

COMMITTEE REPORT

SENATE

##FINANCE##

6/4/75

Mr. President:

Date 6/5/75

The Committee on JUDICIARY has had CSSSHB 432 relating to child protection under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- (X) recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____ COMMITTEE
- () reports it back WITHOUT RECOMMENDATION
- () "other"

Members signing the Majority report:

Zigler _____

Phillips _____

K. Pollock _____

W. Miller _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Zigler Chairman

AMENDMENT

OFFERED IN THE SENATE:

BY: Judiciary Committee

To: _____ SENATE BILL No. _____

CSSS HOUSE BILL No. 432

PAGE: 2 _____

LINE: 27 _____

Delete "or mental"

Page 2

line 28

Before "maltreatment" insert "habitual"

COMMITTEE REPORT

SENATE

6/6/75

Mr. President.

Date _____

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- recommends it DO PASS
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- recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:
 _____ recommends:
 _____ recommends:
 _____ recommends:
 _____ recommends:

_____ Chairman

Original sponsor: Sullivan

Offered: 5/15/75
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CE FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 432

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to child protection; changing Rule
7 11(a), Rules of Children's Procedure; and providing for
8 an effective date."

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

10 * Section 1. AS 47.17.010 is amended to read:

11 Sec. 47.17.010. PURPOSE. In order to protect children whose
12 health and well-being may be adversely affected through the infliction,
13 by other than accidental means, of harm through [PHYSICAL] abuse or
14 neglect requiring the attention of a practitioner of the healing arts,
15 the legislature requires the reporting of these cases by practitioners
16 and others to the appropriate public authorities. It is the intent of
17 the legislature that, as a result of these reports, protective services
18 will be made available in an effort to prevent further harm to the
19 child, to safeguard and enhance the general well-being of the children
20 in this state, and to preserve family life whenever possible. It is
21 also the intent of the legislature to provide child abuse counseling and
22 information for parents who have abused their children and to help
23 prevent future harm to children in the state.

24 * Sec. 2. AS 47.17.030 is amended by adding a new subsection to read:

25 (e) In every case involving an abused or neglected child which
26 results in a judicial proceeding, a guardian ad litem shall be appointed
27 to represent the child in the proceedings.

28 * Sec. 3. AS 47.17.040(b) is amended to read:

29 (b) Investigation reports and reports of harm filed under this

1 chapter are considered confidential and are not subject to public
2 inspection and copying under AS 09.25.110 and 09.25.120. However, in
3 accordance with department regulations, investigation reports may be
4 used by appropriate governmental agencies with child-protection func-
5 tions, inside and outside Alaska, in connection with investigations or
6 judicial proceedings involving child abuse, neglect, or custody. A
7 person, not acting in accordance with department regulations, who wil-
8 fully makes public information contained in confidential reports is
9 guilty of a misdemeanor and upon conviction is punishable by imprisonment
10 for not more than one year, or by a fine of not more than \$5,000, or by
11 both.

12 * Sec. 4. AS 47.17 is amended by adding a new section to read:

13 Sec. 47.17.065. COUNSELING AND INFORMATION GRANTS. (a) The
14 department shall provide funds, after consulting with the office of
15 child advocacy, to private and public nonprofit community service
16 agencies and hospitals in the state for professional counseling services
17 to parents. The funds may also be used by the agencies to provide
18 information to the community concerning the problems of child abuse and
19 the help available in the state for abused children and their families.
20 Funds appropriated under this section may be used as the state or local
21 contribution for obtaining federal funds under the Child Abuse Treatment
22 and Prevention Act (P.L. 93-247).

23 (b) The department may issue regulations, subject to the Adminis-
24 trative Procedure Act (AS 44.62), relating to the distribution and use
25 of funds provided for under (a) of this section.

26 * Sec. 5. AS 47.17.070(1) is repealed and re-enacted to read:

27 (1) "child abuse or neglect" means the physical or mental
28 injury, sexual abuse, negligent treatment, or maltreatment of a child
29 under the age of 18 by a person who is responsible for the child's

1 welfare under circumstances which indicate that the child's health or
2 welfare is harmed or threatened thereby;

3 * Sec. 6. In sec. 2 of this Act, the amendment of AS 47.17.030 by adding
4 subsection (e) has the effect of changing Rule 11(a), Rules of Children's
5 Procedure, by requiring the court to appoint a guardian ad litem to represent
6 the child in all judicial proceedings involving an abused or neglected child.

7 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-
8 070(c).

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Introduced: 4/30/75
Referred: Judiciary and
Finance

1 IN THE HOUSE

BY SULLIVAN

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14 the legislature requires the reporting of these cases by practitioners
15 and others to the appropriate public authorities. It is the intent of
16 the legislature that, as a result of these reports, protective services
17 will be made available in an effort to prevent further harm to the
18 child, to safeguard and enhance the general well-being of the children
19 in this state, and to preserve family life whenever possible. It is
20 also the intent of the legislature to provide child abuse counseling and
21 information for parents who have abused their children and to help
22 prevent future harm to children in the state.

23 * Sec. 2. AS 47.17.030 is amended by adding a new subsection to read:

24 (e) In all actions taken by the department or a health and social
25 services agency of a local government under this chapter, the child
26 shall be represented by a guardian ad litem.

27 * Sec. 3. AS 47.17.040(b) is amended to read:

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29 chapter are considered confidential and are not subject to public

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18 Funds appropriated under this section may be used as the state or local
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AMENDMENT

OFFERED IN THE SENATE:

BY: Judiciary Committee

To: _____ SENATE BILL No. _____

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PAGE: 2

LINE: 27

Delete "or mental"

Page 2

line 28

Before "maltreatment" insert "habeas"

Original sponsor: Sullivan

Offered: 5/15/75
Referred: Finance

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3 * Sec. 6. In sec. 2 of this Act, the amendment of AS 47.17.030 by adding
4 subsection (e) has the effect of changing Rule 11(a), Rules of Children's
5 Procedure, by requiring the court to appoint a guardian ad litem to represent
6 the child in all judicial proceedings involving an abused or neglected child.

7 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-
8 070(c).

ALASKA STATE LEGISLATURE

LEGISLATURE FIRST Session

SPONSOR SUBSTITUTE HOUSE BILL NO. 452

By SULLIVAN

"An Act relative to child protection; and providing for an effective date."

Child protection.

Introduced in the House ... 4/30/75

HISTORY IN THE HOUSE

19 75	Read first time and referred to Committee on
Apr 30	Judiciary and Finance (w/ HESS committee rep.)
May 15	Reported back with recommendation that <i>primary repairs</i>
June 1	<i>primary repairs</i>
June 2	Read second time and <i>primary AS adopted</i>
June 2	Read third time and
June 2	PASS 201 Effective Date Yeas 32 Nays 0 Absent Excused 8
	Reconsideration PASS Effective Date Yeas Nays Absent Excused
6	Reported correctly engrossed
1	Signed by Speaker
1	Sent to Senate
	<i>Frank Rooden</i> CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 75	Read first time and referred to Committee on
6 1	<i>Jud. Finance</i>
6 6	Reported back with recommendation that <i>as in House</i>
	Read second time and
	Read third time and
	PASS Effective Date Yeas Nays Absent Excused
	Reconsideration PASS Effective Date Yeas Nays Absent Excused
	Reported correctly engrossed
	Signed by President
	Returned to House
	SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19	Received from Senate
	Reported correctly enrolled
	Sent to Governor
	By Governor
	Filed with Lt. Governor
	Chapter No.