

HB



Hein  
4/9/86

Original sponsors: Duncan and Goll

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 686 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL.

6 For an Act entitled: "An Act relating to Native and rural family services;  
7 and providing for an effective date."

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

9 \* Section 1. AS 47 is amended by adding a new chapter to read:

10 CHAPTER 18. ALASKA NATIVE FAMILY PROTECTION.

11 Sec. 47.18.010. PURPOSE. (a) The purpose of this chapter is to

12 (1) promote policies and procedures ensuring full implemen-  
13 tation of 25 U.S.C. 1901 - 1963 (Indian Child Welfare Act of 1978) in  
14 the state;

15 (2) deliver comprehensive and culturally respectful protec-  
16 tive and preventive services to all Native children and families and  
17 all rural children and families in the state; and

18 (3) encourage Native and local community participation in  
19 state actions affecting Native or rural children and families.

20 (b) This chapter is not intended to abrogate or diminish the  
21 obligations of the federal government to fund social services to  
22 Native children and families under 25 U.S.C. 1901 - 1963.

23 Sec. 47.18.020. OFFICE OF NATIVE FAMILY SERVICES. The office of  
24 Native family services is established in the division of family and  
25 youth services. The office shall be headed by a coordinator appointed  
26 by the director of the division. The coordinator shall be a qualified  
27 professional trained and experienced in the administration of social  
28 services programs and Indian or Alaska Native affairs. The coordina-  
29 tor is in the classified service.

1           Sec. 47.18.030. DUTIES OF THE OFFICE. The office may

2           (1) award grants necessary or incidental to the performance  
3 of its duties and the executions of its powers, including grants to  
4 Native or other nonprofit organizations or corporations, Native vil-  
5 lages, or municipalities, for services rendered or furnished to Native  
6 or rural children and families;

7           (2) administer or supervise the administration of the  
8 provisions relating to Alaska Natives in state plans submitted for  
9 federal funding under federal social services laws;

10          (3) coordinate the activities of the division and of grant-  
11 ees in providing services to Native children and Native families in  
12 the state;

13          (4) make contracts and other joint or cooperative agree-  
14 ments with Native organizations, Native villages, municipalities, or  
15 private nonprofit agencies to provide services to Native children and  
16 Native families, and for the common advancement of Native family  
17 welfare programs in this and other states;

18          (5) keep records and engage in research in the gathering of  
19 relative statistics;

20          (6) do other acts necessary to implement the authority  
21 expressly granted to it.

22          Sec. 47.18.040. COMPREHENSIVE PROGRAMS FOR DELIVERY OF SERVICES;  
23 REGIONAL PROGRAMS. (a) The office shall operate a comprehensive and  
24 coordinated program to provide supportive and preventive services  
25 under this title to Native children and Native families.

26          (b) With the approval of the commissioner, the coordinator may  
27 divide the state into appropriate regions to conduct the program and  
28 establish standards for development of the program on the regional  
29 level. In establishing the regions, the coordinator shall consider

1 the existence of Native organizations and the resident population or  
2 village concentration represented by those organizations, or city or  
3 borough lines and population concentrations. Programs shall be estab-  
4 lished with maximum feasible local involvement.

5 Sec. 47.18.050. NATIVE FAMILY SERVICES; RURAL SERVICES. (a)  
6 The department may award grants through the office to Native or other  
7 nonprofit organizations, Native villages, municipalities, or individu-  
8 als to provide services to Native children and their families, includ-  
9 ing

10 (1) education for the prevention and detection of child  
11 abuse and neglect;

12 (2) counseling and treatment of families designed to pre-  
13 vent children from suffering harm from abuse or neglect, to prevent  
14 the breakup of families, and to provide remedial and rehabilitative  
15 services, especially those required under 25 U.S.C. 1912(d) and those  
16 designed to reduce the likelihood that a parent will continue conduct  
17 that causes a child to be a child in need of aid under AS 47.10.010-  
18 (a)(2);

19 (3) developing, screening, and supporting foster and adop-  
20 tive homes that meet the standards of operation of the department and  
21 that assist the department in satisfying the requirements of 25 U.S.C.  
22 1915 and in providing care for the children committed to its custody;

23 (4) family assistance, including homemakers and home coun-  
24 selors, day care, after school care, respite care, parent aides, and  
25 parenting skills training;

26 (5) detection and reporting of harm to children under  
27 AS 47.17, and providing coordination and assistance to the department  
28 in investigating and monitoring cases;

29 (6) providing coordination among agencies and organizations

1 engaged in intervention with and treatment of child sexual abuse,  
2 including providing public education and professional training, con-  
3 sultation, development of support groups, and direct treatment of  
4 victims, family members, and offenders;

5 (7) providing exper. consultation to the department con-  
6 cerning child-rearing patterns of different Native cultural groups,  
7 intergenerational and peer support systems, and children with special  
8 needs;

9 (8) support services for families experiencing stress due  
10 to relocation from rural to urban areas;

11 (9) preventive services, including educational services for  
12 abusive or potentially abusive parents and promotion of public educa-  
13 tion and awareness;

14 (10) emergency services to runaway youths and families in  
15 crisis, including provision of short-term counseling, especially for  
16 youths involved in alcohol or drug abuse;

17 (11) recommendations to the department for the licensing and  
18 supervision of boarding homes, group homes, nurseries, or residential  
19 institutions caring for children.

