

LEG. FINANCE - BILLS 1983 - 1984 2084

SB 30 B cont. - SB 312

2084

(A) professional incompetence;

(B) failure to keep informed of current professional practices;

(C) addiction or severe dependency on alcohol or other drugs that impairs the ability to practice safely;

(D) physical or mental disability;

(8) engaged in lewd or immoral conduct in connection with the delivery of professional service.

Sec. 08.87.130. DISCIPLINARY SANCTIONS. (a) When it finds that a person is guilty of an offense under AS 08.87.120, the department may impose the following sanctions singly or in combination:

(1) permanently revoke a registration;

(2) suspend a registration for a determinate period of time;

(3) censure a person registered under this chapter;

(4) issue a letter of reprimand;

(5) place a person registered under this chapter on probationary status and require the person to

(A) report regularly to the department upon matters involving the basis of probation;

(B) limit practice to those areas prescribed;

(C) continue professional education until a satisfactory degree of skill has been attained in those areas determined by the department to need improvement;

(6) impose limitations or conditions on the practice of a person registered under this chapter.

(b) The department may withdraw probationary status if it finds that the deficiencies that required the sanction have been remedied.

(c) The department may summarily suspend a registration before

1 final hearing or during the appeal process if the department finds
2 that the person registered under this chapter poses a clear and imme-
3 diate danger to the public health and safety if the person continues
4 to practice. A person whose registration is suspended under this
5 section shall be entitled to a hearing by the department no later than
6 seven days after the effective date of the order. The person may
7 appeal the suspension after a hearing to a court of competent juris-
8 diction.

9 (d) The department may reinstate a registration that has been
10 suspended or revoked if the department finds after a hearing that the
11 applicant is able to practice with reasonable skill and safety.

12 (e) The department shall seek consistency in the application of
13 disciplinary sanctions, and significant departure from prior decisions
14 involving similar situations shall be explained in findings of fact or
15 orders.

16 Sec. 08.87.140. PENALTY. (a) A person who violates this chap-
17 ter is guilty of a class B misdemeanor.

18 (b) The department may seek to enjoin or restrain a person from
19 violating this chapter.

20 ARTICLE 3. GENERAL PROVISIONS.

21 Sec. 08.87.200. DEFINITION. In this chapter "department" means
22 the Department of Commerce and Economic Development.

23 * Sec. 3. (a) Notwithstanding AS 08.87.020(a) as enacted in sec. 2 of
24 this Act, a person may apply for and receive an original registration as a
25 bachelor social worker if the person holds a degree from a school of social
26 work that is not accredited by the Council on Social Work Education or a
27 bachelor's, master's, or doctor's degree in a field related to social work
28 and has been practicing under the title "social worker" for at least 24
29 consecutive months before July 1, 1987.

1 (b) An application for a registration under this section must be
2 filed before July 1, 1987. Each registration issued under this section
3 shall contain a notice that the person

4 (1) has not been determined by regulations of the commissioner
5 of commerce and economic development to be in good professional standing
6 and fit to practice social work;

7 (2) has not provided the Department of Commerce and Economic
8 Development three references acceptable to the department; and

9 (3) does not have a bachelor's degree from a school of social
10 work accredited by the Council on Social Work Education.

11 * Sec. 4. This Act takes effect July 1, 1984.
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STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: SB 303
 Title: "Board of Social Worker Examiners"
 Sponsor: Senator Josephson
 Requestor: H.E.S.S. Committee

II. FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
 Program Category Affected: Public Prot.
 BRU, Program of Subprogram(s) Affected: Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES	-0-	55.1	58.6	62.3	66.3	70.5
200 TRAVEL	-0-	23.3	24.9	26.6	28.4	30.3
300 CONTRACTUAL	-0-	48.4	34.4	36.8	39.3	42.0
400 COMMODITIES	-0-	1.0	1.0	1.1	1.2	1.3
500 EQUIPMENT	-0-	5.8	0.0	0.0	0.0	0.0
600 LAND & STRUCTURES	-0-	2.7	2.9	3.1	3.3	3.5
700 GRANTS, CLAIMS, ETC	-0-	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	-0-	136.3	121.8	129.9	138.5	147.6
CAPITAL						
REVENUE	-0-	19.6	1.8	1.8	1.8	31.8

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	136.3	121.8	129.9	138.5	147.6
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME	-0-	2	2	2	2	2
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not identified by the sponsor

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: *Darrell Miller*
 Division: Occupational Licensing
 Approved by Commissioner: Richard A. Lyon
 Department: Commerce & Economic Development

Phone: 465-2535
 Date: June 7, 1983
 Date: 6/13/83

Distribution:

Original to Legislative Finance
 Copy to Office of Management and Budget (for Legislature introduced bills)
 Copy to Department (for Governor introduced bills)
 Copy to Sponsor
 Copy to Requestor (if different from Sponsor)

3/8/83

100 PERSONAL SERVICES FY-83 salary schedule with 7% inflation factor projected for FY-85 through FY-88.

1 License Examiner, Range 12, GGU, 12 months	\$ 30,500.00
1 Clerk III, Range 8, GGU, 12 months	24,559.00
	<u>\$ 55,059.00</u>

200 TRAVEL

License Examiner: 4 Board meetings (2 days ea @\$80.00 per day per diem = \$160.00 X 4)	\$ 640.00
Transportation - 4 Board meetings @\$350 ea	1,400.00
Investigator: 2 Board Meetings (2 days ea @ \$80.00 per day per diem = \$160 X 2)	320.00
Transportation - 2 Board meetings @\$350 ea	700.00
Investigative travel: 5 days per diem per month @ \$80.00 per day X 12	4,800.00
Transportation - 1 out of town trip per month @ \$350.00 ea X 12	4,200.00
Board Members: 5 Board members - 4 Board meetings (2 days ea @ \$80.00 per day per diem = \$160.00 X 4 X 5)	3,200.00
Transportation - 4 Board meetings @\$350.00 ea X 5 Board members)	7,000.00
Support Staff: 2 Board meetings (2 days ea @\$80.00 per day per diem = \$160.00 X 2)	320.00
(Regulations) Transportation - 2 Board meetings @\$350 ea	700.00
	<u>\$ 23,280.00</u>

300 CONTRACTUAL

Postage, telephone, printing, publication and operating cost:	\$ 3,000.00
Computer terminal use; prorated share @\$350 per month**	4,200.00
** License Examiner use only**	
Professional Society Organization dues (annually)	400.00
Professional Examination Service fees for licensing examinations (Estimated 150 for FY-84 for initial licensing @\$125.00 ea) (Estimated 20 new applications per year for FY-85 through FY-88 @\$125.00 each = \$2,500.00 per year)	18,750.00
Meeting rooms for Board meetings (4 meetings 2 days ea @\$150.00 per day = 2 X \$150.00 X 4)	1,200.00
Examination sites for Board Licensure Examinations (3 examinations conducted annually, 2 days ea @ \$150.00 per day = \$300.00 X 3)	900.00
Legal fees: Estimated 2 investigations annually will result in disciplinary proceedings: Fees cover all costs including hearing officer fees, court costs, court recorder costs, appeals cost, witness fees, and all other related costs; (Estimated each hearing process cost is \$10,000.00 X 2)	20,000.00
	<u>\$ 48,450.00</u>

400 COMMODITIES

Stationery, typewriter ribbons, pens, pencils, and other miscellaneous desk top supplies	\$ 1,000.00
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RECEIVED

JUN 13 1983

Josephson,

500 EQUIPMENT (One time cost only- for FY-84)

2 desks, double pedestal, 60"x30" (\$426.92 ea)	\$ 853.84
2 chairs, exec. swivel with arms (\$202.43 ea)	404.86
2 Typewriters, IBM Selectric II (\$1,129.08 ea)	2,258.16
2 typewrite tables (\$94.12 ea)	188.24
2 chairs, side without arms (\$104.19 ea)	208.38
1 desk calculator	331.51
1 recorder, Lanier	705.34
2 book cases (\$137.71 ea)	275.42
2 file cabinets (\$305.65 ea)	611.30
	<hr/>
	\$ 5,837.05

600 LAND & STRUCTURES

2 positions = 150 sq. ft. x \$1.50 x 12 x 2 =	\$ 2,700.00
	<hr/>
TOTAL OPERATING EXPENSE FOR FY-84	<u>\$136,326.05</u>

PROJECTED REVENUE FOR FY-84 THROUGH FY-88

FY-84:	Estimated 150 initial license applications (150 x \$25)	\$ 3,750.00
	Estimated 130 licenses by examination (130 x \$100)	13,000.00
	Estimated 20 licenses issued by credentials (20 x \$50)	1,000.00
	Estimated 25 reexaminations for licensure (25 x \$75)	<u>1,875.00</u>
Total Revenue projected for FY-84		\$19,625.00
FY-85-86 and 87(each year)		
	Estimated 15 new applications annually (15 x \$25)	\$ 375.00
	Estimated 10 licenses issued by examination (10 x \$100)	1,000.00
	Estimated 5 licenses issued by credentials annually (5 x \$50)	250.00
	Estimated 2 reexaminations for licensure annually (2 x \$75)	<u>150.00</u>
Total Revenue projected for each of Fiscal Years 85, 86 and 87:		1,775.00
FY 88:		
	Estimated 150 renewals (150 x \$200)	\$30,000.00
	Estimated 15 new applications (15 x \$25)	375.00
	Estimated 10 licenses issued by examination (10 x \$100)	1,000.00
	Estimated 5 licenses issued by credentials (5 x \$50)	250.00
	Estimated 2 reexamination for licensure (2 x \$75)	<u>150.00</u>
Total Revenue projected for Fiscal Year 88		\$31,775.00

1.	POSITION TITLE License Examiner				RANGE/STEP 12 A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1			2		3				
	PERSONAL SERVICES									
5.	Salary			22.7						
6.	Benefits			3.7						
7.	Supplemental Benefits			1.4						
8.	Fixed Benefits			2.7						
9.	TOTAL PERSONAL SERVICES			01		30.5				
10.	Travel			02		2.0				
11.	Contractual			03		5.7				
12.	Commodities			04		.5				
13.	Equipment			05		2.9				
14.	Other					1.4				
15.	TOTAL COST					43.0				
	RECEIPT CODE				FUNDING SOURCE					
16.					Federal Receipts 1002					
17.					G.F. Match 1003					
18.					General Funds 1004					
19.					I-A Receipts 1005					
20.					Program Receipts 1028					
21.					Other					
43.0										
FOR B&M USE ONLY										
4A KEY NUMBER										

This position would be required under Senate Bill No. 303, "An Act relating to the practice of social work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary support to the board of social worker examiners in the organization of the board, initial licensing of applicants, establishing license files, computer entry of license data entry, conducting board meetings (providing administrative support for such meetings) communications with other professional boards, providing budget input to the Division as to board needs for funding, and all other duties as needed.

13 REQUEST FOR
NEW POSITION

AGENCY Commerce and Economic Development
 PROGRAM Consumer Protection
 BRU Occupational Licensing
 COMPONENT Licensing

Page 1 of 2
 Revised Date _____

FY 84

1.	POSITION TITLE Clerk III				RANGE/STEP 8A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.							
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.									
3.	CONTINUATION LEVEL				JUSTIFICATION												
4.	TYPE OF EXPENDITURE				<p>This position would be required under Senate Bill 303, "An Act relating to the practice of social work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary clerical support to the board, assist the License Examiner, provide clerical support to the Regulations Specialist, Investigations, and the Division Director in board related matters, Duties would include, but not necessarily limited to, filing, rough typing, preparing license information for entry on the computer, telephone receptionist, assisting with public inquiries relative to licensing, regulations or statute's of the board, assist in assembling statute and regulations for printing, distributing printed materials to the board and the public, copying of documents as needed, and other related duties as assigned.</p>												
5.	PERSONAL SERVICES																
6.	Salary			17.8													
7.	Benefits			3.0													
8.	Supplemental Benefits			1.1													
9.	Fixed Benefits			2.6													
10.	TOTAL PERSONAL SERVICES	01		24.6													
11.	Travel	02		0.0													
12.	Contractual	03		1.5													
13.	Commodities	04		0.5													
14.	Equipment	05		2.9													
15.	Other			1.4													
15.	TOTAL COST			30.9													
16.	RECEIPT CODE	FUNDING SOURCE															
17.		Federal Receipts 1002															
18.		G.F. Match 1003															
19.		General Funds 1004		30.9													
20.		I-A Receipts 1005															
21.		Program Receipts 1028															
21.		Other															
FOR B&M USE ONLY																	
4A KEY NUMBER _____																	

13 REQUEST FOR
NEW POSITION

AGENCY Commerce & Economic Development
PROGRAM Consumer Protection
BRU Occupational Licensing
COMPONENT Licensing

Page 2 of 2
Revised Date _____

FY 84

Alaska State Legislature

OFFICIAL BUSINESS

CHAIRMAN
RULES COMMITTEE



Senate

JAN FAIKS
POUCH V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

MEMORANDUM

TO: All Members
Senate Finance Committee

FROM: Senator Jan Faiks

DATE: May 3, 1984

RE: Senate Bill 303

In doing research for this bill, I spoke with the Governor's office about the Administration's position on this legislation. I was told that the Governor is very concerned about the growing number of boards and commissions, and I was asked to explore optional methods of providing for the functions intended. With this thought in mind, I have drafted this committee substitute to achieve registration without the creation of a new licensing board. Attached is a letter from the Governor.

