

LEG. FINANCE - BILLS 1977 - 1978 917

SB 147 cont., thru CSSB 148 918

respecting the compromise bill developed by its membership; consequently, in reintroducing a bill aimed at a general cleanup of Title 16, we have left what was last year's Committee Substitute totally intact. However, since the objective of this measure is to facilitate the administration of fish and game resources, we have added a few new sections in response to problems which have arisen since adjournment of the last legislature. Several of these concern the implications of Congressional enactment of the Fishery Conservation and Management Act of 1976, extending the fisheries jurisdiction of the United States. All of these additions are clearly identified in the following sectional analysis.

Section-By-Section Analysis of the Bill

[NOTE: All sections which were in the Committee Substitute for SB 527 in the last legislature have been left intact. The only exceptions are Section 31, regarding confidentiality of statistics, for which further changes are proposed as a result of Congressional enactment of fisheries jurisdiction legislation, and the section on the Fish and Game Fund, which section has been deleted.

Discussions of new sections not in the Committee Substitute are preceded by a double asterisk(**)].

Section 1. This updates existing language to reflect reorganizations of federal agencies and departments.

Section 2. This is the first of a number of instances in the bill where the word "chapter" is changed to "title" to allow applicability of a provision to the entire title. This is done only where it is evident that the particular section should so apply because of its general nature. In this case, the power of the commissioner to collect and disseminate information should be present with respect to any duty vested in him since it is a necessary general function of a resource management agency.

Section 3 adds to the powers and duties of the commissioner the ability to perform research. This is already understood and has been inferred from other powers, but it is so basic that it should be specifically mentioned.

This section also adds to the powers and duties of the commissioner regarding fish and game diseases. This power already exists with regard to private nonprofit salmon hatcheries. The respective boards have this power under AS 16.05.251 and 16.05.255, but since this is an administrative rather than a rulemaking function, it is properly housed in the department.

Section 3 also pertains to the powers of the commissioner regarding cooperative agreements. The commissioner already had these capabilities in a number of specific instances in Title 16, but the public interest of the state dictates that this power should be general since it is a routine administrative function. Inclusion of this section also permits a redraft of AS 16.05.251 and 255 (powers of the boards) separating administrative and rulemaking functions regarding cooperative agreements, the latter function being retained by the boards.

** In addition to cooperative agreements, it is also appropriate from time to time for the department to enter into contracts or to make grants for specific projects. The commissioner would be required to establish procedures governing departmental grants and contracts to insure that those expenditures would constitute a wise investment of public funds.

Finally, Section 3 adds the equivalent of a "necessary and proper" clause to the powers of the commissioner regarding the general responsibilities vested in AS 16.05.020.

Section 4. This section would accomplish several technical changes regarding the statute granting emergency powers to the commissioner.

From a strictly legal standpoint, there is some question regarding AS 16.05.060 in the context of due process because of the absence of (1) standards for when emergency orders may be issued and (2) the procedure to be followed in adopting the orders. A generally accepted standard for emergency action is therefore inserted in place of the words "when circumstances require". Furthermore, several additions are made to insure that adequate notice is given to interested persons so that any due process questions are eliminated. This process is also made applicable to commissioner's announcements.

Finally, the boards frequently include in the text of their regulations a provision that a particular season or weekly period will open or close by emergency order. As a legal safeguard, a sentence is added to sec. 60 specifically authorizing this procedure.

Section 5. AS 16.05.065 permits the department to extend registration or licensing deadlines for particular individuals upon a showing of "excusable neglect." Since departmental policy and decisions of courts have resulted in the evolution of a customary definition of this rather ambiguous term, it is advisable to incorporate this definition into the statutes.

Section 6. This section has been redrafted to reflect more accurately the types of actions which should be admitted as evidence of rulemaking activities in courts of law.

** Section 7. There has been some misunderstanding as to when the commissioner must hold a public hearing in conjunction with an administrative action; for clarification, an express indication of when hearings are required would be added to AS 16. In addition, this section clarifies the law regarding findings of fact.

Section 8. "Chapter" is changed to "title" so that uniform enforcement procedures may apply to all of Title 16. In addition, the requirement that offenders be brought before a magistrate "immediately" is dropped, removing an unnecessary burden on protection officers.

Section 9. "Chapter" is changed to "title" for the same reason expressed regarding section 8.

Section 10. Some confusion has developed as to exactly what the respective powers and relationships are between the boards and the department. In AS 16.05.241, the legislature has recognized that the boards are entities of rulemaking and that the departmental responsibilities are administrative. The relationship is therefore analogous to that between a legislative and executive branch. It is important to note that AS 16.05.241 currently specifies that the boards "do not have administrative, budgeting or fiscal powers", (emphasis added). Since the legislature has organized the boards and the department with this division in

mind, it is highly important that this division be preserved in all of the statutes within AS 16; otherwise, it becomes very difficult to determine who is supposed to make the rules and who is supposed to carry them out.

That this distinction is not always clear became evident in a case litigated in 1975 entitled Cordano v. Brooks, in which a departmental wolf control program in Game Management Subunit 20A was challenged. Imprecise language in the statutes (which was carried over into the split-board law) relating to the powers of the Board of Fish and Game caused the court to determine that the board had to adopt a regulation allowing department employees to engage in predator control. This result was not in keeping with the board/department relationship established by the legislature, since it declared that not only must the department carry out regulations of the board, but it must also observe those regulations as though they were private persons even when performing official duties. This directive, if applied universally, would prohibit the department from engaging in any research involving harvesting of resources unless the season were open and appropriate methods and means, bag limits, size restrictions, closed waters, gear restrictions, and quotas, etc., were observed by departmental employees which is obviously contrary to legislative intent. Therefore, AS 16.05.241 is amended to indicate that regulations of the boards apply to the public, and not to departmental employees engaged in activities already authorized by statute.

In succeeding sections of this bill, various sections of AS 16 are rewritten to insure that board functions are limited to rulemaking and departmental functions are restricted to administration.

Section 11. No specific authorizations exist for harvest levels or sex and size limitations, even though regulations of this nature are and have been adopted. Although authority can be implied from other board powers, it should be made express as a legal safeguard. This section's amendment of AS 16.05.251(3) accomplishes this.

Section 12. The board does not engage in biological research, which is an administrative function. Conse-

quently, this paragraph is rewritten to reflect more accurately the nature of board regulations in this area. In addition, a reference to the economy or general welfare, as justification for regulations, is added to expressly support regulations which constitute allocations among users and are not strictly for conservation (e.g., subsistence regulations, regulations pertaining to types of gear or particular methods and means). Note that this language in AS 16.05.251(7) parallels that under the powers of the commissioner in AS 16.05.020(2).

Section 13. The board does not adopt regulations regarding investigation of predators, which is an administrative function. It does, however, establish methods and means and harvest levels for the taking of predators through regulation. This paragraph is re-drafted to reflect this fact.

Section 14. Entering into cooperative agreements does not necessitate the adoption of regulations by the board. However, if such a cooperative agreement necessitates assent to the applicability of federal regulations, this is tantamount to a regulation-making function, since it governs the terms under which fish or game will be taken by the public. Therefore, this aspect of cooperative agreements should involve action by the board.

Section 15. Three additions are made to the powers of the board.

Paragraph (13) would authorize the board to adopt regulations limiting use and disposition of fish when necessary for protection of the resource. For example, the board could prohibit the use of salmon for bait if this were causing undesirable harvesting pressures on salmon and it was decided that bait utilization was not a high-value use.

Paragraph (14) would allow limiting routes of access or modes of transportation into an area to facilitate conservation and management. The primary purpose of this amendment is to assist the Board of Game with regard to hunting practices in particular areas (e.g., subsistence areas). However, it was felt that an identical section should be added under powers of the

Board of Fisheries so that the powers of the respective boards would remain as identical as possible. Both (13) and (14) can probably be implied from existing board authorizations, but specific mention is desirable as a legal safeguard.

Paragraph (15) would formalize a procedure whereby the board decides it to be in the public interest for a regulatory action to be taken by the commissioner. Usually this occurs where the board does not have sufficient information at its meeting to adopt a specific date for a season opening or closure, and provides that it shall be done by emergency order. Again this is primarily to insure that there is express legal authority for what is already a customary practice.

Section 16. Same justification as for Section 10.

Section 17. Same justification as for Section 12.

Section 18. Same justification as for Section 11.

Section 19. Same justification as for Section 13.

Section 20. Same justification as for Section 14.

Section 21. The Board of Fish and Game customarily met only twice a year. If the Boards of Fisheries and Game follow past practice, the former will meet twice and the latter once per year. During the interim periods, the boards are not in session and their members are scattered throughout the state, often out of contact with each other. Consequently, when a need suddenly arises for regulatory action in order to protect the fish or game resources of Alaska delegations of the authority of the boards to the commissioner become highly important. Consequently, section 21 would make several amendments to AS 16.05. 9 in order to clarify procedures for delegations and facilitate the delegation process when a board wishes to transmit its authority to the commissioner.

Although AS 16.05.251 and 16.05.255 recite the basic powers of the Boards of Fisheries and Game, there are a number of other sections in AS 16 where regulatory powers are assigned to a board without specific authorization for delegation. From the standpoint of governmental efficiency, the boards should have the option to

delegate their authority for any of their responsibilities if they so desire, especially since convening boards is expensive and may involve only a routine matter out of proportion to the expense. Therefore, subsection (a) would permit them to do so rather than limiting delegations to the powers included in secs. 251 and 255.

In addition, there is a significant legal question as to whether a board must meet in one geographical location in order to accomplish a delegation. It is presumed that the intent of the legislature was otherwise; if the board is able to so meet, there is no purpose in making a delegation, since the board may act on its own. Therefore, subsection (a) would also formalize the procedure often used in the past whereby a delegation may be accomplished through a mail or telephone poll of the members by the commissioner. This is particularly important when there is not time to convene a board meeting (which usually requires at least 30 days advance notice) before action must be taken.

During the course of a year, members of the department invariably run across ambiguities or inconsistencies in the fish and game regulations which were not discovered at board meetings. Often, they come to light when criminal prosecutions are dismissed because a court considers a regulation to be defective. Subsection (b) would establish a standing delegation of the authority from the boards to the commissioner to make minor technical corrections to regulations. Since such changes do not alter the substance of a regulation, there does not seem to be any need to go to the expense of contacting all of the members of a board for what is necessarily a routine action. The requirement that the intent of the board be retained precludes abuse.

Subsection (c) is self-explanatory.

Subsection (d) incorporates language from the existing section on delegations of authority to provide for a dispute settlement procedure in the event of a disagreement between a board and the commissioner.

It is very important to note that this section would not increase the powers of the commissioner relative to

those of the boards. Rather, it would insure that the regulatory policies of the boards could be carried out in response to changing conditions even when the boards were not formally in session by allowing the commissioner to act as the agent of the boards. As in the case of Hjelle v. Brooks, where a 1974 challenge by nonresident shellfish fishermen to state regulations succeeded in invalidating the board's management system and necessitating their redrafting when the board was not in session, a delegation of authority may result in the savings of tens of thousands of dollars and the continued full protection of the welfare and interests of the people of Alaska.

Section 22. This section makes a minor change in AS 16.05.290 to allow board members to receive expenses and per diem for attending functions which are not strictly meetings or conferences, such as inspections of facilities.

Section 23. This section constitutes a grammatical improvement for AS 16.05.330(b).

Section 24. This section would require the department to issue identification cards to persons who are exempt from license requirements, and require them to have the cards in their possession while hunting, fishing, or trapping. Otherwise, there is little, if any, deterrent to falsifying applications for exemptions, and enforcement is impossible.

**** Section 25.** The enactment of the Fishery Conservation and Management Act of 1976 (FCMA) by Congress established a new management regime for domestic fisheries in offshore waters adjacent to Alaska. Fisheries occurring beyond the territorial waters of the state now fall under federal jurisdiction.

In the past, the state has enforced its management and conservation measures largely on the basis of a landing law. Essentially, this mechanism allows for dockside enforcement of laws and regulations, since the state is under no obligation to discover whether the fish were taken within or outside its waters. For example, if a vessel shows up in port with king crab below the minimum size, a landing law permits prosecution for possession of sublegal crab; without such

a law, it would be necessary to catch the vessel in the act of harvesting the sublegal crab in order to prosecute. Because the territorial waters of Alaska encompass thousands of square miles, having to rely on direct enforcement rather than the landing-law approach would render evasion of conservation laws and regulations easy.

In its Section 306, the FCMA provides that a state may not directly or indirectly regulate fishing beyond its boundaries (meaning it may not apply a landing law) except with respect to vessels which are "registered under the laws of the state". The effect of this is that, unless vessels are so registered, a landing law cannot be applied even if state and federal regulations are identical. Were this actually to happen, enforcement capability would be vastly reduced and the prospect of cooperative state/federal enforcement would be virtually eliminated.

Since the FCMA does not define "registered under the laws of the state", we have taken the logical position that it is up to the state to determine whether a vessel is registered under its laws or not. This section would add a new AS 16.05.475 to authorize the Board of Fisheries to make that determination and to adopt any necessary regulations. This authority is purposely left flexible so that the actions of the board may be formulated within the limitations of the FCMA.

It is not the intent of this grant of authority to impose unnecessary requirements on fishermen or to discriminate against nonresidents, but merely to avoid potential chaos in implementation of the FCMA as a result of the fact that fish and shellfish do not, in their migrations, respect jurisdictional boundary lines between the state and the federal government.

Section 26. An oversight in AS 16 results in there being no requirement that vessel licenses must be in the possession of the licensee, which is required for other licenses. Section 26 would require actual possession.

Section 27. While AS 16.05.680 prohibits employing a fisherman or purchasing fish from a fisherman who does

not possess a commercial license, this prohibition does not apply with respect to persons who have failed to obtain other licenses required by AS 16. The proposed amendment would correct this oversight.

Section 28. This section reflects changes in commercial shellfish regulations. The Bering Sea and Western Aleutians are currently expressly designated as registration areas in the regulations and should be expressly referred to in the statutes.

** Section 29. Existing AS 16.05.780 provides that the taking of antlerless moose is prohibited unless the Department of Fish and Game and a majority of local advisory committees for the applicable unit or subunit recommend an opening. The question has arisen as to what happens if there is no advisory committee in a particular unit; the present statute does not address this issue, and clarification is in order.

It would appear to be an unusually restrictive approach to apply the statute so that if no committee exists within a unit or subunit, it is impossible to open the antlerless moose season. There may well be pressing biological justifications for conducting a hunt (such as where range saturation has occurred). Consequently, we are recommending a modification which provides that, if no committee exists within the unit or subunit in question, the approval of an advisory committee in a contiguous unit or subunit could be substituted.

It is expected that this situation will arise rarely.

Section 30. A misunderstanding arose during a recent season regarding the burden-of-proof statute. Under the existing law, the burden of proof is on the holder of the fish and game only after ten days beyond a season closure (three days for crab). However, while this section does allocate the burden of proof, it does not make possession legal even when the burden of proof is on the state (during the first ten days following closure [three days for crab]). Subsection (b) would clarify this point.

** Section 31. This section would amend the existing law regarding confidentiality of statistics in response to several concerns.

First, a defect in language in the present law, while

prohibiting the Department of Fish and Game from releasing confidential materials to the public absent a court order, does not proscribe the other agencies who have access to these materials from releasing them. This must be corrected to fully implement legislative intent.

Second, it would appear advisable to extend access rights to the Department of Public Safety in consideration of that department's enforcement responsibilities.

Third, the newly created North Pacific Fisheries Management Council (operating under the Federal Fishery Conservation and Management Act of 1976) should have the benefit of the information protected by this section in conjunction with the development of management plans and proposed regulations governing offshore fisheries adjacent to Alaska. The University of Alaska and the Department of Commerce and Economic Development also perform functions which would be enhanced by the information contained in these materials. While we have proposed to grant them certain access rights, they would be limited to research and statistics projects in all three instances.

