

Amended: 4/24/89

go0239hG

Offered: 3/31/89

Referred: Rules

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 66 (Finance) am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act establishing the Alaska Commission on Chil-

7

dren and Youth; abolishing the Office of Child Advo-

8

cacy; relating to the Alaska children's trust fund;

9

and providing for an effective date."

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

11 * Section 1. AS 37.14.200 is amended by adding a new subsection to
12 read:

13 (d) The Department of Revenue shall prepare the permanent fund
14 dividend application to allow applicants to designate that \$10 of the
15 dividend be subtracted from their check and contributed to the Alaska
16 children's trust fund. Permanent fund dividend contributions made
17 under this subsection shall be deposited in the fund. The Department
18 of Revenue may use money in the fund to pay administrative costs
19 incurred under this subsection.

20 * Sec. 2. AS 37.14.220 is repealed and reenacted to read:

21 Sec. 37.14.220. ADMINISTRATION OF THE FUND. The fund shall be
22 administered by the Alaska Commission on Children and Youth.

23 * Sec. 3. AS 37.14.220 is repealed and reenacted to read:

24 Sec. 37.14.220. ALASKA CHILDREN'S TRUST FUND BOARD ESTABLISHED.

25 (a) The Alaska Children's Trust Fund Board is established in the
26 Office of the Governor. The board is composed of

27 (1) the governor or a designee of the governor;

28 (2) the commissioner of health and social services or the
29 commissioner's designee;

1 (3) a member of the Council on Domestic Violence and Sexual
2 Assault elected by the council;

3 (4) the director of the office of public advocacy or the
4 director's designee;

5 (5) the commissioner of education or the commissioner's
6 designee;

7 (6) a member of the senate appointed by the president of
8 the senate;

9 (7) a member of the house of representatives appointed by
10 the speaker of the house of representatives; and

11 (8) three members appointed by the governor as follows:

12 (A) a licensed physician with a specialty in pediat-
13 rics who has practiced medicine in the state for at least five
14 years and who is an expert in the subject of child abuse and
15 neglect; and

16 (B) two public members, one of whom is a recognized
17 expert in the subject of child abuse and neglect.

18 (b) The board shall elect a member to chair the board.

19 (c) The Office of the Governor shall provide staff for the
20 board.

21 * Sec. 4. AS 37.14.230 is amended to read:

22 Sec. 37.14.230. POWERS AND DUTIES OF THE COMMISSION [BOARD].
23 When acting as administrator of the fund, the commission [THE BOARD]
24 shall

25 (1) hold [REGULAR MEETINGS AND] special meetings it con-
26 siderers necessary; the commission [BOARD] may hold meetings by telecon-
27 ference;

28 (2) award grants from the net income of the fund to commu-
29 nity-based programs and projects that the commission [BOARD] finds

1 will aid in the prevention of child abuse and neglect;

2 (3) monitor approved programs and projects for compliance
3 with AS 37.14.200 - 37.14.270;

4 (4) before providing assistance to a program or project,
5 approve written findings on the program or project that include a
6 consideration of the means of measuring the effectiveness of the
7 program or project;

8 (5) apply for, and use net income from the fund to obtain,
9 private and federal grants for the prevention of child abuse and
10 neglect;

11 (6) solicit contributions, gifts, and bequests to the fund;

12 (7) keep audio tape recordings of each meeting of the
13 commission [BOARD] to be made available on request; and

14 (8) submit to the governor and the legislature by Febru-
15 ary 1 each year a report describing

16 (A) the child abuse and neglect prevention services
17 that were provided by the programs and projects to which the
18 commission [BOARD] awarded grants; and

19 (B) the annual level of contributions, income, and
20 expenses of the fund.

