

POSITION PAPER

CS FOR HOUSE BILL NO. 384 (HESS)

"An Act establishing the Alaska Native Child Welfare Task Force; and providing for an effective date."

CSHB 384 establishes the Alaska Native Child Welfare Task Force to study and recommend legislative, judicial, and administrative changes to implement the provisions of the federal Indian Child Welfare Act. The Indian Child Welfare Act imposes significant and far-reaching changes in operations for courts, attorneys, and agencies placing children in foster care and adoption.

This legislation would affirm and strengthen an ad hoc task force which is currently operating. It would add ex officio members from the Department of Health and Social Services, Alaska Court System, Attorney General's Office, the Senate Health, Education, and Social Services Committee, the House Health, Education and Social Services Committee, and Alaska Legal Services to members from each of the 12 Alaska-based regional native corporations.

The Department of Health and Social Services is in full support of CS for HB 384, and is pleased to participate in the task force.

RECOMMENDED BY: John R. Pugh  
John R. Pugh, Director  
Division of Family and  
Youth Services

DATE: 5/21/81

APPROVED BY: Helen D. Beirne  
Helen D. Beirne  
Commissioner

DATE: 6-2-81

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
Bill/Resolution No. CS for House Bill No. 384 (HESS)  
Title "An Act estab. the AK Native Child Wel. Task Force; & provid. for an eff. date."  
Requested by HESS Committee Date 5/13/81

II. FISCAL DETAIL  
Agency Affected Department of Health and Social Services  
Program Category Affected Social Service  
BRU, Program, or Subprogram(s) Affected \_\_\_\_\_  
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE 5/21/81 PREPARED BY John R. Pugh, Director  
AGENCY Division of Family and Youth Services  
PHONE: 465-3170  
Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named) M. Heikkinen M&B Approval M. Heikkinen Date 5/22/81

POSITION PAPER

HOUSE BILL NO. 384

"An Act establishing the Alaska Native Child Welfare Task Force; and providing for an effective date."

The Department of Health and Social Services supports House Bill No. 384 establishing the Alaska Native Child Welfare Task Force. The Indian Child Welfare Act imposes significant and far-reaching changes in operations for courts, attorneys, and agencies placing children in either foster care or adoption. A task force to study the various issues concerning child welfare services for Alaskan Natives would be very valuable in terms of future planning and policy development. The Department would be pleased to participate in such a task force.

Department of Health and Social Services is in support of House Bill No. 384.

RECOMMENDED BY: John R. Pugh  
John R. Pugh, Director  
Division of Family and  
Youth Services

DATE: 3/25/87

APPROVED BY: Helen D. Beirne  
Helen D. Beirne  
Commissioner

DATE: 4-6-87

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE BILL NO. 384  
Title "An Act establishing the Alaska Native Child Welfare Task Force; & providing an effective date."  
Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services

Program Category Affected \_\_\_\_\_

BRU, Program, or Subprogram(s) Affected \_\_\_\_\_

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
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200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

House Bill No. 384 has no fiscal impact on the Department of Health and Social Services.

IV. DATE 3/25/81 PREPARED BY John R. Pugh John R. Pugh, Director  
AGENCY Division of Family and Youth Services  
PHONE 465-3170  
Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named) M&B Approval Date 3/1/81

Original sponsors: Fuller and Clocksin

Offered: 5/13/81  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 384 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Native Child Welfare  
7 Task Force; and providing for an effective date."

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

9 Section 1. ALASKA NATIVE CHILD WELFARE TASK FORCE. The Alaska Native  
10 Child Welfare Task Force is established to study and recommend legislative,  
11 judicial, and administrative changes to implement the provisions of the  
12 federal Indian Child Welfare Act.

