

ALASKA LEGISLATURE

1564

HOUSE and SENATE FINANCE COMMITTEE FILES, 1995-1996

SB

287

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT EXTRACTED OUT OF
SFC 4/19/96

DATE: 3/22/96

DATE TURNED INTO OFFICE: 4/19/96

The Finance Committee considered **SENATE BILL NO. 287**

Relating to the unincorporated community capital project matching grant program.

and recommends:

- be replaced with CS SB 287 (FIN)
- adopt previous CS ()
- attached amendment(s)
- adopt Letter of Intent by Committee
- further referral to the Committee

- Senate Bill:**
 same title
 new title
House Bill:
 same title
 technical change
 new: SCR#

SIGNING <u>DO PASS</u>	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>		<input checked="" type="checkbox"/>	(35)
Co-Chair: <i>[Signature]</i>	<input checked="" type="checkbox"/>	Co-Chair:			
Co-Chair:		Co-Chair:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Department	Date	Zero	Fiscal
CERA / Admin.	4/19/96		42.7

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

2/26/96 #1

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO: SB 287

Revision Date: 2/20/96 Dept. Affected: Community & Regional Affairs
 Title: An Act relating to unincorporated community BRU: Administration and Support
capital project matching grant program Component: Administrative Services
 Sponsor: Sen. Torgerson
 Requestor: Senate C&RA COMPONENT SERIAL NO. 684

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	42.7	43.9	45.3	46.6	48.1	49.6
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	42.7	43.9	45.3	46.6	48.1	49.6

CAPITAL EXPENDITURES						
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Revenue Fund Source	0.0	0.0	0.0	0.0	0.0	0.0
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	42.7	43.9	45.3	46.6	48.1	49.6
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	42.7	43.9	45.3	46.6	48.1	49.6

SB 287

Estimate of current year (FY 96) impact: \$ none

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

Based on the definition of communities eligible for program participation under this legislation, the Department assumes approximately 60 additional unincorporated communities could participate. The program provides for a \$25,000 match for each unincorporated participant. Therefore, an additional \$1,500,000 would be needed to fully fund the unincorporated element of the amended Capital Match Program administered by the Department. However, it is our understanding that either the additional required funds would be re-allocated to the Department from the municipal element of the program administered by the Department of Administration or the unincorporated program funding level would be held at the level required (continued next page)

Prepared By: Remond Henderson *Remond Henderson* Phone: 465-4708
 Division: Director, Administrative Services Division Date: 2/20/96
 Approved by Commissioner: Mike Irwin *Mike Irwin* Date: 2/20/96
 Agency: Mike Irwin, Dept. of Community & Reg. Affairs

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Revision Date: 2/20/96

Dept. Affected: Community & Regional Affairs

ANALYSIS CONTINUED:

before the addition of the 60 new communities (\$1.7 million). The later case would result in a pro-rating of each unincorporated community's share from \$25,000 down to \$13,281. In either case, there would be zero net fiscal impact to the general fund with regard to funding the Capital Match Program under the proposed amendment.

The addition of 60 new participants to the unincorporated community Capital Match Program administered by the Department will translate into increased burdens of grant tracking and community assistance for the agency. Existing staff would not be able to absorb the increased work load. The Department feels these additional duties could only be absorbed by a new grant administration position. Therefore, a Grants Administrator I (range 13) with full-time funding is included in this fiscal note. It is important that full funding be attached due to the imminent general fund reductions to the component'

FISCAL NOTE

No. 1

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO: BB 287

Bill Version: CS SB 287(CRA)

(S) Publish Date: 3-22-96

Revision Date: 2/20/96 Dept. Affected: Community & Regional Affairs
 Title: An Act relating to unincorporated community BRU: Administration and Support
capital project matching grant program Component: Administrative Services
 Sponsor: Sen. Torgerson
 Requestor: Senate C&RA COMPONENT SERIAL NO. 684

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	42.7	43.9	45.3	46.6	48.1	49.6
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	42.7	43.9	45.3	46.6	48.1	49.6

CAPITAL EXPENDITURES						
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Revenue Fund Source	0.0	0.0	0.0	0.0	0.0	0.0
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	42.7	43.9	45.3	46.6	48.1	49.6
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	42.7	43.9	45.3	46.6	48.1	49.6

Estimate of current year (FY 96) impact: \$ none

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

Based on the definition of communities eligible for program participation under this legislation, the Department assumes approximately 60 additional unincorporated communities could participate. The program provides for a \$25,000 match for each unincorporated participant. Therefore, an additional \$1,500,000 would be needed to fully fund the unincorporated element of the amended Capital Match Program administered by the Department. However, it is our understanding that either the additional required funds would be re-allocated to the Department from the municipal element of the program administered by the Department of Administration or the unincorporated program funding level would be held at the level required (continued next page)

Prepared By: Remond Henderson *Remond Henderson* Phone: 465-4708
 Division: Director, Administrative Services Division Date: 2/20/96
 Approved by Commissioner: Mike Irwin *Mike Irwin* Date: 2/20/96
 Agency: Mike Irwin, Dept. of Community & Reg. Affairs

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Revision Date: 2/20/96

Dept. Affected: Community & Regional Affairs

ANALYSIS CONTINUED:

before the addition of the 60 new communities (\$1.7 million). The later case would result in a pro-rating of each unincorporated community's share from \$25,000 down to \$13,281. In either case, there would be zero net fiscal impact to the general fund with regard to funding the Capital Match Program under the proposed amendment.

The addition of 60 new participants to the unincorporated community Capital Match Program administered by the Department will translate into increased burdens of grant tracking and community assistance for the agency. Existing staff would not be able to absorb the increased work load. The Department feels these additional duties could only be absorbed by a new grant administration position. Therefore, a Grants Administrator I (range 13) with full-time funding is included in this fiscal note. It is important that full funding be attached due to the imminent general fund reductions to the component'

FISCAL NOTE

Revision Date: April 19, 1996 Dept. Affected: Community & Regional Affairs
 Title: An Act relating to the unincorporated com- BRU: Administration & Support
munity capital project matching grant program Component Administrative Services
 Sponsor: Sen. Torgerson
 Requestor: Sen. Finance Committee COMPONENT SERIAL NO. 684

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	42.7	43.9	45.3	46.6	48.1	49.6
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	42.7	43.9	45.3	46.6	48.1	49.6
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0

REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	42.7	43.9	45.3	46.6	48.1	49.6
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	42.7	43.9	45.3	46.6	48.1	49.6

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

Estimate of current (FY94) impact \$ none

ANALYSIS: (Attach a separate page if necessary)
 Based on the definition of communities eligible for program participation under this legislation, the department has determined an additional 60 unincorporated communities could participate. The program provides for a possible \$25,000 for each unincorporated participant. Therefore, an additional \$1,500,000 would be needed to fully fund the unincorporated element of the amended Capital Match Program administered by the department. Appropriations for this program are provided at the discretion of the Legislature.
 (continued on separate page)

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708
 Division: Division of Administrative Services Date: 4/19/96
 Approved by Commissioner: *[Signature]* Date: 4/19/96
 Agency: Community & Regional Affairs

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Fiscal Note Analysis Continued

The addition of 60 new participants in the unincorporated Capital Match Program administered by the department will translate into increased burdens of grant tracking and community assistance for department staff. Existing staff would not be able to absorb the increased work load. The department feels these additional duties could only be absorbed by a new grant administration position. Therefore, a Grants Administrator I (range 13) with full-time funding is included in the fiscal note. It is important that full funding be attached due to the imminent general fund reductions to the component.

Sen. Sharp moved
Sen. Zhardff objection
adopted as
WORK DRAFT

9-LS1642\K ✓
Cook
4/19/96

Sen. Sharp moved
r/o with F/M & ind. recs.
4/19/96

Phoned legal
10:55am

CS FOR SENATE BILL NO. 287(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): **SENATORS TORGERSON, Hoffman**

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the unincorporated community capital project matching
2 grant program; and providing for an effective date."

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

4 * **Section 1.** AS 37.06.020(b) is amended to read:

5 (b) The unincorporated community capital project matching grant fund is
6 established in the department and consists of appropriations to the fund. Appropriations
7 to the fund do not lapse except as provided in (h) of this section. The money in the fund
8 is held by the department in custody under this subsection for each unincorporated
9 community eligible for an allocation under this subsection. The department shall
10 establish an individual grant account within the fund for each eligible unincorporated
11 community [THAT WAS ENTITLED TO RECEIVE STATE AID UNDER
12 AS 29.60.140 DURING THE PRECEDING FISCAL YEAR]. As provided in this
13 subsection, each fiscal year the department shall allocate, to the individual grant
14 accounts, appropriations to the fund. An unincorporated community is eligible for an

1 allocation in a fiscal year if the requirements of (d) are met and the community was
2 a place in the state in which 25 or more individuals resided as a social unit
3 [ELIGIBLE TO RECEIVE STATE AID UNDER AS 29.60.140] during the preceding
4 fiscal year. The department shall credit interest earned on money in an individual grant
5 account to that account. Except as provided in (c) of this section, the amount allocated
6 under this subsection to an individual grant account in a fiscal year is the amount
7 needed to fund the projects presented to the legislature under (e) of this section
8 [DETERMINED BY DIVIDING THE TOTAL AMOUNT APPROPRIATED TO THE
9 FUND DURING THAT FISCAL YEAR BY THE NUMBER OF UNINCORPORATED
10 COMMUNITIES ELIGIBLE FOR AN ALLOCATION DURING THAT FISCAL
11 YEAR].

12 * Sec. 2. AS 37.06.020(c) is amended to read:

13 (c) A maximum [MINIMUM] of \$25,000 may [SHALL] be allocated to each
14 eligible unincorporated community's grant account each fiscal year under (b) of this
15 section. If appropriations are not sufficient to fully fund the [MINIMUM] amount for
16 each eligible unincorporated community, the amount appropriated shall be allocated on
17 a pro rata basis [EQUALLY] among the eligible unincorporated communities. If
18 appropriations exceed the amount necessary to fully fund the amount for each
19 eligible unincorporated community, the excess amount lapses into the general fund.

20 * Sec. 3. AS 37.06.020(d) is amended to read:

21 (d) The department shall designate, in each eligible unincorporated community,
22 a [AN INCORPORATED] nonprofit corporation [ENTITY OR A NATIVE VILLAGE
23 COUNCIL] that agrees to receive and spend grant money allocated to the unincorporated
24 community's individual grant account under (b) of this section. If the community is
25 located in a borough or a unified municipality, the department may only designate
26 the corporation that has been approved by the assembly and the department must
27 have written evidence of that approval. If there is more than one qualified
28 corporation [ENTITY] in a community in the unorganized borough, the department
29 shall designate the corporation [ENTITY] that the department finds most qualified to
30 make draws from that unincorporated community's individual grant account and spend
31 the money. If there is no qualified [INCORPORATED] nonprofit corporation [ENTITY
32 OR NATIVE VILLAGE COUNCIL] in an unincorporated community that will agree to

1 receive and spend money allocated to the community under (b) of this section, draws
2 may not be made from the unincorporated community's individual grant account and the
3 amount allocated to the account lapses into the general fund. A corporation qualifies
4 for designation under this subsection only if it

5 (1) was formed to serve a public or civic purpose;

6 (2) is registered and in good standing with the Department of
7 Commerce and Economic Development;

8 (3) agrees to use the grant money for a public purpose;

9 (4) provides the residents of the community with a public facility or
10 service;

11 (5) has held a public meeting to give residents of the community the
12 opportunity to express their preferences and ideas for use of the grant money; and

13 (6) agrees to make a facility provided with grant money available to
14 every person in the community.

15 * Sec. 4. AS 37.06.020(e) is amended to read:

16 (e) By October 1 of each fiscal year, the [INCORPORATED] nonprofit
17 corporation [ENTITY OR NATIVE VILLAGE COUNCIL] designated by the
18 department under (d) of this section shall submit to the governor a prioritized list of
19 capital projects and estimated costs to be financed with money from the community's
20 individual grant account established under (b) of this section. The list must include the
21 amount and source of the local share required by AS 37.06.030. If the community is
22 located in a borough or unified municipality, the list is subject to approval of the
23 assembly and must be accompanied by written evidence of that approval. The
24 governor shall include in the capital improvements program presented to the legislature
25 under AS 37.07.060 the projects submitted by designated corporations [ENTITIES]
26 under this subsection that the governor recommends for funding. If, in the capital
27 improvements program, the governor includes projects in other than the priority order
28 submitted by a designated corporation [ENTITY], the governor shall provide the
29 legislature with a written statement of the reasons for that action.

30 * Sec. 5. AS 37.06.020(h) is amended to read:

31 (h) A corporation [AN ENTITY] designated by the department under (d) of this
32 section shall repay to the department money it has drawn from an unincorporated

1 community's individual grant account if substantial, ongoing work on the project is not
2 started within four [FIVE] years after the effective date of the appropriation from which
3 the draw is funded. Money repaid shall be deposited into the general fund. Money from
4 an allocation to an unincorporated community's individual grant account that has not
5 been drawn out by a designated corporation [ENTITY] within four [FIVE] years after
6 the effective date of the appropriation from which the allocation is funded lapses into the
7 general fund.

8 * Sec. 6. AS 37.06.030(b) is amended to read:

9 (b) For each draw made by a corporation [AN ENTITY OR COUNCIL] under
10 AS 37.06.020, the nonprofit corporation [INCORPORATED ENTITY OR NATIVE
11 VILLAGE COUNCIL] that makes the draw shall contribute a local share of the cost of
12 the capital project for which the draw is made. The amount of the local share for an
13 unincorporated community in a borough or unified municipality is the amount of
14 the local share for that borough or unified municipality as calculated under (a) of
15 this section. The amount of the local share for an unincorporated community in the
16 unorganized borough equals the local share percentage as calculated under (1) of this
17 subsection, divided by the state share percentage as calculated under (2) of this
18 subsection, multiplied by the amount of the draw. For purposes of this subsection,

19 (1) the local share percentage is five percent;

20 (2) the state share percentage equals one minus the local share
21 percentage;

22 (3) the local share may be satisfied from (A) federal or local money; (B)
23 labor, materials, or equipment used directly in the construction of the project, or land,
24 including land transferred by the state; the department shall determine the value of a
25 contribution under this subparagraph; (C) money from another nonstate source; (D)
26 money received by the unincorporated community under AS 29.60.010 - 29.60.375; or
27 (E) money obtained from the sale or lease of land or other assets transferred by the state;
28 except as provided in this paragraph, the local share may not be satisfied with money
29 from, or with the portion of an asset that was obtained with money from, an
30 appropriation, allocation, entitlement, grant, or other payment from the state.

31 * Sec. 7. TRANSITION. A Native village council that has made a draw before the effective
32 date of this Act from an unincorporated community's individual grant account for a capital

1 project that has not been completed by the effective date of this Act may continue to make
2 draws for that project. For purposes of this section, AS 37.06.020(b) - (e) and (g) and
3 37.06.030(b) apply as they read immediately before the effective date of this Act.

4 * Sec. 8. AS 37.06.020(g) is repealed.

5 * Sec. 9. This Act takes effect immediately under AS 01.10.070(c).

