

ALASKA LEGISLATURE

HOUSE and SENATE FINANCE COMMITTEE FILES, 2005-2006 2978

1 with the child support services agency in the manner described in AS 47.27.040(b) in
2 establishing paternity or establishing, modifying, or enforcing a child support order
3 requiring the payment of support by the noncustodial parent for a dependent child for
4 whom assistance is received. The child support services agency shall inform the
5 Alaska Native family assistance program if it determines that the participant is not in
6 good faith compliance with the requirements of AS 47.27.040(b). The Alaska Native
7 family assistance program shall determine whether the participant has good cause for
8 refusing to cooperate.

9 (n) An Alaska Native family assistance program that receives assignments of
10 ongoing child support shall provide public assistance information concerning those
11 assignments to the child support services agency in a timely manner in order to
12 establish a valid assignment. The information shall be provided by electronic means
13 and in a format acceptable to the child support services agency. For the purposes of
14 this subsection, "timely manner" means within the time constraints established for
15 child support agency distributions under federal law.

16 (o) The applicability of AS 25.27 in the case of a recipient under an Alaska
17 Native family assistance program includes the following:

18 (1) an obligor is liable to the Alaska Native family assistance program
19 in the amount of the family assistance provided by the program to a child to whom the
20 obligor owes a duty of support except that, if a support order has been entered, the
21 liability of the obligor for assistance provided by an Alaska Native family assistance
22 program may not exceed the amount of support provided for in the support order, and,
23 if a medical order of support has been entered, the liability of the obligor for assistance
24 granted under AS 47.07 may not exceed the amount of support provided for in the
25 medical order of support; the child support services agency shall send notice of
26 accruing liability under this paragraph in the same manner as required under
27 AS 25.27.120(c), and, if the agency fails to comply with the notice requirement of this
28 paragraph, interest does not accrue on the liability to the Alaska Native family
29 assistance program unless a support order or medical support order, as applicable, has
30 been entered;

31 (2) the child support services agency may appear in an action

1 authorized under AS 25.27.045 at the agency's own discretion if an obligor under
2 AS 25.27 is liable to the Alaska Native family assistance program under (1) of this
3 subsection;

4 (3) an Alaska Native family assistance program to which the child
5 support services agency erroneously disburses an overpayment of child support under
6 an income withholding order is liable to the state for the amount disbursed, plus
7 interest at the rate imposed under AS 25.27.062(l)(1);

8 (4) when the right to receive child support has been assigned to an
9 Alaska Native family assistance program, an agreement under AS 25.27.065(a) that
10 has not been adopted as an administrative order of the child support services agency is
11 not effective during a period when the obligee is receiving assistance under an Alaska
12 Native family assistance program;

13 (5) the child support services agency, on behalf of an Alaska Native
14 family assistance program, shall take all necessary action permitted by law to enforce
15 child support orders entered under AS 25.27, including petitioning the court for orders
16 to aid in the enforcement of child support;

17 (6) if an obligor under AS 25.27 is liable to an Alaska Native family
18 assistance program under (1) of this subsection, the state is subrogated to the rights of
19 the obligee to take actions authorized under AS 25.27.130(a);

20 (7) notwithstanding AS 25.27.130(c), the recovery of an amount for
21 which an obligor under AS 25.27 is liable that exceeds the total assistance granted
22 under AS 47.07 and this chapter shall be paid to the obligee;

23 (8) except as provided in AS 25.27.130(f), if an obligee under
24 AS 25.27 is not receiving assistance under AS 47.07 or this chapter at the time the
25 state recovers money in an action under AS 25.27.130(d) or (1) of this subsection, the
26 recovery of any amount for which the obligor is liable shall be distributed to the
27 obligee for support payments, including medical support payments, that had become
28 due and unpaid since the termination of assistance under AS 47.07 or this chapter
29 under a support order in favor of the obligee;

30 (9) after payment to the obligee under (8) of this subsection, the state
31 may retain an amount not to exceed the total unreimbursed assistance paid on behalf

1 of the obligee under AS 47.07 or this chapter;

2 (10) if an alleged obligor is liable to an Alaska Native family
3 assistance program under (1) of this subsection, and a support order has not been
4 entered, the child support services agency may, at its own discretion, undertake an
5 action to establish paternity and a duty of support using the procedures prescribed in
6 AS 25.27 and may enforce a duty of support using the procedures prescribed in
7 AS 25.27; the agency may also institute administrative proceedings to determine the
8 paternity of a child born out of wedlock upon application of an Alaska Native family
9 assistance program; the agency may not recover costs of genetic tests required under
10 this paragraph from a person who is a recipient of assistance under an Alaska Native
11 family assistance program;

12 (11) when a hearing officer makes a determination under
13 AS 25.27.170(d), the hearing officer shall, in addition to the factors described in
14 AS 25.27.170(e), consider the amount of the alleged obligor's liability to an Alaska
15 Native family assistance program under (1) of this subsection;

16 (12) notwithstanding AS 25.27.255(a), the child support services
17 agency may not pay to an obligee any money that has been assigned to an Alaska
18 Native family assistance program.

19 (p) Nothing in this section requires the department to continue to fund an
20 Alaska Native family assistance grant program at a level funded before the current
21 grant period or to replace federal funds for the program with state funding.

22 * Sec. 2. AS 47.27 is amended by adding a new section to read:

23 **Article 4. Regional Programs.**

24 **Sec. 47.27.300. Regional public assistance programs.** (a) The department
25 may develop a regional public assistance program for the administration of this
26 chapter in order to provide state public assistance in a uniform and cost-effective
27 manner in a region of this state if an Alaska Native organization is authorized to
28 implement a federally approved tribal family assistance plan that includes that region
29 and has been awarded an Alaska Native family assistance grant for a program that
30 includes that region for the applicable fiscal year under AS 47.27.200. The regional
31 public assistance program developed under this section must be designed to serve

Amend #1

1 eligible state residents in the region covered by the program who are not already
2 covered by a federally approved tribal family assistance plan in that region.

3 (b) The department may award contracts to implement a program developed
4 under (a) of this section. A contract authorized for delivery of state public assistance
5 under a regional public assistance program under this section is exempt from the
6 competitive bid requirements of AS 36.30 (State Procurement Code). Subject to
7 appropriation, a contract under this section must be in an amount that represents a fair
8 and equitable share of the money appropriated under this chapter to serve the state
9 residents specified in (a) of this section. This section provides additional authority to
10 contract to that available under AS 47.05.015 or other law.

11 (c) The department may award a contract under this section only to an
12 organization that

13 (1) has been awarded an Alaska Native family assistance grant under
14 AS 47.27.200 for a program that includes that region;

15 (2) agrees to administer state public assistance under this chapter to
16 state residents in the region who are not served by the Alaska Native family assistance
17 grant awarded under AS 47.27.200;

18 (3) agrees to provide state public assistance identical to that provided
19 under the federally approved tribal family assistance plan for which Alaska Native
20 family assistance grant money has been awarded under AS 47.27.200; and

21 (4) agrees to implement an appeals process as described in (e) of this
22 section.

23 (d) Records pertaining to recipients of state public assistance under a contract
24 awarded under this section have the same confidential protections as are provided to
25 recipients of assistance from Alaska Native family assistance grants under
26 AS 47.27.200.

27 (e) An organization that receives a contract under this section shall provide an
28 appeals process to applicants for or recipients of state public assistance covered by the
29 contract awarded under this section. The appeals process must be the same as the
30 method available under the federally approved tribal family assistance plan, except
31 that the decision reached will be considered as a recommended decision to the

1 department. Within 30 days after receiving a recommended decision, the department
 2 shall review the recommended decision and issue a decision accepting or rejecting the
 3 recommended decision. If the department rejects the recommended decision, the
 4 department shall independently review the record and issue its final decision. The
 5 final decision of the department on the matter is appealable to the courts of this state.

6 (f) If the department establishes a regional public assistance program and
 7 awards a contract to provide state public assistance under this section, a person
 8 applying for state public assistance under this chapter in the region of the state covered
 9 by the regional public assistance program may obtain state public assistance from the
 10 department only through the organization designated by the department to serve the
 11 region.

12 * Sec. 3. AS 47.27.070 is amended by adding new paragraphs to read:

13 (11) "Alaska Native family assistance grant" means a grant under
 14 AS 47.27.200;

15 (12) "Alaska Native family assistance program" means a program
 16 funded in part by a grant under AS 47.27.200;

17 (13) "federally approved tribal family assistance plan" means a plan
 18 that meets the requirements of 42 U.S.C. 612 and has been approved for financing
 19 through a tribal family assistance grant directly from the United States Department of
 20 Health and Human Services.

21 * Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to
 22 read:

23 TRANSITION: REGULATIONS. Regulations adopted by the Department of Health
 24 and Social Services to implement ch. 96, SLA 2000, and in effect on June 29, 2005, remain in
 25 effect, and may be implemented and enforced as regulations implementing this Act.

26 * Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section to
 27 read:

28 REVISOR'S INSTRUCTIONS. The revisor of statutes is instructed to designate
 29 existing

30 (1) AS 47.27.005 as "Article 1. Administrative Provisions";

31 (2) AS 47.27.010 - 47.27.085 as "Article 2. Alaska Temporary Assistance

1 Program"; and

2 (3) AS 47.27.900 - 47.27.990 as "Article 5. General Provisions."

3 * Sec. 6. This Act takes effect June 30, 2005.



Official Business

Alaska State Senate

Senate Finance Committee

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

FAX COVER SHEET

DATE: Tues. 3/1/05 TIME: 10:30 am

TO: Legal

NUMBER OF PAGES, INCLUDING COVER SHEET: 1

FROM: ROBIN PAUL
SENATE FINANCE CMTE. ASST. SECRETARY
PHONE: 465-2618
FAX: 465-2187

NOTES: Need FINAL PLS. to include
one Amendment as follows:

SB 51 Version A with adopted Amendment
24-GS1089/A.1

Thank You!

Robin

State of Alaska
Department of Health & Social Services

Frank H. Murkowski
Governor
P.O. Box 110001
Juneau, Alaska 99811-0001
FACT SHEET



Joel Gilbertson
Commissioner
907-465-3030
FAX: 907-465-3068
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January 10, 2005

Reauthorization of the Native Family Assistance Program Fact Sheet

- Federal law authorizes 13 Alaska Native regional non-profit agencies to deliver their own unique tribal TANF programs to their members. Currently, three non-profit agencies operate tribal TANF programs that serve 995 families in Alaska.
- These tribal agencies have successfully administered TANF programs that reflect the unique needs and conditions in local communities while moving tribal members from welfare to work. Tribes have the knowledge and experience to provide culturally relevant services to their members.
- Tribal TANF programs are funded with federal dollars; tribal providers receive a share of the state's TANF block grant equal to the amount formerly expended by the state to serve tribal members.
- Both Alaska state and tribal officials agree that federal funds alone are insufficient for operation of a viable tribal TANF program. Moreover, federal law requires Alaska tribal TANF programs be comparable to the state-run TANF program. In response, state law passed in 2000 authorizes the Department of Health and Social Services to supplement four of the 13 non-profit agencies with Native Family Assistance Program grants (NFAP). NFAP grants are based on the amount of state funds formerly expended by the state to serve tribal members. This law will sunset on June 30, 2005. In 2004, the three tribal TANF programs currently operating in Alaska received approximately \$8.7 million in NFAP grants
- Interest in development of tribal TANF programs in Alaska is on the rise. The Division of Public Assistance reports that three additional Native non-profit organizations have formally begun the process of developing tribal TANF programs.

SB 51:

- Reauthorizes the Native Family Assistance Program and places its provisions in permanent statute.
- Expands eligibility for NFAP grants to all 13 federally authorized tribal TANF providers.
- Ensures the viability of current tribal TANF programs and supports the development of additional locally operated and culturally relevant Tribal TANF programs.

Sectional Analysis

Bill No. SB 51

"An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date

Section 1:

Amends AS 47.27 by adding a new article authorizing the Department of Health and Social Services (DHSS) to award and administer Alaska Native family assistance program (NFAP) grants. NFAP grants and programs operated under NFAP grants need not conform to legislative provisions authorizing the state administered Alaska Temporary Assistance Program (ATAP).