20 (b) The department may award grants under (a) of this section  
21 for the provision of services to Native and other residents in a  
22 region if the grants or programs would more efficiently and effective-  
23 ly provide services to residents of a region.

24 (c) An organization providing family services under a grant  
25 awarded under this section shall follow the regulations of the depart-  
26 ment in providing services. If the organization intervenes, or is  
27 likely to intervene, under the provisions of 25 U.S.C. 1901 - 1963,  
28 the department may, as a condition of the grant, require the  
29 organization to establish procedures ensuring that employees are able

1 to provide grant services as provided in the grant regardless of the  
2 intervention by the organization.

3 Sec. 47.18.090. REGULATIONS. The department may adopt  
4 regulations necessary for the administration of this chapter.

5 Sec. 47.18.100. DEFINITIONS. In this chapter,

6 (1) "commissioner" means the commissioner of health and  
7 social services;

8 (2) "department" means the Department of Health and Social  
9 Services;

10 (3) "Native" means an Indian or Alaska Native as defined in  
11 25 U.S.C. 1903(3);

12 (4) "Native organization" means a nonprofit group, asso-  
13 ciation, tribe, partnership, corporation, or other legal entity owned  
14 or controlled by Natives, or a majority of whose members are Natives;  
15 in this paragraph, "tribe" means an Indian tribe as defined in 25  
16 U.S.C. 1903(8), including an Alaska Native village as defined in 43  
17 U.S.C. 1602 (section 3(c) of the Alaska Native Claims Settlement Act);

18 (5) "Native village" means an Alaska Native village as  
19 defined in 43 U.S.C. 1602 (section 3(c) of the Alaska Native Claims  
20 Settlement Act);

21 (6) "office" means the office of Native family services.

22 \* Sec. 2. AS 47.35.010(a) is amended to read:

23 (a) The department may

24 (1) license and supervise boarding homes, foster homes,  
25 group homes, nurseries, institutions caring for children and foster  
26 homes, group homes and institutions caring for dependent adults;

27 (2) investigate and supervise licensees;

28 (3) enforce the standards established by it;

29 (4) contract with private or municipal agencies to

1 investigate and make recommendations to the department for the  
2 licensing and supervision of boarding homes, foster homes, group  
3 homes, nurseries, institutions caring for children and foster homes,  
4 group homes and institutions caring for dependent adults under  
5 procedures and standards of operation established by the department;

6 (5) by grant, contract with a Native organization, Native  
7 village, or municipality, to investigate and make recommendations to  
8 the department for the licensing and supervision of boarding homes,  
9 foster homes, group homes, nurseries, or institutions caring for  
10 children.

11 \* Sec. 3. This Act takes effect January 1, 1987.  
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Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V  
JUNEAU, AK 99811  
465-3759

MEMORANDUM

DATE: April 10, 1986

TO: Rep. Koponen  
Co-Chair  
House HESS Committee

Rep. Hurley  
Rep. Hanley  
Rep. Thompson  
Rep. Pettyjohn  
Rep. Taylor

FROM: Rep. Gruenberg *Mef*  
Co-Chair  
House HESS Committee

RE: HB 686: "An Act relating to Alaska Native Family  
Protection; efd."

All amendments to this bill must be presented in writing at today's HESS Committee meeting.

Thank you.

# STATE OF ALASKA

## DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

BILL SHEFFIELD, GOVERNOR

REPLY TO:

1031 W 4th AVENUE  
SUITE 200  
ANCHORAGE, ALASKA 99501  
PHONE: (907) 276-3550

1st NATIONAL CENTER  
100 CUSHMAN ST.  
SUITE 400  
FAIRBANKS, ALASKA 99701  
PHONE: (907) 452-1568

POUCH K - STATE CAPITOL  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3600

April 7, 1986

The Honorable Max F. Gruenberg, Jr.  
House HESS Committee  
Alaska State Legislature  
P.O. Office Box V  
Juneau, AK 99811

Re: HB 686, relating to Alaska  
Native family protection

Dear Representative Gruenberg:

The Department of Health and Social Services has asked the Department of Law to share with you our analysis of the constitutionality of HB 686.

The bill sets up a separate program and grant structure for Native children. On its face, the question arises whether this allocation of state funds denies equal protection to non-Native children. For the following reasons, we believe the measure is valid.