Participating Communities in the Unorganized Borough		Participating Communities in the Unorganized Borough	
28 Non Profits		40 Village, IRA or Traditional Councils	
Akiachak	IRA Council	Lime Village	Traditional Council
Arctic Village	Traditional Council	Manley Hot Springs	Nonprofit
Beaver	Tribal Village Council	Mentasta Lake	Village Council
Birch Creek	Village Council	Metlakatla	Indian Village
Central	Nonprofit	Minto	IRA Council
Chalkyitsik	Village Council	Naukati Bay	Nonprofit
Chenega Bay	IRA Council	Neichina/Mendaltna	Nonprofit
Chistochina	Village Council	Nikolski	IRA Council
Chitina	Village Council	Northway	Village Council
Circle	Nonprofit	Oscarville	Village Council
Copper Center	Village Kluti-Kaah	Paxson	Nonprofit
Crooked Creek	Traditional Council	Pitka's Point	Village Council
Deltana	Nonprofit	Point Baker	Nonprofit
Dot Lake Services	Nonprofit	Port Protection	Nonprofit
Dot Lake Village	Village Council	Rampart	Village Council
Eagle Village	Village Council	Red Devil	Nonprofit
Edna Bay	Nonprofit	Silver Springs	Nonprofit
Elfin Cove	Nonprofit	Slana Community	Nonprofit
Evansville	Village Council	Slana League	Nonprofit
Four Mile Rd Comm.	Nonprofit	Sleetmute	Village Council
Gakona	Village Council	Stevens Village	IRA Council
Glennallen	Nonprofit	Stony River	Traditional Council
Gulkana	Village Council	Takotna	Nonprofit
Gustavus	Nonprofit	Tanacross	Village Council
Healy Lake	Traditional Council	Tatitlek	IRA Council
Hollis	Nonprofit	Tazlina	Nonprofit
Hyder	Nonprofit	Tetlin	Village Council
Kenny Lake	Nonprofit	Tox	Nonprofit
Kipnuk	Village Council	Tolsona	Nonprofit
Klukwan	Village Council	Tuntutuliak	Village Council
Koliganek	Village Council	Twin Hills	Village Council
Kongiganak	Traditional Council	Venetie	Village Council
Kwigillingok	IRA Council	Whale Pass	Nonprofit
Lake Minchumina	Traditional Council	Wiseman	Nonprofit

7 IRA Councils
 7 Traditional Councils
 1 Indian Village

1 Village Tribal Council
 24 Village Councils

Alaska State Legislature

District Address

145 Main St. Loop; Suite 226
Kenai, Alaska 99611
(907) 283-2690 • Fax 283-9267



Session Address

State Capitol; Room 427
Juneau, AK 99801-1182
(907) 465-2828; fax 465-4779

Senator John Torgerson

April 13, 1996

TO: Larry Stevens

FROM: Deb Davidson *DD*

RE: CS SB 287(CRA)

Attached are additional materials for the packets to CS SB 287(CRA) scheduled for Senate Finance at 9:00 a.m. Monday April 15.

I discovered an error in the Sectional Analysis and the Comparison of the Current program with this legislation and have included updated versions of both. Please discard the versions of these I gave you previously.

I apologize for the inconvenience and thank you for your cooperation

Alaska State Legislature

District Address

145 Main St. Loop; Suite 226
Kenai, Alaska 99611
(907) 283-2690 • Fax 283-9267



Session Address

State Capitol; Room 427
Juneau, AK 99901-1182
(907) 465-2828; fax 465-4779

Senator John Torgerson

MEMORANDUM

March 28, 1996

TO: Senator Rick Halford, Co-Chair
Senate Finance Committee

FROM: Senator John Torgerson

A handwritten signature in black ink, appearing to read "John Torgerson", written over the printed name.

RE: Schedule Request for CSSB 287(CRA)

Please schedule CSSB 287(CRA), "an Act relating to the unincorporated community capital project matching grant; and providing for an effective date," for a hearing in Senate Finance at your convenience.

Attached for your information are the following:

- CSSB 287(CRA)
- Sponsor Statement
- Sectional Analysis
- Comparison of the existing program with CSSB 287
- List of grant recipients and the approved projects, FY 94 - FY 97 request

Thank you for your time and consideration in this matter.

Attachments

Alaska State Legislature

Committee Chair
Community & Regional Affairs

Committee Vice-Chair
Labor & Commerce

Committee Membership
Legislative Council



District Address:
145 Main St. Loop; Suite 226
Ketchikan, AK 99901
(907) 283-2690; fax 283-9267

Session Address:
State Capitol, Room 427
Juneau, AK 99801-1182
(907) 465-2828; fax 465-4779

Senator John Torgerson

SENATE BILL 287 SPONSOR STATEMENT

The purpose of the capital project matching grant programs is to "(1) provide a capital project funding system that is equitable to municipalities and unincorporated communities throughout the state; (2) enhance the role of communities in initiating and prioritizing the construction of capital projects; (3) encourage a sense of local ownership in capital projects by requiring local participation . . . ; and (4) improve the process for making grants for capital projects by providing a more orderly and thoughtful planning process that involves the local community, the executive branch, and the legislature." There are two programs within the capital matching grant program: The Municipal Capital Project Matching Grant Program, and the Unincorporated Community Matching Grant Program.

Senate Bill 287 revises the Unincorporated Community Capital Project Matching Grant Program to include unincorporated communities located within organized boroughs.

Currently when these communities want a capital project, they must first convince their borough that the project is of higher priority than those which may benefit the entire borough, and are of higher priority than projects for other communities within that borough. Once the project is placed on the borough's list of priority projects, it must then survive the State process.

This legislation allows unincorporated communities to directly apply for a capital projects matching grant provided that the project and the administering agency qualify on the same terms as unincorporated communities in the unorganized borough, obtain the approval of their borough assembly, and are able to provide the local share requirement.

IT: Maj: SB287-2/26/96

Representing the Communities of: Lowell Point * Seward * Bear Creek * Crown Point * Moose Pass * Hope * Cooper Landing * Sterling * Soldotna * Kaslof * Clam Gulch * Ninilchik * Happy Valley * Starisky * Nikolaevsk * Anchor Point * Homer * Kachemak City * Fritz Creek * Kachemak Selo * Halibut Cove * Seldovia * Port Graham * Nanwalek *

COMMITTEE SUBSTITUTE FOR SENATE BILL 287 SECTIONAL ANALYSIS

Section 1: Amends AS 37.06.020(b) to include any unincorporated community which meets the requirements of AS 37.06.020(d) and was a place in which 25 or more individuals resided as a social unit; deletes reference to revenue sharing statute.

States that funds will be allocated to community accounts based on the cost of projects requested.

Section 2: Amends AS 37.06.020(c) to read that a maximum of \$25,000 may be allocated to each eligible unincorporated community's account in a fiscal year. If the appropriation to the fund is not sufficient to fully fund the amount for each account, allocations will be pro rated. If the appropriation is more than what is necessary to fully fund the individual allocations, the excess lapses into the general fund.

Section 3: Amends AS 37.06.020(d) to require that a nonprofit corporation or Native village council must meet the following qualifications to administer the grant funds received:

- was formed to serve a public or civic purpose
- is registered and in good standing with the Department of Commerce & Economic Development if it is a nonprofit corporation;
- agrees to use the grant money for a public purpose
- provides the residents of a community with a public facility or service
- has held a public meeting to give residents the opportunity to express their preferences and ideas for use of the grant money; and
- agrees to make the facility provided with grant money available to every person in the community.

Requires a borough assembly's written approval of the administering nonprofit corporation for unincorporated communities located within its boundaries.

Section 4: Amends AS 37.06.020(e) to require that written assembly approval must accompany an unincorporated community's list of requested projects for communities within its boundaries.

Section 5: Amends AS 37.06.020(h) to change the lapse date from five years to four for projects that do not have substantial, ongoing work being done.

Section 6: Amends AS 37.06.030(b) to state that the local share for an unincorporated community located within a borough is calculated the same as for that borough.

Section 7: Provides a transition period so that funds currently in communities' accounts must be repaid or lapse under the five year provision.

**Comparison of the Unincorporated Community Project Matching Grant Program
with Changes made by CS SB 287**

CURRENT PROGRAM

CSSB 287

Participants

Unincorporated communities in the unorganized borough who were eligible to participate in the revenue sharing program the preceding year

Any unincorporated community in the state that meets the definition of a social ~~unit~~ **unit of 25** or more and have a qualifying ~~entity~~ **entity** to administer the funds

Funding

One appropriation divided evenly among all eligible participants regardless of whether they have requested a project. Minimum allocation is \$25,000.

One appropriation allocated to individual communities based upon the amount of the project requested, up to a maximum of \$25,000 per year

Entity Qualifications

Nonprofit entity or Native village council that meets the standards currently in regulation for the revenue sharing program.

Same qualifications except that the basic qualifications are in statute. The DCRA has the ability to adopt regulations to further clarify and define them.

DCRA determines the entity's eligibility. The department determines the most qualified if there is more than one in a community

DCRA determines the entity's eligibility. Entities for communities within boroughs must also obtain their assembly's written designation and approval

Grant Request Procedure

Unincorporated community submits prioritized list of projects including estimated costs and source of local share.

Procedure is the same, however communities within boroughs must obtain written assembly approval of the list of projects

Grant Approval

Governor places list in capital budget request, with appropriations from the individual accounts. If project is approved, the appropriation stands, if not approved, it is deleted by the legislature in the appropriation process.

This process does not change.

Allocation of Funds

Money is allocated to a community account regardless of whether there is a project requested or if the requested project requires less funding than the allocation. Communities may keep the excess funds in their accounts for up to five years.

Money is allocated to a community account based on the amount of the project requested, up to a maximum of \$25,000 each year. Only the amount of the project requested may go into the account. If a project is not requested, the community receives no funds.

Lapse of Funds

Communities have five years in which to start substantial, ongoing work on an approved project. If this is not done, or if a project is not requested in that time, the funds in the community's account lapses into the general fund

Communities have four years in which to start substantial, ongoing work.

Local Contribution Required

The percentage used for calculating the required local contribution is 5 percent

The percentage used for calculating the required local contribution for communities in the unorganized borough is 5 percent. Local share requirements for communities within boroughs are calculated using the borough's percentage (normally 30 percent)

1997 Capital Matching Grants

<u>Community</u>	<u>Entity (Do not included in legislation)</u>	<u>Project</u>	<u>State Funds</u>	<u>E.D.</u>
Akiachak	Akiachak IRA Council	Repair Akiachak Townsite (water, sewer, roads)	\$25,000	39
Arctic Village	Arctic Village Traditional Council	Bulk Fuel Tank Farm-Phase II	\$25,000	36
Beaver	Beaver Tribal Village Council	Construction Mgmt for Multi-Purpose Bldg.	\$25,000	36
Birch Creek	Birch Creek Village Council	Community Health Center Improvements	\$25,000	36
Central	Circle District Historical Society	Finish Interior of Addition to Museum	\$8,000	36
		Computer w/Visual Access for use by Public	\$10,000	
		Landscaping of Museum Road & Parking Lot	\$7,000	
Chalkyitsik	Chalkyitsik Village Council	New Council Office Building	\$25,000	36
Chenega Bay	Chenega Bay IRA Council	Water Room/Holding Tank Upgrade	\$25,000	35
		Municipal Public Safety Garage	\$25,000	
Chistochina	Chistochina Village Council	Water Building Repairs/EMS Shed	\$25,000	36
Chitina	Chitina Village Council	Pedestrian Pathway	\$25,000	36
Circle	Circle Civic Community Assoc.		\$79,441	36
Copper Center	Native Village Kluti-Kaah		\$52,711	36
Crooked Creek	Crooked Creek Traditional Council	Equipment Repair	\$25,000	36
Deltana	Deltana Community Corporation		\$24,996	35
Dot Lake Services	Dot Lake Services, Inc.	Community Building	\$27,710	36
Dot Lake Village	Dot Lake Village Council	Village Recreational Facilities Upgrade	\$19,950	36
Eagle Village	Eagle Village Council	Renovation of Community Hall	\$15,000	36
		Purchase Hauling Vehicle (Garbage)	\$9,996	
Edna Bay	Edna Bay Community Association	Road Construction, Access & Maintenance	\$13,750	5
		Dock/Harbor Maintenance & Improvement	\$10,000	
Elfin Cove	Elfin Cove Community Council		\$25,000	5
Evansville	Evansville Village Council	Multi-use Community Center	\$25,000	36
Four Mile Road	Four Mile Road Community Council	Road Stabilization	\$25,000	36
Gakona	Gakona Village Council		\$79,441	35
Glennallen	Glennallen-Copper Valley Library Assoc.	Building Expansion and Renovation	\$25,589	35
Gulkana	Gulkana Village Council	Village Council Office Building	\$25,000	36
Gustavus	Gustavus Community Council	On-going Projects	\$25,000	5
Healy Lake	Healy Lake Traditional Council		\$25,000	36
Hollis	Hollis Community Council	Clark Bay Dr. & Island View Dr. Completion	\$25,000	5
		Canoe Pass Road - Pioneer 1500 linear feet	\$25,000	
		Peninsula Dr & Island View Dr. Road work	\$25,000	
Hyder	Hyder Community Association, Inc.		\$25,000	1
Kenny Lake	Kenny Lake Community League	Fire Department Building Repair	\$14,000	35
		Library Repair	\$11,000	
Kipnuk	Kipnuk Village Council	House Moving Trailer	\$25,000	39
Klukwan	Klukwan Chilkat Indian Village Council	Expansion of ANS Hall	\$25,000	5
Koliganek	New Koliganek Village Council	New Powerhouse Upgrading Distribution	\$25,000	39
Kongiganak	Kongiganak Traditional Council	Office Upgrade	\$11,000	39
		Washeteria	\$14,000	
Kwigillingok	Kwigillingok IRA Council	Relocation Project	\$25,000	39
Lake Minchumina	Lake Minchumina Traditional Council		\$79,441	36
Lime Village	Lime Village Traditional Council	Electrification	\$50,000	36
Manley Hot Springs	Manley Hot Springs Community Assoc.	Multi-Purpose Community Facility	\$25,000	36
Mentasta	Mentasta Lake Village Council	Equipment Lease Payments	\$24,985	36
Metlakatla	Metlakatla Indian Village	Smoked Salmon Development Project	\$26,358	1
Minto	Minto IRA Council	Multi-purpose Building	\$50,000	36
Nelchina/Mendeltna	Nelchina/Mendeltna Corporation	Solid Waste Transfer Station	\$25,000	35

