

SB 79

4/22/88
H(zik)

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to runaway minors..."
Sponsor: Senator Rodev
Requestor: Senate Finance

Agency Affected: Dept. of Administration
BRU: Public Defender Agency
Components: Third Judicial District

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		172.8	179.7	186.9	194.4	202.2
TRAVEL		-0-	-0-	-0-	-0-	-0-
CONTRACTUAL		10.0	10.4	10.8	11.2	11.6
SUPPLIES		3.0	3.1	3.2	3.3	3.4
EQUIPMENT		4.5				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		190.3	193.2	200.9	208.9	217.2

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		190.3	193.2	200.9	208.9	217.2
FEDERAL FUNDS						
OTHER						
TOTAL		190.3	193.2	200.9	208.9	217.2

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

(See attached)

Prepared by: Dana Fabe, Public Defender
Division: Public Defender Agency

Phone: 279-7541
Date: 4/22/88

Approved by Commissioner: John Andrews
Agency: Department of Administration

Date: 4/26/88

Distribution (by preparer):

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

RECEIVED

APR 27 1988

LEGISLATIVE FINANCE

page 1 of 5

*Fiscal
Notes
received after
bill R/O.*

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. House CS CS SB 79 (Judiciary)

The House Committee Substitute for this bill continues to authorize peace officers to place runaway minors into juvenile detention facilities if they are in violation of a court Child in Need of Aid placement order. In fact, the Committee Substitute broadens the class of Child in Need of Aid hearings in which detention is permitted. This law differs drastically from the current law which does not permit runaways to be "incarcerated" in a detention facility. Under the CS, the runaway has a right to a hearing within 24 hours. Each runaway will have a right to an attorney at this hearing which will amount to a criminal contempt proceeding for violation of the court order. Criminal contempt proceedings require a jury trial prior to the use of detention as a penalty and many of these juvenile runaways will qualify for full 12-person jury trials in Superior Court. The Committee Substitute drops the mischaracterization of the contempt proceeding as "civil," thus more accurately reflecting the criminal nature of the proceeding and all of the criminal procedure safeguards which must be implemented. In fact, the Committee Substitute specifically indicates that an attorney must be appointed in each of these cases. The Public Defender Agency will be providing representation in virtually all of these cases.

In Anchorage alone, it has been estimated that there are as many as 1200 runaway minors. Even if only a small percentage of these minors qualify for juvenile detention under this bill, each case will involve numerous additional court hearings and the possibility of a full jury trial, as noted above. Based on the expectation that the vast majority of these cases will be concentrated in Anchorage and Fairbanks, the Public Defender Agency is requesting an Attorney III and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks for a total of 190.3.

BUDGET ANALYSIS

100	Anchorage - Attorney III	66.0	
	Legal Secty I	32.4	
	Fairbanks - Attorney III	74.4	172.8
200	Travel		-0-
300	Contractual: Space, phone, etc.		10.0
400	Supplies: Law library, office, etc.		3.0
500	Equipment: One time		<u>4.5</u>
	TOTAL		190.3

Position Title Attorney III		No. of Positions 1	Range/Step 22A	Barg. Unit PX
Time Status PFT	Staff Months 12.0	Location Anchorage		Election District 92
Justification				
Type of Expenditure		Amount		
1	2	3		
Salary	49,140			
Benefits	16,834			
Premium Pay				
Other				
Total Personal Services		65,974		
Travel		-0-		
Contractual		5,000		
Commodities		1,000		
Equipment		1,500		
Other				
Total Cost		73,474		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	73,474		
GF Program Receipts	1005			
Other				

CS CS SB 79 would authorize detention of runaway minors and mandate detention for repeat offenders. Juveniles detained under this act would be entitled to representation so the Public Defender Agency is requesting an Attorney III and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks.

**Request For
New Position**

Agency Dept. of Administration
 BRU Public Defender Agency
 Component Third Judicial District

FY 89

Page 3 of 5
 Revised Date 4/22/88

Position Title Legal Secretary I		No. of Positions 1	Range/Step 1JA	Barg. Unit GGU
Time Status PFT	Staff Months 12.0	Location Anchorage		Election District 92
Type of Expenditure		Justification		
1	2	3		
Salary	22,020	CS CS SB 79 would authorize detention of runaway minors and mandate detention for repeat offenders. Juveniles detained under this act would be entitled to representation so the Public Defender Agency is requesting an Attorney III and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks.		
Benefits	10,339			
Premium Pay				
Other				
Total Personal Services	32,359			
Travel		-0-		
Contractual		-0-		
Commodities		1,000		
Equipment		1,500		
Other				
Total Cost		34,859		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	34,859		
GIF Program Receipts	1005			
Other				

**Request For
New Position**

Agency Dept. of Administration
 BRU Public Defender Agency
 Component Third Judicial District

FY 89

Page 4 of 5
 Revised Date 4/22/88

Position Title Attorney III		No. of Positions 1	Range/Step 22A	Barg. Unit PX
Time Status PFT	Staff Months 12.0	Location Fairbanks		Election District 94
Type of Expenditure		Justification		
1	2	3		
Salary	56,244	CS CS SB 79 would authorize detention of runaway minors and mandate detention for repeat offenders. Juveniles detained under this act would be entitled to representation so the Public Defender Agency is requesting an Attorney III and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks.		
Benefits	18,129			
Premium Pay				
Other				
Total Personal Services	74,373			
Travel		-0-		
Contractual		-0-		
Commodities		5,000		
Equipment		1,000		
Other		1,500		
Total Cost		81,873		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	81,873		
GF Program Receipts	1005			
Other				

**Request For
New Position**

Agency Dept. of Administration
 BRU Public Defender Agency
 Component Third Judicial District

FY 89

Page 5 of 5
 Revised Date 4/22/88

4 NCS 2/5/88
No HFC referral

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CS SB 79
PUBLISH DATE: 5/7/87

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to runaway
minors..."
Sponsor: Senator Rodey
Requestor: Senate Finance

Agency Affected: Dept. of Administration
BRU: Public Defender Agency
Components: Third Judicial District

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		172.8	179.7	186.9	194.4	202.2
TRAVEL		-0-	-0-	-0-	-0-	-0-
CONTRACTUAL		10.0	10.4	10.8	11.2	11.6
SUPPLIES		3.0	3.1	3.2	3.3	3.4
EQUIPMENT		4.5				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		190.3	193.2	200.9	208.9	217.2
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

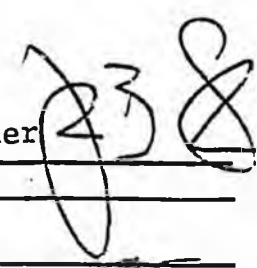
GENERAL FUND		190.3	193.2	200.9	208.9	217.2
FEDERAL FUNDS						
OTHER						
TOTAL		190.3	193.2	200.9	208.9	217.2

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

(See attached)

Prepared by: Dana Fabe, Public Defender 
Division: Public Defender Agency Phone: 279-7541
Date: 1/25/88

Approved by Commissioner: John Andrews Date: 2/1/88
Agency: Department of Administration

Distribution (by preparer):

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

FEB 3 1988

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CS SB 79

This bill will authorize peace officers to place runaway minors into juvenile detention facilities if they are in violation of a court Child in Need of Aid placement order. This law differs drastically from the current law which does not permit runaways to be "incarcerated" in a detention facility. Once the runaway has been placed to juvenile detention, he or she has a right to a hearing within 48 hours. Each runaway will have the right to an attorney at this hearing which will amount to a criminal contempt proceeding for violation of the court order. In fact, criminal contempt requires a jury trial prior to use of incarceration as a penalty - and thus some of these juvenile runaways will qualify for jury trial. Despite the statute's characterization of this proceeding as a "civil" contempt proceeding, it is more akin to criminal contempt due to the fact that the runaway will not "hold the keys of his release in his own pocket," the identifying factor for civil contempt.

In Anchorage alone, it is estimated that there are as many as twelve hundred runaway minors. Even if only some percentage of these minors will qualify for juvenile detention under this bill, each case will involve numerous court hearings and the possibility of trial, as noted above. Based on the expectation that these cases will be concentrated in Anchorage and Fairbanks, the Public Defender Agency is requesting an Attorney III and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks for a total of 189.9.

BUDGET ANALYSIS

100	Anchorage - Attorney III	66.0	
	Legal Secty I	32.4	
	Fairbanks - Attorney III	74.4	172.8
200	Travel		-0-
300	Contractual: Space, phone, etc.		10.0
400	Supplies: Law library, office, etc.		3.0
500	Equipment: One time		<u>4.5</u>
	TOTAL		190.3

Position Title Attorney III		No. of Positions 1	Range/Step 22/A	Barg. Unit PX
Time Status PFT	Staff Months 12.0	Location Anchorage	Election District 92	
Type of Expenditure		Amount		
1	2	3		
Salary	49,140			
Benefits	16,834			
Premium Pay				
Other				
Total Personal Services		65,974		
Travel		-0-		
Contractual		5,000		
Commodities		1,000		
Equipment		1,500		
Other				
Total Cost		73,474		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	73,474		
GF Program Receipts	1005			
Other				
Justification				
CS SB 79 would authorize detention of runaway minors and mandate detention for repeat offenders. Juveniles detained under this act would be entitled to representation so the Public Defender Agency is requesting an Attorney III and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks.				

**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component Third Judicial District

FY 89

Page 3 of 5
 Revised Date 1/25/88

Position Title Legal Secretary I		No. of Positions 1	Range/Step 10/A	Barg. Unit GGU
Time Status PFT	Staff Months 12.0	Location Anchorage		Election District 92
		Justification		
Type of Expenditure		Amount		
1	2	3		
Salary	22,020			
Benefits	10,339			
Premium Pay				
Other				
Total Personal Services		32,359		
Travel		-0-		
Contractual		-0-		
Commodities		1,000		
Equipment		1,500		
Other				
Total Cost		34,859		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	34,859		
GF Program Receipts	1005			
Other				

CS SB 79 would authorize detention of runaway minors and mandate 30 days detention for repeat offenders. Juveniles detained under this act would be entitled to representation so the Public Defender Agency is requesting one Attorney III and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks.

**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component Third Judicial District

FY 89

Page 4 of 5
 Revised Date 1/25/88

Position Title Attorney III			No. of Positions 1	Range/Step 22/A	Barg. Unit PX
Time Status PFT	Staff Months 12.0		Location Fairbanks		Election District 94
Type of Expenditure			Amount		
1			2		3
Salary			56,244		
Benefits			18,129		
Premium Pay					
Other					
Total Personal Services			74,373		74,373
Travel					-0-
Contractual					5,000
Commodities					1,000
Equipment					1,500
Other					
Total Cost					81,873
Funding Source for Total Cost					
Federal Receipts 1002					
G. F. Match 1003					
General Fund 1004					81,873
GF Program Receipts 1005					
Other					
Justification					
CS SB 79 would authorize detention of runaway minors and mandate detention for repeat offenders. Juveniles detained under this act would be entitled to representation so the Public Defender Agency is requesting an Attorney III and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks					

**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component Fourth Judicial District

FY 89

Page 5 of 5
 Revised Date 1/25/88

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: HCSCSSB 79 (Jud.)
PUBLISH DATE: _____

4/26/88
H.F.M.