Inasmuch as this amendment constitutes an expansion of the potential recipients of confidential statistics, we are also proposing that the authority and discretion of the commissioner of fish and game regarding release be considerably strengthened in order to insure that confidentiality is in fact maintained. This would include the ability to refuse to release materials or to condition or limit the release in order to carry out the intent of this section.

Section 32. This section updates existing law to respond to reorganizations of federal agencies, and reflects the fact that this is an administrative function.

Section 33. During the last legislature, a law was adopted prohibiting the waste of salmon. During the deliberations on the bill, however, what was apparently an innocent editorial change resulted in the introduction of an ambiguity in the law which could possibly nullify its effectiveness. Section 33 would use the language employed in the original bill but clear up the ambiguity.

Section 34. The basic prohibition contained in Title 16 is that it is unlawful to possess fish and game unless permitted by statute or a regulation of the boards. This prohibition is contained in AS 16.05.-920(a). However, an apparent oversight has limited this prohibition to AS 16.05 only. Therefore, the word "chapter" is changed to "title". Also, "made" is changed to "adopted", with regard to regulations, for the sake of consistent terminology.

** Section 35. The legislature recently enacted AS 16.05.903(d), which imposes restrictions on the transplanting of animals. Several amendments are necessary which will make this section more workable without altering the concept. First, the prohibition should be limited to birds and mammals, since transplants of fish are not expected to generate any controversy. Second, as presently worded, this section may require what amounts to an environmental impact statement every time an application for a transplant is received; this remains true even if the request is for something like one squirrel or is totally frivolous. Consequently, the commissioner should be authorized to declare that no significant environmental impact is expected to result from applications of little import. Third, as discussed with respect to several other sections in this bill, the Boards of Fisheries and Game are limited to rulemaking functions; the approval function presently contained in the bill is administrative. Therefore, we are suggesting a redraft which accomplishes essentially the same purpose while recognizing the constitutional authority under which the boards were created.

Section 36. AS 16.05.940 is intended to be the basic definition section for AS 16. However, these definitions apply, technically, only to AS 16.05, as a result of an apparent oversight. Therefore, Section 36 would change "chapter" to "title".

Section 36 would also change the definition of "resident". There have been many questions by persons who were unsure as to whether or not they were entitled to resident status. In addition, there are considerable loopholes present which allow persons who leave the state or never become bona fide residents to obtain resident licenses.

First, the words "the preceding" are added before "12

consecutive months". Without this, any person who has at any time resided in the state for 12 consecutive months meets the qualification contained in this phrase.

Second, under the new language residents would be required to maintain "their permanent and principal place of abode" in the state to qualify for residency. This would eliminate as a resident the type of person who brings a few belongings to Alaska and shares an apartment in order to avoid nonresident tax fees, but in actuality lives elsewhere. The new language would permit an Alaska resident to have an additional house in another state (such as a winter home) if the principal place of abode was still in Alaska. However, a person who took all his belongings and left the state for eight months out of the year would not be entitled to resident status, even if he owned a home in Alaska. Many cases would have to be judged on their individual circumstances, but a determination would be possible which reflects the actual situation.

Third, the reference to voting residency is eliminated. It is not an accurate indicator of residence, and such a requirement may be unconstitutional because it requires persons to register in order to enjoy residency privileges, and it disqualifies from residency any person under 18 years of age.

Similar changes are made regarding military personnel and aliens.

Paragraph (6) of the definitions is amended to specify that "fish" includes parts of the fish. This would have applicability, for example, to fish for which the parts are sold individually, such as salmon roe.

** A recurring enforcement problem with respect to the definitions of "sport fishing" and "subsistence fishing" concerns the gear which may be used. Each definition lists particular types of gear appropriate for that use (while leaving the board free to include others); neither list includes gear which is on the other list, implying that the gear listed under sport fishing may not be used for subsistence fishing and vice versa. A search of applicable legislative history back to the first legislature does not yield a clear answer as to whether this was intended.

The main problem concerns hook and line gear; in a number of instances it is technically lawful to use this gear for both sport and subsistence fishing for the same species. If no subsistence permit is required, this leaves a fisherman free to claim that he is subsistence fishing when asked for his sport fishing license. As a result, sport fish license fees are lost to the state, and "subsistence fishing" which is not in fact subsistence-related takes place.

In order to protect the viability of sport fishing and to prevent abuses of the subsistence fishing system, it would appear advisable to clearly designate hook and line gear as sport fishing gear only, so that the existing subterfuge cannot continue. One exception would be made to allow subsistence fishing through the ice in areas identified by the board, since this appears to be the one genuine subsistence fishery using hook and line gear. Therefore, this section would amend the definitions of "sport fishing" and "subsistence fishing" to so provide. A separate definition of "hook and line" gear would be inserted to avoid awkward wording.

In paragraph (11), "rules and regulations promulgated" is changed to "regulations adopted" for the sake of consistent terminology and to remove a legalese redundancy.

Section 37. During a Bristol Bay price dispute recently, the department's role in setting up mediation was hampered by the need to actually certify that 1/3 of the registered fishermen were involved in a price dispute. Given the information available, this is not always possible. Consequently, this section is amended to make the burden on the department a practical one.

** Section 38. This section corrects an error in the land description for the Susitna Flats State Game Refuge (ch. 140 SLA 1976).

Sections 39 and 41. Although the legislature has established game refuges, sanctuaries, and critical habitats, required notification for developmental activities, and provided for restrictions in the form of board regulations, there do not exist any penalties for violating these directives. Therefore, these sections would designate violations as misdemeanors and would provide penalties.

Section 40. This amendment is to reflect what is actually an administrative function.

Section 42. Presently, AS 16.35.200 requires consent in writing from the board for deployment of poisons. This is an administrative function. The proposed amendment would place this function in a regulation-adopting context so that it may fall within the purview of the board.

** Section 43. Enactment of the Fishery Conservation and Management Act of 1976, which established the North Pacific Fisheries Management Council to develop management plans and proposed regulations for offshore fisheries adjacent to Alaska, may have obviated the need to continue the Pacific Marine Fisheries Commission. The legislature was apparently of this opinion when it failed to fund Alaska's required contribution to the operating expenses of the commission. Consequently, this section would amend AS 16.45.010 to authorize the governor to withdraw the state from participation in the Pacific Marine Fisheries Compact upon giving the requisite notice. This section would be made retroactive (by Section 45) to cover any notice given before the convening of the legislature, since six months are required; as of July 1, the next payment of Alaska's share would come due.

Section 44. This section would repeal several existing sections.

** AS 16.05.190 (seizure of gear) would be repealed, since it was replaced in function by AS 16.05.195 (1974). This was apparently an oversight at the time of enactment of sec. 195.

AS 16.05.280 provides that members of a board may be removed by the governor for cause. However, AS 39.05.060 states that members of the boards serve at the pleasure of the governor. This conflict was not resolved by the legislature in the split board act (ch. 206 SLA 1975). However, AS 39.05.060 was amended by that law and the language stipulating that members serve at the governor's pleasure was not changed, which would indicate the legislature's preference for that approach. Therefore, AS 16.05.280 would be repealed to remove the inconsistency.

AS 16.05.450(c) (fishing gear license) was intended in the first place to apply to salmon net gear only, although it does not say so. With the advent of limited entry, there does not appear to be any purpose in retaining it, since it is an inconvenience to fishermen.

AS 16.15 is an anachronism, since the laboratory in question does not exist.

AS 16.35.010 - 180 pertain in part to bounties which are no longer paid. The bounties on seals are in conflict with the Marine Mammal Protection Act of 1972. Moreover, AS 16.05.255 provides that the Board of Game may establish bounties through the adoption of regulations. Therefore, these sections should be repealed. Also within these sections are provisions regarding employment of trappers and hunters for predator control which are archaic and should be repealed.

** Section 46. The effective date of section 25 would be immediate. It is important that this language take effect as soon as possible to permit the state to maximize its capabilities under the FCMA.

Sincerely,

Jay S. Hammond
Governor

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____
Title An Act relating to the efficient administration of fish and game
Requested by Office of the Governor Date 1/5/77

II. FISCAL DETAIL

Agency Affected Fish and Game
Program Category Affected NRMEC
Budget Request Unit(s) Affected Administration and Support

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This bill is a housekeeping bill which cleans up the language of previous legislation and will have negligible fiscal impact on the Department of Fish and Game.

IV. DATE 1/5/77 PREPARED BY Jeff Morrison
AGENCY Fish & Game
PHONE 465-4120
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)



RECORDS CERTIFICATION

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James O. Smith
Signature of Camera Operator

3/23/90
Date

POSITION PAPER
CS FOR SENATE BILL 148
"An Act Relating to Child Support Enforcement"

The Committee substitute for Senate Bill 148 addresses several topics of immediate concern to the administration of child support matters in the State of Alaska.

(1) The modification of the Uniform Reciprocal Enforcement of Support Act, Chapter 25, Title 25:

(a) To amend existing statutory requirements of that Act to conform to the transfer of certain duties from the Clerks of Court to the Child Support Enforcement Agency as required specifically and by implication in Chapter 23, Title 47, (Chapter 251, Laws of Alaska, 1976);

(b) To amend existing statutory requirements of that Act to clarify and expedite the obtaining of jurisdiction over the obligor; and

(c) To include the registration of foreign Support Orders.

(2) The modification of the Child Support Enforcement Agency Act, Chapter 23, Title 47, to clarify the legislative intent and to conform statutory procedures to the Rules of Civil Procedure and Alaska's Common Law.

(3) The modification of the Child Support Enforcement Agency Act, Chapter 23, Title 47, to establish, define, or clarify: parental obligations; duties of the Agency; determination of paternity; uniform fee schedule; reimbursement of welfare; subrogation or assignment of court ordered child support to the Agency for welfare recipients; administrative recovery of welfare; administrative determination of the financial responsibility of absent parents subject to review by Administrative Hearing Officer and the Superior Court; and Execution in satisfaction of administratively determined support obligations.

(4) The modification of the Criminal Justice Information Systems Security and Privacy Act, Chapter 62, Title 12, to provide access to the Criminal Justice Information System by the Agency for child support enforcement activities only.

(5) The modification of the Act relating to the Administration of Revenue Laws, Chapter 5, Title 43, to provide access by the Agency to state revenue reports and returns for child support enforcement activities only.

(6.) The modification of the Child Support Enforcement Agency Act, Chapter 23, Title 47, to transfer the Agency from the Department of Health & Social Services to the Department of Revenue.

(7) The creation of specific civil and criminal remedies for refusal or bad faith interference by the custodian with the rights of custody and visitation granted by a court.

The most significant part of the proposed legislation is referred to in paragraph (3) above.

It would limit the cases assigned to the Agency by the courts in the future to only those cases where there has been a specific application for the Agency services or the custodian is a recipient of AFDC. Provisions authorizing the establishment of a uniform fee schedule to be charged against the obligor for late payments and non-sufficient fund checks are included.

Existing legislation concerning the establishment of paternity conflicts with federal law. The Bill provides for the determination of paternity either on application of the mother or where the children are welfare recipients. The Agency would be precluded from establishing paternity in cases involving incest, forcible rape, adoption, or where it would not otherwise be in the best interests of the child.

The proposed legislation provides for statutory authority for the Agency to seek reimbursement from the obligor for welfare paid to a child, limited by the amount of child support previously ordered by the Superior Court. (This is presently accomplished only by contract with the recipient.) It provides means for the Agency to collect welfare reimbursement by administrative processes. Where there has been no previous Superior Court Order, the Agency could establish the amount of the Child Support obligation from standards established or those used by the Superior Court, unless the obligor demands a hearing by an Administrative Hearing Officer or by a Superior Court. The Bill then provides for the establishment and satisfaction of liens and garnishment for child support by administrative process, subject to disapproval by the Superior Court.

The most important portion of the Bill identified in paragraph (1) above concerns extradition, bail, intra-state cooperation for location investigations, and registrations of foreign Support Orders.

Criminal non-support is a misdemeanor in Alaska, and obligors cannot be brought back to this state to answer for those charges. In many other states, however, it is a felony, and Alaska must return the individual to the requesting state. The Bill would provide that where an obligor submits to our jurisdiction for civil child support matters he would be relieved of extradition.

The existing state law provides that under certain circumstance, an obligor may be arrested when a reciprocal action is served, but it does not provide for the release of the person. Judges are, therefore, reluctant to issue a bench warrant and those obligors evade detection. The Bill provides that the obligor may be released upon his own recognizance, or upon giving bond in an amount set by the Court to assure his appearance at the hearing.

The existing law provides that the Department of Health and Social Services is the State Information Agency with the sole duty of compiling lists of courts. The Bill would designate the Agency as the State Information and Locator Agency for all child support matters, and would authorize other Departments of State Government to cooperate in releasing information to the Agency concerning the last known address and last known employer of the obligor, and would require the Agency to keep information received confidential for use only for purposes of child support enforcement.

The Bill would provide for the registration of Child Support Orders from other states, without the necessity of holding another hearing in the courts of this state unless the obligor should desire it. This would relieve court congestion.

The most important aspect of that portion of the Bill identified in paragraph (2) above concerns the modification of the existing statute concerning the reduction of arrearages to judgment to conform with the Rules of Civil Procedure and the Common Law. It would eliminate the unique and apparently conflicting language concerning retrospective modification of Divorce Decrees. It would also return to the previously existing state of the law wherein custody hearings and support hearings were bifurcated, with custody matters handled by private attorneys.

The Department of Health and Social Services generally supports the Bill and strongly recommends its passage, not only as a more effective and efficient method of providing support for the minor children of non-welfare families in this state, but also as a means of reducing the financial impact of otherwise increasing federal and state welfare costs.

Recommended By: Phil Nash
Phil Nash, Administrator
CSEA

April 21, 1977
(Date)

Approved By: Francis S. L. Williamson
Francis S. L. Williamson
Commissioner - DHSS

21 April 1977
(Date)

Comments by the Governor's Office:

By: _____

(Date)

Original sponsor: Rules Committee by
request of the Governor

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 148

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to domestic relations; changing Rule
7 26(b)(2)(iii), Rules of Criminal Procedure and Rule
8 67(b), Rules of Civil Procedure; and providing for an
9 effective date."

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

11 * Section 1. PURPOSE. Common law and statutory procedures governing the
12 remedies for enforcement of support for financially dependent minor children
13 by responsible parents have not proven sufficiently effective or efficient to
14 cope with the increasing incidence of financial dependency. The increasing
15 workload of courts, district attorneys, and the attorney general has made
16 such remedies uncertain, slow and inadequate, thereby resulting in a growing
17 burden on the financial resources of the state, which is required to provide
18 public assistance grants for basic maintenance requirements when parents fail
19 to meet their primary obligations. The state, therefore, exercising its
20 police and sovereign power, declares that the common law and Alaska statutes
21 pertaining to the establishment and enforcement of child support obligations
22 shall be augmented by additional remedies in order to meet the needs of minor
23 children. It is declared to be the public policy of this state that this Act
24 be construed and administered to the end that children shall be maintained
25 from the resources of responsible parents, thereby relieving, at least in
26 part, the burden presently born by the general citizenry through welfare and
27 welfare-related programs.

28 * Sec. 2. AS 09.55 is amended by adding a new section to read:

29 Sec. 09.55.238. ACTION FOR FAILURE TO PERMIT VISITATION WITH MINOR

1 CHILD. (a) When a court order is specific as to when a custodian of a
2 minor child must permit another person to have visitation with that
3 child, and the custodian fails, wilfully and without just excuse, to
4 permit visitation with the child in substantial conformance with the
5 court order, the person entitled to visitation has a cause of action
6 against the custodian for damages.

7 (b) The amount of damages recoverable under this section is \$200
8 for each failure of the custodian, wilfully and without just excuse, to
9 permit visitation with the child for substantially the length of time
10 and substantially in the same manner as specified in the court order.
11 This amount may not be increased or decreased once liability has been
12 established. The custodian is not liable for more than one failure in
13 respect to what is, under the court order, a single continuous period of
14 violation. The prevailing party in an action commenced under this
15 section is entitled to recover a reasonable attorney fee.