FY97 Capital Matching Grants

Nikolski	Nikolski IRA Council	Building Purchase/Repair	\$79,441	40
Northway	Northway Village Council		\$25,000	36
Oscarville	Oscarville Village Council		\$79,441	39
Paxson	Paxson Community Affairs	Residential Telephone Service	\$50,000	35
		Snowmachine/Four Wheel Trail	\$10,000	
		TV Station	\$10,000	
Pitka's Point	Pitka's Point Village Council	Village Office/Hall Upgrade	\$25,000	38
		Clinic Water/Sewer Hook-up	\$25,000	
Point Baker	Point Baker Community		\$25,000	5
Port Protection	Port Protection Community Association	Boardwalk Repair/Upgrade/Water Tank Extensi	\$25,000	5
Rampart	Rampart Village Council	Washeteria/Laundromat/Watering Point	\$25,000	36
Red Devil	Red Devil Corporation	Community Health Clinic Building	\$25,000	36
Silver Springs	Silver Springs Residents Association	Road Improvements	\$25,000	35
Slana Community	Slana Community Corporation		\$25,346	36
Slana League	Slana League	Distance Learning/Medical Link	\$25,000	36
Sleetmute	Sleetmute Village Council	Multi-purpose Building	\$10,000	36
		Roads	\$10,000	
Stevens Village	Stevens Village IRA Council	Renovation Upgrade	\$25,000	36
Stony River	Stony River TVC	Roads	\$79,441	36
Takotna	Takotna Community Assoc.	TCA Utility Office/Lodge	\$23,684	36
Tanacross	Tanacross Village Council		\$54,027	36
Tatitlek	Tatitlek Village IRA Council		\$54,441	35
Tazlina	Assoc. of Tazlina Residents	Hockey Rink	\$10,000	35
		Road Improvements	\$25,000	
Tetlin	Tetlin Village Council	Community Kitchen Elders Upgrade	\$25,000	36
Tok	Tok Community Umbrella Corp.	Rescue Truck	\$25,000	36
Tolsona	Tolsona Community Corporation	Firehall Enhancements	\$12,000	35
		Solid Waste Site Improvements	\$12,000	
Tuntutuliak	Tuntutuliak Village Council		\$25,000	39
Twin Hills	Twin Hills Village Council	Tribal Office Completion	\$25,000	39
		Pumphouse Building Repair	\$25,000	
Venetie	Venetie Village Council	Multi-Purpose Building	\$26,793	36
Whale Pass	Whale Pass Homeowners Association	Resurface existing Roads 1/2 - 1 Mile	\$26,250	5
Wiseman	Wiseman Community Association	Purchases for Community Center (land/equip)	\$12,500	36
		Flood Dike/Levy Repair - Wiseman Creek	\$12,500	
Naukati Bay	Naukati West, Inc.	Road Construction/Pit Development	\$25,000	5

* These communities were over-funded during FY 95. Therefore the amount available to them for FY97 is slightly less than \$25,000

Community	Entity	FY 04 Award	FY 05 Project	FY 06 Project	FY 07 Award	FY 08 Project	FY 09 Award	FY 10 Project	FY 11 Award
Albion	IRA Council		Road Improvements		\$25,000.00	Public Safety Building Equipment Repairs	\$15,000.00	Riplet Townsite for Water/Sewer/Road Paving Projects	\$25,917.00
Arctic Village	Traditional Council		Power Generation Upgrade		\$25,000.00	Bulk Fuel Tank	\$25,000.00	Power Line System Upgrade	\$25,917.00
Beaver	Village Council		Design & Construction Multi - Purpose Clinic Equipment		\$25,000.00	Subsistence Bulk Oil Design/Construction	\$25,000.00	Multi-Purpose Building Phase III	\$25,000.00
Beth Creek	Village Council		Undesignated		\$25,000.00	Sale Water Treatment Plant Upgrade	\$25,000.00	Clinic Water and Sewer Installation	\$25,000.00
Circle	Circle Dist. Hist. Soc.		Undesignated		\$0.00	Community Facilities & Equipment	\$25,000.00	Addition to Museum/Library/Archives	\$25,000.00
Croftville	Village Council		Undesignated		\$25,000.00	Community Facilities & Equipment	\$25,000.00	Water/Sewer Project Construction	\$25,000.00
Chenega Bay	IRA Council		Undesignated		\$0.00	Community Facilities & Equipment	\$0.00	Road Maintenance Construction	\$50,000.00
Chitochina	Village Council		Office Renovation and Repairs		\$25,000.00	Community Hall Upgrade	\$25,000.00	Recreational Building Addition	\$25,000.00
Chitina	Village Council		Freight Purchases		\$25,000.00	Warehouse	\$25,000.00	Incinerator Project	\$25,000.00
Circle	Community Assn.		Undesignated		\$0.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00
Copper Center	Hal. VIL. ILL - Nash		Undesignated		\$0.00	Senior Removal Vehicle Equipment Purchase	\$25,000.00	Community Facilities and Equipment	\$25,000.00
Crescent Creek	Traditional Council		Upgrade Clinic Equipment/Purchases		\$10,000.00	Clinic Improvements	\$15,000.00	Road Repairs	\$25,000.00
Culberson	Community Corp.		Repair Council Equipment		\$23,750.00	Processing Plant Construction	\$28,500.00	Processing Plant Phase III	\$25,000.00
Dot Lake Services	Barnes		Undesignated		\$0.00	Community Facilities & Equipment	\$25,000.00	Community Building Construction	\$50,000.00
Dot Lake Village	Village Council		Washeteria Bin Preparations		\$15,000.00	Community Hall Upgrade	\$23,900.00	ATCOO Trailer Removal	\$28,200.00
Edna	Council		Washeteria Project Design		\$15,000.00				
Edna Bay	Community Assn.		Village Bath Water Project		\$23,750.00	Sale Water and Sewer Project Construction of Washeteria	\$28,500.00	Community Facilities and Equipment	\$25,000.00
Edna	Community Assn.		Merine Facilities Repair and Expansion		\$17,500.00			Herb Maintenance and Improvements	\$13,750.00
Edna	Community Assn.		Boatwalk Repairs/Repair Grant		\$9,825.00			Road Construction and Access	\$10,000.00
Edna	Community Assn.		Utility Truck		\$25,000.00	Hydroelectric Project	\$25,000.00	Community and Facilities	\$25,000.00
Edna	Community Assn.		Road Rehabilitation Project		\$25,000.00	Bulk Fuel Storage Facility	\$25,000.00	Amulance Purchase	\$25,000.00
Edna	Community Assn.		Undesignated		\$0.00	Road Rehabilitation Project	\$25,000.00	Road Rehabilitation Project	\$25,000.00
Edna	Community Assn.		Distance Learning/Medical Link		\$25,000.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00
Edna	Community Assn.		Site Preparation Work for Health Clinic		\$25,000.00	Library Building Expansion	\$40,000.00	Library Expansion/Restoration	\$25,000.00
Edna	Community Assn.		Language Compliance Grant		\$25,000.00	Health Clinic Construction	\$25,000.00	Community Recreation Park	\$15,000.00
Edna	Community Assn.					Public Library Replacement	\$25,000.00	Clinic Bin Construction	\$10,000.00
Edna	Community Assn.							Completion of New Library	\$7,000.00
Edna	Community Assn.		Teacher Housing/Generator		\$25,000.00	Health Clinic Construction	\$25,000.00	Medical/Office Equipment	\$4,000.00
Edna	Community Assn.		Roads Upgrade		\$25,000.00	Health Clinic Construction	\$25,000.00	Health Clinic Construction Phase I	\$25,000.00
Edna	Community Assn.		Design/Development of RV/Trailer Campground		\$25,000.00	Health Clinic Construction	\$25,000.00	Upgrade Lower Harts River Subdivision Road	\$25,000.00
Edna	Community Assn.		Athletic Storage Building		\$11,115.00	Compagnard Design and Development	\$25,000.00	Community Facilities and Equipment	\$25,000.00
Edna	Community Assn.		Track and Baseball Field		\$12,835.00	Track and Baseball Field	\$11,100.00	Land Acquisition for Community Center	\$25,000.00
Edna	Community Assn.		Boardwalk		\$25,000.00	Health Clinic	\$13,800.00	House Moving Trailer	\$25,000.00
Edna	Community Assn.		Building Repairs		\$25,000.00	Boardwalk Renovation	\$25,000.00	Community Facilities and Equipment	\$25,000.00
Edna	Community Assn.		Design and Construction of New Health Clinic		\$25,000.00	Community Center Design and Construction	\$25,000.00	Health Clinic Construction Phase III	\$25,000.00
Edna	Community Assn.		Public Facilities		\$25,000.00	Health Clinic Design and Construction	\$25,000.00	Community Hall/Office	\$25,000.00
Edna	Community Assn.		Undesignated		\$0.00	Community Facilities & Equipment	\$25,000.00	Community Facilities and Equipment Phase III	\$25,000.00
Edna	Community Assn.		Undesignated		\$0.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00
Edna	Community Assn.		Undesignated		\$0.00	Community Facilities & Equipment	\$0.00	Bulk Fuel Storage	\$12,500.00
Edna	Community Assn.		Phase I - Multi-Purpose Facility		\$25,000.00	Community Facilities & Equipment	\$25,000.00	Village Electrification	\$25,000.00
Edna	Community Assn.		Clinic Expansion Project		\$25,000.00	Multi-Purpose Community Facility	\$25,000.00	Road Improvements	\$12,500.00
Edna	Community Assn.		Lit Station		\$23,775.00	Village Store Renovation	\$25,700.00	Multi-Purpose Community Facility	\$25,000.00
Edna	Community Assn.		Undesignated		\$0.00	Healthcare Site Progression	\$25,000.00	Dry Care/Elder Center	\$25,978.00
Edna	Community Assn.		Undesignated		\$0.00	Healthcare Site Progression	\$25,000.00	Cold Storage Facility Repairs	\$18,000.00
Edna	Community Assn.		Undesignated		\$0.00	Search and Rescue Supplies/Equipment/Training	\$25,000.00	Replace Cemetery Building Wall	\$7,000.00
Edna	Community Assn.		Undesignated		\$0.00	Field Construction: Road Pit Development	\$25,000.00	Emergency Rescue Truck	\$25,000.00
Edna	Community Assn.		Undesignated		\$0.00	Merchandise Community Wall	\$25,000.00	Road Construction/Pit Development	\$25,000.00
Edna	Community Assn.		Undesignated		\$0.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00
Edna	Community Assn.		Undesignated		\$0.00	Community Facilities & Equipment	\$0.00	Community Facilities and Equipment	\$25,000.00

(f) A municipality shall repay to the department money drawn from its individual grant account if substantial, ongoing work on the capital project is not started within five years after the effective date of the appropriation from which the draw is funded. Money repaid shall be deposited into the general fund. Money from an allocation to a municipality's individual grant account that has not been drawn out by the municipality within five years after the effective date of the appropriation from which the allocation is funded lapses into the general fund.

(g) For purposes of this section, in calculating the population of a borough the population of each city in the borough is excluded. The determination of population shall be based upon data used by the Department of Community and Regional Affairs under AS 29.60.020.

(h) The provisions of AS 37.05.321 apply to a grant and draws made under this section, and to earnings from the grant and draws.

(i) In this section, unless specified otherwise, "department" means the Department of Administration. (§ 3 ch 80 SLA 1993)

Sec. 37.06.020. Unincorporated community capital project matching grant program. (a) The unincorporated community capital project matching grant program is established in the department. Grants to unincorporated communities under the program shall be administered as provided in this section.

(b) The unincorporated community capital project matching grant fund is established in the department and consists of appropriations to the fund. Appropriations to the fund do not lapse except as provided in (h) of this section. The money in the fund is held by the department in custody under this subsection for each unincorporated community eligible for an allocation under this subsection. The department shall establish an individual grant account within the fund for each unincorporated community that was entitled to receive state aid under AS 29.60.140 during the preceding fiscal year. As provided in this subsection, each fiscal year the department shall allocate, to the individual grant accounts, appropriations to the fund. An unincorporated community is eligible for an allocation in a fiscal year if the community was eligible to receive state aid under AS 29.60.140 during the preceding fiscal year. The department shall credit interest earned on money in an individual grant account to that account. Except as provided in (c) of this section, the amount allocated under this subsection to an individual grant account in a fiscal year is determined by dividing the total amount appropriated to the fund during that fiscal year by the number of unincorporated communities eligible for an allocation during that fiscal year.

(c) A minimum of \$25,000 shall be allocated to each eligible unincorporated community's grant account each fiscal year under (b) of this section. If appropriations are not sufficient to fully fund the mini-

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mum amount for each eligible unincorporated community, the amount appropriated shall be allocated equally among the eligible unincorporated communities.

(d) The department shall designate, in each eligible unincorporated community, an incorporated nonprofit entity or a Native village council that agrees to receive and spend grant money allocated to the unincorporated community's individual grant account under (b) of this section. If there is more than one qualified entity in a community, the department shall designate the entity that the department finds most qualified to make draws from that unincorporated community's individual grant account and spend the money. If there is no qualified incorporated nonprofit entity or Native village council in an unincorporated community that will agree to receive and spend money allocated to the community under (b) of this section, draws may not be made from the unincorporated community's individual grant account and the amount allocated to the account lapses into the general fund.

(e) By October 1 of each fiscal year, the incorporated nonprofit entity or Native village council designated by the department under (d) of this section shall submit to the governor a prioritized list of capital projects and estimated costs to be financed with money from the community's individual grant account established under (b) of this section. The list must include the amount and source of the local share required by AS 37.06.030. The governor shall include in the capital improvements program presented to the legislature under AS 37.07.060 the projects submitted by designated entities under this subsection that the governor recommends for funding. If, in the capital improvements program, the governor includes projects in other than the priority order submitted by a designated entity, the governor shall provide the legislature with a written statement of the reasons for that action.

(f) The legislature may make appropriations, from an unincorporated community's individual grant account established under (b) of this section, for the unincorporated community for capital projects under this section. Subject to appropriations under this subsection and to the local share requirements of AS 37.06.030, an entity designated by the department under (d) of this section may draw, on behalf of the unincorporated community, amounts from that community's individual grant account for a capital project in accordance with an appropriation for that project. In accepting a draw, an entity designated by the department under (d) of this section acknowledges that the state is not responsible for operating or maintaining a capital project for which the draw is used, or for paying for its operation or maintenance. The acknowledgment does not apply to use of money from a draw for repair or improvement of an existing facility that is operated or maintained by the state at the time that the draw is made if the repair or improvement for which the draw is used will not substantially increase the

operating or maintenance costs to the state. No more than 10 percent of the total amount of money from a draw for land acquisition, or planning, design, construction, or repair of a facility may be used for administrative expenses. No more than five percent of the total amount of money from a draw for equipment or equipment repairs may be used for administrative expenses. The designated entity and its agents, contractors, and subcontractors shall comply with the hiring preferences under AS 36.10 in hiring employees to be paid wholly or in part with money from a draw.

(g) An entity designated by the department under (d) of this section that is a Native village council may not draw money from an unincorporated community's individual grant account unless the council waives immunity from suit for claims arising out of activities of the council related to the draw. A waiver of immunity from suit under this subsection must be on a form provided by the Department of Law. Neither this subsection nor any action taken under it enlarges or diminishes the governmental authority or jurisdiction of a Native village council.

(h) An entity designated by the department under (d) of this section shall repay to the department money it has drawn from an unincorporated community's individual grant account if substantial, ongoing work on the project is not started within five years after the effective date of the appropriation from which the draw is funded. Money repaid shall be deposited into the general fund. Money from an allocation to an unincorporated community's individual grant account that has not been drawn out by a designated entity within five years after the effective date of the appropriation from which the allocation is funded lapses into the general fund.

(i) The limitations of AS 44.47.140 do not apply to a grant made under this section.

(j) The provisions of AS 37.05.321 apply to a grant and draws made under this section, and to earnings from the grant and draws.