Sectional Analysis of CSSB 303 (FIN)

Section 1. Adds social workers to the list of regulated professions.

Section 2. Regulation of Social Workers

Powers and Duties of the Department

The Department of Commerce and Economic Development must submit an annual report to the Governor, set standards for specialty designations for the private practice of social work, and impose disciplinary sanctions. The commissioner may adopt regulations for the supervision of social workers and require proof of continuing competency.

Registration of Social Workers

Bachelor-must be in good professional standing, provide 3 references, and hold a bachelor's degree in social work from an accredited school.

Master-all of above plus hold a Master's degree or PhD. degree in social work.

Clinical Social Worker-all of above plus complete 2 years of full time post graduate experience in a specialty approved by the Department.

Scope of Practice

Services may include the identification of social problems, assisting people in solving problems, client advocacy, developing community resources and planning social programs.

Bachelor-may practice only under supervision

Master-may provide therapeutic counseling, consultation services regarding social programs.

Clinical-may engage in private practice limited to the designated specialty, may practice psychotherapy.

Registration Renewal

Every 4 years

Fees

Application	\$25
Registration	\$200
Renewal	\$200

Registration Required for Use of Title

Unless registered with the Department under this chapter, a person may not use the title social worker.

Confidentiality of Communications

A social worker may not reveal a communication made to the social worker in a professional capacity unless the confidence falls in one of the 6 exceptions.

Grounds for the Imposition of Disciplinary Sanctions

Discipline may be imposed by the Department for any of 8 listed violations.

Disciplinary Sanctions

These include-suspension of registration, censure, letter of reprimand, probation, or impose limitations on a person's practice.

Penalty

A person violating this chapter is guilty of a class B felony.

Section 3. Grandfather Provisions

Notwithstanding the requirements of this chapter, a person who has practiced as a social worker for 24 consecutive months before July 1, 1987, or a person who has graduated from an unaccredited school may apply for registration prior to July 1, 1987. Any registration issued under this paragraph shall contain a notice on the registration that the person received this registration through grandfather provisions.

Page 2

March 9, 1984

I hope that all options will be explored mutually before SB 303 comes to my desk for signature. In the meantime, I have noted that support has been expressed from persons I hold in high regard for SB 303.

Sincerely,

Bill Sheffield
Governor

Enclosure

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

March 9, 1984

Address:

Dear Salutation:

I would like to respond to your recent correspondence related to the licensing of social workers in Alaska. I have received several letters from mental health professionals urging my support of SB 303 sponsored by Senator Josephson that establishes a standard of training and conduct for social workers practicing in Alaska. It also creates a new State board for the purposes of licensing and disciplinary action.

From the aspect of consumer protection, the overall concept of licensing social workers in Alaska is something that certainly appears to have merit at this time. However, my concern about the rapid proliferation of State boards, commissions, authorities, councils, and other advisory bodies is something that I have addressed numerous times since I was elected.

We are conducting an extensive research project on all public advisory bodies that currently exist by statute. That review has not been completed. However, preliminary results lead me to believe that Alaska has a history of creating boards and commissions without a great deal of thought given to optional ways of providing the function intended other than for the creation and continued maintenance of a board. I have stated my concern about the growing number of boards and commissions in a policy statement which I have enclosed with this letter.

I have been informed by my staff that this policy has been articulated to your representatives who have discussed this matter with my office, and that an offer of assistance has been made by my staff to explore optional ways of achieving licensure without the creation of a new licensing board at this time.

March 9, 1984

I hope that all options will be explored mutually before SB 303 comes to my desk for signature. In the meantime, I have noted that support has been expressed from persons I hold in high regard for SB 303.

Sincerely,

Bill Sheffield
Governor

Enclosure

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 2/27/84

REQUEST

Bill/Resolution: No.: CSSB 303 (HESS)
Title: "Board of Social Worker -
Examiners"

Sponsor: Senator Josephson
Requestor: HESS Committee
Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
Program Category Affected: Public Protection

BRU, Program or Subprogram(s) Affected:
Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		57.2	61.2	65.6	70.2	75.1
200 TRAVEL		23.3	24.9	26.6	28.4	30.3
300 CONTRACTUAL		48.5	51.8	55.4	59.2	63.3
400 SUPPLIES		1.0	1.0	1.0	1.0	1.0
500 EQUIPMENT		7.5	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES		2.7	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		140.2	138.9	148.6	158.8	169.7
CAPITAL						
REVENUE		18.8	21.3	23.8	26.3	28.8

FUNDING: (Thousands of Dollars)

GENERAL FUND		140.2	138.9	148.6	158.8	169.7
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		2		2	2	2
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Jennifer Strickler, Mgt Analyst

Phone: 465-2144

Division: Occupational Licensing

Date: 2-27-84

Approved by Commissioner: Richard A. Lyon

Date: 3/5/84

Agency: Commerce & Economic Development

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

CSRR 303 FISCAL IMPACT
(HES)

(NOTE: 7% inflation factor projected for FY '85 through
FY '89 for operating costs)

100 PERSONAL SERVICES:

1 Licensing Examiner, Range 12A, GGU, 12 months, to be located in Juneau	\$31,721.83
1 Clerk III, Range BA, GGU, 12 months, to be located in Juneau	25,549.85
	\$57,271.68

200 TRAVEL:

License Examiner:	4 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 4)	\$640.00
	Transportation - 4 board mtgs @ \$350 ea.	1,400.00
Investigator:	2 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 2)	320.00
	Transportation - 2 board mtgs @ \$350 ea.	700.00
	Investigative travel: 5 days per diem per month @ \$80 per day x 12	4,800.00
	Transportation - 1 out of town trip per month @ \$350 ea. x 12	4,200.00
Board Members:	5 board members - 4 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 4 x 5)	3,200.00
	Transportation - 4 board mtgs @ \$350 ea. x 5 board members	7,000.00
Support Staff:	2 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 2)	320.00
	Transportation - 2 board mtgs @ \$350 ea.	700.00
		\$23,280.00

300 CONTRACTUAL:

Postage, telephone, printing, publication and operating cost:	\$3,000.00
Computer terminal use; prorated share @ \$350 per mo. **License Examiner use only**	4,200.00
Professional Society Organization dues (annually)	400.00
Professional Examination Service fees for licensing examinations: (Estimated 150 for FY 85 for initial licensing @ \$125 ea) (Estimated 20 new applications per year for FY 86 - FY 89 @ \$125 ea. = \$2,500.00 per year)	18,750.00

Meeting rooms for board meetings (4 meetings 2 days ea
@ \$150 per day = 2 x \$150 x 4) 1,200.00

Examination sites for Board Licensure Examinations
(3 examinations conducted annually, 2 days ea. @ \$150
per day = \$300 x 3) 900.00

Legal fees: Estimated 2 investigations annually will
result in disciplinary proceedings: Fees cover all costs
including hearing officer fees, court costs, court recorder
costs, appeals cost, witness fees, and all other related costs;
(Estimated each hearing process cost is \$10,000.00 x 2) 20,000.00
\$ 48,450.00

400 COMMODITIES:

Stationery, typewriter ribbons, pens, pencils, and
other miscellaneous desk top supplies \$ 1,000.00

500 EQUIPMENT: (one time costs only)

2 desks, double pedestal, 70"x36" @ 711.50 ea. \$ 1,423.00
2 chairs, swivel with arms @ 225.42 ea. 450.84
2 typewriters, IBM Selectric II @ 1242.09 ea. 2,484.18
2 chairs, side, without arms @ 114.60 ea. 229.20
1 desk calculator 364.66
1 recorder, Lanier 775.87
2 file cabinets, 5 drawer, legal w/lock @ 406.91 ea 813.82
2 tables 72" x 36" @ 340.36 ea. 680.72
1 storage cabinet, 36" x 18" x 78" 288.66
\$ 7,510.95

600 LAND & STRUCTURES:

2 positions = 150 sq. ft. x 1.50 x 12 x 2 2,700.00

GRAND TOTAL \$140,212.63

1.	POSITION TITLE License Examiner I				RANGE/STEP 12 A	BARC. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1	2		3						
	PERSONAL SERVICES									
5.	Salary	23.7								
6.	Benefits	3.9								
7.	Supplemental Benefits	1.5								
8.	Fixed Benefits	2.7								
9.	TOTAL PERSONAL SERVICES	01		31.8						
10.	Travel	02		2.0						
11.	Contractual	03		5.7						
12.	Commodities	04		.5						
13.	Equipment	05		4.5						
14.	Other			1.4						
15.	TOTAL COST			45.9						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		45.9						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B3M USE ONLY										
4A KEY NUMBER _____										

This position would be required under Senate Bill No. 303, "An Act relating to the practice of Social Work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary support to the board of social worker examiners in the organization of the board, initial licensing of applicants, establishing license files, computer entry of license data, conducting board meetings (providing administrative support for such meetings), communications with other professional boards, providing budget input to the Division as to board needs for funding, and all other duties as needed.

13 REQUEST FOR
NEW POSITION

AGENCY Commerce & Economic Development
PROGRAM Consumer Protection
BRU Occupational Licensing
COMPONENT Administration

Page 1 of 2
Revised Date _____

FY 85

1.	POSITION TITLE Clerk III				RANGE/STEP 8 A	BARG. UNIT GGU	FORM 12 PAGE/LINE	COV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION ATA	ELECTION DISTRICT ALL	LEG.		

3.	CONTINUATION LEVEL	ADDITION	
4.	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
	PERSONAL SERVICES		
5.	Salary	18.6	
6.	Benefits	3.0	
7.	Supplemental Benefits	1.1	
8.	Fixed Benefits	2.7	
9.	TOTAL PERSONAL SERVICES	01	25.4
10.	Travel	.02	0
11.	Contractual	03	1.5
12.	Commodities	04	0.5
13.	Equipment	05	3.0
14.	Other		1.4
15.	TOTAL COST		31.8

JUSTIFICATION

This position would be required under Senate Bill No. 303, "An Act relating to the practice of social work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary clerical support to the board, assist the License Examiner, provide clerical support to the Division Director, Management Analyst, Regulations Specialist, Investigations, in board related matters. Duties would include, but not necessarily limited to: filing, rough typing, preparing license information for entry on the computer, telephone receptionist, assisting with public inquiries relative to licensing, regulations or statute's of the board, assist in assembling statute and regulations for printing, distributing printed materials to the board and the public, copying of documents as needed, and other related duties as assigned.