Outlines requirements for eligibility for an NFAP grant by specifying:

- which entities are eligible for NFAP grants under this legislation. AS 47.27.070 references the 12 Alaska Native non-profit corporations and the Metlakatla Indian Community of the Annette Islands Reserve;
- only tribes with a federally approved tribal TANF plan and those that agree to operate a tribal family assistance program under an approved plan are eligible for grant;
- the plan approved under this section must be operated on a state fiscal year basis;
- the process the department will use for approving an NFAP grant;
- guidelines for determining the grant amount;
- standards the program must meet for plan approval by the department;
- provisions for safeguarding confidentiality record sharing, data and fiscal record collection and exchange, and termination of the program.

Specifies that a person residing in an area covered by a tribal family assistance plan will be served only through that tribal organization and outlines an appeal process.

Requires that a participant in an Alaska Native family assistance program assign to that program all rights to ongoing child support and cooperate with all CSSD enforcement activities unless the program finds the participant has good cause for refusing to cooperate.

Requires a Native family assistance program to provide CSSD with information needed to make a valid child support assignment, and specifies the applicability of AS 25.27 (Child Support Services Agency) to a recipient under an Alaska Native family assistance program.

Section 2:

Amends AS 47.27 by adding a new article establishing the authority of DHSS to develop and implement regional public assistance plans and programs and authorizes the department to award contracts for the implementation of regional assistance programs. Contracts under this section are exempt from competitive bid requirements of the state procurement code. Under this section, DHSS can only contract for the implementation of a regional public assistance program if:

- an Alaska Native organization is authorized to operate a federally approved tribal assistance program;
- the organization has been awarded an NFAP grant;
- the regional plan will serve eligible state residents not covered by the federally approved tribal assistance program;
- the organization agrees to provide state public assistance identical to that provided by the federally approved tribal family assistance plan;
- the organization provides an appeals process for applicants or recipients that uses the same methodology available under the federally approved plan.

Mandates that recipient records be kept confidential.

Section 3:

Defines "Alaska Native family assistance grant;" "Alaska Native family assistance programs;" "federally approved tribal family assistance plan.

Section 4:

Provides authority for DHSS to adopt transitional regulations

Section 5:

Provides Revisor's instructions.

Section 6

Establishes an effective date of June 30, 2005.

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

FRANK H. MURKOWSKI, GOVERNOR

P.O. BOX 110601
JUNEAU, ALASKA 99811-0601
PHONE: (907) 465-3030
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February 11, 2005

RECEIVED

FEB 14 2005

Honorable Lyda Green, Co-Chair
Senate Finance Committee
Alaska State Capitol; Rm. 516
Juneau, AK 99801

Dear Senator Green,

The Department of Health and Social Services respectfully requests a hearing in the Senate Finance Committee on Senate Bill 51 "An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date."

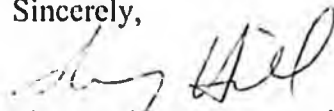
This bill would reauthorize the Alaska Native Family Assistance Grant Program established in Chapter 96, SLA 2000 as a temporary pilot program. In addition to reauthorizing the pilot program on a permanent basis in statute, the bill also would allow the remaining nine Alaska native nonprofit organizations authorized in federal law to participate in the program.

The bill was previously heard by the Senate (CRA) Committee and the Senate (HES) Committee and moved from each committee without amendment.

A copy of Governor Murkowski's transmittal letter providing additional information on the proposal, a sectional analysis, and the associated fiscal notes should be on file with the committee.

Your favorable consideration of this request will be appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sherry Hill".

Sherry Hill, Special Assistant
Office of the Commissioner

cc: Kevin Jardell, Legislative Director
Office of the Governor

Katherine Farnham, Director
Division of Public Assistance

APPENDIX H
RESOLUTION FOR TRIBAL ENTITIES
RESOLUTION NO. _____

WHEREAS, the _____ (Name of Grant Recipient Entity) wishes to receive grant funds under the Department of Health & Social Services ENTER PROGRAM NAME Program; in State Fiscal Year Enter 4 digit Year and

WHEREAS, the State of Alaska, Department of Health & Social Services requires under 7 AAC 78.030 (c), a resolution approved by the entity's governing body that waives the entity's sovereign immunity from suit with respect to claims by the state arising out of the activities related to the grant; and

THEREFORE, BE IT RESOLVED THAT, in the event that a PROGRAM NAME Grant is awarded in State Fiscal Year Enter 4 digit Year, the _____, (Name of Grant Recipient Entity) hereby waives its sovereign immunity and consents to suit in the Alaska Superior Court or a state administrative agency proceeding for any cause of action (including any allowable interest, costs and attorneys fees) or claim filed by the state arising out of or related to the grant, to enforcement of any court or agency order entered in such action or agency proceeding and to levy and execution of any judgment entered in any such lawsuit or agency proceeding against all property and funds of the _____, (Name of Grant Recipient Entity) however held and wherever located..

BE IT FURTHER RESOLVED THAT: _____ (Chief Administrative Officer, Chief, President) is hereby authorized to negotiate, execute, and administer any and all documents and contracts required for granting funds to the _____ (Name of Grant Recipient Entity) and managing funds on behalf of this entity, including any subsequent amendments to said agreement.

BE IT FURTHER RESOLVED THAT: This resolution shall remain in effect until the expiration of the statute of limitations on any cause of action or claim arising out of or related to the grant, including any cause of action or claim related to a demand for reimbursement of grant funds following an audit.

This resolution was adopted at a duly convened meeting of the _____

_____, 20____ and complies with all current requirements necessary for the

_____. (Name of Grant Recipient Entity) to validly waive its sovereign immunity.

IN WITNESS THERETO:

By: _____
Signature Chief Administrative Officer Title

Attest: _____
Signature Clerk or Secretary of Organization Title

Chapter 78. Grant Programs.

Section	Section
10. Scope of chapter	170. Administrative policies of grantees
20. Limitation	180. Subcontracts
30. Eligible applicants	190. Payment
40. Solicitation for grant services	200. Reports
50. Requests for proposals	210. Grant income
60. Submission of grant proposal	220. Confidentiality
70. (Repealed)	230. Audit requirements
80. (Repealed)	240. Monitoring and evaluation
90. Review of proposals	250. Retention of records
92. Proposal evaluation committee	255. Transfer of records
93. Commissioner's decision on grant awards	260. Changes in approved grant project
95. Alternate methods for solicitation and review of grant proposals	270. Purchasing practices and procedures
100. Criteria for review of proposals	280. Property management
110. Notification of award	290. Suspension and termination
120. Equal employment opportunity	300. (Repealed)
130. Civil rights of recipients of services	305. Request for appeal
140. Duration	310. Appeal procedures
150. Accounting requirements	315. Limitation of appropriations
160. Costs	320. (Repealed)
	950. Definitions

7 AAC 78.010. Scope of chapter. (a) Except as provided in 7 AAC 78.020 and (b) of this section, this chapter applies to grants made by the department.

(b) This chapter does not apply to grant services provided to individuals under 7 AAC 81. (Eff. 4/11/81, Register 78; am 7/21/2002, Register 163; am 6/24/2004, Register 170)

Authority: AS 18.05.040	AS 44.29.020	AS 47.30.530
AS 18.08.010	AS 47.05.010	AS 47.37.030
AS 18.08.080	AS 47.20.075	AS 47.37.045
AS 18.25.100	AS 47.20.110	AS 47.40.041
AS 18.28.010	AS 47.27.005	AS 47.40.120
AS 18.28.050	AS 47.27.050	AS 47.80.130
AS 29.60.600	AS 47.30.477	

7 AAC 78.020. Limitation. If a state or federal statute or regulation addresses a particular grant program and is inconsistent with a provision of this chapter, the state or federal statute or regulation supersedes the provision of this chapter. (Eff. 4/11/81, Register 78; am 7/21/2002, Register 163)

Authority: AS 18.05.040	AS 44.29.020	AS 47.30.530
AS 18.08.010	AS 47.05.010	AS 47.37.030
AS 18.08.080	AS 47.20.075	AS 47.37.045
AS 18.25.100	AS 47.20.110	AS 47.40.041
AS 18.28.010	AS 47.27.005	AS 47.40.120
AS 18.28.050	AS 47.27.050	AS 47.80.130
AS 29.60.600	AS 47.30.477	

7 AAC 78.030. Eligible applicants. (a) A state agency, a political subdivision of the state, or a nonprofit organization, including a consortium that is a nonprofit organization, may apply for a grant under this chapter. A nonprofit organization must submit with its proposal, or have on file with the department, at least one of the following:

(1) reference to the nonprofit organization's listing in the United States Internal Revenue Service's most recent register of tax-exempt organizations described in 26 U.S.C. 501(c)(3);

(2) a copy of a currently valid United States Internal Revenue Service document granting tax exemption to the applicant under 26 U.S.C. 501(c)(3);

(3) a copy of the nonprofit organization's certificate of incorporation if the certificate of incorporation clearly establishes the organization's nonprofit status.

(b) An organization that is a nonprofit subsidiary of a nonprofit corporation may apply for a grant. If the nonprofit subsidiary applies for a grant, it must submit with its proposal proof of its nonprofit status in the manner provided in (a)(1) — (3) of this section or

(1) proof of the nonprofit status of its parent corporation in the manner provided in (a)(1) — (3) of this section; and

(2) a statement, signed by an agent of the parent corporation, that the subsidiary corporation is a nonprofit subsidiary of the parent corporation.

(c) An individual may apply for a grant under AS 47.37 (Uniform Alcoholism and Intoxication Treatment Act).

(d) If the department intends to give preference to one category of applicant, the department will state that intent in its instructions.

(e) An Alaska Native entity or a nonprofit subsidiary of one or more Alaska Native entities may apply for a grant under this chapter. An Alaska Native entity must submit with its proposal a resolution approved by its governing body that waives the entity's sovereign immunity from suit with respect to claims by the state arising out of activities related to the grant.

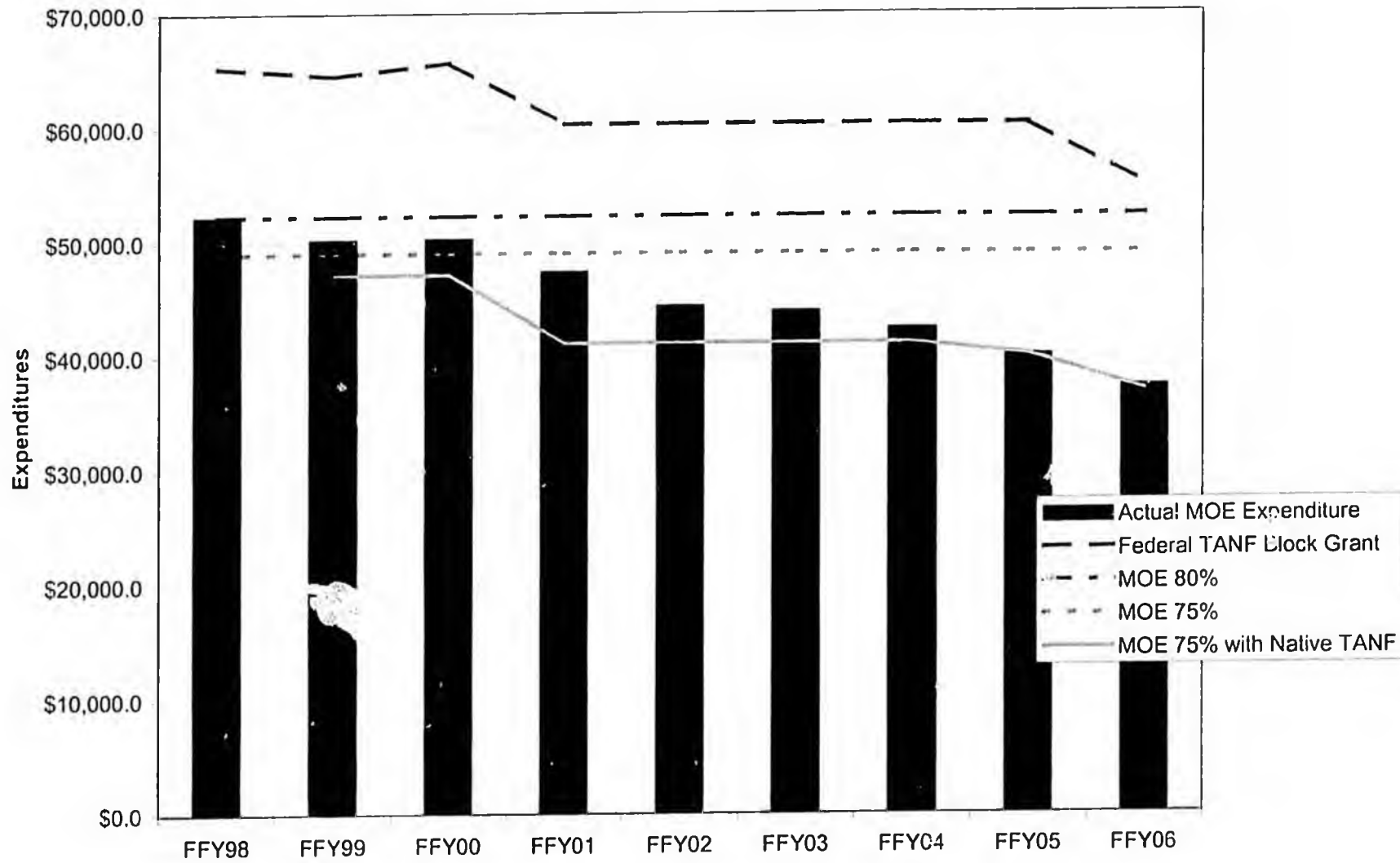
(f) An eligible applicant awarded a grant under this chapter may not receive a provider agreement under 7 AAC 81 to provide the same services. (Eff. 4/11/81, Register 78; am 7/21/2001, Register 163; am 6/24/2004, Register 170)

