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Senate Health, Education and Social Services Committee

Legislation Checklist

Bill number: SB 370

Sponsor: Rules

Date referred to committee: 1/29/86

Synopsis completed:

Fiscal note: 0

Further referrals: Finance

CONTACTS:

- ✓ Halli Ploog, CSEA -276-3441
- ✓ ^{Norma Lang} Public Assistance, DITS 3347
- ✓ Women's Lobby Sherry Gell 4925

Royce Weller 2301

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HESS 3-6-86 1:34 pm

COMMITTEE REPORT
SENATE

FURTHER: Finance

1/29/86

Date 3-6-86

Mr. President

The Committee on HESS considered SB 370
relating to aid to families with dependent children and to child
support and enforcement; efd.

and (a majority of the committee) (the committee) reports it back with
the following recommendations:

- do pass
- do pass attached amendment(s)
- replace with adopt CS for _____
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

Paul Josephson

Paul Frank

Artis Puzulinski

MEMBERS HAVING
OTHER RECOMMENDATIONS

Edna McVie N.R.

Dittyo Fabrentony
Chairman

Chairman recommendation

file

SB 370 RELATING TO AID TO FAMILIES WITH DEPENDENT CHILDREN, AND TO CHILD SUPPORT AND ENFORCEMENT.

1. REPLACE "CHILD SUPPORT" WITH "SUPPORT" THROUGHOUT TO REFLECT THE AGENCY'S DUTY TO COLLECT SPOUSAL SUPPORT IN CASES IN WHICH IT IS COLLECTING CHILD SUPPORT. (federal requirement)
2. PROVIDES THAT THE NON-CUSTODIAL PARENT IS LIABLE FOR THE FULL AMOUNT OF AN A.F.D.C. (AID TO FAMILIES WITH DEPENDENT CHILDREN) GRANT, WHICH INCLUDES AMOUNTS PAID TO THE CHILD AND ON BEHALF OF THE CHILD (i.e. TO THE PARENT). (THIS SECTION APPLIES ONLY IF THE COURT HAS NOT SET THE SUPPORT AMOUNT.)
3. MAKES AUTOMATIC THE ASSIGNMENT TO THE STATE OF CHILD SUPPORT PAYMENTS UPON APPLICATION FOR A.F.D.C. THIS IS REQUIRED BY FEDERAL LAW. OUR CURRENT SYSTEM REQUIRES FILLING OUT 2 FORMS; THIS AUTOMATIC FEATURE WILL EXPEDITE THINGS.
4. CORRECTS 2 INCORRECT REFERENCES AND BRINGS OUR STATUTE INTO COMPLIANCE WITH FEDERAL LAW.

→ Bettye,

Level of child support is based either on:

- 1) court order (judge determines amount)
- OR 2) Child Support Enforcement's formula, which looks at ability to pay.

Under current statute, ^{even} if the father can afford to pay \$500/month, he's limited by the amount of AFDC the state would pay "to the child."

SB 370 would broaden to include the amt. paid "to the mother on behalf of the child."

In short, you'd only be liable for the full amount of AFDC if it's an amount C.S.E. determines you can afford to pay.

Alaska State Legislature

file SB 370
Sandra

BETTYE FAHRENKAMP, Chairman
ARLISS STURGULEWSKI, Vice Chairman
JOE JOSEPHSON
PAUL FISCHER
EDNA ARMSTRONG-DE VRIES



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Senate Committee on Health, Education and Social Services

M E M O R A N D U M

TO: Members, Senate Committee on Health, Education and Social Services

FROM: Committee Staff

RE: Committee Meeting, March 6, 1986

DATE: March 4, 1986

On Thursday, March 6, from 1:30-3:30 pm in the Beltz Room, the Senate Committee on Health, Education and Social Services will hear the following bills:

SB 136 Relating to increasing the membership of the Alcoholic Beverage Control Board

The proposed committee substitute for SB 136 (attached) would increase the membership of the Alcoholic Beverage Control (ABC) Board from five to seven and specify that two of the members be knowledgeable in the diagnosis or treatment of alcohol abuse. An earlier version of the bill, which would have designated the coordinator of the Office of Alcoholism and Drug Abuse as an ex officio member, was heard by the committee last year. The bill is intended to insure that health and human service perspectives are considered by the Board.