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	31.8
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

FOR BSM USE ONLY
4A KEY NUMBER _____

13 REQUEST FOR
NEW POSITION

AGENCY Commerce & Economic Development
 PROGRAM Consumer Protection
 BRU Occupational Licensing
 COMPONENT Administration

FY 85

Page 2 of 2
Revised Date _____

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 2/27/84

REQUEST

Bill/Resolution No.: CSSB 303 (HESS)
Title: "Board of Social Worker -
Examiners"

Sponsor: Senator Josephson
Requestor: HESS Committee
Date of Request:

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
Program Category Affected: Public Protection

BRU, Program or Subprogram(s) Affected:
Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		57.2	61.2	65.6	70.2	75.1
200 TRAVEL		23.3	24.9	26.6	28.4	30.3
300 CONTRACTUAL		48.5	51.8	55.4	59.2	63.3
400 SUPPLIES		1.0	1.0	1.0	1.0	1.0
500 EQUIPMENT		7.5	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES		2.7	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		140.2	138.9	148.6	158.8	169.7
CAPITAL						
REVENUE		18.8	21.3	23.8	26.3	28.8

FUNDING: (Thousands of Dollars)

GENERAL FUND		140.2	138.9	148.6	158.8	169.7
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Jennifer Strickler, Night Analyst
Division: Occupational Licensing

Phone: 465-2144

Date: 2-27-84

Approved by Commissioner: Richard A. Lyon
Agency: Commerce & Economic Development

Date: 3/5/84

Distribution (by Agency preparing fiscal note):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

12/1/83

CSRB 203 FISCAL IMPACT
(1165)

(NOTE: 7% inflation factor projected for FY '85 through
FY '89 for operating costs)

100 PERSONAL SERVICES:

1 Licensing Examiner, Range 12A, GGU, 12 months, to be located in Juneau	\$31,721.83
1 Clerk III, Range 8A, GGU, 12 months, to be located in Juneau	25,549.85
	\$57,271.68

200 TRAVEL:

License Examiner:	4 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 4)	\$640.00
	Transportation - 4 board mtgs @ \$350 ea.	1,400.00
Investigator:	2 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 2)	320.00
	Transportation - 2 board mtgs @ \$350 ea.	700.00
	Investigative travel: 5 days per diem per month @ \$80 per day x 12	4,800.00
	Transportation - 1 out of town trip per month @ \$350 ea. x 12	4,200.00
Board Members:	5 board members - 4 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 4 x 5)	3,200.00
	Transportation - 4 board mtgs @ \$350 ea. x 5 board members	7,000.00
Support Staff:	2 board meetings (2 days ea. @ \$80 per day/ per diem = \$160 x 2)	320.00
	Transportation - 2 board mtgs @ \$350 ea.	700.00
		\$23,280.00

300 CONTRACTUAL:

Postage, telephone, printing, publication and operating cost:	\$3,000.00
Computer terminal use; prorated share @ \$350 per mo. **License Examiner use only**	4,200.00
Professional Society Organization dues (annually)	400.00
Professional Examination Service fees for licensing examinations: (Estimated 150 for FY 85 for initial licensing @ \$125 ea) (Estimated 20 new applications per year for FY 86 - FY 89 @ \$125 ea. = \$2,500.00 per year)	18,750.00

Meeting rooms for board meetings (4 meetings 2 days ea
@ \$150 per day = 2 x \$150 x 4) 1,200.00

Examination sites for Board Licensure Examinations
(3 examinations conducted annually, 2 days ea @ \$150
per day = \$300 x 3) 900.00

Legal fees: Estimated 2 investigations annually will
result in disciplinary proceedings: Fees cover all costs
including hearing officer fees, court costs, court recorder
costs, appeals cost, witness fees, and all other related costs;
(Estimated each hearing process cost is \$10,000.00 x 2) 20,000.00
\$ 48,450.00

400 COMMODITIES:

Stationery, typewriter ribbons, pens, pencils, and
other miscellaneous desk top supplies \$ 1,000.00

500 EQUIPMENT: (one time costs only)

2 desks, double pedestal, 70"x36" @ 711.50 ea. \$ 1,423.00
2 chairs, swivel with arms @ 225.42 ea. 450.84
2 typewriters, IBM Selectric II @ 1242.09 ea. 2,484.18
2 chairs, side, without arms @ 114.60 ea. 229.20
1 desk calculator 364.66
1 recorder, Lanier 775.87
2 file cabinets, 5 drawer, legal w/lock @ 406.91 ea 813.82
2 tables 72" x 36" @ 340.36 ea. 680.72
1 storage cabinet, 36" x 18" x 78" 288.66
\$ 7,510.95

600 LAND & STRUCTURES:

2 positions = 150 sq. ft. x 1.50 x 12 x 2 2,700.00

GRAND TOTAL \$140,212.63

1.	POSITION TITLE License Examiner I			RANGE/STEP 12 A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT	<p>This position would be required under Senate Bill No. 303, "An Act relating to the practice of Social Work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary support to the board of social worker examiners in the organization of the board, initial licensing of applicants, establishing license files, computer entry of license data, conducting board meetings (providing administrative support for such meetings), communications with other professional boards, providing budget input to the Division as to board needs for funding, and all other duties as needed.</p>				
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	23.7							
6.	Benefits	3.9							
7.	Supplemental Benefits	1.5							
8.	Fixed Benefits	2.7							
9.	TOTAL PERSONAL SERVICES	01	31.8						
10.	Travel	02	2.0						
11.	Contractual	03	5.7						
12.	Commodities	04	.5						
13.	Equipment	05	4.5						
14.	Other		1.4						
15.	TOTAL COST		45.9						
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts	1002						
17.		G.F. Match	1003						
18.		General Funds	1004	45.9					
19.		I-A Receipts	1005						
20.		Program Receipts	1020						
21.		Other							
FOR B&M USE ONLY									
4A. KEY NUMBER									

13 REQUEST FOR
NEW POSITION

AGENCY Commerce & Economic Development
PROGRAM Consumer Protection
BRU Occupational Licensing
COMPONENT Administration

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FY 85

1.	POSITION TITLE Clerk III				RANGE/STEP 8 A	DEPT. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT ALL	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>This position would be required under Senate Bill No. 303, "An Act relating to the practice of social work and establishing the Board of Social Worker Examiners", to implement the provisions of AS 08.87, to provide necessary clerical support to the board, assist the License Examiner, provide clerical support to the Division Director, Management Analyst, Regulations Specialist, Investigations, in board related matters. Duties would include, but not necessarily limited to: filing, rough typing, preparing license information for entry on the computer, telephone receptionist, assisting with public inquiries relative to licensing, regulations or statute's of the board, assist in assembling statute and regulations for printing, distributing printed materials to the board and the public, copying of documents as needed, and other related duties as assigned.</p>					
	PERSONAL SERVICES									
5.	Salary		18.6							
6.	Benefits		3.0							
7.	Supplemental Benefits		1.1							
8.	Fixed Benefits		2.7							
9.	TOTAL PERSONAL SERVICES			25.4						
10.	Travel	.02		0						
11.	Contractual	03		1.5						
12.	Commodities	04		0.5						
13.	Equipment	05		3.0						
14.	Other			1.4						
15.	TOTAL COST			31.8						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		31.8						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR BSM USE ONLY										
4A. KEY NUMBER _____										

13 REQUEST FOR
NEW POSITION

AGENCY Commerce & Economic Development
 PROGRAM Consumer Protection
 BRU Occupational Licensing
 COMPONENT Administration

FY 85

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 Revised Date _____

COMMITTEE REPORT

SENATE

5/27/83

FURTHER: Finance

Date: 2/10/84

Mr. President:

The Committee on HESS has had SB 303

Relating to the practice of social work and establishing the Board of Social Workers Examiners;efd

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SB 303 Hess same title
 new title
- and recommends do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Rich. Halford
Joe Josephson

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Paul Smith
V. Fisher

Joe Josephson
 CHAIRMAN
 DO PASS



Official Business

Alaska State Legislature

Senate

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

LETTER OF INTENT - CSSB 303
(Social Workers)

February 10, 1984

Senator Jalmar Kerttula
President of the Senate

Dear Mr. President:

The Committee on Health, Education and Social Services, to which was referred Senate Bill 303, concerning social workers, recommends that the bill be replaced by the attached Committee Substitute for Senate Bill 303 (HESS), and that the Committee Substitute do pass.

During hearings, representatives of the Division of Family and Youth Services of the Department of Health and Social Services protested that the original bill would have had overly restrictive effects upon the recruitment and retention of persons performing social work services within the government.

Your Committee has considered these objections and notes that Alaska law makes special provisions or exemptions for persons performing the function of psychologists in the government service who would not qualify, to be known as "psychologists" were they in the private sector.

The Committee Substitute is thus patterned after similar language in the provisions of Title 8 pertaining to psychologists. The Committee Substitute thus meets all objections of the Division of Family and Youth Services.

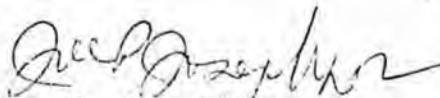
In allowing state workers performing social work functions to be known as "social workers", without meeting the criteria applicable to most social workers in the private sector, your Committee expects that the Division of Personnel of the Department of Administration, as promised to your Committee, will modify the criteria to favor

Letter of Intent - CSSB 773
February 10, 1984
Page Two

candidates who have received formal education at the bachelor's or graduate levels in social work. Your Committee notes that academic undergraduate education in social work is now available at two campuses of the University of Alaska.

It is intended that the Division of Family and Youth Services will be taking this step, and others, with a view to make incremental improvements in the academic qualifications of persons rendering social work services in the Department of Health and Social Services.

Respectfully submitted,



Joe P. Josephson
Chairman
Health, Education and
Social Services
Committee

Attachment

Offered: 2/14/84
Referred: Finance

Original sponsor: Josephson

1 IN THE SENATE
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BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

OF FOR SENATE BILL NO. 303 (HESS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE - SECOND SESSION
A BILL

For an Act entitled: "An Act relating to the practice of social work and establishing the Board of Social Worker Examiners; and providing for an effective date."

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

* Section 1. PURPOSE. The purpose of this Act is to assure the consumer that persons providing services under the title "social worker" have completed professional social work education, adhere to a code of professional ethics, and are subject to review by the Board of Social Work Examiners.

* Sec. 2. AS 08.01.010 is amended by adding a new paragraph to read:
(24) Board of Social Worker Examiners (AS 08.87.010).

* Sec. 3. AS 08.03.010(c) is amended by adding a new paragraph to read:
(21) Board of Social Worker Examiners (AS 08.87.010) --
June 30, 1989.

* Sec. 4. AS 08 is amended by adding a new chapter to read:

CHAPTER 87. SOCIAL WORKERS.
ARTICLE 1. BOARD OF SOCIAL WORKER EXAMINERS.
Sec. 08.87.010. CREATION AND MEMBERSHIP OF BOARD. There is created a Board of Social Worker Examiners consisting of five members, including at least two master social workers, one of whom is engaged in the private practice of social work, at least one bachelor social worker, and one public member. Professional members shall be licensed under this chapter. To the extent possible members shall be appointed from different geographic regions of the state. A member who has

1 served two successive full terms may not be reappointed until four
2 years after the expiration of the second term.

3 Sec. 08.87.020. TERM OF OFFICE. Each member of the board serves
4 for a term of four years and until the member's successor is appointed
5 and qualified. An appointment to a vacancy is for the unexpired
6 portion of the term.

7 Sec. 08.87.030. BOARD MEETINGS. The board shall meet at least
8 two times a year. The board may hold special meetings at the call of
9 the chairman or of a majority of the board members.

10 Sec. 08.87.040. ELECTION OF OFFICERS. The board shall elect
11 from among its members a chairman and a secretary to serve for a term
12 not exceeding two years.

13 Sec. 08.87.050. REMOVAL OF BOARD MEMBERS. The governor may
14 remove a member of the board for cause. The board may by regulation
15 provide that unexcused absences from meetings are cause for removal.

16 Sec. 08.87.060. POWERS AND DUTIES OF THE BOARD. (a) The board
17 shall

18 (1) provide for the examination of eligible applicants for
19 licenses under this chapter;

20 (2) submit an annual report of its proceedings to the
21 governor, including a statement of money received and disbursed;

22 (3) establish standards for specialty designations for the
23 private practice of social work and authorize speciality designations
24 on licenses issued under this chapter;

25 (4) after a hearing, impose disciplinary sanctions against
26 a person who violates this chapter, an order of the board, or a regu-
27 lation of the board;

28 (5) adopt regulations relating to requirements for the
29 supervision of persons engaged in social work under this chapter who

1 are not master social workers;

2 (6) adopt regulations requiring proof of continued compe-
3 tency before a license is renewed;

4 (7) adopt regulations to carry out the purposes of this
5 chapter.

6 ARTICLE 2. LICENSING OF SOCIAL WORKERS.

7 Sec. 08.87.100. LICENSING OF SOCIAL WORKERS. (a) A person is
8 eligible for a license as a bachelor social worker if the person

9 (1) is in good professional standing and is fit to practice
10 social work as determined by regulations of the board;

11 (2) has passed the state examination;

12 (3) provides three references acceptable to the board;

13 (4) has a bachelor's degree from a school of social work
14 accredited by the Council on Social Work Education.

15 (b) A person is eligible for a license as a master social worker
16 if the person meets the requirements of (a)(1) - (3) of this section
17 and has a doctorate or master's degree from a school of social work
18 accredited by the Council on Social Work Education.

