

ALASKA LEGISLATURE

1704

HOUSE and SENATE FINANCE COMMITTEE FILES, 1997-1998

DONALD P. HYDE



_____ - 1971

Firefighter Specialist Four Donald P. Hyde, distinguished himself by an exceptionally valorous action on April 27, 1971 at Fort Wainwright, Alaska.

Firefighter Specialist Hyde was in an off-duty status in the Post Fire Station at Fort Wainwright, Alaska, when a fire call came in. Firefighter Specialist Hyde voluntarily responded to the emergency along with the on-duty firefighters.

When he arrived at the scene he was confronted by neighbors of the fire victims and the screams of, "Save my baby," by the mother of a child that was trapped inside the burning apartment.

Immediately, Firefighter Specialist Hyde, donned his protective breathing apparatus, without waiting for a hose line, dashed through the back door of the dense, smoke filled and extremely hot apartment to attempt to rescue the child.

Firefighter Specialist Hyde proceeded upstairs and was able to search the two bedrooms before the intense heat and smoke almost overpowered him. Seeking to escape, he returned to the first floor apartment. By this time his breathing apparatus had apparently malfunctioned due to the extreme heat. Firefighter Specialist Hyde was caught in an unexpected backflash and his protective clothing was ignited. He directed firefighters working at a window to his location in the inferno to spray water on him and was able to get through a broken window where he was assisted to safety.

Firefighter Specialist Hyde was taken to Bassett Army Hospital where he succumbed to his injuries a few hours later.

Firefighter Specialist Hyde demonstrated heroism far beyond the call of duty with the utmost courage and bravery in his attempt to save another's life without regard to his own.

CHARLES W. "CHUCK" WHITETHORN



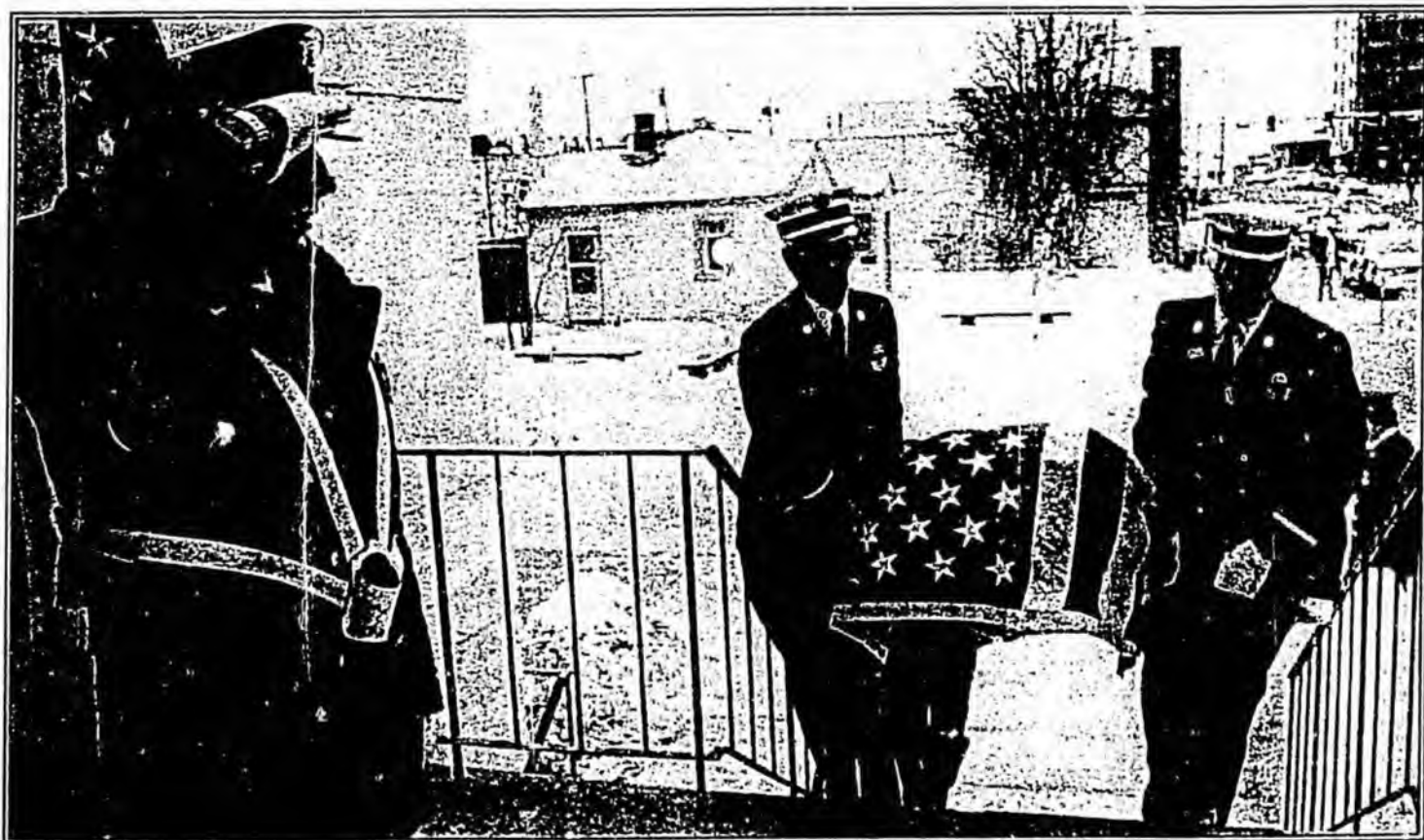
1952 - 1976

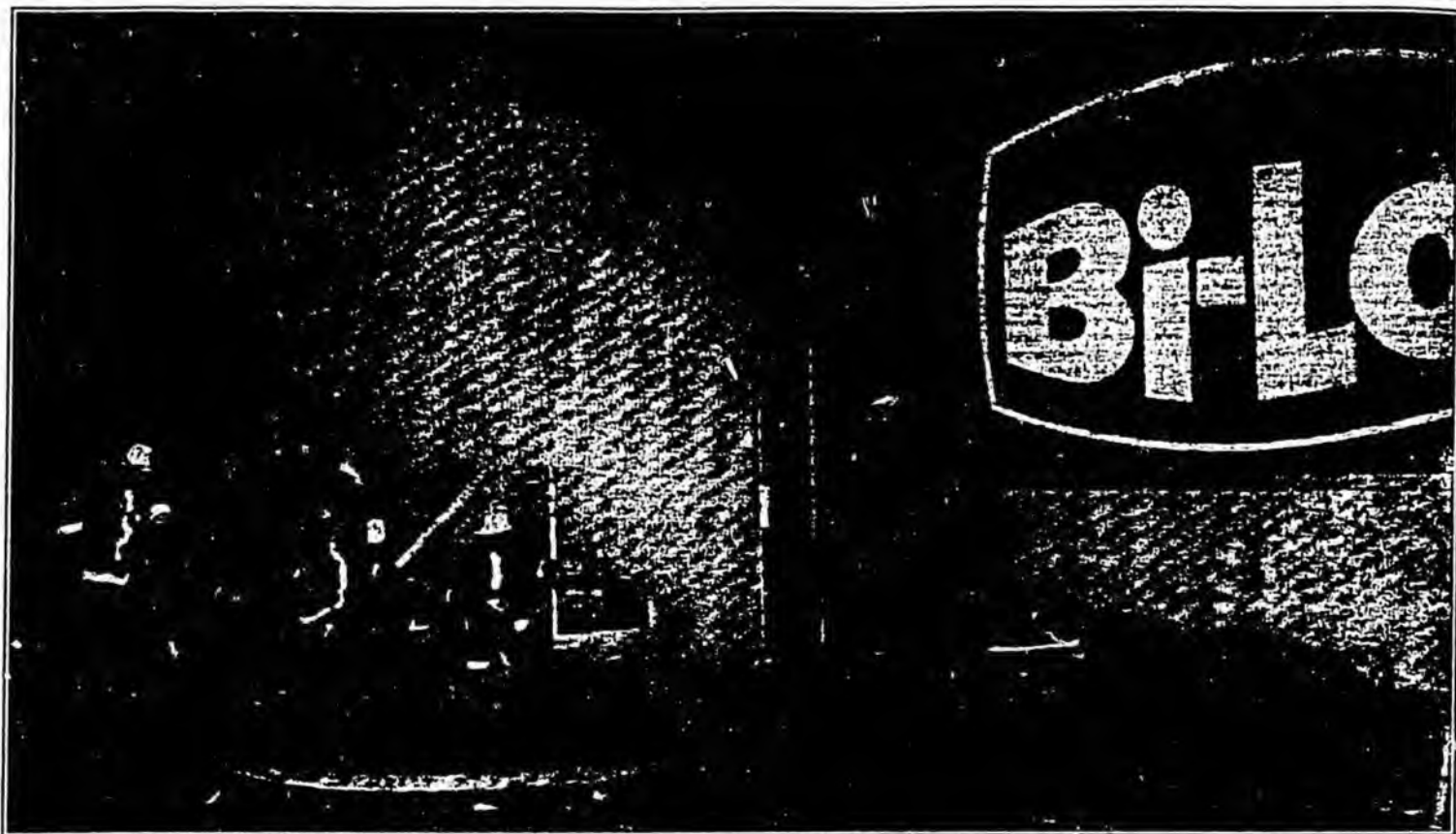
Charles W. "Chuck" Whitethorn was born in South Dakota in 1952, he moved to Anchorage in 1972 and went to work for the Greater Anchorage Area Borough Fire Department after his discharge from his firefighting position with Elmendorf Air Force Base Fire Department.

Firefighter Whitethorn was struck in the chest by an unknown object during the violent flashover and there in the raging fire gave his life while protecting his community.

Charles Whitethorn was only 23 but he died doing what he wanted to do: fighting fires. He is an example of the quiet valor of dedicated men who spend long days waiting for that call which may require them to give their utmost -- even their lives. They are too seldom appreciated.

Among his survivors at the time of his death was his widow, Debbie Whitethorn, his bride of six weeks, his parents, Charles and Lavonne Whitethorn of Madison, South Dakota, a sister, Patricia Andrews and two brothers, John and Hal.





BI-LO SUPERMARKET FIRE - 1976

On February 6, 1976, just past mid-night, a fire was reported at the Bi-Lo Supermarket on Muldoon Road. Anchorage Fire Department, Engine 6 was the first to respond. The fire was immediately declared a Third Alarm Fire and mutual aid units from Ft. Richardson Army Base and Elmendorf Air Force Base assisted. Fire apparatus responding to the Bi-Lo Supermarket fire was six engines, one squad, one aerial ladder truck, one elevating platform truck, one rescue vehicle, one ambulance, 41 firefighters and five chief officers. It took two hours and twenty-two minutes to bring the fire under control.

Firefighter Whitethorn was a member of Engine 6, which was the first due engine on location at the Muldoon Bi-Lo Supermarket.