21 * Sec. 5. AS 37.14.230 is amended to read:

22 Sec. 37.14.230. POWERS AND DUTIES OF THE BOARD [COMMISSION].
23 The board [WHEN ACTING AS ADMINISTRATOR OF THE FUND, THE COMMISSION]
24 shall

25 (1) hold regular meetings and special meetings it considers
26 necessary; the board [COMMISSION] may hold meetings by teleconference;

27 (2) award grants from the net income of the fund to commu-
28 nity-based programs and projects that the board [COMMISSION] finds
29 will aid in the prevention of child abuse and neglect;

1 (3) monitor approved programs and projects for compliance
2 with AS 37.14.200 - 37.14.270;

3 (4) before providing assistance to a program or project,
4 approve written findings on the program or project that include a
5 consideration of the means of measuring the effectiveness of the
6 program or project;

7 (5) apply for, and use net income from the fund to obtain,
8 private and federal grants for the prevention of child abuse and
9 neglect;

10 (6) solicit contributions, gifts, and bequests to the fund;

11 (7) keep audio tape recordings of each meeting of the board
12 [COMMISSION] to be made available on request; and

13 (8) submit to the governor and the legislature by Febru-
14 ary 1 each year a report describing

15 (A) the child abuse and neglect prevention services
16 that were provided by the programs and projects to which the
17 board [COMMISSION] awarded grants; and

18 (B) the annual level of contributions, income, and
19 expenses of the fund.

20 * Sec. 6. AS 37.14.240(a) is amended to read:

21 (a) Except as provided in AS 37.14.200(d) and (d) of this sec-
22 tion, the [THE] principal of the fund and any capital gains or losses
23 realized on the principal shall be retained perpetually in the fund
24 for investment as specified in AS 37.14.210, and may not be used for
25 the awarding of grants.

26 * Sec. 7. AS 37.14.240 is amended by adding a new subsection to read:

27 (d) Up to \$150,000 per year may be appropriated from the princi-
28 pal of the fund for the administrative expenses of the commission.

29 * Sec. 8. AS 37.14.240(d) is amended to read:

1 (d) Up to \$150,000 per year may be appropriated from the princi-
2 pal of the fund for the administrative expenses of the board [COMMIS-
3 SION].

4 * Sec. 9. AS 37.14.270 is amended by adding a new paragraph to read:

5 (5) "commission" means the Alaska Commission on Children
6 and Youth established under AS 44.19.521.

7 * Sec. 10. AS 37.14.270 is amended by adding a new paragraph to read:

8 (6) "board" means the Alaska Children's Trust Fund Board.

9 * Sec. 11. AS 39.05.100(a) is amended to read:

10 (a) A person appointed to a board or commission of the state
11 government shall be and have been before the last general election,
12 (1) a registered voter in the state, if the appointment is made at
13 large or (2) a registered voter from the judicial district, if the
14 appointment is made from a specific judicial district. The student
15 member of the Board of Regents of the University of Alaska appointed
16 under AS 14.40.150(b), [AND] the student member of the Alaska Commis-
17 sion on Postsecondary Education appointed under AS 14.42.015(e), and a
18 member of the Alaska Commission on Children and Youth appointed under
19 AS 44.19.521, are exempt from the requirement of this subsection if
20 the member was not old enough to be a registered voter in the last
21 general election.

22 * Sec. 12. AS 39.05.100(a) is amended to read:

23 (a) A person appointed to a board or commission of the state
24 government shall be and have been before the last general election,
25 (1) a registered voter in the state, if the appointment is made at
26 large or (2) a registered voter from the judicial district, if the
27 appointment is made from a specific judicial district. The student
28 member of the Board of Regents of the University of Alaska appointed
29 under AS 14.40.150(b) and [,] the student member of the Alaska

1 Commission on Postsecondary Education appointed under AS 14.42.015(e)
2 [, AND A MEMBER OF THE ALASKA COMMISSION ON CHILDREN AND YOUTH AP-
3 POINTED UNDER AS 44.19.521,] are exempt from the requirement of this
4 subsection if the member was not old enough to be a registered voter
5 in the last general election.

6 * Sec. 13. AS 39.50.200(b) is amended by adding a new paragraph to
7 read:

8 (50) Alaska Commission on Children and Youth (AS 44.19.521).