19 Sec. 08.87.110. SCOPE OF PRACTICE. (a) A person licensed as a
20 bachelor or master social worker may provide services that enhance
21 social functioning for individuals, families, groups, or communities
22 guided by professional social work ethics, knowledge and intervention
23 methods. The services provided may include

24 (1) identification and evaluation of social problems;

25 (2) developing statistics and data on social problems;

26 (3) assisting people and organizations to solve problems
27 relating to social functioning;

28 (4) client advocacy;

29 (5) developing community resources relating to social

1 services;

2 (6) planning and administering social services programs.

3 (b) A bachelor social worker may practice only under supervision
4 in accordance with regulations of the board.

5 (c) A master social worker may provide

6 (1) therapeutic counseling;

7 (2) consultation regarding social service programs and the
8 provision of social services.

9 (d) A person may engage in the private unsupervised practice of
10 social work only if

11 (1) the person is licensed as a master social worker;

12 (2) the person has completed at least two years of post-
13 graduate supervised experience approved by the board in the field of
14 speciality in which the person engages as a private practitioner;

15 (3) the board has approved the speciality in which the
16 person may engage as a private practitioner and authorizes designation
17 of the speciality on the person's license;

18 (4) the license bearing a designation of speciality is
19 prominently displayed in the place the person engages in private
20 practice;

21 (5) the person limits the private practice of social work
22 to the designated speciality.

23 (e) Only a master social worker designated to engage in the
24 speciality field of clinical social work may practice psychotherapy.

25 Sec. 08.87.120. LICENSE BY CREDENTIALS. The board may provide
26 for licensing a person as a bachelor or master social worker without
27 examination if the person

28 (1) is a graduate of a school of social work accredited by
29 the Council on Social Work Education;

1 (2) has an active license to practice social work in
2 another state, territory or country with requirements at the time of
3 the original licensure that were similar to or higher than those of
4 this state;

5 (3) is not the subject of an unresolved complaint, review
6 procedure, or disciplinary proceeding undertaken by a professional
7 social worker association or regulatory authority;

8 (4) has not failed the examination of this state;

9 (5) has not previously had a license to practice social
10 work revoked in this or another jurisdiction;

11 (6) submits proof of continued competence as required by
12 regulation of the board;

13 (7) pays all required fees.

14 Sec. 08.87.130. LICENSE RENEWAL REQUIRED. A license issued
15 under this chapter shall lapse after four years unless it is renewed.

16 Sec. 08.87.140. FEES. The following fees are imposed under this
17 chapter:

18	(1) application.....	\$ 25
19	(2) license by examination.....	100
20	(3) license by credentials.....	50
21	(4) license renewal.....	200
22	(5) reexamination.....	75

23 ARTICLE 3. PROHIBITIONS AND PENALTIES.

24 Sec. 08.87.200. LICENSE REQUIRED FOR USE OF TITLE. (a) Unless
25 licensed under this chapter, a person may not use the title "social
26 worker" or a title, designation, or device indicating or tending to
27 indicate that the person is a social worker or practices social work.
28 A person may not use the letters LBSW as part of a title unless the
29 person is licensed as a bachelor social worker under this chapter. A

1 person may not use the letters LMSW as part of a title unless the
2 person is licensed as a master social worker under this chapter.
3 Except as provided in (b) of this section, a person may not use the
4 title "social worker trainee".

5 (b) A student in social work pursuing a course of study approved
6 by the board as qualifying training and experience for a social worker
7 may use the title "social worker trainee" if that person's activities
8 constitute a part of that person's supervised course of study.

9 (c) This section does not apply to a person employed by a
10 governmental unit as a social worker if the

11 (1) employer maintains proper supervision of the social
12 work activities and professional conduct;

13 (2) person is performing the social work as part of the
14 duties for which the person was employed; and

15 (3) person does not render or offer to render social work
16 services to the public for compensation in addition to the salary the
17 person receives.

18 Sec. 08.87.210. CONFIDENTIALITY OF COMMUNICATIONS. A social
19 worker licensed under this chapter may not reveal to another person a
20 communication made to the social worker by a client about a matter
21 concerning which the client has employed the social worker in a pro-
22 fessional capacity. This section does not apply if the

23 (1) client provides written consent to the social worker to
24 reveal the communication;

25 (2) client is incompetent and the guardian or personal
26 representative provides written consent to the social worker to reveal
27 the communication;

28 (3) client is dead and a beneficiary of an insurance policy
29 on the client's life provides written consent to the social worker to

1 reveal the communication;

2 (4) communication discloses that a crime has been committed
3 or reveals an intent to commit a crime;

4 (5) client is a minor, the communication discloses that the
5 client was the victim of a crime or harmful act, and the social worker
6 reveals the communication only during the course of an official exam-
7 ination, trial or other proceeding in which the commission of the
8 crime or harmful act is a subject of inquiry;

9 (6) client brings charges against the social worker and the
10 social worker reveals the communication only as necessary to defend
11 the charges.

12 Sec. 08.87.220. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-
13 TIONS. After a hearing, the board may impose a disciplinary sanction
14 on a person licensed under this chapter when the board finds that the
15 licensee

16 (1) secured a license through deceit, fraud, or intentional
17 misrepresentation;

18 (2) engaged in deceit, fraud, or intentional misrepresenta-
19 tion in the course of providing professional services or engaging in
20 professional activities;

21 (3) advertised professional services in a false or mislead-
22 ing manner;

23 (4) has been convicted of a felony or other crime that
24 affects the licensee's ability to continue to practice competently and
25 safely;

26 (5) intentionally or negligently engaged in or permitted
27 the performance of social work by persons under the licensee's super-
28 vision that does not conform to minimum professional standards regard-
29 less of whether actual injury occurred;

1 (6) failed to comply with this chapter, with a regulation
2 adopted under this chapter, or with an order of the board;

3 (7) continued to practice after becoming unfit due to

4 (A) professional incompetence;

5 (B) failure to keep informed of current professional
6 practices;

7 (C) addiction or severe dependency on alcohol or other
8 drugs that impairs the ability to practice safely;

9 (L) physical or mental disability;

10 (8) engaged in lewd or immoral conduct in connection with
11 the delivery of professional service.

12 Sec. 08.87.230. DISCIPLINARY SANCTIONS. (a) When it finds that
13 a licensee is guilty of an offense under AS 08.87.220, the board may
14 impose the following sanctions singly or in combination:

15 (1) permanently revoke a license to practice;

16 (2) suspend a license for a determinate period of time;

17 (3) censure a licensee;

18 (4) issue a letter of reprimand;

19 (5) place a licensee on probationary status and require the
20 licensee to

21 (A) report regularly to the board upon matters involv-
22 ing the basis of probation;

23 (B) limit practice to those areas prescribed;

24 (C) continue professional education until a satisfac-
25 tory degree of skill has been attained in those areas determined
26 by the board to need improvement;

27 (6) impose limitations or conditions on the practice of a
28 licensee.

29 (b) The board may withdraw probationary status if it finds that

1 the deficiencies that required the sanction have been remedied.

2 (c) The board may summarily suspend a license before final
3 hearing or during the appeal process if the board finds that the
4 licensee poses a clear and immediate danger to the public health and
5 safety if the licensee continues to practice. A person whose license
6 is suspended under this section shall be entitled to a hearing by the
7 board no later than seven days after the effective date of the order.
8 The person may appeal the suspension after a hearing to a court of
9 competent jurisdiction.

10 (d) The board may reinstate a license that has been suspended or
11 revoked if the board finds after a hearing that the applicant is able
12 to practice with reasonable skill and safety.

13 (e) The board shall seek consistency in the application of
14 disciplinary sanctions, and significant departure from prior decisions
15 involving similar situations shall be explained in findings of fact or
16 orders.

17 Sec. 08.87.240. PENALTY. (a) A person who violates this chap-
18 ter is guilty of a class B misdemeanor.

19 (b) The board may seek to enjoin or restrain a person not li-
20 censed under this chapter or whose license is suspended, revoked, or
21 expired from violating this chapter.

22 ARTICLE 4. GENERAL PROVISIONS.

23 Sec. 08.87.300. DEFINITIONS. In this chapter

24 (1) "board" means the Board of Social Worker Examiners;

25 (2) "department" means the Department of Commerce and
26 Economic Development.

27 * Sec. 5. AS 44.62.330(a) is amended by adding a new paragraph to read:

28 (53) Board of Social Worker Examiners (AS 08.87.010).

29 * Sec. 6. Within 30 days after the effective date of this Act the

1 governor shall appoint initial members to the Board of Social Worker Exam-
2 iners. Notwithstanding AS 08.87.010 as enacted in sec. 3 of this Act,
3 initial members shall consist of three persons that have a doctorate or
4 master's degree from a school of social work accredited by the Council on
5 Social Work Education, at least one of whom is engaged in the private
6 practice of social work, one person with a bachelor's degree from a school
7 of social work accredited by the Council on Social Work Education, and one
8 public member. Notwithstanding AS 08.87.020 as enacted in sec. 3 of this
9 Act, one initial member shall serve a one-year term, one initial member
10 shall serve a two-year term, one initial member shall serve a three-year
11 term, one initial member shall serve a four-year term, and one initial
12 member shall serve a five-year term as determined by the governor.

13 * Sec. 7. (a) Notwithstanding AS 08.87.100(a) as enacted in sec. 3 of
14 this Act, a person may apply for and receive an original license as a
15 bachelor social worker if the person

16 (1) holds a degree from a school of social work that is not
17 accredited by the Council on Social Work Education or a bachelor's,
18 master's, or doctor's degree in a field related to social work and has been
19 practicing under the title "social worker" for at least 24 consecutive
20 months before July 1, 1987; or

21 (2) meets the requirements of AS 08.87.100(a)(1), (3) and (4).

22 (b) A person who does not meet the requirement under AS 08.87.-
23 100(a)(2) but otherwise meets the requirements of AS 08.87.100(b) may apply
24 for and receive an original license as a master social worker.

25 (c) An application for a license under this section must be filed
26 before July 1, 1987.

27 * Sec. 8. This Act takes effect July 1, 1984.

Introduced: 5/27/83
Referred: Health, Education and
Social Services and Finance

1 IN THE SENATE

BY JOSEPHSON

2

SENATE BILL NO. 303

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the practice of social work and
7 establishing the Board of Social Worker Examiners;
8 and providing for an effective date."

9 IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

11 (24) Board of Social Worker Examiners (AS 08.87.010)

12 * Sec. 2. AS 08.03.010(c) is amended by adding a new paragraph to read:

13 (21) Board of Social Worker Examiners (AS 08.87.010) --
14 June 30, 1988.

15 * Sec. 3. AS 08 is amended by adding a new chapter to read:

16 CHAPTER 87. SOCIAL WORKERS.

17 ARTICLE 1. BOARD OF SOCIAL WORKER EXAMINERS.

18 Sec. 08.87.010. CREATION AND MEMBERSHIP OF BOARD. There is
19 created a Board of Social Worker Examiners consisting of three master
20 social workers, at least one of whom is engaged in the private prac-
21 tice of social work, one bachelor social worker, and one public mem-
22 ber. Professional members shall be licensed under this chapter. To
23 the extent possible members shall be appointed from different geo-
24 graphic regions of the state. A member who has served two successive
25 full terms may not be reappointed until four years after the expira-
26 tion of the second term.

27 Sec. 08.87.020. TERM OF OFFICE. Each member of the board serves
28 for a term of four years and until the member's successor is appointed
29 and qualified. An appointment to a vacancy is for the unexpired

1 portion of the term.

2 Sec. 08.87.030. BOARD MEETINGS. The board shall meet at least
3 two times a year. The board may hold special meetings at the call of
4 the chairman or of a majority of the board members.

5 Sec. 08.87.040. ELECTION OF OFFICERS. The board shall elect
6 from among its members a chairman and a secretary to serve for a term
7 not exceeding two years.

8 Sec. 08.87.050. REMOVAL OF BOARD MEMBERS. The governor may
9 remove a member of the board for cause. The board may by regulation
10 provide that unexcused absences from meetings are cause for removal.

11 Sec. 08.87.060. POWERS AND DUTIES OF THE BOARD. (a) The board
12 shall

13 (1) provide for the examination of eligible applicants for
14 licenses under this chapter;

15 (2) submit an annual report of its proceedings to the
16 governor, including a statement of money received and disbursed;

17 (3) establish standards for specialty designations for the
18 private practice of social work and authorize speciality designations
19 on licenses issued under this chapter;

20 (4) after a hearing, impose disciplinary sanctions against
21 a person who violates this chapter, an order of the board, or a regu-
22 lation of the board;

23 (5) adopt regulations relating to requirements for the
24 supervision of persons engaged in social work under this chapter who
25 are not master social workers;

26 (6) adopt regulations requiring proof of continued compe-
27 tency before a license is renewed;

28 (7) adopt regulations to carry out the purposes of this
29 chapter.