13 \* Sec. 2. MEMBERSHIP. (a) The Alaska Native Child Welfare Task Force  
14 is composed of 13 voting members and 6 nonvoting ex officio members, selected  
15 as follows:

16 (1) voting members: a representative from each of the 13 regional  
17 Native corporations created by the Alaska Native Claims Settlement Act, to  
18 be appointed by the governor;

19 (2) ex officio members:

20 (A) the commissioner of health and social services or a  
21 person designated by the commissioner;

22 (B) the administrator of the Alaska Court System or a person  
23 designated by the administrator;

24 (C) the attorney general or a person designated by the  
25 attorney general;

26 (D) the person who chairs the senate health, education and  
27 social services committee;

28 (E) the person who chairs the house health, education and  
29 social services committee; and

1 (F) the executive director of the Alaska Legal Services  
2 Corporation or a person designated by the executive director.

3 (b) Appointments under (a)(1) of this section shall be made with due  
4 consideration to the availability and willingness of an appointee to devote  
5 the time and effort necessary to permit the task force to function effec-  
6 tively. Appointments shall be without regard to political affiliation, and  
7 shall be made, if possible, within 20 days of the effective date of this  
8 Act, or within 20 days of the date of any vacancy in the membership of the  
9 task force.

10 (c) Vacancies in office shall be filled in the manner prescribed for  
11 initial appointments.

12 \* Sec. 3. COMPENSATION. A member of the Alaska Native Child Welfare  
13 Task Force serves without compensation, but is entitled to the same travel  
14 pay and per diem authorized by law for members of boards and commissions  
15 under AS 39.20.180.

16 \* Sec. 4. PRESIDING OFFICER. The Alaska Native Child Welfare Task Force  
17 shall elect a presiding officer from among the members of the task force.

18 \* Sec. 5. MEETINGS. The Alaska Native Child Welfare Task Force shall  
19 meet at least four times a year to carry out the duties prescribed in this  
20 Act. The first meeting of the task force shall be convened at the call of  
21 the governor not later than 30 days following appointment of members under  
22 sec. 2(a)(1) of this Act.

23 \* Sec. 6. DUTIES. (a) The Alaska Native Child Welfare Task Force shall

24 (1) study the federal Indian Child Welfare Act in order to recom-  
25 mend legislative, judicial, and administrative changes to implement the  
26 concepts contained in the Indian Child Welfare Act;

27 (2) if the task force considers it necessary, hold public hear-  
28 ings and meetings to consider the effect of the Indian Child Welfare Act on  
29 Alaska Natives;

1 (3) apply for and administer federal grants used to conduct  
2 training programs for tribal and village entities on implementation of the  
3 Indian Child Welfare Act in the state;

4 (4) prepare a report on legislative, judicial, and administrative  
5 changes necessary to provide full implementation of the Indian Child Welfare  
6 Act in the state; the report shall include recommendations for legislation  
7 and changes in state administrative and judicial procedures necessary to  
8 implement the Indian Child Welfare Act in the state.

9 (b) The report which is prepared under (a)(4) of this section shall be  
10 presented to the legislature, with copies to the Department of Health and  
11 Social Services and the governor, by February 1, 1982.

12 \* Sec. 7. TERMINATION. This Act is repealed and the existence of the  
13 Alaska Native Child Welfare Task Force terminated December 31, 1982.

14 \* Sec. 8. EFFECTIVE DATE. This Act takes effect immediately in accor-  
15 dance with AS 01.10.070(c).

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Introduced: 3/24/81  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY FULLER AND CLOCKSIN

2 HOUSE BILL NO. 384

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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13 is composed of 15 members, selected as follows:

14 (1) an Alaska Native shareholder from each of the 12 Alaska-based  
15 regional Native corporations created by the Alaska Native Claims Settlement  
16 Act, to be appointed by the governor;

17 (2) the commissioner of health and social services or his desig-  
18 nee;

19 (3) the administrator of the Alaska Court System or his designee;

20 (4) an assistant attorney general appointed by the governor.