16 (c) As used in this section,

17 (1) "court order" means a decree, judgment, or order issued
18 by a court of competent jurisdiction;

19 (2) "custodian" means a natural person who has been awarded
20 custody, either temporary or permanent, of a minor child;

21 (3) "just excuse" includes illness of the child which makes
22 it dangerous to the health of the child for visitation to take place in
23 conformance with the court order; "just excuse" does not include the
24 wish of the child not to have visitation with the person entitled to it.

25 * Sec. 3. AS 11 is amended by adding a new chapter to read:

26 CHAPTER 36. FAILURE TO PERMIT VISITATION WITH MINOR CHILD.

27 Sec. 11.36.010. FAILURE TO PERMIT VISITATION WITH MINOR CHILD.

28 (a) When a court order is specific as to when a custodian of a minor
29 child must permit another person to have visitation with that child, it

1 is a misdemeanor for the custodian, wilfully and without just excuse, to
2 fail to permit visitation with the child in substantial conformance with
3 the court order.

4 (b) The custodian may not be charged under this section with more
5 than one offense in respect to what is, under the court order, a single
6 continuous period of visitation.

7 (c) As used in this section,

8 (1) "court order" means a decree, judgment, or order issued
9 by a court of competent jurisdiction;

10 (2) "custodian" means a natural person who has been awarded
11 custody, either temporary or permanent, of a minor child;

12 (3) "just excuse" includes illness of the child which makes
13 it dangerous to the health of the child for visitation to take place in
14 conformance with the decree, judgment, or order; "just excuse" does not
15 include the wish of the child not to have visitation with the person
16 entitled to it.

17 Sec. 11.36.020. SPOUSE AS WITNESS. In all prosecutions under this
18 chapter, existing provisions of law prohibiting the disclosure of con-
19 fidential communications between husband and wife do not apply, and both
20 husband and wife are competent to testify for or against each other as
21 to all relevant matters.

22 * Sec. 4. AS 25.25.010(6) is amended to read:

23 (6) "duty of support" includes a duty of support imposed or
24 impossible by law, or by a court order, decree or judgment, whether
25 interlocutory or final, whether incidental to a proceeding for divorce,
26 legal separation, separate maintenance or otherwise, and includes the
27 duty to pay arrearages of support past due and unpaid;

28 * Sec. 5. AS 25.25.010 is amended by adding new paragraphs to read:

29 (9) "foreign support order" means any support order defined

1 in (10) of this section issued by a court of competent jurisdiction in
2 another state;

3 (10) "support order" means any judgment, decree, or order of
4 support in favor of an obligee, whether temporary or final or subject to
5 modification, revocation, or remission, regardless of the kind of action
6 or proceeding in which it is entered.

7 * Sec. 6. AS 25.25.050 is amended to read:

8 Sec. 25.25.050. RELIEF FROM EXTRADITION. Any obligor contemplated
9 by sec. 40 of this chapter, who submits to the jurisdiction of the court
10 of this or such other state and complies with the court's order of
11 support, is relieved of extradition for desertion or nonsupport entered
12 in the courts of this state during the period of such compliance.

13 * Sec. 7. AS 25.25.130 is repealed and re-enacted to read:

14 Sec. 25.25.130. COSTS AND FEES. The supreme court may provide by
15 rule that a court of this state, when the state is acting as an initiat-
16 ing state, may not require payment of either a filing fee or other costs
17 from the obligee but may request the court of the responding state to
18 collect fees and costs from the obligor. The supreme court may also
19 provide by rule that a court of this state, when the state is acting as
20 a responding state, may not require payment of a filing fee or other
21 costs from the obligee, but may direct that all fees and costs requested
22 by the court in the initiating state and those incurred in this state
23 when acting as a responding state (including fees for filing of pleadings,
24 service of process, seizure of property, stenographic or duplication
25 service, or other service supplied to the obligee) be paid in whole or
26 in part by the obligor. These costs or fees do not have priority over
27 amounts due to the obligee.

28 * Sec. 8. AS 25.25.140 is amended to read:

29 Sec. 25.25.140. JURISDICTION BY ARREST. When the court of this

1 state, acting either as an initiating or responding state, has reason to
2 believe that the defendant may flee the jurisdiction, it may (1) as an
3 initiating state, request in its certificate that the court of the
4 responding state obtain the body of the defendant by appropriate process
5 if that is permissible under the law of the responding state; or (2) as
6 a responding state, obtain the body of the defendant by appropriate
7 process. If the court of this state, acting as a responding state,
8 obtains the body of the defendant, it may then release him upon his own
9 recognizance or upon his giving a bond in an amount set by the court to
10 assure his appearance at the hearing.

11 * Sec. 9. AS 25.25.150 is amended to read:

12 Sec. 25.25.150. STATE INFORMATION AND LOCATOR AGENCY. The child
13 support enforcement agency [DEPARTMENT OF HEALTH AND SOCIAL SERVICES]
14 is designated as the state information and locator agency for all
15 matters concerning the enforcement of support obligations under AS
16 47.23 and under this chapter, and it is its duty to:

17 (1) compile a list of the courts and their addresses in
18 this state having jurisdiction under this chapter and the appropriate
19 agency offices and their addresses and transmit it to the state infor-
20 mation agency of every other state which has adopted this or a sub-
21 stantially similar statute;

22 (2) maintain a register of such lists received from other
23 states [AND TRANSMIT COPIES OF THEM AS SOON AS POSSIBLE AFTER RECEIPT
24 TO EVERY COURT IN THIS STATE HAVING JURISDICTION UNDER THIS CHAPTER];

25 (3) locate obligors by utilizing all sources of information
26 and records available in the state, and in other states as appropriate;
27 these sources include telephone directories, real property records,
28 personal property records, vital statistics records, police records,
29 records of appropriate federal agencies, records of employers who are

1 willing to cooperate, and official records of the state including
2 records of the state Departments of Public Safety, Health and Social
3 Services, Revenue, and Labor; if state agencies or departments have
4 information or records concerning the obligor which are made confi-
5 dential by state statute, and they are not prohibited from doing so by
6 federal statute or regulation, those agencies or departments shall
7 cooperate with the child support enforcement agency at its request by
8 supplying at least (A) the last known address of the obligor and (B)
9 the name and address of the last known employer of the obligor, if
10 that information is in their possession; this information shall be
11 kept confidential by the child support enforcement agency and may be
12 used by the agency only for purposes of child support enforcement.

13 * Sec. 10. AS 25.25.160 is amended to read:

14 Sec. 25.25.160. AGENCY [COURT] DUTY WHEN ALASKA RESPONDING
15 STATE. When the child support enforcement agency [COURT] of this
16 state, acting as a responding state, receives from the court or child
17 support enforcement agency of an initiating state the copies mentioned
18 in sec. 120 of this chapter, it shall (1) attempt to locate the obligor
19 [DOCKET THE CAUSE], (2) present the cause to the court to docket and to
20 set a time and place for hearing, if the obligor does not agree to entry
21 of a voluntary order, and [NOTIFY THE ATTORNEY GENERAL OF THE STATE,]
22 (3) [SET A TIME AND PLACE FOR A HEARING, AND (4)] take such action as is
23 necessary in accordance with the laws of this state to obtain jurisdic-
24 tion.

25 * Sec. 11. AS 25.25.170 is repealed and re-enacted to read:

26 Sec. 25.25.170. FURTHER DUTY OF RESPONDING STATE. If the
27 obligor or his property is not found in this state and the child support
28 enforcement agency discovers that the obligor or his property may be
29 found in another state, it shall forward the documents received from the

1 initiating state to the state information agency in the state in which
2 the obligor is believed to be located. The agency shall inform the
3 initiating state of its action immediately.

4 * Sec. 12. AS 25.25.200(2) is amended to read:

5 (2) require the defendant to make payments at specified
6 intervals to the child support enforcement agency [CLERK OF THE COURT OR
7 THE OBLIGEE] and to report personally to the agency [CLERK] at such
8 times as may be considered necessary;

9 * Sec. 13. AS 25.25.210 is amended to read:

10 Sec. 25.25.210. ADDITIONAL AGENCY [COURT] DUTIES WHEN ALASKA
11 RESPONDING STATE. The child support enforcement agency [COURT] of
12 this state, when acting as a responding state, has the following duties
13 [WHICH MAY BE CARRIED OUT THROUGH THE CLERK OF THE COURT]:

14 (1) upon the receipt of a payment made by the defendant under
15 an order of the court or otherwise, to transmit the payment immediately
16 to the court or child support enforcement agency of the initiating
17 state, and

18 (2) upon request, to furnish to the court or child support
19 enforcement agency of the initiating state a certified statement of all
20 payments made by the defendant.

21 * Sec. 14. AS 25.25.220 is amended to read:

22 Sec. 25.25.220. ADDITIONAL AGENCY [COURT] DUTY WHEN ALASKA
23 INITIATING STATE. The child support enforcement agency [COURT] of
24 this state, when acting as an initiating state, has the duty [, WHICH
25 MAY BE CARRIED OUT THROUGH THE CLERK OF COURT,] to receive and disburse
26 in accordance with law or regulation [IMMEDIATELY] all payments made by
27 the defendant or transmitted by the court or child support enforcement
28 agency of the responding state.

29 * Sec. 15. AS 25.25 is amended by adding new sections to read:

1 Sec. 25.25.252. PROCEEDINGS NOT TO BE STAYED. Except as provided
2 in sec. 258(c) of this chapter, a court of this state, when the state is
3 a responding state, may not stay the proceeding or refuse a hearing
4 under this chapter because of any pending or prior action or proceeding
5 for divorce, separation, annulment, dissolution, habeas corpus, adoption,
6 or custody in this or any other state. The court shall hold a hearing
7 and may issue a support order pendente lite. In the interest of a
8 speedy resolution of the support issue, it may require the obligor to
9 post a bond for the prompt prosecution of the pending proceeding. If
10 the other action or proceeding is concluded before the hearing in the
11 instant proceeding and the judgment in the other proceeding provides
12 for the support demanded in the complaint being heard, the court must
13 conform its support order to the amount allowed in the other action or
14 proceeding. After the court has conformed its support order to the
15 amount in the other action, it may not stay enforcement of its support
16 order because of the retention of jurisdiction for enforcement purposes
17 by the court in the other action or proceeding.

18 Sec. 25.25.254. REGISTRATION OF FOREIGN SUPPORT ORDERS. (a) If
19 the duty of support is based on a support order of a court of competent
20 jurisdiction in another state, the obligee may register that foreign
21 support order in the superior court in the manner, with the effect,
22 and for the purposes provided in secs. 254 - 258 of this chapter.

23 (b) The clerk of the court shall maintain a registry of foreign
24 support orders in which he shall file the foreign support orders
25 registered with the court.

26 (c) An obligee seeking to register a foreign support order in
27 the superior court shall transmit to the clerk of the court (1) three
28 certified copies of the order with all modifications of it, (2) one
29 copy of the reciprocal enforcement of support act of the state in

1 which the order was made, and (3) a statement, verified and signed by
2 the obligee, showing the last known mailing address of the obligor,
3 the amount of support remaining unpaid, a description and the location
4 of any property of the obligor available upon execution, and a list of
5 the states in which the order is registered. Upon receipt of these
6 documents, the clerk of the court, shall file them in the registry of
7 foreign support orders. The filing constitutes registration under
8 this section. If permitted by a rule of the Alaska Supreme Court,
9 under sec. 130 of the chapter, no filing fee or payment of other costs
10 may be required of the obligee.

11 (d) Promptly upon registration, the clerk of the court shall
12 send by certified or registered mail to the obligor at the address
13 given a notice of the registration with a copy of the registered
14 support order and the mailing address of the obligee. He shall also
15 docket the case and notify the child support enforcement agency of his
16 action. The agency shall proceed to enforce the order.

17 Sec. 25.25.256. AGENCY TO REPRESENT OBLIGEE. Upon request of
18 the obligee, the child support enforcement agency shall represent the
19 obligee in proceedings to register a foreign support order in this
20 state.

21 Sec. 25.25.258. EFFECT OF REGISTRATION; ENFORCEMENT PROCEDURES.

22 (a) Upon registration, the foreign support order shall be treated in
23 the same manner as a support order issued by the superior court. It
24 has the same effect and is subject to the same procedures, defenses,
25 and proceedings for re-opening, vacating, or staying as a support
26 order of this state and may be enforced and satisfied in like manner.

27 (b) The obligor has 30 days after the mailing of notice of the
28 registration in which to petition the court to vacate the registration
29 or for other relief.

1 (c) At a hearing to enforce the registered support order, the
2 obligor may present only matters that would be available to him as
3 defenses in an action to enforce a foreign money judgment. If he
4 shows to the court that an appeal from the order is pending or will be
5 taken or that a stay of execution has been granted, the court shall
6 stay enforcement of the order until the appeal is concluded, the time
7 for appeal has expired, or the order is vacated or otherwise modified,
8 upon satisfactory proof that the obligor has furnished security for
9 payment of the support ordered as required by the state in which the
10 support order was issued. If he shows to the court any relevant
11 ground upon which enforcement of a support order of this state may be
12 stayed, the court shall stay enforcement of the order for an appropriate
13 period if the obligor furnishes the same security for payment of the
14 support ordered that is required for a support order of this state.

15 * Sec. 16. AS 47.23.010 is amended to read:

16 Sec. 47.23.010. CREATION OF CHILD SUPPORT ENFORCEMENT AGENCY.
17 There is created in the Department of Revenue [HEALTH AND SOCIAL SER-
18 VICES] the child support enforcement agency.

19 * Sec. 17. AS 47.23.020 is repealed and re-enacted to read:

20 Sec. 47.23.020. DUTIES OF THE AGENCY. The agency shall

21 (1) obtain, enforce, and administer child support orders of
22 the superior courts of the state;

23 (2) adopt regulations to carry out the purposes of this
24 chapter including regulations which establish

25 (A) schedules for determining the amount an obligor is
26 liable to contribute toward the support of an obligee under this
27 chapter and under Title IV-D, Social Security Act; and

28 (B) procedures for hearings conducted under sec. 170 of
29 this chapter;

1 (C) a uniform schedule of fees which may be charged the
2 obligor if the child support payments are 10 or more days overdue
3 or if payment is made by a check backed by insufficient funds.

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

6 (4) establish, enforce, and administer child support obliga-
7 tions administratively in accordance with this chapter; and

8 (5) administer the state plan required under Title IV-D of
9 the Social Security Act as amended.

10 * Sec. 18. AS 47.23.040 is repealed and re-enacted to read:

11 Sec. 47.23.040. DETERMINATION OF PATERNITY. (a) The agency shall
12 appear on behalf of minor children or their mother or legal custodian or
13 the state and initiate efforts to have the paternity of children born
14 out of wedlock determined by the court

15 (1) on voluntary application by the mother or other legal
16 custodian; or

17 (2) when the children are recipients of aid to families with
18 dependent children and the father refuses to execute an acknowledgement
19 of paternity.

20 (b) The agency may not attempt to establish paternity in any
21 case involving incest or forcible rape, when legal proceedings for
22 adoption are pending, or when it would not be in the best interests of
23 the children or the state.

24 * Sec. 19. AS 47.23 is amended by adding a new section to read:

25 Sec. 47.23.045. DETERMINATION OF SUPPORT OBLIGATION. The agency
26 may appear in an action seeking an award of support in behalf of a child
27 owed a duty of support, and may also appear in an action seeking
28 modification of a support order, decree or judgment already entered.
29 Action under this section may be undertaken upon application of an

1 obligee, or at the agency's own discretion if the obligor is liable to
2 the state under sec. 120(a) or (b) of this chapter.

3 * Sec. 20. AS 47.23.050 is amended to read:

4 Sec. 47.23.050. LEGAL ASSISTANCE. The agency [DEPARTMENT OF
5 HEALTH AND SOCIAL SERVICES] shall contract with the Department of Law to
6 provide needed legal services.

7 * Sec. 21. AS 47.23.060(b) is repealed.