9 * Sec. 14. AS 44.19 is amended by adding new sections to read:

10 ARTICLE 17. ALASKA COMMISSION ON CHILDREN AND YOUTH.

11 Sec. 44.19.521. CREATION OF COMMISSION. (a) There is created
12 in the Office of the Governor the Alaska Commission on Children and
13 Youth.

14 (b) The commission consists of four executive-branch members and
15 seven public members, who are appointed by, and serve in that capacity
16 at the pleasure of, the governor. At least one of the public members
17 must be under the age of 21 at the time of appointment. The com-
18 mission shall elect one of its members as chair. The chair may ap-
19 point other officers as necessary.

20 Sec. 44.19.523. TERMS OF OFFICE; COMPENSATION. (a) The term of
21 office of a member of the commission is three years.

22 (b) A vacancy shall be filled in the same manner as the original
23 appointment. A person appointed to a vacancy serves for the unexpired
24 portion of the term.

25 (c) Public members of the commission serve without compensation
26 for their services but are entitled to per diem and travel allowances
27 authorized under AS 39.20.180.

28 Sec. 44.19.525. POWERS OF THE COMMISSION. The commission may
29 (1) use legal, technical, secretarial, and administrative

1 services as may be provided by the governor;

2 (2) use voluntary and uncompensated services of private
3 persons and organizations as may be made available to the commission;

4 (3) receive, and use for operating purposes, money from the
5 federal government or other sources;

6 (4) hold public hearings;

7 (5) establish and maintain an office in Anchorage, or at a
8 location determined to be the most appropriate location by a majority
9 vote of the commissions, and hire an executive director and technical
10 and clerical staff that are necessary to perform the duties of the
11 commission; and

12 (6) take other actions reasonably necessary to carry out
13 the duties of the commission.

14 Sec. 44.19.527. DUTIES OF THE COMMISSION. (a) The commission
15 shall develop a comprehensive statewide plan that identifies the needs
16 of children and youth, individually and as they relate to their fam-
17 ilies, and makes recommendations to enhance their quality of life. In
18 meeting this charge, the commission may

19 (1) recommend the services and programs that should be
20 available for children and families in the areas of child care,
21 health, social services, education, special education, child protec-
22 tion, parent and staff training, nutrition, poverty, mental health,
23 safety, and employment of youth;

24 (2) identify the service needs of children and where gaps
25 and overlaps in services exist;

26 (3) monitor the emerging needs of and problems facing
27 children, and develop effective, comprehensive, and coordinated strat-
28 egies to address those needs and problems;

29 (4) develop and recommend adoption of a process for

1 monitoring and evaluating children's programs;

2 (5) provide opportunities for the public to participate in
3 the planning and development of children's programs and policies;

4 (6) receive and act upon requests for recommendations from
5 parents, state officials, members of state advisory committees, legis-
6 lators, representatives of the state court system, and providers of
7 children's services on matters related to children and youth;

8 (7) meet with and make recommendations to state officials
9 and members of advisory committees who are responsible for the expen-
10 diture of state and federal money and provide recommendations to the
11 legislature and the department on structural and procedural changes,
12 contracting of services, establishment of standards, and the consoli-
13 dation of efforts designed to deliver services in a more cost-effec-
14 tive manner;

15 (8) serve as a statewide clearinghouse for government and
16 nongovernment programs and resources relating to children, youth, and
17 families;

18 (9) serve as an advocate for the interests of children by
19 informing the public, including leaders of the business community,
20 educators, local and state officials, the legal system, and the commu-
21 nications media of the nature and scope of problems faced by children;

22 (10) coordinate efforts and consult and cooperate with
23 persons, departments, organizations, and groups, including other
24 boards and commissions, interested in the problems and concerns of
25 children and youth; and

26 (11) make recommendations to the governor, legislature, and
27 state officials with respect to legislation, regulations, and appro-
28 priations for programs or services that benefit children and youth.