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ARTICLE 2. LICENSING OF SOCIAL WORKERS.

Sec. 08.87.100. LICENSING OF SOCIAL WORKERS. (a) A person is eligible for a license as a bachelor social worker if the person

- (1) is in good professional standing and is fit to practice social work as determined by regulations of the board;
- (2) has passed the state examination;
- (3) provides three references acceptable to the board;
- (4) has a bachelor's degree from a school of social work accredited by the Council on Social Work Education.

(b) A person is eligible for a license as a master social worker if the person meets the requirements of (a)(1) - (3) of this section and has a doctorate or master's degree from a school of social work accredited by the Council on Social Work Education.

Sec. 08.87.110. SCOPE OF PRACTICE. (a) A person licensed as a bachelor or master social worker may provide services that enhance social functioning for individuals, families, groups, or communities guided by professional social work ethics, knowledge and intervention methods. The services provided may include

- (1) identification and evaluation of social problems;
- (2) developing statistics and data on social problems;
- (3) assisting people and organizations to solve problems relating to social functioning;
- (4) client advocacy;
- (5) developing community resources relating to social services;
- (6) planning and administering social services programs.

(b) A bachelor social worker may practice only under supervision in accordance with regulations of the board.

(c) A master social worker may provide

1 (1) therapeutic counseling;
2 (2) consultation regarding social service programs and the
3 provision of social services.

4 (d) A person may engage in the private unsupervised practice of
5 social work only if

6 (1) the person is licensed as a master social worker;
7 (2) the person has completed at least two years of post-
8 graduate supervised experience approved by the board in the field of
9 specialty in which the person engages as a private practitioner;

10 (3) the board has approved the specialty in which the
11 person may engage as a private practitioner and authorizes designation
12 of the speciality on the person's license;

13 (4) the license bearing a designation of speciality is
14 prominently displayed in the place the person engages in private
15 practice;

16 (5) the person limits the private practice of social work
17 to the designated specialty.

18 (e) Only a master social worker designated to engage in the
19 speciality field of clinical social work may practice psychotherapy.

20 Sec. 08.87.120. LICENSE BY CREDENTIALS. The board may provide
21 for licensing a person as a bachelor or master social worker without
22 examination if the person

23 (1) is a graduate of a school of social work accredited by
24 the Council on Social Work Education;

25 (2) has an active license to practice social work in
26 another state, territory or country with requirements at the time of
27 the original licensure that were similar to or higher than those of
28 this state;

29 (3) is not the subject of an unresolved complaint, review

1 procedure, or disciplinary proceeding undertaken by a professional
2 social worker association or regulatory authority;

3 (4) has not failed the examination of this state;

4 (5) has not previously had a license to practice social
5 work revoked in this or another jurisdiction;

6 (6) submits proof of continued competence as required by
7 regulation of the board;

8 (7) pays all required fees.

9 Sec. 08.87.130. LICENSE RENEWAL REQUIRED. A license issued
10 under this chapter shall lapse after four years unless it is renewed.

11 Sec. 08.87.140. FEES. The following fees are imposed under this
12 chapter:

13	(1) application.....	\$ 25
14	(2) license by examination.....	100
15	(3) license by credentials.....	50
16	(4) license renewal.....	200
17	(5) reexamination.....	75

18 ARTICLE 3. PROHIBITIONS AND PENALTIES.

19 Sec. 08.87.200. LICENSE REQUIRED. (a) A person may not engage
20 in the practice of social work unless the person is licensed under
21 this chapter.

22 (b) Notwithstanding (a) of this section, a person may engage in
23 social work if the person is a

24 (1) student enrolled in a program of social work that leads
25 to a degree, engages in social work in the course of completing the
26 program, and is supervised in accordance with regulations of the
27 board;

28 (2) new employee on probationary status, is supervised in
29 accordance with regulations of the board, and has not been engaged in

1 the practice of social work in this state for more than six months;

2 (3) qualified member of another profession and is engaged
3 in the practice of social work only to the extent required by the
4 practice of the other profession.

5 (c) Unless licensed under this chapter, a person may not use the
6 title "social worker" or a title, designation, or device indicating or
7 tending to indicate that the person is a social worker or practices
8 social work. A person may not use the letters LBSW as part of a title
9 unless the person is licensed as a bachelor social worker under this
10 chapter. A person may not use the letters LMSW as part of a title
11 unless the person is licensed as a master social worker under this
12 chapter.

13 Sec. 08.87.210. CONFIDENTIALITY OF COMMUNICATIONS. A social
14 worker licensed under this chapter may not reveal to another person a
15 communication made to the social worker by a client about a matter
16 concerning which the client has employed the social worker in a pro-
17 fessional capacity. This section does not apply if the

18 (1) client provides written consent to the social worker to
19 reveal the communication;

20 (2) client is incompetent and the guardian or personal
21 representative provides written consent to the social worker to reveal
22 the communication;

23 (3) client is dead and a beneficiary of an insurance policy
24 on the client's life provides written consent to the social worker to
25 reveal the communication;

26 (4) communication discloses that a crime has been committed
27 or reveals an intent to commit a crime;

28 (5) client is a minor, the communication discloses that the
29 client was the victim of a crime or harmful act, and the social worker

1 reveals the communication only during the course of an official exam-
2 ination, trial or other proceeding in which the commission of the
3 crime or harmful act is a subject of inquiry;

4 (6) client brings charges against the social worker and the
5 social worker reveals the communication only as necessary to defend
6 the charges.

7 Sec. 08.87.220. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-
8 TIONS. After a hearing, the board may impose a disciplinary sanction
9 on a person licensed under this chapter when the board finds that the
10 licensee

11 (1) secured a license through deceit, fraud, or intentional
12 misrepresentation;

13 (2) engaged in deceit, fraud, or intentional misrepresenta-
14 tion in the course of providing professional services or engaging in
15 professional activities;

16 (3) advertised professional services in a false or mislead-
17 ing manner;

18 (4) has been convicted of a felony or other crime that
19 affects the licensee's ability to continue to practice competently and
20 safely;

21 (5) intentionally or negligently engaged in or permitted
22 the performance of social work by persons under the licensee's super-
23 vision that does not conform to minimum professional standards regard-
24 less of whether actual injury occurred;

25 (6) failed to comply with this chapter, with a regulation
26 adopted under this chapter, or with an order of the board;

27 (7) continued to practice after becoming unfit due to

28 (A) professional incompetence;

29 (B) failure to keep informed of current professional

1 practices;

2 (C) addiction or severe dependency on alcohol or other
3 drugs that impairs the ability to practice safely;

4 (D) physical or mental disability;

5 (8) engaged in lewd or immoral conduct in connection with
6 the delivery of professional service.

7 Sec. 08.87.230. DISCIPLINARY SANCTIONS. (a) When it finds that
8 a licensee is guilty of an offense under AS 08.87.220, the board may
9 impose the following sanctions singly or in combination:

10 (1) permanently revoke a license to practice;

11 (2) suspend a license for a determinate period of time;

12 (3) censure a licensee;

13 (4) issue a letter of reprimand;

14 (5) place a licensee on probationary status and require the
15 licensee to

16 (A) report regularly to the board upon matters involv-
17 ing the basis of probation;

18 (B) limit practice to those areas prescribed;

19 (C) continue professional education until a satisfac-
20 tory degree of skill has been attained in those areas determined
21 by the board to need improvement;

22 (6) impose limitations or conditions on the practice of a
23 licensee.

24 (b) The board may withdraw probationary status if it finds that
25 the deficiencies that required the sanction have been remedied.

26 (c) The board may summarily suspend a license before final
27 hearing or during the appeal process if the board finds that the
28 licensee poses a clear and immediate danger to the public health and
29 safety if the licensee continues to practice. A person whose license

1 is suspended under this section shall be entitled to a hearing by the
2 board no later than seven days after the effective date of the order.
3 The person may appeal the suspension after a hearing to a court of
4 competent jurisdiction.

5 (d) The board may reinstate a license that has been suspended or
6 revoked if the board finds after a hearing that the applicant is able
7 to practice with reasonable skill and safety.

8 (e) The board shall seek consistency in the application of
9 disciplinary sanctions, and significant departure from prior decisions
10 involving similar situations shall be explained in findings of fact or
11 orders.

12 Sec. 08.87.240. PENALTY. (a) A person who violates this chap-
13 ter is guilty of a class B misdemeanor.

14 (b) The board may seek to enjoin or restrain a person not li-
15 censed under this chapter or whose license is suspended, revoked, or
16 expired from violating this chapter.

17 ARTICLE 4. GENERAL PROVISIONS.

18 Sec. 08.87.300. DEFINITIONS. In this chapter

19 (1) "board" means the Board of Social Worker Examiners;

20 (2) "department" means the Department of Commerce and
21 Economic Development.

22 * Sec. 4. AS 44.62.330(a) is amended by adding a new paragraph to read:

23 (52) Board of Social Worker Examiners (AS 08.87.010).

24 * Sec. 5. Within 30 days after the effective date of this Act the
25 governor shall appoint initial members to the Board of Social Worker Exam-
26 iners. Notwithstanding AS 08.87.010 as enacted in sec. 3 of this Act,
27 initial members shall consist of three persons that have a doctorate or
28 master's degree from a school of social work accredited by the Council on
29 Social Work Education, at least one of whom is engaged in the private

1 practice of social work, one person with a bachelor's degree from a school
2 of social work accredited by the Council on Social Work Education, and one
3 public member. Notwithstanding AS 08.87.020 as enacted in sec. 3 of this
4 Act, one initial member shall serve a one-year term, one initial member
5 shall serve a two-year term, one initial member shall serve a three-year
6 term, one initial member shall serve a four-year term, and one initial
7 member shall serve a five-year term as determined by the governor.

8 * Sec. 6. A person who meets the requirements under AS 08.87.100(a)(1),
9 (3) and (4) enacted in sec. 3 of this Act may apply for and receive a
10 license as a bachelor social worker. A person who has not passed the state
11 examination under AS 08.87.100(a)(2) but otherwise meets the requirements
12 of AS 08.87.100(b) may apply for and receive a license as a master social
13 worker. An application for a license under this section must be filed
14 before July 1, 1985.

15 * Sec. 7. This Act takes effect July 1, 1983.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: February 14, 1984

REQUEST Bill/Resolution No.: CSSB 312 (Jud) FISCAL DETAIL Department of Administration
 Title: "Creation of the office of Public Advocacy" Agency Affected: Administration
 Program Category Affected: _____
 Sponsor: Senate Rules BRU, Program or Subprogram(s) Affected: _____
 Requestor: Governor
 Date of Request: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING		726.6	1309.9	1375.4	1444.2	1516.4
100 PERSONAL SERVICES		88.0	136.5	143.3	150.5	158.0
200 TRAVEL		1308.0	808.3	848.7	891.1	935.6
300 CONTRACTUAL		22.8	35.2	36.9	38.7	40.6
400 SUPPLIES		30.9	13.7	-	-	-
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		2176.3	2303.6	2404.3	2524.5	2650.6
CAPITAL		-	-	-	-	-
REVENUE		-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND		2176.3	2303.6	2404.3	2524.5	2650.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		18.0	26.0	26.0	26.0	26.0
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: John C. Duckett Phone: 465-3753
 Division: Senate Finance Committee Date: 2/14/84

Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

Offered: 1/24/84
Referred: Finance

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 CS FOR SENATE BILL NO. 312 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act creating the office of public advocacy; and
7 providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 44.21 is amended by adding new sections to read:
10 ARTICLE 8. OFFICE OF PUBLIC ADVOCACY.
11 Sec. 44.21.400. PUBLIC ADVOCACY OFFICE ESTABLISHED. There is
12 created in the Department of Administration the office of public advo-
13 cacy.
14 Sec. 44.21.410. POWERS AND DUTIES OF PUBLIC ADVOCACY OFFICE.
15 (a) The office of public advocacy shall
16 (1) perform the duties of the public guardian under AS 13.-
17 26.360 - 13.26.410;
18 (2) provide visitors and experts in guardianship proceed-
19 ings under AS 13.26.131;
20 (3) provide guardian ad litem services to children in child
21 protection actions under AS 47.17.030(e) and to wards and respondents
22 in guardianship proceedings who will suffer financial hardship or
23 become dependent upon a government agency or a private person or
24 agency if the services are not provided at state expense under AS 13.-
25 26.112.
26 (4) provide legal representation in guardianship proceed-
27 ings to respondents who are financially unable to employ attorneys
28 under AS 13.26.106(b), to indigent parties in cases involving child
29 custody in which the opposing party is represented by counsel provided

1 by a public agency, and to indigent parents or guardians of a minor
2 respondent in a commitment proceeding concerning the minor under
3 AS 47.30.775;

4 (5) provide legal representation and guardian ad litem
5 services under AS 25.24.310; in cases arising under the Uniform Inter-
6 state Compact on Juveniles (AS 47.15); in cases involving petitions to
7 adopt a minor under AS 25.23.100(j); in cases involving petitions to
8 remove the disabilities of a minor under AS 09.55.590; in children's
9 proceedings under AS 47.10.050(a); and in cases involving indigent
10 persons who are entitled to representation under AS 18.85.100 and who
11 cannot be represented by the public defender agency because of a
12 conflict of interests.