Firefighter Whitethorn, upon arriving at the scene, was manning an 1 1/2 inch hose line and went through the front door of the supermarket, attempting to bring the fire under control, when a violent flashover occurred.

CHRISTINE J. "CHRISTY" PENNINGTON



1971 - 1991

Christine J. "Christy" Pennington, was born in Kodiak, Alaska, in 1971 and had been a Firefighter/EMT with the Ester Volunteer Fire Department since January, 1990. Christy was attending classes at the University of Alaska - Fairbanks and had a three month old son.

On March 15, 1991, Christine Pennington, a Firefighter & Emergency Medical Technician for Ester Volunteer Fire Department, responded from her home to a medical emergency call, along with her three month old baby, Jonathan. While rushing to save a life, she lost hers and that of her infant son when she lost control of her Ford Bronco and slammed into an on-coming pickup. The infant died instantly and Christine who was pinned in the crushed car, died later at Fairbanks Memorial Hospital.

Christine was survived by her parents, Henry and Janet Pennington of Kodiak, her sister, Linda Pennington and her fiancé, Johnnie Patterson. Christine was described by her friends and co-workers as cheerful, energetic, loving and helpful person. Christy loved the outdoors and horses. She competed in rodeos from age 9 to 19.

Christy died while doing the most meaningful thing she found in life.

Alaska Law Enforcement Officers Memorial



Doris Wayne Barber
Sitka Police Department, July 28, 1960

Leroy Garvin Bohuslov
Department of Fish & Game, March 5, 1964

Gary George Wohlfel
Department of Fish and Game, March 5, 1964

Donald Thomas Dull
Juneau Police Department, October 19, 1964

Kenneth Grant Haaska
Craig Police Department, January 30, 1966

Benjamin Franklin Strong
Anchorage Police Department, January 4, 1968

Thomas Charles Dillon
Bethel Police Department, November 19, 1972

Dennis Finbar Cronin
Alaska State Troopers, February 18, 1974

Earl Ray Hoggard
Ketchikan Police Department, March 30, 1974

Larry Robert Carr
Alaska State Troopers, December 11, 1974

Frank Stuart Rodman
Alaska State Troopers, December 11, 1974

Jonathon Paul Flora
Anchorage Police Department, September 8, 1975

Richard James Adair
Juneau Police Department, April 17, 1979

Jimmy Earl Kennedy
Juneau Police Department, April 17, 1979

Harry Edward Kier
Anchorage Police Department, October 28, 1980

Roland Edgar Chevalier, Jr.
Alaska State Troopers, April 4, 1982

John L. [unclear]
Fish & Wildlife Protection, January 14, 1983

Gordon Brewster Bartel
Kodiak Police Department, January 15, 1983

Troy Lynn Duncan
Alaska State Troopers, May 18, 1984

David Cameron Harris
56th MP Co. Ft. Richardson, July 23, 1984

Ignatious John Charlie
Atkasook Police Department, May 10, 1985

Harry Biddington Hanson, Jr.
Anchorage Police Department, July 17, 1986

Ronald Eugene Zimin
VPSO S. Naknek, October 22, 1986

Louie Gordon Mizelle
Anchorage Police Department, June 8, 1989

Anthony Crawford Jones
Dillingham Police Department, February 12, 1992

Karl William Relahue
Juneau Police Department, May 4, 1992

C.E. "Swack" Swackhammer
Department of Public Safety, October 11, 1994

Robert Lee Bittick
Alaska State Troopers, October 11, 1994

Dan Richard Seely
Anchorage Police Department, October 26, 1996

The Journal of the Alaska Peace Officers Association is dedicated to all the Peace Officers in Alaska who have been killed in the line of duty since Statehood.

The names of these fallen officers are engraved on bronze plates on the pedestal of the statue of the Peace Officer, located in front of the Statewide Scientific Crime Detection Laboratory, 5500 Tudor Road, Anchorage. These names, and the statue commemorating their dedication to duty along with flowers, usually sent anonymously, may be viewed at any time.

The memory of their supreme sacrifice lives forever in the tradition of peace officers throughout Alaska.

Adopted

0-LS1380A.2
Ford
1/27/98

A M E N D M E N T 1

OFFERED IN THE HOUSE

BY REPRESENTATIVE **FOSTER**

TO: HB 334

- 1 Page 1, line 2, following "officer":
- 2 Insert "**or fire fighter**"

- 3 Page 1, line 6:
- 4 Following "services":
- 5 Insert "**a fire department,**"
- 6 Following "or":
- 7 Insert "the"

- 8 Page 1, line 9, following "services":
- 9 Insert "**a fire department,**"

- 10 Page 1, line 11, following "government,":
- 11 Insert "**or fire department,**"

- 12 Page 2, line 3, following "services":
- 13 Insert "**a fire department,**"

- 14 Page 2, line 7:
- 15 Delete "the"
- 16 Insert "**fire fighter,**"

- 17 Page 2, line 11, following "(3)":
- 18 Insert "**'fire department' means a federal, state, or municipal fire department or**
- 19 **a regularly organized volunteer fire department registered with the state fire marshal;**

1 (4)"

2 Page 2, line 13:

3 Delete "(4)"

4 Insert "(5) [(4)]"

5 Page 2, line 14, following "services":

6 Insert ". a fire department."

7 Page 2, line 16:

8 Delete "or municipal"

9 Insert ". municipal. or fire department"

Adopted

AMENDMENT 2

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUSSENDORF

TO: HB 334

- 1 Page 1, line 9, following "troopers":
- 2 Insert "the village public safety officers program."

- 3 Page 2, line 3, following "troopers":
- 4 Insert "the village public safety officers program."

- 5 Page 2, line 7, following "trooper":
- 6 Insert "the village public safety officer."

- 7 Page 2, line 14, following "troopers":
- 8 Insert "the village public safety officers program."

ROLL CALL: HOUSE FINANCE COMMITTEE

DATE _____

SUBJECT _____

MEMBER	YES	NO
KOHRING		
MARTIN		
MOSES		
MULDER		
DAVIES, JOHN		
DAVIS, GARY		
GRUSSENDORF		
FOSTER		
KELLY		
THERRIAULT		
HANLEY		

TOTAL

--	--

PASSED _____

FAILED _____

HB

334

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 2/27/98

FURTHER: 4/22/98

DATE TURNED IN TO OFFICE: 22 April 98

Finance Committee considered CS FOR HOUSE BILL NO. 334(FIN) am

"An Act relating to waiver of tuition and fees for certain family members of a peace officer or a fire fighter killed in the line of duty; and providing for an effective date."

and recommends:

- be replaced with S CS CS HB 334 (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 title
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Al Cas</i>	X	<i>Roll of Bill</i>	✓		
<i>Walter Donley</i>	X	<i>Roll of Bill</i>	✓		
Co-Chair: <i>[Signature]</i>		Co-Chair: <i>Peace</i>			
Co-Chair: <i>[Signature]</i>		Co-Chair: <i>[Signature]</i>			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Department	Date	Zero	Fiscal
University	2/27/98		5.4

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

No. 2003 4/22/98
 Bill Version: SCS (S) HB 334 (STA)
 (S) Publish Date: 2-2-98

STATE OF ALASKA
 1998 LEGISLATIVE SESSION

Revision Date: 2/28/98 Dept. Affected: University of Alaska
 Title: An Act relating to waiver of tuition & fees for EPU: University of Alaska
family members of a police officer killed in the line of duty. Component: Systemwide Budget Reductions &
 Sponsor: Reps. Kelly, Theriault, James, Porter, ... Additions:
 Requester: Senate State Affairs Committee Component Serial No.: #1296

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	5.4	5.4	5.4	5.4	5.4	5.4
Miscellaneous						
TOTAL OPERATING	5.4	5.4	5.4	5.4	5.4	5.4

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	5.4	5.4	5.4	5.4	5.4	5.4
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	5.4	5.4	5.4	5.4	5.4	5.4

Estimate of any current year (FY98) cost: none

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This bill extends the tuition waiver provisions of AS 14.43.085 to include spouses and dependent children of police officers, correctional officers and fire fighters killed in the line of duty. The Senate CS for CS for HB334 further modifies the residency requirements of the program. It is difficult to quantify the fiscal impact of this bill, but except in the event of catastrophic loss the university anticipates the fiscal impact to be relatively minor. This fiscal note assumes that on the average, two students will utilize this program each year, at a cost of \$2,700 each or a total cost per year of \$5,400.

Prepared by: Marylou Burton Phone: 474-6480
 Division: UA Statewide Budget Office Date: 2/27/98
 Approved by: Ci Marylou Burton, Director Date: 2/27/98
 Agency: UA Statewide Budget Office

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Amendment #1

LS1380\F.a
Campbell

Conceptual
Amendment

OFFERED IN THE SENATE

TO: SCSCSHB 334(STA)

- 1 Page 1, line 1. After: **"members of"**
- 2 Insert: **"a member of the armed services,"**

Sen. Don Lee moved
Sen Adams objection -
withdrawn
w/o objection, adopted

Faxed 10:02am

A FAX

Alaska State Legislature

Date: 22 April 98

To: Judy Ripley - Legal Services

Fax #: 2029 Phone #: 2450

From: Mindy Rowland - Senate Finance Secty

Phone #: 4935

Re: 0-LS1380\H
SCSCS HB334(STA) Propz. incorporate the attached
conceptional amendment (LS1380\F.S) & deliver
2 new Final CS(FIN) to Rm 520. If possible, in
time for the 11:00am Senate Floor Meeting. Any
questions, please call Thx Mindy

Following this page, please find 2 pages(s). If this does not reach you in full, please inform us ASAP.



THANK YOU

HB

344

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: April 29, 1998

FURTHER REFERRALS:

Date of Committee Action: 5/5/98

The FINANCE Committee considered:

HB 344

HOUSE BILL NO. 344

PATERNITY/CHILD SUPPORT/NONSUPPORT CRIMES

“An Act relating to paternity establishment and child support; relating to the crimes of criminal nonsupport and aiding the nonpayment of child support; and amending Rule 37(b)(2)(D), Alaska Rules of Civil Procedure; and providing for an effective date.”

recommends it be replaced with the following committee substitute CS HB 344 (Fin) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) DOA; 1/23/98

zero fiscal note(s) CRA

zero fiscal note(s) (2) DOA, 1/23/98
(1) REV, 1/23/98, (1) DOA 2/18/98

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Gene Theriault</i>			X	
<i>Wick</i>		X		
<i>John</i>			✓	
<i>Henry</i>			X	
<i>Gleason</i>			X	
<i>Terry Martin</i>	X			

CHAIR'S SIGNATURE *Gene Theriault*

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO: CSSB 334 (FIN)

Revision Date: _____ Dept. Affected: Community & Regional Affairs
 Title: Job Training Programs/AHRIC BRU: Employment/Training/Rural Development
 Component: Job Training Partnership Act
 Sponsor: Senate Finance Committee
 Requestor: House Finance Committee **COMPONENT SERIAL NO. 1180**

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

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GE Match						
1004 GE						
1005 GE/Program Receipts						
1006 GE/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of current year (FY 98) impact: \$ 0.00

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.) In FY98 the Job Training Partnership Office (JTPO) provided \$124,000.00 toward the support of the AHRIC. We have projected \$95,000.00 for AHRIC in the FY99 budget. The .75% assessment on the combined JTPO and Service Delivery Area FY99 budget (\$25,027,200) would be \$187,704.00. This amount is based on the projected amounts to be received in the JTPO and the Statewide Service Delivery area excluding STEP. The Statewide Service Delivery area receives funds directly from the federal government through an arrangement with the JTPO because it is another section within the same department and division, but JTPO retains ultimate responsibility for and oversight of the programs.

