

**HOUSE BILL NO. 41**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/10/01

Referred: Health Education and Social Services, Judiciary, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act repealing the termination date of changes made by ch. 87, SLA 1997 and ch.  
2 132, SLA 1998 regarding child support enforcement and related programs; repealing  
3 the nonseverability provision of ch. 132, SLA 1998; repealing certain requirements for  
4 applicants for hunting and sport fishing licenses or tags, and for certain hunting  
5 permits, to provide social security numbers for child support enforcement purposes; and  
6 providing for an effective date."

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

8 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
9 to read:

10 FINDINGS; PURPOSE; INTENT. (a) The legislature finds that

11 (1) many Alaska children are dependent on regular and adequate child support  
12 payments in order to meet basic needs;

13 (2) the child support enforcement program in this state helps Alaska children

1 receive the support that has been ordered to meet those children's needs;

2 (3) in 1997 and 1998, legislation was enacted that improved and strengthened  
3 the child support enforcement program and provided additional protections for parents and  
4 children who are subject to child support orders, but the legislation included provisions that  
5 will result in the repeal of those amendments on July 1, 2001;

6 (4) the changes to the child support enforcement program implemented  
7 through the 1997 and 1998 Acts have now been tested in practice in this state and have been  
8 found successful in ensuring that more children receive the support required to meet basic  
9 needs; following the enactment of the 1997 and 1998 Acts, child support collections increased  
10 and reached \$85,000,000 in fiscal year 2000, the largest annual child support collection in the  
11 state's history;

12 (5) in addition to increasing child support collections, the changes made by the  
13 1997 and 1998 Acts are needed to assure compliance with federal requirements designed to  
14 encourage accurate determination of child support obligations and timely payment of those  
15 obligations;

16 (6) the federal government provides millions of dollars to assist the state in  
17 financing effective child support enforcement programs; compliance with federal  
18 requirements is a condition of receiving this federal financial participation;

19 (7) if the repeal provisions of the 1997 and 1998 Acts are not removed before  
20 July 1, 2001, the state will be placed out of compliance with federal requirements for  
21 continued federal financial participation in the state's child support enforcement program and  
22 for a federal public assistance block grant to this state; according to federal law, if the repeal  
23 provisions take effect the state will lose

24 (A) all federal child support enforcement funding, which amounted to  
25 over \$14,000,000 in federal fiscal year 2000; and

26 (B) the annual federal temporary assistance for needy families program  
27 (TANF) block grant administered under the state's Alaska temporary assistance  
28 program (ATAP), which amounted to over \$65,000,000 in federal fiscal year 2000;  
29 and

30 (8) at the request of Alaska's child support enforcement program, the state has  
31 received a waiver of the federal requirement that social security numbers be provided by

1 applicants for hunting and sport fishing licenses or tags, and for certain hunting permits;  
 2 therefore, the state is no longer required by federal law to have in effect the provisions of the  
 3 1998 Act that require social security numbers on applications for hunting and sport fishing  
 4 licenses and tags, and for certain hunting permits, in order to assure continued federal  
 5 financial participation in the state's child support enforcement and public assistance programs;  
 6 and

7 (9) the 1998 Act included a nonseverability provision requiring that if any one  
 8 of the majority of the provisions of that Act were to be ruled unconstitutional as to any person  
 9 or circumstance, the majority of the provisions of the Act would be considered invalid; if the  
 10 nonseverability provision is triggered, all federal financial participation for the state's child  
 11 support enforcement and ATAP programs would be lost even if the unconstitutional provision  
 12 was a relatively minor one.

13 (b) The primary purpose of this Act is to ensure that the current law and court rules of  
 14 this state relating to child support enforcement and related programs continue in effect so that  
 15 significant improvements to the child support enforcement program will remain in effect and  
 16 that the mandates for receiving federal financial participation in the state's child support  
 17 enforcement and ATAP programs are met, thus assuring that children in this state can timely  
 18 receive needed child support from their parents and needy children can receive necessary  
 19 temporary assistance.

20 (c) The intent of this Act is that

21 (1) statutory changes made by ch. 87, SLA 1997 and ch. 132, SLA 1998  
 22 regarding child support enforcement and related programs that would have been repealed  
 23 under sec. 148(c), ch. 87, SLA 1997 and secs. 53 and 54(b), ch. 132, SLA 1998 on July 1,  
 24 2001, instead remain in effect on and after July 1, 2001, along with any changes made to  
 25 those statutory provisions by the revisor of statutes under authority of AS 01.05.031(b),  
 26 except for statutory changes made by ch. 132, SLA 1998 that require social security numbers  
 27 on applications for hunting and sport fishing licenses and tags and for certain hunting permits;

28 (2) any other amendments relating to child support enforcement and related  
 29 programs that affect the statutory provisions described in (1) of this subsection and that were  
 30 enacted in 1997, 1998, 1999, 2000, or 2001, other than by ch. 87, SLA 1997 or ch. 132, SLA  
 31 1998, continue in effect on and after July 1, 2001, along with any changes made to those

1 statutory provisions by the revisor of statutes under authority of AS 01.05.031(b);

2 (3) amendments to court rules made by ch. 87, SLA 1997 continue in effect on  
3 and after July 1, 2001, and that the further amendments to those courts rules provided for in  
4 sec. 148(c), ch. 87, SLA 1997 and sec. 53, ch. 132, SLA 1998, not occur;

5 (4) any other amendments to the court rules described in (3) of this subsection  
6 that relate to child support enforcement and related programs and that were enacted in 1997,  
7 1998, 1999, 2000, or 2001, other than by ch. 87, SLA 1997 or ch. 132, SLA 1998, continue in  
8 effect on and after July 1, 2001; and

9 (5) statutory changes made by ch. 132, SLA 1998 that require that social  
10 security numbers be provided by applicants for hunting and sport fishing licenses or tags and  
11 for certain hunting permits would be repealed.

12 \* **Sec. 2.** (a) Section 148(c), ch. 87, SLA 1997, as amended by sec. 53, ch. 132, SLA 1998,  
13 is repealed.

14 (b) Sections 53, 54(b), 54(c), and 56, ch. 132, SLA 1998, are repealed.

15 \* **Sec. 3.** AS 16.05.330(e) and 16.05.346(d) are repealed.

16 \* **Sec. 4.** Sections 1 and 2 of this Act take effect immediately under AS 01.10.070(c).

17 \* **Sec. 5.** Section 3 of this Act takes effect the day following the effective date of sec. 2 of  
18 this Act.