FISCAL NOTE

REQUEST:

Revision Date: April 25, 1988
Title: "An Act relating to runaway and missing minors."
Sponsor: House Judiciary
Requestor: House Finance

Agency Affected: Department of Law
BRU: Legal Services
Components: Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTU. ES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Please see the attached analysis.

Prepared by: Richard I. Pegues, Director Phone: 465-3672
Division: Administrative Services Date: April 25, 1988
Approved by Commissioner: Richard I. Pegues Date: April 25, 1988
Agency: Department of Law

Distribution (by preparer):

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

RECEIVED
APR 26 1988

LEGISLATIVE FINANCE

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HCCSSB 79 (Jud.)

The House Committee Substitute for CSSB 79 (Jud.) amends AS 47.10 by changing existing law and adding new sections and subsections that provide for the detention of runaway minors, and that provide for the establishment of programs for runaway minors.

The Department of Law is primarily concerned with Section 3, which provides that a juvenile detained under this section is entitled to a detention hearing within 24 hours of being detained. At that hearing the state must show that the minor's current situation poses a severe and imminent risk to the minor's health or safety and that no reasonable placement alternative exists within the community. The hearing is specifically to determine if the minor is in civil contempt of court. Each of these detained minors will already be in the legal custody of the Department of Health and Social Services and DHSS will have obtained a temporary placement order with a provision in it which stated that the minor must stay in the department's arranged placement and if he or she does not he or she may be found in civil contempt of court.

The statute apparently assumes that as the minor will be held in civil contempt that there will be no requirement for a jury trial. However, this may not be a valid assumption given the uncertain, or indefinite period of detention provided for by the bill. In civil contempt the contemnor holds the keys to the cell in his or her hand. In this case it will be difficult to tell when the child is actually in a position to use those keys to open the doors. Will it be sufficient for the minor to say that he or she will not run away? Will there need to be a clearance from the Department of Health and Social Services? Will the State be able to keep the child in a detention setting indefinitely? What subsequent hearings will be required? Based upon these considerations, it appears that there will have to be multiple hearings regarding the child's detention.

The Division of Family and Youth Services, in its separate fiscal note analysis, concludes that it will not experience a fiscal impact because the court ordered detention provided by the bill will be used in only those cases involving the few chronic runaways in clear danger to themselves. A judge may not view what situation constitutes a severe and imminent risk to a minor's health or safety quite so narrowly when faced with determining the disposition of a thirteen-year-old or fourteen-year-old runaway who has been found alone on the streets.

Up until the present, the Division of Family and Youth Services has not had a means to detain runaways if they decide to run again. For instance, a child is picked up, placed in a foster home, and runs away again the next day. Running away is a status offense and children cannot be found delinquent and detained based upon that behavior. If there is a means to detain children it is likely that children

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HCCSSB 79 (Jud.)

who may well have been considered unreachable previously will now warrant an attempt at detention as a means of dealing with them. Certainly there will be parents who will strongly urge the DFYS to use this option on behalf of the child who refuses to stay at home or in a foster home setting. The fact that this alternative is being created is because there are children who cannot be served with the current legal remedies available to DFYS.

For these reasons, the Department of Law believes the number of runaways who will be subject to court ordered detention may be substantially greater than a few chronic runaways. There is, however, no realistic or accurate way to determine the number of hearings that may be required by the bill and, consequently, fiscal note costs cannot be predicted at this time. The attorneys in the Department of Law who would be responsible for preparing for and attending court hearings for runaways are already shouldering extreme caseloads. To the extent that DFYS may find it necessary to request court ordered detention for more than a few chronic runaways, the Department of Law would have to seek and receive a supplemental appropriation before any additional runaway caseload could be handled.

It should also be noted that at detention hearings the child as well as the child's parents may need legal counsel, because the child will be deprived of his or her liberty, while at the same time the state is taking legal and physical custody from the child's parents. The parents and child's interests may well be dissimilar and the court will need to appoint an additional attorney to represent the child (in addition to the non-attorney guardian ad litem). Any significant number of runaway hearings may have a fiscal impact on the Office of Public Advocacy and the court system, in addition to the Department of Law.

FISCAL NOTE

REQUEST:

Revision Date: March 18, 1988
Title: "An Act relating to runaway and missing minors."
Sponsor: House HESS
Requestor: Ofc. of the Gov./OMB

Agency Affected: Department of Law
BRU: Legal Services
Components: Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	*	*	*	*	*	*
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	*	*	*	*	*	*
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

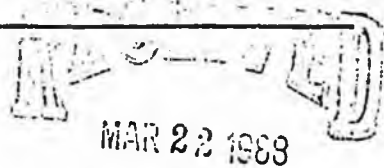
Please see the attached analysis.

Richard I. Pegues

Prepared by: Richard I. Pegues, Director Phone: 465-3672
Division: Administrative Services Date: March 18, 1988

Approved by Commissioner: Grace Berg (Schaible), Atty. Gen. Date: March 18, 1988
Agency: Department of Law

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)



CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HCCSSB 79 (HESS)

The House Committee Substitute for CSSB 79 (HESS) amends AS 47.10 by changing existing law and adding new sections and subsections that provide for the detention of runaway minors, and that provide for the establishment of programs for runaway minors.

The Department of Law is primarily concerned with Section 2, which provides that a juvenile detained under this section is entitled to a detention hearing within 48 hours of being detained. At that hearing the state must show that the minor's current situation poses a severe and imminent risk to the minor's health or safety and that no reasonable placement alternative exists within the community. The hearing is specifically to determine if the minor is in civil contempt of court. Each of these detained minors will already be in the legal custody of the Department of Health and Social Services and DHSS will have obtained a temporary placement order with a provision in it which stated that the minor must stay in the department's arranged placement and if he or she does not he or she may be found in civil contempt of court.

The statute apparently assumes that as the minor will be held in civil contempt that there will be no requirement for a jury trial. However, this may not be a valid assumption given the uncertain, or indefinite period of detention provided for by the bill. In civil contempt the contemnor holds the keys to the cell in his or her hand. In this case it will be difficult to tell when the child is actually in a position to use those keys to open the doors. Will it be sufficient for the minor to say that he or she will not run away? Will there need to be a clearance from the Department of Health and Social Services? Will the State be able to keep the child in a detention setting indefinitely? What subsequent hearings will be required? Based upon these considerations, it appears that there will have to be multiple hearings regarding the child's detention.

The Division of Family and Youth Services, in its separate fiscal note analysis, concludes that it will not experience a fiscal impact because the court ordered detention provided by the bill will be used in only those cases involving the few chronic runaways in clear danger to themselves. A judge may not view what situation constitutes a severe and imminent risk to a minor's health or safety quite so narrowly when faced with determining the disposition of a thirteen-year-old or fourteen-year-old runaway who has been found alone on the streets.

Up until the present, the Division of Family and Youth Services has not had a means to detain runaways if they decide to run again. For instance, a child is picked up, placed in a foster home, and runs away again the next day. Running away is a status offense and children cannot be found delinquent and detained based upon that behavior. If there is a means to detain children it is likely that children

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HCCSSB 79 (HESS)

who may well have been considered unreachable previously will now warrant an attempt at detention as a means of dealing with them. Certainly there will be parents who will strongly urge the DFYS to use this option on behalf of the child who refuses to stay at home or in a foster home setting. The fact that this alternative is being created is because there are children who cannot be served with the current legal remedies available to DFYS.

For these reasons, the Department of Law believes the number of runaways who will be subject to court ordered detention may be substantially greater than a few chronic runaways. There is, however, no realistic or accurate way to determine the number of hearings that may be required by the bill and, consequently, fiscal note costs cannot be predicted at this time. The attorneys in the Department of Law who would be responsible for preparing for and attending court hearings for runaways are already shouldering extreme caseloads. To the extent that DFYS may find it necessary to request court ordered detention for more than a few chronic runaways, the Department of Law would have to seek and receive a supplemental appropriation before any excess caseload could be handled.

It should also be noted that at detention hearings the child as well as the child's parents may need legal counsel, because the child will be deprived of his or her liberty, while at the same time the state is taking legal and physical custody from the child's parents. The parents and child's interests may well be dissimilar and the court will need to appoint an additional attorney to represent the child (in addition to the non-attorney guardian ad litem). Any significant number of runaway hearings may have a fiscal impact on the Office of Public Advocacy and the court system, in addition to the Department of Law.

STATE OF ALASKA
1988 LEGISLATIVE SESSION

4/30/88
H (FIN)
BILL VERSION: HCSCSSB 79 (Jud) :
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: 4/28/88
Title: "An Act relating to runaway
and missing minors."
Sponsor: Rodev, Faiks, et. al.
Requestor: Judiciary, Finance

Agency Affected: Administration
BRU: Office of Public Advocacy
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	55.0	57.2	59.5	61.9	64.4
TRAVEL		0	0	0	0	0
CONTRACTUAL		5.7	5.2	6.1	6.3	6.3
SUPPLIES		1.0	1.4	1.5	1.6	1.7
EQUIPMENT		3.0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	64.7	64.5	67.1	69.8	72.6

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	64.7	64.5	67.1	69.8	72.6
FEDERAL FUNDS						
OTHER						
TOTAL	0	64.7	64.5	67.1	69.8	72.6

POSITIONS:

FULL-TIME	0	1.0	1.0	1.0	1.0	1.0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Brant McGee, Public Advocate Phone: 274-1684
Division: Office of Public Advocacy Date: 4/28/88

Approved by Commissioner: John Andrews Date: 4-28-88
Agency: Department of Administration

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

RECEIVED

APR 29 1988

page 1 of 4

LEGISLATIVE FINANCE

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HCSCSSB 79 (Judiciary)

The bill's primary fiscal impact will be in Anchorage where the largest concentration of runaways is located. The Office of Public Advocacy will require an additional Associate Attorney II position in order to provide guardian ad litem representation in runaway cases. There is no question but that a court will appoint a guardian ad litem in each case where a determination on the issue of whether the minor's current situation "poses a severe and imminent risk to the minor's health or safety" is required.

An Associate Attorney II position is warranted as a far less costly alternative to a new attorney position. While a significant number of such guardian ad litem appointments will require staff attorney consultation and representation, OPA will maintain its policy of using non-attorney guardians ad litem whenever possible. Anchorage OPA staff attorneys currently maintain an active caseload of 120 cases, some of which will undoubtedly have to be absorbed by the new associate attorney position in order to enable current staff attorneys to devote time to the several hearings that will be required in each case authorized under the bill.

The guardian ad litem representation required under by bill will be far more time intensive than that under current law. Current Office of Public Advocacy staff in Anchorage simply cannot absorb the additional workload contemplated by this bill without overwhelming already strained resources devoted to the representation of abused and neglected children in Child in Need of Aid and custody cases.

Though it is clear that the Office of Public Advocacy will incur additional contractual costs under this bill because conflicts of interest will give rise to the need for OPA payments to private attorneys for both parents and children, there is no formula by which these costs can be projected. It is for this reason that no additional contractual funds are requested at this time.