Generally, the requirement of equal protection (the 14th Amendment to the United States Constitution and Article I, Section 1, of the Alaska Constitution) prohibits granting to one class of citizens public benefits which are denied to other similarly situated citizens. Federal law, however, contains a significant exception: federal programs intended to benefit Native Americans are valid, based on the special relationship between the federal government and Native Americans. This special relationship is sometimes spoken of as a trust relationship, derived from the fact that Native Americans were historically reduced to the status of dependency on the United States. This special relationship permits federal programs such as BIA schools, Indian-hire preferences on federally-funded projects, and statutes like the Indian Child Welfare Act, 25 U.S.C. §§ 1901-1963 (ICWA). ICWA was intended to address the special needs of Native Americans in the child welfare system.

The states have never been found to have the same special relationship with Native Americans, and the courts have indicated that states do not have the same freedom to provide

The Honorable Max F. Gruenberg, Jr.  
Re: HB 686


April 7, 1986  
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special benefits to Natives only. See Washington v. Confederated Bands of the Yakima Indian Nation, 439 U.S. 463, 501 (1979); Queets Band v. Washington, 765 F.2d 1399, 1404 (9th Cir. 1985). Nonetheless, states clearly may pass legislation which treats Natives differently from non-Natives if the different treatment is either required or affirmatively permitted by federal law. This conclusion is the result of the familiar doctrine of federal preemption: when federal law requires or affirmatively permits a certain result, contrary state law has no effect.

In the case of HB 686, the program to be created is clearly sanctioned by ICWA. ICWA requires certain procedural changes in state child welfare proceedings and permits other changes as well. For example, 25 U.S.C. § 1912(d) requires remedial services to Indian families, and implicitly these must be culturally sensitive services; section 1915 requires preferences for Native and village homes in both adoptions and foster placements, and implicitly requires state efforts to make such homes available; and section 1919 sanctions state-tribal agreements in a range of Native child welfare areas. HB 686 is intended to fulfill these sections of ICWA and hence comes within the preemptive effect of ICWA, i.e., equal protection is not violated because it is part of a federally-mandated program to benefit Native Americans. In short, the federal government's special relationship with Native Americans permits ICWA, which in turn permits state efforts to carry out ICWA, despite what could otherwise be equal protection problems.

Sincerely yours,

HAROLD M. BROWN  
ATTORNEY GENERAL

By:   
Douglas K. Mertz  
Assistant Attorney General

DKM:dlm  
cc: John Pugh, Commissioner  
Dept. of Health & Social Services

## POSITION PAPER

HOUSE BILL NO. 686

For an Act entitled: "An Act relating to Alaska Native family protection; and providing for an effective date."

HB 686 would establish a Native Family Services unit within the Division of Family and Youth Services, Department of Health and Social Services. This unit would award grants to provide comprehensive and culturally respectful protective and preventive services to Native children and families in the state.

The department supports HB 686. The goal of implementing the federal Indian Child Welfare Act is presently carried out by the department to the extent possible with its present resources. HB 686 will enhance the department's ability to further promote this policy.

The Federal Indian Child Welfare Act was passed in 1978. Under that Act the Secretary of the U.S. Department of the Interior is authorized to make grants to Indian tribes or organizations for Indian child and family social services. However, the U.S. Congress has not adequately funded these grants programs, nor has the Secretary awarded adequate dollars to Native organizations within Alaska. Therefore, in many areas of the state, federal funds for social services to Native families have decreased drastically in the last five years.

The department would be willing to support an amendment to this bill stating that this Act is not meant to relieve the federal government of its obligation to provide social services to Alaska Natives under the Indian Child Welfare Act. The grants envisioned by this bill are meant to supplement whatever other federal or community resources may be available to Alaska Natives. However, at this point in time, the State, in trying to carrying out the Indian Child Welfare Act, often finds that remedial services meant to prevent the breakup of Natives families, or to reunite those families, are not sufficiently available, especially in rural Alaska. When any party -- whether the state, a relative or the child's village council -- attempts to protect Native children by removing them from the parental home, the court must first be shown that remedial services have been made available to the family and that those efforts have failed. It is not solely the state's responsibility to provide these remedial services, but with the increasing withdrawal of federal social services monies, new methods for providing Native family support services must be found.

HB 686 also addresses a general concern of the department: the lack of diversity of social services for rural areas. Urban centers can offer more social workers, in-home child protection services, counselors, emergency shelters, foster homes etc. Many outlying areas are only served by itinerant state social workers who are hard pressed to deliver mandatory protective services in crisis cases. These rural areas especially need more remedial and preventive social services. HB 686

has the potential to address this problem and increase local services for Natives by providing a stable base of grant funding to local social service agencies.

The Division of Family and Youth Services serves a large number of Native clients: of its entire caseload, 55.9% are Native clients (Native Alaskans constitute approximately 16% of the state population). HB 686 is a positive step in providing more services to Native families.