8 * Sec. 22. AS 47.23.070(b) is amended to read:

9 (b) The order of assignment is binding upon an employer upon
10 service of a copy of the order upon the employer and until further order
11 of the court. The employer may, for each payment made under the order,
12 deduct \$1 from other wages or salary owed to the employee [FOR EACH PAY-
13 MENT MADE UNDER THE ORDER].

14 * Sec. 23. AS 47.23.080 is repealed and re-enacted to read:

15 Sec. 47.23.080. ENFORCEMENT OF SUPPORT ORDERS. (a) In a court
16 order requiring payment of child support, if the obligee is not residing
17 in the state, the court shall order the payments made to the agency.

18 (b) In a court order requiring the payment of child support if the
19 obligee is residing in the state,

20 (1) if neither the obligor nor the obligee is receiving an
21 allowance for aid to families with dependent children, the court shall,
22 absent a showing of good cause, order the payments made to the obligee;

23 (2) if either the obligor or the obligee is receiving an
24 allowance for aid to families with dependent children, the court shall
25 order the payments made to the agency.

26 (c) The agency shall take all necessary action to enforce child
27 support orders, including (1) petitioning the court for orders to aid
28 in the enforcement of child support; and (2) appearing on behalf of the
29 custodian and enforcing any child support order entered. Action under

1 this section may be undertaken upon application of an obligee, or at
2 the agency's own discretion if the obligor is liable to the state under
3 sec. 120(a) or (b) of this chapter.

4 (d) The determination or enforcement of a duty of support is
5 unaffected by any interference by the custodian of the child with rights
6 of custody or visitation granted by a court.

7 (e) No order of arrest may be issued in the enforcement of child
8 support unless the court has reason to believe that the obligee may flee
9 the jurisdiction or unless the obligee has been ordered to appear in
10 the action and has failed to do so.

11 * Sec. 24. AS 47.23.090 is repealed and re-enacted to read:

12 Sec. 47.23.090. REDUCING ARREARS TO JUDGMENT. The agency may
13 enforce support orders through execution by application to the court for
14 an order reducing the outstanding arrears to judgment in accordance with
15 the Rules of Civil Procedure. Action under this section may be under-
16 taken upon application of an obligee or at the agency's own discretion
17 if the obligor is liable to the state under sec. 120(a) or (b) of this
18 chapter.

19 * Sec. 25. AS 47.23.100 is amended to read:

20 Sec. 47.23.100. ALL PERSONS MAY USE AGENCY. The agency shall
21 provide aid to any person due child support under the laws of this state
22 upon application. If the obligee is indigent or otherwise unable to pay
23 for these services, the agency shall act without charge to the obligee.
24 If the agency determines that the obligee is financially able to pay,
25 costs shall be assessed according to regulations adopted by the depart-
26 ment and be paid into the fund established in sec. 30 of this chapter
27 [AS 47.23.035].

28 * Sec. 26. AS 47.23.110(2) is amended to read:

29 (2) "department" means the Department of Revenue [HEALTH AND

SOCIAL SERVICES].

* Sec. 27. AS 47.23.110 is amended by adding new paragraphs to read:

(3) "duty of support" includes a duty of child support imposed or imposable by law, by a court order, decree or judgment, or by a finding or decision rendered under this chapter whether interlocutory or final, whether incidental to a proceeding for divorce, legal separation, separate maintenance, or otherwise, and includes the duty to pay arrearages of support past due and unpaid;

(4) "obligee" means a person to whom a duty of support is owed;

(5) "obligor" means a person owing a duty of support;

(6) "support order" means any judgment, decree, or order of child support in favor of an obligee whether temporary or final, or subject to modification, revocation, or remission, regardless of the kind of action or proceeding in which it is entered.

* Sec. 23. AS 47.23 is amended by adding new sections to read:

Sec. 47.23.120. OBLIGOR LIABLE FOR PUBLIC ASSISTANCE FURNISHED OBLIGEE. (a) An obligor is liable to the state in the amount of assistance granted under AS 47.25.310 - 47.25.420 to a child whom the obligor owes a duty of support except that if a support order has been entered, the liability of the obligor may not exceed the amount of support provided for in the support order.

(b) An obligor is liable to the state in the amount of the cost incurred if the state is maintaining a child whom the obligor owes a duty of support in a foster home or institution, except that if a support order has been entered, or an agreement for payment of that cost executed between the obligor and the state, the liability of the obligor may not exceed the amount provided in the support order or agreement.

1 Sec. 47.23.130. SUBROGATION OF STATE. If the obligor is liable to
2 the state under sec. 120(a) or (b) of this chapter, the state is sub-
3 rogated to the rights of the obligee to either bring an action seeking
4 a support order or to proceed under secs. 160 - 270 of this chapter to
5 establish and enforce a duty of support and further to enforce by
6 execution, in accordance with secs. 230 - 270 of this chapter or other-
7 wise, any support order already entered in favor of the obligee, up to
8 the amount for which the obligor is liable to the state under sec.
9 120(a) and (b) of this chapter.

10 Sec. 47.23.140. POWER OF AGENCY TO ADMINISTRATIVELY ESTABLISH AND
11 ENFORCE SUPPORT OBLIGATION; PROCEDURES TO BE UTILIZED. (a) If no
12 support order has been entered, the agency may establish a duty of
13 support utilizing the procedures prescribed in secs. 160 - 220 of this
14 chapter, and may enforce a duty of support utilizing the procedure
15 prescribed in secs. 230 - 270 of this chapter. Action under this
16 subsection may be undertaken upon application of an obligee, or at the
17 agency's own discretion if the obligor is liable to the state under
18 sec. 120(a) or (b) of this chapter.

19 (b) If a support order has been entered, the agency may enforce
20 the support order utilizing the procedures prescribed in secs. 150 and
21 230 - 270 of this chapter.

22 Sec. 47.23.150. REQUIRED NOTICE IN ADMINISTRATIVE ENFORCEMENT OF
23 SUPPORT ORDERS. (a) Action to enforce a support order administratively
24 under secs. 230 - 270 of this chapter is initiated by the agency serving
25 a notice on the obligor of his liability under the support order.
26 Notice under this subsection shall be served by registered mail, return
27 receipt requested. The notice shall be mailed by the agency for
28 restricted delivery only to the person to whom the notice is directed
29 or to the person authorized under federal regulation to receive that

1 person's restricted delivery mail.

2 (b) Notice served under (a) of this section shall state the amount
3 of the obligor's liability under the support order and that the pro-
4 perty of the obligor is subject to execution in that amount in accor-
5 dance with the procedures prescribed in secs. 230 - 270 of this chapter
6 at the expiration of 30 days from the date of service of the notice.

7 Sec. 47.23.160. ADMINISTRATIVE ESTABLISHMENT OF SUPPORT OBLIGA-
8 TIONS; NOTICE AND FINDING OF FINANCIAL RESPONSIBILITY. (a) An action
9 to establish a duty of support authorized under sec. 140(a) of this
10 chapter is initiated by the agency serving on the alleged obligor a
11 notice and finding of financial responsibility. The notice and finding
12 served under this subsection shall be served by registered mail, return
13 receipt requested. The notice and finding shall be mailed by the agency
14 for restricted delivery only to the person to whom the notice and finding
15 is directed or to the person authorized under federal regulation to
16 receive his restricted delivery mail.

17 (b) The notice and finding of financial responsibility served
18 under (a) of this section shall state

19 (1) the sum or periodic payments for which the alleged
20 obligor is found to be responsible, calculated by taking into considera-
21 tion the need of the alleged obligee, the alleged obligor's liability to
22 the state under sec. 130 of this chapter if any, and his duty of support
23 under the law;

24 (2) the name of the alleged obligee and his custodian;

25 (3) that the alleged obligor may appear and show cause in a
26 hearing held by the agency why the finding is incorrect, should not be
27 finally ordered, and should be modified or rescinded, because (A) no
28 duty of support is owed, or (B) the amount of support found to be owed
29 is incorrect;

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(4) that if the person served with the notice and finding of financial responsibility does not request a hearing within 30 days, the property of the person will be subject to execution in accordance with secs. 230 - 270 of this chapter in the amounts stated in the finding without further notice or hearing.

Sec. 47.23.170. ADMINISTRATIVE ESTABLISHMENT OF SUPPORT OBLIGATIONS; HEARING. (a) A person served with a notice and finding of financial responsibility is entitled to a hearing if a request in writing for a hearing is served on the agency by registered mail, return receipt requested, within 30 days of the date of service of the notice of financial responsibility.

(b) If a request under (a) is made, the execution under secs. 230 - 270 of this chapter shall be stayed pending the decision on the hearing, or the decision of a court, if appealed. If no request for a hearing is made, the finding of responsibility is final at the expiration of the 30-day period.

(c) If a hearing is requested, it shall be held within 30 days of the date of service of the request for hearing on the agency.

(d) The hearing officer shall determine the amount of periodic payments necessary to satisfy the past, present, and future liability of the alleged obligor under sec. 130 of this chapter, if any, and under any duty of support imposable under the law. The amount of periodic payments determined under this subsection is not limited by the amount of any public assistance payment made to or for the benefit of the child.

(e) The hearing officer shall consider the following in making his determination under (d) of this section:

(1) the needs of the alleged obligee, disregarding the income or assets of the custodian of the alleged obligee;

(2) the amount of the alleged obligor's liability to the state under sec. 125 of this chapter if any;

(3) the intent of the legislature that children be supported as much as possible by their natural parents;

(4) the ability of the alleged obligor to pay.

(f) If the alleged obligor requesting the hearing fails to appear at the hearing, the hearing officer shall enter a decision declaring the property of the alleged obligor subject to execution in accordance with secs. 230 - 270 of this chapter in the amounts stated in the notice and filing of financial responsibility.

Sec. 47.23.180. ADMINISTRATIVE ESTABLISHMENT OF SUPPORT OBLIGATIONS; DECISION. (a) Within 20 days of the date of the hearing, the hearing officer shall promulgate findings and a decision determining whether a duty of support exists and, if a duty of support is found, the amount of periodic payments or sum for which the alleged obligor is found to be responsible.

(b) Liability to the state under sec. 130 of this chapter is limited to the amount for which the obligor is found to be responsible under (a) of this section.

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

Sec. 47.23.190. ADMINISTRATIVE ESTABLISHMENT OF SUPPORT OBLIGATIONS; MODIFICATION OF A FINDING OR DECISION OF RESPONSIBILITY. (a) Unless a support order has been entered, the obligor, or the obligee or his custodian, may petition the agency or its designee for a modification of the finding or decision of responsibility previously entered with regard to future periodic support payments.

1 (b) The agency shall grant a hearing upon a petition made under (a)
2 of this section if affidavits submitted with the petition make a showing
3 of good cause and material change in circumstances sufficient to justify
4 action under (c) of this section.

5 (c) If a hearing is granted, the agency shall serve a notice of
6 hearing together with a copy of the petition and affidavits submitted
7 on the obligee or his custodian and the obligor by registered mail,
8 return receipt requested. The notice, petition, and affidavits shall be
9 mailed by the agency for restricted delivery only to the person to whom
10 the notice is directed or to the person authorized under federal regula-
11 tion to receive his restricted delivery mail.

12 (d) A hearing shall be set not less than 15 nor more than 30 days
13 from the date of mailing of notice of hearing, unless extended for good
14 cause.

15 (e) Modification of future periodic support payments may be
16 ordered upon a showing of good cause and material change in circum-
17 stances.

18 Sec. 47.23.200. ADMINISTRATIVE ESTABLISHMENT OF SUPPORT OBLIGA-
19 TIONS; USE OF STANDARDS IN DETERMINATION OF SUPPORT PAYMENTS. (a) In
20 making its findings under sec. 160 of this chapter, and in establishing
21 and modifying amounts of periodic support payments under secs. 180 and
22 190 of this chapter, the agency shall consider the standards adopted by
23 regulation under sec. 20 of this chapter and any standards for deter-
24 mination of support payments used by the superior court of the district
25 of residence of the obligor.

26 Sec. 47.23.210. ADMINISTRATIVE ESTABLISHMENT OF SUPPORT OBLIGA-
27 TIONS; JUDICIAL REVIEW. (a) Judicial review by the superior court of
28 an agency decision establishing or modifying a duty of support or
29 amounts of support due may be obtained by filing a notice of appeal in

1 accordance with the applicable rules of court governing appeals in civil
2 matters. A notice of appeal shall be filed within 30 days of the
3 decision.

4 (b) The complete record of the proceedings, or the parts of it
5 which the appellant designates, shall be prepared by the agency. A copy
6 shall be delivered to all parties participating in the appeal. The
7 original shall be filed in the superior court within 30 days after the
8 appellant pays the estimated cost of preparing the complete or desig-
9 nated record or files a corporate surety bond equal to the estimated
10 cost.

11 (c) The complete record includes

- 12 (1) the notice and finding of financial responsibility;
- 13 (2) the request for a hearing;
- 14 (3) the decision of the hearing officer;
- 15 (4) the exhibits admitted or rejected;
- 16 (5) the written evidence;
- 17 (6) all other documents in the case.

18 (d) Upon order of the superior court, appeals may be taken on the
19 original record or parts of it. The record may be typewritten or
20 duplicated by any standard process. Analogous rules of court governing
21 appeals in civil matters shall be followed when this chapter is silent,
22 and when not in conflict with this chapter.

23 (e) The superior court may enjoin agency action in excess of con-
24 stitutional or statutory authority at any stage of an agency proceeding.
25 If agency action is unlawfully or unreasonably withheld, the superior
26 court may compel the agency to initiate action.

27 Sec. 47.23.220. ADMINISTRATIVE ESTABLISHMENT OF SUPPORT OBLIGA-
28 TIONS; JUDICIAL REVIEW. (a) An appeal shall be heard by the superior
29 court sitting without a jury.

1 (b) Inquiry in an appeal extends to the following questions: (1)
2 whether the agency has proceeded without or in excess of jurisdiction;
3 (2) whether there was a fair hearing; and (3) whether there was a pre-
4 judicial abuse of discretion. Abuse of discretion is established if the
5 agency has not proceeded in the manner required by law, the order or
6 decision is not supported by the findings, or the findings are not
7 supported by the evidence.

8 (c) The court may exercise its independent judgment on the evi-
9 dence. If it is claimed that the findings are not supported by the
10 evidence, abuse of discretion is established if the court determines
11 that the findings are not supported by (1) the weight of the evidence,
12 or (2) substantial evidence in the light of the whole record.

13 (d) The court may augment the agency record in whole or in part,
14 or hold a hearing de novo. If the court finds that there is relevant
15 evidence which, in the exercise of reasonable diligence, could not have
16 been produced or which was improperly excluded at the hearing, the court
17 may

18 (1) enter judgment as provided in (e) of this section and
19 remand the case to be reconsidered in the light of that evidence; or

20 (2) admit the evidence at the appellate hearing without
21 remanding the case.

22 (e) The court shall enter judgment setting aside, modifying,
23 remanding, or affirming the decision, without limiting or controlling
24 in any way the discretion legally vested in the agency.

25 (f) The court in which proceedings under this section are started
26 may stay the operation of the decision until

27 (1) the court enters judgment;

28 (2) a notice of further appeal from the judgment is filed; or

29 (3) the time for filing the notice of appeal expires.

1 (g) No stay may be imposed or continued if the court is satisfied
2 that it is against the public interest.

3 (h) If further appeal is taken, the supreme court may, in its
4 discretion, stay the superior court judgment or agency order.

5 Sec. 47.23.230. ASSERTION OF LIEN. (a) At the expiration of 30
6 days from either (1) the date of service of notice under sec. 150 of this
7 chapter, or (2) the date of service of a notice and finding of financial
8 responsibility under sec. 160 of this chapter, the agency may assert a
9 lien upon the real or personal property of the obligor, in the amount of
10 the obligor's liability.

11 (b) No lien filed under this section has any effect against
12 earnings, or bank deposits or balances, unless it states the amount of
13 the obligor's liability under this chapter and unless the lien is served
14 in accordance with sec. 240 of this chapter.