The ABC Board was established under the Department of Revenue in 1980 to control the manufacture, possession and sale of alcoholic beverages in the state, and to review applications for licensure for the same.

SB 370 Relating to aid to families with dependent children, and to child support and enforcement

SB 370 makes revisions to the states child support enforcement statutes:

1. Sections 1 and 6-11 amend existing law to reflect the child support enforcement agency's duty to collect spousal support

in cases in which it is collecting child support. The current use of the term "child support" restricts the agency's ability to meet its statutory directive.

2. Section 4 clarifies that a non-supporting parent is liable for the full amount of an Aid to Families with Dependent Children (AFDC) grant, which includes the amounts paid to the child and to the custodial parent. Unless established by the court, current statute limits the obligor's payment to the amount of AFDC paid to the child even though the amount paid to the parent is for the child's care.

3. Section 12 automatically assigns an individual's rights to child and spousal support to the state upon application for AFDC. This assignment is required by federal law and is currently handled through an application form filled out by the Department of Health and Social Services and transmitted to the child support enforcement agency. Section 12 would expedite the process.

4. Sections 2 and 5 correct incorrect references. Section 3 brings our statute into compliance with federal law.

The state's child support enforcement program was established in the Department of Revenue in 1976 to help collect court-ordered support from absent parents. SB 370 is intended to enhance the Department's efforts.

SB 453 Relating to memorial scholarship revolving loans, creating the A.W. Brindle memorial scholarship loan

SB 453 would establish the Winn Brindle memorial scholarship loan program to provide loans for courses of study in fisheries, seafood processing, food technology, and related fields. Loan terms and conditions would be the same as for student loans (currently \$6,000 maximum, 5% interest, 10 year term, 1 year grace period, 50% forgiveness). Repayments of Brindle loans would be deposited into the student loan revolving loan fund.

The Senate Finance Committee is currently considering HB 58, which would allow a 50% tax credit to fish processors for certain expenditures, including contributions to the Brindle memorial fund. Per current statute, funds could be accepted from other private sources as well. Brindle, past president of the Wards Cove Packing Company, had a "distinguished career dedicated to the development of the Alaska seafood industry."

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : 50370
 Title : _____

 Sponsor : Rules Committee by
 Requestor : request of the Governor
 Date of Request : 01/10/86

FISCAL DETAIL

Agency Affected : Revenue
 BRU : Child Support Enforcement Division

 Components : Operating

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Holli I. Ploog
 Division : Child Support Enforcement Division

Phone : 263-6202
 Date : 01/10/86

Approved by Commissioner : Matt Barber for Mary A. Nordale, Commissioner
 Agency : Department of Revenue

Date : 1-10-86

Distribution (by Agency preparing fiscal note) :

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

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No.: SA 370 Proposed
 Title: An Act Relating to Aid to Families with Dependent Children...
 Sponsor: Rules by Request
 Requestor: Governor
 Date of Request: 1/86

FISCAL DETAIL

Agency Affected: Health & Social Services
 BRU: Public Assistance/Administrative
 Components: Eligibility Determination

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-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	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-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-

ANALYSIS : Attach a separate page if necessary

Bill will result in no new costs; it will reduce paperwork, but not so substantially as to result in measurable savings.

Prepared by: John P. Taber, Director
 Division: Division of Public Assistance

Phone: 465-3347
 Date: 12-27-85

Approved by Commissioner: John P. Bay
 Agency: _____

Date: 12/31/85

Distribution (by Agency preparing fiscal note):

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



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 29, 1986

The Honorable Don Bennett
President of the Senate
Alaska State Legislature
P. O. Box V
Juneau, AK 99811

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that automatically assigns to the state the support rights of recipients of Aid to Families with Dependent Children (AFDC), clarifies a nonsupporting parent's liability for AFDC paid for his or her child, and makes technical amendments to the support enforcement statutes.