JTPO is essentially a federally funded function with a general administrative cap of 15% imposed by federal regulation. JTPO shares the administrative portion with the three Service Delivery Areas with whom it contracts for services. The JTPO generally retains a relatively small portion for its own operation; e.g. for FY98 JTPO retained approximately 3.91%. This is an extremely tight budget with little leeway for contributions to other activities. Any increase in the assessment fee will jeopardize the JTPO section's ability to provide training and technical assistance to program participants.

Prepared By: Remond Henderson, Director *Remond Henderson* Phone: 465-4708
 Division: Administrative Services Date: 4/23/98
 Approved by Commissioner: Mike Irwin *Mike Irwin* Date: 4/23/98
 Agency: Mike Irwin, Dept. of Community & Reg. Affairs

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FISCAL NOTE

No: 5

Bill Version: CSHB 344 (HES)

(H) Publish Date: 2/18/98

**STATE OF ALASKA
1998 LEGISLATIVE SESSION**

Revision Date: (Note if correction)
 Title: "An Act relating to paternity establishment and child support...."
 Sponsor: Rules by Request of Governor
 Requestor: (H) HES

Department Affected: Administration
 BRU: Public Defender Agency
 Component: Public Defender Agency
 COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 98) cost: \$ none

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

There is no fiscal impact to the Department of Administration.

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

Phone: 264-4414
 Date: _____

Approved by Commissioner: Mark Boyer
 Agency: Department of Administration

Date: 2/10/98

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FISCAL NOTE

No. 1

**STATE OF ALASKA
1998 LEGISLATIVE SESSION**

Bill Ver 1: HB 344
(H) Publish Date: 1/23/98

Revision Date: _____	Dept. Affected: <u>Revenue</u>
Title: <u>Federal Welfare Reform</u>	BRU: <u>Child Support Enforcement Division</u>
	Component: <u>Child Support Enforcement Division</u>
Sponsor: <u>Rules</u>	
Requestor: <u>Governor</u>	COMPONENT SERIAL NO. <u>111</u>

Expenditures/Revenues (Thousands of Dollars)

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

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
1016 Federal Incentive Payments						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This legislation was developed so that Alaska will be in compliance with the mandates of 1996 federal welfare reform and subsequent technical amendments. This legislation is required to avoid fiscal sanctions that the federal government will impose if the state does not comply with federal law. Failure to satisfy the mandates could mean a drastic reduction in federal funding of Alaska's Child Support Enforcement and Public Assistance Divisions.

The legislation requires employers to report all new hires or rehires within 20 days; gives courts the authority to revoke sport fishing and hunting licenses if the license holder fails to honor a child support or paternity subpoena or is substantially in arrears on child support; mandates that social security numbers be provided on applications for drivers' licenses and hunting and sport fishing licenses and that the information will be shared with child support enforcement agencies; and gives support liens from other states the same standing as Alaskan liens and provides for

(Continued on Page 2)

Prepared by: <u>Barbara Miklos, Director</u>	Phone: <u>269-6800</u>
Division: <u>Child Support Enforcement Division</u>	Date: <u>11/26/97</u>
Approved by:	Date: <u>11/24/97</u>
Commissioner: <u>Wilson Condon</u>	
Agency: <u>Dept. of Revenue</u>	

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**DEPARTMENT OF REVENUE
CHILD SUPPORT ENFORCEMENT DIVISION**

Federal Welfare Reform
November 26, 1997
Work Draft #0007
Page 2 of 2

Fiscal Note Analysis. continued

liens to arise as a matter of law. This legislation also makes changes in statutes to assure that the Alaskan child support program is able to operate under federal requirements.

Child support enforcement is a cornerstone of federal welfare reform. Congress has recognized that it is very difficult for families with low incomes to adequately support their children without the assistance of both parents. Therefore, the federal legislation increases requirements for CSED to meet various deadlines and improve processes for obtaining child support.

CSED does not associate increased costs directly with this legislation. Therefore, the fiscal note is zero. However, it must be recognized that changes mandated by welfare reform not addressed in this legislation require additional resources in order for CSED to meet federal requirements.

FISCAL NOTE

No: 1

**STATE OF ALASKA
1998 LEGISLATIVE SESSION**

Bill Version: HB 344
 (H) Publish Date: 1/23/98

Revision Date (Note if correction) _____	Dept. Affected <u>Administration</u>
Title _____	BRU <u>Legal and Advocacy Services</u>
"An Act relating to paternity establishment and child support..."	Component <u>Public Defender Agency</u>
Sponsor <u>Rules Committee</u>	
Requester <u>Governor</u>	Component Serial No. <u>1631</u>

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services	***	***	***	***	***	***
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	***	***	***	***	***	***

CAPITAL EXPENDITURES	***	***	***	***	***	***
-----------------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES ()	***	***	***	***	***	***
-------------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY98) cost: 0.0

POSITIONS

Full-time	***	***	***	***	***	***
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The main concern the Public Defender Agency has with this bill is the effect it will have on people who need "sport" fishing and hunting licenses for subsistence. Although it is obviously important to comply with federal law, there should be an exception or temporary licensing provision for subsistence hunting and fishing.

This bill may result in a slight increase to the Public Defender Agency caseload. Adding loss of sport fishing and hunting licenses to the already existing criminal laws on non-support probably would not have an effect, although given the importance of sport fishing and hunting licenses in Alaska, more cases may go to trial. The main effect would most likely be in contempt of court cases. Indigent putative fathers who do not complete genetic testing would have a right to a court-appointed attorney in contempt of court.

Prepared by <u>Barbara K. Brink, Director</u>	Phone <u>7-264-4414</u>
Division <u>Public Defender Agency</u>	Date _____
Approved by <u>Commissioner Mark Boyer</u>	Date <u>11/28/97</u>
Agency <u>Department of Administration</u>	

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FISCAL NOTE

No: 3

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Version: HB 344
(H) Publish Date: 1/23/98

Revision Date (Note if correction) _____	Dept. Affected _____	Administration _____
Title "An Act relating to paternity establishment and child support" _____	BRU _____	Division of Motor Vehicles _____
Sponsor Rules Committee _____	Component _____	Field Services _____
Requester Governor _____	Component Serial No. _____	2150 _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY98) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact anticipated.

Prepared by Juanita Hensley
Division Motor Vehicles

Phone 465-5648
Date 12/17/97

Approved by Mark Boyer, Commissioner
Agency Department of Administration

Date 12/17/97

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FISCAL NOTE

No: 2

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Version: HB 344
(H) Publish Date: 1/23/98

Revision Date (Note if correction) _____	Dept. Affected _____	Administration _____
Title "An Act relating to paternity establishment and child support..."	BRU	Office of Public Advocacy
Sponsor Rules Committee	Component	Office of Public Advocacy
Requester Governor	Component Serial No.	43

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY98) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by	Brant McGee	Phone	269-3500
Division:	Office of Public Advocacy	Date	
Approved by	Mark Boye, Commissioner	Date	11/28/97
Agency	Department of Administration		

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LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

May 4, 1998

SUBJECT: CSHB 344(FIN) (Child Support, etc.)

TO: Representative Gene Therriault
Attn: Mike Tibbles

FROM: Terri Lauterbach *TLauterbach*
Legislative Counsel

Enclosed is the FIN CS you requested for HB 344.

I think that secs. 3 and 24 probably would put the state out of compliance with federal requirements. There is a requirement under 42 U.S.C. 666(a)(16) that the state have the authority to withhold, suspend, or restrict recreational licenses when a person fails to comply with subpoenas or warrants relating to "paternity or child support proceedings".

Secs. 3 and 24 limit the license actions for recreational licenses to situations where the person has failed to pay money or already has a child support obligation. Obviously, these situations are much narrower than "paternity or child support proceedings" because there is not necessarily a debt yet or a requirement to pay money in a paternity or child support proceeding. The paternity or child support proceeding might be for the very purpose of establishing whether or not a child support order is appropriate in the first place. Failure to comply with a subpoena in these types of proceedings may thwart or delay the ability of the state or another party to get the order established.

Under this CS, a person who fails to comply with a subpoena in a paternity or child support proceeding would not jeopardize his or her recreational license unless the person already owed money. I think that's too narrow to comply with the federal requirements.

TML:glc
98-265.glc

Enclosure

0-GH2007F
Lauterbach
5/4/98

Amended
pg 10 +
pg 14

CS FOR HOUSE BILL NO. 344(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

**Offered:
Referred:**

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

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to paternity establishment and to support orders; relating to the
2 crime of criminal nonsupport; relating to divorces, dissolutions, and actions to
3 declare a marriage void; and providing for an effective date."

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

5 * **Section 1. PURPOSE.** The primary purpose of this Act is to amend the Alaska Statutes
6 to comply with the mandates of the federal Personal Responsibility and Work Opportunity
7 Reconciliation Act of 1996 and other federal law to ensure continued federal financial
8 participation for Alaska's child support enforcement, public assistance, and unemployment
9 programs.

10 * **Sec. 2.** AS 09.10.040(a) is amended to read:

11 (a) A [EXCEPT AS PROVIDED IN (b) OF THIS SECTION, A] person may
12 not bring an action upon a judgment or decree of a court of the United States, or of
13 a state or territory within the United States, and an action may not be brought upon
14 a sealed instrument, unless the action is commenced within 10 years.

1 employee and either a labor organization or another employer not to supply the
2 required report or to supply a false or incomplete report concerning an employee.

3 (g) In this section,

4 (1) "employee" has the meaning given in 26 U.S.C. 3401(c);
5 "employee" does not include an employee of a federal or state agency performing
6 intelligence or counterintelligence functions if the head of that agency has determined
7 that reporting under this section on the employee could endanger the safety of the
8 employee or compromise an ongoing investigation or intelligence mission;

9 (2) "employer" has the meaning given in 26 U.S.C. 3401(d);
10 "employer" includes a governmental entity and a labor organization;

11 (3) "labor organization" has the meaning given in 29 U.S.C. 152; "labor
12 organization" includes an entity that is used by the labor organization and another
13 employer to carry out hiring or other requirements described in 29 U.S.C. 158(f)(3) in
14 accordance with an agreement between the labor organization and the other employer.

