

HB

244

HOUSE BILL NO. 244

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 3/8/95

Referred: Health, Education and Social Services, Judiciary Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to administrative establishment of paternity and establishing
2 paternity by affidavit; relating to child support enforcement; and providing for
3 an effective date."

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

5 * Section 1. AS 18.50.160(d) is repealed and reenacted to read:

Utah Statutes Act: Art. 3 Registration, etc new

6 (d) If the mother was married at conception, during the pregnancy, or at birth,
7 the name of the husband shall be entered on the certificate as the father of the child
8 unless

9 (1) paternity has been lawfully determined otherwise by a tribunal, in
10 which case the name of the father, if determined by a tribunal, shall be entered; or

11 (2) both the mother and the mother's husband execute affidavits
12 attesting that the husband is not the father and that another man is the father, and the
13 mother and the other man execute affidavits attesting that the other man is the father.
14 so long as the affidavits meet the requirements of (g) of this section.

new

Utah State Act: Art. 3- Registration etc

new

1 * Sec. 2. AS 18.50.160(e) is repealed and reenacted to read:

2 (e) If the mother was not married at conception, during the pregnancy, or at
3 birth, the name of the father may not be entered on the certificate of birth, unless

4 (1) paternity has been lawfully determined by a tribunal, in which case
5 the name of the father, if determined by the tribunal, shall be entered;

6 (2) both the mother and the man to be named as the father have
7 executed affidavits attesting that that man is the father, so long as the affidavits meet
8 the requirements of (g) of this section; or

9 (3) as otherwise specified by statute.

10 * Sec. 3. AS 18.50.160 is amended by adding new subsections to read:

11 (g) An affidavit under (d) or (e) of this section must meet the following
12 requirements:

13 (1) the affidavit must be executed by all required individuals; an
14 affidavit may be executed jointly, individually, or in combination of jointly and
15 individually; and

16 (2) if an affidavit is executed by more than one individual, the
17 signature of each individual must be individually notarized.

18 (h) in this section, unless the context requires otherwise, "tribunal" means a
19 court, administrative agency, or quasi-judicial entity authorized by law to determine
20 parentage.

21 * Sec. 4. AS ~~25.27.020~~ (a) is amended to read:

Duty & Responsibility

22 (a) The agency shall

CSEA Child support enforcement Chapter

CSEA

23 (1) seek enforcement of child support orders [OF THE SUPERIOR
24 COURTS] of the state in other jurisdictions and shall obtain, enforce, and administer
25 the orders in this state;

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

28 (A) schedules for determining the amount an obligor is liable
29 to contribute toward the support of an obligee under this chapter and under
30 42 U.S.C. 651 - 669 (Title IV-D, Social Security Act);

31 (B) procedures for hearings conducted under AS 25.27.170;

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[AND]

(C) subject to AS 25.27.025 and to federal law, a uniform rate of interest on arrearages of support that shall be charged the obligor upon notice if child support payments are 10 or more days overdue or if payment is made by a check backed by insufficient funds; however, an obligor may not be charged interest on late payment of a child support obligation, other than a payment on arrearages, if the obligor is

(i) employed and income is being withheld from the obligor's wages under an income withholding order;

(ii) receiving unemployment compensation and child support obligations are being withheld from the obligor's unemployment payments under AS 23.20.401; or

(iii) receiving compensation for disabilities under AS 23.30 and child support obligations are being withheld from the obligor's compensation payments; and

*Regulatory
New for
CSEA*

(D) procedures for establishing paternity, including procedures for hearings;

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

(4) establish, enforce, and administer child support obligations administratively under this chapter;

(5) administer the state plan required under 42 U.S.C. 651 - 669 (Title IV-D, Social Security Act) as amended;

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

(7) establish and enforce administratively under this chapter, or through the superior courts of the state, child support orders from other jurisdictions pertaining to obligors within the state;