AFDC is a joint federal-state program that provides financial assistance to needy dependent children living with parents or relatives. In order to participate in the AFDC program, a state must require that all applicants for and recipients of AFDC assign their rights to support, from any source, to the state. 45 C.F.R. sec. 232.11. In order to comply with federal law, the Department of Health and Social Services requires an applicant to sign a form assigning those rights, and transmits the form to the child support enforcement division (CSED) of the Department of Revenue for action. By making assignment of AFDC applicants' and recipients' support rights automatic, sec. 12 of the bill eliminates the need to pass papers from one state agency to another, thereby allowing CSED to proceed more expeditiously to collect support.

Sections ~~5~~ and ~~6~~ -- ~~12~~ of the bill amend child support enforcement statutes in AS 47.23 to reflect CSED's duty under AS 47.23.020 to collect spousal support in cases in which it is administering child support. By referring to

"support," rather than "child support," the statutes would enhance the agency's ability to meet its statutory directive.

The amendment to AS 47.23.062(b), in sec. ~~X~~² of the bill, merely corrects a reference to reflect amendments enacted in the 1985 session.

The amendment to AS 47.23.062(1), in sec. ~~X~~³ of the bill, is to bring our statute into compliance with federal law. 45 C.F.R. 303.100(a)(9).

By adding the phrase "for the benefit of" before the word "child" in AS 47.23.120(a), sec. ~~X~~⁴ of the bill makes clear that a nonsupporting parent is potentially liable for the full amount of an AFDC grant paid to the parent or relative caring for the nonsupporting parent's child, rather than just the portion paid "to" the child. This is appropriate, because AFDC grants are calculated to allow parents or relatives to care for needy dependent children. The full amount of the grants is intended to benefit the children.

The amendment to AS 47.23.170(e)(2), in sec. ~~X~~⁵ of the bill, is a technical one, to correct an incorrect reference.

Finally, sec. 13 provides that the bill take effect immediately so that the agency can fully exercise its enforcement authority and collect support without delay.

Because the bill brings Alaska law into compliance with federal law, expedites the support enforcement process, and fosters the agency's ability to meet its statutory directive to collect both child and spousal support, I urge your prompt passage of this bill.

Sincerely,



Bill Sheffield
Governor

Section

265. Service; notification of change of address

Section

278. Payments not disbursed

Sec. 47.23.020. Duties and responsibilities of the agency. (a) The agency shall

(1) seek enforcement of child support orders of the superior courts of the state in other jurisdictions and shall obtain, enforce, and administer the orders in this state;

(2) adopt regulations to carry out the purposes of this chapter, including regulations that establish

(A) schedules for determining the amount an obligor is liable to contribute toward the support of an obligee under this chapter and under 42 U.S.C. 651 — 665 (Title IV- D, Social Security Act);

(B) procedures for hearings conducted under AS 47.23.170; and

(C) subject to AS 47.23.025 and to federal law, a uniform rate of interest on arrearages of support that shall be charged the obligor upon notice if child support payments are 10 or more days overdue or if payment is made by a check backed by insufficient funds;

(3) administer and enforce the Uniform Reciprocal Enforcement of Support Act (AS 25.25);

(4) establish, enforce, and administer child support obligations administratively in accordance with this chapter;

(5) administer the state plan required under 42 U.S.C. 651 — 665 (Title IV-D, Social Security Act) as amended;

(6) disburse child support payments collected by the agency to the obligee together with interest charged under (2)(C) of this subsection;

(7) establish and enforce through the superior courts of the state child support orders from other jurisdictions pertaining to obligors within the state;

(8) enforce and administer spousal support orders if a spousal support obligation has been established with respect to the spouse and if the support obligation established with respect to the child of that spouse is also being administered; and

(9) obtain a medical support order as part of a child support order if health care coverage is available to the obligor at a reasonable cost.

(b) In determining the amount of money an obligor must pay to satisfy the obligor's immediate duty of support, the agency shall consider all payments made by the obligor directly to the obligee or to the obligee's custodian. (§ 1 ch 251 SLA 1976; am § 17 ch 126 SLA 1977; am §§ 3 — 5 ch 118 SLA 1982; am § 4 ch 40 SLA 1985)

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