15 * Sec. 24. AS 25.27.085 is amended by adding a new subsection to read:

16 (g) If a person fails to comply with a subpoena issued under this section, the
17 agency may apply to the court for an order to compel obedience by proceedings for
18 contempt as in the case of disobedience of the requirements of a subpoena issued by
19 a court. In addition to the other remedies available to the court to compel compliance
20 with a subpoena under this section, the court may take an action described in
21 AS 09.50.020(b) regarding hunting and sport fishing licenses of a person who ^{owes overdue} ~~has a~~
22 child support obligation and fails to comply with the subpoena.

23 * Sec. 25. AS 25.27.165(c) is amended to read:

24 (c) A person served with a notice of paternity and financial responsibility and
25 accompanying orders under (b) of this section shall file a response, admitting or
26 denying paternity and providing the required financial information, within 20 days after
27 the date of service of the notice of paternity and financial responsibility. If the
28 putative father admits paternity, the agency shall issue, within 20 days after the
29 admission of paternity, a decision establishing paternity. If the putative father denies
30 paternity, the putative father shall submit to genetic testing, as provided in (b) of this
31 section, within 30 days after the date of service of the notice of paternity and financial

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

3 * Sec. 35. AS 28.15.061 is amended by adding a new subsection to read:

4 (g) Upon request, the department shall provide a social security number
5 provided under this section to the child support enforcement agency created in
6 AS 25.27.010, or the child support agency of another state, for child support purposes
7 authorized by law.

8 * Sec. 36. AS 09.10.040(b) is repealed.

9 * Sec. 37. Section 148(c), ch. 87, SLA 1997, ~~is repealed.~~ Amended

10 * Sec. 38. APPLICABILITY. The report required under AS 25.27.075(a), enacted by sec.
11 23 of this Act, applies to the hiring, rehiring, or return to work of an employee that occurs on
12 or after the effective date of this Act.

13 * Sec. 39. This Act takes effect immediately under AS 01.10.070(c).

to extend sunset to 2001

Jennifer S. Hebden-Taylor
P. O. Box 424
Craig, Alaska 99921
907- 826 3066

April 20th, 1998

Constituent testimony concerning House Bill 375 and House Bill 344, in the Legislature of the State of Alaska, Twentieth Legislature, Second Session. I submit my testimony to the attention of The House Judiciary Committee, Chairman, Joseph Green, respectfully requesting its distribution to each Committee member.

HB 375 in its work draft as of April 1, 1998 contained two sections relating to the criminal non-support of dependent children. The HESS committee recommended these sections be entirely deleted and explained an intent to address these in another bill. Can HB 344 accommodate these criminal non-support sections considering HB 344 relates to crimes of criminal non-support of children?

It is a compelling Alaskan government interest to expedite the state's obligation to provide child support enforcement services as the federal Personal Responsibility Work Opportunity Reconciliation Act of 1996 , HR 3734 , Sec.344 (B) (i -ii) gives a vehicle for Alaska to administer CSED by recovering up to 90% of costs, plus incentive reimbursements, upon compliance with this process. Foremost, it is compelling for the government to assume the responsibility to enforce the collections and payment of child support for the benefit of every Alaskan child determined by court or administrative order to be in need of their deserved support.

Abandonment by one parent who subsequently refuses to support their child, is absolute and cruel neglect in its most devastating form. It would be considered preposterous for the government to expect state appointed foster parents to burden the entire cost of dependent children's support to the detriment of the children. Likewise, all court and administrative orders for child support must be seriously

Page two

upheld to prevent the most basic neglect of children and ensure that their real physical needs are fully met.

The federal Personal Responsibility and Work Opportunity Act of 1996 presumes child support collections will replace in part the financial support previously allowed to dependent children in the form of welfare. Another expectation is that a large part of the children's future support will derive directly from the custodial parent's earnings. There is a severe shortage of prospective, non-seasonal employment, and no adequate child care in most rural, Alaskan communities. The Alaska Dept. of Labor statistics used to demographically illustrate unemployment are not reflective of the large numbers of adults who have taken on the commitment of full-time care of a family of young children, and subsequently have no recent work history to document. Almost weekly, we hear of the newly discovered long-term benefits for children who have been breast fed, held frequently, and given full adult attention as babies and toddlers; The needs of the children are paramount and obvious and cannot be diminished by politics.

The welfare of Alaskan children is being endangered by legislation which refuses to acknowledge these needs and lacks the courage time and again to impose any real sanctions or clear conditions of culpability for parents who chronically refuse to support their children.

The most innovative designs for improving child support determinations and collections will have no bearing without serious penalties facilitating enforcement. Under Alaska law, a mother driven to seek welfare for dependent children abandoned by their father will be charged with a class C Felony, AS11.46.130(a) and AS 11.46180, if the children's and her resources exceed \$1000. Conversely, the parent who takes no responsibility for the children and has neglected their daily needs, stealing over \$50,000 (in arrearages) from what has been determined by the

Page three

state to be the children's deserved support, will very rarely be prosecuted by the state of Alaska for the existing maximum penalty of a class A misdemeanor [AS 11.51.120 a, (Criminal Nonsupport)]. HB 375, Sec. 42 gives sufficient grounds to terminate the parental rights of the custodial parent, conceivably incarcerated for five years for the welfare fraud described above.

The parent left with sole physical custody in Alaska by "default", has the very tangible burden of shouldering double the responsibility of that of a parent in a unified family. Child Support Civil Rule 90.3 Commentary section VI (B) freely acknowledges the, "percentage of income approach used in Alaska tends to understate support relative to the national average for cases in which the custodial parent has child care expenses."

Extreme poverty of Alaskan children of single parent households not only elevates their susceptibility to abuse from stressed-out parents, poverty is the most documented indicator of poor performance in school, and the lack of adequate nutrition and sanitation required for proper growth and health. A perverse and pervasive trend has young, financially distraught single mothers seeking security with boyfriends who are too often impatient and indifferent to the children and subject the children to abusive torment, and sometimes murder.

Child support arrearages have been accumulating all over Alaska in direct inverse proportion to the custodial parents' morale, and the children's' diminishing standard of living; As the nurturing parent's resources rapidly dwindle, the real problem is not how to absolve the non custodial parent's arrearages, but how do we feed, provide and heat homes, buy adequate clothing for winter, and ensure the continued nurturing care of our children.

Page four

Opposition to the welfare of Alaskan children comes in the guise of displaced anger from resentful parents who have abandoned, or are otherwise separated from their children. Often times, in cases where domestic violence was precipitated by drug and alcohol abuse, and culminated in restraining orders, non-support of the children is used by the offender to punish the custodial parent for involving "outside" authorities in the protection of the very children due the support .

Significant opposition to the daily needs of innocent and defenseless children, prohibited by law from working to support themselves, is heard by you time and again from parents who never formed adequate parental bonds with their children, and lacked incentive to ensure familial ties. More often than not, the absent parents who abandoned their children have moved onto second families and their priorities are dominated by new spouses who resent the economic and emotional competition of spouse's prior relationships.

The dedication given to Alaskan children by their government should be realized by every one of them. Unfortunately, too many of our Alaskan youth are well-aware of their lack of support and are growing up resentful, with the confirmed belief that their government, as well as at least one of their parents, threw them away. The support is their reassurance their government is working for them to keep them alive, healthy and secure. All these Alaskan children are in the unique position of being tax paying citizens (due to their Permanent Fund Dividends) and they deserve some representation. Aleksandre Baranov knew in the 1790's that civil relations amongst his growing colony depended upon enforcing the responsibility of the Russian fathers to support their half-Native children while in the custody of their Native mothers. Were Alaskan children sold out with Russian America?

Page five

According to the Alaska Constitution criminal statutes must address, (1) the specific criminal behavior, (2) be clearly written in simple language for purposes of general comprehension, (3) must state specific penalties for the criminal action in question. Problems with the sections 11.51.120 and 11.51.115 , Criminal nonsupport of HB 375 were (1), that culpability was determined solely by a monetary condition which was ambiguous given that every child support order varies in dollar amounts and that the criminal act of nonsupport is fundamentally based upon the flagrant noncompliance of paying child support ordered on a timely schedule. Culpability should be the same for a poor person or a wealthy person regardless of the amount ordered to be paid monthly which differs in as much as income varies; Parameters of culpability must be made clear and equal for all persons. The state culpability for criminal nonsupport of children should match the federal conditions since Alaskan children are tax paying citizens deserving of the same protection and benefits as any other American children. The term "lawful excuse" needs to be adjudicated by a jury, not statute.

House Bill, 375, Section 20, Teacher certification:

How does this section protect children exposed to any other school employee working directly with minors and unsupervised, such as teacher's aides, and substitute teachers, and also having direct, unsupervised contact with minors on school grounds, such as janitors? Should n't the minors be protected equally from all potential offenders?

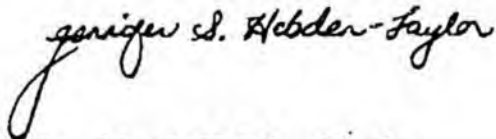
Could 4AAC 12.010 (b) and As Sec 14.20.020 (f) facilitate a more thorough and efficient system of doing background checks by bringing representatives of the Alaska Automated Fingerprint Identification System into Alaskan schools on an annual basis to "roll" fingerprints of school employees and also to mainstream the process. Currently the fingerprinting process creates unfair duress for rural Alaskan teachers when the finger print cards (made by local law enforcement agencies) are

Page six

repeatedly rejected as illegible due to no fault of the teacher. The process of waiting for certification held up by fingerprints rejected because of illegibility can be over one year since the initial application was made.

Thankyou for the opportunity to voice my opinion and have it heard by the Alaskan House of Representatives Judiciary Committee.

Respectfully,

A handwritten signature in cursive script that reads "Jennifer S. Hebden-Taylor". The signature is written in dark ink and is positioned above the printed name.