After consultation with the Office of the Attorney General and the sponsor, the department urges four amendments to this bill. The department urges deletion of the word "all" at page 1, line 15, to clarify that although the grant program is designed to assist Native children and families it does not set a funding formula to guarantee services. The department can not be certain what level of grant funding the legislature may appropriate for this program from year-to-year, and accordingly each year the department will have to distribute the grants to serve as many Native residents as possible. Secondly, at page 1, line 18, the department recommends deletion of the word "rural." The bill is primarily focused at Native children and families, including those in urban areas, since the authority for this special grant program arises out of the federal Indian Child Welfare Act. Finally, the department recommends that all references in the bill to an "Office" of Native Family Services should be replaced with language designating a "coordinator" of Native Family Services. This change maintains a separate unit within the department but does not dictate an executive branch decision as to how the unit will fit into the organizational structure. Finally, the department urges the addition of a sentence to the statement of purpose in AS 47.18.010:

This chapter does not abrogate or diminish the obligations of the Federal government to fund social services to Native children and families under 25 U.S.C. 1901 -- 1963.

The department strongly supports this needed piece of legislation. It is apparent that social services delivery to Native families needs to be augmented. The State of Alaska has had a history of augmenting social services delivery to urban communities (e.g., Anchorage and Fairbanks social service block grants). Therefore, this piece of legislation is consistent with past state practice of supplementing local social services efforts.

RECOMMENDED:

Michael L. Price  
Michael L. Price, Director  
Division of Family  
and Youth Services

DATE:

March 21, 1986

APPROVED:

John R. Pugh  
John R. Pugh, Commissioner  
Department of Health  
and Social Services

DATE:

3/27/86

Sectional Analysis  
HB 686

Section 1 of the bill, Section 47.14.08, states the purposes of the Alaska Native Family Protection Act: to promote implementation of the Indian Child Welfare Act by delivering culturally respectful social services to Native children and families within the state.

Section 47.18.020 creates an Office of Native Family Services in the Department of Health and Social Services to be headed by a qualified professional with experience in the administration of social services and Alaska Native or Indian affairs.

Section 47.18.030 states that the Office of Native Family Services shall award grants for social services to be furnished to Native children and families, coordinate the general activities of the Division of Family and Youth Services and those of the grantees in providing services to Native families, enter into other types of contracts or cooperative agreements with Native organizations for services or for the common advancement of Native family welfare programs in this and other states; and keep records and engage in research relevant to these goals.

Section 47.18.040 states that the Office shall operate a comprehensive and coordinated program to provide services to families. The coordinator is authorized to designate service delivery regions within the state, with the approval of the Commissioner.

Section 47.18.050(a) states that the Department of Health and Social Services may award grants through the Office of Native Family Assistance to Native or other non-profit organizations or local governments to provide services from a comprehensive list of supportive social services for Native children and families. These services include education to prevent and detect child abuse, family counseling, recruiting and screening of foster and adoptive homes, other family assistance programs (such as homemakers, day care, and home counselors), and coordination among agencies and organizations working with children and families. In addition, the grantees may be delegated to provide expert consultation to the department, emergency services to runaways, and to make recommendations for licensing and supervision of child placement facilities.

Subsection (b) of 47.18.050 authorizes the department to award grants under this section for the provision of services to both Native and non-Native residents in a region when services would thereby be more efficiently provided. Subsection (c) states that family service grantees under this program would follow the grant regulations of the department.

Subsection (d) of 47.18.050 provides that when there is a court proceeding involving a particular family, and the grantee has a duty under their grant to perform an action on behalf of the department, then that grantee organization could not also appear in the proceeding on behalf of a Native village or an individual Native intervening under the Indian Child Welfare Act. A serious conflict of interest would otherwise arise when regional organizations which have legal departments who intervene

on behalf of individual Native villages or Native persons under the Indian Child Welfare Act, also employ social worker staff who have a duty under a grant to make an investigation or recommendation on behalf of the state. The social worker's duty or recommendation might be contrary to the particular client interest of the Native village or Native individual intervenor being represented by the legal department. (Grantees who have legal departments active in ICWA court interventions may wish to continue those activities by setting up a separate legal intervention service within their region such that the supervision of the legal unit does not flow from the supervisory board or entity that oversees the social services unit providing the grant services.)

Section 47.18.100 of the bill sets out definitions of key terms in the bill.

Section 2 of the bill amends the department's powers as to the licensing of boarding homes or foster homes and other institutions caring for children. It adds a new subsection (5) to allow the department to make grants or contracts with Native organizations or local governments so that those organizations can make the first level investigations and recommendations to the department on the licensing of children's facilities.

Section 3 provides for an effective date of January 1, 1987.

# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: \_\_\_\_\_

**REQUEST**

Bill/Resolution No.: HB 686  
 Title: "An Act Relating to Alaska Native Family Protection and Providing for an Effective Date."  
 Sponsor: \_\_\_\_\_  
 Requestor: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected: DHSS/DFIS  
 BRU: Purchased Services  
 Components: Office of Rural and Native Services

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		78.0	156.0	156.0	156.0	156.0
TRAVEL		6.0	12.0	12.0	12.0	12.0
CONTRACTUAL SUPPLIES						
EQUIPMENT		3.0	6.0	6.0	6.0	6.0
LAND & STRUCTURES						
GRANTS, CLAIMS		671.9	1,343.5	1,343.5	1,343.5	1,343.5
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>758.9</b>	<b>1,517.5</b>	<b>1,517.5</b>	<b>1,517.5</b>	<b>1,517.5</b>

CAPITAL						
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REVENUE						
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND		758.9	1,517.5	1,517.5	1,517.5	1,517.5
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS :**

FULL-TIME		3.0	3.0	3.0	3.0	3.0
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

Prepared by: Michael L. Pine Phone: 465-3170  
 Division: Family and Youth Services Date: \_\_\_\_\_

Approved by Commissioner: John R. Pugh Date: 3/24/86  
 Agency: Health and Social Services

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 686

For an Act entitled: "An Act relating to Alaska Native family protection; and providing for an effective date."

## Introduction

HB 686 makes provisions for the establishment of a grant program for Native Family Services with an effective date for implementation. This grant program is to serve rural and Native families in a comprehensive system which includes full implementation of the Indian Child Welfare Act of 1978, family assistance, homemaker, home counselors, foster parent and adoptive services, preventive and early intervention services, grants and contracts, licensing, alcohol and drug counseling, and other services as determined appropriate by the Commissioner.

## Assumptions

It is assumed that contracts with and services to Native and rural families and organizations will continue to grow.

The attached chart describes a proposed methodology for determining grant allocations based on the number of Native residents and the number of villages within specific service delivery regions.

## Program Summary

In order to administer this office in a manner consistent with State statute, departmental regulations, and prudent management, three employees would be needed. Positions included in the fiscal note are three Social Worker III positions in the Southcentral, Northern, and Southeastern regions. These positions will oversee grant administration and evaluation, develop agreements for the implementation of the Indian Child Welfare Act, and provide training and technical assistance to Native organizations. The southeastern Social Worker will function as the statewide grant coordinator, and will ensure program consistency.

NATIVE REGIONAL NON-PROFIT CORPORATION SERVICE AREAS  
 (EXCLUDING KAWERAK, MANIILAO, AND MAJOR POPULATION  
 AREAS IN EXCESS OF 5000 INHABITANTS)

REGION	NUMBER OF NATIVES	NUMBER OF VILLAGES	RECOMMENDED ALLOCATION UNDER HR FY87	
			12 MONTH FUNDING	6 MONTH FUNDING
TILINGIT-HAIDA REGION	4,122	17	148.4	74.2
TANANA CHIEFS REGION	4,365	42	157.1	78.6
ALEUTIAN PRIBLOFF REGION	1,934	14	69.6	34.8
BRISTOL BAY REGION	3,520	25	126.7	63.4
KODIAK REGION	1,884	7	71.8	35.9
NORTH SLOPE REGION	3,062	8	110.2	55.1
AVCP REGION	11,177	50	402.4	201.2
COOK INLET	6,300	7	226.8	113.4
NORTH PACIFIC RIM	847	5	30.5	15.3
TOTAL	37,211	175	1,343.5	671.9

Based on a pilot project FY86 with Tlingit-Haida, a determination of \$36/person/6 months was the baseline figure derived. As data is accumulated for FY87 and reviewed, other factors will be considered, such as overall cost of delivery, size of delivery area, and other differential costs as determined appropriate.

Position Title <b>Social Worker III</b>			No. of Positions <b>One</b>	Range/Step <b>18 - A</b>	Barg. Unit <b>(GGU)</b>	Gov. <b>Leg</b>	Approvs.	Disopp.
Time Status <b>PFT</b>	Staff Months <b>Six</b>	RP Number	Location <b>Juneau</b>		Election District			
<b>Justification</b>								
Type of Expenditure			Amount					
1			2		3			
Salary			20.8					
Benefits			5.2					
Premium Pay			---					
Other			---					
Total Personal Services					26.0			
Travel					2.0			
Contractual					---			
Commodities					1.0			
Equipment					---			
Other					---			
Total Cost					29.0			
Receipt Code		Funding Source						
		Federal Receipts 1002						
		G. F. Match 1003						
		General Funds 1004		29.0				
		I-A Receipts 1005						
		Program Receipts 1028						
		CIP Receipts 1051						
		Other						
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <b>For B&amp;M Use Only</b>            Key Number _____         </div>								

IIB 686 authorized the establishment of an Office of Rural and Native Family Services. The major duties of this office will be to oversee the administration of grants to Native organizations, implement the provisions of the Indian Child Welfare Act, and to do training with Native social service organizations. It is anticipated that one social worker III will be needed in each of three regional state social services offices in order to implement the provisions of the bill. The costs are predicated upon current contract levels and reclassification efforts as recommended by the Department of Administration. These are maximum personnel costs and may be less depending upon future revenue levels and contract negotiations.