(k) In this section, unless specified otherwise, "department" means the Department of Community and Regional Affairs. (§ 3 ch 80 SLA 1993)

Sec. 37.06.030. Local share requirements. (a) For each draw made by a municipality under AS 37.06.010, the municipality shall contribute a local share to the cost of the capital project for which the draw is made. The amount of the local share equals the local share percentage as calculated under (1) of this subsection, divided by the state share percentage as calculated under (2) of this subsection, multiplied by the amount of the draw. For purposes of this subsection,

(1) the local share percentage is

(A) 30 percent for a municipality with a population of 5,000 or more;

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(B) for a municipality with a population of 1,000 — 4,999, the greater of

- (i) 15 percent; or
- (ii) the percentage obtained by dividing the amount that would be received by the municipality from a property tax levy of 1/1000th of a mill per \$1,000 of grant funds received by the sum of that first amount plus the amount of the grant or draw, but not more than 30 percent;

(C) for a municipality with a population of under 1,000, the greater of

- (i) five percent; or
- (ii) the percentage obtained by dividing the amount that would be received by the municipality from a property tax levy of 1/1000th of a mill per \$1,000 of grant funds received by the sum of that first amount plus the amount of the grant or draw, but not more than 30 percent;

(2) the state share percentage equals one minus the local share percentage;

(3) the local share to be contributed by a municipality may be satisfied with (A) federal, municipal, or local money; (B) labor, materials, or equipment used directly in the construction of the project, or land, including land transferred by the state to the municipality; the department shall determine the value of a contribution under this subparagraph; (C) money from another nonstate source; (D) money received by the municipality under AS 29.60.010 — 29.60.375; (E) state taxes refunded or reimbursed to the municipality whose use for the purposes of this subsection is not prohibited; (F) allocations of state aid for the costs of school construction debt under AS 14.11.100; and (G) money obtained from the sale or lease of land or other assets transferred by the state to the municipality; except as provided in this paragraph, the local share may not be satisfied with money from, or with the portion of an asset that was obtained with money from, an appropriation, allocation, entitlement, grant, or other payment from the state.

(b) For each draw made by an entity or council under AS 37.06.020, the incorporated entity or Native village council that makes the draw shall contribute a local share of the cost of the capital project for which the draw is made. The amount of the local share equals the local share percentage as calculated under (1) of this subsection, divided by the state share percentage as calculated under (2) of this subsection, multiplied by the amount of the draw. For purposes of this subsection,

- (1) the local share percentage is five percent;
- (2) the state share percentage equals one minus the local share percentage;

(3) the local share may be satisfied from (A) federal or local money; (B) labor, materials, or equipment used directly in the construction of the project, or land, including land transferred by the state; the department shall determine the value of a contribution under this sub-

paragraph: (C) money from another nonstate source; (D) money received by the unincorporated community under AS 29.60.010 — 29.60.375; or (E) money obtained from the sale or lease of land or other assets transferred by the state; except as provided in this paragraph, the local share may not be satisfied with money from, or with the portion of an asset that was obtained with money from, an appropriation, allocation, entitlement, grant, or other payment from the state.

(c) For purposes of (a) of this section, in calculating the population of a borough the population of each city in the borough is excluded. The determination of population shall be based upon data used by the Department of Community and Regional Affairs under AS 29.20.060. (§ 3 ch 80 SLA 1993)

Sec. 37.06.080. Adoption of regulations. The Department of Administration for grants under AS 37.06.010 and the Department of Community and Regional Affairs for grants under AS 37.06.020

(1) may adopt regulations that impose additional requirements or procedures to implement, interpret, make specific, or otherwise carry out the applicable provisions of this chapter for grants administered by the department;

(2) shall adopt regulations providing for periodic audits of the use of money for grants administered by the department under this chapter, including audit of the department's determination of the value of, and adequacy of the verification of the actual use of, locally funded or contributed labor on projects funded by a grant under this chapter. (§ 3 ch 80 SLA 1993)

Sec. 37.06.090. Definition of "capital project." In this chapter, "capital project" means a project with a cost exceeding \$10,000 to acquire or improve an asset with an anticipated life exceeding one year and includes land acquisition, construction, repair or structural improvement of a facility, engineering and design for a facility, and acquisition or repair of equipment. (§ 3 ch 80 SLA 1993)

Chapter 07. Executive Budget Act.

Section

- 10. Statement of policy
- 20. Responsibilities of the governor
- 30. Responsibilities of the legislature
- 40. Office of management and budget
- 50. Agency program and financial plans
- 60. Governor's recommendation
- 62. Capital budget
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Section

- 80. Program execution
- 90. Performance reporting
- 100. Proposed supplemental or special appropriations
- 110. Interpretation of chapter
- 120. Definitions
- 130. Short title

DETERMINATION OF COMMUNITY.

(a) In determining whether a population comprises a community or social unit, the commission will, in its discretion, consider relevant factors, including whether the people

(1) reside permanently in a close geographical proximity that allows frequent personal contacts and has a population density that is characteristic of neighborhood living;

(2) residing permanently at a location are a discrete and identifiable unit, as indicated by such factors as school enrollment, number of sources of employment, voter registration, precinct boundaries, permanency of dwelling units, and the number of commercial establishments and other service centers.

(b) Absent a specific and persuasive showing to the contrary, the commission will presume that a population does not constitute a community or social unit if

(1) public access to or the right to reside at, the location of the population is restricted;

(2) the population is contiguous or closely adjacent to a community or social unit and is dependent upon that community or social unit for its existence; or

(3) the location of the population is provided by an employer and is occupied as a condition of employment primarily by persons who do not consider the place to be their permanent residence.

History -

Eff. 7/31/92, Register 123

Authority -

Alaska Const. art. X, sec. 12

AS 44.47.567

AS 44.47.980

19 AAC 030.0055

STANDARDS FOR PAYMENTS OF STATE AID TO INCORPORATED COMMUNITIES.

An applicant that is an entity qualified to receive an entitlement under AS 29.60.140 must meet the following standards to receive payment:

(1) the applicant must agree to irrevocably dedicate for a public purpose the payment that the applicant receives under AS 29.60.140;

(2) the applicant must be providing the residents of the unincorporated community with a public facility or service as of October 1 of the computation year;

(3) the applicant must have held a public meeting to give residents the opportunity to express their ideas and preferences for the use of money received under AS 29.60.140 and must have posted notice of the meeting in three public and prominent places in the community for at least 15 days before the meeting; and

(4) the applicant must agree to make a service or facility provided with the money received under AS 29.60.140 available to every person in the community regardless of race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, parenthood, or political affiliation.

History -

Eff. 10/18/87, Register 104; am 8/19/88, Register 107

Authority -

AS 29.60.130

AS 29.60.180

AS 44.47.050

AS 44.47.980

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 2/9/96

FURTHER: Finance

Date of 5-Day Notice: 2/22/96
 (in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-21-96

The Community & Regional Affairs Committee considered SB 287

Relating to the unincorporated community capital project matching grant program.

FN

and recommends:

- be replaced with _____ CS SB 287 (CRA)
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
 same title
 new title
- House Bill:**
 same title
 technical title
 new: SCR# _____

SIGNING DO-PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
<i>[Signature]</i>		<i>[Signature]</i>	<input checked="" type="checkbox"/>		
<i>[Signature]</i>		<i>[Signature]</i>	<input checked="" type="checkbox"/>		
<i>[Signature]</i>					
<i>[Signature]</i>					
CHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
<i>Comm & Reg'l Affairs</i>	<i>2/22/96</i>		<i>42.7</i>

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

*SB
CS*

SB

289

HFIN

FILE

(11)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 24, 1996

FURTHER REFERRALS:

Date of Committee Action: 5/2/96 pm

The FINANCE Committee considered:

CSSB 289(FIN) am

CS FOR SENATE BILL NO. 289(FIN) am

MINORS, ESP. RUNAWAYS, & THEIR FAMILIES

"An Act relating to runaways, other minors, and their families or legal custodians; and amending Rule 7, Alaska Delinquency Rules."

recommends it be replaced with the following committee substitute HCS CS SB 289 (FIN) [] the same title [x] a new title

[] additional referral to _____ Committee [] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)
[x] fiscal note(s) DOA; DHSS; Law; AK COURT Sys. [x] fiscal note(s) DHSS

[] zero fiscal note(s) [] zero fiscal note(s)

Table with 5 columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Rows include signatures and names: Richard Foster, Terry Martin, Steven Pannell, Vic Kohring, Ben Grussendorf, Jan Brown, Gene Thernault, Kelly.

CD CHAIR'S SIGNATURE Richard Foster

Alaska State Legislature

STEVE FRANK

119 N. Cushman, Rm. 213
Fairbanks, Alaska 99701
(907) 452-3421



While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3709
Capitol Rm. 417

Senate

SPONSOR STATEMENT

CS SB 289 "An Act relating to runaway minors, other minors, and their families or legal custodians; and amending Rule 7, Alaska Delinquency Rules."

I introduced this legislation to address the growing concern among parents for the safety of their runaway children. It is a significant problem in our communities that I feel needs serious consideration.

CS SB 289 will strengthen the language within AS 11.51.130 regarding contributing to the delinquency of a minor. By discouraging people from housing runaways, it will force these children to take advantage of available services that will be able to assess the child's situation and begin the process of reconciliation with their family.

This legislation will also make clear that a police officer's first course of action, after picking up a runaway, is to take that child back to his or her parents unless the officer believes that there has been abuse to the minor. If the parent will not accept the child, then the second course of action will be to take the minor to a place agreed to by the parent. If this cannot be accomplished either, then the police officer must take the child to a semi-secure shelter for assessment of the child's situation and determination of the course of action that is in the best interest of the child.

The Senate Finance committee felt that a second tier of consequences was necessary for those runaways who ran from semi-secure shelters. The committee made it a violation to run from semi-secure placement, which gives discretion to law enforcement to pick up the minor and detain him or her in a secure environment pending a detention hearing within 48 hours under AS 47.10.140. If there are no other reasons for detaining the minor, such as child in need of aid or delinquency petitions based on violating other laws, the minor would be released to the legal custodian at the detention hearing.

I feel this legislation is an important step in dealing with this continuing problem and I would appreciate your support.

Thank you for your consideration.

Dear Legislator, Governor, President...

The runaway youth problem is reaching epidemic proportions in America today. More and more it's touching the lives of average middle class families that are trying to instill traditional values, but encounter roadblocks set in their way by permissive laws designed to guarantee children's personal freedoms. The trouble is, there's nothing in place to teach them the responsibilities that come with these freedoms.

To begin with, the moral fabric of our nation is unravelling. One has only to judge television content, stories considered newsworthy by the media or the messages delivered to young people through their popular music and the cinema to realize how far we've declined. Kids are continuously bombarded by the tobacco, alcohol, clothing and entertainment industries with the following advice concerning drugs, sex, violence, irresponsibility and disrespect for others (including parents)....*just do it!!!* AND, the peer pressure is relentless. Add to this a set of laws that effectively eliminate parental authority and the stage is set.

Federal legislation dating back 21 years seems to be where it all begins. The Juvenile Justice and Delinquency Prevention Act (PL 93-415) was passed in 1974. The law seeks to keep juveniles out of contact with adult offenders...can't be housed in the same correctional facilities. The law also requires the use of the least restrictive alternatives possible for juveniles in custody. To achieve these mandates at the state level, federal funds for juvenile programs are contingent upon compliance. This amounts to \$600,000 for Alaska and our laws do indeed fulfill the stated objectives of federal legislation. Please refer to Alaska Statute Sec. 47.10.141. titled "Runaway and missing minors".

The thinking behind these laws seems to be: Kids who run away are fleeing abusive homes and must not be further injured by a justice system that treats them like criminals. This philosophy completely overlooks the merely rebellious kids who, on advice of their trusted peers, can and do abuse these laws and manipulate the system. The influence of peers should not be underestimated. Their interpretation of law is not based upon a careful reading of the statutes, but rather upon how the laws are *actually* administered. They know that law enforcement agencies do NOT aggressively pursue runaways or the people giving them "safe" haven. So, both the character of the laws AND their application fail to protect our sons and daughters.

What to do?!....CHANGE THE LAWS! Moreover, the laws must be vigorously enforced. Reference existing statute Sec. 47.10.141. again: The law should clearly stipulate that a runaway who is unwilling to go home or to a mutually agreed upon location shall be placed in a *secure* facility. Such detention centers for runaway and missing minors shall be separate from adult facilities and should be staffed with personnel trained to evaluate each individual case and determine a course of action. Enforcement?...Even the current law says "...a law enforcement agency shall make reasonable efforts to locate the minor..." This requirement must be fulfilled! Likewise for Alaska Statute Sec.11.51.130, titled "Contributing to the Delinquency of a minor", and the truancy law and the statutory rape law. The statutes are worthless if law enforcement authorities won't apply them.

One can look at how other jurisdictions are addressing the problem. For example, Washington has new legislation dealing with runaways, but we must keep our goal clearly in sight....Kids must understand that the act of running away from their legal guardian will result in tangible consequences. The deterrent effect of a lock-up approach will greatly influence *potential* runaways. No longer will wayward peers be able to inculcate susceptible kids with the notion that they can run away with impunity. The word will get around quickly on the play ground and the majority of these wannabes won't take that initial step.

118 B 308
UK

Alaska State Legislature

STEVE FRANK

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Fairbanks, Alaska 99701
(907) 452-3421



While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3709
Capitol Rm. 417

Senate

TO: Representative Mark Hanley, Chairman
Representative Richard Foster, Chairman
House Finance Committee

FROM:  Senator Steve Frank, Co-Chair
Senate Finance Committee

RE: Hearing Request - SB 289

DATE: April 18, 1996

I am writing to request a hearing, pending referral, for SB 289, "An Act relating to runaways, other minors, and their families or legal custodians; and amending Rule 7, Alaska Delinquency Rules." in the House Finance Committee at your earliest possible convenience.

This legislation would strengthen current law, closing a loophole regarding contributing to the delinquency of a minor and strives to give parents more authority over their runaway children. It also promotes the idea of semi-securing runaway shelters to limit the "revolving door" effect that currently exists. However, the Senate Finance committee felt that a second tier of consequences was necessary for those runaways who ran from semi-secure shelters. The committee made it a violation to run from semi-secure placement, which gives discretion to law enforcement to pick up the minor and detain him or her in a secure environment pending a detention hearing within 48 hours under AS 47.10.140. If there are no other reasons for determining that probable cause for detaining the minor exists, the minor would be released to the legal custodian at the detention hearing.

I introduced this legislation to address the growing concern among parents for the safety of their runaway children. The runaway epidemic is a significant problem in our communities that I feel needs serious consideration.

Thank you for your consideration.

1743 Willow Street
Fairbanks, AK 99709
May 28, 1996

I'm here today because I live in constant fear that my son, who just turned 17, will walk out the door and never return. Does he have a good reason to threaten he'll leave and to even feel this way? Certainly not from my point of view. I have been an excellent parent; if I have a fault in rearing my two children; it would be; I've given them TOO MUCH of my time, resources and energy. Didn't seem to harm my oldest son, who was a model child and is currently pursuing his degree at Oregon State University. Both boys were born and raised in this state; both were loved and cared for by their father and me, but one is becoming exceptionally rebellious and head-strong.

I ask you, how is it that good kids from good homes know that they can walk out the door and there's not a darn thing a good parent can do about it? The whole concept of tougher, stiffer laws is brilliant and so necessary. The point is though, if there's no immediate consequences when a runaway is picked up and detained; the law will hinder, not assist the child, the parents and anyone else who has a vested interest in that minor.

