

HB

104

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 10, 1995

FURTHER REFERRALS:

Judiciary

Date of Committee Action: 4/4/95

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

SSHB 104

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 104

DISCLOSURE OF JUVENILE RECORDS

"An Act relating to disclosures of information about certain minors."

recommends it be replaced with the following committee substitute CS SS HB 104 (HES) [X] the same title [] a new title

[] additional referral to _____ Committee
[] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[] fiscal note(s) _____

[] fiscal note(s) _____

[X] zero fiscal note(s) Public Safety Court System, H+SS

[] zero fiscal note(s) _____

Table with 5 columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Contains handwritten signatures and checkmarks.

CHAIR'S SIGNATURE

Handwritten signature of the chair, Cas Bende.

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSSHB104

Revision Date: _____
Title: Disclosure of Information on Minors
Sponsor: Representative Kott
Requestor: House (HES)

Dept. Affected: Health and Social Services
BRU: Family and Youth Services
Component: DFYS Central Office
COMPONENT SERIAL NO. 259
See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES

CHANGES IN REVENUES

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

There would be no fiscal impact for the Department if this bill were to become law.

Prepared by: L. Diane Worley, Director *L. Worley*
Division: Family & Youth Services *Tom LUCIAN*

Phone: 465-3191
Date: 04/05/95

Approved by Commissioner: Karen Perdue, Commissioner *K. Perdue*
Agency: Department of Health & Social Services

Date: 4/5/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSSHB 104 (HES)

Revision Date: 03/20/95
Title: Disclosure of juvenile records
Sponsor: Rep. Kott, Bunde, Green
Requestor: _____

Dept. Affected: Alaska Court System
BRU: Trial Courts
Components: _____
COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 95) cost: \$ None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *(Signature)* Phone: 264-8228
Agency: Alaska Court System Date: 03/20/95

Approved by: Arthur H. Snowden, II, Administrative Director *(Signature)* Date: 03/20/95
Agency: Alaska Court System

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**STATE OF ALASKA
1995 LEGISLATIVE SESSION**

BILL NO: CSSSHB 104 (HESS)

Revision Date: _____ Dept. Affected: Public Safety
 Title: Disclosure of juvenile records BRU: Alaska State Troopers
 Component: Detachments
 Sponsor: Representative Kott
 Requestor: (H) HESS COMPONENT SERIAL NO. 799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES () <small>Revenue Code</small>	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 95) impact: \$ -0-

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

No material impact.

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 04/03/95
 Approved by Commissioner: *Francis C. Allan* Date: 4-4-95
 Agency: Ronald L. Otte, Dept. of Public Safety

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9-LS0276K
Chenoweth
3/24/95

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 104()

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES KOTT, Bunde, Green

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to disclosures of information about certain minors."

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

3 * Section 1. AS 09.25.120(a) is amended to read:

4 (a) Every person has a right to inspect a public record in the state, including
5 public records in recorders' offices, except

6 (1) records of vital statistics and adoption proceedings that [WHICH]
7 shall be treated in the manner required by AS 18.50;

8 (2) records pertaining to juveniles; however,

9 (A) notwithstanding AS 47.10.093(a), when a juvenile has
10 been arrested by a peace officer for commission of an offense that would
11 have been a felony if committed by an adult, the following information
12 about the juvenile may be disclosed by the entity employing the peace
13 officer:

14 (i) the juvenile's name;

15 (ii) the date and place of the offense; and

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(iii) a description of the nature of the offense; and

(B) records pertaining to juveniles may be disclosed if

[UNLESS] disclosure is otherwise authorized by law;

(3) medical and related public health records;

(4) records required to be kept confidential by a federal law or regulation or by state law;

(5) to the extent the records are required to be kept confidential under 20 U.S.C. 1232g and the regulations adopted under 20 U.S.C. 1232g in order to secure or retain federal assistance;

(6) records or information compiled for law enforcement purposes, but only to the extent that the production of the law enforcement records or information

(A) could reasonably be expected to interfere with enforcement proceedings;

(B) would deprive a person of a right to a fair trial or an impartial adjudication;

(C) could reasonably be expected to constitute an unwarranted invasion of the personal privacy of a suspect, defendant, victim, or witness;

(D) could reasonably be expected to disclose the identity of a confidential source;

(E) would disclose confidential techniques and procedures for law enforcement investigations or prosecutions;

(F) would disclose guidelines for law enforcement investigations or prosecutions if the disclosure could reasonably be expected to risk circumvention of the law; or

(G) could reasonably be expected to endanger the life or physical safety of an individual.