13 (b) The commissioner of administration may

14 (1) adopt regulations that the commissioner considers
15 necessary to implement AS 44.21.400 - 44.21.440;

16 (2) report on the operation of the office of public advo-
17 cacy when requested by the governor or legislature or when required by
18 law;

19 (3) solicit and accept grants of funds from the federal
20 government and from private foundations, and allocate or restrict the
21 use of those funds as required by the grantor.

22 Sec. 44.21.420. EMPLOYMENT OF OFFICE PERSONNEL. (a) The com-
23 missioner of administration may employ guardians ad litem, public
24 guardians, clerical staff, and other assistants that the commissioner
25 determines are needed to perform the duties set out in AS 44.21.410.
26 Employees under this subsection are in the classified service under
27 AS 39.25.100.

28 (b) The commissioner of administration may employ attorneys
29 needed to perform the duties set out in AS 44.21.410. Attorneys

1 employed by the commissioner of administration in the office of public
2 advocacy are in the partially exempt service under AS 39.25.120.

3 (c) The commissioner of administration may contract for services
4 of court-appointed visitors and experts needed to perform the duties
5 set out in AS 44.21.410. The commissioner may contract with attorneys
6 to provide legal representation, and with other persons to provide
7 guardian ad litem services, as needed to perform the duties set out in
8 AS 44.21.410. The commissioner may determine the rate of compensation
9 for contractual services, taking into account the time involved, the
10 skill and experience required, and other pertinent factors.

11 Sec. 44.21.430. ATTORNEYS ENGAGED BY PUBLIC ADVOCACY OFFICE.

12 (a) Only an attorney admitted to the practice of law in this state
13 may be employed or retained under contract by the office of public
14 advocacy to provide legal representation.

15 (b) An attorney employed by the office of public advocacy may
16 not engage in the private practice of law unless the attorney provides
17 services to the office as an independent contractor.

18 Sec. 44.21.440. CONFLICTS OF INTERESTS. Services and legal
19 representation rendered by the office of public advocacy, whether
20 performed by a person under contract or by an employee of the office,
21 shall be provided in a manner that avoids conflicts of interests.

22 * Sec. 2. AS 09.55.590(e) is amended to read:

23 (e) The court may appoint an attorney or a guardian ad litem to
24 represent the interests of the petitioner at the hearing. Appointment
25 of an attorney or guardian ad litem shall be made in accordance with
26 AS 25.24.310.

27 * Sec. 3. AS 13.26.105(b) is amended to read:

28 (b) The respondent is entitled to be represented by an attorney
29 in the proceedings. If the respondent is financially unable to employ

1 an attorney [TO REPRESENT HIM], the court shall appoint the office of
2 public advocacy (AS 44.21.400) under AS 13.26.131 [AN ATTORNEY] to
3 represent the respondent in the proceedings.

4 * Sec. 4. AS 13.26.106 is amended by adding a new subsection to read:

5 (d) Appointment of the visitor and the expert under (c) of this
6 section must be made through the office of public advocacy (AS 44.-
7 21.400) under AS 13.26.131.

8 * Sec. 5. AS 13.26.112(b) is amended to read:

9 (b) The guardian ad litem shall assist the ward or respondent in
10 determining the ward's or respondent's [HIS] interests in regard to
11 the legal proceedings [IN] which involve the ward or respondent [HE IS
12 INVOLVED]. If the ward or respondent is entirely incapable of deter-
13 mining those [HIS OWN] interests, the guardian ad litem shall make
14 that determination and advise the court and counsel for all parties
15 accordingly. The guardian ad litem shall

16 (1) inquire thoroughly into all the circumstances that a
17 prudent [INDIVIDUAL IN THE POSITION OF THE] ward or respondent would
18 consider in determining the ward's or respondent's [HIS] own interests
19 in the proceedings; and

20 (2) encourage the ward or respondent to participate, to the
21 maximum extent possible [OF HIS CAPABILITY], in all decisions and to
22 act on the ward's or respondent's [HIS] own behalf on all matters in
23 which the ward or respondent [HE] is able.

24 * Sec. 6. AS 13.26.112 is amended by adding a new subsection to read:

25 (d) The office of public advocacy shall provide guardian ad
26 litem services to persons who would suffer financial hardship or
27 become dependent upon a government agency or a private person or
28 agency if the services are not provided at state expense.

29 * Sec. 7. AS 13.26.360 is amended to read:

1 Sec. 13.26.360. PURPOSE. The legislature recognizes that many
2 Alaskans, for reasons of incapacity or minority, are in need of a
3 guardian or conservator. Often these persons cannot find a person
4 able and willing to serve as guardian or conservator. The legislature
5 intends through AS 13.26.360 - 13.26.410 to establish the function
6 [OFFICE] of public guardian for the purpose of furnishing guardianship
7 and conservatorship services. It further intends by establishing this
8 function [OFFICE] to provide assistance to guardians throughout the
9 state in securing necessary services for their wards and to assist the
10 courts, attorneys, visitors, respondents, and proposed guardians in
11 the orderly and expeditious handling of guardianship proceedings.

12 * Sec. 8. AS 13.26.370(a) is amended to read:

13 (a) The office of public advocacy (AS 41.21.400) shall serve as
14 the public guardian [PUBLIC ADMINISTRATOR (AS 22.15.310) SHALL ALSO
15 ACT AS THE PUBLIC GUARDIAN FOR THE JUDICIAL DISTRICT FOR WHICH HE IS
16 APPOINTED].

17 * Sec. 9. AS 18.85.110(d) is amended to read:

18 (d) If a court determines that the person is entitled to be
19 represented by an attorney at public expense, it shall promptly notify
20 the agency or the office of public advocacy [OR ASSIGN A PRIVATE
21 ATTORNEY FOR HIM UNDER AS 18.85.130].

22 * Sec. 10. AS 18.85.110(e) is amended to read:

23 (e) Upon notification or assignment under this section, the
24 agency or the office of public advocacy [OR ASSIGNED PRIVATE ATTORNEY]
25 shall represent the person with respect to whom the notification or
26 assignment is made.

27 * Sec. 11. AS 18.85.130 is amended to read:

28 Sec. 18.85.130. CONTRACTS WITH PRIVATE ATTORNEYS [SUBSTITUTE
29 DEFENDER]. When [(a) FOR CAUSE, THE COURT MAY, ON ITS OWN MOTION OR

1 UPON THE APPLICATION OF THE PUBLIC DEFENDER, APPOINT AN ATTORNEY OTHER
2 THAN THE PUBLIC DEFENDER TO REPRESENT THE INDIGENT PERSON AT ANY STAGE
3 OF THE PROCEEDINGS OR ON APPEAL. THE ATTORNEY SHALL BE AWARDED
4 REASONABLE COMPENSATION ACCORDING TO A SCHEDULE OF FEES PROMULGATED BY
5 THE SUPREME COURT AND REIMBURSEMENT FOR EXPENSES NECESSARILY INCURRED.
6 THIS SHALL BE PAID BY THE COURT SYSTEM.

7 (b) IN ADDITION TO SUBSTITUTION UNDER (a) OF THIS SECTION, WHEN]
8 the public interest requires, and a person is entitled to representa-
9 tion by the agency under this chapter, the public defender may con-
10 tract with one or more private attorneys to assist the public defender
11 [HIM]. The public defender shall pay for these services out of
12 appropriations to the agency.

13 * Sec. 12. AS 22.15.310 is amended to read:

14 Sec. 22.15.310. APPOINTMENT. When authorized by the supreme
15 court, the presiding judge in each judicial district shall appoint a
16 person to act as public administrator of the estates of deceased
17 persons and [,] as coroner [, AND AS PUBLIC GUARDIAN].

18 * Sec. 13. AS 22.15.350 is amended to read:

19 Sec. 22.15.350. OTHER DUTIES. In addition to the other duties
20 of a public administrator, the public administrator shall perform the
21 duties set out in AS 22.15.110 and AS 12.65.020 - 12.65.110 [AND SHALL
22 PERFORM THE DUTIES OF PUBLIC GUARDIAN AS SET OUT IN AS 13.26.360 -
23 13.26.410].

24 * Sec. 14. AS 25.24.310 is amended to read:

25 Sec. 25.24.310. REPRESENTATION OF MINOR. (a) In an action
26 involving a question of the custody, support, or visitation of a
27 minor, the [THE] court may, upon the motion of a [EITHER] party to the
28 action or upon its own motion, appoint an attorney or the office of
29 public advocacy to represent a minor with respect to the custody,

1 support, and visitation of the minor or in any other legal proceeding
2 involving the minor's welfare. When custody, support, or visitation
3 is [ARE] at issue in a divorce, it is the responsibility of the par-
4 ties or their counsel to notify the court that such a matter is [THOSE
5 MATTERS ARE] at issue. Upon notification, the court shall determine
6 whether the minor [CHILD] should have legal representation or other
7 services and shall make a finding on the record before trial. If the
8 parties are indigent or temporarily without funds, the court shall
9 appoint the office of public advocacy. The court shall notify the
10 office of public advocacy if the office is required to provide legal
11 representation or other services. The court shall enter an order for
12 costs, fees, and disbursements in favor of the state [CHILD'S ATTOR-
13 NEY] and may further order that other services be provided for the
14 protection of the minor [CHILD].

15 (b) If custody, support, or visitation is at [AN] issue, the
16 order for costs, fees, and disbursements shall be made against either
17 or both parents, except that, if one of the parties responsible for
18 the costs is indigent, the costs, fees, and disbursements for that
19 party shall be borne by the state. If the [EITHER OR BOTH] parents
20 are only temporarily without funds, [AS DETERMINED BY THE COURT,] the
21 office of public advocacy shall provide [COURT MAY ADVANCE PAYMENT
22 FOR] legal representation or other services required by the court
23 [RENDERED TO THE CHILD; HOWEVER, NO REPAYMENT MAY BE REQUIRED FOR
24 THOSE WHO ARE RECEIVING LEGAL SERVICES FOR THE INDIGENT]. The attor-
25 ney general is responsible for enforcing collections owed the state.
26 Repayment [COURT, AND REPAYMENT] shall be made [DIRECTLY] to the
27 Department of Revenue under AS 37.10.050 for deposit in the general
28 fund [COURT UNDER THE PROVISIONS OF RULES GOVERNING THE ADMINISTRATION
29 OF THE COURTS]. The court shall, if possible, avoid assigning costs

1 to only one party by ordering that costs of the minor's [CHILD'S]
2 legal representation or other services be paid from proceeds derived
3 from a sale of property belonging jointly or individually to both
4 parties, before a division of property is made.