**Request For  
New Position**

Agency Department of Health and Social Services  
 BRU Purchased Services  
 Component Native/Rural Services

Page \_\_\_\_\_ of \_\_\_\_\_  
 Revised Date \_\_\_\_\_

**FY 87**

Position Title <b>Social Worker III</b>			No. of Positions <b>One</b>	Range/Step <b>18 - A</b>	Barg. Unit <b>(RA)</b>	Gov.	Approv.	Disapp.
Time Status <b>PFT</b>	Staff Months <b>Six</b>	RP Number	Location <b>Anchorage</b>		Election District	Leg.		
Type of Expenditure			Justification					
1		2	3					
Salary		20.8	<p>HB 686 authorized the establishment of an Office of Rural and Native Family Services. The major duties of this office will be to oversee the administration of grants to Native organizations, implement the provisions of the Indian Child Welfare Act, and to do training with Native social service organizations. It is anticipated that one social worker III will be needed in each of three regional state social services offices in order to implement the provisions of the bill.</p> <p>The costs are predicated upon current contract levels and reclassification efforts as recommended by the Department of Administration. These are maximum personnel costs and may be less depending upon future revenue levels and contract negotiations.</p>					
Benefits		5.2						
Premium Pay		---						
Other		---						
Total Personal Services		26.0						
Travel		2.0						
Contractual		---						
Commodities		1.0						
Equipment		---						
Other		---						
Total Cost		29.0						
Receipt Code	Funding Source							
	Federal Receipts 1002							
	G. F. Match 1003							
	General Funds 1004		29.0					
	I-A Receipts 1005							
	Program Receipts 1028							
	CIP Receipts 1061							
	Other							
For B&M Use Only								
Key Number _____								

**Request For  
New Position**

Agency Department of Health and Social Services  
 BRU Purchased Services  
 Component Native/Rural Services

Page \_\_\_\_\_ of \_\_\_\_\_  
 Revised Date \_\_\_\_\_

**FY 87**

Position Title <b>Social Worker III</b>			No. of Positions <b>One</b>	Range/Step <b>18 - A</b>	Barg. Unit <b>(XU)</b>	Gov.	Approv.	Disapp.	
Time Status <b>PFT</b>	Staff Months <b>Six</b>	RP Number	Location <b>Fairbanks</b>		Election District	Leg.			
Type of Expenditure			Justification						
Amount			<p>HB 686 authorized the establishment of an Office of Rural and Native Family Services. The major duties of this office will be to oversee the administration of grants to Native organizations, implement the provisions of the Indian Child Welfare Act, and to do training with Native social service organizations. It is anticipated that one social worker III will be needed in each of three regional state social services offices in order to implement the provisions of the bill.</p> <p>The costs are predicated upon current contract levels and reclassification efforts as recommended by the Department of Administration. These are maximum personnel costs and may be less depending upon future revenue levels and contract negotiations.</p>						
1		2							3
Salary		20.8							
Benefits		5.2							
Premium Pay		---							
Other		---							
Total Personal Services		26.0							
Travel		2.0							
Contractual		---							
Commodities		1.0							
Equipment		---							
Other		---							
Total Cost		29.0							
Receipt Code			Funding Source						
			Federal Receipts 1002						
			G. F. Match 1003						
			General Funds 1004						
			I-A Receipts 1005						
			Program Receipts 1028						
			CIP Receipts 1061						
			Other						
			29.0						
<div style="border: 1px solid black; padding: 5px; width: fit-content;">             For B&amp;M Use Only              Key Number _____           </div>									

Request For  
New Position

Agency Department of Health and Social Services  
 BRU Purchased Services  
 Component Native/Rural Services

Page \_\_\_\_\_ of \_\_\_\_\_  
Revised Date \_\_\_\_\_

FY 87

# STATE OF ALASKA THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU ALASKA 99811  
907-465-3800

## LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 20, 1986

SUBJECT: Sectional analysis of HB 686

TO: Representative Jim Duncan

FROM: Edward H. Hein *EH*  
Legislative Counsel

Section 1 adds a new chapter to AS 47 called Alaska Native family protection. Sec. 47.18.010 states that the purpose of the chapter is to implement the Indian Child Welfare Act, deliver protective and preventive services to Native and rural families and children, and encourage Native and local community participation in state actions affecting Native and rural children and families.

Sec. 47.18.020 establishes the office of native family services within the division of family and youth services, Department of Health and Social Services. Sec. 47.18.030 allows the office to award grants, administer provisions relating to Alaska Natives in state plans submitted for federal funding under federal social services laws, coordinate activities of the division and grantees in providing services to Native children and families, contract to provide services, keep records, and engage in research.

Sec. 47.18.040 directs the office to operate a comprehensive program to provide services under AS 47 to Native children and families. The section also allows the coordinator of the office to divide the state into regions.