Authority:	AS 18.05.040	AS 44.29.020	AS 47.30.530
	AS 18.08.010	AS 47.05.010	AS 47.37.030
	AS 18.08.080	AS 47.20.075	AS 47.37.045
	AS 18.25.100	AS 47.20.110	AS 47.40.041
	AS 18.28.010	AS 47.27.005	AS 47.40.120
	AS 18.28.050	AS 47.27.050	AS 47.80.130
	AS 29.60.600	AS 47.30.477	

*Long standing practice -
Requires that Tribal
Entity waive sovereign
immunity for receiving
State funds*

*Do we need
insurance?*

Federal TANF and State MOE



Native Family Assistance Program

Report to the Alaska Legislature on the Pilot Projects



Department of Health and Social Services
Division of Public Assistance
January 2005

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Alaska Native Family Assistance Program Pilot Projects

Executive Summary

The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) ended the individual entitlement to welfare cash benefits and established a cap on federal funding in the form of a fixed block grant. In exchange for this new method of funding, states were allowed more flexibility in the administration of their Temporary Assistance for Needy Families (TANF) programs.

PRWORA also gave American Indian and Alaska Native organizations authority, as well as access to federal funding, to operate TANF programs through their own tribal organizations. In response, 37 tribal TANF programs currently operate on behalf of 175 tribes and serve over 8,400 families nationwide. A 2001 report published by the National Congress of American Indians estimates that a third of all American Indian and Alaska Native TANF recipients received support through tribal TANF programs in 2001.



PRWORA also specifies which Native entities are eligible to operate tribal TANF programs in Alaska. These are limited to the Metlakatla Indian Community of the Annette Island Reserve and the twelve Alaska Native regional non-profit corporations.

The 21st Alaska Legislature passed Chapter 96, SLA 2000 that allows the Alaska Department of Health and Social Services to supplement four of the thirteen federally authorized tribal TANF providers in Alaska with "Native Family Assistance Program"

grants (NFAP). NFAP was authorized as a pilot program with a sunset date of June 30, 2005. The legislation also required the Department of Health and Social Services to deliver a report detailing the status of the tribal TANF pilot programs operating in Alaska, and making recommendations for the reauthorization and expansion of the NFAP program.

Three tribal TANF programs are currently operating in Alaska. The Tanana Chiefs Conference in the Doyon Region, the Central Council of Tlingit and Haida Indian Tribes in the Sealaska Region of southeast Alaska, and the Association of Village Council Presidents in the Yukon-Kuskokwim delta Calista Region now serve a total of 970 families, nearly 20% of all families receiving TANF services in Alaska. Consistent with the TANF goal of family self-sufficiency, tribal TANF programs in Alaska strongly support moving tribal members from welfare to work. Since the first Alaska tribal TANF program began operation in 1999, the number of Alaska Native tribal TANF recipients has dropped by over 33 percent.

From the outset, the State of Alaska has supported the establishment and development of the tribal TANF programs. The NFAP program affirms the state's interest in promoting regional responsibility and local control for public assistance programs in Alaska. Families served by

tribal TANF programs have been successful in leaving welfare for employment and self-sufficiency. Moreover, interest in the development of Tribal TANF programs is increasing. Three additional tribal organizations have begun the process of formally planning their tribal TANF program.

The Alaska Department of Health and Social Services makes the following recommendations in regard to the Native Family Assistance Program:

Reauthorize the Native Family Assistance Program.

Across the nation, federal welfare reform has been successful in moving families from welfare to work. The three tribal programs currently operating in Alaska have successfully administered TANF programs that reflect the unique needs and conditions in local communities while effectively moving tribal members towards self-sufficiency through employment. Tribes have a better grasp of social and economic conditions that inform their work and allow them to tailor services based on the unique needs of local communities. This local presence and familiarity with village and community life puts the tribes in the best position to administer their programs and to successfully promote self-sufficiency for their clients.

Both state and tribal officials agree that federal funds alone are insufficient for the successful operation of a tribal TANF program that is comparable to the state run program. Supplementing tribal TANF programs with Native Family Assistance grants will maximize federal block grant funds available to tribes, and will promote effective welfare-to-work service delivery models for rural Alaska. The Alaska Legislature should pass the Governor's proposed legislation that will make the NFAP program permanent.

Expand availability of Native Family Assistance grants to all tribal groups authorized in federal law to operate tribal TANF programs.

Three additional Native non-profits not currently authorized to receive Native Family Assistance Grants are actively planning tribal TANF programs as authorized in federal law. At least one additional non-profit has expressed interest revealing a strong trend toward development of tribal TANF programs in Alaska. Expansion of the availability of Native Family Assistance grants will ensure that all tribal organizations federally authorized to deliver tribal TANF programs will have the opportunity to access the necessary state resources and provide effective and innovative public assistance programs to their members.

Alaska Native Family Assistance Program Pilot Projects

Introduction

The 21st Alaska Legislature passed Chapter 96, SLA 2000 authorizing the Alaska Department of Health and Social Services (DHSS) to award and administer Alaska Native Family Assistance Program (NFAP) grants to Native non-profit organizations operating tribal Temporary Assistance for Needy Families (TANF) programs. The law provides that these grants are available on a pilot basis to four Alaska Native tribal entities: Metlakatla Indian Community of the Annette Island Reserve, the Association of Village Council Presidents, the Tanana Chiefs Conference, and the Tlingit-Haida Central Council. The law also requires DHSS to report to the Governor and the Legislature on the status of these pilot programs, and to make recommendations regarding the continuation of the NFAP program and expansion of the program to make grants available to all Alaska Native non-profit organizations authorized to receive federal funds to operate tribal TANF programs in Alaska. Chapter 96, SLA 2000 will sunset on June 30, 2005.

This report will provide background on the authorization and funding of tribal TANF programs, present information on the status of tribal TANF programs operating in Alaska, and make recommendations as to the continuation and expansion of the NFAP grant program.

Background

The passage of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), commonly known as "welfare reform," changed the face of welfare in America. After years of growing caseloads, the new law ended the individual entitlement to welfare cash benefits and established a cap on federal funding in the form of a fixed block grant. In exchange for this new method of funding, states were allowed a great deal more flexibility in the administration of their programs. This devolution of authority to states was similarly extended to American Indian and Alaska Native organizations. For the first time in history, Native people were authorized by the federal government to run a major welfare program through their own tribal governments and organizations.

To be eligible to operate a tribal TANF program, a Native entity must complete a Tribal Family Assistance Plan and submit it for approval to the Secretary of the U.S. Department of Health and Human Services. The plan must outline the tribe's approach to providing welfare-related services, specify which entity or entities will be providing the services, define the population and service area, provide that duplicative services will not be provided by a state or other tribe, identify employment opportunities in the area and how the tribe will enhance those opportunities for TANF recipients, and apply certain fiscal accounting and auditing procedures.

As of FY 2002, 36 tribal TANF plans were approved to operate on behalf of 175 tribes serving over 8,400 families nationwide. A 2001 report published by the National Congress of American Indians estimates that a third of all American Indian and Alaska Native TANF recipients

received support through tribal TANF programs in 2001. Figure 1 shows the growth in tribal TANF programs since their inception in 1997.

Number of Federally Approved Tribal TANF Programs, FY 1997 - 2002

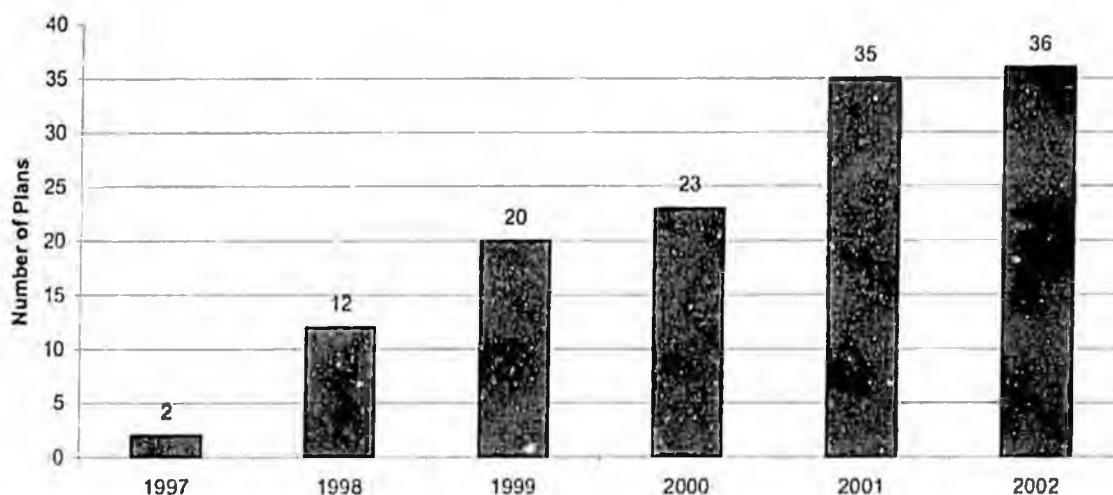


Figure 1

PRWORA also specifies which Native entities are eligible to operate Tribal TANF programs in Alaska. These are limited to the Metlakatla Indian Community of the Annette Island Reserve and the twelve Alaska Native regional non-profit corporations: Arctic Slope Native Association, Kawerak, Inc., Maniilaq Association, Association of Village Council Presidents, Inc., Tanana Chiefs Conference, Cook Inlet Tribal Council, Bristol Bay Native Association, Aleutian and Pribilof Islands Association, Chugachmiut, Tlingit and Haida Central Council, Kodiak Area Native Association, and Copper River Native Association. The law also contains a special rule for Alaska requiring certain aspects of tribal programs to be comparable to the state's TANF program. The federal Department of Health and Human Services in consultation with the tribes and the State of Alaska established these "comparability criteria" to include certain program eligibility criteria, benefit levels, minor parent requirements, work participation and child support enforcement. Chapter 96, SLA 2000, which established the Native Family Assistance Program, mirrors federal law by authorizing the state to coordinate with these Native organizations in the development of their Native family assistance programs.