9-LS0276G
Chenoweth
3/13/95

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 104()
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES KOTT, Bunde, Green

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to disclosures of information about certain minors."

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

3 * Section 1. AS 09.25.120(a) is amended to read:

4 (a) Every person has a right to inspect a public record in the state, including
5 public records in recorders' offices, except

6 (1) records of vital statistics and adoption proceedings that [WHICH]
7 shall be treated in the manner required by AS 18.50;

8 (2) records pertaining to juveniles; however,

9 (A) records relating to the arrest of a juvenile by a peace
10 officer may be disclosed for public inspection by the entity employing the
11 peace officer if the juvenile's arrest is for commission of an offense that
12 would have been a felony if committed by an adult; and

13 (B) records pertaining to juveniles may be disclosed if
14 [UNLESS] disclosure is otherwise authorized by law;

15 (3) medical and related public health records;

1 (4) records required to be kept confidential by a federal law or
2 regulation or by state law;

3 (5) to the extent the records are required to be kept confidential under
4 20 U.S.C. 1232g and the regulations adopted under 20 U.S.C. 1232g in order to secure
5 or retain federal assistance;

6 (6) records or information compiled for law enforcement purposes, but
7 only to the extent that the production of the law enforcement records or information

8 (A) could reasonably be expected to interfere with enforcement
9 proceedings;

10 (B) would deprive a person of a right to a fair trial or an
11 impartial adjudication;

12 (C) could reasonably be expected to constitute an unwarranted
13 invasion of the personal privacy of a suspect, defendant, victim, or witness;

14 (D) could reasonably be expected to disclose the identity of a
15 confidential source;

16 (E) would disclose confidential techniques and procedures for
17 law enforcement investigations or prosecutions;

18 (F) would disclose guidelines for law enforcement investigations
19 or prosecutions if the disclosure could reasonably be expected to risk
20 circumvention of the law; or

21 (G) could reasonably be expected to endanger the life or
22 physical safety of an individual.

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

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Juneau, Alaska 99801-2105

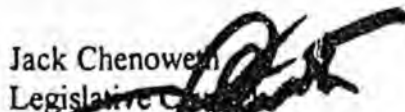
MEMORANDUM

February 1, 1995

SUBJECT: SSHB 104, relating to disclosure of information about minors:
sectional analysis (Work Order No. 9-LS0276\F)

TO: Representative Pete Kott
ATTN: Rod Mourant

FROM: Jack Chenoweth
Legislative C



The bill proposes to allow release of information and records about certain minors. The information and records that may be disclosed derive from two sources, records of the Alaska Court System and records compiled and maintained by state and municipal law enforcement agencies.

The first five sections of the bill speak to information and records of the Alaska Court System.

The principal operative provision applicable to release of court records is bill section 5. Under that bill section, if the court has entered an order adjudicating a minor a delinquent, the minor was 14 years of age at the time of the entry of the adjudication order, and the adjudication was based upon the minor's commission of an offense that would be a felony if committed by an adult, then the clerk of the court in which that order is entered may publicly disclose the minor's name and address and the offense that the minor committed.

Disclosure of court system records under AS 47.10.090(f) implicates existing laws relating to confidential treatment of court records concerning minors and the authority of the courts to close and seal court records about a minor. The changes proposed by bill sections 1 - 4 recognize the exception for the records disclosable under AS 47.10.090(f) from existing provisions generally applicable to continued confidential treatment and sealing of those records.