Jennifer S. Hebden-Taylor

FY 1998 Child Support Enforcement Bill

Background

In 1996, the federal government enacted a welfare reform law which made substantial changes to child support mandates for all states and requires significant reorganization of Alaska child support enforcement laws. Alaska responded to this challenge in 1997 by passing into law SB 154, which met most, but not all, of the federal child support mandates. More needs to be done if Alaska is to avoid large fiscal sanctions the federal government will impose if the state does not comply with federal law. Failure to satisfy the mandates could mean a drastic reduction in federal funding of Alaska's Child Support Enforcement and Public Assistance Divisions. This bill focuses on compliance with these federal mandates. If adopted, the bill will:

- Require all employers to report all new hires or rehires within 20 days.
- Give courts the authority to revoke sport fishing and hunting licenses in some criminal cases if the license holder fails to honor a child support subpoena or a genetic testing order, or is substantially in arrears on child support.
- Mandate that social security numbers be provided for child support purposes, on applications for drivers' licenses, and hunting and sport fishing licenses.
- Give child support liens from other states the same standing as Alaskan liens and provide for liens to arise as a matter of law.
- Give the courts authority to hold a person in contempt for failing to honor an administrative child support subpoena or a genetic testing order of this or another state.
- Amend the definition of "support order" provided for Alaska's child support laws.
- Allow the entry of default judgments in administrative paternity cases.
- Permit child support agencies of other states to make electronic requests for high-volume, automated administrative enforcement assistance.
- Clarify which state's law an employer must follow when served with an interstate income withholding order.
- Provide a method for Alaska's child support agency to help a child support obligor's children to receive health care coverage when the obligor changes employment.
- Improve income withholding provisions of Alaska's child support laws.
- Repeal the sunset provisions of SB 154.
- Make technical changes to two sections of the Uniform Interstate Family Support Act.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Administration for
Children and Families2201 Sixth Avenue, Suite 600
Seattle, WA 98121-1827

Barbara Miklos, Director
Child Support Enforcement Division
550 West 7th, 4th Floor
Anchorage, AK 99501-3556

Dear Ms. Miklos:

This is in response to your request for clarification of:

- The consequences if a State fails to enact laws or otherwise conform to the requirements of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Public Law 104-193, and
 - Nationwide information on state compliance with PRWORA.
1. In order for a State to receive Federal funding for the operation of its child support enforcement program, it must have an approved State IV-D plan which meets the requirements of section 454 of the Social Security Act (the Act). One of those requirements, specified at section 454(20)(A), is that the State must have in effect all of the laws required by section 466.

PRWORA made numerous changes to sections 454 and 466 of the Act. When a State fails to comply with all statutory requisites, its plan is subject to disapproval by the Office of Child Support Enforcement (OCSE). In accordance with sections 452(a)(3) and 455(a)(1)(A) of the Act, there would then be no authority to expend Federal funds under Title IV-D of the Act for the operation of the State's child support enforcement program.

Therefore, a determination that a State IV-D plan is disapproved will result in immediate suspension of all Federal payments for the State's child support enforcement program, and such payments will continue to be withheld until the State IV-D plan can be approved by OCSE. Alaska received approximately \$12.4 million in Title IV-D funding for the administration of its child support program in FY 1997, and over \$3.2 million in Title IV-D performance related child support incentives.


Page 2 - Barbara Miklos

In addition, in order to be eligible for a block grant for Temporary Assistance to Needy Families (TANF), section 402(a)(2) of the Act requires a State to certify that it will operate a child support enforcement program under the State plan approved under part D. Therefore, TANF funding would also be jeopardized if the State failed to enact the required child support legislation on a timely basis. Alaska's Federal funding for IV-A for FY 1997 was approximately \$63 million.

2. Data on state compliance with PRWORA changes frequently. We are therefore unable to provide you with an accurate and up to date listing of which states have fully complied with its provisions. Most states have either passed legislation that has been found complete, or is under review. Alaska is in the category of states which did not pass enabling legislation in 1997, but which have expressed an intent to do so and are working with its Regional Office to develop such legislation. Only one state, Idaho, has failed to enact enabling legislation and has stated it is unwilling to do so. Attached is a "notice of intent" to disapprove Idaho's state plan, with the resulting loss of Federal funding. If proposed legislation is not enacted in Alaska, our office would begin the process of issuing a similar notice of intent to disapprove.

Please contact Michael Furtado at (206) 615-2552, ext. 3045 if you have any further questions.

Sincerely,


Stephen S. Hennigson
Regional Administrator

Attachment: Idaho Notice of Intent to Disapprove

Dec-18-97 02:03P ACF-OCSE

202-401-3444

P.02



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

December 18, 1997

Linda Caballero, Director
Department of Health and Welfare
P.O. Box 83720-10th Floor
Boise, Idaho 83720-0036

Dear Ms. Caballero:

In accordance with sections 452(a)(3), 454(20) and 455(a) of the Social Security Act (the Act), and 45 CFR 301.10 and 301.13, this constitutes formal notice of my intent, subject to an opportunity for hearing, to disapprove Idaho's State IV-D plan. The basis for my intent to disapprove is Idaho's failure to enact the following mandated legislation, in whole or in part, required by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), P.L. 104-193:

- ▶ Idaho has failed to enact laws or procedures providing for income withholding in accordance with the requirements at sections 466(a)(1) and (b)(1) of the Act, as amended by section 314 of P.L. 104-193.
- ▶ Idaho has failed to enact laws or procedures providing for the collection and use of social security numbers in accordance with the requirements at section 466(a)(13) of the Act, as amended by Section 317 of P.L. 104-193.
- ▶ Idaho has failed to enact laws or procedures providing for the use of expedited procedures, in accordance with the requirements regarding: a change in payee at section 466(c)(1)(E) of the Act; income withholding at section 466(c)(1)(F) of the Act; an increase in monthly payments to include arrearages at section 466(c)(1)(H) of the Act; and, procedures under which each party to any paternity or child support proceeding is required (subject to privacy safeguards) to update, as appropriate, certain information on location and identity of the party at section 466(c)(2)(A)(i) of the Act, as amended by section 325 of P.L. 104-193.
- ▶ Idaho has failed to enact laws or procedures with respect to work requirements, in accordance with requirements at section 466(a)(15) of the Act, as amended by section 365 of P.L. 104-193.
- ▶ Idaho has failed to enact laws or procedures requiring the State to provide full faith and credit to liens arising in another State, in accordance with requirements at section 466(a)(4), as amended by section 368 of P.L. 104-193.

Dec-18-97 02:04P ACF-OCSE

202-401-3444

P.03

Ms. Caballero -- Page 2

As provided in program instructions issued in OCSE-AT-97-05, prior to issuance of a final determination to disapprove your State plan, you have the option to request a hearing under procedures at 45 CFR Part 213. Election of a hearing prior to the final decision to approve or disapprove the State IV-D plan will constitute a waiver of reconsideration hearing rights contained in 45 CFR 301.14.

You have 60 days from the date of this letter to request a formal hearing regarding the matters at issue in the proposed disapproval. Requests for a hearing should be sent to the Assistant Secretary for Children and Families. If Idaho requests such pre-decision review, a Notice of Hearing will be issued setting forth the time and place of the hearing and the issues which will be considered therein. This notice will be published in the Federal Register.

Should the Department of Health and Human Services conclude following the hearing that Idaho does not have an approved State plan, you will be notified that further Federal payments under title IV-D of the Act will not be made until a State IV-D plan is submitted and approved. The effective date for the withholding of Federal funds shall not be earlier than the date of my decision and shall not be later than the first day of the next calendar quarter following such decision.

Should Idaho decline the opportunity for a hearing at this time, a determination will be made whether the IV-D plan must be disapproved for failure to conform with the requirements of section 454 of the Act. If you are dissatisfied with my decision, you may request reconsideration of the decision pursuant to regulations at 45 CFR 301.14. Federal funding, however, will be suspended and may not be stayed pending reconsideration. If I subsequently determine that my original decision was incorrect, restitution of funds withheld or otherwise denied will immediately be certified in a lump sum.

I urge you to take the necessary steps to enact the legislation required by P.L. 104-193 and confirm your compliance with the Regional Office. Although Idaho is completely and independently responsible for preparation, submission, and content of its State IV-D plan, technical assistance may be obtained from our Regional Office.

In addition, section 402(a)(2) of the Act (as amended by PRWORA) provides that the chief executive officer of a State must certify that it will operate a child support enforcement program under an approved IV-D plan as a condition for eligibility for a TANF block grant under title IV-A of the Act. Therefore, Idaho should be aware that TANF funds may also be at risk.

JAN-15-88 THU 02:58 PM HH

FAX NO. 12088152575

P. 08

Dec-18-97 02:04P ACF-OCSE

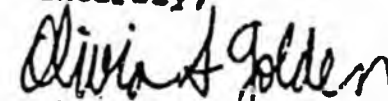
202-401-3444

P.04

Ms. Caballero -- Page 3

Should you have any questions in regard to this Notice, please contact your ACF Regional Administrator, Mr. Steve Henigson at (206) 615-2547.

Sincerely,



Olivia A. Golden
Assistant Secretary
for Children and Families

Enclosure: OCSE-AT-97-05

cc: Stephen S. Henigson
ACF Regional Administrator
Seattle Regional Office

TONY KNOWLES
GOVERNOR



HB 344

P O Box 110001
Juneau Alaska 99811 0001
(907) 465-3500
Fax (907) 465-3532

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 21, 1998

The Honorable Gail Phillips
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Phillips:

While federal welfare reform law gave our state greater flexibility for providing public assistance, it also required Alaska and other states to make extensive changes to their state child support laws. The attached bill is needed to satisfy mandates placed on Alaska by the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Failure to comply with the federal child support mandates may result in a significant reduction in federal financial participation to the state for public assistance, unemployment, and child support enforcement programs.

The state's enactment of Senate Bill 154 last year met most, but not all, of the federal child support mandates of federal welfare reform. More needs to be done to finish the job. This bill will do that by making additional changes to Alaska's statutes.

Under this bill, all employers in the state would be required to report each new hire to the state child support enforcement agency within 20 days. The state will share this information with the federal child support agency and the child support agencies of other states. Timely access to this information may help avoid significant delays in support payments for some children.

The bill would also fine-tune state procedures for establishing paternity and for enforcing child support orders. The bill would also make state law conform to new federal requirements regarding reporting of social security numbers for certain licensees not already required to report under state law. The social security numbers provide an invaluable means of ensuring that support payments are timely received and accurately recorded.

The Honorable Gail Phillips

January 21, 1998

Page 2

The bill also amends the Uniform Interstate Family Support Act (UIFSA), which Alaska enacted in 1995, to reflect subsequent changes to the uniform Act adopted by the National Conference of Commissioners on Uniform State Laws. Congress requires that our state child support laws be consistent with the uniform Act.

Finally, this bill will give state courts the power to suspend or revoke, in appropriate circumstances, the recreational hunting and fishing licenses and certain permits of obligors who are out of compliance with child support laws.

I urge your prompt attention to this important matter. Alaska's children are our most precious resource and they deserve timely access to child support necessary for their care.