Alaska currently has three tribal TANF programs serving nearly 20% of all TANF families in Alaska. From the outset, the State of Alaska has supported the establishment and development of the tribal TANF programs. Just as the devolution of authority from the federal government to the state has allowed for the success of welfare reform in Alaska, so has the authority granted to Native organizations provided a better framework for meeting the unique circumstances facing Alaska Native families on welfare. Programs run locally by Native organizations are more culturally relevant, better attuned to local economic circumstances, and better coordinated with other social services provided by Native organizations. Tribal TANF programs provide for an

added measure of Native self-governance and self-determination and ultimately, are better equipped to achieve the purposes of PRWORA.

Funding Tribal TANF: Federal Block Grant & Alaska Native Family Assistance Program

The federal funding provisions regarding tribal TANF programs are contained in Section 412 of PRWORA. The law establishes that the federal Department of Health and Human Services fund tribes who have submitted an approved tribal family assistance plan with a portion of the state's TANF block grant. The share of the state's block grant that is transferred to a tribal TANF program is based on the amount of federal funds spent by the state in 1994 for Native families residing in the service area identified by the tribe in their tribal family assistance plan.

While PRWORA is silent on the issue of state funding for tribal TANF programs, both the state Department of Health and Social Services and the TANF-authorized tribes concur that in order for tribal organizations to successfully operate state-comparable programs, they require both federal and state financial support. This agreement, along with interest of three Alaska tribal entities in providing TANF programs, provided the impetus for passage of Chapter 96, SLA 2000 and the development of the Native Family Assistance Program (NFAP) in Alaska.

The principle that guides the level of state funding provided to tribal TANF programs through NFAP grants is that the amount should be fair and equitable when compared to the level of state funding for the Alaska Temporary Assistance Program. To achieve this end, the state considers the total amount of federal and state money that would otherwise be used to provide Temporary Assistance to Native families living in the designated service area in a given base year. Five funding categories are included: cash benefits, childcare assistance, work services (case management, supportive services, transportation, client training, etc.), eligibility determination services and administration. From this total, the federal block grant and the state's share of child support collected on behalf of the tribal TANF families are deducted. The difference is issued as a Native family assistance grant. The state grant has been considered a block grant so that the Native program operates under the same fixed funding parameters as the state's TANF program.

NFAP grants are negotiated yearly with tribal TANF providers and funds are transferred on a quarterly basis. NFAP grants are expended solely on cash benefit payments, except for administrative costs not to exceed 15 percent of the total grant amount.

There are currently three Tribal TANF programs receiving Native Family Assistance Grants: the Tanana Chiefs Conference (TCC), the Tlingit and Haida Central Council (T&H), and the Association of Village Council Presidents (AVCP).

Table 1 shows the amounts granted between FY 1999 and FY 2004.

Native Family Assistance Grants, FY 1999 - 2004

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	Total
Tanana Chiefs	\$2,405,200	\$2,405,200	\$2,405,200	\$2,405,200	\$2,405,200	\$2,405,200	\$14,431,200
Tlingit & Haida			\$2,575,500	\$2,575,500	\$2,575,500	\$2,575,500	\$10,302,000
Assoc. of Village Council Presidents			\$3,740,400	\$3,740,400	\$3,740,400	\$3,740,400	\$24,733,200
TOTAL	\$2,405,200	\$2,405,200	\$8,721,100	\$8,721,100	\$8,721,100	\$8,721,100	\$39,694,800

Table 1

Native Family Assistance Program Grant Oversight

Tribal providers who receive NFAP grants enter into a contractual agreement with the State of Alaska to provide timely and accurate cash assistance, eligibility services, case management and other welfare-to-work services, supportive services, child care assistance and administrative support to all eligible families living within their service area. The contract requires tribal providers to report monthly to DPA describing the amount of grant funds expended for TANF program benefits. Contract provisions also include an agreement between tribal providers and the state to share information, work cooperatively and coordinate services to eligible families.

The NFAP contract requires that tribes establish an eligibility and data management computer system that will capture and provide information needed for an interface between the Division of Public Assistance Eligibility Information System (EIS), the Child Support Services Division (CSSD) and the tribal program. The tribal program must agree to cooperate with CSSD to establish paternity and to establish, modify, or enforce a child support order for a dependent child.

The NFAP contract allows DPA to monitor and evaluate the tribal TANF program to assure that grant money is being used to serve eligible families. Such oversight items may include:

- Accurate eligibility and benefit determinations;
- Penalties, sanctions, and disqualification;
- Benefits issuance;
- Maximum payment levels;
- Minor Parent living arrangement and school attendance requirements;
- Child support cooperation;
- Coordination with other public assistance programs such as Medicaid, Food Stamps, Adult Public Assistance, Chronic and Acute Medical Assistance, and General Relief Assistance;
- Adequate case file documentation;
- Adequate and timely notice of adverse actions;
- Tracking 60-month time limit and appropriate exemptions; and
- Fair Hearing and Appeal process.

Should the tribal TANF provider fail to comply with the terms of the NFAP grant, DPA has the authority to suspend the grant until the provider takes corrective action or successfully appeals the suspension. To date, no tribal provider has been found to be out of compliance with the terms of their NFAP grant.

Development of Tribal TANF Programs in Alaska

The decision to assume responsibility for a tribal TANF program is a significant and complex decision for tribal organizations. Operating TANF presents important opportunities, but can also pose risks that may result in harm to the most vulnerable tribal members. To mitigate these risks and to build consensus among members, tribal TANF providers in Alaska undertook a rigorous decision-making and planning process.



The first step in planning for tribal TANF involved consensus building among tribal members. Tribal providers conducted regional, local and village meetings and teleconferences to discuss state and federal welfare reform legislation and its implications for Tribal TANF programs. Region-wide surveys of tribal preferences in program design were conducted and draft concept papers based on consensus elements of the survey were developed and circulated for discussion.

The thirteen Alaska tribes federally authorized to operate TANF programs worked cooperatively with the State of Alaska to reach agreement on the outline for a draft Tribal Family Assistance Plan (TFAP). A group known as the "Single Point of Contact" state and tribal representatives, or SPOC group, met regularly with a Native rights attorney hired by the tribes to come to consensus on such issues as the definition of a tribal service area, who would be served by a tribal TANF program, and the of comparability of state and tribal TANF programs. The SPOC group developed a model TFAP that became the template for Tribal TANF plans in Alaska.

Each tribal provider developed a draft TFAP that was reviewed by villages and communities in the service area. Final drafts of the plans were reviewed and approved by the Board of Directors of each Tribal entity and submitted to the Federal Department of Health and Human Services. Federal staff reviewed each tribe's plan and provided feedback as part of the approval process.

The experiences of Alaska's tribal TANF providers indicate that developing a sound TFAP requires more than meeting statutory requirements and following DIHS rules. The tribes have to define their own objectives and rules, negotiate terms with the state, and assemble resources for planning and start-up. Tribes decide to operate their own TANF program primarily because they believe they provide a better service to their members and achieve better employment outcomes by coordinating with Native employment programs. The TFAP is an opportunity to articulate the mission and goals of the tribal TANF program and to design the program

accordingly, including defining expectations for participation, acceptable work activities and sanction policies.

All three tribal TANF providers worked with the state in developing their TFAPs, and also received federal guidance. State staff provided information and guidance about staffing levels, policy and procedures and information systems needed to operate their programs. The state provided training and technical assistance including the collocation of state staff at tribal program facilities to assist in ongoing training and support.

While the state provided valuable technical assistance to help tribes develop their TANF plans, PRWORA does not provide any start-up funds to support planning or information system development prior to the approval of a tribal plan by DHHHS and the subsequent grant award. In-kind support such as useful information, data and insights were garnered from staff working in related federally funded programs such as Native Employment Works (NEW) and the Workforce Investment Act (WIA). This lack of federal start-up, technical assistance and planning funds is a concern of states and has been noted as a deficiency in federal law that must be addressed.

Although the tribal providers in Alaska encountered challenges, they developed transition strategies and implemented tribal TANF operations that enabled start-up and continued service delivery. Important elements of these strategies included gradual transitions to tribal program operation, continuation of state involvement in program operations for an interim period, maintenance of good working relationships with the state TANF agency and adjustment of policies and procedures as needed.

Structure and Philosophy of Tribal TANF Programs in Alaska

Federal law provides tribes the flexibility to design and implement their TANF programs in a manner that addresses the unique needs and circumstances of their members. They can define such elements as the program service area, service population (e.g., all Native families in the service area or only enrolled members of the tribe), time limits, benefits and services, the definition of "family," eligibility criteria, and work activities. Tribes have the ability to establish, through negotiation with the federal Department of Health and Human Services, their own program work participation rate targets and required work hours. Tribes must provide the rationale for proposed work requirements, including how they are consistent with the purposes of TANF and with the economic conditions and resources available to the tribe.

The tribal TANF programs also recognize the role of traditional tribal activities in the lives of their members and have incorporated them into their program structure. They accept traditional activities such as subsistence fishing, hunting, and gathering as well as traditional crafts as legitimate work participation. Because many TANF participants have little experience with work in a cash economy, these traditional activities can be critical to the growth of a sense of responsibility and to the development of employment skills.

The location and accessibility of tribal TANF programs help overcome employment barriers in rural Alaska. Often state TANF offices and resources are not available to village residents living far off the road system. Tribal TANF programs have developed program offices in towns and

villages throughout rural Alaska bringing critical TANF services to families in their own communities. Tribal TANF programs have also been successful in coordinating the various human service programs they offer such as employment, workforce development, training and social services. This holistic approach results in efficient services that promote the health and self-sufficiency of the entire family.

Tribes administering TANF programs have the option to administer their programs utilizing Public Law 102-477, which authorizes the integration of various employment, training, and related services provided by tribal governments under a Bureau of Indian Affairs approved 477 plan. Currently, 11 of the 36 Tribal TANF programs are administered under this program including the three programs in Alaska. The tribes that utilize this option do so to integrate and consolidate their TANF programs with other related and complementary support programs. This allows tribes to simplify their budgeting, operating, and reporting systems, while maximizing their resources and service delivery capabilities. Financial reporting relating to the TANF program has been integrated to the maximum extent possible, while still meeting the minimum statutory requirement for ensuring proper expenditure of TANF funds. Performance reporting must of necessity be maintained separately in order to meet minimum statutory and regulatory reporting requirements.

Tribal TANF providers may also develop their own strategies for achieving the program goal of family self-sufficiency. The tribal TANF programs, like the state's Alaska Temporary Assistance Program (ATAP), have adopted a philosophy that emphasizes work as a means of independence from public assistance. Along with a cash benefit, each program offers services that promote rapid employment, self-sufficiency, and family stability. Tribes have adopted strategies designed to prepare TANF participants for employment including adult education, job skill training, and work experience, and to eliminate barriers to employment by addressing such problems as lack of quality and affordable childcare, domestic violence, health and mental health difficulties, and untreated alcohol or substance abuse.

Status of Tribal TANF Programs in Alaska

Currently, tribal TANF programs in Alaska are serving a total of 970 families. Approximately forty percent of families have one child and 30 percent have two children.

Consistent with the goal of self-sufficiency, tribal TANF programs strongly support moving tribal members from welfare to work with an average of 40 percent of adults engaged in work or work participation activities. Since the first Alaska tribal TANF program began operation in 1999, the number of Alaska Native tribal TANF recipients has dropped by over 33 percent.

While tribal TANF results are below the state caseload reduction of 52 percent, this is a positive result when considering the challenge of securing employment in rural areas served by the state's tribal TANF programs. Figure 2 compares caseload reduction in the Alaska Temporary Assistance program with that of the three tribal TANF programs.