5 (c) Instead of, or in addition to, appointment of an attorney
6 under (a) of this section, the court may, upon the motion of either
7 party or upon its own motion, appoint an attorney or other person or
8 the office of public advocacy to provide [SERVE AS] guardian ad litem
9 services to [REPRESENT THE BEST INTERESTS OF] a minor in any legal
10 proceedings involving the minor's welfare. The court shall require
11 [APPOINT] a guardian ad litem when, in the opinion of the court,
12 representation of the minor's [CHILD'S] best interests, to be distin-
13 guished from preferences, would serve the welfare of the minor
14 [CHILD]. [THE PERSON APPOINTED UNDER (a) OF THIS SECTION MAY ALSO BE
15 APPOINTED AS GUARDIAN AD LITEM UNDER THIS SUBSECTION.] The court in
16 its order appointing a guardian ad litem shall limit the duration of
17 the appointment of the guardian ad litem to the pendency of the legal
18 proceedings affecting the minor's [CHILD'S] interests, and shall
19 outline the guardian ad litem's responsibilities and limit the author-
20 ity to those matters related to the guardian's effective representa-
21 tion of the minor's [CHILD'S] best interests in the pending legal
22 proceeding. The court shall make every reasonable effort to appoint a
23 guardian ad litem from among persons in the community where the
24 minor's [CHILD'S] parents or the person having legal custody or
25 guardianship of the minor's [CHILD'S] person reside. When custody,
26 support, or visitation is [ARE] at issue in a divorce, it is the
27 responsibility of the parties or their counsel to notify the court
28 that such a matter is [THESE MATTERS ARE] at issue. Upon notifica-
29 tion, the court shall determine if the minor's [CHILD'S] best

1 interests need representation or if the minor [CHILD] needs other
2 services and shall make a finding on the record before trial. If one
3 or both of the parties is indigent or temporarily without funds the
4 court shall appoint the office of public advocacy. The court shall
5 notify the office of public advocacy if the office is required to
6 provide guardian ad litem services. The court shall enter an order
7 for costs, fees, and disbursements in favor of the state [CHILD'S
8 GUARDIAN AD LITEM] and may further order that other services be pro-
9 vided for the protection of the minor [CHILD].

10 * Sec. 15. AS 39.25.120(c) is amended to read:

11 (c) The following positions in the state service constitute the
12 partially exempt service:

13 (1) deputy and assistant commissioners of the principal
14 departments of the executive branch, including the assistant adjutant
15 general of the Department of Military Affairs;

16 (2) the directors of the major divisions of the principal
17 departments of the executive branch and the regional directors of the
18 Department of Transportation and Public Facilities;

19 (3) attorney members of the staff of the Department of Law,
20 [AND] of the public defender agency, and of the office of public advo-
21 cacy in the Department of Administration;

22 (4) one private secretary for each head of a principal
23 department in the executive branch;

24 (5) employees of councils, boards, or commissions estab-
25 lished by statute in the Office of the Governor or the office of the
26 lieutenant governor, unless a different classification is provided by
27 statute;

28 (6) the executive director, deputy director, hearing offi-
29 cers, and administrative law judges of the Alaska Public Utilities

1 Commission;

2 (7) the director, deputy director, staff legal counsel, and
3 hearing officers of the Alaska Transportation Commission;

4 (8) not more than two special assistants to the commis-
5 sioner of each of the principal departments of the executive branch,
6 but the number may be increased if the partially exempt service is
7 extended under AS 39.25.130 to include the additional special assis-
8 tants;

9 (9) the principal executive officer of the following
10 boards, councils, or commissions:

11 (A) Alaska Public Broadcasting Commission;

12 (B) Professional Teaching Practices Commission;

13 (C) Parole Board;

14 (D) Board of Nursing;

15 (E) Real Estate Commission;

16 (F) Alaska Royalty Oil and Gas Development Advisory

17 Board;

18 (G) Alaska Historical Commission;

19 (H) Alaska State Council on the Arts;

20 (I) Alaska Police Standards Council;

21 (J) Council On Science and Technology;

22 (K) Older Alaskans Commission;

23 (10) Alaska Pioneers' Home managers;

24 (11) hearing examiners in the Department of Revenue;

25 (12) the comptroller in the division of treasury, Depart-
26 ment of Revenue;

27 (13) investment officers in the Department of Revenue;

28 (14) airport managers in the Department of Transportation
29 and Public Facilities employed at the Anchorage and Fairbanks

1 International Airports;

2 (15) the deputy director of the division of tourism and the
3 deputy director of the division of insurance in the Department of
4 Commerce and Economic Development;

5 (16) the executive director and staff of the Alaska Public
6 Offices Commission;

7 (17) the director, deputy director, personnel analysts II,
8 labor relations analysts I, labor relations analysts II, senior nego-
9 tiators, and research directors of the division of labor relations in
10 the Department of Administration;

11 (18) the rehabilitation administrator of the Workers'
12 Compensation Board.

13 * Sec. 16. AS 47.15.050 is amended to read:

14 Sec. 47.15.050. FEES. Appointment of an attorney [A COUNSEL] or
15 guardian ad litem [APPOINTED] under the provisions of this compact
16 shall be made in accordance with AS 25.24.310 or AS 44.21.400 -
17 44.21.440 [MAY BE PAID AS PROVIDED IN THE RULES GOVERNING THE ADMIN-
18 ISTRATION OF ALL COURTS].

19 * Sec. 17. AS 47.17.030(e) is amended to read:

20 (e) In all actions taken by the department or a health and
21 social services agency of a local government under this chapter that
22 result in a judicial proceeding, the child shall be represented by a
23 guardian ad litem in that proceeding. Appointment of a guardian ad
24 litem shall be made in accordance with AS 25.24.310.

25 * Sec. 18. AS 47.30.775 is amended to read:

26 Sec. 47.30.775. COMMITMENT OF MINORS. The provisions of AS 47.-
27 30.700 - 47.30.815 apply to minors. However, all notices required to
28 be served on the respondent in AS 47.30.700 - 47.30.815 shall also be
29 served on the parent or guardian of a respondent who is a minor, and

1 parents or guardians of a minor respondent shall be notified that they
2 may appear as parties in any commitment proceeding concerning the
3 minor and that as parties they are entitled to retain their own attor-
4 ney or have the office of public advocacy [ONE] appointed for them by
5 the court. A minor respondent has the same rights to waiver and in-
6 formed consent as an adult respondent under AS 47.30.660 - 47.30.915;
7 however, the minor [HE] shall be represented by counsel in waiver and
8 consent proceedings.

9 * Sec. 19. This Act takes effect July 1, 1984.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: February 7, 1984
Page 1 of 6

REQUEST

Bill/Resolution No.: CSSB 312 (Jud)
 Title: "Creation of the office of
 Public Advocacy"
 Sponsor: Senate Rules
 Requestor: Governor
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Administration
 Program Category Affected: _____
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		726.6	1309.9	1375.4	1444.2	1516.4
200 TRAVEL		88.0	136.5	143.3	150.5	158.0
300 CONTRACTUAL		1458.0	808.3	848.7	891.1	935.6
400 SUPPLIES		22.8	35.2	36.9	38.7	40.6
500 EQUIPMENT		30.9	13.7	-		
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
800 MISCELLANEOUS		69.2				
TOTAL OPERATING		2395.5	2303.6	2404.3	2524.5	2650.6
CAPITAL		-	-	-	-	-
REVENUE		-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND		2395.5	2303.6	2404.3	2524.5	2650.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		18.0	26.0	26.0	26.0	26.0
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for any Analysis.

Prepared By: Christine L. Dooley
 Division: Administrative Services

Phone: 465-4418
 Date: February 7, 1984

Approved by Commissioner: Lisa Rudd
 Agency: DEPARTMENT OF ADMINISTRATION

Date: 2/13/84

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

12/1/83

CSSB 312 (Jud)
Fiscal Note Analysis
Prepared by Administrative Services
Department of Administration

Date: February 7, 1984

Establishment of the Office of Public Advocacy will transfer numerous attorney functions, now being handled by the court system through contracts with attorneys in private practice, to a new office with staff attorneys and guardians. The attached breakdown of budget figures is based on suggested staffing for this office provided to the Department of Administration by the Alaska Court System.

Due to the fact that the Office of Public Advocacy, like the Public Defender Agency, will be unable to control which cases are assigned it by the court system, flexibility must be allowed the department. This was the reason for the original lump sum fiscal note presented to this committee.

A number of variables associated with transforming these attorney functions in to a new State agency still exist. These variables necessitate giving the Department of Administration maximum flexibility in allocation of funds between personal services and contractual and or transfer of positions from one geographic area to another to accomplish the following:

1. Provision of quality services to indigent clients in remote bush areas by contracting with local attorneys on a case-by-case basis;
2. Handling multiple-defendant conflict cases by contract where the Public Defender Agency and the Office of Public Advocacy are each already handling one defendant and have a conflict in representing additional defendants associated with the case; and
3. Transfer of attorneys, guardians, and clerical positions from one Office of Public Advocacy branch office to another as the caseloads warrant.

These projected costs are predicated upon utilization of attorneys as State employees rather than engagement of private attorneys contracted on an as-needed basis. However, some private attorney contracts will continue to be necessary in cases of multiple party conflict and to assist the Office of Public Advocacy in remote locations.

It is intended that the court system will continue to handle the responsibilities of the guardianship cases in FY 85 and the completion of any open contracts until the cases are resolved. The court system will retain the seven guardian PCN's and one accounting clerk, and the Department of Administration will allocate Reimbursable Services Agreement funds to the court for these costs. In FY 86 these 8 positions will transfer to the Department of Administration.

The Department of Administration will manage the Public Advocacy FY 85 Budget Appropriation during the transition period and RSA funds to the Court System to pay the continued contract costs during this period.

CSSB 312 (Jud)
Fiscal Note Analysis
Prepared by Administrative Services
Department of Administration

Date: February 7, 1984

The Department of Administration, Division of Administrative Services, has projected the need for two additional accounting technicians to handle the increased responsibilities of another division within the department. These positions are for additional workload in professional contracts, vendor payment and payroll functions for these three new offices.

This Fiscal Note is based on information from the court system on caseloads, location of cases, hours per case and costs of guardianship.

Because the Public Advocacy Office will be administered differently than in the court system, we can not guarantee that moving the function will be a cost saving matter. Neither can we guarantee the actual costs since we have used court system projections without having performed this function ourselves.

Office of Public Advocacy

FY 85 Staff Projection

<u>Hire Date</u>	<u>Staff</u>	<u>Position</u>	<u>Location</u>	<u>Full 12 Month P.S. Cost</u>	<u>Months Vacant</u>	<u>FY 85 Partial Cost</u>
07-01-84		Attorney VI	Anchorage (1)	\$ 74,900	0	\$ 74,900
07-01-84		Legal Secretary I	Anchorage (1)	28,482	0	28,482
09-01-84		Attorney IV	Anchorage (3)	203,748	2 mos.	169,790
		Attorney III	Anchorage (2)	119,978	2 mos.	99,982
		Legal Secretary I	Anchorage (1)	28,482	2 mos.	23,735
		Administrative Officer	Anchorage (1)	44,395	2 mos.	36,996
		Investigator	Anchorage (2)	81,750	2 mos.	68,125
11-01-84		Attorney IV	Fairbanks (1)	77,261	4 mos.	51,507
		Attorney III	Fairbanks (1)	67,916	4 mos.	45,277
		Legal Secretary I	Fairbanks (1)	31,809	4 mos.	21,206
11-01-84		Attorney IV	Ketchikan/ (1) Southeast	67,916	4 mos.	45,277
		Legal Secretary I	Ketchikan/(1) Southeast	28,482	4 mos.	18,988
		Accounting Technician I	Ketchikan/(2) Southeast	<u>63,618</u>	4 mos.	<u>42,412</u>
			(18)	918,737 (726,677)		726,677
			**	<u>\$ 192,060</u>		

** In FY 85 This personal services differential is a result of the (Phase-In) vacancies. In FY 86 these dollars are necessary for full twelve (12) month funding of these position.

NOTE: This vacancy factor of approximately 20% has been used to reduce the other line items associated with this proposed budget.