Sincerely,



Tony Knowles
Governor

HB

344

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 5/8/98

FURTHER: 5/10/98

DATE TURNED
IN TO OFFICE: 5/10/98

Finance Committee considered CS FOR HOUSE BILL NO. 344(FIN) am

"An Act relating to paternity establishment and to support orders; relating to the crime of criminal nonsupport; relating to divorces, dissolutions, and actions to declare a marriage void; and providing for an effective date."

and recommends:

- be replaced with 5 CS CS HB 344 (FIN)
- adopt previous _____ CS _____ (_____)
- attached amendment(s) forth coming
- adopt Letter of Intent by _____ CS
- further referral to the _____

- 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>	✓	<i>[Signature]</i>	✓		
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair:		Co-Chair: <i>[Signature]</i>	✓		

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
Admin/PD	2/18/98	Ø	
Admin/OPA	1/23/98	Ø	
Admin/Field Services	1/23/98	Ø	
Rev/CSED	1/23/98	Ø	
CRA/JTPA	5/6/98	Ø	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

5/10/98

No: 6

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO:
Bill Version: CSHB 344 (FIN)
(H) Publish Date: 5/6/98

Revision Date: _____ Dept. Affected: Community & Regional Affairs
Title: Job Training Programs/AHRIC BRU: Employment/Training/Rural Development
Sponsor: Senate Finance Committee Component: Job Training Partnership Act
Requestor: House Finance Committee COMPONENT SERIAL NO. 118C

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

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of current year (FY 98) impact: \$ 0.00

POSITIONS:

	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.) In FY98 the Job Training Partnership Office (JTPO) provided \$124,000.00 toward the support of the AHRIC. We have projected \$95,000.00 for AHRIC in the FY99 budget. The .75% assessment on the combined JTPO and Service Delivery Area FY99 budget (\$25,027,200) would be \$187,704.00. This amount is based on the projected amounts to be received in the JTPO and the Statewide Service Delivery area excluding STEP. The Statewide Service Delivery area receives funds directly from the federal government through an arrangement with the JTPO because it is another section within the same department and division, but JTPO retains ultimate responsibility for and oversight of the programs.

JTPO is essentially a federally funded function with a general administrative cap of 15% imposed by federal regulation. JTPO shares the administrative portion with the three Service Delivery Areas with whom it contracts for services. The JTPO generally retains a relatively small portion for its own operation; e.g. for FY98 JTPO retained approximately 3.91%. This is an extremely tight budget with little leeway for contributions to other activities. Any increase in the assessment fee will jeopardize the JTPO section's ability to provide training and technical assistance to program participants.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708
Division: Administrative Services Date: 4/23/98
Approved by Commissioner: Mike Irwin *Mike Irwin* Date: 4/23/98
Agency: Mike Irwin, Dept. of Community & Reg. Affairs

FISCAL NOTE

STATE OF ALASKA
 1998 LEGISLATIVE SESSION

Revision Date: (Note if correction)
 Title: "An Act relating to paternity establishment and child support..."
 Sponsor: Rules by Request of Governor
 Requestor: (H) HES

Department Affected: Administration
 BRU: Public Defender Agency
 Component: Public Defender Agency
 COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 98) cost: \$ none

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 There is no fiscal impact to the Department of Administration.

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

Phone: 264-4414
 Date:

Approved by Commissioner: Mark Boyer
 Agency: Department of Administration

Date: 2/10/98

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FISCAL NOTE

No: 4

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Ver. #: HB 344
(H) Publish Date: 1/23/98

88 5/10/98

Revision Date: _____ Dept. Affected: Revenue
 Title: Federal Welfare Reform BRU: Child Support Enforcement Division
 Component: Child Support Enforcement Division
 Sponsor: Rules
 Requestor: Governor COMPONENT SERIAL NO. 111

Expenditures/Revenues (Thousands of Dollars)

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

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
1016 Federal Incentive Payments						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: \$ 0.0

POSITIONS

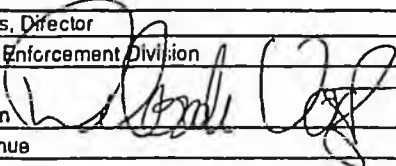
POSITIONS	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This legislation was developed so that Alaska will be in compliance with the mandates of 1996 federal welfare reform and subsequent technical amendments. This legislation is required to avoid fiscal sanctions that the federal government will impose if the state does not comply with federal law. Failure to satisfy the mandates could mean a drastic reduction in federal funding of Alaska's Child Support Enforcement and Public Assistance Divisions.

The legislation requires employers to report all new hires or rehires within 20 days; gives courts the authority to revoke sport fishing and hunting licenses if the license holder fails to honor a child support or paternity subpoena or is substantially in arrears on child support; mandates that social security numbers be provided on applications for drivers' licenses and hunting and sport fishing licenses and that the information will be shared with child support enforcement agencies; and gives support liens from other states the same standing as Alaskan liens and provides for

(Continued on Page 2)

Prepared by: Barbara Miklos, Director
 Division: Child Support Enforcement Division
 Approved by: 
 Commissioner: Wilson Condon
 Agency: Dept. of Revenue

Phone: 269-6800
 Date: 11/26/97
 Date: 11/24/97

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**DEPARTMENT OF REVENUE
CHILD SUPPORT ENFORCEMENT DIVISION**

Federal Welfare Reform
November 26, 1997
Work Draft #0007
Page 2 of 2

Fiscal Note Analysis. continued

liens to arise as a matter of law. This legislation also makes changes in statutes to assure that the Alaskan child support program is able to operate under federal requirements.

Child support enforcement is a cornerstone of federal welfare reform. Congress has recognized that it is very difficult for families with low incomes to adequately support their children without the assistance of both parents. Therefore, the federal legislation increases requirements for CSED to meet various deadlines and improve processes for obtaining child support.

CSED does not associate increased costs directly with this legislation. Therefore, the fiscal note is zero. However, it must be recognized that changes mandated by welfare reform not addressed in this legislation require additional resources in order for CSED to meet federal requirements.

FISCAL NOTE

REPORTED OUT OF

5/10/98 No: 3

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Bill Version: HB 344
(H) Publish Date: 1/23/98

Revision Date (Note if correction) _____	Dept. Affected _____	Administration _____
Title "An Act relating to paternity establishment and child support"	BRU	Division of Motor Vehicles
Sponsor Rules Committee	Component	Field Services
Requester Governor	Component Serial No.	2150

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY98) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact anticipated.

Prepared by	Juanita Hensley	Phone	465-5648
Division	Motor Vehicles	Date	12/17/97
Approved by	Mark Boyer, Commissioner	Date	12/17/97
Agency	Department of Administration		

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FISCAL NOTE

5/10/98 No: 2

Bill Version: HB 344

(H) Publish Date: 1/23/98

STATE OF ALASKA
1998 LEGISLATIVE SESSION

Revision Date (Note if correction) _____	Dept. Affected	Administration
Title "An Act relating to paternity establishment and child support...."	BRU	Office of Public Advocacy
Sponsor Rules Committee	Component	Office of Public Advocacy
Requester Governor	Component Serial No.	43

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: _____

POSITIONS

POSITIONS	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by	Brant McGee	Phone 269-3500
Division	Office of Public Advocacy	Date _____
Approved by	Mark Boyer, Commissioner	Date 11/28/97
Agency	Department of Administration	

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HB

349

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: March 31, 1998

FURTHER REFERRALS:

Date of Committee Action: 4/8/98

The FINANCE Committee considered:

HB 349

HOUSE BILL NO. 349

REGULATION OF SOCIAL WORKERS

"An Act prohibiting the use of the title 'social worker' without a license; relating to social workers, licensure of social workers, and the Board of Clinical Social Work Examiners; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 349 (Fin) the same title a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) D.C.E.D

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Gene Theriault</i> Theriault			X	
<i>Mark Hanley</i> Hanley			X	
<i>Elton Mulder</i> Mulder			X	
<i>Larry Martin</i> Martin			X	
<i>Kiel Kohring</i> Kohring				X
<i>Ben Grussendorf</i> Grussendorf			X	
<i>Wendell Moses</i> Moses	X			
<i>Robert Foster</i> Foster	X			

CHAIR'S SIGNATURE

Gene Theriault *Mark Hanley*

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. SSHB 349

Revision Date: March 20, 1998 Department: Commerce and Economic Development
 Title: An Act prohibiting the use of the title 'social worker' BRU: Occupational Licensing
without a license;.... Component: Operations
 Sponsor: Representative James, Kelly, Elton
 Requestor: House Labor and Commerce COMPONENT SERIAL NO. 1844

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES	8.5	8.5	8.5	8.5	8.5	8.5
TRAVEL						
CONTRACTUAL	4.7	4.7	4.7	4.7	4.7	4.7
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	13.2	13.2	13.2	13.2	13.2	13.2
CAPITAL EXPENDITURES						
CHANGE IN REVENUES	26.4	0.0	26.4	0.0	26.4	0.0

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts	13.2	13.2	13.2	13.2	13.2	13.2
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	13.2	13.2	13.2	13.2	13.2	13.2

Estimate of any current year (FY 98) cost: \$ 0.0

POSITIONS	
FULL-TIME	
PART-TIME	
TEMPORARY	

ANALYSIS: (Attach a separate page if necessary)

SSHB 349 renames and reorganizes the present Board of Clinical Social Work Examiners, establishes two new categories of licensure and prohibits the use of the title 'social worker' without a license. Information obtained by the division indicates 250 new applicants may seek licensure under this bill. Sec. 08.95.920 of the bill directs that license fees be equal for all three categories of social work. The new costs shown above are explained on the attached page.

Prepared by: Jennifer Strickler, Administrative Manager Phone: 465-2144
 Division: Occupational Licensing Date: 3/20/98
 Approved by Commissioner: Deborah B. Sedwick Date: 3/23/98
 Agency: Commerce and Economic Development

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO.: SSHB 349

ANALYSIS: (Continued)

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT FISCAL NOTE CALCULATIONS

Personal Services

Funding to add 2.5 months of time to an existing PPT Occupational Licensing Examiner I position, Range 12, GGU 8.5

The increase time to the existing position will be responsible for licensing of the new social work categories.

Contractual Services

This funding covers communication costs, public noticing, printing, advertising and legal services to establish new regulations. 4.7

TOTAL: 13.2

Revenue

Occupational licensing programs subject to AS 08.01.065 are required to cover their costs through license fees. Section 08.95.920 of this bill provides that all licenses regulated by the Board of Social Work Examiners share costs equally. There are currently 253 licensed clinical social workers. The 250 anticipated new applicants will bring the number of social worker license holders to 503. The biennial projected fee for all three categories of social worker license is projected to be \$318.00. This fee does not include new investigation or enforcement costs. If such costs result from the legislation, license fees will be adjusted accordingly. Similarly, Licensing Examiner costs are based on positive timekeeping and only actual time spent in licensing social workers will be billed to the program.

07/01/2005

Amended 0-LS130410

Pg 7, lines 22-23

Pg 8 lines 13, 14

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 349(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 3/30/98

Referred: Rules

Sponsor(s): REPRESENTATIVES JAMES, Kelly, Elton, Croft

A BILL

FOR AN ACT ENTITLED

1 "An Act prohibiting the use of the title 'social worker' without a license; relating
2 to social workers, licensure of social workers, and the Board of Clinical Social
3 Work Examiners; and providing for an effective date."

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

5 * Section 1. PURPOSE. It is the purpose of this Act to promote, preserve, and protect the
6 public health, safety, and welfare through the licensure of social workers and regulation of the
7 use of the title "social worker."