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

1 (9) obtain a medical support order as part of a child support order if
2 health care coverage is available to the obligor at a reasonable cost; the agency shall
3 consider whether adequate health care is available to the child through the Indian
4 Health Service or other insurance coverage before it orders an obligor to provide health
5 care coverage through insurance or other means; the medical support order must meet
6 the requirements of AS 25.27.063; [AND]

7 (10) act on behalf of the Department of Health and Social Services in
8 the enforcement of AS 47.07.025(b);

9 (11) establish, administratively or through court action, the
10 paternity of a child;

11 (12) promptly provide to the Bureau of Vital Statistics, in a format
12 approved by the bureau, any final agency decision administratively establishing
13 the paternity of a child born in this state; and

14 (13) act as the central registry for all child support orders.

15 * Sec. 5. AS 25.27.022 is amended to read:

16 Sec. 25.27.022. ESTABLISHMENT AND ENFORCEMENT REQUESTS
17 FROM OTHER STATES. (a) The agency may act, under the laws of this state, upon
18 requests from similar state agencies in other states that operate child support
19 enforcement programs under 42 U.S.C. 651 - 669 (Title IV-D Social Security Act) to
20 establish paternity and to establish and enforce against obligors within this state
21 support obligations determined in other states.

22 (b) Requests from child support enforcement agencies in other states shall be
23 made by application containing the information that this state's agency requires and
24 including written authorization from the requesting state agency and the obligee for
25 this state's agency to initiate necessary action [NECESSARY TO ESTABLISH,
26 ENFORCE, AND COLLECT THE SUPPORT OBLIGATION ON THEIR BEHALF].

27 * Sec. 6. AS 25.27.040(a) is amended to read:

28 (a) The agency may [SHALL] appear on behalf of minor children or their
29 mother or legal custodian or the state and initiate efforts to have the paternity of
30 children born out of wedlock determined by the court. When the agency is a party to
31 a court [IN AN] action in which paternity is contested, it shall request and pay for

Determination of Paternity (in court)

1 genetic testing [TESTS] and procedures under AS 25.20.050(f). The agency may
2 recover the costs of the tests as a cost of the court action, except that costs may not
3 be recovered from a person who is a recipient of aid under AS 47.25.310 - 47.25.420
4 (Aid to Families with Dependent Children).

5 * Sec. 7. AS 25.27.040(c) is amended to read:

6 (c) When the agency is a party in a court [AN] action in which paternity is
7 contested, the agency shall move for a default judgment in a case that meets the
8 conditions specified in AS 25.20.050(g).

*Determination
of paternity*

9 * Sec. 8. AS 25.27.075(f) is amended to read:

Employment Information

10 (f) The agency shall retain the information received under (a), (d), and (e) of
11 this section for a particular employee only if the agency is responsible for establishing,
12 enforcing, or collecting a support obligation of the employee or if the employee is
13 a party to an administrative or judicial proceeding to determine the paternity of
14 a child. If the employee does not owe a support obligation or is not a party to a
15 paternity proceeding, the agency may not create a record regarding the employee, and
16 the information contained in the notice shall be promptly destroyed.

17 * Sec. 9. AS 25.27.085 is amended to read:

18 Sec. 25.27.085. SUBPOENAS. The agency, with the concurrence of the
19 commissioner of revenue, may subpoena persons, books, records, and documents

20 (1) to determine the extent and location of assets of any obligor who
21 is more than 45 days in arrears in a child support obligation established either by court
22 or administrative order; or

23 (2) to determine the paternity of a child under AS 25.27.165.

24 * Sec. 10. AS 25.27.140(a) is amended to read:

25 (a) If no support order has been entered, the agency may establish paternity
26 and a duty of support utilizing the procedures prescribed in AS 25.27.160 - 25.27.220
27 and may enforce a duty of support utilizing the procedure prescribed in AS 25.27.230 -
28 25.27.270. Action under this subsection may be undertaken upon application of an
29 obligee, or at the agency's own discretion if the obligor is liable to the state under
30 AS 25.27.120(a) or (b).