PERSONAL SERVICES

Anchorage

1 Associate Attorney II Position	
Salary & Benefits 55,016	<u>55.0</u>
Subtotal Personal Services	55.0

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HCSCSSB 79 (Judiciary)

CONTRACTUAL

Additional Office Space in Anchorage for
2 Associate Attorney II Positions
190 sq.ft. x 2.50 = 475.00
475.00 x 12 months = 5,700

5.7

Subtotal Contractual

5.7

SUPPLIES

Misc. Stationary, Library and Office Supplies
for 4 New Positions
1,000 x 1 = 1,000

1.0

EQUIPMENT

Office Furniture and Equipment for 1
Professional Position
3,000 x 1 = 3,000

3.0

Subtotal Equipment

3.0

TOTAL

64.7

Position Title Associate Attorney II		No. of Positions 1	Range/Step 19/A	Barg. Unit X
Time Status PFT	Staff Months 12.0	Location EBA-Anchorage		Election District 8
		Justification		
Type of Expenditure		Amount		
1	2	3		
Salary	40,236			
Benefits	14,780			
Premium Pay				
Other				
Total Personal Services		55,016		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		55,016		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	55,016		
GF Program Receipts	1005			
Other				

The Anchorage OPA office presently has 2 associate attorney positions which handle GAL appointments and 2 attorney positions who handle a combined caseload of GAL appointments and other civil litigation matters. Because of the anticipated increase in GAL appointments to runaways under this legislation, OPA estimates that at least 1 additional associate attorney would be needed to handle the increased workload.

**Request For
New Position**

Agency Administration
 DRU Office of Public Advocacy
 Component Office of Public Advocacy

FY 89

Page 4 of 4
 Revised Date 4/28/88

FISCAL NOTE

REQUEST:

Revision Date: 1/21/88
Title: "An Act relating to runaway and missing minors."
Sponsor: Rodey, Faiks, et al.
Requestor: Judiciary, Finance

Agency Affected: Administration
BRU: Office of Public Advocacy

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	204.5	212.7	221.2	230.0	239.2
TRAVEL		15.0	15.6	16.2	16.8	17.5
CONTRACTUAL		148.9	154.9	161.1	167.5	174.2
SUPPLIES		4.0	4.2	4.4	4.6	4.8
EQUIPMENT		15.0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	387.4	387.4	402.9	418.9	435.7

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	387.4	387.4	402.9	418.9	435.7
FEDERAL FUNDS						
OTHER						
TOTAL	0	387.4	387.4	402.9	418.9	435.7

POSITIONS:

FULL-TIME	0	4.0	4.0	4.0	4.0	4.0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Brant McGee
Division: Office of Public Advocacy

Phone: 274-1684

Date: 1/20/88

Approved by Commissioner: John Andrews
Agency: Department of Administration

Date: 2/1/88

Distribution (by preparer):

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

FEB 3 1988

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSCSSB 79

PERSONAL SERVICES

Anchorage

2	Associate Attorney II Positions Salary & Benefits $55,016 \times 2 = 110,032$	110.0
1	Legal Secretary - Civil Section Salary & Benefits = 32,363	32.2

Fairbanks

1	Associate Attorney II Salary & Benefits = 62,150	<u>62.2</u>
---	---	-------------

	Subtotal Personal Services	204.5
--	----------------------------	-------

TRAVEL

Additional travel funds to accommodate caseload increase.		<u>15.0</u>
---	--	-------------

15.0

CONTRACTUAL

Approximately 200 cases in Rural Areas @ 687.56 = 137,512		137.5
--	--	-------

Additional Office Space in Anchorage for 2 Associate Attorney II positions. 380 sq.ft. x 2.50 = 950.00 950.00 x 12 months = 11,400		<u>11.4</u>
---	--	-------------

	Subtotal Contractual	148.9
--	----------------------	-------

SUPPLIES

Misc. stationary, library and office supplies for 4 new positions. 1,000 x 4 = 4,000		<u>4.0</u>
--	--	------------

4.0

EQUIPMENT

Office furniture and equipment for 3 professional positions. 3,000 x 3 = 9,000		9.0
--	--	-----

Office furniture and equipment for Legal Secretary position = 6,000		<u>6.0</u>
--	--	------------

	Subtotal Equipment	15.0
--	--------------------	------

Position Title Associate Attorney II		No. of Positions 2	Range/Step 19/A	Barg. Unit X
Time Status PFT	Staff Months 24	Location EBA-Anchorage		Election District 8
Justification				
The Anchorage OPA office presently has 2 associate attorney positions which handle GAL appointments and 2 attorney positions who handle a combined caseload of GAL appointments and other civil litigation matters. Because of the anticipated increase in GAL appointments to runaways under this legislation, OPA estimates that at least 2 additional associate attorneys would be needed to handle the increased workload.				
Type of Expenditure		Amount		
1	2	3		
Salary 40,236 X 2	80,472			
Benefits 14,780 X 2	29,560			
Premium Pay				
Other				
Total Personal Services		110,032		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		110,032		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	110,032		
GF Program Receipts	1005			
Other				

**Request For
New Position**

Agency Administration
 BRU Office of Public Advocacy
 Component _____

Page 3 of 5
 Revised Date _____

FY 89

Position Title Legal Secretary I		No. of Positions 1	Range/Step 10/A	Barg. Unit G
Time Status PFT	Staff Months 12	Location EBA-Anchorage		Election District 8
Justification				
The Anchorage civil section presently has one legal secretary who provides clerical support to 4 professional positions, 2 Vista volunteers, and the VGAL program. This one clerical position will not be able to absorb the workload increase which will be created by 2 additional associate attorney positions handling a full GAL caseload. Therefore, an additional Legal Secretary I position will be required to handle clerical support for the 2 associate attorney positions.				
Type of Expenditure		Amount		
1	2	3		
Salary	22,020			
Benefits	10,343			
Premium Pay				
Other				
Total Personal Services		32,363		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		32,363		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	32,363		
GF Program Receipts	1005			
Other				

**Request For
New Position**

Agency Administration
 BRU Office of Public Advocacy
 Component _____

Page 4 of 5
 Revised Date _____

FY 89

Position Title Associate Attorney II		No. of Positions 1	Range/Step 19/A	Barg. Unit X	
Time Status PFT	Staff Months 12	Location JBA-Fairbanks		Election District .16	
Type of Expenditure		Justification			
Amount		<p>The Fairbanks OPA office has only one associate attorney position which is devoted to GAL appointments. This one position would not be able to absorb the additional GAL appointments to runaway cases, nor can the other 3 attorney positions absorb the anticipated increase caused by this bill. OPA estimates that at least one additional associate attorney position for the Fairbanks office would be needed to handle the increased workload in GAL appointments.</p>			
1	2				3
Salary	45,972				
Benefits	16,178				
Premium Pay					
Other					
Total Personal Services					62,150
Travel					
Contractual					
Commodities					
Equipment					
Other					
Total Cost		62,150			
Funding Source for Total Cost					
Federal Receipts	1002				
G. F. Match	1003				
General Fund	1004	62,150			
GF Program Receipts	1005				
Other					

**Request For
New Position**

Agency Administration
 BRU Office of Public Advocacy
 Component _____

FY 89

Page 5 of 5
 Revised Date _____

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: HSCS SB 79 (HESS)
PUBLISH DATE: _____

H. J. J.
2/20/88

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to runaway
and missing minors.
Sponsor: Rodev, et al.
Requestor: _____

Agency Affected: Health and Social Services
BRU: Youth Services
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
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						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

N/A

Prepared by: Yvonne M. Chase, Director *YMC* Phone: 465-3170
Division: Division of Family and Youth Services Date: 02-09-88

Approved by Commissioner: Myra M. Hanson, Commissioner *Myra M. Hanson* Date: 2-16-88
Agency: Department of Health and Social Services

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

RECEIVED

FEB 13 1988

page 1 of 1

LEGISLATIVE FINANCE

POSITION PAPER

HOUSE CS FOR CS FOR SENATE BILL NO. 79 (HESS)

For an Act entitled: "An Act relating to runaway and missing minors."

NATURE AND SCOPE OF THE PROBLEM

The common perception that runaways are simply troublesome or disobedient youth who leave home for adventure is not supported by fact. Most runaways come from severely troubled homes. Others run from families in which parents lack skills in communication, conflict resolution, discipline, and other important parenting skills.

Studies both nationally and in Alaska indicate that youth run away from home in general because of:

- 1) family conflict;
- 2) physical or sexual abuse or neglect;
- 3) alcohol or drug abuse of a parent or the child;
- 4) school problems;
- 5) family instability or dysfunction.

The National Center for Missing and Exploited Children cites one study which found that 40% of runaways were physically abused in their homes and that 70% of female and 40% of male runaways were victims of sexual abuse. An estimated 20-30% of youth who are identified as runaways have actually been forced out of their homes.

There is no definitive data on the numbers of runaway youth in Alaska. The most thorough study to date focused only on the Anchorage area.¹ That study concluded that there are at least 1,200 known runaways in the Anchorage area and estimated that at least 3,600 youths run away or are forced from their homes in that area each year. Based on the Anchorage study, population distribution, and the distribution of runaways served by the Division of Family and Youth Services it can be estimated of that there are probably 2,400 and possibly as many as 7,000 runaways in Alaska each year.

Most youth who leave home without parental permission for at least 24 hours do so only once or twice and most (80%) return home voluntarily within 2-7 days. Only a small percentage become chronic runaways. Chronic runaways and the 20-30% of "runaway" youth who are forced from their homes - the castaways or throwaways - are the youth who are at highest risk of being victimized or committing a crime.

¹ Final Assessment Report, Runaway Support Network Project, Paul Wasserman, 1985.

EFFECTS OF HCSCSB 79 (HESS)

Key provisions of this bill address several issues related to the problems of runaway and homeless youth and their families. These include:

Reporting

Section 1 would make the reporting of runaway and missing youth easier for parents by requiring police agencies to respond to telephonic as well as written requests to locate these youths. This could increase the usefulness of such reports to law enforcement agencies by making the reports more timely.

Placement of Runaways Taken into Custody

Section 1 makes changes in the placement options available when a runaway is taken into protective custody by a law enforcement agency. It maintains the ability of a youth to choose between returning home and other available placements. However, it requires that a parent consent to the return of a child to the home. This is intended to address parental concerns that they are now required to accept their child's return home and assume responsibility to care for the child even if they believe the child will be beyond their control when the law enforcement officer is no longer present. The Department does not support this provision viewing it as unnecessary, since parents can and do refuse to accept return of their children under present law, and as poor policy, potentially encouraging parents to shift parental responsibilities to the state. However, the Department would not oppose the bill solely because of this provision.

This Section also establishes two additional placement options to which police would be required to take a runaway child in protective custody. These are: 1) a "nearby location" agreed to by the child and parent, and 2) an approved runaway program. The first of these is intended to allow a child to be taken to a safe location (such as the home of a relative or family friend) when both the child and parent agree that the location is suitable and preferable to the child returning home. The second option would allow placement of a child in an approved runaway program defined in other sections of the bill. This allows the child another option beyond an office or contract agency of the Department.