If a child chooses to run away from a safe and good home and is then taken to a secure facility, there must be consequences to the child, if that child chooses to run again. I have found that the only method of discipline that works with my son is when I am tough, spell out what the consequence is and follow-through with what I said I was going to do. His behavior then makes a dramatic change. But, if I give him too many choices, it just confuses him and he thinks "mom will just back down anyway." I believe a comparison of my personal situation and the State of Alaska's attempt to strengthen the current runaway law makes a very important point. It's been proven in households across the country. Getting tough and attaching consequences to running away is effective and will decrease the high incidence of this occurrence. Children like my son, know exactly what they're doing; they'll bend and break the rules if they have the slightest opportunity. Keep the wording in SB289 clear and tough; I believe a strong runaway law will decrease the number of rebellious teens that refuse to want to go by the rules, give parents more

copy on file
4/30/96 A

control and most importantly, allow our state the authority to regulate and monitor this growing problem. Kids need to get the message that except in certain situations where homes are unsafe and abusive; it's just NOT okay to run away.

Sincerely,

A handwritten signature in cursive script that reads "Robin Randall". The signature is written in black ink and is positioned below the word "Sincerely,".

Robin Randall

House Finance Committee / All Committee Members
SB 289

Re: the committee's request for a written copy of oral testimony 4-29-96

This current draft of SB289 has the very appropriate goal of strengthening our social system by protecting runaway children and dealing with those people who habitually harbor and negatively influence the runaways.

However, paragraph "g" of Section 6 (page5) of the current draft does not adequately slow down or stop the revolving door phenomena at the semi-secure facilities. SB289 needs to provide clearer and much more immediate consequences for such behavior. This paragraph allows too much time to pass before consequences. Additionally, the word "possibility" in Section 7, paragraph "f", (page 6) should be changed to the word "mandated" or it should be removed entirely. This would strengthen the bill enormously.

Let us agree that this bill is not designed to deal with kids from abusive, neglectful families. NO!, this bill addresses an ever-growing subculture in our communities...rebellious, authority-evading children from healthy families. These children have learned to work the present system to their own advantage. These kids must have quick and predictable consequences for running from semi-secure facilities. Intervention must be early and tough.

As to fiscal policy: this bill should be designed as early intervention. If there are early consequences, dramatic consequences for the FIRST time a child defies the authorities and leaves a semi-secure facility without permission, then the revolving door syndrome should be greatly reduced. This will only work well if the tough consequences are enacted very quickly after the child runs from the semi-secure facility the first time. This should positively impact local enforcement agencies. Officers would not spend as much time and focus pursuing the same kids over and over!

In Section 2, by tightening the laws designated to penalize adults who inappropriately harbor a runaway, there should be a reduction in numbers of rebellious children who evolve into criminal teens and adults.

Then of course, by honoring and strengthening parental rights, you will see more runaways returned to their parents and money spent on counseling instead of full-time custodial care by the government. Fiscally, prevention is cheap compared to custodianship.

This bill does not replace other facilities that troubled kids can turn to on a voluntary basis. This bill addresses the facilities and regulations necessary to protect defiant, authority-evading runaways who have learned to use the present system while remaining in the grasp of a negative subculture.

I urge you to improve and strengthen this bill; pass it out of committee and promote it among your colleagues so as to ensure its final passage.

Thereby, committee members, you will provide: help for our troubled children; help for our distressed families; and certainly social and fiscal help for our communities statewide!

***After I wrote the above testimony and just prior to my oral teleconferencing testimony, I was reassured by John Regitano who had just spoken by phone with Allison Gordon, Sen. Frank's aide, that there WERE stronger consequences built into this draft of the bill as found on page 4, line19, as covered in state law. This removes some of my concerns about tough consequences for leaving a semi-secure facility but I am STILL VERY CONCERNED about the LACK OF IMMEDIACY and all the possible DELAYS and/or LOOPHOLES. I fervently that you will address these concerns and then pass this out of committee, and further aid in its promotion and passage in the House.

Thank you for your serious work on a serious problem in our state.

Sincerely,
Judith K. Shiffier
929 Reindeer Drive
Fairbanks, Alaska 99709
FAX 479-6121 Ph: 479-6104

Good afternoon, my name is Kim McDowell. My husband and I provide emergency foster care for children taken into state custody whenever the Division of Family and Youth Services is closed.

In our experience, we have found that about one half of the run away children that we care for are not running from abusive or neglectful homes, but are running from authority and discipline.

These children have learned, through many years usually, to use the system. They seem to be playing a game of run away, get caught, and run away again. There are never any real consequences for their actions. Under the present laws, children are not held responsible for their rebellious ways. What kind of message does this send to them???

On the street, run away children are prey for the undesirable elements of society. Many people that help our run aways do not have their best interests at heart, they have just the opposite in mind. As long as we allow our kids to remain on the run, they will continue to be used and exploited by the drug dealers and prostitution rings that seek out our run away children. Help us help them.

We desperately need some sort of secure facility where structure can be introduced into these children's lives, like the Boy's Home for example. The way the laws are at the present time, everyone but the rebellious children's hands have been tied. The state can not keep these children from running away time after time. The cost of these facilities would be recovered many times over by getting these children on the right path and out of the state system. Many of them have been in and out of state custody for years!! Eventually a great number of these kids will end up being cared for in correctional facilities.

There is a cycle that must be broken. Our children desperately need to be helped. Please give us the ability to help these children get off of the streets and back into useful society. Nothing is waiting for them on the streets but self destruction. Thank You.

Matthew A. Johnson, Psy.D., LCSW, NCAC II
Anchor Counseling and Testing Services (ACTS)
1011 Kodiak St.
Fairbanks, Alaska 99709
(907) 455-4114 Fax (907) 455-4224

April 29, 1996

Dear Representative Hanley,

I have been asked by some parents in support of Senate Bill No. 289(FIN) to write you a letter as a witness and to express my professional and personal support of the bill.

I am a licensed psychologist, a licensed clinical social worker, a state and nationally certified addictions counselor, and I operate a private practice in Fairbanks, Alaska. I have worked with adolescents in the mental health field for the past 15-years. I have never seen a worse problem with runaway teens and how they are handled by the "the system" than I have observed in the communities of Fairbanks and North Pole, Alaska! Senate Bill No. 289(FIN) appears to be a major step in the right direction. For years, parents in the Fairbanks/ North Pole area have felt helpless while their teens have been running away and living on the streets and/or in the homes of individuals with "questionable character."

It is a terrible mistake to automatically assume that all teens runaway from home because they are all being physically and/or sexually abused by their parents/guardians. I have encountered numerous children in therapy who have run away from home (and keep running away from home) because their parents wanted them at home and in bed by 10:00 p.m. on a school night. I can cite numerous examples of teens simply defying their parents over rules which are reasonable and nonabusive (e.g., don't drink alcohol, don't use drugs, do your homework, do your weekly chores, don't swear, treat your parents and siblings with respect, follow the rules at school, don't shop lift, etc.).

The problem with "the system" (e.g., some DFYS employees, some counselors in the community, some agencies in the community, and some judges in the state court system) is multifaceted:

1. There is an automatic assumption made by some professionals in "the system" that the teens are running away because they are being abused. I have seen many parents treated as guilty until proven innocent. Sometimes they have been intimidated by "the system" to go along with "the system's" agenda rather than attempt in vain to prove their innocence (i.e., "We have not abused our child!"). If

they continue to try and prove their innocence to "the system", they are sometimes threatened with lengthy involvement with "the system", and/or expensive court cost, and/or labeled by "the system" as bad parents or "right-wingers" (the label was stated to me by a DFYS employee here in Fairbanks). As a result, the child is left to run on the streets or is placed in a foster care system which they also run away from and are left to run away on the streets.

2. Last Fall, I witnessed a court proceeding in which the state attorney and DFYS employee told the judge that they didn't know what to do with an adolescent who continued to runaway from their foster care placement. They recommended that the adolescent be turned over to the custody of the parents; however, the adolescent's psychologist testified via the phone that the parents were rigid and unwilling to work with their adolescent in therapy because they refused to allow the adolescent to invite their friends over for dinner and to "hang out" in their home (the adolescent's friends were known criminals and/or engaged in selling drugs!!! What parent in their right mind would even consider to compromise with their adolescent and allow them to invite these individuals with questionable character into the home?!?! Yet these parents were labeled by the adolescent's psychologist as being rigid for the above reason. I worked with these parents and their expectations were reasonable and did not extend beyond the norm for other parents). The judge ordered that the adolescent remain in the custody of DFYS and remain in the foster home. Then the judge threatened the adolescent with going to the Fairbanks Youth Facility if the adolescent ever chose to runaway again. The adolescent ran away again and the judge did not follow through with the threat (i.e., the judge's bark was worse than their bite and most adolescents and their parents know this to be true of the judge.). The end result was that the adolescent's rights were elevated above the parents' rights to exercise authority and control over their child. As a consequence, "the system" enabled the child to remain on the streets.

3. Most adolescents that I have encountered in therapy don't runaway because of abuse, instead, they runaway because they are defiant, rebellious, oppositional, manipulative, and just want to do what they want to do without an adult in a position of authority telling them what to do (e.g., parents, teachers, counselors, etc.). As a result, the only clinical diagnosis the adolescent can receive in outpatient treatment is one of Oppositional Defiant Disorder or Conduct Disorder. Therefore, they cannot be admitted into inpatient treatment centers such as Charter North Hospital, North Star Hospital, and/or Providence Hospital because insurance companies will not reimburse for these diagnoses.

Although I can cite more examples than listed above, the above shall suffice for now.

At present, when an adolescent runs away from their parents' home and/or a state appointed foster home and/or the Family Focus Shelter (by the way I 100% enthusiastically support the Family Focus Shelter!) in Fairbanks because of being rebellious and oppositional to authority and rules, there is nothing that can be done for the child...even the above judge kept the adolescent going through the same revolving door in "the system" without a solution by not following through on the threat to lock up the child. If we don't lock up repeat runaway offenders, then we are leaving them to the mercy of the streets...and I have a problem with that!!! The state laws need teeth and the ability to protect Alaska's children even if it means locking them up to provide them with the help that they don't want to receive.

The Solution(s):

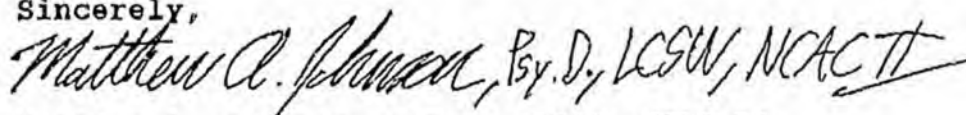
1. As previously mentioned, Senate Bill No. 289(FIN) is a step in the right direction. We need locked facilities around the state of Alaska to keep repeat runaway offenders off the streets; however, this is not enough.
2. The state of Alaska needs to finance locked treatment facilities that utilize a strict behavioral modification program to confront the inappropriate attitudes and behaviors of the runaway adolescents. Group therapies need to be provided as well to address therapeutic issues (e.g., abuse, chemical dependency, etc.). Insurance companies are no longer allowing adolescents with Oppositional Defiant Disorders and Conduct Disorders to receive treatment in the inpatient treatment settings. The cost for parents to send their children to private locked long-term residential treatment facilities in the Lower 48 states is astronomical. Parents should be able to place their children in local long-term facilities (6-12 months of treatment) without having to place their children in the custody of the State of Alaska and DFYS. Contracts could be made between the State of Alaska and Charter North, Providence, and/or North Star to provide such services, thus, eliminating the expense of building and maintaining such facilities.
3. The Alaska legislature should not only pass Senate Bill No. 289(FIN), but it should make sure that it allocates enough funds to make the law enforceable. The law without the financial support to make it a reality and enforce it would be an act of legislative irresponsibility and another example of "the system" enabling runaway adolescents.
4. The Alaska legislature should strongly consider passing more legislation that protects the rights of parents and their ability to discipline their children without the fear of "the system" intervening when it is not needed. Also, there should be more burden of proof place on the state of Alaska and DFYS to prove that the alleged abuse occurred rather than the parents being placed in a position where they are assumed guilty until proven innocent...and then being intimidated out of trying to prove

themselves innocent. In many cases, the parents are abused by "the system" by being inappropriately labeled (e.g., "abuser," "bad parents," and "right-wingers.") while their children are enabled to remain on the streets as runaways simply because they are tired of adults telling them what to do.

Thank you for your time and effort in resolving the problems that many loving and caring parents are facing when they interact with "the system" while trying to help their runaway children.

If you have any questions about the content of this letter, please feel free to call me at home (455-4884) or at my private practice (455-4114) or fax a message to me at (455-4224).

Sincerely,



Matthew A. Johnson, Psy.D., LCSW, NCAC II
Licensed Psychologist, Licensed Clinical Social Worker,
National Certified Addictions Counselor.



Alaska State Legislature

Pg ①

Please enter into the record my testimony to the House Judiciary
 (Senate Finance)
 committee name

committee on SB 289 Run away, dated 4-29-96
 bill/subject

Now are you going to absolve parents of ^{monetary} responsibility for
 Now do you plan on implementing the new ^{run} away laws in Anchorage, as maybe Wasilla
 & Palmer may follow, too, if there's no
 run away law?
 Curfew?
 Gang violence?
 Drunk Driving / confiscation of
 car?
 Rounding up of teens drinking
 at parties?

Signed: Cris Tyree
 Testifier

Representing (Optional)

P.O. Box 872085 Wasilla AK 99687
 Address

907-373-6515
 Phone No.



Alaska State Legislature

Pg. ②

Please enter into the record my testimony to the House Judiciary
(Senate Finance)
committee name

committee on SB 289 Run away, dated 4-29-98.

Now can a parent keep their child home if there's no law backing parents? Who has more rights? The legal upstanding worker, tax payer, bill payer, voting adult that is in our armed services too, protecting our country or the child that can not work, pay taxes, vote for representation, serve in armed forces, run machinery, etc.

We adults are the guidance. Children can not behave like adults because they have a child's mind w/no experiences to back up the wisdom of responsibility, maturity, running an office much less a country. So how can they run themselves?

Can't you see these kids are making bad choices cause they don't have the wisdom + living experience yet to make good choices?

Signed: Cristyree
Testifier

Representing (Optional)

P.O. Box 872085 Wasilla AK 99687

Address

907-373-6515

Phone No.

Studies Done?



Alaska State Legislature

Pg (2)

Please enter into the record my testimony to the House Judiciary
(Senate Finance)
 committee name

committee on SB 289 Run away Law, dated 4/29/92
 bill/subject

Do you have any studies or graphs on the run-aways that claim abuse and are, the ones that claim it + proof not to be abused + the ones that just don't want Mom's rules + regulations?

Do you have any studies on older teens/young adults that have picked up their lives after running away? That are succeeding after running away + what their opinions are? After all there's a huge difference in + change between 12-15 (when run-away) + 18-21 when become an adult?

Do you have any studies on the monetary loss to parents, the community + businesses through run-aways stealing parents cars + wrecking them or stealing from them, breaking into schools, breaking into businesses + homes, shop lifting, or the ~~cost~~ rising cost of ~~insurance~~ insurance or medical because of car wrecks, drive by shootings or the shop lifting? Do you have any studies on the rise in medical costs to parents or government because of unprotected sex, too much sex at too early of an age? How many young men or men peroid carry diseases to these kids because they won't get medical help? Are there any studies on parents that try to prevent crimes before they happen because of their run-away?

Signed: Cristyree
 Testifier

Representing (Optional)

P.O. Box 872085 Wasilla AK. 99687

Address

907-373-6515

Phone No.