31 * Sec. 11. AS 25.27 is amended by adding a new section to read:

New

1 Sec. 25.27.165. DETERMINATION OF PATERNITY IN AN
2 ADMINISTRATIVE PROCEEDING. (a) Upon application from a mother, custodian,
3 or legal custodian of a child, or from a state, the agency may institute administrative
4 proceedings to determine the paternity of a child born out of wedlock.

5 (b) In order to initiate a paternity proceeding administratively, the agency shall
6 serve a mother and putative father, as appropriate, with a notice of paternity and
7 financial responsibility. The notice shall be served personally as set out in Alaska
8 Rule of Civil Procedure 4(d) or by registered, certified, or insured mail, return receipt
9 requested, for restricted delivery only to the person to whom the notice is directed or
10 to the person authorized under federal law to receive that person's restricted delivery
11 mail. The notice must be accompanied by

12 (1) an administrative order requiring that the mother, child, and putative
13 father submit to genetic testing to be arranged by the agency;

14 (2) an administrative order requiring the putative father to provide
15 financial information, as defined by the agency in regulation, within 20 days after
16 service of the notice; all financial information provided to the agency under an order
17 under this paragraph shall be held confidential by the agency, according to any
18 applicable regulations; and

19 (3) a notice of right to informal conference, to be held within 20 days
20 after receipt of an admission of paternity or service upon the parties of genetic test
21 results.

22 (c) A person served with a notice of paternity and financial responsibility shall
23 file a response, admitting or denying paternity and providing the required financial
24 information, within 20 days after the date of service of the notice of paternity and
25 financial responsibility. If the putative father admits paternity, the agency shall issue,
26 within 20 days after the admission of paternity, a decision establishing paternity. If
27 the putative father denies paternity, the putative father shall submit to genetic testing,
28 as provided in (b) of this section, within 30 days after the date of service of the notice
29 of paternity and financial responsibility.

30 (d) Upon receipt of genetic test results, the agency shall serve on the putative
31 father notice of the test results and of the date for the informal conference. Service

1 of the notice shall be made by first class mail. If the genetic test results are negative
2 under the standard set in AS 25.20.050(d), the agency shall issue a finding of
3 nonpaternity within 20 days after the agency's receipt of the test results. If the genetic
4 test results are positive under the standard set in AS 25.20.050(d), the agency shall
5 issue an informal conference decision within 20 days after the agency's receipt of the
6 test results.

7 (e) If the agency issues a decision establishing paternity under (d) of this
8 section, the putative father is entitled to a formal hearing if a written request for
9 hearing is served on the agency by certified mail, return receipt requested, within 30
10 days after the date of service of the agency's decision.

11 (f) If a request for a formal hearing is made under (e) of this section, an
12 execution under AS 25.27.062 and 25.27.230 - 25.27.270 may not be stayed unless the
13 putative father posts security or a bond in the amount of child support that would have
14 been due under the informal conference decision pending the decision on the formal
15 hearing. If no request for a formal hearing is made under (e) of this section, the
16 informal conference decision establishing paternity is final.

17 (g) If a request for a formal hearing is made under (e) of this section, the
18 hearing officer shall consider the evidence applying the standards set in
19 AS 25.20.050(d).

20 (h) If a putative father who requests a formal hearing under (e) of this section
21 fails to appear at the formal hearing, the hearing officer shall enter a final decision
22 establishing paternity.

23 (i) The agency may recover any costs it pays for genetic tests required by this
24 section, except that costs may not be recovered from a person who is a recipient of aid
25 under AS 47.25.310 - 47.25.420 (Aid to Families with Dependent Children).

26 (j) After a child's paternity has been established under the law, the agency may
27 not issue a decision or finding under this section that changes the child's paternity. } ?