Comparison of Temporary Assistance, TCC, T&H, and AVCP Native TANF Cases

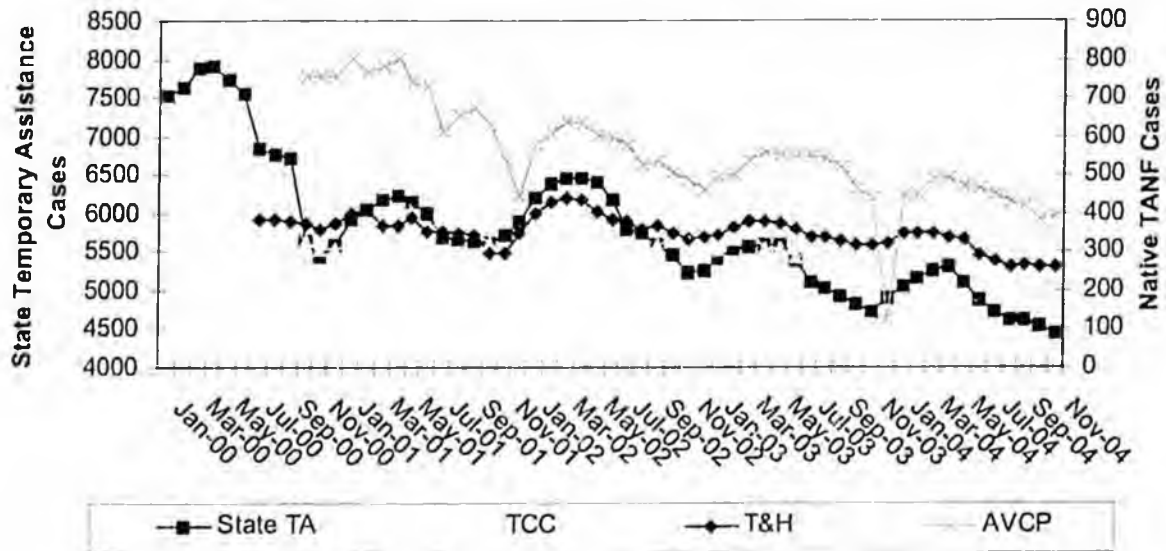


Figure 2

Tanana Chiefs "Athabaskan Self-Sufficiency Assistance Partnership Program" (ASAP)

The service area for the ASAP program includes Fairbanks and 42 villages in Doyon Region of interior Alaska. This program serves all families in which the head of the household is Alaska Native or American Indian. The program began operation in October 1998, and in FY 2004 served an average of 315 families per month.

The ASAP program 2003 funding includes \$5,312.1 in federal funding and \$2,405.2 in state funding through the NFAP grant program. During FY 2003 the ASAP program provided services to approximately 1,618 clients including 289 families receiving childcare assistance for 468 children. The program authorized approximately \$1.8 million in cash benefits to eligible recipients and over \$253,000 in direct client or supportive services.

The goal of the ASAP program is to strengthen individuals, their families and their communities by increasing their capacities to support each other through meaningful work and employment, and to develop local resources and jobs to decrease dependency on cash assistance programs. The program is based on four guiding principals: every family has basic needs, which must be met; every family has something to offer their community; it takes a lot of work to meet the needs of a family and a community; and in every community, everyone should support themselves and each other by the work that they do.

Services provided by the ASAP program include case management, on-the-job training, short term job training, counseling and skill building, help with child care expenses, referrals for paid employment, referrals for community work services, structured job search to teach specific job search skills, transitional services including child care assistance and post-employment services, GED or high school instruction, vocational training, and higher education. Additional services

offered to families include financial literacy training, mentorship from members of the local community and linkages to therapeutic treatment options.



An innovative feature of the ASAP program is a one-stop service center in each of the village council offices. This model of service coordination promotes a holistic focus on family needs and allows TCC to deliver a variety of services efficiently and effectively. Prior to the transition to the one-stop service centers, there was a zero percent overall work participation rate for village-based TANF recipients. Now, the ASAP program has met its work participation requirements, put families into work, offered

opportunities for training and matched parents with specialized resources.

The ASAP program has also promoted financial self-sufficiency with the Earned Income Tax Credit (EITC) Program. The program helped 774 recipients apply for the EITC on their tax returns, with approximately \$570,000 realized in tax refunds. During the next fiscal year ASAP will offer EITC preparation seminars through a contract with Alaska Business Development Center and in conjunction with the University of Alaska. This program will assist working TANF recipients as well as those who have left ASAP to participate in the EITC program to augment their household income.

Community collaborations enhance services provided to recipients. In 2003 the ASAP program partnered with the State of Alaska Department of Labor and Workforce Development to present the Fairbanks Job Fair. Eighty-six employers and over 2,400 individuals participated making this the largest job fair ever in Alaska. Through a partnership with the TCC Tribal College, staff at the ASAP program began the training to become Certified Career Development Facilitators (CDF). CDF's are qualified to work in Career Resource Centers, Welfare to Work programs, as well as a variety of workforce development settings.

Faith-based partnerships are also a feature of ASAP. Love In the Name of Christ (Love, INC) provides "Hope Seminars" focusing on a range of skills including cooking on a tight budget, time and credit management, marriage and family communication, and purchasing and caring for a car. Successful completion of the two-day seminar enables an individual to be eligible for the Love, INC vehicle donation program. Through a partnership with TCC Old Minto Recovery and St. Mathews Church, the ASAP program offers "Strengthening the Families." This eight-week course is designed to strengthen family communication, encourage prevention of substance abuse for the youth, and assist high-risk families with essential skills for rebuilding a healthy family life.

The ASAP program has been successful in reducing the program caseload and putting people to work. During FY 2003, 265 clients were placed in unsubsidized employment. Between FY 2002 and FY 2003, the TCC caseload dropped by 5 percent. Since the time TCC began their

TANF program, their caseload has dropped approximately 16 percent. Figure 3 shows the changes in caseload since the program began.

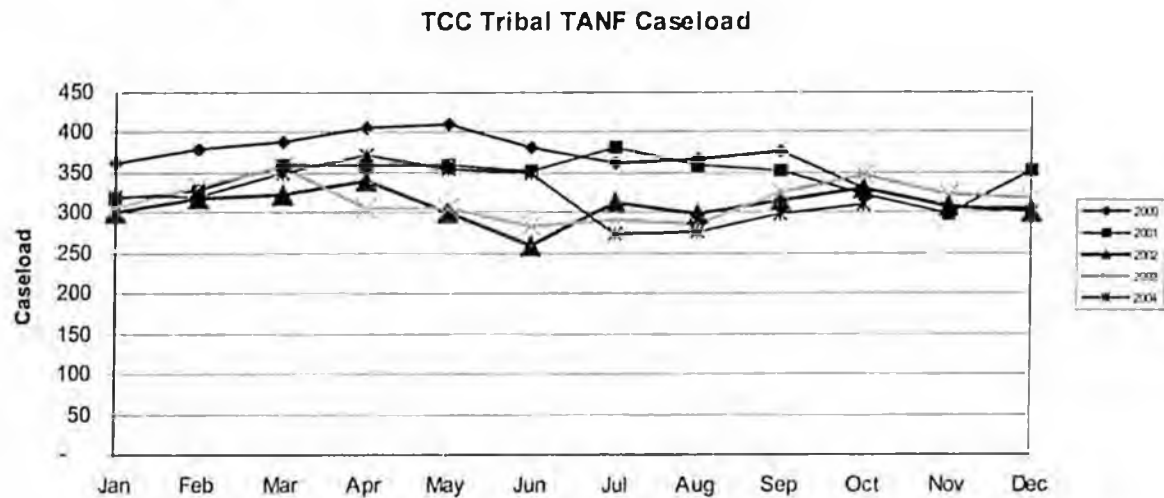


Figure 3

Central Council of Tlingit and Haida TANF Program

The T&H program serves Southeast Alaska, with eligibility restricted to households where at least one member is Alaska Native and enrolled or eligible for membership in a federally recognized tribe in the service area. These tribes include Angoon, Klukwan, Haines, Craig, Douglas, Hoonah, Hydaburg, Kake, Kasaan, Ketchikan, Klawock, Pelican, Petersburg, Saxman, Skagway, Tenakee, Wrangell, Sitka, Yakutat, and Juneau. The program began operation in July 2000. In FY 2003, the T&H program served an average of 315 families per month.

The 2003 T&H TANF program funding includes \$ 2,367,150 million in federal funding and \$2,575,500 in state funding through the Native Family Assistance Grant program. During FY 2003 the T&H TANF program provided services to approximately 350 clients including 208 families receiving childcare assistance for 624 children. The program authorized approximately \$2,642,315 million in cash benefits to eligible recipients and over \$801,000 in direct client or supportive services.

The overriding goal of the T&H tribal TANF program is to assist families to become self-sufficient. The program emphasizes work as a means to self-sufficiency with the expectation that both parents of children needing assistance must work to the extent of their ability. Program participants are encouraged to complete at least a high school education (or its equivalent), so that they can enjoy greater opportunities to obtain work that will produce sufficient income to support their families and contribute to their community. The program aims to discourage unwed pregnancies and works with all sectors of the community to discourage out-of-wedlock pregnancies, especially among teens, and encourages family stability by requiring teen parents to remain in their parents' or another responsible adult's home.

Services provided by the T&H TANF program include case management, adult basic education, employment assessment, adult vocational training and higher education, work experience and on-the-job training, job search skills and post-employment services. A variety of supportive services are offered to families who are actively participating in seeking employment, in school or in training including childcare, transportation, work clothing, tools for work, food and shelter assistance and linkages to therapeutic treatment options.

Service coordination is a key feature of the T&H TANF program. In 1994, T&H was the first Native American agency to utilize PL 102-477 to integrate a variety of services under their Employment and Training Division. Internally, the T&H TANF program coordinates with its Division of Employment and Training to utilize the services of Tribal Vocational Rehabilitation, childcare, Adult Vocational Training, Tribal Employment Rights and the Youth Opportunity Program.

Additional internal coordination includes Central Council Tribal Family and Youth Services, Headstart, and Tribal enrollment services for medical and mental health services. State agency partners in the delivery of services to TANF recipients include the Division of Public Assistance, the Department of Labor and Workforce Development, Child Support Services, the Division of Vocational Rehabilitation and the Office of Children's Service. Community partnerships with the Southeast Regional Resource Center, Catholic Community Services, St. Vincent DePaul, and women's shelters such as Aiding Women and Rape Emergencies (AWARE) help to address the needs of families with barriers to work.

The T&H TANF program has been successful in reducing the program caseload and putting people to work. During FY 2003, 270 clients were placed in unsubsidized employment. Between FY 2002 and FY 2003, the T&H caseload dropped by 5 percent. Since the time T&H began their TANF program, their caseload has dropped approximately 7 percent. Figure 2 below shows the changes in caseload since the program began

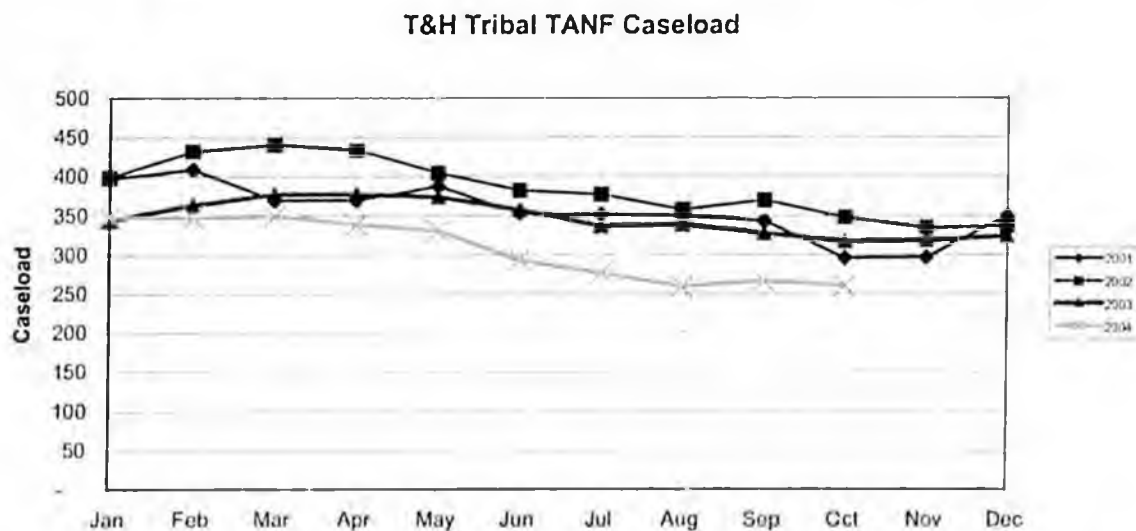


Figure 2

Association of Village Council Presidents TANF Program

The AVCP program serves Bethel and the 56 federally recognized tribes surrounding the Yukon-Kuskokwim Delta. In order to provide state public assistance in a uniform and cost effective manner, this program is designated as a "regional public assistance program," as it serves all Alaska Native families as well as non-Native families in the service area. This program began operation in October 2000. In FY 2003, the AVCP program served an average of 510 families per month.