8 * Sec. 2. AS 08.01.010(10) is amended to read:
9 (10) Board of [CLINICAL] Social Work Examiners (AS 08.95.010);

10 * Sec. 3. AS 08.01.050(d)(1) is amended to read:
11 (1) Board of [CLINICAL] Social Work Examiners;

12 * Sec. 4. AS 08.03.010(c)(6) is amended to read:
13 (6) Board of [CLINICAL] Social Work Examiners (AS 08.95.010) --

14 June 30, 2005;

1 * Sec. 5. AS 08.95.010(a) is amended to read:

2 (a) There is created the Board of [CLINICAL] Social Work Examiners
3 composed of five members, as follows: one member [. FOUR MEMBERS MUST
4 BE PERSONS] licensed under this chapter as a baccalaureate social worker; one
5 member licensed under this chapter as a master social worker; two members
6 licensed under this chapter as clinical social workers; and one public member who
7 has never been licensed under this chapter. At [, INCLUDING AT] least one of
8 the licensed members must be a person who is not an employee of a federal, state,
9 or local government or of a private nonprofit organization that is exempt from federal
10 income tax. [ONE MEMBER MUST BE A PUBLIC MEMBER.]

11 * Sec. 6. AS 08.95.020 is amended to read:

12 **Sec. 08.95.020. Board meetings.** The board shall hold at least two meetings
13 [ONE MEETING] each year. The board may hold additional meetings at the call of
14 the chair or of a majority of the board members.

15 * Sec. 7. AS 08.95.030 is amended to read:

16 **Sec. 08.95.030. Duties.** The board shall

17 (1) issue licenses to qualified applicants;

18 (2) [SUBMIT AN ANNUAL REPORT OF ITS PROCEEDINGS TO
19 THE DEPARTMENT];

20 (3) AFTER A HEARING, IMPOSE DISCIPLINARY SANCTIONS ON
21 A PERSON WHO VIOLATES THIS CHAPTER OR THE REGULATIONS OR
22 ORDERS OF THE BOARD;

23 (4)] adopt regulations

24 (A) requiring that continuing education requirements be satisfied
25 before a license is renewed;

26 (B) establishing a code of professional ethics that a licensee
27 must observe;

28 (C) establishing standards of practice for social work
29 performed by a licensee; and

30 (D) establishing standards for supervisors and for
31 supervision that is required for licensure under AS 08.95.110(a);

1 (b) The board shall issue a license authorizing use of the title "master social
2 worker" to a person who

3 (1) satisfies the requirements of (a)(1), (3) - (5), and (7) of this section;
4 and

5 (2) has satisfactorily completed the examination given by the board for
6 master social worker licensing.

7 (c) The board shall issue a license authorizing use of the title "baccalaureate
8 social worker" to a person who

9 (1) satisfies the requirements of (a)(3) - (5) and (7) of this section;

10 (2) has received a bachelor's degree in social work from a college or
11 university approved by the board; and

12 (3) has satisfactorily completed the examination given by the board for
13 baccalaureate social worker licensing.

14 * Sec. 14. AS 08.95.120 is amended to read:

15 **Sec. 08.95.120. Licensing by credentials.** The board shall issue a license to
16 practice clinical social work [WITHOUT EXAMINATION] if the applicant

17 (1) holds a current license to practice clinical social work in another
18 jurisdiction that, at the time of original issuance of the license, had requirements for
19 licensure equal to or more stringent than those of this state;

20 (2) is not the subject of an unresolved complaint or disciplinary action
21 before a regulatory authority or a professional social work association;

22 ~~(3) has satisfactorily completed [NOT FAILED] the examination for
23 a license to practice clinical social work in this state;~~

24 (4) has provided three professional references that are acceptable
25 to the board, including one reference from a person who was the licensee's
26 employer while the licensee practiced social work if the licensee was previously
27 employed to practice social work, and one reference from a resident of this state
28 if the applicant resided in this state for the three months immediately preceding
29 application for the license;

30 (5) has not had a license to practice clinical social work revoked, [OR]
31 suspended, or surrendered in lieu of disciplinary action in this state or another

Delete Am 2
08.95.120
(3) in
existing
law
A

jurisdiction;

(6) [(5)] has submitted proof of continued competency satisfactory to the board; and

(7) [(6)] has paid required fees.

* Sec. 15. AS 08.95.120 is amended by adding a new subsection to read:

(b) The board shall issue a license to use the title "master social worker" or "baccalaureate social worker," as applicable, to an applicant who

(1) holds a current similar license from another jurisdiction that, at the time of original issuance of the license, had requirements for the license that were equal to or more stringent than those of this state;

(2) is not the subject of an unresolved complaint or disciplinary action before a regulatory authority or a professional social work association;

~~(3) has satisfactorily completed the examination given by the board for master or baccalaureate social workers, as applicable;~~

(4) has provided acceptable to the board, including one referent employer who has employed the licensee practiced social work, and one referent employer who has employed the licensee to practice social work, and one referent employer who has employed the licensee in a community setting; and
(5) has not had a license or permit to practice social work in this state for the three months immediately preceding the date of application for the license;

(6) has submitted proof of continued competency satisfactory to the board; and
(7) has paid required fees.

* Sec. 16. AS 08.95.900 is amended to read:

Sec. 08.95.900. Confidentiality of communication. (a) A licensed [CLINICAL] social worker, and the social workers' employees or other persons who have access to the social worker's records, may not reveal to another person a communication made to the licensee by a client about a matter concerning which the client has employed the licensee in a professional capacity. This section does not

Delete
08.95.120
(3)
Pg 8 - lines
13-14

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES
P O Box 56622
North Pole, Alaska 99705
(907) 488-1546
FAX (907) 488-4271



Write in Ink
State Capitol
Juneau, Alaska
99801-1182
(907) 465-3743
FAX (907) 465-2381

Adopted
4/8/98

House Of Representatives
House District 34

#1

AMENDMENTS

By Representative Jeannette James

To CS SSHB 349

Page 6, lines 22-27, delete all material and insert:

(5) [(4)] has provided three professional references that are acceptable to the board, including

(A) if the applicant was previously employed to practice social work, one reference from a person who was the applicant's employer while practicing social work; and

(B) if the applicant is currently employed to practice social work, a reference from the applicant's current employer;

[similar amendments at Page 7, lines ~~27~~²⁴-29, and Page 8, lines ~~18~~¹⁵-19].

4/8/98

AMENDMENT

Adopted
4/8/98

OFFERED IN THE HOUSE
TO: CSHB 349(L&C)

Offered to amend amendment #1 (conceptually)

Paragraph (A)

After "work"

Insert "unless the applicant demonstrates to the satisfaction of the board that the applicant is unable to satisfy the requirement of this paragraph due to no fault of the applicant"

TO: Legislative Legal Services
FROM: Louanne Christian, HFC Secretary
465-6814

Create CSHB 349 (FIN) by amending CSSS HB 349 (L&C) 0-LS1304\Q. Delete on page 7, lines 22 and 23; and on page 8, lines 13 and 14. In addition, delete from current law AS 08.95.120(3). Also incorporate Amendment 1 and the amendment to Amendment 1 as faxed on 4/8/98. All amendments were conceptual to allow other areas of legislation to be conformed to the amendments.

Alaska State Legislature

REPRESENTATIVE
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While in Juneau
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FAX (907) 465-2381

House Of Representatives

House District 34

HB 349

Sponsor Statement

By Representative Jeannette James

HB 349: Act prohibiting the use of the title 'social worker' without a license; relating to social workers and to the Board of Clinical Social Work Examiners; and providing for an effective date.

There are some key points on "Multi-level" licensure for Social Workers in Alaska. First, it requires the State of Alaska to recognize social work as a profession, and social workers as professionals. The licensure of professional social workers will protect the health, safety and welfare of Alaskans through the effective control and regulation of persons using the title of social worker.

This bill will prohibit the use of the title "social worker" for those who do not have a license, while maintaining what is in current law that a person must be licensed as a clinical social worker to practice clinical social work.

As stated in the backup, this bill amends the current statute by adding two additional levels of professional social work licensure. Currently available in Alaska is the following:

1. Licensed Clinical Social Worker (LCSW), which requires a Master's of Social Work Degree (MSW) or doctorate, and two years of supervised experience.

This proposed legislation would add the following: (1) a Licensed Master's Social Worker (LMSW), which requires a MSW, and (2) a Licensed Bachelor's Social Worker (LBSW), which requires a Bachelor's of Social Work degree (BSW).

This legislation establishes the minimum qualifications for each level of social work licensure, and requires that those practicing as professionals in the state of Alaska hold a license. The bill also defines the duties of the Board of Social Work Examiners; identifies those individuals who are exempt from social work licensure in Alaska; establishes the grounds on which the Board of Social Work Examiners can impose disciplinary sanctions on a licensee.

HB 349 provides for an exemption from social work licensure, or optional licensing for individuals employed under the title of "social worker" but who lack the educational requirements. At the same time it is designed to protect all people in Alaska by ensuring the most positive, professional influence and direction possible for vulnerable children and adults. Social Work licensure will promote professional social work practices by setting educational and ethical standards for professional social workers, and by offering consumers a legal recourse against unethical or damaging social work services.

We must consider the responsibility of social workers to have a healthy, positive influence on their clients. I am sponsoring this legislation because of my growing concern about the quality of care provided for the people of Alaska. As well, the State of Alaska has the goal and the responsibility to provide the best care possible. This legislation, I believe, will help us to achieve that goal.



NATIONAL ASSOCIATION OF SOCIAL WORKERS
ALASKA CHAPTER

318 4th Street, Juneau AK 99801
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Sectional Analysis
HB 349

- Sec 1 States the purpose of the act.
- Sec 2 Changes the name of the Board from "Board of Clinical Social Work Examiners" to "Board of Social Work Examiners in the Centralized Licensing statute.
- Sec 3 Changes the name of the Board from "Board of Clinical Social Work Examiners" to "Board of Social Work Examiners" as it is subject to the Administrative Duties of the Department of Health and Social Services.
- Sec 4 Changes the name of the Board from "Board of Clinical Social Work Examiners" to "Board of Social Work Examiners" as it is subject to the termination dates of regulatory boards.
- Sec 5 Renames the "Board of Clinical Social Work Examiners" to the "Board of Social Work Examiners" and changes the composition of the Board to include individuals licensed at the MSW and BSW levels.
- Sec 6 Increases the minimum number of meetings the Board must hold each year from one to two.
- Sec 7 Adds to the duties of the Board the establishment of a code of ethics, standards of practice, and standards for supervision required for clinical licensure, as well as a duty to order a reasonable physical or mental exam if a social worker's capacity to practice safely is in question.
- Sec 8 Prescribes the amount and type of continuing education needed to maintain a professional social work license; amends current law to include a requirement for ongoing ethics training, and for an expanded range of cross-cultural training.
- Sec 9 Adds a new section to establish the grounds on which disciplinary sanctions can be imposed on a licensee by the Board.
- Sec 10 Identifies those individuals who are exempt from social work licensure in Alaska.
- Sec 11 Sets penalties for the unlawful use of the title "social worker," or the letters "LMSW" or "LBSW."
- Sec 12 Amends the requirements for licensure as a clinical social worker.