Alaska State Legislature

House Judiciary

Please enter into the record my testimony to the

(Senate Finance)

committee name

committee on SB 289/Runaway Law
bill/subject

, dated 4/29/96

I am an 18 year old, who ran away from home at 15, I think the runaway law should be changed and the kids made to come home. I did not understand the consequences of my actions until I'm in real deep. I didn't realize I would loose my right to vote, and carry a firearm. When you are going through hormonal changes and growing stages you get confused and go crazy. I wish the police/troopers would have made me go home or scare me to where I stayed home. The law did not back my parents up and look what had happened. I know what it feels like to have the troopers tell my mom I'm not coming home, 'cause I don't want to. You feel like you're so big. I walked all over my parents, because the law did not help make me go home. Now that I've had it ruff, I regret all the decisions I made on my own.

Signed: Liam Syre

Testifier

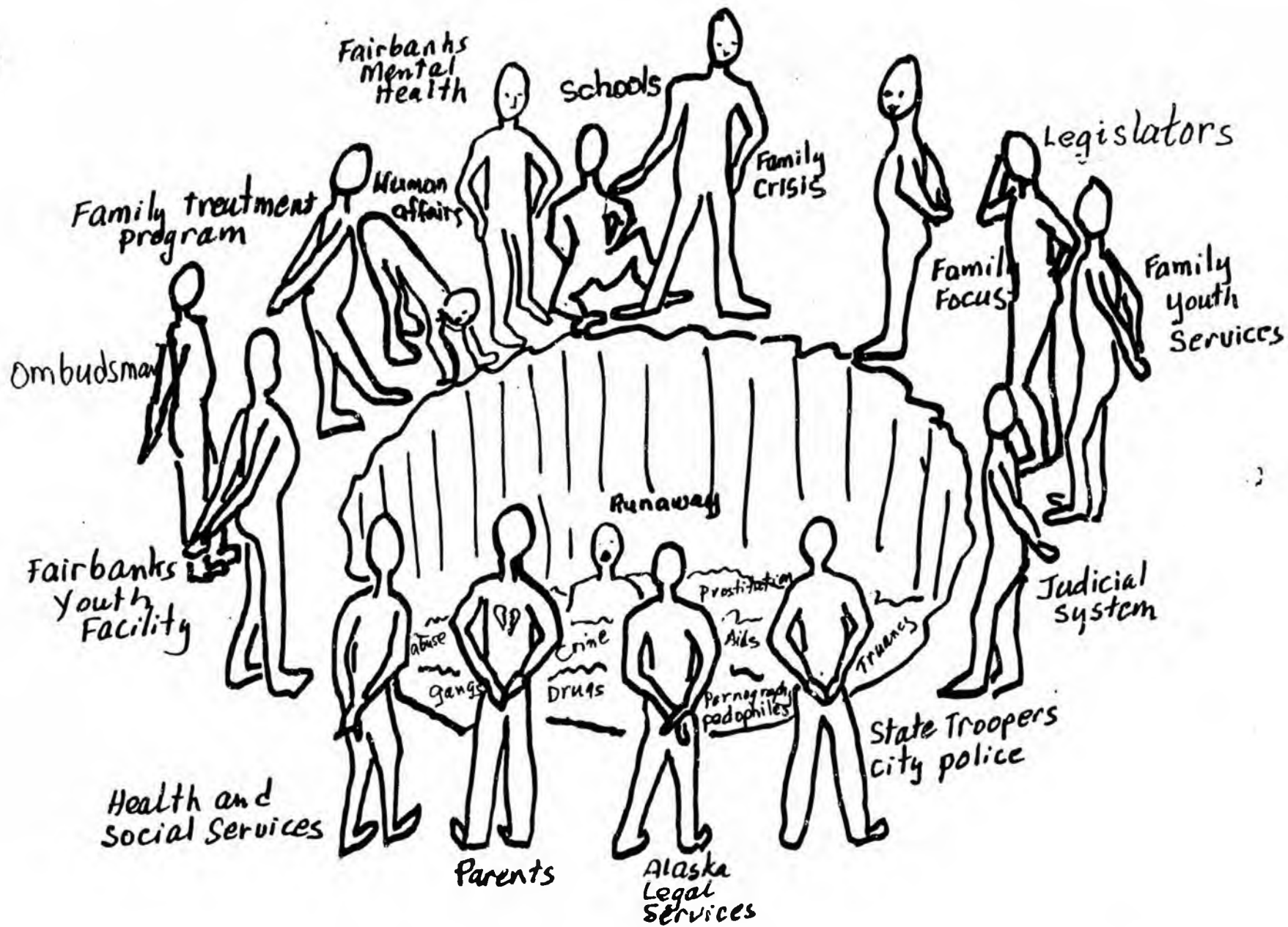
Representing (Optional)

P.O. Box 872085 Wasilla, AK - 99687-

Address

(907) 373-6515

Phone No.



"Our hands are tied"



**LOST
BY THE
STATE
OF
ALASKA**



**If you have information,
please call Sarah's parents at**

479-4090

or the Alaska State Troopers at 451-5100.

Al Near
PO Box 80847
Fairbanks AK 99708
March 9, 1996

Senator Steve Frank
Room 518 Alaska State Capitol
Juneau AK 99801-1182

Dear Steve:

Thank you for introducing **SB289**. I wholeheartedly support what I see as its primary goals.....strengthening the laws that deal with runaway minors and those persons who would contribute to their delinquency.

Our sad experiences with these issues began over a year ago when our daughter refused to come home from school after we attempted to impose grounding sanctions in response to her cutting classes. I was informed by the school counselor that I could try to persuade our child to return, but that *I could face serious consequences* if I attempted any physical solution such as putting her in the car and driving her home. I ended up negotiating with her through the vice principal and the counselor. In the end...my daughter had her way. She went home with a classmate for the weekend; thereby avoiding any consequences for her actions. I went home with hat-in-hand.

That was a dark December day in 1994. Since then she has been in a dozen or more foster settings from which she either ran away or was asked to leave and still...no consequences!!! She has lived on the streets for up to 6 weeks at a stretch. When she has been picked up as a runaway, she refuses to go home, so she's delivered to our local youth shelter. There it has been a revolving door and she soon returns to the unsavory situation from which the peace officer had just rescued her...still no consequences!!! Throughout this nightmare we sought help from law enforcement and were repeatedly told that runaways are a low priority because they will not stay at the shelter. Attempts to deal with the various adults who harbored and otherwise contributed to her delinquency were also fruitless.

Here's an attractive, intelligent and talented 15 year old girl who held the world in her hands before she was pulled into a negative peer group. She was destined for college and a responsible, productive future. Now? I doubt that she'll even finish high school and she has herself predicted that she'll likely end up in jail. But, as she's quick to point out, she'll be with her friends.

How can something like this happen? Before this happened to *us* I had assumed such problems could always be traced to serious inadequacies of the family. Well, my wife and I have enjoyed a 32 year loving partnership, our son is a well liked 19 year old college student and our daughter had all the same opportunities. Moreover...our's is not an isolated case! During this past year we've met families from all walks of life who have similar stories. One continuing theme that runs through all these cases is an absence of accountability for the wayward youths. When a child refuses to follow the standards of behavior set forth by family and society and sees that our legal system also refuses to uphold them...what should we expect????

The earliest intervention is what's needed. Clearly, had my daughter been turned around and sent home when she first began experimenting with *the system*, she might have been saved. But, after scores of episodes to which the system responded by rewarding her misadventures with ever greater freedom, what are the odds that she can ever be turned around? We need to be there with appropriate consequences at the beginning. If our *susceptible* youth heard from their peers that running away would result in negative consequences, many of these "wannabes" would never take that first step.

This brings me to SB289. It's headed in the right direction, but it doesn't quite get all the way there. Draft version "M" is before me and I'm concerned about what it doesn't say. Upon reading to the end of line 23 on page 3, everyone I've talked with asks...*and then what?* It's fine that the shelter personnel are immediately aware that the minor has left, but *what is anyone going to do about it??* I suggest that such an act justifies more than a "semi-secure" response. The minor should know that, if he or she runs away from the "semi-secure" shelter, they will graduate up to a secure setting. Better yet, they should be prevented from leaving in the first place. It may cost more and we might lose some federal grant money and on and on and on...but, the bottom line...are we willing to do what's right for our kids? It's been often said that young people represent our most precious asset. Let's *show them we care* by revising our laws to close the "accountability gap". Let's set and maintain reasonable boundaries for them.

Respectfully yours,



Al Near

Post-It™ brand fax transmittal memo 7671		# of pages >	
To	Alli Gordon	From	AL Near
Co.	FOR Senate Fin	Co.	479-4090
Dept.	Hearing	Phone #	
Fax #		Fax #	

La Rue Near
P.O. Box 80847
Fairbanks, AK 99708
March 18, 1996

Senator Steve Frank
Room 518 Alaska State Capitol
Juneau, AK 99801-1182

Dear Senator Frank:

The runaway youth problem is reaching epidemic proportions in Alaska today. More and more it's touching the lives of average middle class families who are trying to instill traditional values, but encounter roadblocks set in their way by laws designed to protect abused and neglected children. These laws are being exploited by rebellious kids who are challenging authority. Kids who, in an earlier time would have been held accountable for their misdeeds, can now exercise adult personal *freedoms* unencumbered by personal *responsibility*.

Federal legislation beginning in the mid 1970s recognized the importance of not treating abused and neglected kids like criminals. Laws flowing from this philosophy require "least restrictive" settings for juveniles in custody. To achieve these mandates at the state level, certain federal funds for juvenile programs are contingent upon compliance. For example, retention of juveniles for running away would put \$150,000 of grant money at risk under one of these.

The thinking behind these laws seems to be: Kids who run away are fleeing abusive homes and must not be further injured by a justice system that treats them like criminals. This approach completely overlooks the merely rebellious kids who, on advice of their trusted peers, can and *do* exploit these laws and manipulate the system. Their interpretation of law is not based upon a careful reading of the statutes, but rather upon how the laws are *actually* administered. They know that law enforcement agencies do NOT aggressively pursue runaways or the people who harbor them.

SB289 addresses some of these deficiencies, but falls short when dealing with the issue of runaways who refuse to remain in the shelters. Kids must learn that running away from authority is not an option. If juveniles run away from a "semi-secure" facility they should be placed in a *secure* one. Early intervention is the key to saving these children. Law enforcement professionals concur that the first hours are the most dangerous. No one would advocate letting 3 year olds play in the traffic. Let's stop permitting our young teens to run in the streets.

Sincerely,
La Rue Near
La Rue Near

Enclosures (3)

Al Near
PO Box 80847
Fairbanks, AK 99708
March 18, 1996

Senator Steve Frank
Room 518 Alaska State Capitol
Juneau, AK 99801-1182

Dear Steve:

During the Finance Committee discussion of SB289 last week the question of wording was raised again regarding the act of contributing to delinquency. Ann Carpinetti (spelling ?) maintained that to remove the "knowledge or" language of Section 1. AS 11.51.130(a), (3) and (4) as it appeared briefly in version K of the bill would somehow place in danger those kids who are truly being abused. That's ludicrous. If persons giving shelter to children who they believe to be in such danger notify the authorities as provided under subparagraphs (A) and (B) of the bill, that argument washes away. If the law were to say "...without the knowledge or permission..." as she suggests, it would be worse than the present law. Then all that would be necessary for harborers to prove would be that the parents knew that the child was with them...ridiculous! Most parents of runaways I've consulted have *known* where their kid was. The problem...how to get them back!

Also during that hearing it was asserted that the "just cause" language is perfectly suitable. Moreover, Ms Carpinetti stated that she was unaware of any problems prosecuting cases because of this. That could be the result of the dearth of "contributing" cases tried in recent years. My inquiries locally have revealed only one case (4FA-S94-2827CR) which involved a child sent to *relatives* in Fairbanks. They didn't wish to return the child and this complex case was finally dismissed...not an example of harboring runaways. Right now, however, there are two cases dealing specifically with the issue.

Both of these cases involve runaways being harbored and, I modestly suggest, arose in response to parents of runaways bringing pressure to bear on the local law enforcement agencies. Accompanying this letter are copies of the official complaints. In one of these, my daughter was the juvenile victim. Neither of these cases has been heard, but the Jacob G. Mears trial is set for April 23, 1996. Amanda Smith failed to appear for arraignment and an arrest warrant is pending. It will be interesting to see how these cases are handled, but I doubt that either of these parties will receive any significant consequences. Smith, who has been influencing our daughter for almost a year, continues to have daily contact with her.

The accompanying copy of LaRue's guest editorial in the 1/8/96 News-Miner fits right in with what we've all been saying and Dermot Coles' piece describes my impressions. The excerpt from the Police Report of the 3/14/96 News-Miner dramatically highlights yet another danger of having no security in the runaway shelters.



To Sen Frank
 From Al Near
 Co 479-0398
 FAX

Al Near
 PO Box 80847
 Fairbanks, AK 99708
 April 8, 1996

Senator Steve Frank
 Room 518 Alaska State Capitol
 Juneau, AK 99601-1182

Dear Steve:

The final draft of SB289 as passed out of your Finance Committee contains all of the elements that I believe necessary to discourage minors from running away. I'm especially pleased to see that it provides for a secure setting for those minors who would run away from the "semi-secure" one. I like the idea of utilizing private residential care facilities for the "juvenile secure" placement. This is much better than throwing them in with serious offenders.

Costs associated with implementation of SB289 as delineated in Fiscal Notes prepared by the Department of Health and Social Services seem unreasonably high and do not reflect any reduction in numbers of runaways resulting from the deterrent value of the new law. Indeed, if the numbers don't fall, we need to revisit the problem! I question why suddenly the need arises for additional social workers as asserted in Fiscal Notes 254 and 255. Why weren't those positions needed already under the existing law? Nothing in SB289 changes the composition of runaways...the estimated 380 youth who might be subject to AS 47.10.141(g) are coming to the shelters right now.

Fiscal Note 248 claims that "as much as \$600,000 in Federal Delinquency Prevention Grants" would be lost. According to the accompanying comments on fiscal impact prepared by Jack Chenoweth a year ago, it would seem that only \$150,000 is at risk by violating Section 223 (a)(12)(A) of the Act and possibly an additional \$75,000 of prevention funds (Title V) might be lost. A small price to pay for a child's life!

Thanks for your support.

Sincerely,



Al Near

**THE FOLLOWING PAGES MAY
NOT FILM LEGIBLY BECAUSE OF
THE POOR QUALITY OF THE ORIGINAL**



Bambi's medals & stuff



5 Gold medals MVP-B.Ball
5 Silver Highest Scorer
1 Bronze 1 Honor Roll B.Ball
5 First Place Ribbons 2 Beauty

"No" to kids
Say
leaving
you
letter to enclose

From Cris Tyree

3-13-76

P.O. Box 872085

373-6515

Wasilla AK 99687

To: Senate Finance Committee

Senator Steve Frank

State Capitol

Juneau, AK 99801-1182

Enclosed is a picture of one of my two daughters.
Isn't she beautiful? Her older sister is beautiful
too. Please return pictures.

Let me tell you about both of them.