The last three sections of the bill speak to the manner of handling information and records of agencies.

Bill section 6 makes a collateral change to recognize that AS 47.10.093(h) is a further exception to the general rule that agency records concerning minors are to be confidentially handled.

Bill section 7 amends existing AS 47.10.093(c). Paragraph (c)(3)(A) directs a law enforcement agency to release information to a school principal relating to an offense alleged to have been committed by a minor if the law enforcement agency has probable cause to believe that the minor committed an offense that would be a crime against a person under AS 11.41 if it had been committed by an adult. This mandatory disclosure is in addition to the optional or discretionary disclosure currently allowed by law, set out in paragraph (c)(3)(B). In addition, under paragraph (c)(4), law enforcement agencies may, when authorized by court order, publicly disclose information about a case involving a minor and provide a picture of the minor, "as may be necessary to protect the safety of the public."

Bill section 8 amplifies the law enforcement disclosure provisions:

-- subsection (h) permits the school principal to whom information had been disclosed under AS 47.10.093(c)(3) to re-disclose within the limitations noted;

-- subsection (i) makes an exception to law enforcement agency disclosure if a disclosure would jeopardize an ongoing investigation;

-- subsection (j) sets out a definition for the term "school."

JBC:lmb

95-103.lmb

Alaska State Legislature House of Representatives

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SPONSOR STATEMENT HB 104

The problems with juvenile crime are pervasive in modern society. House Bill 104 is a first step toward informing communities and teachers of the severity of the problems and identify the perpetrators.

This legislation calls on the Alaska Court System to identify juvenile offenders who, if they had committed the same crime as an adult, would have been charged with a felony. Except when it would interfere with an ongoing investigation, the identity of a juvenile offender in this category would be disclosed to school districts and the general public. This would allow teachers to know when they are dealing with a serious disciplinary problem. It would also allow the general public to know when a serious offender is present in their neighborhood and community.

When juveniles know that their identity will be revealed to their friends and neighbors when they commit a serious crime, it should act as a deterrent. This is a small effort to help reduce this growing trend. It may help a juvenile decide what type of life they want and should lead and lead them to make the correct choice.

You are encouraged to support this important piece of legislation.



Representative Pete Kott



FISCAL NOTE

STATE OF ALASKA

BILL NO. HB 104

1995 LEGISLATIVE SESSION

Revision Date: _____

Department Affected: Education

Title: Disclosure of Juvenile Records

BRU: Executive Administration

Component: Commissioner's Office

Sponsor: Representative Kolt

Requester: Representative Kolt

COMPONENT SERIAL NO. 185

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

House Bill 104 clarifies when state and municipal law enforcement agencies are required to disclose information to public or private elementary and secondary schools regarding minors who commit offenses. Passage of this legislation will have no fiscal impact on the Department of Education.

Prepared by: Sheila Peterson, Special Assistant Phone: 465-2803

Division: Commissioner's Office Date: February 18, 1995

Approved by Commissioner: [Signature] Jerry Covey

Agency: Education Date: _____

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SSHB104

Revision Date: _____
Title: Disclosure of Information on Minors
Sponsor: Representative Kott
Requestor: House (HES)

Dept. Affected: Health and Social Services
BRU: Family and Youth Services
Component: Northern Region
COMPONENT SERIAL NO. 255
See also (SN#): 258,254,259,1628,1962,252,253

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

1002 Federal Receipts	(499.2)	(499.2)	(499.2)	(499.2)	(499.2)	(499.2)
1003 GF Match	(618.5)	(618.5)	(618.5)	(618.5)	(618.5)	(618.5)
1004 GF	1,117.7	1,117.7	1,117.7	1,117.7	1,117.7	1,117.7
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

Revising 47.10.090 making some juvenile records public in Sec.10 will place the state out of compliance with federal regulations concerning Title IV-B and Title IVE of the Social Security Act [42 U.S.C.671 (a)(8)]. The state would lose \$499.2 in Federal receipts in reimbursement for payments made for administrative costs in Northern Region, and another \$5,587.5 for residential care, foster care, family preservation, and subsidized adoptions as well as administrative costs for the other components in Family & Youth Services BRU. The total loss would be \$6,086.7. In addition to the \$5,502.2 previously required in general fund match, another \$6,086.7 would still be required from the general fund.

