

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE HEALTH, EDUCATION AND
2 SENATE CS FOR CS FOR HOUSE BILL NO. 66 (HESS) SOCIAL SERVICES COMMITTEE
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 AS 37.14.220 is repealed and reenacted to read:
12 Sec. 37.14.220. ADMINISTRATION OF THE FUND. The fund shall be
13 administered by the Alaska Commission on Children and Youth.
14 * Sec. 2. AS 37.14.220 is repealed and reenacted to read:
15 Sec. 37.14.220. ALASKA CHILDREN'S TRUST FUND BOARD ESTABLISHED.
16 (a) The Alaska Children's Trust Fund Board is established in the
17 Office of the Governor. The board is composed of four executive
18 branch members and seven public members, who are appointed by, and
19 serve in that capacity at the pleasure of, the governor.
20 (b) The board shall elect a member to chair the board.
21 (c) The Office of the Governor shall provide staff for the
22 board.
23 * Sec. 3. AS 37.14.230 is amended to read:
24 Sec. 37.14.230. POWERS AND DUTIES OF THE COMMISSION [BOARD].
25 When acting as administrator of the fund, the commission [THE BOARD]
26 shall
27 (1) hold [REGULAR MEETINGS AND] special meetings it con-
28 siderers necessary; the commission [BOARD] may hold meetings by telecon-
29 ference;

1 (2) award grants from the net income of the fund to commu-
2 nity-based programs and projects that the commission [BOARD] finds
3 will aid in the prevention of child abuse and neglect;

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

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

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

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

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

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

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

21 (B) the annual level of contributions, income, and
22 expenses of the fund.

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

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

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

29 (2) award grants from the net income of the fund to

1 community-based programs and projects that the board [COMMISSION]
2 finds will aid in the prevention of child abuse and neglect;

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

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

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

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

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

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

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

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

22 * Sec. 5. AS 37.14.240(a) is amended to read:

23 (a) Except as provided in (d) of this section, the [THE] princi-
24 pal of the fund and any capital gains or losses realized on the prin-
25 cipal shall be retained perpetually in the fund for investment as
26 specified in AS 37.14.210, and may not be used for the awarding of
27 grants.

28 * Sec. 6. AS 37.14.240 is amended by adding a new subsection to read:

29 (d) Up to \$150,000 per year may be appropriated from the

1 principal of the fund for the administrative expenses of the commis-
2 sion.

3 * Sec. 7. AS 37.14.240(d) is amended to read:

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

7 * Sec. 8. AS 37.14.270 is amended by adding a new paragraph to read:

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

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

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

12 * Sec. 10. AS 39.05.100(a) is amended to read:

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

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

26 (a) A person appointed to a board or commission of the state
27 government shall be and have been before the last general election,
28 (1) a registered voter in the state, if the appointment is made at
29 large or (2) a registered voter from the judicial district, if the

1 appointment is made from a specific judicial district. The student
2 member of the Board of Regents of the University of Alaska appointed
3 under AS 14.40.150(b) and [,] the student member of the Alaska Commis-
4 sion on Postsecondary Education appointed under AS 14.42.015(e) [, AND
5 A MEMBER OF THE ALASKA COMMISSION ON CHILDREN AND YOUTH APPOINTED
6 UNDER AS 44.19.521,] are exempt from the requirement of this sub-
7 section if the member was not old enough to be a registered voter in
8 the last general election.

9 * Sec. 12. AS 39.50.200(b) is amended by adding a new paragraph to
10 read:

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

12 * Sec. 13. AS 44.19 is amended by adding new sections to read:

13 ARTICLE 17. ALASKA COMMISSION ON CHILDREN AND YOUTH.

14 Sec. 44.19.521. CREATION OF COMMISSION. (a) There is created
15 in the Office of the Governor the Alaska Commission on Children and
16 Youth.

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

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

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

28 (c) Public members of the commission serve without compensation
29 for their services but are entitled to per diem and travel allowances

1 authorized under AS 39.20.180.

2 Sec. 44.19.525. POWERS OF THE COMMISSION. The commission may

3 (1) use legal, technical, secretarial, and administrative
4 services as may be provided by the governor;

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

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

9 (4) hold public hearings;

10 (5) hire an executive director and technical and clerical
11 staff that are necessary to perform the duties of the 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 establish and maintain its primary office in Anchorage.