28 * Sec. 12. AS 25.27.180(a) is amended to read:

29 (a) Within 20 days after [OF] the date of the hearing, the hearing officer shall
30 adopt findings and a decision determining whether paternity is established and
31 whether a duty of support exists and, if a duty of support is found, the amount of

1 periodic payments or sum for which the alleged obligor is found to be responsible.

2 * Sec. 13. AS 25.27.180(c) is amended to read:

3 (c) A decision regarding support rendered under (a) of this section is
4 modified to the extent that a subsequent order, judgment, or decree of a superior court
5 is inconsistent with the decision entered under (a) of this section.

6 * Sec. 14. AS 25.27.210(a) is amended to read:

7 (a) Judicial review by the superior court of a final administrative [AN
8 AGENCY] decision establishing paternity and establishing or modifying a duty of
9 support or amounts of support due may be obtained by filing a notice of appeal in
10 accordance with the applicable rules of court governing appeals in civil matters. A
11 notice of appeal shall be filed within 30 days after [OF] of the decision.

*Judicial
Review*

12 * Sec. 15. AS 25.27.210(c) is amended to read:

13 (c) The complete record includes

14 (1) the notice and finding of financial responsibility or the notice of
15 paternity and financial responsibility;

16 (2) the request for a hearing;

17 (3) the decision of the hearing officer;

18 (4) the exhibits admitted or rejected;

19 (5) the written evidence;

20 (6) all other documents in the case, including decisions of the agency.

21 * Sec. 16. AS 25.27.230(a) is amended to read:

22 (a) At the expiration of 30 days after [FROM EITHER] (1) the date of
23 distribution of an income withholding order under as 25.27.062, [OR] (2) the date of
24 service of a notice and finding of financial responsibility under AS 25.27.160, or (3)
25 the date of service of a decision establishing paternity under AS 25.27.165(c) or
26 (d), the agency may assert a lien upon the real or personal property of the obligor, in
27 the amount of the obligor's liability.

28 * Sec. 17. AS 25.27.250(a) is amended to read:

29 (a) At the expiration of [EITHER] (1) 15 days after [FROM] the date of
30 service of an income withholding order under AS 25.27.062 or notice under
31 AS 25.27.150, or (2) 30 days after [FROM] the date of service of a notice and finding

1 of financial responsibility under AS 25.27.160, or (3) 30 days after service of a
2 decision establishing paternity under AS 25.27.165(c) or (d), the agency may issue
3 to any person, political subdivision, or department of the state an order to withhold and
4 deliver property.

5 * Sec. 18. TRANSITION: REGULATIONS. The Department of Revenue, child support
6 enforcement agency, may immediately proceed to adopt regulations to implement the changes
7 made by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act),
8 but not before January 1, 1996.

9 * Sec. 19. Section 18 of this Act takes effect immediately under AS 01.10.070(c).

10 * Sec. 20. Except as provided in sec. 19 of this Act, this Act takes effect January 1, 1996.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 6, 1995

The Honorable Gail Phillips
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-8881

Dear Speaker Phillips:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the administrative determination of paternity by the Department of Revenue, child support enforcement division (CSED) and addressing the establishment of paternity based on voluntary acknowledgement of paternity by appropriate parties.

The bill would amend relevant portions of the laws currently found in AS 25.27 to allow CSED to administratively determine the paternity of children. The bill also amends AS 18.50.160, relating to the identification of parents on birth certificates by voluntary acknowledgement. The bill does not affect any existing court rules.

Under recent federal regulations adopted in December 1994, time frames for the establishment of paternity and support orders have been significantly shortened. In order to determine how best to meet these deadlines, CSED has reviewed the relevant Alaska statutes and its administrative procedures to identify areas that could be handled more efficiently than under the current state statutes and regulations. One such area is the determination of paternity. Under current state law, such determinations may only be made by a court.