Tia loves children. She is real patient, considers
of them as individuals, and knows how to love with
hugs, kisses and kind words. She can tease and
and make them laugh. She has a soft beautiful
quality of charm and charisma that just warms
people's hearts. She's always there as a friend,
to be an honest friend, thoughtful. She's a big
help with her brother, around the house with
chores, etc. She's always tried to see the bright
side of life, but at 15 1/2, she learned from
school, she had rights, if she wasn't happy at
home, she could leave and no one would miss
her at home. Then she learned more from new
friends.

Now, Bambi, the one you have a picture of and also whose trophies I also have included picture wise in this letter. Bambi was always happy, chirpy, go-go, as a little girl. She was different in that kids and chores were not her thing!! Sports were. Every sport she participated in she received a medal, ribbon, trophy, honor for!! Anything!! Plus she was always from K to now, 9th grade, she's been an honor student. The majority of teachers and peers have always loved her!! But, when Tia ran away, Bambi was crushed. So at 12 years old she decides to run away.

I cried and pleaded to everyone, anyone, please make my girls come home!! No one could make them come home!! It was like no one cared.

When Tia left, she left to go to a dance in Anchorage (lure of the big city). She had planned on coming back, but do you know what happened? Some men held her hostage in Anchorage in their house, raped her (and she had been a virgin) than let her go after a few days!! She was afraid to tell us!! Afraid because we had "told her" so!! So instead of coming home, she stayed, trusted someone else, they hooked her on crack, where she landed up prostituting for money for the crack. The manager to pick herself up but

Continues being used and threatened!!

In the meantime Bambi is angry because we've moved from her home of 10 years, Tia has left since our move, girls are jealous of her. Start trouble for her because she's pretty, smart athletic and all the boys like her, so she starts getting into trouble.

One thing after another, which leads to now, both girls under Federal arrest for 11 (eleven) pounds of cocaine. They were being used by a man (42) that was a threat to them, a man I personally went to Trooper Patterson about before the arrest, trying to get my daughter out of there, so now we have to pay for all of this mess!!!

Why should I have to pay for the "No Run Away Law"? A law that gave children the idea to go, act like an adult, but not think like an adult?

Why should I pay when Trooper Patterson could have gotten my daughter out of there before this bust? When I went to him in person about this man that had control of her and her sister?

Please change the laws, for our children's sakes. Have age limit, too, to leave home. Let facilities be built

so these young lives aren't corrupted
by pimps, drug dealers, gang members.

Please make it to where our children
are made to come home or go to safe
house with trained staff or counselors.

Please put monies ~~to~~ into education or
training or after school programs. For
their sakes and future.

For US as a society, Children are
a natural resource, too. We'll get back
what we put forth into them.

Thank You,

Cris Tyree

TO: SENATOR STEVE FRANK

ATTN: ALI GORDON

FAX # 465-4714

I HOPE THIS WILL BE HELPFULL
I WASN'T SURE HOW OR WHAT
TO WRITE. I DON'T KNOW MUCH
AT ALL ABOUT BILL'S ETC AND
WANT TO LEARN BUT FOR NOW
PLEASE BEAR WITH THE
BEGINNER. I SURE HAVE
SOME HARD LUCK WITH
THE RUNAWAY SUBJECT AND
I WANT TO HELP TO SCENE.
I WAS BORN AND RAISED IN
ANCH AND ITS HORRIBLE TO
SAY THE LEAST. TEACH ME
AND ILL HELP HOWEVER
I CAN.
THANKS.

VALERIE HOBBS
ANCH. 243-0011
FAX 248-9894

MARCH 18, 1996 ..

A MOTHERS PLEA FOR HELP!!!

I'VE EXHAUSTED ALMOST EVERY WAY I KNOW TO HELP MY CHILD. I COME TO YOU TO TRY TO MAKE ANOTHER'S BURDEN SMALLER.

MY 14 YEAR OLD DAUGHTER IS A BEAUTIFUL GIRL. SHE WANTS TO MODEL AND IS CURRENTLY ENROLLED IN CLASSES. SHE IS AN 'A' STUDENT WHEN SHE SIMPLY CHOOSES. HOWEVER A SEXUAL ABUSE PAST, (THAT A.P.D. BLEW OFF) AND WHO KNOWS MAYBE A SINGLE FAMILY HOME WHERE MOM'S NO. TOUGH DISCIPLINARIAN, HAS MY YOUNG LADY VERY CONFUSED.

SHE'S DISCOVERED THAT SHE CAN EXERCISE HER RIGHT 'TO DO WHAT SHE WANTS TO DO'. SHE CAN LEAVE HOME WHENEVER. THE MOOD HITS AND THERE'S NOTHING ANYONE CAN SAY. OR DO.

JESS STARTED LAST SUMMER BY SNEAKING OUT OF THE HOUSE IN THE NIGHT. I WOULD USUALLY AWAKE TO FIND HER GONE AND PROCEED TO CALL ALL HER FRIENDS DISTURBING PARENTS AND WHATEVER IT TOOK TIL I WOULD FIND HER AND BRING HER HOME.

AFTER A FEW OF THESE AND THE FRIENDS CHANGING IT WAS GETTING HARDER FOR ME TO FIND JESS. SHE WOULD MEET GUYS ON THE STREET THAT WOULD PULL UP AND ASK FOR HER NUMBER, SHE'D GIVE IT OUT AND NEXT THING I KNOW SHE'S SNEAKING OUT WITH THEM. I TURNED TO THE AUTHORITIES FOR HELP AND ALL I GOT WAS 'ITS NOT ILLEGAL FOR A CHILD TO RUN AWAY' NO HELP!

TO SNEAK OUT SOON WAS NOT GOOD ENOUGH, IT TURNED INTO GOING OUT TO A MOVIE AND NOT COMING HOME FOR A DAY OR TWO, THAT WAS MORE FUN AND WHAT JESS KEPT DOING. I WOULD ALWAYS CALL A REPORT HER A RUNAWAY

ALWAYS WITH THE RESPONSE
THAT 'ITS NOT ILLEGAL FOR
A CHILD TO RUN AWAY' AND
ALWAYS I SHUTTER AT THE
HORRIBLE POSSIBILITIES. NO HELP!!

MEANWHILE MOM PULLS
TOGETHER THE FAMILY AND
WE CLING TO OUR HEAVENLY
FATHER. AND YET AGAIN
SHE WOULD LEAVE HOME AND
NOT COME BACK UNTIL I
FOUND HER

ON JAN 22ND AFTER 6 WEEKS
OF MEETING WITH A COUNSELOR
JESS HAD BEEN GONE 3 DAYS.
I HAD CONDUCTED MY NORMAL
DICK TRACY TO FIND OUT JESS
WAS WITH AN OLDER GUY
WHO HAD BEEN SELLING DRUGS.
SHE'D MET HIM ALONG SIDE
THE ROAD. . AFTER MUCH STRESS
THE COUNSELOR ADMITTED
JESS INTO NORTH STAR HOSPITAL

TWO WEEKS WENT BY AND MY
INSURANCE RAN OUT AND SHE
WAS DISCHARGED, NOT 24 HOURS
HAD PASSED AND SHE WAS
IN PROVIDENCE E.R. FOR A
DRUG OVERDOSE SUICIDE ATTEMPT.
SHE WAS ADMITTED AND

-THEN SPENT 2 WEEKS IN
THE DISCOVERY PROGRAM.
SHE AWALKED OF BROKE OUT
OF NORTH STAR AND PROVIDENCE
SHE MET A VERY STREET
WISE 12 YR OLD GIRL IN
NORTH STAR WHO HAS TAUGHT
HER MUCH

-FIVE DAYS AFTER BEING DISCHARGED
FROM DISCOVERY SHE RAN
WITH HER 12 YR OLD FRIEND
THEY HAVE BOUNCED FROM
SPENARD'S MOTEL TO TUDOR
MOTEL TO OTHERS I'M NOT SURE
OF. THEY EAT AT BURGER KING
FOR FREE AS WELL AS TACO BELL
AND HAVE SOMEONE A ZACKS
TO PROVIDE DESSERT.

MARCH 6th JESS brought her
street gang to our home and
broke in. They stole a stereo
all jewelry Boys and pryed
the safe out of the floor.
The Boys were OLDER - 18/19
there were 2 girls Jess and
the 12 yr old. The boys packed
guns.

Jess has learned more on the
street in 2 weeks than most
will EVER LEARN. THE SYSTEM

THINKS. I HAVE A SHY
AND VERY NERVEY LITTLE GIRL
THAT HAS TASTED THE
GROSEST KIND OF CHILD HOOD
I'M SURE IF IT WASN'T
EASY TO RUN AWAY THINGS
WOULD BE ALOT DIFFERENT.

I LOCATED HER AND CALLED
A.P.D. TO PICKED HER UP
I MADE CALLS AND
ARRANGEMENTS WITH MCLAUGHLIN
AND PROVIDENCE TO EITHER
ONE TAKE HER. A.P.D. TOOK
HER TO COVENANT HOUSE SHE
WALKED RIGHT OUT THE DOOR
BACK TO THE GANG. NO HELP!!

5 DAYS LATER I LOCATED HER
AGAIN AFTER WE HAD PRESSED
CHARGES AND THERE WAS
A WARRANT, WE FINALLY
GOT A HOLD OF HER AT THE
MALL. A FRIEND CALLED ME
AND TOLD ME SHE WAS
THERE. I ASKED HER TO
NOTIFY SECURITY. A POLICE
OFFICER AND THE SECURITY
OFFICER SAID 'ITS NOT ILLEGAL
TO RUNAWAY' SHE... BUGGED..
THEM TIL THEY CHECKED THINGS
OUT AND TOOK HER TO MYC.

I NEEDED HELP AND THERE
WASN'T A BLOCK. THE SYSTEM
LOOKS TO BE TEACHING OUR
CHILDREN THEY CAN DO
WHATEVER THEY WANT AND
THUS WE WILL HAVE ADULTS
THAT WILL DO WHATEVER
THEY WANT

THE POLICE TOLD ME THE
HAD BIG THINGS HAPPENING THAT
REQUIRED THEIR TIME. WELL -
DON'T YOU THINK WE ARE
MAKING A FUTURE FOR US
ALL THAT WILL BE OUT OF
CONTROL BY ALLOWING THE
CHILDREN TO BE OUT OF CONTROL.

WE MUST CHANGE THE SYSTEM
KIDS CAN'T RUN WILD
PARENT HAVE LITTLE LEFT
FOR DISCIPLINE THE LAWS
OF THE LAND THEN MUST
CHANGE AND MAKE SOME
CONSEQUENCES.

HELLO IS ANYONE THERE ??!!

HEARTBROKEN
FRUSTRATED

AND WANTING A BETTER ANCHORAGE
KIDS ALLOWED TO RUN = FAMILY BREAKDOWN
FAMILY BREAKDOWN = HELL



**Have you seen Jessica?
aka Crystal or Milkweed
Please call 243-0011**

**or
Notify Anchorage Police
she is 5'8", 120 lbs., age 14**

April 5, 1996

Senator Steve Frank
Alaska State Capital, Room #518
Juneau, Alaska 99801-1182

RE: Senate Bill No. 289

Dear Senator Frank:

As the mother of a minor daughter that was a runaway in Fairbanks for seven months in '95, I cannot be more tickled to see SB 289 hit the floor next week. I strongly support the bill.

My daughter came from a good home with strong family values. When she was "educated" by her peers as to how to use the system, she found she could run away from rules at home without suffering any consequences for her actions. She had a great time hopping from one dangerous living environment to another, staying up all night and never worrying about getting picked up by the police.

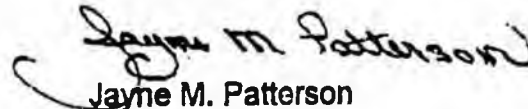
I, on the other hand, pulled my hair out trying to get her taken from homes that were unsafe. (My daughter even confessed that one adult harbored smoked marijuana with her!) Unfortunately, she was considered a "low priority" for our overworked police force, and when the City Police finally did pick her up and take her to the local runaway shelter, Family Focus, she was out the door within two hours and back on the streets. I can see why the police are exasperated by their efforts to track down runaways, take them to the shelter - only to have the runaway leave within a few hours.

This bill seems to be on the right track. Your stated purposes of tightening up the laws of adult harborers and providing secure detention of a minor who leaves a runaway shelter without permission will surely help to control a situation that is currently out of control.

Upon reviewing the financial picture as presented by the Senate Finance Committee, the cost to provide secure detention appears to be inflated. Once SB 289 passes, if we enforce the laws we shouldn't need to invest those millions in beds, etc. Looking at the big picture optimistically, I would think that providing additional manpower to our "lean" police forces to focus on juvenile crime and enforce the juvenile laws would be a far more sensible investment.


My sincere thanks to all our legislators for working so hard to bring this bill to the floor.

Sincerely,



Jayne M. Patterson
P. O. Box 70854
Fairbanks, AK 99707-0854
(907) 479-0732

To: Senator Steve Frank

From: Guy Patterson 
Post Office Box 70854
Fairbanks, Alaska 99707
(907) 479-0732
gpatters@mosquitonet.com

Date: April 5, 1996

Subject: Senate Bill 289

I have read SB289 in its many forms over the past year and believe the most recent to be a fully acceptable final product. I was a bit concerned with the estimates I found in the accompanying Fiscal Note. I think the figures are a little misleading and may look a more bitter pill than they are. This measure will save the State of Alaska money—and not in the long-run but immediately. My daughter, who recently ran away, cost hundreds of dollars because of ineffectual regulations which paid for the police to pick her up several times but did not allow them to do anything with her. She went to an agency receiving state grant moneys but was not held there so she was on the street in hours setting into motion a wasteful cycle. In her case, one trip to an agency that would hold her and protect her in a level equal to the protection she receives at home would have prevented her from running again.

Thankfully my daughter is at home again but the cost to the state does not end just because she has returned. My daughter became pregnant while a runaway. If statistics hold true she and her child will be on welfare for many years to come. It is expensive to let our children run. Had my daughter slept one or two nights in a facility for runaways at a cost of two hundred dollars a night she may have avoided a pregnancy which will easily cost the state fifty to a hundred thousand dollars over the next fifteen years. That sounds like a good investment to me.

In my daughter's case I believe that a law against running away would have deterred her in the first place. She will gladly tell you that she heard about running away from her school. Her friends told her that there was no law preventing her from running. Her counselor at West Valley High School encouraged her to "Take a break" if things got too uncomfortable at home. He explained the law fully to her prior to her leaving. My daughter told me what would happen—and what did happen—before she even left. Had she known that she would be picked up and detained in a facility capable of holding and protecting her she would not have left. Through this misfortune my wife and I have met several parents with similar stories. I can't help but think that the savings to the state would easily offset the expense. I also believe that the figures are inflated simply because fewer children would elect to leave home.

Thank you for starting the work on runaways.

Marsha Ambacher
P.O. Box 2443
Seward, Alaska 99664
(907)224-5400
Fax:(907)224-5687

Regarding Bill No. 289 (FIN)

Dear Gentlemen:

I would like to take this opportunity to let you know that I am in full support of this BILL NO. 289 regarding teen runaways. This Bill is a good move in the right direction. We still need more of our parental rights restored but this is a start. As a parent of three teenage boys I have seen first hand the lack of support. Unless the runaway is in trouble with the Law or has been abused in some form by another adult the child falls through the cracks of the system. As a parent we are liable for them in every way but yet we have no support from any official. (law enforcement, DFYS)

If the individuals that encourage, harbor, induce or cause these teenagers to rebel and leave home new that they were committing a crime and would be subject to arrest I believe that they would possibly think twice before doing so. This law would need to be enforced regularly for this to even begin to be somewhat effective. What good is a law if it is not enforced?