Detention of Runaways

Section 2 would address the problem of protecting runaways who endanger themselves by allowing their temporary detention under certain limited circumstances. Runaways could be detained only by court order and only when: 1) a prior court order has been violated, 2) the youth's circumstances present a severe and imminent danger, and 3) no reasonable alternative to detention exists. Youth detained under these

circumstances could be held in youth facilities only - detention in a jail or other secure facility holding adult prisoners would be prohibited. A runaway detained under the proposed AS 47.10.141(c) must be brought before a court within 48 hours to determine if the youth is in civil contempt of court.

It is the understanding of the Department that it is intended that these youth not be subject to an adjudication of delinquency for contempt of court. In any event, it would be the policy of the Department not to initiate delinquency proceedings on the basis of a contempt of court citation in the absence of another delinquent act.

Development of Innovative Programs for Runaways

The bill would promote the development of innovative programs for runaway and homeless youth in several ways. It would:

1. define a specific type of program for runaway and homeless youth including the general requirements and some specific responsibilities of such programs;
2. establish within the Department of Health and Social Services review, inspection, and approval authority over such programs;
3. exempt from licensure approved runaway programs of the statutorily defined type;
4. immunize officers and employees of these programs from liability for civil damages for admission and release actions but not from reckless or intentional misconduct;
5. authorize the Department to award grants for the establishment and operation of approved programs;

The runaway programs defined by the bill could provide needed alternative placements for runaway youth where these youth could be safely sheltered and receive medical and counseling services while reunification efforts are begun. The mechanism of supporting these services through grants to approved programs has proven effective with other preventive services and is supported by the Department.

DEPARTMENT POSITION

The Department supports this bill as an effective means of addressing many of the troubling problems of runaway youth.

The development of much needed shelter services for runaway and homeless youth would be encouraged by the bill and the utilization of shelter and attendant reunification services by these youth may be increased by its provisions. By allowing youth to reside in approved facilities for 45 days without the consent of custodians, the bill establishes a non-punitive approach for these programs which may be viewed by runaway youth as safer and more attractive than other options. Increased use of

shelter and reunification services would also be encouraged by the provision establishing such facilities as a placement option for runaway youth taken into custody by police.

Importantly, the bill achieves a careful balance in its approach to the use of detention to protect runaways. The bill avoids the damaging and ineffective use of detention as a means of addressing the problems of most runaways by limiting the use of detention to those few chronic runaways whose behavior places them in clear danger. It also avoids the danger of over use of detention by requiring that detention occur only on order of the alternative exists. The bill provides a critical protection for these non-criminal youth by prohibiting their detention in adult jails avoiding the inherent dangers of mixing youths with adult prisoners.

RECOMMENDED: *Yvonne M. Chase*
Yvonne M. Chase, Director
Division of Family
and Youth Services

DATE: _____

APPROVED: *Myra M. Munson*
Myra M. Munson, Commissioner
Department of Health
and Social Services

DATE: 2-16-88

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: GSCSSB 79
PUBLISH DATE: _____

*4/20/88
H (Jud)*

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to runaway and missing minors."
Sponsor: Rodey, Faiks, Fischer, et al.
Requestor: _____

Agency Affected: Health & Social Services
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
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						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

N/A

Prepared by: *Russell Will for*
Yvonne M. Chase, ACSW, Director
Division: Family & Youth Services

Phone: 465-3170
Date: 4-20-88

Approved by Commissioner: *Myra M. Munson*
Myra M. Munson
Agency: Department of Health & Social Services

Date: 4-20-88

Distribution (by preparer):

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

RECEIVED
APR 21 1988
LEGISLATIVE FINANCE of _____

3/18/88
HJW
F

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: HCS CSSB 79 (HESS)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST

Revision Date: 3/16/88
Title: "An Act relating to runaway and
missing minors."
Sponsor: Sen. Rodey
Requestor: House Judiciary

Agency Affected: Public Safety
BRU: Alaska State Troopers
Components: Detachments

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY88	FY89	FY90	FY91	FY92	FY93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
CRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUNDS						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

[Empty box for analysis]

Prepared by: Francis C. Allan
Division: Alaska State Troopers

Phone: 269-5691
Date: 3/16/88

Approved by Commissioner: [Signature]
Agency: Public Safety

Date: 3-16-88

Distribution: (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

REC-100
MAR 17 1988
LEGISLATIVE FINANCE

H 2488
no HFC referral

STATE OF ALASKA 1988 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: CS SB 79
Publish Date:

REQUEST: _____

Revision Date: 1/20/88 Agency Affected: Alaska Court System
Title: An act relating to runaway and BRU: Trial Courts
missing minors
Sponsor: Rodey, Faiks, Fischer, ... Components:
Requestor:

EXPENDITURES/REVENUES:		(Thousands of Dollars)					
	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93	
OPERATING							
Personal Services	••••	••••	••••	••••	••••	••••	
Travel	••••	••••	••••	••••	••••	••••	
Contractual	••••	9.0	9.0	9.0	9.0	9.0	
Supplies	••••	••••	••••	••••	••••	••••	
Equipment	••••	••••	••••	••••	••••	••••	
Land & Structures	••••	••••	••••	••••	••••	••••	
Grants & Claims	••••	••••	••••	••••	••••	••••	
TOTAL OPERATING	0.0	9.0	9.0	9.0	9.0	9.0	
CAPITAL	••••	••••	••••	••••	••••	••••	
REVENUE	••••	••••	••••	••••	••••	••••	

FUNDING:		(Thousands of Dollars)					
	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93	
General Funds	0.0	9.0	9.0	9.0	9.0	9.0	
Federal Funds	••••	••••	••••	••••	••••	••••	
Other	••••	••••	••••	••••	••••	••••	
TOTAL	0.0	9.0	9.0	9.0	9.0	9.0	

POSITIONS:							
	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93	
Full-time	••••	••••	••••	••••	••••	••••	
Part-time	••••	••••	••••	••••	••••	••••	
Temporary	••••	••••	••••	••••	••••	••••	

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: *Jan Strandberg* Jan Strandberg, General Counsel Phone: 264-8228
Division: Alaska Court System Date: 1/20/88
Approved by: *Stephanie Cole, for* Arthur H. Snowden, II, Administrative Director Date: 1/20/88
Agency: Alaska Court System

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management & Budget
Impacted Agency(ies)
Senate Secretary

RECEIVED
JAN 23 1988

LEGISLATIVE FINANCE

Fiscal Analysis: HCS for CSSB 79

This bill will require court hearings before a minor can be placed in a juvenile detention facility as well as hearings to determine if a minor is in civil contempt. Based on an approximate hearing time of 30 minutes each and on a population of 180 per year (as estimated in DHSS' position paper), this bill will increase court time by 90 hours. Because the impact does not warrant the addition of a permanent master, the court system intends to contract state-wide for special master's services based on an average of \$100 per hour.

5/15/87
Rec'd after bill r/o
SFC

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: CSSB 79 JUD
Publish Date: _____

Revision Date: 5/13/87
Title: "An Act relating to runaway minors..."
Sponsor: Rodey, Faiks, et. al.
Requestor: Senate Judiciary

Agency Affected: Administration
BRU: Office of Public Advocacy
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	142.1	147.8	153.7	159.8	166.2
TRAVEL		5.0	5.2	5.4	5.6	5.8
CONTRACTUAL		52.7	54.8	56.9	59.2	61.6
SUPPLIES		3.0	3.1	3.2	3.3	3.4
EQUIPMENT		12.0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	214.8	210.9	219.2	227.9	237.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	214.8	210.9	219.2	227.9	237.0
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	214.8	210.9	219.2	227.9	237.0

POSITIONS:

FULL-TIME	-0-	3.0	3.0	3.0	3.0	3.0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Brant McGee, Public Advocate *Btne* *MM* Phone: 274-1684
Division: Office of Public Advocacy Date: 5/13/87

Approved by Commissioner: Garrey Peska *GP* Date: 5/13/87
Agency: Department of Administration

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

RECEIVED
MAY 14 1987

LEGISLATIVE FINANCE.

3

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 79PERSONAL SERVICESAnchorage

1 Associate Attorney II Position Salary & Benefits = 52,446	52.4
1 Legal Secretary - Civil Section Salary & Benefits = 30,184	30.2

Fairbanks

1 Associate Attorney II Salary & Benefits = 59,456	<u>59.5</u>
---	-------------

Subtotal Personal Services	142.1
----------------------------	-------

TRAVEL

Additional travel funds to accommodate caseload increase	<u>5.0</u>
---	------------

Subtotal Travel	5.0
-----------------	-----

CONTRACTUAL

Approximately 60 cases outside Anchorage and Fairbanks @ 687.56 = 41,253	41.3
---	------

Additional office space in Anchorage for 2 Staff positions 380 sq. ft. x 2.50 = 950.00 950.00 x 12 months = 11,400	<u>11.4</u>
---	-------------

Subtotal Contractual	52.7
----------------------	------

SUPPLIES

Misc. stationary, library and office supplies for 3 new positions 1,000 x 3 = 3,000	<u>3.0</u>
---	------------

Subtotal Supplies	3.0
-------------------	-----

EQUIPMENT

Office furniture and equipment for 2 professional positions 3,000 x 2 = 6,000	6.0
---	-----

Office furniture and equipment for legal secretary position = 6,000	<u>6.0</u>
--	------------

Subtotal Equipment	12.0
--------------------	------

TOTAL:	<u>214.8</u>
--------	--------------

Position Title Associate Attorney II			No. of Positions 1	Range/Step 19/A	Barg. Unit X
Time Status PFT	Staff Months 12.0		Location EBA-Anchorage		Election District 8
Justification					
Type of Expenditure			Amount		
1			2		3
Salary			40,236		
Benefits			12,210		
Premium Pay					
Other					
Total Personal Services					52,446
Travel					
Contractual					
Commodities					
Equipment					
Other					
Total Cost					52,446
Funding Source for Total Cost					
Federal Receipts 1002					
G. F. Match 1003					
General Fund 1004					52,446
I-A Receipts 1006					
CIP Receipts 1061					
Other					

The Anchorage OPA office presently has 2 associate attorney positions which handle GAL appointments and 2 attorney positions who handle a combined caseload of GAL appointments and other civil litigation matters. Because of the anticipated increase in GAL appointments to runaways under this legislation, OPA estimates that at least 1 additional associate attorney will be needed to handle the increased workload.