Prepared by: Kathy Tibbles, Acting Director
Division: Family & Youth Services
Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Phone: 465-3191
Date: 02/21/95
Date: 2/22/95

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SSH104

Revision Date: _____
Title: Disclosure of Information on Minors
Sponsor: Representative Kott
Requestor: House (HES)

Dept. Affected: Health and Social Services
BRU: Family and Youth Services
Component: Southcentral Region
COMPONENT SERIAL NO. 254
See also (SN#): 258,255,259,1628,1962,252,253

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

1002 Federal Receipts	(1,135.1)	(1,135.1)	(1,135.1)	(1,135.1)	(1,135.1)	(1,135.1)
1003 GF Match	(1,118.9)	(1,118.9)	(1,118.9)	(1,118.9)	(1,118.9)	(1,118.9)
1004 GF	2,254.0	2,254.0	2,254.0	2,254.0	2,254.0	2,254.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

Revising 47.10.090 making some juvenile records public in Sec.10 will place the state out of compliance with federal regulations concerning Title IV-B and Title IVE of the Social Security Act (42 U.S.C.671 (a)(8)). The state would lose \$1,135.1 in Federal receipts in reimbursement for payments made for administrative costs in Southcentral Region, and another \$4,951.6 for residential care, foster care, family preservation, and subsidized adoptions as well as administrative costs for the other components in Family & Youth Services BRU. The total loss would be \$6,086.7. In addition to the \$5,502.2 previously required in general fund match, another \$6,086.7 would still be required from the general fund.

Prepared by: Kathy Tibbles, Acting Director
Division: Family & Youth Services
Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Phone: 465-3191
Date: 02/21/95

Date: 2/22/95

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SSHB104

Revision Date: _____
Title: Disclosure of Information on Minors
Sponsor: Representative Kott
Requestor: House (HES)

Dept. Affected: Health and Social Services
BRU: Family and Youth Services
Component: Southeastern Region
COMPONENT SERIAL NO. 258
See also (SN#): 254,255,259,1628,1962,252,253

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts	(283.0)	(283.0)	(283.0)	(283.0)	(283.0)	(283.0)
1003 GF Match	(326.3)	(326.3)	(326.3)	(326.3)	(326.3)	(326.3)
1004 GF	609.3	609.3	609.3	609.3	609.3	609.3
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

Revising 47.10.090 making some juvenile records public in Sec.10 will place the state out of compliance with federal regulations concerning Title IV-B and Title IVE of the Social Security Act [42 U.S.C.671 (a)(8)]. The state would lose \$283.0 in Federal receipts in reimbursement for payments made for administrative costs in Southeastern Region, and another \$5,803.7 for residential care, foster care, family preservation, and subsidized adoptions as well as administrative costs for the other components in Family & Youth Services BRU. The total loss would be \$6,086.7. In addition to the \$5,502.2 previously required in general fund match, another \$6,086.7 would still be required from the general fund.

Prepared by: Kathy Tibbles, Acting Director
Division: Family & Youth Services
Approved by Commissioner: Karen Perade, Commissioner
Agency: Department of Health & Social Services

Phone: 465-3191
Date: 02/21/95

Date: 2/22/95

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

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Revision Date: _____
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Sponsor: Representative Kott
Requestor: House (HES)

Dept. Affected: Health and Social Services
BRU: Family and Youth Services
Component: DFYS Central Office
COMPONENT SERIAL NO. 259
See also (SN#): 258,255,254,1628,1962,252,253