15 (c) The lien shall attach to all real and personal property of
16 the obligor and be effective on the date of filing of the lien with the
17 recorder of the recording district in which the property attached is
18 located. A lien against earnings shall attach and be effective upon
19 filing with the recorder of the recording district in which the employer
20 does business or maintains an office or agent for the purpose of doing
21 business.

22 (d) Whenever a lien has been filed under this section and there is
23 in the possession of any person, political subdivision, or department of
24 the state having actual notice of the lien any property which may be
25 subject to the lien, that property may not be paid over, released, sold,
26 transferred, encumbered or conveyed unless

27 (1) a written release or waiver signed by a representative of
28 the agency has been delivered to the person, political subdivision,
29 or department of the state; or

1 (2) a decision has been made in a hearing held under sec. 170
2 of this chapter or by a superior court ordering release of the lien on
3 the grounds that no debt exists or that the debt has been satisfied.

4 Sec. 47.23.240. SERVICE OF LIEN. (a) The agency may at any time
5 after filing of a lien filed under sec. 230 of this chapter serve a copy
6 of the lien upon any person, political subdivision, or department of the
7 state possessing earnings, or deposits or balances held in any bank
8 account of any nature which are due, owing, or belonging to the obligor.

9 (b) A lien filed under sec. 230 of this chapter shall be served
10 upon a person, political subdivision, or department of the state by
11 registered mail, return receipt requested. The lien shall be mailed by
12 the agency for restricted delivery only to the person to whom the lien
13 is directed or to the person authorized under federal regulation to
14 receive his restricted delivery mail.

15 Sec. 47.23.250. ORDER TO WITHHOLD AND DELIVER. (a) At the
16 expiration of 30 days from the date of service of notice under sec. 150
17 of this chapter, or from the date of service of a notice and finding of
18 financial responsibility under sec. 160 of this chapter, the agency may
19 issue to any person, political subdivision, or department of the state
20 an order to withhold and deliver property.

21 (b) All real or personal property belonging to the obligor is
22 subject to an order to withhold and deliver, including, but not limited
23 to, earnings which are due, owing, or belonging to the debtor.

24 (c) The agency may issue an order to withhold and deliver when it
25 has reason to believe that there is in the possession of a person,
26 political subdivision, or department of the state property which is due,
27 owing, or belonging to the obligor.

28 (d) The order to withhold and deliver shall be served upon the
29 person, political subdivision, or department of the state possessing the

1 property by registered mail, return receipt requested. The order shall
2 be mailed by the agency for restricted delivery only to the person to
3 whom the order is directed or to the person authorized under federal
4 regulation to receive his restricted delivery mail. The order shall
5 state the amount of the obligor's liability and shall state in summary
6 the terms of secs. 260 and 270 of this chapter.

7 (e) Any person, political subdivision, or department of the state
8 served with an order to withhold and deliver is required to make true
9 answers to inquiries contained in the order under oath and in writing
10 within 30 days of service of the order and is further required to answer
11 all inquiries subsequently put.

12 (f) If any person, political subdivision, or department of the
13 state upon whom service of an order to withhold and deliver has been
14 made possesses property due, owing, or belonging to the obligor, that
15 person, subdivision, or department shall withhold the property imme-
16 diately upon receipt of the order and shall deliver the property to the
17 agency upon demand after the expiration of the 30-day period from the
18 date of service of the order. The agency shall hold property delivered
19 under this subsection in trust for application against the liability of
20 the obligor under sec. 130 of this chapter or for return, without
21 interest, depending on final determination of liability or nonliability
22 under this chapter. The agency may accept a good and sufficient bond
23 conditioned upon final determination of liability in lieu of requiring
24 delivering of property under this subsection.

25 (g) Delivery to the agency of the money or other property due,
26 owing, or belonging to the obligor shall satisfy the requirement of the
27 order to withhold and deliver. Delivery of money due and owing to the
28 obligor under any contract of employment, express or implied, or held by
29 any person, political subdivision, or department of the state, and

1 subject to withdrawal by the obligor, shall be delivered by remittance
2 payable to the order of the agency.

3 (h) The agency shall defend and hold harmless for such actions
4 people withholding or delivering money or property to the agency in
5 accordance with this section.

6 (i) Action under this section is subject to those exemptions
7 provided by law.

8 Sec. 47.23.260. CIVIL LIABILITY UPON FAILURE TO COMPLY WITH AN
9 ORDER OR LIEN. If any person, political subdivision, or department of
10 the state (1) fails to make answer to an order to withhold and deliver
11 within the time prescribed in sec. 250 of this chapter; (2) fails or
12 refuses to deliver property in accordance with an order issued under
13 sec. 250 of this chapter; (3) pays over, releases, sells, transfers, or
14 conveys real property subject to a lien filed under sec. 230 of this
15 chapter to or for the benefit of the obligor or any other person; (4)
16 fails or refuses to surrender upon demand property attached; (5) fails
17 or refuses to honor an assignment of wages presented by the agency, the
18 person, political subdivision, or department of the state is liable to
19 the agency in an amount equal to 100 per cent of the amount constituting
20 the basis of the lien, order to withhold and deliver, attachment, or
21 assignment of wages, together with costs, interest, and reasonable
22 attorney fees.

23 Sec. 47.23.270. JUDICIAL RELIEF FROM ADMINISTRATIVE EXECUTION.
24 Any person against whose property a lien has been filed under sec. 230
25 of this chapter or an order to withhold and deliver served in accordance
26 with sec. 250 of this chapter may apply for relief to the superior
27 court.

28 Sec. 47.23.280. SEVERABILITY: ALTERNATIVE WHEN METHOD OF NOTIFI-
29 CATION HELD INVALID. If any provision of this chapter or the

application of it to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable. If any method of notification provided for in this chapter is held invalid, service as provided for by the laws of the state for service of process in a civil action shall be substituted for the method held invalid.

* Sec. 29. AS 12.62.020(b) is repealed and re-enacted to read:

(b) No information collected under the provisions of any of the following titles of the Alaska Statutes, except for information related to criminal offenses under those titles, may be collected or stored in criminal justice information systems:

- (1) AS 02, except chs. 20,30, and 35;
- (2) AS 03 - 04;
- (3) AS 05, except chs. 20,25,30, and 35;
- (4) AS 06 - 10;
- (5) AS 13 - 15;
- (6) AS 17;
- (7) AS 18, except AS 18.60.120 - 18.60.175 and ch. 65;
- (8) AS 19 - 24;
- (9) AS 25, except ch. 25;
- (10) AS 26 - 27;
- (11) AS 29 - 32;
- (12) AS 34 - 46; and
- (13) AS 47, except chs. 10 and 23.

* Sec. 30. AS 12.62.070(6) is amended to read:

(6) "law enforcement agency" means a public agency which performs as one of its principal functions activities pertaining to law

enforcement and includes the child support enforcement agency created by AS 47.23.

* Sec. 31. AS 43.05.230(a) is amended to read:

(a) Except in connection with official investigations or proceedings of the department, whether judicial or administrative, involving taxes due under this title, except in connection with official investigations or proceedings of the child support enforcement agency, whether judicial or administrative, involving child support obligations imposed or imposable under AS 25 or AS 47, and except as otherwise provided in this section, it is unlawful for an officer, employee or agent of the state to divulge the amount of income or the particulars set out or disclosed in a report or return made under this title.

* Sec. 32. Alaska State Supreme Court Rule of Criminal Procedure 26(b)(2)-(iii) is amended to read:

(iii) These privileges do not apply to a criminal action or proceeding for a crime committed against the person or property of the other spouse or a child of either, including an action for failure to permit visitation with a minor child.

* Sec. 33. Section 23 of this Act has the effect of changing Rule 67(b) of the Rules of Civil Procedure of the Alaska Supreme Court. It removes the requirement that the court accept reasonable agreements as to method of payment of child support. It requires that the court order payments to be made to the child support enforcement agency if the obligee is not residing in the state or if either the obligor or obligee is receiving an allowance for aid to families with dependent children. Section 23 of the Act permits payments to be made directly to the obligee or his custodian only if neither the obligor nor the obligee is receiving an allowance for aid to families with dependent children, and then only if good cause is shown.

* Sec. 34. This Act takes effect July 1, 1977.

REQUESTED MODIFICATIONS TO CSSB 148

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Page 12, line 15
Lines 16-29
Lines 15+

Delete the words: 'In a court'
Delete in their entirety
Insert the words:

- (a) A court order requiring payment of child support shall be modified to order payments made to the agency upon application.
- (b) The agency on behalf of the custodian or the state shall take all necessary action permitted by law to enforce child support orders so entered, including petitioning the court for orders to aid in the enforcement of child support.

Page 13, lines 1-3
Line 4
Line 7
Lines 12-18

Delete in their entirety
Delete subsection (d) and insert subsection (b)
Delete subsection (e) and insert subsection (d)
Delete in their entirety and insert:
Sec. 47.23.090. AGENCY EXEMPT FROM EXECUTION.
No execution shall issue against any child support money held by the agency.

Page 15, line 26
Line 27

Following the word served, insert: personally or
Following the word registered, insert: certified, or insured
Following the word requested, delete the period and the words: the notice shall be mailed by the agency.

Page 16, line 12
Line 13

Following the word served, insert: personally or
Following the word registered, insert: certified or insured.
Following the word requested, delete the period and the words: the notice shall be mailed by the agency.

Page 19, line 7
Line 8

Following the word obligor, insert: personally or
Following the word registered, insert: certified or insured.
Following the word requested, delete the period and the words: the notice, petition, and affidavits shall be.

Line 9
Page 23, line 10
Line 11

Delete the words: mailed by the agency.

Following the word state, insert: personally or
Following the word registered, insert: certified or insured.
Delete the words: the lien shall be mailed by.
Delete in its entirety
Delete in its entirety
Delete in its entirety

Page 24, line 1
Line 2
Line 3
Line 4

Following the word property, delete the remainder of the line.
Delete in its entirety
Delete in its entirety
Delete the words: regulation to receive his restricted delivery mail.
Insert the words: in the manner provided for services of liens under Sec. 240 of this chapter.

Page 25, lines 6 & 7

Delete in their entirety and insert:
(i) The exemptions from execution by judgment debtors under AS 09.35.080 (a) and the restrictions from execution by judgment

CHILD SUPPORT ENFORCEMENT AGENCY
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
SOUTHEAST REGIONAL OFFICE
POUCH H-02K PHONE (907) 465-3095
JUNEAU, ALASKA 99811

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debtors under AS 09.35.080 (b) (1) do not .
apply to proceedings to enforce the payment
of child support under Secs. 230-270 of this
chapter.

Page 27, line 23

Following the word agency, delete the
remainder of the line.

Lines 24-28

Following the word agency, insert: only upon
application, and not in every child support
matter coming before the court.
Delete in their entirety.

STATE OF ALASKA — OPERATING BUDGET SUMMARY

10:45

4/18/77

* * * * * SOCIAL SERVICES * * * * *

SHORT FORM PAGE	BUDGET COMPONENT	FY 1977 AUTHORIZED	FISCAL YEAR 1978			HOUSE - SENATE COMPARISON	
			GOVERNOR	HOUSE	SENATE	F.C.C.	
96	SOUTHEASTERN REGION	270.9	375.0	375.0	375.0		
98	WESTERN REGION	400.7	594.3	594.3	594.3		
100	NORTHWESTERN REGION	317.3	472.1	472.1	472.1		
102	SOUTHERN REGION	234.1	375.7	359.9	336.2	-23.7	-6.5%
104	KEAT			71.9		-71.9	-100.0%
	*** PROGRAM TOTAL ***	3704.4	4611.8	4445.5	4517.1	71.6	1.6%
	PUBLIC ASSISTANCE						
106	ELIGIBILITY	2506.5	2912.1	2786.9	2708.9	48.3	26.5%
108	STAFF DEVELOPMENT	195.6	230.5	182.2	230.5	48.3	1.6%
	*** PROGRAM TOTAL ***	2702.1	3142.6	2971.1	3019.4		
	SOCIAL SERVICES ADMINISTRATION						
110	CENTRAL OFFICE	430.2	978.0	411.2	799.4	388.2	94.4%
112	FIELD SERVICES	927.3					
114	STAFF DEVELOPMENT	767.8	1561.6	143.3	250.0	106.7	74.4%
	*** PROGRAM TOTAL ***	2125.3	2539.6	554.5	1049.4	494.9	69.2%
116	WIN	992.2	603.6	603.6	603.6		
118	OFFICE OF AGING	1639.8	2182.1	2182.1	2179.3	-2.8	-0.1%
	ALCOHOL & DRUG ABUSE						
120	ADMINISTRATION	510.2	567.0	531.1	678.9	147.8	27.8%
122	ALCOHOLISM GRANTS	2657.7	2614.0	2614.0	2614.0		
124	DRUG ABUSE GRANTS	680.0	799.6	799.6	799.6		
	*** PROGRAM TOTAL ***	3847.9	3980.6	3944.7	4092.5	147.8	3.7%
	DRUG ABUSE						
126	ADMINISTRATION (DHSS)	238.1	237.0				
128	COMMISSIONERS OFFICE	394.5	449.9	452.9	439.9	-13.0	-2.8%
130	DIRECTORS OFFICE	221.3	253.5	253.5	253.5		
132	PERSONNEL	272.4	301.2	301.2	301.2		
134	SUPPLY	265.3	267.6	267.6	267.6		
136	FINANCE	775.9	814.5	814.5	814.5		
138	GRAPHIC ARTS	58.6	62.8	62.8	62.8		
	*** PROGRAM TOTAL ***	1988.2	2149.5	2152.5	2139.5	-13.0	-0.6%
140	OC/COLLECTION AGENCY	642.1	815.2	815.2	815.2		
142	CHILD SUPPORT ENFORCEMENT	500.0	786.4				
144	TITLE XX OFFSET						
	*** AGENCY TOTAL ***	41978.4	45135.0	41863.9	42602.6	736.7	1.7%
	DEPARTMENT OF LABOR						
146	FISHERMANS FUND	276.4	283.6	283.6	283.6		
148	SECOND INJURY FUND	316.7	334.8	334.8	334.8		
	EMPLOYMENT SECURITY						
150	EMPLOYMENT SERVICES	6453.6	6228.2	7259.1	7267.1	8.0	0.1%
152	UNEMPLOYMENT INSURANCE	5576.4	9929.1	8409.0	9929.1	1520.1	18.0%
154	PIPELINE UNEMPLOYMENT INSURANC			1520.1		-1520.1	-100.0%
156	ADMINISTRATION	1018.1	980.8	980.8	980.8		
	*** PROGRAM TOTAL ***	13048.1	19138.1	18169.0	18177.0	8.0	0.0%
158	ALYESKA TRAINING	1105.1	956.4	956.4	956.4		
160	WIN						
162	HITCHHIKE						
164	MOTA						
166	JOB CORPS	330.6					
168	NAB JOBS	68.5					
170	LABOR MARKET INFORMATION	361.2	394.6	394.6	394.6		
172	GAAR CETA CONTRACT	1204.1	594.2	594.2	594.2		
	ADMINISTRATION (COL)						
174	COMMISSIONERS OFFICE	496.5	526.1	526.1	452.5	-73.6	-13.9%
176	SUPPORT	1541.1	1903.4	1697.1	1803.4	106.3	6.2%
178	BUILDING & TRAINING FUND						
	*** PROGRAM TOTAL ***	2037.6	2429.5	2223.2	2255.9	32.7	1.4%
	*** AGENCY TOTAL ***	18748.3	24131.2	22955.8	22996.5	40.7	0.1%
180	DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT						
	VETERANS SERVICES	57.3	61.9	66.9	66.9		
	DEPARTMENT OF COMMUNITY & REGIONAL AFFAIRS						
182	SENIOR CITIZENS TAX EXEMPTION	1150.0	1375.0	1292.3	1292.3		
184	PROPERTY TAX EXEMPTION	375.0	654.2	654.2	654.2		
186	RENTERS EQUIVALENCY	150.0	168.0	168.0	168.0		
	SPECIAL ASSESSMENTS	1675.0	2197.2	2114.5	2114.5		
	*** PROGRAM TOTAL ***	2693.2					
	WORK EXPERIENCE/NYC						
	ASSISTANCE						