**Request For
New Position**

Agency Dept. of Administration
 DRU Office of Public Advocacy
 Component Office of Public Advocacy

Page 3 of 5
 Revised Date 5/13/87

FY 88

Position Title Legal Secretary I			No. of Positions 1	Range/Step 10/A	Barg. Unit G
Time Status PFT	Staff Months 12.0		Location EBA-Anchorage		Election District 8
Type of Expenditure			Justification		
			<p>The Anchorage civil section presently has one legal secretary who provides clerical support to 4 professional positions, 2 Vista volunteers, and the VGAL program. This one clerical position will not be able to absorb the workload increase which will be created by 2 additional associate attorney positions handling a full GAL caseload. Therefore, an additional Legal Secretary I position will be required to handle clerical support for the 2 associate attorney positions.</p>		
1	2	3			
Salary	22,020				
Benefits	8,164				
Premium Pay					
Other					
Total Personal Services		30,184			
Travel					
Contractual					
Commodities					
Equipment					
Other					
Total Cost		30,184			
Funding Source for Total Cost					
Federal Receipts	1002				
G. F. Match	1003				
General Fund	1004	30,184			
I-A Receipts	1006				
CIP Receipts	1061				
Other					

**Request For
New Position**

Agency Administration
 BRU Office of Public Advocacy
 Component _____

Page 4 of 5
 Revised Date _____

FY 88

Position Title Associate Attorney II		No. of Positions 1	Range/Step 19/A	Barg. Unit X
Time Status PFT	Staff Months 12	Location JBA-Fairbanks		Election District 16
Justification				
The Fairbanks OPA office has only one associate attorney position which is devoted to GAL appointments. The one position would not be able to absorb the additional GAL appointments to runaway cases, nor can the other 3 attorney positions absorb the anticipated increase caused by this bill. OPA estimates that at least one additional associate attorney position for the Fairbanks office would be needed to handle the increased workload in GAL appointments.				
Type of Expenditure		Amount		
1	2	3		
Salary	45,972			
Benefits	13,484			
Premium Pay				
Other				
Total Personal Services		59,456		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		59,456		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	59,456		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For
New Position**

Agency Administration
 DNR Office of Public Advocacy
 Component _____

Page 5 of 5
 Revised Date _____

FY 88

SENATE COMMITTEE REPORT

FURTHER:

5/7/87

DATE TURNED INTO OFFICE 5/15/87

Mr. President:

FINANCE

Committee considered SB 79

runaway minors

and recommended:

replace with CS FOR _____) same title
 or adopt _____ CS FOR SB 79 (Jud)) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted Finance

Committee attached or adopted fiscal note(s)

new updated or previous law
Pub Def. Pub Adv. News zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]
[Signature]
[Signature]

AB. Do Pass
Chairman signature and recommendation

Committee Backup Attached

5/15/87
Zharoff

Proposed Senate Finance Committee Letter of Intent for ^{CS} SB 79: (Jud)

Given the likelihood that SB 79 will not pass the Legislature during the first session of the Fifteenth Alaska Legislature, thus eliminating the need for funding in FY88, it is the intent of the Senate Finance Committee to attach zero fiscal notes to SB 79.

In the event that SB 79 does pass the Legislature during the first session of the Fifteenth Alaska Legislature, it is the intent of the committee that the affected agencies work within existing budgetary resources to carry out the provisions of this measure, and may seek additional funding through supplemental appropriations.

Additionally, it is the intent of the committee that the Governor's Interim Commission on Children and Youth work with the House committee of referral, and the sponsor of SB 79, to examine and determine accurate fiscal requirements of this bill.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: CSSB 79(Jud)

Publish Date: _____

Revision Date: 14 May, 1987

Agency Affected: Administration

Title: "An act relating to runaway minors"

BRU: Office of Public Advocacy

Sponsor: Sen Rodey, et al.

Components: _____

Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Michael Thill

Phone: 465-4922

Division: Senator Zharoff's Staff

Date: 14 May, 1987

Approved by Commissioner: Senator Zharoff

Date: 14 May, 1987

Agency: Senate Finance Committee

Distribution (by preparer) :

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

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____
 Revision Date: 14 May, 1987
 Title: "An act relating to runaway minors"
 Sponsor: Sen Rodev et al.
 Requestor: _____

Bill Version: CSSB 79(Jud)
 Publish Date: _____
 Agency Affected: Dept of Administration
 BRU: Public Defender
 Components: Third Judicial District
Fourth Judicial District

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Michael Thill Phone: 465-4922
 Division: Senator Zharoff's Staff Date: 14 May, 1987
 Approved by Committee Member: Senator Zharoff Date: 14 May, 1987
 Agency: Senate Finance Committee

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)
 Senate Secretary

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version : CS SB 79 (Jud)

Publish Date : _____

REQUEST: _____

Revision Date: 14 May, 1987
Title: An act relating to runaway minors;

Agency Affected: Health and Social Services
BRU: Youth Services

Sponsor: Sen Rodev, et al
Requestor: _____

Components : _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Michael Thill
Division: Senator Zharoff's Staff

Phone: 465-4922
Date: 14 May, 1987

Approved by Commissioner: Senator Zharoff
Agency: Senate Finance Committee

Date: 14 May, 1987

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 79

An attorney will need to consult with, and represent in court, the Department of Health and Social Services in its efforts to obtain detention and civil contempt orders. The bill is also likely to result in the need for additional consultation and representation as the department will be required to assume custody of minors whose parents, based on the statutory right conferred upon them in section 1 of the bill, do not consent to the return of a minor to the home.

It is not possible to predict the level of additional activity that this will generate, but there will be some. The Department of Law is facing severe budget reductions in the coming fiscal year. To the extent that this bill results in a substantial body of new legal work, it will be necessary to seek a supplemental appropriation beginning in FY 88.

B

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version : CSSB 79
Publish Date : _____

Revision Date: _____
Title: "An Act relating to runaway and
missing minors."
Sponsor: Sen. Rodev, Faikes et al.
Requestor: H&SS Committee

Agency Affected: Department of Law
BRU: Legal Services

Components: Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		*	*	*	*	*
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		*	*	*	*	*
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		*	*	*	*	*
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Please see attached analysis.

Prepared by: Thomas A. Judson, Deputy Director

Phone: 465-3672

Division: Administrative Services

Date: April 8, 1987

Approved by Commissioner: Grace Berg Schaible, Atty. Gen.

Date: April 8, 1987

Agency: Department of Law

Distribution (by preparer):

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

RECEIVED

APR 08 1987

page 1 of 2

LEGISLATIVE FINANCE

Original sponsors: Rodey, Faiks,
Fischer, et al.

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 CS FOR SENATE BILL NO. 79 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act relating to runaway and missing minors."
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 47.10.141 is amended to read:

9 Sec. 47.10.141. RUNAWAY AND MISSING MINORS. (a) Upon receiving
10 a written or telephonic request to locate a minor evading the minor's
11 legal custodian or to locate a minor otherwise missing, a law enforce-
12 ment agency shall make reasonable efforts to locate the minor and
13 shall immediately complete a missing person's report containing infor-
14 mation necessary for the identification of the minor. As soon as
15 practicable, but not later than 24 hours after completing the report,
16 the agency shall transmit the report for entry into the Alaska Public
17 Safety Information Network and the National Crime Information Center
18 computer system. As soon as practicable, but not later than 24 hours
19 after the agency learns that the minor has been located, it shall
20 request that the Department of Public Safety and the Federal Bureau of
21 Investigation remove the information from the computer systems.

22 (b) A peace officer shall take into protective custody a minor
23 described in (a) of this section if the minor is not otherwise subject
24 to arrest or detention. The peace officer shall honor the minor's
25 preference to [EITHER] (1) return the minor to the legal custodian if
26 the legal custodian consents to the return; (2) take the minor to a
27 nearby location designated by the legal custodian; or (3) [(2)] take
28 the minor to an office specified by the Department of Health and
29 Social Services or a facility or contract agency of the department.

1 If an office specified by the department or a facility or contract
2 agency of the department does not exist in the community, the officer
3 shall take the minor to another suitable location and promptly notify
4 the department. Except as provided in (c) of this section, a [A] minor
5 under protective custody may not be housed in a jail or other
6 detention facility. Immediately upon taking a minor into protective
7 custody the officer shall advise the minor orally and in writing of
8 the right to social services under AS 47.10.142(b), and, if known, the
9 officer shall advise the legal custodian that the minor has been taken
10 into protective custody.

11 * Sec. 2. AS 47.10.141 is amended by adding a new subsection to read:

12 (c) A minor may be taken into protective custody by a peace
13 officer and placed into temporary detention in a juvenile detention
14 home if there has been an order issued by a court upon a finding of
15 probable cause that the minor is a runaway in violation of a valid
16 court order issued under AS 47.10.142(f) and is posing a clear and
17 present danger to the minor's own welfare. A minor detained under
18 this subsection shall be brought before a court within 48 hours after
19 the detention for a hearing to determine whether the minor is in civil
20 contempt of court under AS 09.50.010(5). This subsection does not
21 apply to a minor taken into protective custody in a community that
22 does not have a juvenile detention home.

23 * Sec. 3. AS 47.10.142 is amended by adding a new subsection to read:

24 (f) When a minor is committed to the department for temporary
25 placement under (e) of this section, the court order shall specify the
26 terms, conditions, and duration of placement. The court shall require
27 the minor to remain in the placement provided by the department and
28 shall clearly state in the order the consequences of violating the
29 order, including the possibility of detention under AS 47.10.141(c).

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version: CS SB No. 79
Publish Date: _____

Revision Date: _____
Title: An Act relating to runaway
and missing minors.
Sponsor: Roday, et al.
Requestor: _____

Agency Affected: Health and Social Services
BRU: Youth Services
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	230.6	230.6	230.6	230.6	230.6
TRAVEL		0.5	0.5	0.5	0.6	0.6
CONTRACTUAL		18.0	19.1	20.2	21.4	22.7
SUPPLIES		12.9	13.7	14.5	15.4	16.3
EQUIPMENT		7.8	8.3	8.8	9.3	9.9
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	269.8	272.2	274.6	277.3	280.1

CAPITAL	-0-	760.0	-0-	-0-	-0-	-0-
----------------	------------	--------------	------------	------------	------------	------------

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
----------------	------------	------------	------------	------------	------------	------------

FUNDING: (Thousands of Dollars)

GENERAL FUND		1029.8	272.2	274.6	277.3	280.1
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	1029.8	272.2	274.6	277.3	280.1

POSITIONS:

FULL-TIME	-0-	5.0	5.0	5.0	5.0	5.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary) *Zeroed 5/15/87 SFC*

See Attached

Prepared by: Yvonne M. Chase, Director Phone: 465-3170
Division: Division of Family and Youth Services Date: 4/15/87

Approved by Commissioner: Myra M. Munson, Commissioner Date: 4/15/87
Agency: Department of Health and Social Services

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 79

In an average year, approximately 500 runaways in Anchorage, and an additional 500 runaways statewide are handled by the Division of Family and Youth Services. In addition, statewide averages indicate that approximately 900 runaways are taken into emergency custody annually. Approximately 2/3 of emergency runaways are female and 1/3 are male.

Preliminary analysis also indicates that approximately 180 (or 20%) of the runaway population placed in temporary custody by the Division of Family and Youth Services subsequently run from their temporary placement location. Of this 180, 90 generally occur in Anchorage (60 female, 30 male), and the other 90 occur statewide (again, 60 female and 30 male). Assuming all 180 runaways are eventually taken into emergency custody by police and detained for an average of 10 days, the following scenario can be constructed:

1. McLaughlin Youth Center (MYC) - 600 detention days for girls; 300 detention days for boys.
2. Fairbanks Youth Facility (FYF) - 100 detention days (includes both girls and boys).
3. Juneau Youth Facility - 45 detention days (includes both girls and boys).

