

**HB**

**366**

# HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: March 18, 1998

FURTHER REFERRALS:

Date of Committee Action: 3/19/98

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

SSHB 366

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 366

NO CINA BASED SOLELY ON POVERTY

"An Act relating to child-in-need-of-aid proceedings."

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) \_\_\_\_\_

zero fiscal note(s) Alma Weiss  zero fiscal note(s) \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			

CHAIR'S SIGNATURE Car Bende

# FISCAL NOTE

STATE OF ALASKA  
1998 LEGISLATIVE SESSION

BILL NO. HB 366

Revision Date: \_\_\_\_\_  
 Title: "An Act relating to CINA proceedings for a child whose family is homeless or poor"  
 Sponsor: Representative Dyson  
 Requestor: (H) HES

Department Affected: Administration  
 BRU: Legal and Advocacy Services  
 Component: Public Defender Agency  
 COMPONENT SERIAL NO. 1631

**EXPENDITURES/REVENUES:**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY 98) cost: \$ \_\_\_\_\_

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary.)

This bill will have no fiscal impact on the Public Defender Agency.

Prepared by: Barbara K. Brink, Director  
 Division: Public Defender Agency

Phone: (907) 264-4414  
 Date: \_\_\_\_\_

Approved by Commissioner: Mark Boyer  
 Agency: Department of Administration

Date: 3/17/98

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STATE OF ALASKA  
1998 LEGISLATIVE SESSION

BILL NO. HB366

Revision Date \_\_\_\_\_  
Title: Relating to child-in-need-of-aid proceedings  
Sponsor: Rep. Dyson  
Requestor: Health, Education and Social Services

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	FY99	FY00	FY01	FY02	FY03	FY04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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						
1037 GF/Mental Health						
Other (please specify)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY99) cost: 80.0

ANALYSIS: (Attach a separate page if necessary)

Passage of this bill will have zero fiscal impact on the Division.

*2/5/98*

Prepared by: Russ E. Webb, Deputy Commissioner  
Division: Family & Youth Services  
Approved by Commissioner: [Signature]  
Agency: Department of Health & Social Services

Phone: 465-3010  
Date: 01/30/98  
Date: 2/5/98

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## REPRESENTATIVE FRED DYSON

### HB 366 Sponsor Statement

**"An Act relating to child-in-need-of-aid proceedings for a child whose family is homeless or poor."**

HB 366 prohibits an agency from using the status of being poor or homeless as the sole reason for determining that a child is in need of aid.

Children must not be removed from the custody of their parents simply based on the status of the parents. Being poor or homeless does not automatically indicate that the child is being harmed or neglected. A family living in a shelter for the homeless or camping out may be doing quite well at parenting.

This bill is designed to mandate that any agency must demonstrate that the child is harmed or in significant danger before taking a child into protective custody.

- E-mail -  
Representative Fred Dyson  
@legis.state.ak.us

- Internet -  
http://www.akrepublicans.org

**Sponsor Statement**



# Advocates for Victims of Violence, Inc.

24 Hour Crisis Line: (907) 835-2999 • 1-800-835-4044 (Statewide)

Office: (907) 835-2980 • Fax: (907) 835-2981

P.O. Box 524 • Valdez, Alaska 99686

**FEB 17 1998**

February 12, 1998

Representative Fred Dyson  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, AK 99801-1182

Dear Representative Dyson:

I am writing to offer my full support for House Bill 366, pertaining to child-in-need-of-aid proceedings for a child whose family is homeless or poor. Also, I thank you for sponsoring such legislation. So many families in Alaska find it difficult to make ends meet. However, despite the struggle to feed and shelter their families, they still maintain loving and supportive environments for their children. As your bill states, a home should not be considered unhealthy by the courts, based solely on the economic status of the family. Again, thank you.

Sincerely,

Debra Pexa  
Executive Director



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cc:Mail for: Representative Fred Dyson

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Subject: HB 366

From: ruawaic@aonline.com (Administration) at CC2MHS1 2/12/98 12:09 PM

To: Representative Fred Dyson at LAA\_TRANS

cc: Representative Con Bunde at LAA\_HBUN

cc: Representative Joe Green at LAA\_TRANS

cc: Representative Al Vezey at LAA\_TRANS

cc: Representative\_Vrian\_Porter@legis.state.ak.us at CC2MHS1

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To: Representative Dyson

From: Jan MacClarence, Executive Director, AWAIC

RE: HB 366

I am writing to you in support of HB 366. We encourage policy that protects the rights of poor and homeless families. Unfortunately, poor and homeless families are a politically unheard population. And, as a result these families are occasionally subjected to the harsh and undue "good" intentions of law. We would very much like to see HB 366 proceed through the legislative process. Thank you for your commitment.

CC: House HESS Committee

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