DEPARTMENT OF HEALTH & SOCIAL SERVICES

PROGRAM: CHILD SUPPORT ENFORCEMENT
 SUB-PROGRAM:

	(01) FY76 ACT	(02) FY77 ATH	(03) FY77 YTD	(04) FY77 RP	(05) FY77 SUP	(06) MAINT	(07) REQUEST	(08) GOVERNOR	(09) HOUSE	(10) SENATE	(11) F.C.C.	(12) BILLS	(13) LEG.REC.
01 PERS. SERV.	41.0	265.0	100.0%			476.6	476.6	472.2					
02 TRAVEL	10.3	6.0	100.0%			42.2	42.2	37.5					
03 CONTRACTUAL	4.5	198.0	100.0%			271.2	271.2	260.4					
04 COMMODITIES	1.4	9.0	100.0%			14.3	14.3	12.5					
05 EQUIPMENT	26.4	22.0	100.0%			5.0	5.0	3.8					
06 LANDS/BLOGS													
07 GRANTS, CLMS													
08 MISC.													
** TOTAL EXPEND	83.6	500.0	100.0%			809.3	809.3	786.4					
09 I-A TRANSFER	2.6					110.4	110.4						
10 FED. RECEIPT	62.7	150.0				60.0	60.0	60.0					
11 G. F. MATCH	20.9	50.0											
12 GENERAL FUND		300.0				739.3	739.3	716.4					
13 PGM RECEIPTS						10.0	10.0	10.0					
14 OTHER FUNDS													
15 FULL-TIME		15.0				23.0	23.0	23.0					
16 PART-TIME													
17 TEMPORARY													
18 MAN-MONTHS		180.0				276.0	276.0	276.0					

NEW POSITIONS

TITLE	LOCATION	TYPE	REQ	S&B COST	OTH.COST	TOT.COST	FED.FUND	GEN.FUND	OTH.FUND	GV	HS	SN	FC	FN
1 CLERK IV-COMPLIANCE SPECIALIST	ANCHORAGE	FULL	1	15.6	4.6	20.2		20.2						1
2 CLERK IV-LOCATOR SPECIALIST	ANCHORAGE	FULL	1	15.6	4.9	20.5		20.5						1
3 CLERK III-CASHIER	ANCHORAGE	FULL	1	15.6	4.6	20.2		20.2						1
4 CLERK III	ANCHORAGE	FULL	5	71.3	21.6	92.9		92.9						5
** NEW POSITION TOTALS			8	118.1	35.7	153.8		153.8						8

Milt
JAY S. HAMMOND
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 7, 1977

Honorable Steve Cowper
Chairman, House Finance Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

FY 78 Budget Amendment No. 27
Health & Social Services Categories
Department of Health & Social Services
Child Support Enforcement BRU
Public Assistance Admin & Support BRU
API BRU
Public Health Admin BRU
Medicaid BRU
Increase of \$244,500 federal funds
Increase of \$133,900 program receipts
Decrease of \$2,100 general funds
Net Increase of 12 positions

Dear Representative Cowper:

Please amend the Governor's FY 78 budget to increase the Child Support Enforcement program budget request to a level sufficient to meet federal and state requirements.

The Dept. of Health and Social Services and the consulting firm of Haskins and Sells, hired by the Department to prepare a report on the Child Support Enforcement program, have been advising the Governor's Office and the Legislative Finance Committees on the funding and personnel requirements of the program.

The current Governor's budget contains 23 requested positions; the consultant recommended 68 positions; and a budget request of 40 positions was prepared by the Department for the Legislature.

Our request of March 30, 1977, for a supplemental appropriation for FY 77 for the Child Support Enforcement program is to increase the staffing up to the 40 position level.

Required changes to the current Governor's budget for FY 78 for 40 positions and related costs are as follows:

7 April 1977

	<u>Current Governor's Budget</u>	<u>Revision</u>	<u>Amended Governor's Budget</u>
Federal Funds	\$60.0	\$173.5	\$233.5
Program Receipts	10.0	133.9	143.9
General Funds	<u>716.4</u>	<u>149.1</u>	<u>865.5</u>
Total	<u>\$786.4</u>	<u>\$456.5</u>	<u>\$1,242.9</u>
Positions	23	17	40

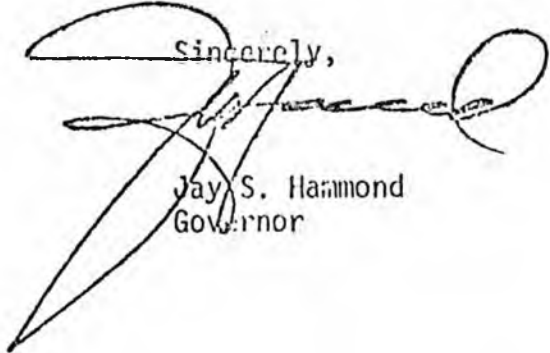
The above requested funding and positions are a higher priority than the positions and funding identified below.

	<u>General Funds</u>	<u>Positions</u>
Medicaid	\$71,000	
Public Health Admin & Support	14,900	1
Alaska Psychiatric Institute	50,900	3
Public Assistance Admin & Support	<u>14,400</u>	<u>1</u>
Total	<u>\$151,200</u>	<u>5</u>

The \$71,000 general funds savings in Medicaid is the result of an error in the original Medicaid budget. Certain Medicaid eligible services qualify for a 90:10 federal-state match basis, but these were incorrectly budgeted as a 50:50 federal-state match. Hence, correcting this error increases the amount of federal funds in Medicaid, and makes available an additional \$71,000 in general funds.

Detailed backup forms are attached to show the changes in each affected budget item.

Sincerely,



Jay S. Hammond
Governor

attachments

cc: Honorable Hugh Malone
Speaker of the House

Budget Amendment Summary

PCN's Deleted
 5130 MH Practical Nurse
 5160 MH Practical Nurse
 5248 Industrial Therapist

BUDGET AMENDMENT NO. 27
 CATEGORY: Health
 DEPARTMENT: Health and Social Services
 BRU: Alaska Psychiatric Institute
 COMPONENT: _____

CODE	EXPENDITURE BY OBJECT	CURRENT GOVERNOR'S BUDGET	REVISION	AMENDED GOVERNOR'S BUDGET
100	PERSONAL SERVICES	5,280.7	(50.9)	5,229.8
200	TRAVEL	40.2		40.2
300	CONTRACTUAL SERVICES	509.2		509.2
400	COMMODITIES	395.3		395.3
500	EQUIPMENT	15.4		15.4
600	LANDS, BUILDINGS ETC.			
90	GRANTS, CLAIMS ETC.	70.4		70.4
800	MISCELLANEOUS			
	TOTAL	6,311.2	(50.9)	6,260.3
	FEDERAL RECEIPTS	700.0		700.0
	REQUIRED GENERAL FUND MATCH	700.1		700.1
	OTHER GENERAL FUND	4,831.1	(50.9)	4,780.2
	INTER-AGENCY TRANSFERS	80.0		80.0
	OTHER: _____			
	TOTAL	6,311.2	(50.9)	6,260.3
	PERMANENT FULL-TIME POSITIONS	235.0	(3.0)	232.0
	PERMANENT PART-TIME POSITIONS	10.0		10.0
	TEMPORARY (FULL-TIME) EQUIV.	1.0		1.0
	NUMBER OF MAN MONTHS	3,065.0	(36.0)	3,029.0

Budget Amendment Summary

BUDGET AMENDMENT NO. 27

CATEGORY: Health

PCN 8022 Deleted
Clerk-Typist

DEPARTMENT: Health & Social Services

BRU: Public Assistance Administration & Support

COMPONENT: _____

CODE	EXPENDITURE BY OBJECT	CURRENT GOVERNOR'S BUDGET	REVISION	AMENDED GOVERNOR'S BUDGET
100	PERSONAL SERVICES	651.4	(14.4)	637.0
200	TRAVEL	23.0		23.0
300	CONTRACTUAL SERVICES	144.9		144.9
400	COMMODITIES	6.6		6.6
500	EQUIPMENT			
600	LANDS, BUILDINGS ETC.			
00	GRANTS, CLAIMS ETC.			
800	MISCELLANEOUS			
	TOTAL	825.9	(14.4)	811.5
	FEDERAL RECEIPTS	454.2		454.2
	REQUIRED GENERAL FUND MATCH	371.7	(14.4)	357.3
	OTHER GENERAL FUND			
	INTER-AGENCY TRANSFERS			
	OTHER: _____			
	TOTAL	825.9	(14.4)	811.5
	PERMANENT FULL-TIME POSITIONS	29.0	(1.0)	28.0
	PERMANENT PART-TIME POSITIONS			
	TEMPORARY (FULL-TIME) EQUIV.			
	NUMBER OF MAN MONTHS	348.0	(12.0)	336.0

Budget Amendment Summary

BUDGET AMENDMENT NO. 27

CATEGORY: Health

DEPARTMENT: Health and Social Services

BRU: MEDICAID

COMPONENT: _____

CODE	EXPENDITURE BY OBJECT	CURRENT GOVERNOR'S BUDGET	REVISION	AMENDED GOVERNOR'S BUDGET
100	PERSONAL SERVICES			
200	TRAVEL	71.5		71.5
300	CONTRACTUAL SERVICES	16,336.1		16,336.1
400	COMMODITIES	20.0		20.0
500	EQUIPMENT			
600	LANDS, BUILDINGS ETC.			
700	GRANTS, CLAIMS ETC.			
800	MISCELLANEOUS			
	TOTAL	16,427.6		16,427.6
	FEDERAL RECEIPTS	8,213.8	71.0	8,284.8
	REQUIRED GENERAL FUND MATCH	8,213.8	(71.0)	8,142.8
	OTHER GENERAL FUND			
	INTER-AGENCY TRANSFERS			
	OTHER: _____			
	TOTAL	16,427.6		16,427.6
	PERMANENT FULL-TIME POSITIONS			
	PERMANENT PART-TIME POSITIONS			
	TEMPORARY (FULL-TIME) EQUIV.			
	NUMBER OF MAN MONTHS			

Budget Amendment Summary

BUDGET AMENDMENT NO. 27

CATEGORY: Social Services

DEPARTMENT: Health and Social Services

BRU: Child Support Enforcement

COMPONENT: _____

CODE	EXPENDITURE BY OBJECT	CURRENT GOVERNOR'S BUDGET	REVISION	AMENDED GOVERNOR'S BUDGET
100	PERSONAL SERVICES	472.2	378.1	850.3
200	TRAVEL	37.5	18.8	56.3
300	CONTRACTUAL SERVICES	260.4	46.8	307.2
400	COMMODITIES	12.5	6.8	19.3
500	EQUIPMENT	3.8	6.0	9.8
600	LANDS, BUILDINGS ETC.			
90	GRANTS, CLAIMS ETC.			
800	MISCELLANEOUS			
	TOTAL	786.4	456.5	1,242.9
	FEDERAL RECEIPTS	60.0	173.5	233.5
	REQUIRED GENERAL FUND MATCH	716.4	149.1	865.5
	OTHER GENERAL FUND			
	INTER-AGENCY TRANSFERS			
	OTHER: <u>Program Receipts</u>	10.0	133.9	143.9
	TOTAL	786.4	456.5	1,242.9
	PERMANENT FULL-TIME POSITIONS	23.0	17.0	40.0
	PERMANENT PART-TIME POSITIONS			
	TEMPORARY (FULL-TIME) EQUIV.			
	NUMBER OF MAN MONTHS	276.0	204.0	480.0

Budget Amendment Summary

BUDGET AMENDMENT NO. 27

CATEGORY: Health

PCN Deleted
1263 Clerk-Typist

DEPARTMENT: Health and Social Services

BRU: Public Health Admin and Support

COMPONENT: Public Health Admin

CODE	EXPENDITURE BY OBJECT	CURRENT GOVERNOR'S BUDGET	REVISION	AMENDED GOVERNOR'S BUDGET
100	PERSONAL SERVICES	398.9	(14.9)	384.0
200	TRAVEL	15.1		15.1
300	CONTRACTUAL SERVICES	41.7		41.7
400	COMMODITIES	5.6		5.6
500	EQUIPMENT	.8		.8
600	LANDS, BUILDINGS ETC.	2.6		2.6
700	GRANTS, CLAIMS ETC.			
800	MISCELLANEOUS			
	TOTAL	464.7	(14.9)	449.8
	FEDERAL RECEIPTS	30.1		30.1
	REQUIRED GENERAL FUND MATCH	45.2		45.2
	OTHER GENERAL FUND	389.4	(14.9)	374.5
	INTER-AGENCY TRANSFERS			
	OTHER: _____			
	TOTAL	464.7	(14.9)	449.8
	PERMANENT FULL-TIME POSITIONS	12.0	(1.0)	11.0
	PERMANENT PART-TIME POSITIONS			
	TEMPORARY (FULL-TIME) EQUIV.			
	NUMBER OF MAN MONTHS	144.0	(12.0)	132.0

MEMORANDUM

TO: Ronald B. Lind, Director
Division of Budget & Management
Department of Administration

DATE: March 29, 1977

FROM: *Catherine M. Hays*
Francis S. L. Williamson
Commissioner
Department of Health & Social Services

SUBJECT: Amended FY'78 Budget Requests
Child Support Enforcement Agency
BRU Code 06-26-5-04-00-00

SSSB 659 (Rules) created the Child Support Enforcement Agency within the Department of Health and Social Services to administer and enforce Child Support Orders of the Superior Courts of this state and the Uniform Reciprocal Enforcement of Support Act. (AS 47.23.002.) Title IV-D of the Social Security Act also requires that child support determination and collection activities be undertaken for AFDC families.

The agency commenced actual child support activities on October 1, 1976, with the initial transfer of domestic cases from the Alaska Court System, reciprocal cases from the Attorney General's Office, and AFDC referrals from the Division of Public Assistance. In mid-October, when the budget request for FY'78 was prepared, the agency had received approximately 3250 cases. The Attorney General's Office and the Court System were unable to furnish either projections of the total number of cases the agency would ultimately receive, or realistic staffing requirements to process those cases. The agency, therefore, prepared its budget request utilizing the best good faith projections its Administrator could develop with the available data.

By mid-February the case files transferred to the agency had exceeded 10,000, with identifiable delinquent accounts for over 5000 cases in which a Court Order had previously been obtained approaching 7 million dollars. With the acquiescence of the Budget Review Committee and the Legislative Finance Committee, the agency contracted with the firm of Haskins & Sells to provide staffing and budget guidelines for the fourth quarter of FY'77 and for FY'78. Haskins & Sells recommended a staff compliment of 68 permanent employees and a budget level of 2.01 million for FY'78.

On March 25, 1977, agency case files had exceeded 11,200, divided as follows: 4123 domestic cases and 1528 reciprocal cases with combined delinquent accounts of 8.07 million dollars; 4367 AFDC referrals for which the Governor's Task Force on efficiency number 277 identified partial recovery of the 7.3 million paid annually to AFDC recipients with a responsible absent parent; and 1200 pending requests for collection and enforcement services.

The attached amended request for fiscal year 1978 provides for an increase of 17 permanent positions and an increased budget request of 456.5, representing an increase of 133.9 in program receipts; 173.5 in federal receipts and 149.1 in state general funds.

A copy of the Haskins & Sells report of March 11, 1977; a copy of the Haskins & Sells work load measurement dated March 17, 1977; and a copy of the proposed staffing chart for 40 permanent employees are attached.

Attachments

STATE OF ALASKA
Office of the Governor
Budget & Management Div.