ANALYSIS

Given these estimates, additional detention beds would be required as follows:

McLaughlin -

female: $60 \times 10 \text{ days} = 600 \text{ person days} - 365 = 1.6 \text{ average daily population}$

male: $30 \times 10 \text{ days} = 300 \text{ person days} - 365 = .82 \text{ average daily population}$

Fairbanks Youth Facility -

$11 \text{ runaways total} \times 10 \text{ days} = 110 \text{ person days} - 365 = .30 \text{ average daily population}$

Other (Juneau Youth Facility, Nome, Bethel) -

one bed each to accommodate anticipated increase in average daily population.

CAPITAL COSTS - Given the above, a total increase of 7 new detention beds will be required. Average cost of construction per bed is \$100,000 in Anchorage, Fairbanks and Juneau, and \$130,000 per bed in Nome and Bethel. Total CIP cost - \$760,000.

OPERATING COSTS - The Division of Family and Youth Services would realize an increased demand on PFT staff to accommodate the increase in client population. Minimal impact would be an increase in one shift and would translate into four additional Youth Counselor I positions, and one additional Youth Counselor III position. Total position costs is reflected in the personal services line item (\$230.6).

Related travel, contractual, and commodities are prorated on a percentage basis of total increase in staff.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

3/5/87
S (Hess)
Look at SFC
initial notes

REQUEST: _____

Bill Version: SB79
Publish Date: _____

Revision Date: _____

Agency Affected: Dept. of Administration
BRU: Public Defender Agency

Title: "An Act relating to runaway minors..."

Sponsor: Sen. Rodev, Sen. Faiks

Components: Third Judicial District

Requestor: Judiciary

Fourth Judicial District

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		238.5	248.0	257.9	268.2	278.9
TRAVEL		-0-				
CONTRACTUAL		15.0	15.6	16.2	16.9	17.6
SUPPLIES		4.5	4.7	4.9	5.1	5.3
EQUIPMENT		6.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	264.0	268.3	279.0	290.2	301.8

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	264.0	268.3	279.0	290.2	301.8
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	264.0	268.3	279.0	290.2	301.8

POSITIONS:

FULL-TIME	-0-	4.0	4.0	4.0	4.0	4.0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

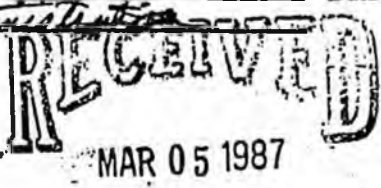
Zeroed 5/15/87 SFC

See attached analysis

Prepared by: Dana Fabe, Public Defender *DF* Phone: 279-7541
Division: Public Defender Agency Date: _____

Approved by Commissioner: [Signature] Date: 2/27/87
Agency: Department of Administration

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary



LEGISLATIVE FINANCE

51879

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB79

This bill would authorize detention of runaway minors and mandate 30 days detention for repeat offenders. Juveniles detained under this act would be entitled to legal representation by either private counsel, the Public Defender Agency or the Office of Public Advocacy. As many as several thousand new cases each year can be expected so the Public Defender Agency is requesting two Attorney III's and a Legal Secretary I for Anchorage and one Attorney III for Fairbanks for a total of 264.0.

BUDGET ANALYSIS

100	Anchorage - Attorney III	66.1	
	Attorney III	66.1	
	Leg. Secty. I	31.5	
	Fairbanks - Attorney III	74.8	238.5
200	Travel		-0-
300	Contractual: Space, phone, etc.		15.0
400	Supplies: Law Library, office, etc.		4.5
500	Equipment: One time		<u>6.0</u>
		Total	264.0

Position Title Legal Secretary I			No. of Positions 1	Range/Step 10A	Base Unit 68	Gov.	Approv.	Disapp.	
Time Status PFT	Staff Months 12.0	RP Number	Location Anchorage		Election District 92	Leg.			
			Justification						
Type of Expenditure		Amount		SB79 would authorize detention of runaway minors and mandate 30 days detention for repeat offenders. Juveniles detained under this act would be entitled to representation so the Public Defender Agency is requesting two Attorney III's and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks.					
1	2	3							
Salary	22,020								
Benefits	9,431								
Premium Pay									
Other									
Total Personal Services		31,451							
Travel		-0-							
Contractual		-0-							
Commodities		1,000							
Equipment		1,500							
Other									
Total Cost		33,951							
Receipt Code		Funding Source							
		Federal Receipts	1002						
		G. F. Match	1003						
		General Funds	1004						33,951
		I-A Receipts	1005						
		Program Receipts	1028						
		CIP Receipts	1061						
		Other							
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> For B&M Use Only Key Number _____ </div>									

Request For
New Position

Agency Dept. of Administration
BRU Public Defender Agency
Component Third Judicial District

Page 5 of 6
Revised Date _____

FY 87

Position Title Attorney III			No. of Positions 1	Range/Step 22A	Barg. Unit PX	Gov.	Approv.	Disappr.
Time Status PFT	Staff Months 12.0	RP Number	Location Fairbanks	Election District 94		Leg.		
Type of Expenditure			Justification					
		Amount	<p>SB79 would authorize detention of runaway minors and mandate 30 days detention for repeat offenders. Juveniles detained under this act would be entitled to representation so the Public Defender Agency is requesting two Attorney III's and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks.</p>					
1	2	3						
Salary	56,244							
Benefits	18,551							
Premium Pay								
Other								
Total Personal Services		74,795						
Travel		-0-						
Contractual		5,000						
Commodities		1,500						
Equipment		1,500						
Other								
Total Cost		82,795						
Receipt Code	Funding Source							
	Federal Receipts	1002						
	G. F. Match	1003						
	General Funds	1004	82,795					
	I-A Receipts	1005						
	Program Receipts	1028						
	CIP Receipts	1061						
	Other							
For B&M Use Only								
Key Number								

**Request For
New Position**

Agency Dept. of Administration
 BRU Public Defender Agency
 Component Fourth Judicial District

FY 87

Page 6 of 3
 Revised Date

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

3/5/78
S (HESS)
Lack of 300
revenue noted

REQUEST: _____

Bill Version : SB 79
Publish Date : _____

Revision Date: _____
Title: "An Act relating to
runaway minors..."
Sponsor: Rodey, Faks, et. al.
Requestor: Senate Judiciary

Agency Affected: Administration
BRU: Office of Public Advocacy

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	0	194.6	202.4	210.5	218.9	337.7
TRAVEL		15.0	15.6	16.2	16.8	17.5
CONTRACTUAL		148.9	154.9	161.1	167.5	174.2
SUPPLIES		4.0	4.2	4.4	4.6	4.8
EQUIPMENT		15.0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		377.5	377.1	392.2	407.8	424.2

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		377.5	377.1	392.2	407.8	424.2
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		4.0	4.0	4.0	4.0	4.0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) *Zeroed 5/15/87 SFC*

Prepared by: Brant McGee, Public Advocate Phone: 274-1684
Division: Office of Public Advocacy Date: 2/22/87

Approved by Commissioner: Garrey Peska Date: 2/27/87
Agency: Department of Administration

Distribution (by preparer):

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

RECEIVED
MAR 05 1987

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 79

PERSONAL SERVICES

Anchorage

2	Associate Attorney II Positions Salary & Benefits $42,446 \times 2 = 104,892$	104.9
1	Legal Secretary - Civil Section Salary & Benefits = 30,184	30.2

Fairbanks

1	Associate Attorney II Salary & Benefits = 59,456	59.5
---	---	------

Subtotal Personal Services 194.6

TRAVEL

Additional travel funds to accommodate caseload increase.	15.0
---	------

15.0

CONTRACTUAL

Approximately 200 cases in Rural Areas @ 687.56 = 137,512	137.5
--	-------

Additional Office Space in Anchorage for 2 Associate Attorney II positions. 380 sq.ft. x 2.50 = 950.00 950.00 x 12 months = 11,400	11.4
---	------

Subtotal Contractual 148.9

SUPPLIES

Misc. stationary, library and office supplies for 4 new positions. 1,000 x 4 = 4,000	4.0
--	-----

4.0

EQUIPMENT

Office furniture and equipment for 3 professional positions. 3,000 x 3 = 9,000	9.0
--	-----

Office furniture and equipment for Legal Secretary position = 6,000	6.0
--	-----

Subtotal Equipment 15.0

Page 2 of 5 TOTAL 377.5

Position Title Associate Attorney II			No. of Positions 2	Range/Step 19/A	Barg. Unit X
Time Status PFT	Staff Months 24.0		Location EBA-Anchorage		Election District 8
Type of Expenditure			Amount		
1			2		
3					
Salary	40,236 X 2	80,472			
Benefits	12,210 X 2	24,420			
Premium Pay					
Other					
Total Personal Services		104,892			
Travel					
Contractual					
Commodities					
Equipment					
Other					
Total Cost		104,892			
Funding Source for Total Cost					
Federal Receipts	1002				
G. F. Match	1003	104,892			
General Fund	1004				
I-A Receipts	1006				
CIP Receipts	1061				
Other					

Justification

The Anchorage OPA office presently has 2 associate attorney positions which handle GAL appointments and 2 attorney positions who handle a combined caseload of GAL appointments and other civil litigation matters. Because of the anticipated increase in GAL appointments to runaways under this legislation, OPA estimates that at least 2 additional associate attorneys would be needed to handle the increased workload.

**Request For
New Position**

Agency Administration
 BRU Office of Public Advocacy
 Component _____

Page 3 of 5
 Revised Date _____

FY 88

Position Title Legal Secretary I		No. of Positions 1	Range/Step 10/A	Barg. Unit G
Time Status PFT	Staff Months 12.0	Location EBA-Anchorage		Election District 8
Justification				
The Anchorage civil section presently has one legal secretary who provides clerical support to 4 professional positions, 2 Vista volunteers, and the VGAL program. This one clerical position will not be able to absorb the workload increase which will be created by 2 additional associate attorney positions handling a full GAL caseload. Therefore, an additional Legal Secretary I position will be required to handle clerical support for the 2 associate attorney positions.				
Type of Expenditure		Amount		
1	2	3		
Salary	22,020			
Benefits	8,164			
Premium Pay				
Other				
Total Personal Services		30,184		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		30,184		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	30,184		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For
New Position**

Agency Administration
 BRU Office of Public Advocacy
 Component _____

Page 4 of 5
 Revised Date _____

FY 88

Position Title Associate Attorney II		No. of Positions 1	Range/Step 19/A	Barg. Unit X
Time Status PFT	Staff Months 12	Location JBA-Fairbanks		Election District 16
Type of Expenditure		Amount		
1	2	3		
Salary	45,972			
Benefits	13,484			
Premium Pay				
Other				
Total Personal Services		59,456		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		59,456		
Funding Source for Total Cost				
Federal Receipts	1002			
Gr. F. Match	1003			
General Fund	1004	59,456		
I-A Receipts	1006			
CIP Receipts	1061			
Other				
Justification				
<p>The Fairbanks OPA office has only one associate attorney position which is devoted to GAL appointments. The one position would not be able to absorb the additional GAL appointments to runaway cases, nor can the other 3 attorney positions absorb the anticipated increase caused by this bill. OPA estimates that at least one additional associate attorney position for the Fairbanks office would be needed to handle the increased workload in GAL appointments.</p>				

**Request For
New Position**

Agency Administration
 BRU Office of Public Advocacy
 Component _____

Page 5 of 5
 Revised Date _____

FY 88

STATE OF ALASKA 1987 LEGISLATIVE SESSION FISCAL NOTE

Bill Version: CS SB 79 JUD

Publish Date: _____

REQUEST: _____

Revision Date: 5/7/87
Title: "An Act relating to runaway minors..."

