolina has over 900,000 citizens 65 and older; and			
4	Whereas, older adults now comprise the fastest growing segment of North			
5	Carolina's population with North Carolina experiencing a growth rate of 33% for			
6	individuals 65 and older compared with a growth rate of 13% for North Carolina as a			
7	whole; and			
8	Whereas, by the year 2000 older adults will constitute 13% of the total			
9	population; and			
10	Whereas, over 40,000 retirees relocate in North Carolina each year which			
11	ranks North Carolina fifth nationally in attracting out-of-state retirees; and			
12	Whereas, older citizens have contributed greatly to the economic			
13	development of North Carolina and will continue to contribute because of their			
14	increased numbers; and			
15	Whereas, there is a subgroup (19.5%) of our older citizens who have incomes			
16	less than the federal poverty level; and			
17	Whereas, the rapid aging of the citizens of the State will mandate attention to			
18	health care, housing, community-based services, recreation, and volunteerism used by			
19	older adults and their families; and			
20	Whereas, older North Carolinians can best judge their own needs and			
21	concerns and should be their own best advocates; and			

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1	Whereas, the General Assembly each session attempts to address these needs			
2	with the introduction of a wide variety of proposals aimed at specific aging issues; and			
3	Whereas, we are in a period of diminishing public resources; and			
4	Whereas, these circumstances require the setting of priorities regarding which			
5	aging programs and services are most vital to establish and maintain; and			
6	Whereas, the senior citizens legislature as a model legislature session has			
7	proved successful in Florida, Georgia, Indiana, Iowa, Missouri, and California; and			
8	Whereas, the Senior Tar Heel Legislature will offer older North Carolinians a			
9	forum for setting their legislative priorities; Now, therefore,			
10	The General Assembly of North Carolina enacts:			
11	Section 1. Article 3 of Chapter 143B of the General Statutes is amended by			
12	adding a new Part 14F to read:			
13	"PART 14F.			
14	"SENIOR TAR HEEL LEGISLATURE.			
15	"§ 143B-181.55. Creation, membership, meetings, organization, and adoption of			
16	measures.			
17	(a) There is created the North Carolina Senior Tar Heel Legislature. It shall:			
18	(1) Provide information and education to senior citizens on the legislative			
19	process and matters being considered by the General Assembly;			
20	(2) <u>Promote citizen involvement and advocacy concerning aging issues</u>			
21	before the General Assembly; and			
22	(3) Assess the legislative needs of older citizens by convening a forum			
23	modeled after the General Assembly.			
24	(b) The delegates to the Senior Tar Heel Legislature shall be age 60 or over and			
25	shall be duly selected pursuant to procedures developed by the Department of Human			
26	Resources, Division of Aging, and approved by the Secretary of the Department in			
27	consultation with senior citizens advocacy groups who have given written notice to the			
28	Division of Aging that they desire to be consulted. The Senior Tar Heel Legislative			
29	Session shall be organized and coordinated by the Division with Area Agencies on			
30	Aging organizing the local election procedures and other related matters. At the			
31	conclusion of each session, the Senior Tar Heel Legislature shall make a report of that			
32	session's proceedings and recommendations to the General Assembly. Delegates to the			
33	Senior Tar Heel Legislature shall be from each county.			
34	(c) <u>The Senior Tar Heel Legislature is authorized to meet in March of every year</u>			
35	beginning in 1994 but shall hold its first session no later than June 1993. The sessions			
36	shall be held in the State Capitol. The Senior Tar Heel Legislature is authorized to			
37	adopt bylaws to govern its internal procedures and is authorized to adopt such			
38	recommendations as it deems appropriate to present to the General Assembly for			
39	<u>consideration</u> .			
40	(d) <u>A report of the proceedings of each session of the Senior Tar Heel Legislature</u>			
41	shall be presented to the next Regular Session of the North Carolina General Assembly."			
42 43	Assembly: Sec. 2. G.S. 143B-181.1 reads as rewritten:			
43 44	"§ 143B-181.1. Division of Aging – creation, powers and duties.			
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There is hereby created within the office of the Secretary of the Department (a) of Human Resources a Division of Aging, which shall have the following functions and 3 duties:

- To maintain a continuing review of existing programs for the aging in 4 (1)5 the State of North Carolina, and periodically make recommendations 6 to the Secretary of Human Resources for transmittal to the Governor and the General Assembly as appropriate for improvements in and 7 8 additions to such programs; 9
  - To study, collect, maintain, publish and disseminate factual data and (2)pertinent information relative to all aspects of aging. These include the societal, economic, educational, recreational and health needs and opportunities of the aging;
  - (3) To stimulate, inform, educate and assist local organizations, the community at large, and older people themselves about aging, including needs, resources and opportunities for the aging, and about the role they can play in improving conditions for the aging;
    - (4) To serve as the agency through which various public and nonpublic organizations concerned with the aged can exchange information, coordinate programs, and be helped to engage in joint endeavors;
  - To provide advice, information and technical assistance to North (5) Carolina State government departments and agencies and to nongovernmental organizations which may be considering the inauguration of services, programs, or facilities for the aging, or which can be stimulated to take such action;
    - To coordinate governmental programs with private agency programs (6) for aging in order that such efforts be effective and that duplication and wasted effort be prevented or eliminated;
  - To promote employment opportunities as well as proper and adequate (7)recreational use of leisure for older people, including opportunities for uncompensated but satisfying volunteer work;
    - To identify research needs, encourage research, and assist in obtaining (8) funds for research and demonstration projects; and
    - (9) To establish or help to establish demonstration programs of services to the aging;
- 35 (10)To establish a fee schedule to cover the cost of providing in-home and community-based services funded by the Division. The fees may vary 36 37 on the basis of the type of service provided and the ability of the 38 recipient to pay for the service. The fees may be imposed on the 39 recipient of a service unless prohibited by federal law. The local agency shall retain the fee and use it to extend the availability of in-40 41 home and community-based services provided by the Division in 42 support of functionally impaired older adults and family caregivers of functionally impaired older adults; [and] 43

1	(11)	To administer a Home and Community Care Block Grant for older
2		adults, effective July 1, 1992. The Home and Community Care Block
3		Grant shall be comprised of applicable Older Americans Act funds,
4		Social Services Block Grant funding in support of the Respite Care
5		Program (G.S. 143B-181.10), State funds for home and community
6		care services administered by the Division of Aging, portions of the
7		State In-Home and Adult Day Care funds (Chapter 1048, 1981 Session
8		Laws) administered by the Division of Social Services which support
9		services to older adults, and other funds appropriated by the General
10		Assembly as part of the Home and Community Care Block Grant.
11		Funding currently administered by the Division of Social Services to
12		be included in the block grant will be based on the expenditures for
13		older adults at a point in time to be mutually determined by the
14		Divisions of Social Services and Aging. The total amount of Older
15		Americans Act funds to be included in the Home and Community Care
16		Block Grant and the matching rates for the block grant shall be
17		established by the Department of Human Resources, Division of
18		Aging. Allocations made to counties in support of older adults shall
19		not be less than resources made available for the period July 1, 1990,
20		through June 30, 1991, contingent upon availability of current State
21		and federal funding. funding; and
22	<u>(12)</u>	To organize, coordinate, and provide staff support to the North
23		Carolina Senior Tar Heel Legislature.

(b) The Division shall function under the authority of the Department of Human
Resources and the Secretary of Human Resources as provided in the Executive
Organization Act of 1973 and shall perform such other duties as are assigned by the
Secretary.

(c) The Secretary of Human Resources shall adopt rules to implement this Part
 and Title 42, Chapter 35, of the United States Code, entitled Programs for Older
 Americans."

31 Sec. 3. This act is effective upon ratification.