REVISED PROGRAM
COST ANALYSIS SUMMARY
by BUDGET COMPONENT

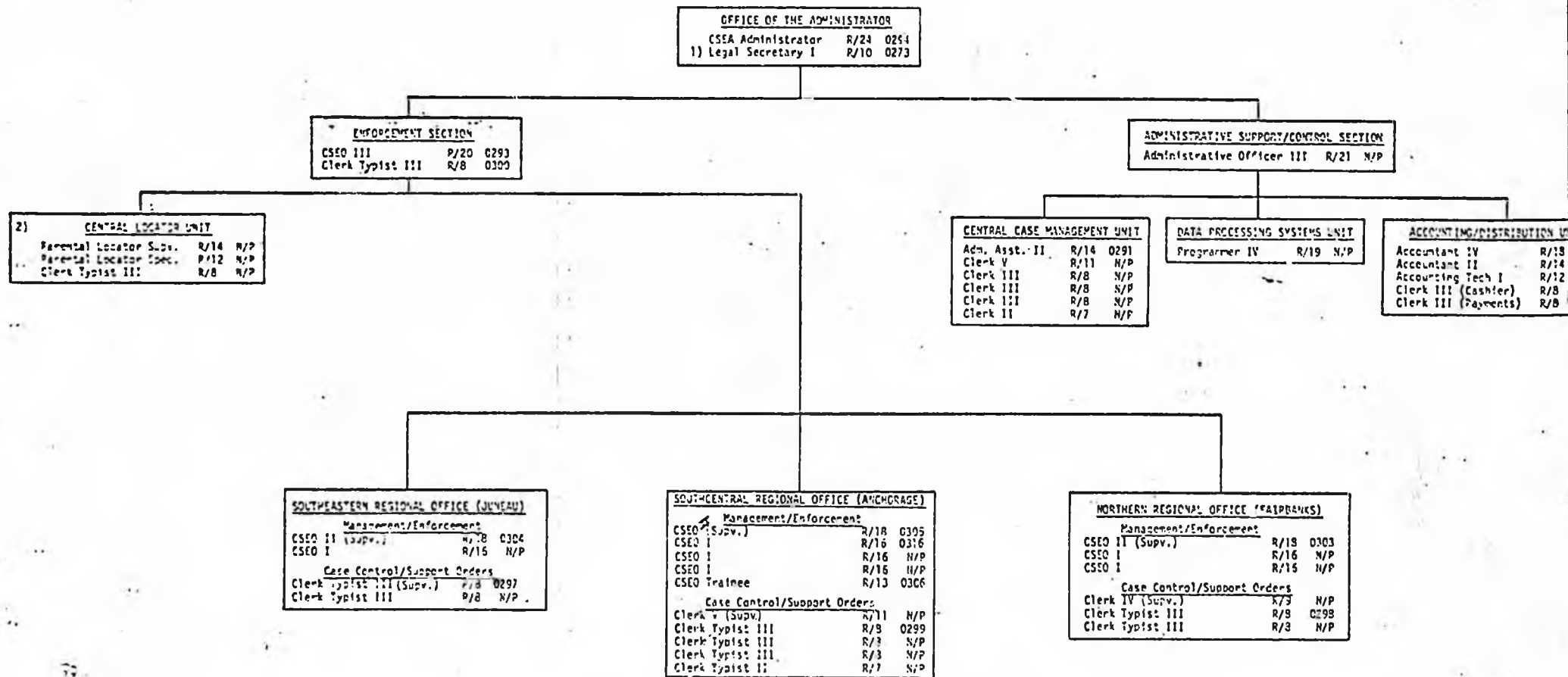
AGENCY Health & Social Services	CATEGORY	06	Health
DIVISION Child Support Enforcement Agency	PROGRAM	26	Admin. Support
	SUB PROGRAM	04	Child Support
	ELEMENT		
	SUB-ELEMENT		

CODE	EXPENDITURE BY OBJECT	Governor's Authorization PRESENT AUTHORIZATION	REVISION INCREASE, (DECREASE)	AMENDED AUTHORIZATION
100	PERSONAL SERVICES	472.2	378.1	850.3
200	TRAVEL	37.5	18.8	56.3
300	CONTRACTUAL SERVICES	260.4	46.8	307.2
400	COMMODITIES	12.5	6.8	19.3
500	EQUIPMENT	3.8	6.0	9.8
600	LANDS, BUILDINGS, NON-STRUCTURAL IMPROVEMENTS			
700	GRANTS, CLAIMS, SHARED REVENUE			
800	MISCELLANEOUS			
	INTER-AGENCY TRANSFERS (INCLUDED ABOVE)			
	TOTAL	786.4	456.5	1,242.9
	FEDERAL RECEIPTS	60.0	173.5	233.5
	REQUIRED GENERAL FUND MATCHING	716.4	149.1	865.5
	OTHER GENERAL FUND			
	INTER-AGENCY TRANSFERS			
	OTHER: Program Receipts	10.0	133.9	143.9
	TOTAL	786.4	456.5	1,242.9
	PERMANENT FULL-TIME POSITIONS	23	17	10
	PERMANENT PART-TIME POSITIONS			
	TEMPORARY (FULL-TIME EQUIVALENTS)			
	NUMBER OF MAN MONTHS	276	204	480

(CURRENT FY)

	FY 77	FY 78	FY ____	FY ____	FY ____	FY ____
EXPENDITURES - TOTAL	500.0	1242.9				
SOURCE OF FUNDS						
FEDERAL	150.0	233.5				
REQ. G.F. MATCH	350.0	865.5				
OTHER G. F.						
OTHER (SPECIFY)		143.9				
Program Receipts						

CHILD SUPPORT ENFORCEMENT AGENCY (ANCHORAGE) PROPOSED STAFFING CHART



March 16, 1977

EXPLANATORY NOTES: N/P = New Position
 1. Reclass from Clerk Typist III, R/8.
 2. Requires establishment of new Parental Locator classification.

DMS VACANT POSITIONS AVAILABLE FOR TRANSFER TO CSEA TO MEET PARTIAL NEW POSITION NEEDS			
PCN	CLASSIFICATION TITLE	BRU (Division)	BUDGETED RANGE/STEP
5130	MH Practical Nurse I	API (MH/20)	88
5160	MH Practical Nurse I	API (MH/20)	88
5248	Industrial Therapist	API (MH/20)	144
6045	MH Practical Nurse I	MSW (MH/20)	88
6047	MH Practical Nurse I	MSW (MH/20)	88
1472	PH Training Specialist	MSW (PA)	194
1263	Clerk Typist III	ADM/SUPP (PA)	86
4136	Correctional Officer I	ADU (CORR)	138
4535	Correctional Officer I	ADU (CORR)	138
9012	Accounting Clerk III	ADM/SUPP (PA)	108
8022	Clerk Typist I	ADM/SUPP (PA)	84
8027	Elig. Worker I	ELG DET (PA)	9A
2286	Clerk Typist III	SOC WK (SS)	8A
TOTAL DMS POSITIONS (as noted above)			13
REQUIRED NEW POSITIONS OR TRANSFERS IN FROM OTHER AGENCIES AND DEPARTMENTS			12
TOTAL NEW POSITIONS			25

RECAPITULATION:		
	FY 77 Existing Positions	New Positions
Office of Administrator	2	0
Enforcement Section	2	0
Central Locator Unit	0	3
SEPO (Juneau)	2	2
SCRO (Anchorage)	4	6
NRO (Fairbanks)	2	4
Adm. Support/Control Section	0	1
Central Case Mgmt. Unit	1	5
Data Processing Systems Unit	0	1
Accounting Distribution Unit	2	2
TOTAL PERSONNEL COMPLEMENT:	15	25



Explanation

Contractual Services

4 Mag Card Machines @ \$225.00 for 12 mos.	10,800
Xerox Machine - Anchorage Central Office 300/mo x 12 mos.	3,600
2 Floppy Disc Terminals 390/mo. x 12 mos.	9,360
Tape printer for Floppy Disc 110/mo. x 12 mos.	1,320
Locmis Security Systems	6,800
Installation of Silent Alarm	
Night Patrol	
Pick up Daily Cash Reciepts	
Software Accounts Receivable and Accounts Payable System	15,000

Commodities

Required Commodities in support of new personnel	6,800
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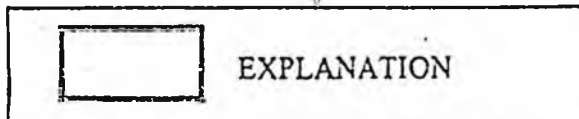
Equipment

Computerized cash register, including installation	3,000
Tape converter for cash register receipts, including installation	3,000

BRU _____

BRU CODE _____

REVISED _____





Explanation

Travel Analysis

In order to meet Federal Financial Participation Requirements, it is mandatory the Child Support Enforcement Agency operate and provide ongoing services on a statewide basis. This will necessitate travel throughout each Judicial District to enforce Superior Court Orders. It will further require the necessary administrative travel to support the Regional Offices and maintain a working relationship with the Department Offices in Juneau.

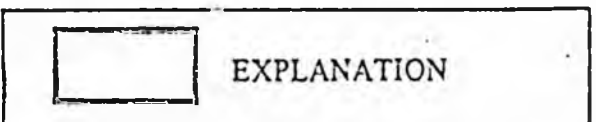
I. Administrative Officer III		
12 trips to Juneau @ 200 per trip =		2400
2 trips to Seattle @ 355 per trip =		355
1 trip to a National Seminar @ 700 =		700
II. Child Support Enforcement Officer I		
12 trips to Sitka @ 110 per trip =		1320
12 trips to Ketchikan @ 130 per trip =		1560
2 trips to Anchorage @ 250 =		250
III. Child Support Enforcement Officer I - Fairbanks		
12 trips to Nome at 261 per trip =		3132
4 trips to Barrow at 221 per trip =		884
12 trips to Bethel at 263 per trip =		3156
2 trips to Anchorage at 200 per trip =		400
IV. Child Support Enforcement Officer I - Anchorage		
12 trips to Kodiak @ 90 per trip =		1080
12 trips to Kenai @ 30 per trip =		360
4 trips to Cordova @ 60 per trip =		240
4 trips to Valdez @ 78 per trip =		312
4 trips to Cold Bay @ 365 per trip =		1460
4 trips to Seward @ 37 per trip =		148
4 trips to Homer @ 46 per trip =		184

In order to assure that the required monthly reports are accurate and precise, it is necessary to bring the supportive clerical personnel from each Regional Office to Anchorage for an extensive training seminar.

V. Clerk IV - Fairbanks		
1 trip to Anchorage @ 140 =		140

continued

BRU _____ BRU CODE _____ REVISED _____





Explanation

VI. Clerk Typist III - Juneau
1 trip to Anchorage @ 190 =

190

TOTAL

18,876

BRU _____ BRU CODE _____ REVISED _____



EXPLANATION



13 Request for New Positions

POSITION TITLE Child Support Enforcement Officer I			16 RANGE	GG SARG. UNIT	LOCATION Juneau	APPROV.	DISAPPROV.
TYPE OF POSITION PFT (PFT, PPT, SEAS.)		NEW X	RP#	MAINT.	BRU	FORM 12	GOV.
		PCN #	CHARGE X		PRIORITY	PAGE/LINE 1	LEG.
TYPE OF EXPENDITURE	AMOUNT	FUNDING SOURCE			DETAIL OF RELATED EXPENSES		
		GF	OTHER	RECEIPT CODE			
PERSONAL SERVICES	24,548				1630 x 12 mo. x 25.5% Benefits		
TRAVEL	3,380	[Hatched Area]					
CONTRACTUAL	1,910						
COMMODITIES	400						
EQUIPMENT							
OTHER							
TOTAL	30,238				BRU COMPONENT		

JUSTIFICATION: AS 47.23.020 requires the Child Support Enforcement Agency to administer and enforce child support orders of the Superior Courts of this state and the Uniform Reciprocal Enforcement of Support Act. Public Law 93647 requires the state to obtain child support orders and administer and enforce the same for recipients of Aid to Families with Dependent Children. On January 25, 1977, the agency had over 8000 cases, with new cases projected at a net increase of 20 per week. Arrearages in past due child support were in excess of \$6 million on January 28, 1977. Obligors and obligees must be interviewed, and enforcement proceedings initiated. The Federal law requires operation on a statewide basis and suggests no more than 500 to 750 cases per enforcement officer. In order to provide adequate service to citizens of this state, there should be at least one enforcement office located within the jurisdiction of each major super court. Federal regulations 45 CFR Part 303 requires sufficient staff to provide enforcement functions. 45 CFR Part 304 provides for federal financial participation for a portion of these activities.

BRU _____ BRU CODE _____ REVISED _____

13

PERSONAL SERVICES
REQUEST FOR NEW POSITION

13 Request for New Positions

POSITION TITLE Clerk Typist III				8 RANGE	GG BARG. UNIT	LOCATION Juneau	APPROV.	DISAPPROV.
TYPE OF POSITION PFT (PFT, PPT, SEAS.) _____		NEW X	RP #	MAINT.	BRU	FORM 12	GOV.	
		PCN #	CHARGE X		PRIORITY _____	PAGE/LINE 2	LEG.	
TYPE OF EXPENDITURE	AMOUNT	FUNDING SOURCE			DETAIL OF RELATED EXPENSES			
		GF	OTHER	RECEIPT CODE				
PERSONAL SERVICES	14,412				957 x 12 mos. x 25.5% Benefits			
TRAVEL	190							
CONTRACTUAL	1,910				Professional fees, Equipment rental			
COMMODITIES	400							
EQUIPMENT								
OTHER								
TOTAL	16,912				BRU COMPONENT			

JUSTIFICATION: AS 47.23.020 requires the Child Support Enforcement Agency to administer and enforce child support orders of the Superior Courts of this state and the Uniform Reciprocal Enforcement of Support Act. Public Law 93-647 requires the state to obtain child support orders and administer and enforce the same for recipients of Aid to Families with Dependent Children. On January 25, 1977, the agency had over 8000 cases. New cases are projected at a net of 20 per week. Arrearages in past due child support are over \$6 million. Enforcement proceedings must be initiated to collect this child support, as well as the new cases. Each Child Support Officer can effectively utilize two clerk typists during this fiscal year, and additional typists as CSEO efficiency is increased. Federal regulations 45 CFR Part 303 requires sufficient staff to complete these activities. 45 CFR Part 304 provides for federal financial participation for a portion of these activities.

BRU _____ BRU CODE _____ REVISED _____

13

PERSONAL SERVICES
REQUEST FOR NEW POSITION

13 Request for New Positions

POSITION TITLE Child Support Enforcement Officer I			16 RANGE	GG BARG. UNIT	LOCATION Fairbanks	APPROV.	DISAPPROV.
TYPE OF POSITION (PFT, PPT, SEAS.) <u>PFT</u>		NEW X	RP#	MAINT.	BRU	FORM 12	GOV.
		PCN #	CHARGE X		PRIORITY	PAGE/LINE <u>3</u>	LEG.
TYPE OF EXPENDITURE	AMOUNT	FUNDING SOURCE			DETAIL OF RELATED EXPENSES		
		GF	OTHER	RECEIPT CODE			
PERSONAL SERVICES	28,448				1689 X 12 MOS. X 25.5% benefits		
TRAVEL	3,786						
CONTRACTUAL	1,910				Professional fees, equipment rental		
COMMODITIES	400						
EQUIPMENT							
OTHER							
TOTAL	34,544				BRU COMPONENT		

JUSTIFICATION: AS 47.23.020 requires the Child Support Enforcement Agency to administer and enforce child support orders of the Superior Courts of this state and the Uniform Reciprocal Enforcement of Support Act. Public Law 93647 requires the state to obtain child support orders and administer and enforce the same for recipients of Aid to Families with Dependent Children. On January 25, 1977, the agency had over 8000 cases, with new cases projected at a net increase of 20 per week. Arrearages in past due child support were in excess of \$6 million on January 28, 1977. Obligors and obligees must be interviewed, and enforcement proceedings initiated. The Federal law requires operation on a statewide basis and suggests no more than 500 to 750 cases per enforcement officer. In order to provide adequate service to citizens of this state, there should be at least one enforcement office located within the jurisdiction of each major super court. Federal regulations 45 CFR Part 303 requires sufficient staff to provide enforcement functions. 45 CFR Part 304 provides for federal financial participation for a portion of these activities.