This bill establishes a procedure by which CSED may determine paternity administratively, without resort to the courts. Under the proposed statute changes, CSED may initiate an administrative proceeding to determine paternity upon application of the child's mother or guardian or upon application of the State of Alaska or of another state. The proceeding is initiated through service of a Notice of Paternity and Financial Responsibility, together with an administrative order requiring the parties to submit to

The Honorable Gail Phillips

March 6, 1995

Page 2

genetic testing. Unless paternity is admitted or the alleged father fails to respond to the notice, CSED's determination of paternity will be based upon the results of the genetic testing and other evidence. In conjunction with the paternity proceeding, CSED also may establish the amount of the support obligation, which CSED is already permitted to do under existing law.

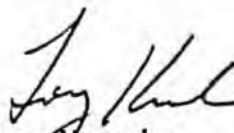
Through an appeal process, the bill safeguards the alleged father's rights with respect to the determination of paternity. Once CSED has issued its finding of paternity, the alleged father may request a formal hearing, after which the alleged father also will be entitled to judicial review if a timely appeal is filed with the superior court.

The bill amends the state law relating to the identification of parents on a child's birth certificate. The bill would allow the Bureau of Vital Statistics to enter a father's name on a child's birth certificate based on voluntary acknowledgements of paternity by the appropriate parties. If the child was born in wedlock (and, thus, the mother's husband is the legally presumed father), affidavits must be provided by the mother, her husband, and the alleged father, attesting that the husband is not the child's father and that the alleged father is the father of the child. If the child was born out of wedlock, affidavits are needed only from the mother and the alleged father, attesting that the alleged father is the child's father.

The bill also recognizes the growing use of administrative procedures in addition to or in place of judicial proceedings in the establishment of paternity and the establishment and enforcement of support orders. The changes proposed in the bill are intended to increase the efficiency of the child support enforcement process by allowing CSED and, in certain cases the parties themselves, to determine the paternity of children.

I urge prompt consideration and passage of this bill.

Sincerely,



Tony Knowles
Governor

HB 244 - SB 116

This bill provides for the administrative establishment of paternity, and for paternity to be established based upon the affidavits of the child's mother, her husband, and another man who is the child's father. The benefits and important features of the bill include the following:

- Paternity cases are currently handled only by Alaska's courts. Providing for establishment of paternity by CSED will speed up the establishment and enforcement of child support orders.
- The statute allows for paternity establishment through the courts or the agency. More complicated cases will generally be referred to court.
- Administrative establishment of paternity will allow CSED to meet federal deadlines for support order establishment, assuring continued federal funding.
- Paternity may be established administratively based on the putative father's acknowledgement of paternity or based on genetic test results according to the standard set forth in AS 25.20.050.
- The administrative paternity procedures are designed to give full due process, including service of the notice of paternity and financial responsibility by formal service rules; opportunity to object to genetic test results; and availability of full administrative hearing procedures followed by opportunity for court review.
- In the case of a child born in wedlock who is not the natural child of the husband, paternity may be established by affidavit of the mother, the husband and the other man who is the father of the child. This will avoid the expense and delay of filing a paternity action where all relevant parties agree.

(7)

Date Referred: March 8, 1995

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 4/27/95

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 244

HOUSE BILL NO. 244

PATERNITY; CHILD SUPPORT ENFORCEMENT

"An Act relating to administrative establishment of paternity and establishing paternity by affidavit; relating to child support enforcement; and providing for an effective date."

recommends it be replaced with the following committee substitute _____ [] 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) _____

[x] fiscal note(s) Revenue, H+SS

[] zero fiscal note(s) _____

[x] zero fiscal note(s) H+SS, Law

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>W. J. Kelly</i>	✓			
<i>Tom Lamb</i>			✓	
<i>Car Blendre</i>	✓			
<i>Stina</i>	✓			
<i>Car Blendre</i>	✓		✓	
<i>Tom Blendre</i>	✓			

CHAIR'S SIGNATURE *[Signature]*

FISCAL NOTE

NC _____
 Bill Version: HB 244
 (H) Publish Date: 3/3/95

STATE OF ALASKA
 1995 LEGISLATIVE SESSION

Revision Date _____
 Title: Administrative Establishment of Paternity
 Sponsor: Rules
 Requestor: Governor