The 2003 AVCP TANF program funding included \$5,420.8 in federal funding and \$3,740,400 in state funding through the Native Family Assistance Grant program. During FY 2003 the ASAP program provided services to approximately 550 clients including 18 families receiving childcare assistance for 36 children. The program authorized approximately \$3.4 million in cash benefits to eligible recipients.

The overriding goal of AVCP TANF is to assist families to become self-sufficient through employment. The program provides comprehensive services that meet the basic needs of families throughout the region while improving communities and strengthening individuals. Work and supportive services are offered internally or through referrals to community agencies.

The AVCP TANF program coordinates internally with other AVCP services and programs, in particular the Education, Employment, Training and Childcare Division (EET&CC). Services include adult vocational training, employment services, and Head Start. EET&CC services promote economic and social development of tribal members in order to reduce joblessness and to more fully develop the academic, occupational and literacy skills that make individuals more competitive in the workforce. State agency partners in the delivery of services to TANF recipients include the Division of Public Assistance, the Department of Labor and Workforce Development and Child Support Services in the Department of Revenue.

The AVCP TANF program has been successful in reducing the program caseload and putting people to work. Between FY 2002 and FY 2003, the T&H caseload dropped by 10 percent. Since the time AVCP began their TANF program, their caseload has dropped approximately 40 percent. Figure 5 below shows the changes in caseload since the program began.

AVCP Tribal TANF Caseload

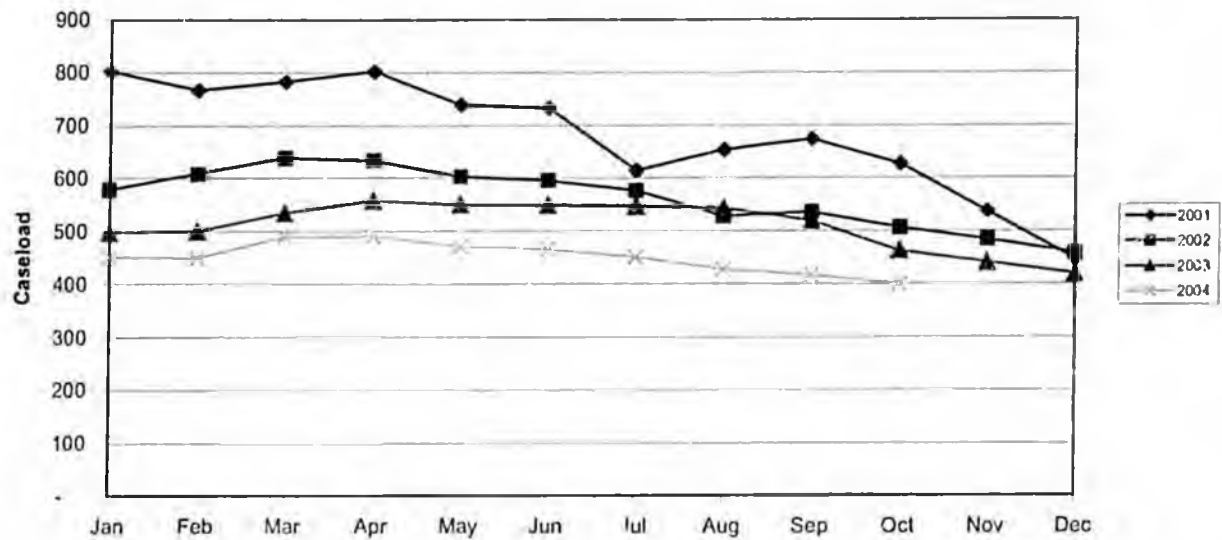


Figure 5

Obstacles and Lessons Learned

A common difficulty for tribes in Alaska was the development, operation and maintenance of computer information systems to support TANF operations. A TANF information system must support enrollment of program participants and help tribes track and report services provided and participant activities. Information systems are also crucial to the exchange of data with TANF partners such as the Alaska Child Support Services Division.

Unlike states, tribes did not receive funding to develop their own TANF information systems. In response, the state provided seed money to tribes to purchase a computer software product designed specifically for tribal TANF programs. The tribes are using this product with varying level of success and continue to struggle with the need to provide accurate data to state and federal agencies.

Because of the limitations of their own computer systems capacity, there is growing interest among tribal TANF providers in contracting with the state for use of the Eligibility Information System (EIS) used to administer programs in the Division of Public Assistance. Cook Inlet Tribal Council, scheduled to begin providing tribal TANF in July 2005, has made the decision to use EIS for at least two years while developing their own system. Two of the three groups currently providing tribal TANF have also expressed interest in converting to EIS. Using the EIS system may yield significant savings and efficiencies, particularly with respect to data transfers between agencies. The state will continue to support usage of EIS for tribal TANF programs in Alaska.

Trends in Tribal TANF

Interest in the development of Tribal TANF programs is on the increase. As of the current date, three additional groups have formally initiated planning for tribal TANF programs.

Cook Inlet Tribal Council. Cook Inlet Tribal Council, Inc. (CITC) provides social, educational and employment services to Alaska Natives and Native Americans living in the Cook Inlet region. Established in 1983 by Cook Inlet Region, Inc. (CIRI) as a nonprofit social service agency, CITC administers over forty culturally appropriate programs designed to assist individuals and families to achieve self-sufficiency. Annually these programs serve an average of 13,000 Alaska Natives and Native Americans.

Over the last 20 years, Cook Inlet Tribal Council has grown from a staff of fifteen employees and total revenue of \$91,863 to a large and complex Native corporation, with over 245 employees and an annual operating budget in excess of \$31 million in the Year 2003. CITC's continuum of services runs through five departments: Substance Abuse Services, Youth Development services, Educational Services Systems, Employment and Training Services, and Family Services.

CITC is preparing to add TANF to their comprehensive array of family services. With a planned start date of July 2005, the CITC Tribal TANF program will serve approximately 700 families in the Anchorage area.

Bristol Bay Native Association. The Bristol Bay Native Association (BBNA) is an alliance of 30 Tribal Councils from villages in the Bristol Bay area of southwest Alaska. A non-profit service agency, BBNA provides educational, social and workforce development services to families and individuals as well as economic development opportunities for the region. BBNA is in the early planning phase of their TANF program with a scheduled start date of October 2005. The proposed program will serve approximately 125 families in the Bristol Bay region.

Maniilaq. Additionally, the Maniilaq Association has recently begun formal planning for a TANF program to serve Northwest Alaska. Maniilaq is the non-profit Native Consortium located in the hub village of Kotzebue, providing tribal, health and social services to native and non-native residents of the Northwest Arctic Borough and Pt. Hope. The proposed program will serve approximately 145 families.

Recommendations

Reauthorize the Native Family Assistance Program.

Across the nation, federal welfare reform has been successful in moving families from welfare to work. One of the main reasons for this success has been the fact that the federal welfare reform law afforded the states the flexibility to design and run their own unique TANF programs. In the same light, the federal law allows Alaska Native tribes to run their own programs designed by their members, locally controlled, and culturally relevant. Tribes have a better grasp of social and economic conditions that inform their work and allow them to tailor services based on the

unique needs of local communities. This local presence and familiarity with village and community life puts the tribes in the best position to administer their programs and to successfully promote self-sufficiency for their clients.

The Native Family Assistance Grant program affirms the state's interest in promoting regional responsibility and local control for public assistance programs in Alaska. The three tribal programs currently operating have successfully administered TANF programs that reflect the unique needs and conditions in local communities and have been proven effective in moving tribal members towards self-sufficiency through employment. The single regional public assistance program operating in the Yukon-Kuskokwim area of Alaska that serves both Native and non-Native families in the region has been shown to be administratively efficient and cost effective. Reauthorization of the Native Family Assistance program will ensure that tribal groups currently delivering TANF services will continue to provide comparable and culturally relevant services in their own villages and communities, and may also improve the delivery of the Temporary Assistance program in rural areas.

Both state and tribal officials agree that federal funds alone are insufficient for the successful operation of a tribal TANF program that is comparable to the state run program. Supplementing tribal TANF programs with Native Family Assistance grants will maximize federal block grant funds available to tribes, and will promote effective welfare-to-work service delivery models for rural Alaska. The Alaska Legislature should pass the Governor's proposed legislation that will make the NFAP program permanent.

Expand availability of Native Family Assistance grants to all tribal groups authorized in federal law to operate tribal TANF programs.

Two additional Native non-profits not currently authorized to receive Native Family Assistance Grants are actively planning tribal TANF programs as they are authorized to do in federal law. At least one additional non-profit has expressed interest revealing a strong trend toward development of tribal TANF programs in Alaska. Expansion of the availability of Native Family Assistance grants will ensure that all tribal organizations federally authorized to deliver tribal TANF programs will have the opportunity to access the necessary state resources and provide effective and innovative public assistance programs to their members.

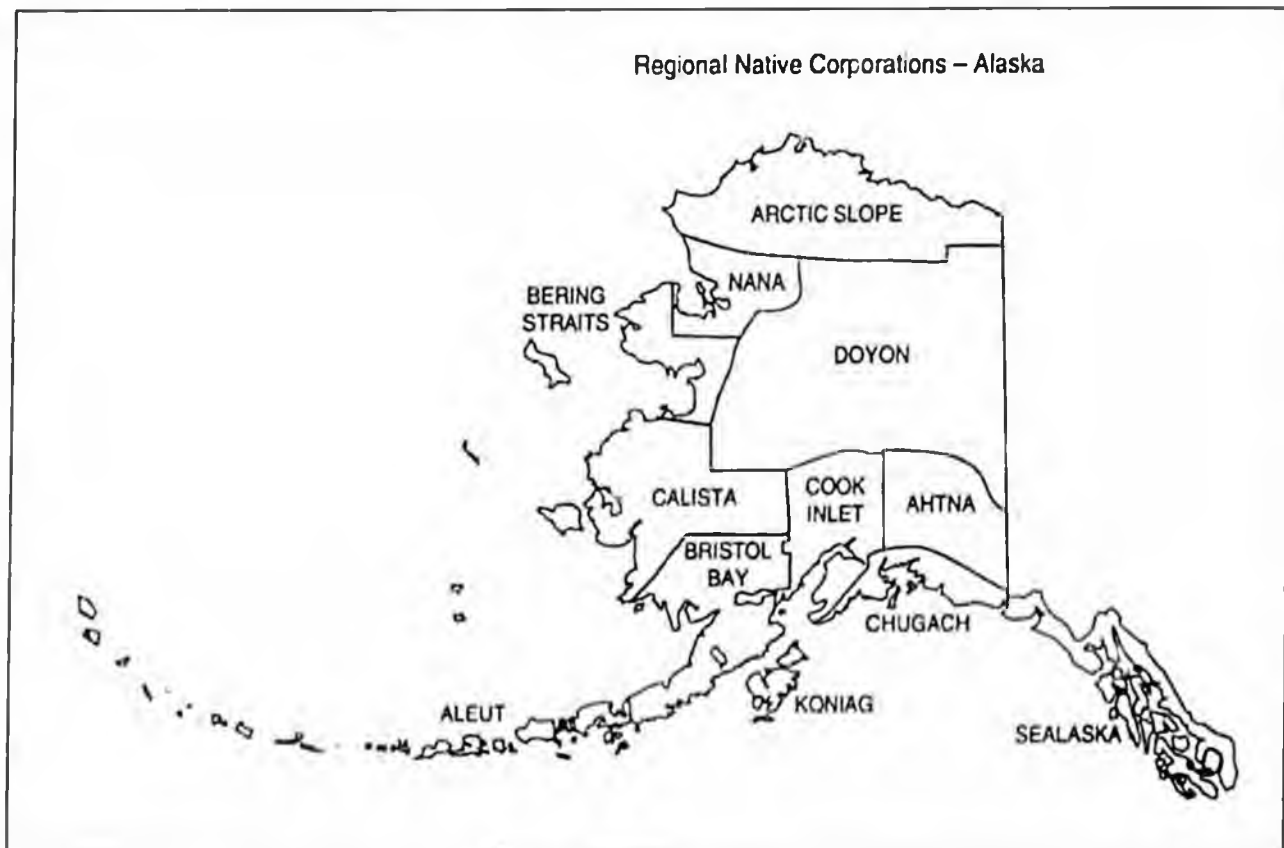
Appendix A

**Table and Map: Regional Native Corporations and their
Non-Profit Organizations**

Regional Native Corporations and their Non-Profit Organizations

Alaska Native Regional Corporations	Regional Non-Profit Organization
Arctic Slope Regional Corporation	Arctic Slope Native Association
Bering Straits Native Corporation	Kawerak, Inc.
Nana	Maniilaq Association
Calista Corporation	Association of Village Council Presidents, Inc
Doyon, Limited	Tanana Chiefs Conference
Cook Inlet Region, Inc.	Cook Inlet Tribal Council
Bristol Bay Native Corporation	Bristol Bay Native Association
Aleut Corporation	Aleutian and Pribilof Islands Association
Chugach Alaska Corporation	Chugachmiut
Sealaska Corporation	Tlingit and Haida Central Council
Koniag, Inc.	Kodiak Area Native Association
Ahtna, Inc.	Copper River Native Association
Metlakatla Indian Community of the Annette Island Reserve *	

* The only Indian Reservation in Alaska



Appendix B

**Selected Sections from PL 104-193, the Personal Responsibility and Work
Opportunities Reconciliation Act (PRWORA)**

Section 412. Direct Funding and Administration by Indian Tribes
Section 419. Definitions

SEC. 412. DIRECT FUNDING AND ADMINISTRATION BY INDIAN TRIBES.