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

1002 Federal Receipts	(1,188.4)	(1,188.4)	(1,188.4)	(1,188.4)	(1,188.4)	(1,188.4)
1003 GF Match	(941.5)	(941.5)	(941.5)	(941.5)	(941.5)	(941.5)
1004 GF	2,129.9	2,129.9	2,129.9	2,129.9	2,129.9	2,129.9
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

Revising 47.10.090 making some juvenile records public in Sec.10 will place the state out of compliance with federal regulations concerning Title IV-B and Title IVE of the Social Security Act [42 U.S.C.671 (a)(8)]. The state would lose \$1,188.4 in Federal receipts in reimbursement for payments made for administrative costs in Central Office, and another \$4898.3 for residential care, foster care, family preservation, and subsidized adoptions as well as administrative costs for the other components in Family & Youth Services BRU. The total loss would be \$6,086.7. In addition to the \$5,502.2 previously required in general fund match, another \$6,086.7 would still be required from the general fund.

Prepared by: Kathy Tibbles, Acting Director
Division: Family & Youth Services
Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Phone: 465-3191
Date: 02/22/95
Date: 2/22/95

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SSB104

Revision Date: _____
Title: Disclosure of Information on Minors

Sponsor: Representative Kott
Requestor: House (HES)

Dept. Affected: Health and Social Services
BRU: Purchased Services
Component: Sub Adoption & Guardianship
COMPONENT SERIAL NO. 1962
See also (SN#): 258,255,254,259,253,252,1628

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

1002 Federal Receipts	(1,018.6)	(1,018.6)	(1,018.6)	(1,018.6)	(1,018.6)	(1,018.6)
1003 GF Match	(1,018.6)	(1,018.6)	(1,018.6)	(1,018.6)	(1,018.6)	(1,018.6)
1004 GF	2,037.2	2,037.2	2,037.2	2,037.2	2,037.2	2,037.2
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

Revising 47.10.090 making some juvenile records public in Sec.10 will place the state out of compliance with federal regulations concerning Title IV-B and Title IVE of the Social Security Act [42 U.S.C.671 (a)(8)]. The state would lose \$1018.6 in Federal receipts in reimbursement for payments made for Subsidized Adoption, and another \$5,068.1 for residential care, foster care, and family preservation as well as administrative costs for the other components in Family & Youth Services BRU. The total loss would be \$6,086.7. In addition to the \$5,502.2 previously required in general fund match, another \$6,086.7 would still be required from the general fund.

Prepared by: Kathy Tibbles, Acting Director
Division: Family & Youth Services

Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Phone: 465-3191
Date: 02/22/95

Date: 2/22/95

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SSHB104

Revision Date: _____
Title: Disclosure of Information on Minors
Sponsor: Representative Kott
Requestor: House (HES)

Dept. Affected: Health and Social Services
BRU: Purchased Services
Component: Foster Care
COMPONENT SERIAL NO. 252
See also (SN#): 258,255,254,259,253,1962,1628

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

1002 Federal Receipts	(1,170.4)	(1,170.4)	(1,170.4)	(1,170.4)	(1,170.4)	(1,170.4)
1003 GF Match	(914.0)	(914.0)	(914.0)	(914.0)	(914.0)	(914.0)
1004 GF	2,084.4	2,084.4	2,084.4	2,084.4	2,084.4	2,084.4
1005 GF/Program Receipts						
1008 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

Revising 47.10.090 making some juvenile records public in Sec.10 will place the state out of compliance with federal regulations concerning Title IV-B and Title IVE of the Social Security Act [42 U.S.C.671 (a)(8)]. The state would lose \$1170.4 in Federal receipts in reimbursement for payments made for Foster Care, and another \$4916.3 for residential care, subsidized adoption, and family preservation as well as administrative costs for the other components in Family & Youth Services BRU. The total loss would be \$6,086.7. In addition to the \$5,502.2 previously required in general fund match, another \$6,086.7 would still be required from the general fund.