Department Affected: Revenue
 BRU: Child Support Enforcement Division
 Component: Child Support Enforcement Division
 COMPONENT SERIAL NO. 111

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	189.1	351.7	365.8	380.4	395.6	411.5
TRAVEL						
CONTRACTUAL	86.2	180.2	188.3	196.8	206.0	215.4
SUPPLIES	3.2	6.4	8.4	6.4	6.4	8.4
EQUIPMENT	83.1	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	341.6	538.3	560.5	583.7	608.0	633.3

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	425.0	850.0	850.0	850.0	850.0	850.0
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FUND SOURCE: (Thousands of Dollars)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts	225.4	355.3	369.9	385.3	401.3	418.0
1003 GF Match	46.1	72.7	75.7	78.7	82.1	85.4
1004 GF						
1005 GF/Program Receipts						
1008 GF/MHTIA						
OTHER	70.0	110.3	114.9	119.7	124.8	129.9
TOTAL	341.6	538.3	560.5	583.7	608.0	633.3

Estimate of any current year (FY 95) cost: \$ 0.0

POSITIONS:

FULL-TIME	8	8	8	8	8	8
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

The administrative establishment of paternity, in cases where the putative father has acknowledged paternity or a genetic test indicates a 96% or better probability that the putative father is the father, will decrease the time required to establish paternity. This decreased time will help CSED meet the new Federal time frame for establishment which require that an order must be established in 75% of the cases within 6 months of location of the obligor including establishing paternity if required. The previous requirement was that paternity had to be established within one year of serving the paternity complaint on the putative father. Once paternity was established CSED had an additional 3 months to establish an order. By establishing paternity more quickly, obligors will not accumulate large arrearage prior to being adjudicated the father. Obligor will be more likely to pay and will begin paying earlier. This will increase AFDC collections approximately \$1,700,000 per year of which the state will retain \$850,000. FY 96 revenues will be \$425,000 for half a year.

Prepared by: Glenda Straube
 Division: Child Support Enforcement Division

Phone: 269-6801
 Date: _____

Approved by Commissioner: Wilson L. Condon
 Agency: Department of Revenue

Date: 3/6/95

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No. of Pos	Position Title	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88	
1	CTEO	13	20,774	12,537	148,742	171,771	199,701	201,411	194,477	211,454

Personal Services are estimated using Step 'A'
 * Program is effective 1/1/86. Plus the cost necessary 1/2 of total cost from fiscal year 86.
 ** Comments: based on 4% increase cost after fiscal year

# of Positions	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
	Est. Supply & Cost Per Pos	Est. Supply & Cost Per Pos	Est. Supply & Cost Per Pos	Est. Supply & Cost Per Pos	Est. Supply & Cost Per Pos	Est. Supply & Cost Per Pos	Est. Supply & Cost Per Pos
1	400	870	470	870	870	870	870
TOTAL SUPPLY COSTS		3,200	6,400	6,400	6,400	6,400	6,400

Supply costs were estimated at \$70 per year per employee. The number is based on FY 85 operating budget total divided by 171 employees.
 * Program is effective 1/1/86. Plus the cost necessary 1/2 of subsequent years fiscal year 86.

# of Positions	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
	Workstation Est. & Cost Per Pos	Workstation Est. & Cost Per Pos	Workstation Est. & Cost Per Pos	Workstation Est. & Cost Per Pos	Workstation Est. & Cost Per Pos	Workstation Est. & Cost Per Pos	Workstation Est. & Cost Per Pos
1	10,500	-	-	-	-	-	-
TOTAL EQUIPMENT COSTS		10,500					

Workstation costs are based on a computer used in FY 81 operating budget and include \$2,500 for technical workstation (from lemon), \$600 for chairs and \$425 for the cabinet. 1,436
 Computer costs are based on estimates used in FY 85 operating budget and include all installation costs. (See attachment) 3,700
 Phone costs are based on estimates used in FY 85 operating budget and include all installation costs. (See attachment) 1,101
 10,500