Agency Affected: Department of Administrative
BRU: Public Defender Agency

Sponsor: Sen. Rodev
Requestor: Senate Finance

Components: Third Judicial District
Fourth Judicial District

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		172.4	179.3	186.5	194.0	201.8
TRAVEL						
CONTRACTUAL		10.0	5.0	5.2	5.4	5.0
SUPPLIES		3.0	3.1	3.2	3.3	3.4
EQUIPMENT		4.5				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		189.9	187.4	194.9	202.7	210.8

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		189.9	187.4	194.9	202.7	210.8
FEDERAL FUNDS						
OTHER						
TOTAL		189.9	187.4	194.9	202.7	210.8

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Zeroed 5/15/87 SFC

See Attached Analysis

Prepared by: Dana Fabe, Public Defender
Division: Public Defender Agency

Phone: 279-7541
Date: 5/13/87

Approved by Commissioner: Garrey Peska
Agency: Department of Administration

Date: 5/13/87

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CS SB 79

This bill will authorize peace officers to place runaway minors into juvenile detention facilities if they are in violation of a court Child in Need of Aid placement order. This law differs drastically from the current law which does not permit runaways to be "incarcerated" in a detention facility. Once the runaway has been placed to juvenile detention, he or she has a right to a hearing within 48 hours. Each runaway will have the right to an attorney at this hearing which will amount to a criminal contempt proceeding for violation of the court order. In fact, criminal contempt requires a jury trial prior to use of incarceration as a penalty and thus some of these juvenile runaways will qualify for jury trial. Despite the statute's characterization of this proceeding as a "civil" contempt proceeding, it is more akin to criminal contempt due to the fact that the runaway will not "hold the keys of his release in his own pocket," the identifying factor for civil contempt.

In Anchorage alone, it is estimated that there are as many as twelve hundred runaway minors. Even if only some percentage of these minors will qualify for juvenile detention under this bill, each case will involve numerous court hearings and the possibility of trial, as noted above. Based on the expectation that these cases will be concentrated in Anchorage and Fairbanks, the Public Defender Agency is requesting an Attorney III and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks for a total of 189.9.

BUDGET ANALYSIS

100	Anchorage - Attorney III	66.1	
	Legal Secty I	31.5	
	Fairbanks - Attorney III	74.8	172.4
200	Travel		-0-
300	Contractual: Space, phone, etc.		10.0
400	Supplies: Law library, office, etc.		3.0
500	Equipment: One time		<u>4.5</u>
	TOTAL		189.9

Position Title Attorney III		No. of Positions 1	Range/Step 22A	Barg. Unit PX
Time Status PPT	Staff Months 12.0	Location Anchorage		Election District 92
Justification				
Type of Expenditure		Amount		
1	2	3		
Salary	49,140			
Benefits	16,980			
Premium Pay				
Other				
Total Personal Services		66,120		
Travel		-0-		
Contractual		5,000		
Commodities		1,000		
Equipment		1,500		
Other				
Total Cost		73,620		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	73,620		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

SB 79 would authorize detention of runaway minors and mandate detention for repeat offenders. Juveniles detained under this act would be entitled to representation so the Public Defender Agency is requesting an Attorney III and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks.

**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component Third Judicial District

FY 88

Page 3 of 5
 Revised Date 5/13/87

Position Title Legal Secretary I		No. of Positions 1	Range/Step 10A	Barg. Unit GG
Time Status PFT	Staff Months 12.0	Location Anchorage		Election District 92
Justification				
SB 79 would authorize detention of runaway minors and mandate 30 days detention for repeat offenders. Juveniles detained under this act would be entitled to representation so the Public Defender Agency is requesting two Attorney III's and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks.				
Type of Expenditure		Amount		
1	2	3		
Salary	22,020			
Benefits	9,431			
Premium Pay				
Other				
Total Personal Services		31,451		
Travel		-0-		
Contractual		-0-		
Commodities		1,000		
Equipment		1,500		
Other				
Total Cost		33,951		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	33,951		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component Third Judicial District

Page 4 of 5
 Revised Date 5/13/87

FY 88

Position Title Attorney III		No. of Positions 1	Range/Step 22A	Barg. Unit PX
Time Status PFT	Staff Months 12.0	Location Fairbanks		Election District 94
Justification				
SB 79 would authorize detention of runaway minors and mandate detention for repeat offenders. Juveniles detained under this act would be entitled to representation so the Public Defender Agency is requesting an Attorney III and a Legal Secretary I for Anchorage and an Attorney III for Fairbanks.				
Type of Expenditure			Amount	
1	2	3		
Salary	56,244			
Benefits	18,551			
Premium Pay				
Other				
Total Personal Services		74,795		
Travel		-0-		
Contractual		5,000		
Commodities		1,000		
Equipment		1,500		
Other				
Total Cost		82,295		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	82,295		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component Fourth Judicial District

Page 5 of 5
 Revised Date 5/13/87

FY 88

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: CSSB 79 JUD
Publish Date: _____

Revision Date: 5/13/87

Agency Affected: Administration
BRU: Office of Public Advocacy

Title: "An Act relating to runaway minors..."

Sponsor: Rodey, Falks, et. al.

Components: _____

Requestor: Senate Judiciary

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	142.1	147.8	153.7	159.8	166.2
TRAVEL		5.0	5.2	5.4	5.6	5.8
CONTRACTUAL		52.7	54.8	56.9	59.2	61.6
SUPPLIES		3.0	3.1	3.2	3.3	3.4
EQUIPMENT		12.0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	214.8	210.9	219.2	227.9	237.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	214.8	210.9	219.2	227.9	237.0
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	214.8	210.9	219.2	227.9	237.0

POSITIONS:

FULL-TIME	-0-	3.0	3.0	3.0	3.0	3.0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Brant McGee, Public Advocate

Phone: 274-1684

Division: Office of Public Advocacy

Date: 5/13/87

Approved by Commissioner: Garrey Peska

Date: 5/13/87

Agency: Department of Administration

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 79
PERSONAL SERVICES

Anchorage

1 Associate Attorney II Position Salary & Benefits = 52,446	52.4
1 Legal Secretary - Civil Section Salary & Benefits = 30,184	30.2

Fairbanks

1 Associate Attorney II Salary & Benefits = 59,456	<u>59.5</u>
---	-------------

Subtotal Personal Services	142.1
----------------------------	-------

TRAVEL

Additional travel funds to accommodate caseload increase	<u>5.0</u>
---	------------

Subtotal Travel	5.0
-----------------	-----

CONTRACTUAL

Approximately 60 cases outside Anchorage and Fairbanks @ 687.56 = 41,253	41.3
---	------

Additional office space in Anchorage for 2 Staff positions 380 sq. ft. x 2.50 = 950.00 950.00 x 12 months = 11,400	<u>11.4</u>
---	-------------

Subtotal Contractual	52.7
----------------------	------

SUPPLIES

Misc. stationary, library and office supplies for 3 new positions 1,000 x 3 = 3,000	<u>3.0</u>
---	------------

Subtotal Supplies	3.0
-------------------	-----

EQUIPMENT

Office furniture and equipment for 2 professional positions 3,000 x 2 = 6,000	6.0
---	-----

Office furniture and equipment for legal secretary position = 6,000	<u>6.0</u>
--	------------

Subtotal Equipment	12.0
--------------------	------

TOTAL:	<u>214.8</u>
--------	--------------

Position Title Associate Attorney II		No. of Positions 1	Range/Step 19/A	Barg. Unit X																																																												
Time Status PFT	Staff Months 12.0	Location EBA-Anchorage		Election District 8																																																												
<table border="1"> <thead> <tr> <th>Type of Expenditure</th> <th>1</th> <th>2</th> <th>Amount</th> <th>3</th> </tr> </thead> <tbody> <tr> <td>Salary</td> <td></td> <td>40,236</td> <td></td> <td></td> </tr> <tr> <td>Benefits</td> <td></td> <td>12,210</td> <td></td> <td></td> </tr> <tr> <td>Premium Pay</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Other</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="3">Total Personal Services</td> <td></td> <td>52,446</td> </tr> <tr> <td>Travel</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Contractual</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Commodities</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Equipment</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Other</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="3">Total Cost</td> <td></td> <td>52,446</td> </tr> </tbody> </table>		Type of Expenditure	1	2	Amount	3	Salary		40,236			Benefits		12,210			Premium Pay					Other					Total Personal Services				52,446	Travel					Contractual					Commodities					Equipment					Other					Total Cost				52,446	Justification The Anchorage OPA office presently has 2 associate attorney positions which handle GAL appointments and 2 attorney positions who handle a combined caseload of GAL appointments and other civil litigation matters. Because of the anticipated increase in GAL appointments to runaways under this legislation, OPA estimates that at least 1 additional associate attorney will be needed to handle the increased workload.		
Type of Expenditure	1	2	Amount	3																																																												
Salary		40,236																																																														
Benefits		12,210																																																														
Premium Pay																																																																
Other																																																																
Total Personal Services				52,446																																																												
Travel																																																																
Contractual																																																																
Commodities																																																																
Equipment																																																																
Other																																																																
Total Cost				52,446																																																												
Funding Source for Total Cost																																																																
Federal Receipts	1002																																																															
G. F. Match	1003																																																															
General Fund	1004	52,446																																																														
I-A Receipts	1005																																																															
CIP Receipts	1061																																																															
Other																																																																

**Request For
New Position**

Agency Dept. of Administration
 BRU Office of Public Advocacy
 Component Office of Public Advocacy

Page 3 of 5
 Revised Date 5/13/87

FY 88

Position Title Legal Secretary I		No. of Positions 1	Range/Step 10/A	Org. Unit G
Time Status PFT	Staff Months 12.0	Location EBA-Anchorage		Electing District 8
Justification				
The Anchorage civil section presently has one legal secretary who provides clerical support to 4 professional positions, 2 Vista volunteers, and the VGAL program. This one clerical position will not be able to absorb the workload increase which will be created by 2 additional associate attorney positions handling a full GAL caseload. Therefore, an additional Legal Secretary I position will be required to handle clerical support for the 2 associate attorney positions.				
Type of Expenditure		Amount		
1	2	3		
Salary	22,020			
Benefits	8,164			
Premium Pay				
Other				
Total Personal Services		30,184		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost		30,184		
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004	30,184		
I-A Receipts	1006			
CIP Receipts	1061			
Other				

**Request For
New Position**

Agency Administration
 BRU Office of Public Advocacy
 Component _____

Page 4 of 5
 Revised Date _____

FY 88

DT 10113 UNCL - CIVIL SERVICE - 10 CT 1981

10/

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

DRAFT

Bill Version: CSSB 79(HESS)

Publish Date: _____

REQUEST _____

Revision Date: _____

Agency Affected: Public Safety

Title: "An Act relating to runaway and missing minors."