- Sec 13 Adds a new subsection to establish requirements for the "master of social work" and "bachelor of social work" license, and authorizes the Board to issue these licenses.
- Sec 14 Amends requirements for licensing by credentials to include satisfactory completion of a licensing exam and the provision of professional references.
- Sec 15 Adds a new section to establish criteria for licensing by credentials at the bachelor's and master's levels.
- Sec 16 Amends the list of conditions under which a social worker may reveal confidential information concerning clients.
- Sec 17 Adds a new subsection to clarify that certain communications made by a social worker are confidential and not public record.
- Sec 18 Adds a new section to provide for reporting immunity for social workers in specific situations.
- Sec 19 Adds a new section to exempt certain individuals from social work licensure. States that the profession of social work is a "unified occupation" and that persons licensed at any of the three level are considered to be engaged in the same occupation.
- Sec 20 Amends the definition of "board" from Board of Clinical Social Work Examiners to Board of Social Work Examiners.
- Sec 21 Amends the definition of "clinical social work."
- Sec 22 Amends the definition of "social work principles and methods."
- Sec 23 Adds a new paragraph to define "clinical social work."
- Sec 24 Removes social workers from the list of mandatory reporters of child abuse.
- Sec 25 Adds social workers to those service providers considered to be "practitioners of the healing arts." Practitioners of the healing arts are mandatory reporters of child abuse.
- Sec 26 Repeals permission to use the title of "social worker" if not licensed. The July 1, 2000 date gives state and private employers an opportunity to coordinate recruitment and hiring of professional social workers
- Sec 27 Repeals licensing exemption for individuals practicing clinical social work.
- Sec 28 Provides for the optional licensure for individuals employed under the title "social worker."
- Sec 29 Allows Board members to complete their terms notwithstanding the new Board composition requirements created by the bill in Sec 5.

- Sec 30 Directs the Board of Social Work Examiners to begin the process of developing regulations to implement the Act.
- Sec 31 Establishes an immediate effective date for Sec 30 of the Act.
- Sec 32 Establishes September 1, 1999 as the effective date for the amendment of AS 08.95.100(a) and (b)(2) - (4). as amended by Sections 10 and 11 of the Act.
- Sec 33 Establishes July 1, 2000 as the effective date of AS 08.95.100(b)(1) as enacted by Section 11 of the Act, and AS 08.95.911 as enacted by Section 19 of the Act.
- Sec 34 Established January 1, 1999 as the effective date of the act, except as provided in Sections 31-33 of the Act.

Legislative Research Report 98.033

February 5, 1998

Estimated Number of Social Workers in Alaska

Legislative Research Services
Division of Legal and Research Services
Legislative Affairs Agency
Alaska State Legislature

Prepared for Representative Jeannette James
Prepared by Maria Gladziszewski, Manager



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SUMMARY

You asked how many persons practice clinical social work in Alaska. Unfortunately, there is no easy way to arrive at an accurate number. According to the Department of Commerce and Economic Development's Division of Occupational Licensing, 262 persons currently hold licenses to practice clinical social work in the state. This represents a subset of social workers practicing in the state because Alaska Statute 08.95.910 provides that a license is not necessary for persons practicing clinical social work as an employee of a federal, state, or local government or of a private nonprofit organization that is exempt from federal income tax.

Currently, nearly 500 persons belong to the Alaska Chapter of the National Association of Social Workers (NASW). Members must hold, or be working toward, a bachelor's or master's degree in social work (a BSW or an MSW) but membership is voluntary and indicates nothing about whether the person practices professionally. NASW officials could not estimate the number of practicing social workers in the state. Angela Salerno with the Alaska Chapter of NASW estimated that an additional 350 to 400 persons might apply for a social worker license should the exemptions mentioned above (in AS 08.95.910) be removed.

You also asked for the number of persons working in the social worker job classes for the state of Alaska. Those numbers are presented below.

Persons Employed by the State of Alaska (as of January 16, 1998)			
Job Class	Total Positions	Positions Filled	Positions Vacant
Social Worker I	10	3	7
Social Worker II	29	26	3
Social Worker III	128	117	11
Social Worker IV	39	33	6
Social Worker V	8	6	2
TOTAL	214	185	29

SOURCE:

Alaska Department of Administration, Division of Personnel, "RO Report" for January 1998

I hope you find this information useful. Please do not hesitate to contact us with additional questions.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
Division of Family and Youth Services
Social Work Positions with Social Work Degrees
In Response to HB 349

	Total Number of Social Work Positions	Current Employees with Social Work Degrees
Northern Region	54	22
Southeast Region	29	10
Southcentral Region	96	38
Total	179	70

	Current Employees with Other Bachelor Degrees	Current Employees with Other Graduate Degrees	Current Employees with No Degrees
Northern Region	9	8	9
Southeast Region	7	3	4
Southcentral Region	32	8	5
Total	48	19	18

Current Efforts to Improve Job Readiness and Training for Social Workers:

- Developing Partnership with the University to provide long term, stable staff training program.
 - Creation of child welfare training institute.
 - Improved child welfare curriculum for social work students.
 - Begin education stipend program for existing staff.
- Changing Minimum Qualifications for all social work positions.
- Increasing federal financial participation for staff training.



UNIVERSITY OF ALASKA ANCHORAGE

3211 Providence Drive
Anchorage, Alaska 99508-8230

DEPARTMENT OF SOCIAL WORK

3/10/1998

**Angela Salerno, Executive Director
National Association of Social Workers- Alaska Chapter
318 Fourth St.
Juneau, AK 99801**

Re: Sponsor Substitute for House Bill No. 349

Dear Ms. Salerno:

The purpose of this letter is to offer the Department of Social Work faculty's support for House Bill No. 349, the Multi-Level Licensure Bill. The bill establishes licensing policies and procedures for baccalaureate, master and clinical level social workers in Alaska. The faculty want to acknowledge the importance of this bill and commend the sponsors for their vision of a professional work force.

Social workers are the primary providers of social services to the poor, disadvantaged, disenfranchised, abused and neglected members of our society. We serve on the front lines to assist men, women and children who need help to grow and function as healthy, productive citizens. The licensure bill will protect the consumers of social services by insuring that only adequately prepared people will hold social work titles and deliver social work services. This protects people from ill trained, under educated, and poorly prepared people working with vulnerable and high risk populations. Abused children and elders, homeless, mentally ill, frail elderly, and any other groups in need of highly skilled and knowledgeable social workers will benefit from the standardization of requirements for different levels of practice. People will be guaranteed a professional level of competence from entry level, masters and advanced clinical social workers. Alaskans will also be assured a mechanism for review and removal of licenses for people who fail to uphold the profession's standards of care. The licensure bill is a very positive and meaningful step toward quality control for delivery of social work services.

If there are any questions regarding the faculty's support of this bill, or any other information we can provide, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Elizabeth A. Sirles".

Elizabeth A. Sirles, Chair
Department of Social Work

March 12, 1998

Norm Rokeberg, Chair
Labor and Commerce Committee
Alaska State Legislature

Dear Representative Rokeberg,

I am writing to you in support of SSHB 349, an act relating to the multi-level licensing of social workers in Alaska. I am currently a graduate student; I will complete my Master's in Social Work degree in May.

As you consider this bill, I would like to share how the training I am currently undergoing has fundamentally changed the way I view human services. I hope to illustrate the important role of licensing in clearly identifying individuals who have actively studied social work at the university level.

From the time I was a young child, I wanted to be a newspaper reporter. I listened to my grandmother's stories of my great-grandfather's adventures as a journalist. I graduated from high school, went to college and received my journalism degree. I never did work as a reporter. I ended up working in human services, doing everything from AIDS education to grant writing to developing curriculum on substance abuse for classroom teachers.

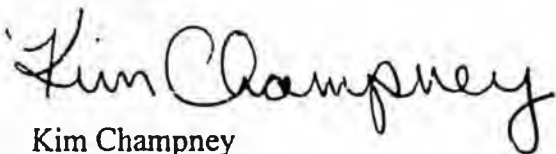
I decided to pursue an M.S.W. During the past two years, I have taken classes in human behavior, interpersonal communication, child welfare, alcoholism, assessing and treating children, domestic violence, cross-cultural social work, psychopathology, and social policy, to name a few. I have also completed over 1,000 hours of field work. Field work is required of all social work students. Students work as social workers under the supervision of a practicing social worker as well as under the guidance of a faculty supervisor. It is an experience similar to student teaching required of future teachers, although to a greater extent. This experience is invaluable because it allows the student to process and gain feedback from a variety of sources on their social work practice as well as the opportunity to apply what is being learned in the classroom.

Currently, individuals may call themselves social workers and have no exposure to this type of in-depth professional training. Individuals who have not attended medical school would never be allowed to call themselves doctors. Similarly, it is not right for service providers who do not have a social work degree to call themselves social workers.

I could very easily have obtained a social worker job with my degree in journalism. I cannot emphasize enough how different my approach would be without this training.

Thank you for considering supporting this bill.

Sincerely,



Kim Champney
MSW student

March 14, 1998

1007 Evergreen Street, Apt B
Fairbanks, Alaska 99709
(907)458-0447

Representative Norman Rokeberg
Alaska House of Representatives
State Capitol
Juneau, Alaska 99811 - 1182

Dear Representative Rokeberg,

I am writing in support of CSHB 349, Multi-Level Licensing and Title Protection for Social Workers. As the social worker for the Fairbanks Pioneers' Home and Supervisor of Adult Protective Services for the Northern Region I believe passage of this legislation will help our elders receive the highest quality professional social work services possible.

Often in protective services when a report of harm is received a person is at significant risk because of abuse or neglect. These persons are the most vulnerable Alaskans and deserve the services of well trained and skilled social workers. When family members seek assistance for a loved one in danger they need to know that the social worker they call on is someone who is knowledgeable and competent to guide them through some very difficult life decisions.

Licensed social workers will be held accountable to well established professional social work practice standards. These standards are found in a social work code of ethics that was first established in 1955 and extensively revised in 1986. To protect consumers licensing regulations provide a system to investigate and address complaints against social workers. Also licensed social workers will have continuing education requirements to maintain and enhance their professional skills.

I applaud Representative Jeannette James the sponsor of CSHB 349 for her understanding of and commitment to adequately trained and regulated Alaskan social workers. Thank you Representative Rokeberg for allowing the bill to be heard in your Committee. I hope you are able to support this important legislation. If I can provide additional information please feel free to contact me.

Respectfully,


John Waters, MSW, ACSW, LCSW

cc: Senator Gary Wilken
Representative Tom Brice