You are right that in most cases a child is better off in the care of his or her own parents and or family. Every effort should be made to reunite the child and the family together. As a parent of a fifteen year old rebellious son I meant the system or lack of head on. I pleaded for help from DFYS, I called local law enforcement for support to no real avail. Attorneys were contacted to see if we could place our son in a home where he could receive help. We were told NO not if he doesn't want to go. At the present time we as parents do not have the right to say or make our children stay in our home or to decide if they could be better taken care of some where else. They can choose when and where they will go and to come and go as they choose and the present system supports this!

Yes, as a two parent family we saw the signs, we sought help from friends, family, our pastor, School counselors, counselors out side of the school and every other possible resource. Kids know that the law is on their side and we can do NOTHING! They support and encourage each other this way. Fortunately for us our son finally decided that he would agree to go to a boys home outside for help. He has been gone now for nearly two months. I feel that this separation from the family could have been avoided if there were laws and regulations that were enforced and children new that unless other circumstances were present, they were required

to finish school and live at home.

I personally do not believe that this Bill would force runaways deeper underground because for the most part they really don't want to runaway they just want to be in control and not to have to answer to any other adult.

I strongly urge you to please amend Rule 7, Alaska Delinquency Rules and pass Bill. 289 (FIN). This would be in the best interest of the minor child, the family and public health and safety as well.

Please feel free to contact me with questions or concerns. I would be more than glad to support this issue publicly.

Thank you to the Senators who sponsored this Bill!

Thank you for your time and consideration.

Sincerely,


Marsha Ambacher

April 11, 1996

The Honorable Steve Frank
Alaska State Legislature
State Capitol
Juneau, Alaska

Dear Senator Frank:

I have just reviewed CSSB 289(FIN), and am writing in support of this bill!! As a parent who has endured the difficulties regarding a runaway teenager, I can only say that if this bill had been in effect one year ago, my 16 year old daughter's life may have taken a different turn.

About two years ago, my daughter (Kelley) became "friends" with a group of teenagers who cut classes, smoked marijuana, and in general just "hung out". An "intervention" meeting at the high school to discuss her absences was my first indication that something was seriously wrong. The situation continued to the point where I caught her sneaking out of the house in the middle of the night, coming in at 3:00 and 4:00 a.m. From there things went from bad to worse. She saw nothing wrong with being out all night, because "things don't start happening until after 1:00 a.m." Most nights I set my alarm for 11:30 p.m., then 1:00 a.m., etc., just to check to make sure she was at home. Many times she wasn't, and I waited up with my stomach tied in knots. Finally, she ran away from home.

Unless you have been in this situation, you can't possibly know the horrible feeling of not knowing where your daughter is, or who she is with. But I soon found out, thanks to my older daughter's persistence in grilling everyone she knew. Kelley was staying with a woman in the Lemon Creek area who has three boys and whose house is a meeting place for every teenager in the area. I spent hours talking with this woman, who kept trying to convince me that there was nothing wrong with the kids staying out all night. She told me that I had to "be more understanding", etc., etc. I finally told her that if she didn't take my daughter to Cornerstone (a youth facility in Juneau), where she would have a safe place to stay and the opportunity for professional counseling, while we worked things out, that I would call the police. She stalled for two more days, before she took her there. The next day my daughter ran away from Cornerstone, and I reported her to the police as a runaway. I didn't sleep at all for almost two days, and, once again, my older daughter's

inquiries paid off. We found out that she had gone to Skagway on the ferry, in the company of this woman! We called the Skagway police, who apparently know the woman. The officer went to wherever she was staying, and she told them that the last time she had seen Kelley was when she had taken her to Cornerstone. I apologized for bothering him and hung up. However, my other daughter insisted that her information was right, and called him again. He went to the house again, and found that my daughter was there!! I arranged to have her brought back to Juneau, and returned to Cornerstone. She walked out of there again within hours.

After putting "runaway" notices with her picture all over town, I then found out that she was staying with her "boyfriend's" family, just around the corner from the woman's house. Both my other daughter and I had called there looking for her so many times, only to be told "No, she's not here". When I finally confronted the boy's mother, she said that she thought I knew Kelley was there because I called so often looking for her!! What is wrong with these people? I again had Kelley picked up by an officer and taken to Cornerstone, but she walked out of there within an hour or so. Cornerstone is not a secure facility. The staff is to be commended for their efforts and I am greatly appreciative of their attempts to help us. This "game" continued...she would run and I would have her picked up, and she'd run again.

I filed a formal complaint with the police department against the woman who took her to Skagway for removing a minor without permission of the parent, and was ultimately advised by the District Attorney's office that they were not going to pursue it because it was a "family matter". I realized that I'd get the same lack of help in removing her from her boyfriend's home.

Since there is no law in "running away", and I could not get any support in dealing with the adults harboring her, ultimately, I just had to give up my attempts at getting Kelley home. After months of fighting, there was just no one else to turn to for help. The police had been very supportive and responsive. I lost track of how many times they picked her up. The staff at Cornerstone tried so hard, but there was just so much they could do.

I am not alone. You have no idea how many kids are "out there", being harbored by people with few or no values. I personally know of five or six good families who are suffering from this same situation!

At Christmas Kelley was arrested for concealment of merchandise. I asked the probation officer to require that she live at home as a condition of her probation, which, thankfully, she did. Kelley has been home since February 20th, but she is certainly not the same Kelley that left. She is in both psychological and drug and alcohol counseling. Her time away from home with

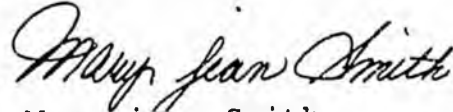
these people has turned her into a crude little girl, with no self esteem, she tolerates being abused by her "boyfriend", has no respect for authority, and has no desire to continue school other than getting her GED.

I have raised my daughters with values, but Kelley's time with those who harbored her has destroyed her.

If this bill had been in effect two years ago, we might have had a chance!!

I know my letter is long, but this bill is so relevant to so many of us, and I felt that I needed to explain why. It would be greatly appreciated if my letter could be shared with all members of the legislature.

Sincerely,

A handwritten signature in cursive script that reads "Mary Jean Smith".

Mary Jean Smith
2746 Engineer's Cutoff
Juneau, AK 99801
789-2412

Steve Frank
465-4714

Dear Legislator

I have just finished reading a fax
of S.B. 289 (FIN)

I (or We - all of my combined full
life Alaskan family) very strongly ask
that you support this bill even tho there
may be a question about cost or another
budget item tied to it. While it is a
good bill it is only a start. Remember - we
are talking about the only "thing" we have
that matters. Our kids! If this resource
is messed up why do we need the Rest.
More important than Budget or oil or
fish or making money!
Oh yes, the family speaks for 11 voters.

Douglas W Brown

Doug Brown

7733 Honysuckle Dr
Anchorage, AK 99502

Ph 243-0011 Fx 248-9894

Jim & Elrita Magoffin
PO Box 80322
Fairbanks, AK 99708
479-5746
Fax 456-4177

FAX T r a n s m i t t a l

To: Senator Steve Frank
Fax Number: 465-4714
Phone Number: 465-3709
From: Elrita & Jim Magoffin
Date: 4/8/96
Re: SB 289: An Act Relating to Runaway Minors and Their Families or Legal Custodians
Pages: one

Dear Senator Frank:

We are in favor of SB 289. We believe that it strengthens parents rights to work with their children but also serves to protect juveniles. This bill does have a fiscal note attached to it but we believe that the money would be well spent and would infact save money as it would keep many juveniles from remaining in the juvenile justice system for years and eventually entering the welfare system.

Most people are unaware of the current inadequacies of our current laws dealing with runaways until it affects them personally. Then it is too late. We are acquainted with people who are currently dealing with runaway children and with sympathize with their frustrations.

We ask that you would give this bill your support. It would be a vote in favor of Alaska's families. Thank you for your consideration.

Sincerely,

Elrita Magoffin
Elrita & Jim Magoffin

To Senator Steve Frank
Room 518 Al. State Capitol
Juneau, Alaska
99801-1192

Dear Senator Frank,

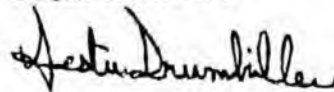
This letter is to let you know that we strongly support Senate Bill 289! As parents of a 16 year old runaway, we can tell you that there is a feeling of total hopelessness. Lynette is currently using us as a pit stop. She has expressed a strong desire to get her own apartment, yet has taken no action toward this goal. She is not in school. She comes and goes at all hours of the day or night. And very rarely will she take part in any family activity. There is no regard on Lynette's part for any house rules. In fact if we even question her, she becomes outraged. We are just thankful she is not violent. The really sad part of this is that Lynette is suffering from severe depression. She smokes cigarettes, has tried Marijuana, and is sexually active. During one of her runaway bouts Lynette was brutally raped by two GIs. WICCA, the local police, and we her parents tried in vain to get her to tell who it was. And still the law says that we her parents cannot force her to get the help she so desperately needs.

Senate Bill 289 is a strong bill. It needs to be. We are not the only parents who suffer from weak laws. To long have our hands been tied. Please help us. We also support AS 47.10.141(g) dealing with support security. Fairbanks runaways have a very strong underground network built up. They know that now they are immune from the law. So they keep running. One of these days the big city gangs will come up here to recruit, and then watch out. Right now there are gang wannabees, but soon we fear much worse will happen.

Senate Bill 289 is our last best hope! Please vote for it, for the children.

Sincerely yours,

David Drumhiller



David Drumhiller
Leslie Drumhiller
Parents

1906 Southern
Fairbanks, AK.
99709
456-8198

Print # brand fax transmittal memo 767: # of pages > 1	
To: Senator Frank	From: Char Bailey
To: Alli Gordon	Co.
Dpt.	Phone # 479-0134
Fax # 465-4714	Fax # 479-4025

4/5/96

Dear Senator Frank:

I would like to encourage you and other Senate members to vote for the passage of SB 289, regarding runaways. I have a fifteen year old daughter who has run away from our home three times. One of those times she was picked up by a Trooper and taken to Family Focus. Fortunately, on that particular day, the Family Focus counselor with whom we spoke did not recommend that Cara remain there. Due to some violence among clients, she suggested that if Cara had a safe home, that she return home with me. I say that this was fortunate, because had Cara remained at Family Focus that day, she would have left the facility and returned to the same place where she had been picked up by the Trooper, which would have negated all his efforts. The Trooper, my husband and myself were quite concerned for her safety. The male with whom my daughter was staying was described by the police officer as a "pimp". The ideal situation in our case would have been for Cara to be taken to a secure facility from which she could not leave easily as this was her third attempt at running away from our home. I believe this would have given her and me a time-out period, kept her safe from harm, and possibly deterred her from choosing to run away in the future.

I realize there will be concerns expressed about the costs involved with this bill. I can address this from a parent's view. The goal is to reduce the number of kids who are running away as a "frivolous" option. It seems that many teenagers in Fairbanks are using running away simply as a means of rebelling against normal parental disciplinary measures. My daughter has a safe home. There are many kids like my daughter who are "milking" the current system and currently costing the system a lot of money. If kids like my daughter can be deterred from running away, in the end, fewer kids will run away and in the end, this will reduce the number of beds needed in the proposed secured facilities.

Please call me should you wish further information. I can be reached at home at 479-0134 or at work at 479-4234. My address is 1726 Chena Pump Rd., Fairbanks, Ak 99709.

Thank you for your time and attention to this matter.

Sincerely,

Char Bailey

Char Bailey

992 Willow Grouse Rd
Fairbanks, AK 99712
April 8, 1996 -

To: Senator Steve Frank
From: Eric C. Halton
Re: SB 289

This letter is to offer strong support of SB 289.

While it is true that some runaways are not safe in their own homes, the vast majority of runaway youths are better off in the custody of their parents. Parents rights must be clearly established. Facilities for runaways must be more secure so that these youths can be detained long enough in a safe environment to adequately evaluate each case.

The problem of runaways continues to grow. Some adults who harbor these young people are adding to the problem by involving them in drug use and prostitution. These adults need to be penalized; they do not have the best interests of the young people at heart.

No measure comes without a price tag but in my opinion that money spent for secure facilities would be money well spent. Every child we loose to the streets will cost society far more in the future. Parents' anguish can't be given a price tag and that is a major consideration as well.

Thank you for the time and energy you have put into this bill.

Eric C. Halton

ATTENTION: All Gordon Fax: 9074654714
TO: Senator Steve Frank
FROM: Dale and Janie Feist *Dale D. Feist*
1551 Larue Ln. *Janie P. Feist*
Fairbanks, AK 99709
SUBJECT: Senate Bill No. 289
"An Act relating to runaways, other minors etc.

We have read the above Senate Bill No. 289 and would like to express our strong support for this Bill. We have observed closely several current cases of runaways from families of friends who are very responsible and loving parents. We believe that the following features of this bill are essential for the satisfactory recovery and reconciliation of runaways and their parents or legal guardians:

- 1) Penalties for adults who inappropriately harbor runaways
- 2) Timely informing of the parent(s) or legal guardian as to the whereabouts of the runaway minor
- 3) Providing a semi-secure shelter for runaways to enable contact of the minor with parent(s) or legal guardian, to facilitate evaluation, and initiate recovery and reconciliation

Thank you for sponsoring this bill and we encourage you and your colleagues to get this bill passed for the good of our children, their families or guardians, and society in general.

1743 Willow Street
Fairbanks, AK 99709
April 08, 1996

Dear Senator Frank:

I am writing in regards to SB 289. Although I don't have a runaway teenager; I am the parent of two teenagers and have first-hand knowledge of runaway situations in our community. I believe some of these stressful and heartbreaking situations could be easily remedied with some minor changes in state law; such as those proposed by SB 289. The current laws are too lax with consequences, (are there any?) and may actually encourage runaways.

The following parts of the bill I personally find encouraging: Officers will be directed to take the minor home unless it's an "unsafe situation." If it's deemed not to be safe, then the child is taken to a "secure place" for up to 48 hours, and then everyone involved with the child, including the parents, are notified.

I like the clause "without just cause" in reference to adults harboring runaways. It is imperative that the authorities be notified, harborers are accountable to the courts, and parents are informed of where their child is staying.

This law would do much to DECREASE the number of runaways and save the State money. It is my understanding that only a portion of a \$600,000 federal grant, (\$150,000) would be affected.

Again, I strongly recommend the passage of this legislation, as it is written. These necessary changes in state law would do much to lessen the temptation to run away and would give the parents some degree of control over the children that they are responsible for. It would also ensure that vulnerable teens are protected from unsafe situations.

Sincerely,

Robin Randall

April 8, 1996

To: The 19th Alaska Legislature

From: Mary L. Luebke

Re: Senate Bill 289

I have been an educator, coach and counselor in the public schools for sixteen years. Presently I am a guidance counselor at Lathrop High School in Fairbanks. My observation is that contrary to appearances teens need and want guidance and boundaries from adult role models.

Teen runaways need a secure facility where they are required to stay. They do not need to be on the streets learning about crime and the drug culture. I am convinced that unless a parent is abusing a child, the teen runaway should be secure in the parents home or a group home. Otherwise they will surely have the odds in favor of them being physically, sexually and emotionally abused on the street.

Thank-you for your SUPPORT of this bill.