

SB

19

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CS SB 19 (HES)
 (S) Publish Date: 02/15/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
 Title: Child Support Enforcement / BRU: Child Support
Social Security Numbers Component: Child Support
 Sponsor: Rules Committee
 Requester: Senate Finance Component Number: 111

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
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)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

There would be no fiscal impact from this legislation. However, failure to adopt this legislation would move the state out of compliance with federal law for child support enforcement programs and would expose the state to the penalty of losing about \$70 million a year in federal funding for Alaska's child support enforcement program and Alaska's Temporary Assistance Program (ATAP).

Prepared by: Barbara Miklos, Director Phone 269-6800
 Division: Child Support Enforcement Division Date/Time Feb. 13, 2001
 Approved by: Larry Persily, Deputy Commissioner Date Feb. 13, 2001
 Agency: Department of Revenue

For distribution information, call the Governor's Legislative Office

22-GS1002\P
Lauterbach
3/7/01

**HOUSE CS FOR CS FOR SENATE BILL NO. 19(HES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION**

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to federal child support enforcement requirements regarding social
2 security number information, employer reports about employees, and certain kinds of
3 automated data matching with financial institutions; relating to child support payments;
4 repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA
5 1998, regarding child support enforcement and related programs; repealing the
6 nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch.
7 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date."

8 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

9 * Section 1. AS 06.40.050(a) is amended to read:

10 (a) Application for a license under this chapter shall be in writing and in the
11 form prescribed by the department. [IF THE APPLICANT IS A NATURAL
12 PERSON, THE APPLICATION FORM MUST REQUIRE SUBMISSION OF THE
13 APPLICANT'S SOCIAL SECURITY NUMBER.]

Item 2

1 * **Sec. 2.** AS 08.01.089 is amended to read:

2 **Sec. 08.01.089. Copies of records for child support purposes.** If a copy of a
3 public record concerning an individual who owes or is owed child support that is
4 prepared or maintained by the department is requested by the child support
5 enforcement agency created in AS 25.27.010 or a child support enforcement agency of
6 another state, the department shall provide the requesting agency with a certified copy
7 of the public record [**INCLUDING THE INDIVIDUAL'S SOCIAL SECURITY**
8 **NUMBER**]. If these records are prepared or maintained by the department in an
9 electronic data base, the records may be supplied by providing the requesting agency
10 with a copy of the electronic record and a statement certifying its contents. A
11 requesting agency receiving information under this section may use it only for child
12 support purposes authorized under law.

13 * **Sec. 3.** AS 08.08.137 is amended to read:

14 **Sec. 08.08.137. Fingerprints [**;** SOCIAL SECURITY NUMBER].** The
15 Board of Governors shall require an applicant for admission to be fingerprinted [**AND**
16 **TO PROVIDE THE APPLICANT'S SOCIAL SECURITY NUMBER**]. The
17 fingerprints shall be used to determine whether the applicant has a record of criminal
18 convictions in this state or another jurisdiction. The Board of Governors may use the
19 information obtained from the fingerprinting only in its official determination of the
20 character and fitness of the applicant for admission to the Alaska Bar Association.
21 [**THE APPLICANT'S SOCIAL SECURITY NUMBER SHALL BE PROVIDED TO**
22 **THE CHILD SUPPORT ENFORCEMENT AGENCY ESTABLISHED IN**
23 **AS 25.27.010, OR THE CHILD SUPPORT ENFORCEMENT AGENCY OF**
24 **ANOTHER STATE, UPON REQUEST BY THE RESPECTIVE AGENCY; THE**
25 **REQUESTING AGENCY MAY USE THAT INFORMATION ONLY FOR CHILD**
26 **SUPPORT PURPOSES AUTHORIZED UNDER LAW.]**

27 * **Sec. 4.** AS 09.55.050 is amended to read:

28 **Sec. 09.55.050. Effect of presumptive death certificate.** After the judge or
29 magistrate has entered an order declaring that the person is presumed to be dead either
30 under AS 09.55.020 - 09.55.060 or under the laws dealing with missing persons, the
31 judge or magistrate shall make out and sign a certificate entitled "Presumptive Death

1 Certificate" in the form and manner and containing the information required by the
2 Bureau of Vital Statistics. [IN ADDITION TO THE INFORMATION REQUIRED
3 BY THE BUREAU OF VITAL STATISTICS, THE CERTIFICATE MUST
4 CONTAIN THE DECEDENT'S SOCIAL SECURITY NUMBER, IF
5 ASCERTAINABLE.] The certificate shall be recorded by the judge or magistrate and
6 then filed with the Bureau of Vital Statistics. Upon the entry of the order and the
7 recording and filing of the "Presumptive Death Certificate" as herein provided, the
8 missing person is presumed to be dead, and the person's estate may be administered in
9 accordance with the then existing provisions of law applicable to the administration of
10 the estates of deceased persons.