Prepared by: Kathy Tibbles, Acting Director
Division: Family & Youth Services
Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Phone: 465-3191
Date: 02/22/95
Date: 2/22/95

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SSHB104

Revision Date: _____
Title: Disclosure of Information on Minors
Sponsor: Representative Kott
Requestor: House (HES)

Dept. Affected: Health and Social Services
BRU: Purchased Services
Component: Family Preservation
COMPONENT SERIAL NO. 1628
See also (SN#): 258,255,254,259,1962,252,253

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

1002 Federal Receipts	(224.0)	(224.0)	(224.0)	(224.0)	(224.0)	(224.0)
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	224.0	224.0	224.0	224.0	224.0	224.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS. (Attach a separate page if necessary)

Revising 47.10.090 making some juvenile records public in Sec.10 will place the state out of compliance with federal regulations concerning Title IV-B and Title IVE of the Social Security Act [42 U.S.C.671 (a)(8)]. The state would lose \$224.0 in Federal receipts in reimbursement for payments made for Family Preservation grants and another \$5,829.7 for residential care, foster care, and subsidized adoptions as well as administrative costs for the other components in Family & Youth Services BRU. The total loss would be \$6,086.7. In addition to the \$5,502.2 previously required in general fund match, another \$6,086.7 would still be required from the general fund.

Prepared by: Kathy Tibbles, Acting Director
Division: Family & Youth Services
Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Phone: 465-3191
Date: 02/22/95
Date: 2/22/95

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SSH104

Revision Date: _____
Title: Disclosure of Information on Minors
Sponsor: Representative Kott
Requestor: House (HES)

Dept. Affected: Health and Social Services
BRU: Purchased Services
Component: Residential Child Care
COMPONENT SERIAL NO. 253
See also (SN#): 258.255.254.259.1962.252.1628

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

1002 Federal Receipts	(568.0)	(568.0)	(568.0)	(568.0)	(568.0)	(568.0)
1003 GF Match	(564.4)	(564.4)	(564.4)	(564.4)	(564.4)	(564.4)
1004 GF	1,132.4	1,132.4	1,132.4	1,132.4	1,132.4	1,132.4
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

Revising 47.10.090 making some juvenile records public in Sec.10 will place the state out of compliance with federal regulations concerning Title IV-B and Title IVE of the Social Security Act (42 U.S.C.671 (a)(8)). The state would lose \$568.0 in Federal receipts in reimbursement for payments made for Residential Care, and another \$5,518.7 for foster care, family preservation, and subsidized adoptions as well as administrative costs for the other components in Family & Youth Services BRU. The total loss would be \$6,086.7. In addition to the \$5,502.2 previously required in general fund match, another \$6,086.7 would still be required from the general fund.

Prepared by: 
Division: _____

Kathy Tibbles, Acting Director
Family & Youth Services

Phone: 465-3191
Date: 02.22/95

Approved by Commissioner: _____
Agency: _____

Karen Pedoe, Commissioner
Department of Health & Social Services

Date: 2/22/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SSHB 104

Revision Date: _____ Dept. Affected: Alaska Court System
 Title: Disclosura of juvenile records BRU: Trial Courts
 Components: _____
 Sponsor: Rep. Kott
 Requestur: _____ COMPONENT SERIAL NO. 788

EXPENDITURES/REVENUES (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	157.1	157.1	157.1	157.1	157.1	157.1
TRAVEL						
CONTRACTUAL						
SUPPLIES	1.5	1.5	1.5	1.5	1.5	1.6
EQUIPMENT	4.2					
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	162.8	158.6	158.6	158.6	158.6	158.6

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	162.8	158.6	158.6	158.6	158.6	158.6
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	162.8	158.6	158.6	158.6	158.6	158.6

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 95) cost: \$ None

ANALYSIS: (Attach a separate page if necessary)

See attached anlysls.

Prepared by: C. S. Christensen III, Staff Counsel *CSC* Phone: 264-8228
 Agency: Alaska Court System Date: 02/23/95

Approved by: Arthur H. Snowden, II, Administrative Director *AS* Date: 02/23/95
 Agency: Alaska Court System

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

Alaska Court System
Fiscal Analysis
SSHB 104

SSHB 104 provides that if a minor 14 years of age or older is adjudicated delinquent for the commission of an offense that would be a felony if committed by an adult, the clerk of court in which the adjudication order is entered may disclose to the public the name of the minor; the address of the minor; and the offense that the minor committed.