***(a) GRANTS FOR INDIAN TRIBES-**

***(1) TRIBAL FAMILY ASSISTANCE GRANT-**

***(A) IN GENERAL-** For each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002, the Secretary shall pay to each Indian tribe that has an approved tribal family assistance plan a tribal family assistance grant for the fiscal year in an amount equal to the amount determined under subparagraph (B), and shall reduce the grant payable under section 403(a)(1) to any State in which lies the service area or areas of the Indian tribe by that portion of the amount so determined that is attributable to expenditures by the State.

***(B) AMOUNT DETERMINED-**

***(i) IN GENERAL-** The amount determined under this subparagraph is an amount equal to the total amount of the Federal payments to a State or States under section 403 (as in effect during such fiscal year) for fiscal year 1994 attributable to expenditures (other than child care expenditures) by the State or States under parts A and F (as so in effect) for fiscal year 1994 for Indian families residing in the service area or areas identified by the Indian tribe pursuant to subsection (b)(1)(C) of this section.

***(ii) USE OF STATE SUBMITTED DATA-**

***(I) IN GENERAL-** The Secretary shall use State submitted data to make each determination under clause (i).

***(II) DISAGREEMENT WITH DETERMINATION-** If an Indian tribe or tribal organization disagrees with State submitted data described under subclause (I), the Indian tribe or tribal organization may submit to the Secretary such additional information as may be relevant to making the determination under clause (i) and the Secretary may consider such information before making such determination.

***(2) GRANTS FOR INDIAN TRIBES THAT RECEIVED JOBS FUNDS-**

***(A) IN GENERAL-** The Secretary shall pay to each eligible Indian tribe for each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002 a grant in an amount equal to the amount received by the Indian tribe in fiscal year 1994 under section 482(i) (as in effect during fiscal year 1994).

***(B) ELIGIBLE INDIAN TRIBE-** For purposes of subparagraph (A), the term 'eligible Indian tribe' means an Indian tribe or Alaska Native organization that conducted a job opportunities and basic skills training program in fiscal year 1995 under section 482(i) (as in effect during fiscal year 1995).

***(C) USE OF GRANT-** Each Indian tribe to which a grant is made under this paragraph shall use the grant for the purpose of operating a program to make work activities available to members of the Indian tribe.

***(D) APPROPRIATION-** Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated \$7,638,474 for

each fiscal year specified in subparagraph (A) for grants under subparagraph (A).

(b) 3-YEAR TRIBAL FAMILY ASSISTANCE PLAN-

(1) IN GENERAL- Any Indian tribe that desires to receive a tribal family assistance grant shall submit to the Secretary a 3-year tribal family assistance plan that--

(A) outlines the Indian tribe's approach to providing welfare-related services for the 3-year period, consistent with this section;

(B) specifies whether the welfare-related services provided under the plan will be provided by the Indian tribe or through agreements, contracts, or compacts with intertribal consortia, States, or other entities;

(C) identifies the population and service area or areas to be served by such plan;

(D) provides that a family receiving assistance under the plan may not receive duplicative assistance from other State or tribal programs funded under this part;

(E) identifies the employment opportunities in or near the service area or areas of the Indian tribe and the manner in which the Indian tribe will cooperate and participate in enhancing such opportunities for recipients of assistance under the plan consistent with any applicable State standards; and

(F) applies the fiscal accountability provisions of section 5(f)(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e(f)(1)), relating to the submission of a single-agency audit report required by chapter 75 of title 31, United States Code.

(2) APPROVAL- The Secretary shall approve each tribal family assistance plan submitted in accordance with paragraph (1).

(3) CONSORTIUM OF TRIBES- Nothing in this section shall preclude the development and submission of a single tribal family assistance plan by the participating Indian tribes of an intertribal consortium.

(c) MINIMUM WORK PARTICIPATION REQUIREMENTS AND TIME LIMITS- The Secretary, with the participation of Indian tribes, shall establish for each Indian tribe receiving a grant under this section minimum work participation requirements, appropriate time limits for receipt of welfare-related services under the grant, and penalties against individuals--

(1) consistent with the purposes of this section;

(2) consistent with the economic conditions and resources available to each tribe; and

(3) similar to comparable provisions in section 407(e).

(d) EMERGENCY ASSISTANCE- Nothing in this section shall preclude an Indian tribe from seeking emergency assistance from any Federal loan program or emergency fund.

(e) ACCOUNTABILITY- Nothing in this section shall be construed to limit the ability of the Secretary to maintain program funding accountability consistent with--

(1) generally accepted accounting principles; and

(2) the requirements of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

'(f) PENALTIES-

'(1) Subsections (a)(1), (a)(6), and (b) of section 409, shall apply to an Indian tribe with an approved tribal assistance plan in the same manner as such subsections apply to a State.

'(2) Section 409(a)(3) shall apply to an Indian tribe with an approved tribal assistance plan by substituting 'meet minimum work participation requirements established under section 412(c)' for 'comply with section 407(a)'.

'(g) DATA COLLECTION AND REPORTING- Section 411 shall apply to an Indian tribe with an approved tribal family assistance plan.

'(h) SPECIAL RULE FOR INDIAN TRIBES IN ALASKA-

'(1) IN GENERAL- Notwithstanding any other provision of this section, and except as provided in paragraph (2), an Indian tribe in the State of Alaska that receives a tribal family assistance grant under this section shall use the grant to operate a program in accordance with requirements comparable to the requirements applicable to the program of the State of Alaska funded under this part. Comparability of programs shall be established on the basis of program criteria developed by the Secretary in consultation with the State of Alaska and such Indian tribes.

'(2) WAIVER- An Indian tribe described in paragraph (1) may apply to the appropriate State authority to receive a waiver of the requirement of paragraph (1).

SEC. 419. DEFINITIONS.

As used in this part:

- '(1) ADULT- The term 'adult' means an individual who is not a minor child.
- '(2) MINOR CHILD- The term 'minor child' means an individual who--
 - '(A) has not attained 18 years of age; or
 - '(B) has not attained 19 years of age and is a full-time student in a secondary school (or on the equivalent level of vocational or technical training).
- '(3) FISCAL YEAR- The term 'fiscal year' means any 12-month period ending on September 30 of a calendar year.
- '(4) INDIAN, INDIAN TRIBE, AND TRIBAL ORGANIZATION-
 - '(A) IN GENERAL- Except as provided in subparagraph (B), the terms 'Indian', 'Indian tribe' and 'tribal organization' have the meaning given such terms by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).
 - '(B) SPECIAL RULE FOR INDIAN TRIBES IN ALASKA- The term 'Indian tribe' means, with respect to the State of Alaska, only the Metlakatla Indian Community of the Annette Islands Reserve and the following Alaska Native regional nonprofit corporations:
 - '(i) Arctic Slope Native Association.
 - '(ii) Kawerak, Inc.
 - '(iii) Maniilaq Association.
 - '(iv) Association of Village Council Presidents.
 - '(v) Tanana Chiefs Conference.
 - '(vi) Cook Inlet Tribal Council.
 - '(vii) Bristol Bay Native Association.
 - '(viii) Aleutian and Pribilof Island Association.
 - '(ix) Chugachmuit.
 - '(x) Tlingit Haida Central Council.
 - '(xi) Kodiak Area Native Association.
 - '(xii) Copper River Native Association.
- '(5) STATE- Except as otherwise specifically provided, the term 'State' means the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, and American Samoa.



COOK INLET
TRIBAL
COUNCIL, INC.

COOK INLET TRIBAL COUNCIL, INC

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

FACT SHEET

- CITC has been providing TANF (Welfare to Work) case management services as a vendor for the State since 1997 (8 years). During this tenure CITC has been a key player in the successful decline of State TANF roles.
- 1994 TANF caseload for Anchorage was 1,123; it is currently 692 (as of 11/2004). During this period, Anchorage experienced an increase in Native population from 12,000 (1990 US Census) to approx. 46,000 (2000 US Census); yet the TANF participant role decreased by 62%.
- Supports the Governor's mandate of local control and downsizing of State government
- Makes the delivery of Tribal Temporary Assistance to Needy Families service delivery uniform throughout the State, as the majority of Alaska Native and American Indians in Alaska are currently being provided TANF services at other Native regional tribal social services agencies including Tanana Chiefs, Central Council of Tlingit and Haida Indian Tribes and the Association of Village Council Presidents.
- CITC is a fully integrated one-stop employment, social service, and substance abuse treatment agency.
- Data and financial reporting & tracking will be a non-issue for CITC. CITC will be using the State of Alaska, DHSS Eligibility Management System interfaced with our own sophisticated information technology (IT) & accounting infrastructure.
- CITC currently provides IT services for 5 non-profit agencies in 25 locations (413 end users) and accounting services for 39 non-profits, consistently having no financial single audit findings.

Gloria O'Neill, CEO and President
Contact Person: Molly Merritt-Duren, MS Ed.

merritt.duren@citicouncil.com

(907) 265-5915

Did you know?

CITC case managers see over 1,000 clients each year.

ETSD receives over 100 phone calls per day.

The Career Development Center assists 300 to 400 customers per month.

Community Services

General Assistance:

A temporary financial assistance program for Alaska Native or American Indian residents of the Municipality of Anchorage who have unmet needs of food, clothing, shelter, utilities, and other costs when no other resources are available (such as public assistance or applying for SSI). Must meet priority system to be eligible.

Interim Assistance:

A temporary emergency housing and housing-related assistance program for Alaska Native or American Indian residents of the Cook Inlet region who are in danger of becoming homeless or who are currently homeless. Customary types of assistance include rent, security deposit, and utilities (does not include telephone or cable television). Income limits apply.

Supportive Services:

Provides assistance to Alaska Native or American Indian individuals in overcoming personal or environmental handicaps, which inhibit their employability. Areas of assistance include transportation, education, or training-related materials, and other necessary support. Income limits apply.

Burial Assistance:

A financial assistance program for eligible indigent Alaska Native or American Indian residents of the Municipality of Anchorage that covers basic service and those costs incurred through the funeral home, when no other resources are available. Resident requirement does not apply to CIRI shareholders and their descendants.

For more information contact:

Cook Inlet Tribal Council, Inc.
Employment and Training
Service Department
670 W. Fireweed Lane, Suite 123
Anchorage, Alaska 99503
website: www.citci.com

(907) 265-5900 Phone
1(877) 985-5900 Toll-free
(907) 265-7942 Fax

Vocational Rehab fax: (907) 265-4218
Community Services fax (907) 265-5952
Career Dev. Ctr. fax (907) 265-5989
Child Care fax (907) 265-5990

Hours Monday - Friday
8:00 am - 5:00 pm

People Mover Bus Routes 7, 9 & 60
CITC's main office is located in midtown Anchorage on the south side of Fireweed Lane in between Arctic and "C" Street at 670 West Fireweed Lane.