11 * Sec. 5. AS 16.05.450(a) is amended to read:

12 (a) The commissioner or an authorized agent shall issue a crewmember fishing
13 license under AS 16.05.480 to each qualified person who files a written application at
14 a place in the state designated by the commissioner, containing the reasonable
15 information required by the commissioner together with the required fee. [THE
16 COMMISSIONER SHALL REQUIRE THE REPORTING OF THE APPLICANT'S
17 SOCIAL SECURITY NUMBER ON THE APPLICATION.] The application shall be
18 simple in form and shall be executed by the applicant under the penalty of unsworn
19 falsification.

20 * Sec. 6. AS 16.05.480(b) is amended to read:

21 (b) A person applying for a resident commercial license under this section
22 shall provide [THE PERSON'S SOCIAL SECURITY NUMBER AND] the proof of
23 residence that the department requires by regulation.

24 * Sec. 7. AS 18.50.280(a) is amended to read:

25 (a) For each dissolution, divorce, and annulment of marriage granted by a
26 court in the state, the clerk of the court shall prepare and file a certificate of
27 dissolution, divorce, or annulment with the bureau, on forms prescribed and furnished
28 by the bureau. [THE FORMS MUST REQUIRE THE REPORTING OF THE
29 SOCIAL SECURITY NUMBERS OF THE PETITIONER OR PLAINTIFF AND, IF
30 ASCERTAINABLE, THE OTHER PARTY TO THE DISSOLUTION, DIVORCE,
31 OR ANNULMENT OF MARRIAGE.] The petitioner or plaintiff shall furnish the

1 court with the information necessary to complete the certificate, and the furnishing of
2 this information is prerequisite to the issuance of a decree.

3 * **Sec. 8.** AS 18.60.395(a) is amended to read:

4 (a) The Department of Labor and Workforce Development shall adopt
5 regulations for the licensing of boiler operators. The regulations must conform to the
6 generally accepted nationwide standards and practices established for boiler operators.
7 [IN ADDITION TO ANY REQUIREMENTS ADOPTED BY REGULATION
8 UNDER THIS SUBSECTION, A PERSON APPLYING FOR A LICENSE SHALL
9 PROVIDE TO THE DEPARTMENT, ON THE APPLICATION, THE PERSON'S
10 SOCIAL SECURITY NUMBER.]

11 * **Sec. 9.** AS 18.65.410(a) is amended to read:

12 (a) Application for a license as a security guard must be made on forms
13 provided by the commissioner. The application must require the furnishing of
14 information reasonably required by the commissioner to carry out the provisions of
15 AS 18.65.400 - 18.65.490, including classifiable fingerprints to enable the search of
16 criminal indices for evidence of a prior criminal record [, AND MUST REQUIRE
17 THE FURNISHING OF THE APPLICANT'S SOCIAL SECURITY NUMBER IF
18 THE APPLICANT IS A NATURAL PERSON]. The application must be
19 accompanied by a nonrefundable application fee of \$50 for a security guard and \$200
20 for a security guard agency.

21 * **Sec. 10.** AS 18.72.030(a) is amended to read:

22 (a) A person who desires to sell fireworks at wholesale in the state shall first
23 make verified application for a license to the state fire marshal on forms provided by
24 the state fire marshal. [THE FORMS MUST REQUIRE THE APPLICANT TO
25 SUPPLY THE APPLICANT'S SOCIAL SECURITY NUMBER IF THE
26 APPLICANT IS A NATURAL PERSON.] The application shall be accompanied by
27 an annual license fee of \$50.

28 * **Sec. 11.** AS 25.27.075(a) is amended to read:

29 (a) An employer doing business in the state shall report to the agency the
30 hiring, rehiring, or return to work of each employee. The report shall be made within
31 the time limits set out in (b) of this section. The report must contain the name,

1 address, and social security number of the newly hired employee, the name and
2 address of the employer, and the identifying number assigned to the employer by the
3 United States Department of the Treasury, Internal Revenue Service. Violation of
4 this subsection does not give rise to a private cause of action.

5 * Sec. 12. AS 25.27.103 is amended to read:

6 Sec. 25.27.103. Payments to agency. An obligor shall make child support
7 payments to the agency if the agency is enforcing a duty of child support under
8 AS 25.25 or this chapter. The agency shall disburse that portion of a payment that
9 exceeds the amount of money necessary to satisfy the obligor's immediate duty of
10 support in accordance with state and federal requirements. The agency may
11 characterize a support payment physically received by the agency through wage
12 withholding during the last five business days of the month as having been
13 received on the first day of the next calendar month if the agency determines that
14 the payment was made in the course of regular wage withholding intended for
15 the next calendar month. The agency shall credit money disbursed under this
16 section [SUBSECTION] toward satisfaction of the obligor's duty of support.

17 * Sec. 13. AS 28.15.061(b) is amended to read:

18 (b) An application under (a) of this section must

19 (1) contain the applicant's full name, [SOCIAL SECURITY
20 NUMBER,] date and place of birth, sex, and mailing and residence addresses;

21 (2) state whether the applicant has been previously licensed as a driver
22 and, if so, when and by what jurisdiction;

23 (3) state whether any previous driver's license issued to the applicant
24 has ever been suspended or revoked or whether an application for a driver's license has
25 ever been refused and, if so, the date of and reason for the suspension, revocation, or
26 refusal; and

27 (4) contain other information that the department may reasonably
28 require to determine the applicant's identity, competency, and eligibility.