Office of Public Advocacy
 Analysis of
 Proposed FY 85 Budget

	FULL YEAR COSTS	ADJUSTMENTS FOR PARTIAL YEAR FY 85		FY 85 PROPOSED BUDGET
100 PERSONNEL	1,247.6	Guardians (remain. on Court System payroll for FY 85)	(328.9)	
		20% Vacancy due to phase-in process	(192.1)	726.6
200 TRAVEL	110.0	20% Reduction due to phase-in process	(22.0)	88.0
300 CONTRACTUAL				
Space leases for 26 employees @ 200 sq. ft. @ \$2.40/sq. ft.	124.8	20% Reduction due to phase-in process	(25.0)	99.8
Equipment rental, phones, postage, etc.	45.0	20% Reduction due to phase-in process	(9.0)	36.0
Visitors, experts, contacted attorneys in remote locations, third-party conflict attorneys (based on information from ACS)	600.0	20% Reduction due to phase-in process	(120.0)	480.0
		RSA to AK Court System for Guardians and overhead	429.0	429.0
		RSA to AK Court System for payments to attorneys during start up	413.2	413.2
400 COMMODITIES	28.5	20% Reduction due to phase-in process	(5.7)	22.8
500 EQUIPMENT		New equipment and new office furniture	30.9	30.9
600 MISCELLANEOUS		Extraordinary travel, moving costs and other costs of setting up new agency	69.2	69.2
	<u>2,155.9</u>			<u>2,395.5</u>

1.	POSITION TITLE Accounting Technician I				RANGE/STEP 12A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	PPROV.	DISAPP.	
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER New	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT	LEG.			
3.	CONTINUATION LEVEL				JUSTIFICATION						
4.	TYPE OF EXPENDITURE			AMOUNT							
	1	2	3								
	PERSONAL SERVICES										
5.	Salary	23,676									
6.	Benefits	4,052									
7.	Supplemental Benefits	1,451									
8.	Fixed Benefits	2,630									
9.	TOTAL PERSONAL SERVICES	01	31,809								
10.	Travel	02									
11.	Contractual	03									
12.	Commodities	04									
13.	Equipment	05									
14.	Other										
15.	TOTAL COST		31,809								
	RECEIPT CODE	FUNDING SOURCE									
16.		Federal Receipts 1002									
17.		G.F. Match 1003									
18.		General Funds 1004		31,809							
19.		I-A Receipts 1005									
20.		Program Receipts 1028									
21.		Other									
FOR B&M USE ONLY											
4A KEY NUMBER _____											

This position will provide Administrative Support in Accounting, Payroll and Professional Contract Services for the Statewide Public Advocate Offices.

8/1B1/0204-01/2

13 REQUEST FOR NEW POSITION

AGENCY Department of Administration
PROGRAM Centralized Administrative Svs.
BRU Centralized Administrative Svs.
COMPONENT Administrative Services

FY 85

Page _____ of _____
Revised Date _____

1.	POSITION TITLE Legal Secretary I				RANGE/STEP 10A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.						
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER New	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT	LEC.								
3.	CONTINUATION LEVEL				JUSTIFICATION											
4.	TYPE OF EXPENDITURE				<p>This position will provide the Legal Secretary Services in the new Juneau-Ketchikan office which will replace the present private attorney contracts.</p>											
	1		2								3					
	PERSONAL SERVICES															
5.	Salary		20,976													
6.	Benefits		3,590													
7.	Supplemental Benefits		1,286													
8.	Fixed Benefits		2,630													
9.	TOTAL PERSONAL SERVICES		01								28,482					
10.	Travel		02													
11.	Contractual		03													
12.	Commodities		04													
13.	Equipment		05													
14.	Other															
15.	TOTAL COST										28,482					
	RECEIPT CODE	FUNDING SOURCE														
16.		Federal Receipts 1002														
17.		G.F. Match 1003														
18.		General Funds 1004		28,482												
19.		I-A Receipts 1005														
20.		Program Receipts 1028														
21.		Other														
FOR B&M USE ONLY																
4A KEY NUMBER _____																

8/1B1/0204-01/3

13 REQUEST FOR
NEW POSITION

AGENCY Department of Administration
PROGRAM Due Process
BRU Public Advocate
COMPONENT Public Advocate

Page _____ of _____
Revised Date _____

FY 85

1.	POSITION TITLE Attorney IV			RANGE/STEP 24A	BARG. UNIT PX	FORM 12 PAGE/LINE	COV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER New	BRU PRIORITY	LOCATION AWA	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	53,568							
6.	Benefits	9,168							
7.	Supplemental Benefits	2,550							
8.	Fixed Benefits	2,630							
9.	TOTAL PERSONAL SERVICES	01	67,916						
10.	Travel	02							
11.	Contractual	03							
12.	Commodities	04							
13.	Equipment	05							
14.	Other								
15.	TOTAL COST		67,916						
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		67,916					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR F&M USE ONLY									
4A KEY NUMBER _____									

This position represents indigent defendants in felonies, appeals and misdemeanors; serves as guardian ad litem and provides representation in civil matters.

This position serves as senior attorney in this location with some travel necessary to other locations in this judicial district.

8/1B1/0204-01/4

13 REQUEST FOR NEW POSITION

AGENCY Department of Administration
 PROGRAM Due Process
 BRU Public Advocate
 COMPONENT Public Advocate

Page _____ of _____
 Revised Date _____

FY 85

1.	POSITION TITLE Legal Secretary I				RANGE/STEP 10A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.	
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER New	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT	LEG.			
3.	CONTINUATION LEVEL				JUSTIFICATION						
4.	ADDITION				<p>This position will provide the Legal Secretary Services in the new Anchorage office which will replace the present private attorney contracts.</p>						
TYPE OF EXPENDITURE				AMOUNT							
1		2		3							
PERSONAL SERVICES											
5.	Salary		20,976								
6.	Benefits		3,590								
7.	Supplemental Benefits		1,286								
8.	Fixed Benefits		2,630								
9.	TOTAL PERSONAL SERVICES		01	28,482							
10.	Travel		02								
11.	Contractual		03								
12.	Commodities		04								
13.	Equipment		05								
14.	Other										
15.	TOTAL COST			28,482							
RECEIPT CODE				FUNDING SOURCE							
16.			Federal Receipts	1002							
17.			G.F. Match	1003							
18.			General Funds	1004	28,482						
19.			I-A Receipts	1005							
20.			Program Receipts	1028							
21.			Other								
FOR B&M USE ONLY											
4A KEY NUMBER											

8/1B1/0204-01/5

13 REQUEST FOR
NEW POSITION

AGENCY Department of Administration
 PROGRAM Due Process
 BRU Public Advocate
 COMPONENT Public Advocate

Page of
 Revised Date

FY 85

1.	POSITION TITLE Attorney IV				RANGE/STEP 24A	BARG. UNIT PX	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.	
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER New	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT	LEG.			
3.	CONTINUATION LEVEL				ADDITION						
4.	TYPE OF EXPENDITURE				AMOUNT						
	1		2		3						
	PERSONAL SERVICES										
5.	Salary	53,568									
6.	Benefits	9,168									
7.	Supplemental Benefits	2,550									
8.	Fixed Benefits	2,630									
9.	TOTAL PERSONAL SERVICES		01		67,916						
10.	Travel	02									
11.	Contractual	03									
12.	Commodities	04									
13.	Equipment	05									
14.	Other										
15.	TOTAL COST				67,916						
JUSTIFICATION											
<p>This position represents indigent defendants in felonies, appeals and misdemeanors; serves as guardian ad litem and provides representation in civil matters.</p> <p>This position serves as senior attorney in this location with some travel necessary to other locations in this judicial district.</p>											
16.	RECEIPT CODE	FUNDING SOURCE									
17.		Federal Receipts 1002									
18.		G.F. Match 1003									
19.		General Funds 1004			67,916						
20.		I-A Receipts 1005									
21.		Program Receipts 1028									
21.		Other									
FOR B&M USE ONLY											
4A KEY NUMBER _____											

8/1B1/0204-01/6

13 REQUEST FOR
NEW POSITION

AGENCY Department of Administration

PROGRAM Due Process

BRU Public Advocate

COMPONENT Public Advocate

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Revised Date _____

FY 85

1.	POSITION TITLE Attorney IV				RANGE/STEP 24A	BARG. UNIT PX	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER New	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		53,568							
6.	Benefits		9,168							
7.	Supplemental Benefits		2,550							
8.	Fixed Benefits		2,630							
9.	TOTAL PERSONAL SERVICES		01		67,916					
10.	Travel		02							
11.	Contractual		03							
12.	Commodities		04							
13.	Equipment		05							
14.	Other									
15.	TOTAL COST				67,916					
	RECEIPT CODE				FUNDING SOURCE					
16.					Federal Receipts 1002					
17.					G.F. Match 1003					
18.					General Funds 1004					
19.					I-A Receipts 1005					
20.					Program Receipts 1028					
21.					Other					
FOR B&M USE ONLY										
4A KEY NUMBER _____										

This position represents indigent defendants in felonies, appeals and misdemeanors; serves as guardian ad litem and provides representation in civil matters.

This position serves as senior attorney in this location with some travel necessary to other locations in this judicial district.

8/1B1/0204-01/7

13 REQUEST FOR
NEW POSITION

AGENCY Department of Administration

PROGRAM Due Process

BRU Public Advocate

COMPONENT Public Advocate

Page _____ of _____

Revised Date _____

FY 85

1.	POSITION TITLE Attorney IV				RANGE/STEP 24A	BARG. UNIT PY	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER New	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				ADDITION		JUSTIFICATION			
4.	TYPE OF EXPENDITURE			AMOUNT		<p>This position represents indigent defendants in felonies, appeals and misdemeanors; serves as guardian ad litem and provides representation in civil matters.</p> <p>This position serves as senior attorney in this location with some travel necessary to other locations in this judicial district.</p>				
	1	2	3							
	PERSONAL SERVICES									
5.	Salary	53,568								
6.	Benefits	9,168								
7.	Supplemental Benefits	2,550								
8.	Fixed Benefits	2,630								
9.	TOTAL PERSONAL SERVICES	01	67,916							
10.	Travel	02								
11.	Contractual	03								
12.	Commodities	04								
13.	Equipment	05								
14.	Other									
15.	TOTAL COST		67,916							
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts	1002							
17.		G.F. Match	1003							
18.		General Funds	1004	67,916						
19.		I-A Receipts	1005							
20.		Program Receipts	1028							
21.		Other								
FOR B&M USE ONLY										
4A KEY NUMBER _____										

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13 REQUEST FOR
NEW POSITION

AGENCY Department of Administration
 PROGRAM Due Process
 BRU Public Advocate
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FY 85

1.	POSITION TITLE Attorney III				RANGE/STEP 22A	BARG. UNIT PX	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER New	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1	2			3					
	PERSONAL SERVICES									
5.	Salary	46,800								
6.	Benefits	8,009								
7.	Supplemental Benefits	2,550								
8.	Fixed Benefits	2,630								
9.	TOTAL PERSONAL SERVICES	01			59,989					
10.	Travel	02								
11.	Contractual	03								
12.	Commodities	04								
13.	Equipment	05								
14.	Other									
15.	TOTAL COST				59,989					
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		59,989						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY										
4A KEY NUMBER _____										

This position represents indigent defendants in misdemeanors when the Public Defender Agency cannot represent the defendant because of conflict; serves as guardian ad litem in cases identified by office as containing routine factual and legal issues; represents parties in civil matters.

Requires travel to other locations in this judicial district.

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13 REQUEST FOR
NEW POSITION

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FY 85

1.	POSITION TITLE Attorney III				RANGE/STEP 22A	BARG. UNIT PX	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER New	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1	2		3						
	PERSONAL SERVICES									
5.	Salary	46,800								
6.	Benefits	8,009								
7.	Supplemental Benefits	2,550								
8.	Fixed Benefits	2,630								
9.	TOTAL PERSONAL SERVICES	01		59,989						
10.	Travel	02								
11.	Contractual	03								
12.	Commodities	04								
13.	Equipment	05								
14.	Other									
15.	TOTAL COST			59,989						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		59,989						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY										
4A KEY NUMBER _____										

This position represents indigent defendants in misdemeanors when the Public Defender Agency cannot represent the defendant because of conflict; serves as guardian ad litem in cases identified by office as containing routine factual and legal issues; represents parties in civil matters.

Requires travel to other locations in this judicial district.

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13 REQUEST FOR
NEW POSITION

AGENCY Department of Administration

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1.	POSITION TITLE Legal Secretary I				RANGE/STEP 10A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.	
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER New	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT	LEG.			
3.	CONTINUATION LEVEL				ADDITION						
4.	TYPE OF EXPENDITURE				AMOUNT						
	1		2		3						
	PERSONAL SERVICES										
5.	Salary		20,976								
6.	Benefits		3,590								
7.	Supplemental Benefits		1,286								
8.	Fixed Benefits		2,630								
9.	TOTAL PERSONAL SERVICES		01		28,482						
10.	Travel		02								
11.	Contractual		03								
12.	Commodities		04								
13.	Equipment		05								
14.	Other										
15.	TOTAL COST				28,482						
JUSTIFICATION											
This position will provide the Legal Secretary Services in the new Juneau-Ketchikan office which will replace the present private attorney contracts.											
16.	RECEIPT CODE	FUNDING SOURCE									
17.		Federal Receipts 1002									
18.		G.F. Match 1003									
19.		General Funds 1004			28,482						
20.		I-A Receipts 1005									
21.		Program Receipts 1028									
21.		Other									
FOR B&M USE ONLY											
4A KEY NUMBER _____											

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