# of Positions	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos
1	9,472	21,471	21,613	22,576	23,707	24,847	24,847
TOTAL CONTRACTUAL COSTS		78,978	183,354	172,278	160,877	166,878	166,177

Estimated long distance costs were calculated by taking FY 95 budgeted contract (AC 7300) - \$3,627,400 and dividing by average number of employees (189.5).
 FY 87 thru 91 were projected at 5% increase a year. 19,404
 ** Program is effective 1/1/86. Plus the cost necessary 1/2 of subsequent years fiscal year 86.

# of Positions	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos	Contractual Est. & Cost Per Pos
1	1,628	2,040	2,040	2,040	2,040	2,040	2,040
TOTAL SPACE RENTAL COSTS		6,108	14,210	14,270	14,270	14,270	14,270

Rent is no projections are based on current space rates of \$1.28 sq. ft. for 12 months at 173 sq. ft. per employee. No increases are incorporated in fiscal years projected above. 2,040
 ** Program is effective 1/1/86. Plus the cost necessary 1/2 of subsequent years fiscal year 86.

**ADMINISTRATIVE PATERNITY ESTABLISHMENT
COST PROJECTIONS**

	FY 96 Projected Cost \$	FY 97 Projected Cost \$	FY 98 Projected Cost \$	FY 99 Projected Cost \$	FY 00 Projected Cost \$	FY 01 Projected Cost \$
Personnel Services	189,099	151,711	365,790	390,411	395,827	411,453
Supplies	3,200	6,400	6,400	6,400	6,400	6,400
Equipment	83,088					
Contractual	78,016	153,834	172,025	180,697	189,859	199,141
Space	8,160	16,320	16,320	16,320	16,320	16,320
Total	341,556	538,265	560,525	583,758	608,005	633,313
Projected Funding Sources						
Federal Match (66%)	225,427	355,255	369,947	385,280	401,294	417,987
Federal Incentives (20.5%)	70,019	110,344	114,808	119,870	124,841	129,829
State General Fund (13.6%)	46,110	72,666	75,671	78,607	82,081	85,497
Total	341,556	538,265	560,525	583,758	608,005	633,313

STATE OF ALASKA
1995 LEGISLATIVE SESSION

Bill Version: HB 244
(H) Publish Date: 3/8/95

Revision Date: _____
Title: Determination of Paternity
Sponsor: _____
Requestor: Governor's Office

Dept. Affected: Health and Social Services
BRU: State Health Services
Component: Bureau of Vital Statistics
COMPONENT SERIAL NO. 961
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						
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CHANGES IN REVENUES ()						
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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)

This bill has no impact on the Division of Public Health

Prepared by: Peter M. Nakamura, MD, MPH
Division: Public Health

Phone: (907) 465-3090
Date: 03/06/95

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

Date: 3.6.95

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

FISCAL NOTE

No. _____
Version: HB 244
(H) Publish Date: 3/8/95

Revision Date: _____ Dept. Affected: Health and Social Services
Title: An Act relating to the administrative establishment of paternity BRU: Assistance Payments
Sponsor: Rules Component: AFDC
Requestor: Governor COMPONENT SERIAL NO. 120

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY95	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGES IN REVENUES	0	0	0	0	0	0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	(425.0)	(850.0)	(850.0)	(850.0)	(850.0)	(850.0)
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	425.0	850.0	850.0	850.0	850.0	850.0
1006 GF/MHTA	0.0	0.0	0.0	0.0	0.0	0.0
Other 1007 I/A Receipts	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of any current year (FY95) cost: \$ NONE

ANALYSIS: (Attach a separate page if necessary)

This bill establishes authority for the Child Support Enforcement Division of the Department of Revenue to establish paternity by an administrative process. CSED expects child support collections on behalf of AFDC children to increase as a result of this legislation.