16 (b) The commission shall develop a comprehensive statewide plan
17 that identifies the needs of children and youth, individually and as
18 they relate to their families, and makes recommendations to enhance
19 their quality of life. In meeting this charge, the commission may

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

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

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

- 1 (4) develop and recommend adoption of a process for moni-
2 toring and evaluating children's programs;
- 3 (5) provide opportunities for the public to participate in
4 the planning and development of children's programs and policies;
- 5 (6) receive and act upon requests for recommendations from
6 parents, state officials, members of state advisory committees, legis-
7 lators, representatives of the state court system, and providers of
8 children's services on matters related to children and youth;
- 9 (7) meet with and make recommendations to state officials
10 and members of advisory committees who are responsible for the expen-
11 diture of state and federal money and provide recommendations to the
12 legislature and the department on structural and procedural changes,
13 contracting of services, establishment of standards, and the consoli-
14 dation of efforts designed to deliver services in a more cost-effec-
15 tive manner;
- 16 (8) serve as a statewide clearinghouse for government and
17 nongovernment programs and resources relating to children, youth, and
18 families;
- 19 (9) serve as an advocate for the interests of children by
20 informing the public, including leaders of the business community,
21 educators, local and state officials, the legal system, and the commu-
22 nications media of the nature and scope of problems faced by children;
- 23 (10) coordinate efforts and consult and cooperate with
24 persons, departments, organizations, and groups, including other
25 boards and commissions, interested in the problems and concerns of
26 children and youth; and
- 27 (11) make recommendations to the governor, legislature, and
28 state officials with respect to legislation, regulations, and appro-
29 priations for programs or services that benefit children and youth.

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

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

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

21 * Sec. 14. TEMPORARY USE OF PRINCIPAL. Notwithstanding AS 37.14.230
22 and 37.14.240, as amended by secs. 3, 5, and 6 of this Act, until July 1,
23 1991, the Alaska Commission on Children and Youth may use not more than
24 \$50,000 from the principal of the Alaska children's trust fund for the
25 purposes specified in AS 37.14.240(b)(2) and (3).

26 * Sec. 15. REVISOR'S INSTRUCTION. To be consistent with the changes
27 made by secs. 1, 3, 6, and 8 of this Act, wherever in AS 37.14.200 - 37.-
28 14.270 and in the regulations adopted under those statutes "Alaska Chil-
29 dren's Trust Fund Board" or "board" is used, they shall be read as

1 referring to the Alaska Commission on Children and Youth and the commis-
2 sion, respectively. Under AS 01.05.031, the revisor of statutes shall
3 implement this section in the statutes and under AS 44.62.125(b)(6), the
4 regulations attorney shall implement this section in the administrative
5 regulations.

6 * Sec. 16. REVISOR'S INSTRUCTION. To be consistent with the changes
7 made by secs. 2, 4, 7, and 9 of this Act, wherever in AS 37.14.200 -
8 37.14.270 and in the regulations adopted under those statutes "Alaska Com-
9 mission on Children and Youth" or "commission" is used, they shall be read
10 as referring to the Alaska Children's Trust Fund Board and the board,
11 respectively. Under AS 01.05.031, the revisor of statutes shall implement
12 this section in the statutes and under AS 44.62.125(b)(6), the regulations
13 attorney shall implement this section in the administrative regulations.

14 * Sec. 17. AS 37.14.270(5), AS 39.50.200(b)(50), AS 44.19.521, 44.19.-
15 523, 44.19.525, 44.19.527, and 44.19.529 are repealed June 30, 1991.

16 * Sec. 18. AS 37.14.270(1), AS 47.50.010, 47.50.020, 47.50.030, 47.50.-
17 040, and 47.50.050 are repealed.

18 * Sec. 19. TERMS OF INITIAL APPOINTEES. Notwithstanding AS 44.19.523,
19 enacted by sec. 13 of this Act, the governor shall set the terms of the
20 members initially appointed to the Alaska Commission on Children and Youth
21 so that four members serve three-year terms, four members serve two-year
22 terms, and three members serve one-year terms.

23 * Sec. 20. REVIEW OF LAWS RELATING TO CHILDREN. The Alaska Commission
24 on Children and Youth, established under sec. 13 of this Act, may review
25 the laws of the state with regard to matters involving children. The
26 commission may review the laws of the state to determine to what degree the
27 protection of the law does not extend to the unborn, and to what extent the
28 programs of the state and of the commission that relate to preborn children
29 are not authorized, but may actually be prohibited, by state law. If the

1 commission performs a review under this section, the commission shall
2 prepare and publish a report of its findings and recommendations and pro-
3 vide the governor and the legislature with copies by January 1, 1991.

4 * Sec. 21. Sections 2, 4, 7, 9, 11, and 16 of this Act take effect
5 June 30, 1991.

6 * Sec. 22. Except as provided in sec. 21 of this Act, this Act takes
7 effect July 1, 1989.