BRU: Alaska State Troopers

Sponsor: Sen. Rodey, Faiks, ...

Components: _____

Requestor: Senate HESS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		0	0	0	0	0
TRAVEL		0	0	0	0	0
CONTRACTUAL		0	0	0	0	0
SUPPLIES		0	0	0	0	0
EQUIPMENT		0	0	0	0	0
LAND & STRUCTURES		0	0	0	0	0
GRANTS, CLAIMS		0	0	0	0	0
MISCELLANEOUS		0	0	0	0	0
TOTAL OPERATING		0	0	0	0	0
CAPITAL		0	0	0	0	0
REVENUE		0	0	0	0	0

FUNDING:: (Thousands of Dollars)

GENERAL FUNDS		0	0	0	0	0
FEDERAL FUNDS		0	0	0	0	0
OTHER		0	0	0	0	0
TOTAL		0	0	0	0	0

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Kathy Niles, Administrative Ass't

Phone: 465-4336

Division: Commissioner's Office

Date: 4/08/87

Approved by Commissioner: [Signature]

Date: 4/8/87

Agency: Public Safety

Distribution (by preparer):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)

Senate Secretary

RECEIVED

APR 08 1987

page ____ of ____

LEGISLATIVE FINANCE

JNL
4/8/87

46 217

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version: SB 79

Publish Date: _____

Revision Date: _____

Agency Affected: Public Safety

Title: "An Act relating to runaway
minors."

BRU: Alaska State Troopers

Sponsor: Sen. Rodey

Components: Detachments & CIB

Requestor: Senate HESS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
----------------	----------	----------	----------	----------	----------	----------

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Francis C. Allan F.C.A. Phone: 269-5691
 Division: Alaska State Troopers Date: 2/12/87

Approved by Commissioner: William R. Nix Date: 2/17/87
 Agency: Public Safety

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)
 Senate Secretary

MAR 04 1987

LEGISLATIVE FINANCE page _____ of _____

JNR
2/17/87

SB 79

Original sponsors: Rodey, Faiks,
Fischer, et al.

1 IN THE SENATE HEALTH, EDUCATION AND SOCIAL
SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 79 (HESS)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to runaway and missing minors."

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

8 * Section 1. AS 47.10.141 is amended to read:

9 Sec. 47.10.141. RUNAWAY AND MISSING MINORS. (a) Upon receiving
10 a written or telephonic request to locate a minor evading the minor's
11 legal custodian or to locate a minor otherwise missing, a law enforce-
12 ment agency shall make reasonable efforts to locate the minor and
13 shall immediately complete a missing person's report containing infor-
14 mation necessary for the identification of the minor. As soon as
15 practicable, but not later than 24 hours after completing the report,
16 the agency shall transmit the report for entry into the Alaska Public
17 Safety Information Network and the National Crime Information Center
18 computer system. As soon as practicable, but not later than 24 hours
19 after the agency learns that the minor has been located, it shall
20 request that the Department of Public Safety and the Federal Bureau of
21 Investigation remove the information from the computer systems.

22 (b) A peace officer shall take into protective custody a minor
23 described in (a) of this section if the minor is not otherwise subject
24 to arrest or detention. The peace officer shall honor the minor's
25 preference to [EITHER] (1) return the minor to the legal custodian if
26 the legal custodian consents to the return; (2) take the minor to a
27 location designated by the legal custodian; or (3) [(2)] take the
28 minor to an office specified by the Department of Health and Social
29 Services or a facility or contract agency of the department. If an

1 office specified by the department or a facility or contract agency of
2 the department does not exist in the community, the officer shall take
3 the minor to another suitable location and promptly notify the depart-
4 ment. Except as provided in (c) of this section, a [A] minor under
5 protective custody may not be housed in a jail or other detention
6 facility. Immediately upon taking a minor into protective custody the
7 officer shall advise the minor orally and in writing of the right to
8 social services under AS 47.10.142(b), and, if known, the officer
9 shall advise the legal custodian that the minor has been taken into
10 protective custody.

11 * Sec. 2. AS 47.10.141 is amended by adding a new subsection to read:

12 (c) A minor may be taken into protective custody by a peace
13 officer and placed into temporary detention in a juvenile detention
14 facility if there has been an order issued by a court upon a finding
15 of probable cause that the minor is a runaway in violation of a valid
16 court order issued under AS 47.10.142(f) and is posing a clear and
17 present danger to the minor's own welfare. A minor detained under
18 this subsection shall be brought before a court within 48 hours after
19 the detention for a hearing to determine whether the minor is in civil
20 contempt of court under AS 09.50.010(5). This subsection does not
21 apply to a minor taken into protective custody in a community that
22 does not have a juvenile detention facility.

23 * Sec. 3. AS 47.10.142 is amended by adding a new subsection to read:

24 (f) When a minor is committed to the department for temporary
25 placement under (e) of this section, the court order shall specify the
26 terms, conditions, and duration of placement. The court shall require
27 the minor to remain in the placement provided by the department and
28 shall clearly state in the order the consequences of violating the
29 order, including the possibility of detention under AS 47.10.141(c).

1 IN THE SENATE

BY RODEY, FAIKS, FISCHER, KELLY,
SZYMANSKI, ABOOD, UEHLING, ELIASON,
JOSEPHSON, STURUGLEWSKI AND HALFORD

2

SENATE BILL NO. 79

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to runaway minors."

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

8 * Section 1. AS 47.10.141 is amended to read:

9 Sec. 47.10.141. RUNAWAY AND MISSING MINORS. (a) Upon receiving
10 a written or telephonic request to locate a minor evading the minor's
11 legal custodian or to locate a minor otherwise missing, a law enforce-
12 ment agency shall make reasonable efforts to locate the minor and
13 shall immediately complete a missing person's report containing infor-
14 mation necessary for the identification of the minor. As soon as
15 practicable, but not later than 24 hours after completing the report,
16 the agency shall transmit the report for entry into the Alaska Public
17 Safety Information Network and the National Crime Information Center
18 computer system. As soon as practicable, but not later than 24 hours
19 after the agency learns that the minor has been located, it shall
20 request that the Department of Public Safety and the Federal Bureau of
21 Investigation remove the information from the computer systems.

22 (b) A peace officer shall take into protective custody a minor
23 described in (a) of this section if the minor is not otherwise subject
24 to arrest or detention. If the minor has not previously been taken
25 into protective custody under this section while evading the minor's
26 legal custodian, then the [THE] peace officer, after complying with
27 the requirements of (d) of this section, shall honor the minor's
28 preference to [EITHER] (1) return the minor to the legal custodian if
29 the legal custodian consents to the return; (2) take the minor to a

1 location designated by the legal custodian; or (3) [(2)] take the
2 minor to an office specified by the Department of Health and Social
3 Services or a facility or contract agency of the department. If an
4 office specified by the department or a facility or contract agency of
5 the department does not exist in the community, the officer shall take
6 the minor to another suitable location and promptly notify the depart-
7 ment. Except as provided in (c) of this section, a [A] minor under
8 protective custody may not be housed in a jail or other detention
9 facility. Immediately upon taking a minor into protective custody the
10 officer shall advise the minor orally and in writing of the right to
11 social services under AS 47.10.142(b), and, if known, the officer
12 shall advise the legal custodian that the minor has been taken into
13 protective custody.

14 * Sec. 2. AS 47.10.141 is amended by adding new subsections to read:

15 (c) A minor who is taken into protective custody by a peace
16 officer while the minor was evading the minor's legal custodian shall
17 be placed in a juvenile detention facility approved by the department
18 for a period of 30 days after being taken into custody if the minor
19 was previously taken into protective custody by a peace officer in the
20 state while the minor was evading the minor's legal custodian. Before
21 the minor is placed in detention, the peace officer who took the minor
22 into protective custody shall comply with the requirements of (d) of
23 this section.

24 (d) As soon as practicable after taking into custody a minor who
25 is evading the minor's legal custodian, a peace officer shall ac-
26 company the minor to a location specified by the department for an
27 examination of the minor. The department shall adopt regulations that
28 specify the appropriate tests and analyses to be administered to the
29 minor to detect evidence of alcohol, drug, physical, or sexual abuse.

1 (e) A peace officer shall take a minor into protective custody
2 if the peace officer has probable cause to believe that the minor is
3 evading the minor's legal custodian and

4 (1) is in danger of harm or poses a threat of harm to
5 others; or

6 (2) is living with a person who is not a legal custodian of
7 the minor.

POSITION PAPER
CSSB 79 (HESS)

This bill mandates the efforts of law enforcement agencies in locating runaway minors. The revised subsection (c) now also mandates the detention of the minor if the minor is a runaway in violation of a valid court order under subsection (f) and is posing a clear and present danger to the minor's own welfare.

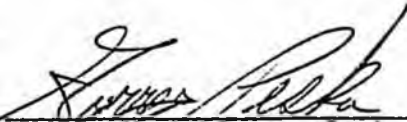
The revised subsection (c) is a great improvement over previous language requiring a thirty-day detention of a second-time runaway. However, the current bill could result in the detention of first-time runaways because a standard order would be issued pursuant to subsection (f) listing the consequences of violation. Thus, a finding of violation of a court order would be easily made if the minor left the placement. Many, if not most, cases would involve a finding of "clear and present danger" because most children would present a danger to themselves if not living in a safe environment.

If the primary purpose of the bill is to provide for the detention of chronic runaways, then language requiring a finding under subsection (c) that the child had exhibited previous runaway behavior would assure that detention would be used only for repeat runaways.

The Office of Public Advocacy would support CSSB 79 (HESS) if the statute expressly targeted the limited population of chronic runaways.

Brant McGee, Director
Office of Public Advocacy

Date



Commissioner Garrey Peska
Department of Administration

4/17/87
Date

RECEIVED
APR 20 1987

LEGISLATIVE FINANCE

SB 79

SENATE COMMITTEE REPORT

FURTHER: FINANCE

DATE TURNED INTO OFFICE 5/7/85

Mr. President:

JUDICIARY

Committee considered SB 79

~~relating~~ runaway minors

and recommended:

replace with CS FOR SB 79 (Gen)) same title
 or adopt _____ CS FOR _____) ~~input~~ new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

Pat Rader

OTHER RECOMMENDATIONS

Don DeMow - No Rec.
Celia Stuplishki No Rec

Kittling No Rec
Chairman signature and recommendation

Committee Backup Attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 4/1/87 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: JUDICIARY
Finance

**FISCAL NOTE(S) ATTACHED 3 **
IN ACCORDANCE WITH AS 24.08.035
(see below)

1/22/87
Mr. President:

DATE TURNED INTO OFFICE 4/16/87

HESS Committee considered SB 79

relating to runaway minors.

and recommended:

- replace with CS SB 79 (HESS) same title
- attached amendment(s) and new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____
- letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero 2 fiscal impact /

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

2 Paul Hulse
(Not the total answer)

3 Paul Josephson (No Rec.)

1 Paul Hulse, Do Pass
Chairman signature and recommendation

Committee Backup Attached