29 (b) In formulating the strategy to address the needs of and

1 problems facing children, the commission shall actively solicit advice
2 and information from children and youth of all ages and socioeconomic
3 backgrounds. The commission shall also seek advice and information
4 from parents and children's services providers, including those with
5 expertise in the areas of mental health, health care, prenatal care,
6 adolescent drug and alcohol treatment, education, special education,
7 early childhood education, early childhood special education, non-
8 profit funding sources, child abuse and neglect, domestic violence,
9 child care, dependence, delinquency and the justice system, minority
10 issues, and family support systems.

11 (c) The commission shall prepare and publish an annual report on
12 the status of children in the state and its recommendations and pro-
13 posals for change. The commission shall provide the governor and the
14 legislature with copies of the report by the 15th day of each regular
15 legislative session.

16 Sec. 44.19.529. TECHNICAL ASSISTANCE AND STAFF SUPPORT. The
17 executive branch departments shall cooperate with the commission and
18 provide technical assistance to the commission upon the request of the
19 commission.

20 * Sec. 15. TEMPORARY USE OF PRINCIPAL. Notwithstanding AS 37.14.230
21 and 37.14.240, as amended by secs. 4, 6, and 7 of this Act, until July 1,
22 1991, the Alaska Commission on Children and Youth may use not more than
23 \$50,000 from the principal of the Alaska children's trust fund for the
24 purposes specified in AS 37.14.240(b)(2) and (3).

25 * Sec. 16. REVISOR'S INSTRUCTION. To be consistent with the changes
26 made by secs. 2, 4, 7, and 9 of this Act, wherever in AS 37.14.200 - 37.-
27 14.270 and in the regulations adopted under those statutes "Alaska Chil-
28 dren's Trust Fund Board" or "board" is used, they shall be read as refer-
29 ring to the Alaska Commission on Children and Youth and the commission,

1 respectively. Under AS 01.05.031, the revisor of statutes shall implement
2 this section in the statutes and under AS 44.62.125(b)(6), the regulations
3 attorney shall implement this section in the administrative regulations.

4 * Sec. 17. REVISOR'S INSTRUCTION. To be consistent with the changes
5 made by secs. 3, 5, 8, and 10 of this Act, wherever in AS 37.14.200 -
6 37.14.270 and in the regulations adopted under those statutes "Alaska Com-
7 mission on Children and Youth" or "commission" is used, they shall be read
8 as referring to the Alaska Children's Trust Fund Board and the board,
9 respectively. Under AS 01.05.031, the revisor of statutes shall implement
10 this section in the statutes and under AS 44.62.125(b)(6), the regulations
11 attorney shall implement this section in the administrative regulations.

12 * Sec. 18. AS 37.14.270(5), AS 39.50.200(b)(50), AS 44.19.521, 44.19.-
13 523, 44.19.525, 44.19.527, and 44.19.529 are repealed June 30, 1994.

14 * Sec. 19. AS 37.14.270(1), AS 47.50.010, 47.50.020, 47.50.030, 47.50.-
15 040, and 47.50.050 are repealed.

16 * Sec. 20. TERMS OF INITIAL APPOINTEES. Notwithstanding AS 44.19.523,
17 enacted by sec. 14 of this Act, the governor shall set the terms of the
18 members initially appointed to the Alaska Commission on Children and Youth
19 so that four members serve three-year terms, four members serve two-year
20 terms, and three members serve one-year terms.

21 * Sec. 21. REVIEW OF LAWS RELATING TO CHILDREN. The Alaska Commission
22 on Children and Youth, established under sec. 14 of this Act, may review
23 the laws of the state with regard to matters involving children. If a
24 review is done, the commission shall prepare and publish a report of its
25 findings and recommendations and provide the governor and the legislature
26 with copies by January 1, 1991.

27 * Sec. 22. Sections 3, 5, 8, 10, 12, and 17 of this Act take effect
28 June 30, 1994.

29 * Sec. 23. Except as provided in sec. 22 of this Act, this Act takes

1 effect July 1, 1989.