21 (b) Appointments shall be made with due consideration to the availa-  
22 bility and willingness of an appointee to devote the time and effort neces-  
23 sary to permit the task force to function effectively. Appointments shall  
24 be without regard to political affiliation, and shall be made, if possible,  
25 within 20 days of the effective date of this Act, or within 20 days of the  
26 date of any vacancy in the membership of the task force.

27 (c) Vacancies in office shall be filled in the manner prescribed for  
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4 Child Welfare Task Force shall elect a chairman and a vice-chairman from  
5 among the members of the task force.

6 \* Sec. 5. MEETINGS. The Alaska Native Child Welfare Task Force shall  
7 meet at least once every two months to carry out the duties prescribed in  
8 this Act. The first meeting of the task force shall be convened at the call  
9 of the governor not later than 30 days following appointment of the 15  
10 members of the task force.

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12 (1) study the federal Indian Child Welfare Act in order to recom-  
13 mend legislative changes to implement the concepts contained in the Indian  
14 Child Welfare Act;

15 (2) if the task force considers it necessary, hold public hearings  
16 and meetings to consider the effect of the Indian Child Welfare Act on  
17 Alaska Natives;

18 (3) complete a report with recommendations to the legislature for  
19 legislation which would implement the concepts contained in the Indian Child  
20 Welfare Act in Alaska, furnishing copies of the report to the Department of  
21 Health and Social Services, the governor, and the presiding officer of each  
22 house of the legislature not later than February 1, 1982.

23 \* Sec. 7. TERMINATION. The Alaska Native Child Welfare Task Force ter-  
24 minates February 28, 1982.

25 \* Sec. 8. EFFECTIVE DATE. This Act takes effect immediately in accor-  
26 dance with AS 01.10.070(c).

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COMMITTEE REPORT

HOUSE

513

3/24/81

FURTHER: FINANCE

(5)

Date: May 11, 1981

Mr. Speaker: HEALTH, EDUCATION & SOCIAL SERVICES  
The Committee on SOCIAL SERVICES has had HB 384

"An Act establishing the Alaska Native Child Welfare TAsk Force; and providing for an effective date."

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 384 (Issue)  same title  
 new title
- and recommends it do pass
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

[Signature]

[Signature]

Bette Cato

Terry Martin

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[Signature]  
CHAIRMAN

asper  
12-1235

Original sponsors: Fuller and Clocksin

Offered: 5/13/81  
Referred: Finance

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BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

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21 person designated by the commissioner;

22 (B) the administrator of the Alaska Court System or a person  
23 designated by the administrator;

24 (C) the attorney general or a person designated by the  
25 attorney general;

26 (D) the person who chairs the senate health, education and  
27 social services committee;

28 (E) the person who chairs the house health, education and  
29 social services committee; and

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Asper  
12-1235

Introduced: 3/24/81  
Referred: Health, Education &  
Social Services and Finance

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BY FULLER AND CLOCKSIN

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ALASKA STATE LEGISLATURE

TWELFTH Legislature FIRST... Session

HOUSE .....BILL..... NO. ...384..

By FULLER AND CLOCKSIN.....

"An Act establishing the Alaska Native Child Welfare Task Force; and providing for an effective date."

Est the Alaska Native Child Welfare Task Force

Introduced in the House ..... 3/24, 19... 81

HISTORY IN THE HOUSE

19 81

Mar 24

Read first time and referred to Committee on

HESS and Finance

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration	
PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused
Reported correctly engrossed	
Signed by Speaker	
Sent to Senate	

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration	
PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused
Reported correctly engrossed	
Signed by President	
Returned to House	

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:  
VOTE

Failed to concur in Senate amendment; asked Senate to recede  
VOTE

Senate receded from amendment  
VOTE

Senate failed to recede from amendment  
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House  
VOTE

CC adopted by Senate  
VOTE

To enrolling  
Reported correctly enrolled  
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No. ....