AFDC applicants assign to the State the right to collect child support on behalf of AFDC children. When CSED collects child support on behalf of an AFDC child, the first \$50 per month is paid to the AFDC family. Fifty percent of the amount collected is transferred as GF Program Receipts to the AFDC component of the Assistance Payments BRU. The remainder is paid to the federal government to offset federal AFDC costs.

Prepared by: Jim Nordlund, Director *Loe Polymen, Acting Dir.* Phone: 465-2680
Division: Division of Public Assistance Date: 3/6/95

Approved by Com: Karen Perdue, Commissioner *Perdue* Date: 3/6/95
Agency: Department of Health & Social Services

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ANALYSIS (cont.):

The GF Program Receipts transferred to the AFDC component are used in place of GF Match funds.

Assumptions:

We assume that the GF Program Receipt funds transferred from CSED to the AFDC program offset AFDC GF Match funds dollar-for-dollar.

Calculations:

CSED projects the following amounts of increased GF Program Receipts to be transferred to the AFDC Component as a result of this legislation:

FY 96: 425.0

FY 97- FY 01: 850.0 per year

FISCAL NOTE

No. 1
 Bill Version: HB 244
 (H) Publish Date: 3/8/95

**STATE OF ALASKA
 1995 LEGISLATIVE SESSION**

Revision Date: _____ Dept. Affected: Department of Law
 Title: administrative establishment of paternity and BRU: Legal Services
establishing paternity affidavit... child support enforcement... Component: Operations
 Sponsor: Rules by Request of the Governor
 Requester: Governor's Office/OMB COMPONENT SERIAL NO. 0093

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						
MISCELLANEOUS						
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)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
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

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

POSITIONS

POSITIONS	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill would allow the Child Support Enforcement Division to administratively determine the paternity of children. The bill also amends AS 18.50.160, relating to the identification of parents on birth certificates by voluntary acknowledgement.

The bill establishes a procedure by which CSED may determine paternity administratively, without resort to the courts. Under the proposed statute changes, CSED may initiate an administrative proceeding to determine paternity upon application of the child's mother or guardian or upon application of the State of Alaska or of another state. The proceeding is initiated through service of a Notice of Paternity and Financial Responsibility, together with an administrative order requiring the parties to submit to genetic testing. Unless paternity is admitted or the alleged father fails to respond to the notice, CSED's determination of paternity will be based upon the results of the genetic testing and other evidence. In conjunction with the paternity proceeding, CSED also may establish the amount of the support obligation, which CSED is already permitted to

Prepared by: Richard I. Peques, Director Phone: 465-3672
 Division: Administrative Services Division Date: 3/6/95
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 3/6/95
 Agency: Department of Law

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ANALYSIS CONTINUATION:

do under existing law.

Through an appeal process, the bill safeguards the alleged father's rights with respect to the determination of paternity. Once CSED has issued its findings of paternity, the alleged father may request a formal hearing, after which the alleged father also will be entitled to judicial review if a timely appeal is filed with the superior court.

CSED does not require the Department of Law's assistance in CSED's administrative proceedings, except in extreme circumstances. Consequently, the bill will not have a fiscal impact for the Department of Law.

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 8, 1995

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 4/27/95

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 244

HOUSE BILL NO. 244

PATERNITY; CHILD SUPPORT ENFORCEMENT

"An Act relating to administrative establishment of paternity and establishing paternity by affidavit; relating to child support enforcement; and providing for an effective date."

recommends it be replaced with the following committee substitute _____ 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) Revenue, H+SS
 zero fiscal note(s) _____ zero fiscal note(s) H+SS, Law

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>W. A. Kelly</i>	<input checked="" type="checkbox"/>			
<i>Long</i>			<input checked="" type="checkbox"/>	
<i>Car Blend</i>	<input checked="" type="checkbox"/>			
<i>Stia</i>	<input checked="" type="checkbox"/>			
<i>Car Blend</i>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<i>Tom</i>	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE _____