According to statistics provided by the Division of Family and Youth Services (DFYS), in FY 94 approximately 254 minors age 14 or older were adjudicated delinquent for an offense that would be a felony if committed by an adult. This is out of a 14 to 18-year old population of approximately 38,000; this latter figure, along with scores of thousands of young adults, is the potential group about which records requests could be made by potential employers, landlords, credit bureaus, neighbors, teachers, etc. Court records are not computerized or centralized. Accordingly, SSHB 104 would require the clerk to compile the information by means of an index search and case file review each time a request was made about a particular minor. Because most of a minor's file would remain confidential, the clerk could not have the requestor perform the index search and file review as is done with adult records. Moreover, the information would be accurate only for the court location at which the request was made; for example, the clerk in Fairbanks would not be able to advise a requestor if a minor had a record in another community. A complete records review would require a requestor to contact all 14 juvenile court locations, and would require court clerks to expend the identical effort fourteen times.

Statewide, courts receive over 3500 written requests per year for adult criminal records information, from individuals and entities that are located in a different community than the courthouse. Far more individuals and businesses perform adult criminal records research in person at courthouses. In Anchorage alone, for example, approximately 75 people per day request adult files to review for criminal records; these 75 individuals look through an estimated 500 files per day. It can be assumed that the number of requests for juvenile records will likewise be substantial, once they are made accessible. Unfortunately, it is the court clerks who will be required to look through these records to extract the limited information which SSHB 104 makes public.

Alaska Court SystemFiscal AnalysisSSHB 104Personal Services

	<u>Salary</u>	<u>Benefits</u>	<u>Total</u>
Legal Technician, range 12A, PFT, Anchorage	\$27,108	\$12,230	\$39,338
Legal Technician, range 12A, PFT, Anchorage	27,108	\$12,230	39,338
Legal Technician, range 12A, PFT, Fairbanks	30,780	13,196	43,976
Overtime for other courts at range 12A			<u>34,400</u>
Total Personal Services			157,052

Supplies

Office supplies for new positions			1,500
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Equipment (one-time item)

Desk, chair, computer terminal, etc for new positions			<u>4,200</u>
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Estimated Total Cost			<u><u>\$162,752</u></u>
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Alaska State Legislature

House of Representatives

COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

DATE:

PLACE: Capitol Room 106

SUBJECT OF MEETING:

~~HB 104~~ HB 104
DISCLOSURE OF JUVENILE
RECORDS

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
MARGARET W BERCK	ACLU	227 7 th St Juneau 99801		9-0384	6-3309	(Y) N	HB104
Margaret Knuth	Law-Crim				3428	(Y) N	HB104
Lee Ann Lucas	DPS				4322	(Y) N	HB104
ROD MOURANT	Rep. Kott				3777	(Y) N	HB104
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	



Alaska State Legislature
 House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

PLEASE!
 FILL IN ALL
 AREAS OF
 THIS FORM

SUBJECT OF MEETING:
 HB 104. DISCLOSURE OF
 JUVENILE RECORDS

DATE: APRIL 4, 1995

PLACE: Capitol Room 106

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Joe C. Sullivan	DPS				465-4322	Y	N	Available for Questions
Elmer Lindstrom	DHSS				465-3030	Y	N	Available to answer questions
Margaret W Berck	ACLU	227 7th St Juneau 99801		9-0384	6-3309	<input checked="" type="radio"/>	N	HB104
ROD MOURANT	Rep. Kott				3777	<input checked="" type="radio"/>	N	HB104
Margaret Knuth	Law				3428	Y	N	of GS or AMS
Dennis Gregor	Education	PO 3507 Palmer AK		746-0199	745-4871	<input checked="" type="radio"/>	N	Simulation
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	