BRU _____ BRU CODE _____ REVISED _____

13 PERSONAL SERVICES
 REQUEST FOR NEW POSITION



13 Request for New Positions

POSITION TITLE Child Support Enforcement Officer I		16 RANGE	GG BARG. UNIT	LOCATION Fairbanks		APPROV.	DISAPPROV.
TYPE OF POSITION (PFT, PPT, SEAS) PFT	NEW X	RP#	MAINT.	BRU	FORM 12		
		PCN #	CHARGE X	PRIORITY	PAGE/LINE	LEG.	
					4		
TYPE OF EXPENDITURE	AMOUNT	FUNDING SOURCE			DETAIL OF RELATED EXPENSES		
		GF	OTHER	RECEIPT CODE			
PERSONAL SERVICES	28,488				1889 x 12 mos. x 25.5% benefits		
TRAVEL	3,786	[Hatched Area]					
CONTRACTUAL	1,910						
COMMODITIES	400						
EQUIPMENT							
OTHER							
TOTAL	34,544				BRU COMPONENT		

JUSTIFICATION: AS 47.23.020 requires the Child Support Enforcement Agency to administer and enforce child support orders of the Superior Courts of this state and the Uniform Reciprocal Enforcement of Support Act. Public Law 93647 requires the state to obtain child support orders and administer and enforce the same for recipients of Aid to Families with Dependent Children. On January 25, 1977, the agency had over 8000 cases, with new cases projected at a net increase of 20 per week. Arrearages in past due child support were in excess of \$6 million on January 28, 1977. Obligors and obligees must be interviewed, and enforcement proceedings initiated. The Federal law requires operation on a statewide basis and suggests no more than 500 to 750 cases per enforcement officer. In order to provide adequate service to citizens of this state, there should be at least one enforcement office located within the jurisdiction of each major super court. Federal regulations 45 CFR Part 303 requires sufficient staff to provide enforcement functions. 45 CFR Part 304 provides for federal financial participation for a portion of these activities.

BRU _____ BRU CODE _____ REVISED _____

13 PERSONAL SERVICES
REQUEST FOR NEW POSITION

13 Request for New Positions

POSITION TITLE Case Control Clerk IV			9 RANGE	Sup. BARG. UNIT	LOCATION Fairbanks	APPROV.	DISAPPROV.
TYPE OF POSITION (PFT, PPT, SEAS.) PFT		NEW X	RP#	MAINT.	BRU	FORM 12	
		PCN #	CHARGE A		PRIORITY	PAGE/LINE 5	LEG.
TYPE OF EXPENDITURE	AMOUNT	FUNDING SOURCE			DETAIL OF RELATED EXPENSES		
		GF	OTHER	RECEIPT CODE			
PERSONAL SERVICES	18,528				1156 x 12 mos. x 25.5% benefits		
TRAVEL	140	[Hatched Area]			x 107		
CONTRACTUAL	1,910				Professional fees, equipment rental		
COMMODITIES	400						
EQUIPMENT							
OTHER							
TOTAL	21,078				BRU COMPONENT		

JUSTIFICATION: AS 47.23.020 requires the Child Support Enforcement Agency to administer and enforce child support orders of the Superior Courts of this state and the Uniform Reciprocal Enforcement of Support Act. Public Law 93647 requires the state to obtain child support orders and administer and enforce the same for recipients of Aid to Families with Dependent Children. This position is responsible for supervising the entry of new cases into the computer, removal of dismissed cases, and the modification of existing computer records to reflect changes in names, addresses, payment amounts, emancipations, removal from welfare, etc. On January 25, 1977, the Agency had over 8000 cases. New cases are projected at 35 per week, dismissals at 15 per week, and data modifications at over 800 per week. In addition, all AFDC assignments must be crossreferenced as data input each month. During this fiscal year this function will require five case maintenance input clerks and one working supervisor. The supervisor is also responsible for forwarding all pertinent data to the appropriate CSEO and reciprocal states, and answering correspondence concerning these functions, received from reciprocal states, other IVD offices, attorneys and clients. Federal regulations 45 CFR Part 303 requires sufficient staff to complete these activities. 45 CFR Part 304 provides for federal financial participation for a portion of these activities.

BRU _____ BRU CODE _____ REVISED _____

13 PERSONAL SERVICES
REQUEST FOR NEW POSITION

13 Request for New Positions

POSITION TITLE Administrative Officer III				21 RANGE	Sud. BARD. UNIT	LOCATION Anchorage		APPROV.	DISAPPROV.
TYPE OF POSITION (PFT, PPT, SEAS.) <u>PFT</u>		NEW X	RP#	MAINT.		BRU		FORM 12	
		PCN #	CHARGE X		PRIORITY		PAGE/LINE 6	LEG.	
TYPE OF EXPENDITURE	AMOUNT	FUNDING SOURCE			RECEIPT CODE	DETAIL OF RELATED EXPENSES			
		GF	OTHER						
PERSONAL SERVICES	37,965					2356 x 12 mos. x 7% salary increase x 25.5% ben			
TRAVEL	3,910								
CONTRACTUAL	2,360					Xerox. professional fees, equipment rental			
COMMODITIES	400								
EQUIPMENT									
OTHER									
TOTAL	44,535					BRU COMPONENT			

JUSTIFICATION: The Administrative Officer will develop and maintain a comprehensive case file management system for the opening modification and maintenance of our 10,000 central office cases control files, as well as developing a management system for the control, modification and transfer of over 10,000 regional office case 'working files', in compliance with Federal Title IVD requirements. This position will be responsible for over all fiscal management and will control agency expenditures for state, department and federal accountability. This position will develop a detailed and exacting system of coordination with Region 10, Department of Health, Education & Welfare Representatives to insure compliance with all federal requirements under Title IVD of the Social Security Act. This holder of this position should serve as a liason with other departmental operations as well as with other departments that interface with the IVD program. This position will function as the agency deputy in the absence of the agency Administrator. This position will hold the responsibility to insure that all federal reports are accurate to insure correct agency allocations within the guidelines of Public Law 93-647. The holder of this position will supervise and assume the responsibility for the preparation of the agency budget, all pertinent personnel actions and all other necessary administrative functions within the scope of an Administrative Officer's assignments. The holder of this position will work closely with the Accountant IV and Administrator in maintaining fiscal accountability and integrity of Federal reporting to assure that all claims for Federal Financial Participation are in accord with applicable Federal Requirements. The holder of this position will have prime responsibility for the supervision of all employees within the Central Case Management Unit, Data Processing Unit and the Accounting/Distributing Unit.

BRU _____ BRU CODE _____ REVISED _____

13 PERSONAL SERVICES
 REQUEST FOR NEW POSITION

13 Request for New Positions

POSITION TITLE <u>Programmer IV</u>			18 RANGE	GG BARG. UNIT	LOCATION <u>Anchorage</u>	APPROV.	DISAPPROV.
TYPE OF POSITION (PFT, PPT, SEAS.) <u>PFT</u>			NEW <u>X</u>	RP#	MAINT.	BRU	FORM 12
			PCN #	CHARGE <u>X</u>	PRIORITY	PAGE/LINE <u>7</u>	LEG.
TYPE OF EXPENDITURE	AMOUNT	FUNDING SOURCE			DETAIL OF RELATED EXPENSES		
		GF	OTHER	RECEIPT CODE			
PERSONAL SERVICES	28,448				1889 x 12 mos. x 25.5% benefits		
TRAVEL							
CONTRACTUAL	2,360						
COMMODITIES	400						
EQUIPMENT	3,000						
OTHER	34,208						
TOTAL					BRU COMPONENT		

JUSTIFICATION: AS 47.23.020 requires the Child Support Enforcement Agency to administer and enforce child support orders of the Superior Courts of this state and the Uniform Reciprocal Enforcement of Support Act. Public Law 93647 requires the state to obtain child support orders and administer and enforce the same for recipients of Aid to Families with Dependent Children. On January 25, 1977, the agency had over 8000 cases. New cases are projected at 35 per week, dismissals at 15 per week, and data modifications at over 800 per week. In addition, all AFDC assignments must be crossreferenced as data input each month. The existing computer program requires constant maintenance. During this fiscal year this function will require one maintenance programmer. Federal regulations 45 CFR Part 303 requires sufficient staff to complete those activities. 45 CFR Part 304 provides for federal financial participation for a portion of these activities.

BRU _____ BRU CODE _____ REVISED _____

13 PERSONAL SERVICES
REQUEST FOR NEW POSITION



13 Request for New Positions

POSITION TITLE Accountant IV				18 RANGE	GG BARG. UNIT	LOCATION Anchorage	APPROV.	DISAPPROV.
TYPE OF POSITION (PFT, PPT, SEAS.) <u>PFT</u>		NEW X	RP#	MAINT.	BRU	FORM 12	GOV.	
		PCN #	CHARGE	X	PRIORITY	PAGE/LINE 8	LEG.	
TYPE OF EXPENDITURE	AMOUNT	FUNDING SOURCE			RECEIPT CODE	DETAIL OF RELATED EXPENSES		
		GF	OTHER					
PERSONAL SERVICES	28,448					1839 x 12 mos. x 25.5% benefits		
TRAVEL								
CONTRACTUAL	2,360							Xerox, professional fees, equipment rental
COMMODITIES	400							
EQUIPMENT	3,000							Computerized cash register and installation
OTHER								
TOTAL	34,208					BRU COMPONENT		

JUSTIFICATION

This position is required to institute and/or supervise the maintenance of a comprehensive accounts receivable and accounts payable system: (1) for collecting and disbursing intrastate and interstate nonAFDC child support collections to the custodial parent; (2) for collecting and distributing interstate and intrastate AFDC child support collections pursuant to the requirements of Public Law 93647 and 45 CFR, to the respective federal, state and individual accounts, including receipt and distribution of incentive payments; and (3) for collecting and disbursing fees and costs acquired through application or court order. This position will devise, institute and maintain adequate fiscal records to insure proper allocation and reporting of receipts and expenditures pursuant to federal law. This position will develop and maintain a federally and state approved cost allocation plan. This position will supervise a lower grade accountant, accounting technician, cashier and support payments clerk. The holder of this position will work closely with the the Administrative Officer III to insure fiscal accountability and integrity in Federal reporting requirements to assure that claims for Federal funds are in accord with applicable federal requirements.

BRU _____ BRU CODE _____ REVISED _____

13 PERSONAL SERVICES
REQUEST FOR NEW POSITION

13 Request for New Positions

POSITION TITLE Child Support Enforcement Officer I			16 RANGE	GG BARG. UNIT	LOCATION Anchorage	APPROV.	DISAPPROV.
TYPE OF POSITION PFT (PFT, PPT, SEAS.)	NEW X	RP#	MAINT.	BRU	FORM 12 PAGE/LINE 9	GOV.	
		FCN#	CHARGE X	PRIORITY		LEG.	
TYPE OF EXPENDITURE	AMOUNT	FUNDING SOURCE			DETAIL OF RELATED EXPENSES		
		GF	OTHER	RECEIPT CODE			
PERSONAL SERVICES	24,548				1630 x 12 mos. x 25.5% benefits		
TRAVEL	1,892	[Hatched Area]					
CONTRACTUAL	1,910						
COMMODITIES	400						
EQUIPMENT							
OTHER							
TOTAL	28,750				BRU COMPONENT		

JUSTIFICATION: AS 47.23.020 requires the Child Support Enforcement Agency to administer and enforce child support orders of the Superior Courts of this state and the Uniform Reciprocal Enforcement of Support Act. Public Law 93647 requires the state to obtain child support orders and administer and enforce the same for recipients of Aid to Families with Dependent Children. On January 25, 1977, the agency had over 8000 cases, with new cases projected at a net increase of 20 per week. Arrearages in past due child support were in excess of \$6 million on January 26, 1977. Obligors and obligees must be interviewed, and enforcement proceedings initiated. The Federal law requires operation on a statewide basis and suggests no more than 500 to 750 cases per enforcement officer. In order to provide adequate service to citizens of this state, there should be at least one enforcement office located within the jurisdiction of each major super court. Federal regulations 45 CFR Part 303 requires sufficient staff to provide enforcement functions. 45 CFR Part 304 provides for federal financial participation for a portion of these activities.

BRU _____ BRU CODE _____ REVISED _____

13 PERSONAL SERVICES
REQUEST FOR NEW POSITION

13 Request for New Positions

POSITION TITLE <u>Child Support Enforcement Officer I</u>			16 RANGE	GG BARG. UNIT	LOCATION <u>Anchorage</u>	APPROV.	DISAPPROV.
TYPE OF POSITION (PFT, FPT, SEAS.) <u>PFT</u>		NEW <u>X</u>	RP #	MAINT.	BRU	FORM 12	GOV.
		PCN #	CHARGE <u>X</u>		PRIORITY	PAGE/LINE <u>10</u>	LEG.
TYPE OF EXPENDITURE	AMOUNT	FUNDING SOURCE			DETAIL OF RELATED EXPENSES		
		GF	OTHER	RECEIPT CODE			
PERSONAL SERVICES	24,548				1630 x 12 mos. x 25.5% benefits		
TRAVEL	1,892	[Hatched Area]					
CONTRACTUAL	1,910						
COMMODITIES	400						
EQUIPMENT							
OTHER							
TOTAL	28,750				BRU COMPONENT		

JUSTIFICATION: AS 47.23.020 requires the Child Support Enforcement Agency to administer and enforce child support orders of the Superior Courts of this state and the Uniform Reciprocal Enforcement of Support Act. Public Law 93647 requires the state to obtain child support orders and administer and enforce the same for recipients of Aid to Families with Dependent Children. On January 25, 1977, the agency had over 8000 cases, with new cases projected at a net increase of 20 per week. Arrearages in past due child support were in excess of \$6 million on January 28, 1977. Obligors and obligees must be interviewed, and enforcement proceedings initiated. The Federal law requires operation on a statewide basis and suggests no more than 500 to 750 cases per enforcement officer. In order to provide adequate service to citizens of this state, there should be at least one enforcement office located within the jurisdiction of each major super court. Federal regulations 45 CFR Part 303 requires sufficient staff to provide enforcement functions. 45 CFR Part 304 provides for federal financial participation for a portion of these activities.

BRU _____ BRU CODE _____ REVISED _____

13 PERSONAL SERVICES
REQUEST FOR NEW POSITION

13 Request for New Positions

POSITION TITLE Clerk Typist III		8 RANGE	GG BARG. UNIT	LOCATION Anchorage		APPROV.	DISAPPROV.
TYPE OF POSITION (PFT, PPT, SEAS.) 1 FT		NEW X	RP#	MAINT.	BRU	FORM 12	GOV.
		PCN #	CHARGE X	PRIORITY	PAGE/LINE	11	LEG.
TYPE OF EXPENDITURE	AMOUNT	FUNDING SOURCE			DETAIL OF RELATED EXPENSES		
		GF	OTHER	RECEIPT CODE			
PERSONAL SERVICES	14,412				957 X 12 X 25.5% benefits		
TRAVEL		[Hatched Area]					
CONTRACTUAL	4,610						
COMMODITIES	400						
EQUIPMENT							
OTHER							
TOTAL	19,422				BRU COMPONENT		

JUSTIFICATION: AS 47.23.020 requires the Child Support Enforcement Agency to administer and enforce child support orders of the Superior Courts of this state and the Uniform Reciprocal Enforcement of Support Act. Public Law 93-647 requires the state to obtain child support orders and administer and enforce the same for recipients of Aid to Families with Dependent Children. On January 25, 1977, the agency had over 8000 cases. New cases are projected at a net of 20 per week. Arrearages in past due child support are over \$6 million. Enforcement proceedings must be initiated to collect this child support, as well as the new cases. Each Child Support Officer can effectively utilize two clerk typists during this fiscal year, and additional typists as CSEO efficiency is increased. Federal regulations 45 CFR Part 303 requires sufficient staff to complete these activities. 45 CFR Part 304 provides for federal financial participation for a portion of these activities.

BRU _____ BRU CODE _____ REVISED _____

13 PERSONAL SERVICES
REQUEST FOR NEW POSITION