29 * Sec. 14. AS 06.20.020(b); AS 06.40.050(e); AS 08.01.060(b), 08.01.100(e);
30 AS 14.20.027; AS 16.05.450(d), 16.05.480(d); AS 18.50.230(f), 18.50.280(c);
31 AS 18.60.395(d); AS 18.65.410(b); AS 18.72.030(b)(2); AS 21.06.255; AS 25.05.091(b);

1 AS 25.20.050(n); AS 25.24.160(d), 25.24.210(f), 25.24.230(i); AS 25.27.020(a)(2)(D); and
2 AS 28.15.061(g) are repealed.

3 * **Sec. 15.** The following are repealed:

4 (1) Section 148(c), ch. 87, SLA 1997, as amended by sec. 53, ch. 132, SLA
5 1998;

6 (2) Sections 2, 14, and 16, ch. 37, SLA 1998;

7 (3) Section 53, ch. 132, SLA 1998;

8 (4) Section 54(b), ch. 132, SLA 1998, as amended by sec. 101, ch. 21, SLA
9 2000;

10 (5) Section 54(c), ch. 132, SLA 1998;

11 (6) Section 56, ch. 132, SLA 1998;

12 (7) Section 92, ch. 58, SLA 1999; and

13 (8) Section 103, ch. 21, SLA 2000.

14 * **Sec. 16.** Sections 11, 12, and 15 of this Act take effect immediately under
15 AS 01.10.070(c).

16 * **Sec. 17.** Sections 1 - 10, 13, and 14 of this Act take effect July 1, 2003.

22-LS0703VA
Lauterbach
3/8/01

HOUSE CONCURRENT RESOLUTION NO.
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY

Introduced:
Referred:

A RESOLUTION

1 **Suspending Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State**
2 **Legislature, concerning Senate Bill No. 19, relating to certain federal child support**
3 **enforcement requirements, so that the phrase "relating to child support payments" may**
4 **be added to the bill's title.**

5 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 That under Rule 54, Uniform Rules of the Alaska State Legislature, the provisions of
7 Rules 24(c), 35, 41(b), and 42(e), Uniform Rules of the Alaska State Legislature, regarding
8 changes to the title of a bill, are suspended in consideration of Senate Bill No. 19, relating to
9 certain federal child support enforcement requirements, for the sole purpose of authorizing the
10 addition of the phrase "relating to child support payments" to the bill's title.

SB19

TONY KNOWLES
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JUNEAU

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January 8, 2001

The Honorable Rick Halford
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Halford:

Alaska's Child Support Enforcement Division collected and distributed a record \$85 million in Fiscal Year 2000 and is headed toward a new record this year. This bill I transmit today guarantees the state can retain the tools that enabled this success in helping thousands of children receive the financial support they need. It also keeps Alaska in compliance with federal welfare reform laws and eligible for nearly \$80 million in annual federal funding to operate Alaska's family assistance and child support programs.

This bill continues the state program begun in 1997 and 1998 as part of Alaska's compliance with federal welfare reform which has reduced dependence on government-funded public assistance programs by increasing child support collections. The Alaska legislature chose to sunset those compliance measures on July 1, 2001

This bill is important to the lives of the children and parents who make up the nearly 48,000 child support cases in Alaska. It will keep in place those successful provisions of the 1997 and 1998 legislation which have improved child support collections, including:

- Enhanced due process protections in paternity proceedings.
- Requirements that all employers report newly hired employees to the child support agency.
- Authorization to use financial institution data matches to locate assets of delinquent parents.
- Immunity from civil liability for employers and financial institutions that comply with child support income-withholding orders.

The Honorable Rick Halford

January 8, 2001

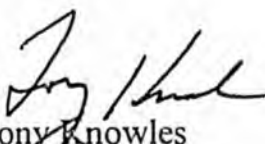
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- Prohibitions against disclosing identifying information of a parent or child when there is evidence of domestic violence.
- Requirements for Social Security numbers on certain vital statistics and court records, and on applications for some state licenses. To protect an individual's privacy, the numbers are not required on the actual licenses but only on the applications.
- Authorization for the child support agency to obtain orders requiring delinquent parents to seek work and orders to set aside a parent's fraudulent transfer of property if it was done to avoid a child support obligation.
- Improved access to records of other government agencies and financial institutions to locate delinquent parents and their assets.

I also want to point out that this bill repeals one controversial part of the earlier legislation. Alaska recently received a waiver from the federal requirement to collect Social Security numbers on applications for sport fishing and hunting licenses, allowing us to remove that requirement from law.

In the years since passage of the 1997 and 1998 legislation, the state has found the provisions of those bills effective at ensuring children receive the support they need from both parents. Failure to adopt this bill would jeopardize several years of progress in helping Alaska's families.

Sincerely,



Tony Knowles
Governor