Sec. 47.18.050 allows the Department of Health and Social Services to award grants through the office to Native or other nonprofit organizations, Native villages, municipalities, or individuals to provide services, including education, counseling, screening foster and adoptive homes, assisting families, detecting and reporting harm to children, coordinating agencies involved with child sexual abuse, provide expert consultants to the department, support

Representative Jim Duncan  
Page 2  
March 20, 1986

services for families relocated from rural to urban areas, preventive services, emergency services to runaway youths, and recommendations to the department. This section also allows the department to award grants to provide services to Native and other residents in a region if that would be a more efficient way of providing services. Family services organizations receiving grants must follow department regulations. Grantees under a duty to take action on behalf of the department may not also appear in a court proceeding under the intervention provisions of the Indian Child Welfare Act.

Sec. 47.18.100 defines various terms used in the bill.

Sec. 2 allows the Department of Health and Social Services to contract with Native organizations, Native villages, or municipalities to investigate and make recommendations to the department for licensing and supervision of boarding homes, foster homes, nurseries, or institutions caring for children.

Sec. 3 provides for a January 1, 1987 effective date.

EHH:csh  
c6/046

\* DELIVER TO: TCJNU  
\* ORIGINAL  
\* SENT: 03/25/86 TIME: 11:21  
\* FROM: LIODJT  
\* SUBJECT: 3/24 VTS FINAL STATS  
\* PRINT DATE: 03/25/86 TIME: 11:21

*Nancy*

\*\*\*\*\*

\*\*\*\*\* DELTA FINAL STATS \*\*\*\*\*

SPONSOR: HOUSE HESS  
SUBJECT: HB 486 - AK NATIVE FAMILY PROTECTION  
DATE: MARCH 24, 1986  
SITE: DELTA  
LOCAL MODERATOR: LIZ SARVER

NOT ON LINE

DOI LAKE VIS:

TESTIFIED:  
1. WILLIAM MILLER, P.O. BOX 262, DOT LAKE, AK 99737

TOK VIS:

OBSERVED:  
1. ROSE WOODS, UNITED CROW BAND, P.O. BOX 131  
TOK, AK 99780

DOI LAKE:	TESTIFIED	- 1
	OBSERVED	- 0
	TOTAL	- 1
TOK:	TESTIFIED	- 0
	OBSERVED	- 1
	TOTAL	- 1

\* DELIVER TO: TCJNU

\* ORIGINAL

\* SENT: 03/25/86 TIME: 12:14

\* FROM: TCFBX

\* SUBJECT: 3/24/86 HHESS HB686

\* PRINT DATE: 03/25/86 TIME: 12:14

\*\*\*\*\*

\*\*\*\*\* FINAL T/C STATS \*\*\*\*\*

DATE: 3/24/86

SITE: FAIRBANKS MODERATOR: RANNIE NEUBAUMER

SPONSOR: HOUSE HESS COMM.

SUBJECT: HB686, AK. NATIVE FAMILY PROTECTION

NAME/REPRESENTING ADDRESS PHONE

TESTIFIED:

1. MICHAEL J. WALLERI, TANANA CHIEFS CONF., 201 1ST AVE., FAIRBANKS 99707 452-9254

OBSERVED

-0-

TESTIFIED: 1 TIME START: 5:00PM TIME END: 6:05PM

OBSERVED: 0

TOTAL: 1

\* DELIVER TO: TCJNU

\*

\*

\* ORIGINAL

\* SENT: 03/25/86 TIME: 09:33

\* FROM: LIQBAR

\* SUBJECT: FINAL STATS

\* PRINT DATE: 03/25/86 TIME: 09:33

\*

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\*\*\*\*\*FINAL STATS\*\*\*\*\*FINAL STATS\*\*\*\*\*FINAL STATS\*\*\*\*\*FINAL STATS\*\*\*\*\*

BARROW LIO

3/24/86

HB 684 - ALASKA NATIVE FAMILY PROTECTION

-----TESTIFY/OBSERVE

BARROW PARTICIPANTS.

1) NO ONE

I'M SORRY ABOUT THIS ONE GUY - OUR SUPPOSED PARTICIPANT  
CALLED TWICE TO SAY SHE WAS COMING AND THEN CANCELLED OUT  
AT 5:02 PM.

TESTIFIED: 0

OBSERVED: 0

TOTAL: 0

\*\*\*\*\*

\*\*\*\*\*

AC

AC

\* DELIVER TO: TCJNU

\* ORIGINAL

\* SENT: 03/25/86 TIME: 11:33

\* FROM: JUNE GALLEY

\* SUBJECT: T/C 3/24--HB686

\* PRINT DATE: 03/25/86 TIME: 11:33

\*\*\*\*\*

\*\*\* FINAL T/C STATS \*\*\*

DATE: MARCH 24, 1986  
SITE: KETCHIKAN  
SPONSOR: HOUSE H.E.S.S.  
SUBJECT: HB 686/NATIVE FAMILY PROTECTION  
LOCAL MODERATOR: JUNE GALLEY

\*\*\*\*\*

TESTIFIED:

NAME/REPRESENTING ADDRESS PHONE

- JULIAN ARGEL, KETCHIKAN INDIAN CORP., 499 DEERMOUNT, KETCHIKAN, AK. 99901 (225-5158)
- DON HOFF, JR., KIC, 499 DEERMOUNT, KETCHIKAN, AK. 99901 (225-5158)

\*\*\*\*\*

OBSERVED:

NAME/REPRESENTING ADDRESS PHONE

- THERESA SWAN, KIC, 429 DEERMOUNT, KETCHIKAN, AK. 99901 (225-5158)
- ALYCE ARGEL, 499 DEERMOUNT, KETCHIKAN, AK. 99901 (225-5158)

\*\*\*\*\*

TESTIFIED: 2  
OBSERVED: 2  
TOTAL: 4

TIME START: 5:00PM  
TIME END: 6:10PM

\*\*\*\*\*

\*\*\*\*\*  
 \* DELIVER TO: TCJNU \*  
 \* ORIGINAL \*  
 \* SENT: 03/24/86 TIME: 18:10 \*  
 \* FROM: LIOFSG \*  
 \* SUBJECT: FINAL STATS-3/24-HP 686 \*  
 \* PRINT DATE: 03/24/86 TIME: 18:10 \*  
 \*\*\*\*\*

\*\*\* FINAL T/C STATS \*\*\*

DATE: MARCH 24, 1986  
 SITE: PETERSBURG  
 SPONSOR: (K) HESS  
 SUBJECT: HB 686-AK NATIVE FAMILY PROTECTION  
 LOCAL MODERATOR: CRIS

\*\*\*\*\*

TESTIFIED:  
 NAME/REPRESENTING ADDRESS PHONE  
 1 GERTRUDE LYONS BOX 588, PSG 772-3636(W)

\*\*\*\*\*

OBSERVED:  
 NAME/REPRESENTING ADDRESS PHONE

NONE

\*\*\*\*\*

TESTIFIED: 1 TIME START: 4:55 PM  
 OBSERVED: 0 TIME END: 6:05 PM  
 TOTAL: 1

EOM

\*\*\*\*\*  
\*  
\* DELIVER TO: TCJNU  
\*  
\* ORIGINAL  
\* SENT: 03/28/86 TIME: 15:39  
\* FROM: LIOPLG  
\* SUBJECT: VARIOUS TO STATE  
\* PRINT DATE 03/28/86 TIME: 15:39  
\*  
\*\*\*\*\*

FINAL STATE

SUBJ: HOUSE HESS #B086, ALASKA NATIVE FAMILY PROTECTION

SITE: DILLINGHAM LIO

DATE: MARCH 24, 1986, 1986, MONDAY - 5 TO 6 PM

NO ONE TO TESTIFY

OBSERVERS

1. KATHLEEN STOUT, STATE OF ALASKA, DIVISION OF FAMILY AND YOUTH SERVICES, BOX 2972, DILLINGHAM, ALASKA

\*\*\*\*\*

\*\*\*\*\*  
\* DELIVER TO: TCJNU \*  
\* \* \* \* \*  
\* ORIGINAL \*  
\* SENT: 04/24/86 TIME: 10:14 \*  
\* FROM: LIOBET \*  
\* SUBJECT: FINAL STATS \*  
\* PRINT DATE: 04/01/86 TIME: 10:14 \*  
\*\*\*\*\*

\*\*\* FINAL STATS \*\*\*

T/C: HOUSE HESS COMMITTEE  
SUBJECT: H2685- ALTERNATIVE FAMILY PROTECTION  
DATE: 3-24-86  
SITE: BETHEL

NO PARTICIPANTS

THIS IS A RESEND FROM THAT DATE.

ENJOY...WALLY

\* DELIVER TO: TCJNU

\* ORIGINAL ..

\* SENT: 03/25/86 TIME: 12:16

\* FROM: FALEENE BIGGS

\* SUBJECT: FINAL STATS--SITKA ONLY

\* PRINT DATE: 03/25/86 TIME: 12:16

\* \*\*\*\*\*

Handwritten initials "LASH" circled in the top right corner.

\*\*\* FINAL T/C STATS. \*\*\*

DATE: MARCH 24, 1986  
SITE: SITKA LIO  
SPONSOR: HOUSE H.E.S.S. COMMITTEE  
SUBJECT: HB686; AK NATIVE FAMILY PROTECTION  
LOCAL MODERATOR: FALEENE BIGGS

TESTIFIED:

- 1. JIM BOWEN, REPRESENTING SITKA COMMUNITY ASSOCIATION  
P.O. BOX 1450, SITKA, AK 99835 747-3207

\*\*\*\*\*

TESTIFIED: _____	1	TIME START: _____	5:07
OBSERVED: _____	0	SITKA SIGNOFF: _____	6:00
TOTAL: _____	1		

\*\*\*\*\* END OF PAGE \*\*\*\*\*

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