Cook Inlet Tribal Council's Mission is
to work in partnership with Our People
to develop opportunities that fulfill
Our endless potential.

Cook Inlet Tribal Council, Inc.

Employment and Training Services Department

Weaving a path to success

Providing a safe environment
where participants receive support
as they progress through lifestyle
changes, enhance their communication,
life management and academic skills
to succeed in the work world.



COOK INLET
TRIBAL
COUNCIL, INC.

Employment and Training Services Department assists customers whose goal is self-sufficiency. All programs take a strength-based approach to serving customers, focusing on their interests, goals and abilities. The ultimate in self-sufficiency is independence through employment.

Career Development Center

- Adult Basic Education: GED preparation, reading, writing, math, science and social studies
- Job search & resume writing
- Basic Computer training with Microsoft programs and typing tutorials
- Internet Access to job postings across the State of Alaska
- Information on various education and training opportunities

Case Management Services

for ATAP Participants

- Employment Assistance
- Training and Education
- Family Self-sufficiency planning
- Assistance accessing mental health and substance abuse services
- Child Care Assistance
- Employment related supportive services
- Referrals to other community agencies

Vocational Rehabilitation Services

- Assist consumers with physical and/or mental disabilities attain their employment goals.

Supportive Work Services

- *Community Work Experience* provides placement in community agencies for Alaska Temporary Assistance Program (ATAP) participants to acquire and enhance job skills and abilities for paid employment.
- *Subsidized Work Experience* provides temporary employment to those with little or no previous experience or to those who are unemployed or underemployed but not "job ready."

Individual Development Accounts (IDA)

The Individual Development Account (IDA) Program helps low-income individuals and families become homeowners, small business owners and graduates of post-secondary education programs. CITC IDA offers participants matching funds for savings accounts, courses on how to save and manage your money, and individual counseling in order to meet savings goals.

Child Care Assistance Program

Provides financial assistance to families who are working, in education, or training that are in need of day care assistance. Eligibility is determined by a sliding fee scale. The program also offers information on training, registration, licensing, and education of child care providers.



SENATE COMMITTEE REPORT

DATE: 1/27/05

FURTHER: Finance

DATE TURNED IN TO OFFICE: 2.9.05

Health, Education and Social Services Committee considered

SENATE BILL NO. 51

SB 51 PUBLIC ASSISTANCE PROGRAMS

"An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date."

and recommends:

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

Senate Bill:
 Same Title
 New Title

House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
HHS	12/10	X			1
HHS	12/10	X			2
HHS	12/10	X			3
HHS	12/10	X			4

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
Elton	✓			
Wilken			✓	
Green			✓	
Olson	✓			
Dyson CHAIR:	✓			

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 1/12/05

FURTHER: Health, Education and Social Services
Finance

Date of 5-Day Notice: 1/19/05
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 1-26-05

Community and Regional Affairs Committee considered

SENATE BILL NO. 51

SB 51 PUBLIC ASSISTANCE PROGRAMS

"An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska Native family assistance programs; relating to assignment of child support by Alaska Native family assistance recipients; relating to paternity determinations and genetic testing involving recipients of assistance under Alaska Native family assistance programs; and providing for an effective date."

and recommends:

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

Senate Bill:
 Same Title
 New Title

House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

Department	Date	Fiscal	Indet.	Zero	FN#
DHSS	12/7/04	✓			1
DHSS	12/7/04	✓			2
DHSS	12/7/04	✓			3
DHSS	12/7/04	✓			4

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
<i>Wagoner</i> 	✓			
<i>Peckish</i> 	✓			
<i>Ellis</i> 	X			
CHAIR:	X			

SB51



FRANK H. MURKOWSKI
GOVERNOR
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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 11, 2005

The Honorable Ben Stevens
President of the Senate
Alaska State Legislature
State Capitol, Room 111
Juneau, AK 99801-1182

Dear President Stevens:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the Alaska Native family assistance grant program. This bill would reauthorize the Alaska Native family assistance grant program, which was enacted in ch. 96, SLA 2000 as a temporary pilot program.

The federal Personal Responsibility and Work Opportunities Reconciliation Act of 1996 (P.L.104-193) (PRWORA) gave Alaska Native and American Indian tribes the authority to assume responsibility for providing public assistance and self-sufficiency services by administering the Temporary Assistance for Needy Families program (TANF) independent of state welfare agencies. The law also set out the methodology for federal financing of tribal TANF programs, but did not address state financing or any state maintenance-of-effort provisions. In response, ch. 96, SLA 2000 was enacted into law, authorizing the Department of Health and Social Services (department) to award and administer federally authorized tribal TANF providers in Alaska with Native Family Assistance Program (NFAP) grants on a pilot program basis. The financing was limited to only four of the 13 Alaska Native nonprofit organizations authorized in PRWORA: Tanana Chiefs Conference, Tlingit-Haida Central Council, Association of Village Council Presidents, and the Metlakatla Indian Community of the Annette Islands Reserve. Each of these organizations, except Metlakatla, is now operating a tribal TANF program and receiving financing from the department in the form of an Alaska Native family assistance grant. This temporary law program will sunset on June 30, 2005.

In addition to reauthorizing the pilot program on a permanent basis in statute, this bill also would include the other nine Alaska native nonprofit organizations authorized in federal law to operate tribal TANF programs: Arctic Slope Native Association, Kawerak, Inc., Maniilaq Association, Cook Inlet Tribal Council, Bristol Bay Native Association, Aleutian and Pribilof Island Association, Chugachmiut, Kodiak Area Native Association, and Copper River Native Association.

COMMITTEE COPY

The Honorable Ben Stevens
January 11, 2005
Page 2

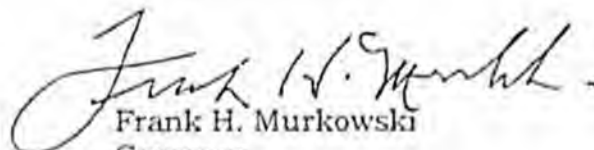
From the outset, the State of Alaska has supported the establishment and development of the tribal TANF programs. The NFAP program affirms the state's interest in promoting regional responsibility and local control for public assistance programs in Alaska. Families served by tribal TANF programs have been successful in moving families from welfare to work. The local presence and familiarity with village and community life puts the tribal administrators in the best position to implement the program and to successfully promote self-sufficiency for their clients.

Since enactment of ch. 96, SLA 2000, three Alaska Native groups not currently authorized to receive Alaska Native family assistance grants are either actively planning a tribal TANF program or have expressed interest in beginning the planning process. Cook Inlet Tribal Council plans to begin operating a tribal TANF program in July 2005 and is currently receiving technical support from the department. The Bristol Bay Native Association has submitted a letter of intent to begin operating a tribal TANF program in July 2005, and Chugachmiut has also advised the department of its interest in developing a tribal TANF program.

Funding for tribal TANF program operations comes from the federal TANF block grant and is supplemented by state grant funds that would otherwise be spent to serve the same number of Alaska Native families receiving assistance from the state's temporary assistance program. Enacting this bill will not take away the state oversight of TANF program operations. Tribal providers who receive NFAP grants enter into a contractual agreement with the State of Alaska to provide timely and accurate cash assistance, eligibility services, case management and other welfare-to-work services, supportive services, child care assistance, and administrative support to all eligible families living within their service area. Furthermore, the contract requires tribal providers to report monthly to the Division of Public Assistance (DPA) and allows DPA to monitor and evaluate the tribal program to assure grant money is being used to serve eligible families.

I urge your prompt and favorable action on this measure.

Sincerely yours,


Frank H. Murkowski
Governor

Enclosure

SB

54

HFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 10
Bill Version: CSSB 54(FIN)
(S) Publish Date: 1/26/06

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
Title "An Act relating to protective orders for crimes RDU CRIMINAL
involving sexual assault or stalking..." Component Criminal Justice Litigation
Sponsor Senator Dyson
Requester Senate Finance Component No. 2202

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
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--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill chiefly amends AS 18.65.850 (Protective Orders for Stalking) to allow victims of sexual assault, that is not involving domestic violence, to apply for a protective order.

Passage of this legislation will have no fiscal impact on the Department of Law.

Prepared by: Kathryn Daughheteo, Director Phone 465-3673
Division: Administrative Services Division Date/Time 1/25/06 4:24 PM
Approved by: Kathryn Daughheteo for David Marquez, Attorney General Date 1/25/2006
Agency: Department of Law

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

Table 1

Crime in the United States
 by Volume and Rate, 1984-2003

Population ¹	Violent crime					Property crime			
	Violent crime	Murder and nonnegligent manslaughter	Forcible rape	Robbery	Aggravated assault	Property crime	Burglary	Larceny-theft	Motor vehicle theft
Number of Offenses									
Population by year:									
1984-235,824,902	1,273,282	18,692	84,233	485,008	685,349	10,608,473	2,984,434	6,591,874	1,032,165
1985-237,923,795	1,327,767	18,976	87,671	497,874	723,246	11,102,590	3,073,348	6,926,380	1,102,862
1986-240,132,887	1,489,169	20,613	91,459	542,775	834,322	11,722,700	3,241,410	7,257,153	1,224,137
1987-242,248,918	1,483,999	20,096	91,111	517,704	855,088	12,024,709	3,236,184	7,499,851	1,288,674
1988-244,498,982	1,566,221	20,675	92,486	542,968	910,092	12,356,865	3,218,077	7,705,872	1,432,916
1989-246,819,230	1,646,037	21,500	94,504	578,326	951,707	12,605,412	3,168,170	7,872,442	1,564,800
1990-249,464,396	1,820,127	23,438	102,555	639,271	1,054,863	12,655,486	3,073,909	7,945,670	1,635,907
1991-252,153,092	1,911,767	24,703	106,593	687,732	1,092,739	12,961,116	3,157,150	8,142,228	1,661,738
1992-255,029,699	1,932,274	23,760	109,062	672,478	1,126,974	12,505,917	2,979,884	7,915,199	1,610,834
1993-257,782,608	1,926,017	24,526	106,014	659,870	1,135,607	12,218,777	2,834,808	7,820,909	1,563,060
1994-260,327,021	1,857,670	23,326	102,216	618,949	1,113,179	12,131,873	2,712,774	7,879,812	1,539,287
1995-262,803,276	1,798,792	21,666	97,470	580,509	1,099,207	12,063,935	2,593,784	7,997,710	1,472,441
1996-265,228,572	1,688,540	19,645	96,252	535,594	1,037,049	11,805,323	2,506,400	7,904,685	1,394,238
1997-267,783,607	1,636,096	18,208	96,153	498,534	1,023,201	11,558,475	2,460,526	7,743,760	1,354,189
1998-270,248,003	1,533,887	16,974	93,144	447,186	976,583	10,951,827	2,332,735	7,376,311	1,242,781
1999-272,690,813	1,426,044	15,522	89,411	409,371	911,740	10,208,334	2,100,739	6,955,520	1,152,075
2000-281,421,906	1,425,486	15,586	90,178	408,016	911,706	10,182,584	2,050,992	6,971,590	1,160,002
2001-285,317,559 ²	1,439,480	16,037	90,863	423,557	909,023	10,437,189	2,116,531	7,092,267	1,228,391
2002-287,973,924 ³	1,423,677	16,229	95,235	420,806	891,407	10,455,277	2,151,252	7,057,379	1,246,646
2003-290,809,777	1,381,259	16,503	93,433	413,402	857,921	10,435,523	2,153,464	7,021,588	1,260,471
Percent change:									
number of offenses:									
2003/2002	-3.0	+1.7	-1.9	-1.8	-3.8	-0.2	+0.1	-0.5	+1.1
2003/1999	-3.1	+6.3	+4.5	+1.0	-5.9	+2.2	+2.5	+0.9	+9.4
2003/1994	-25.6	-29.3	-8.6	-33.2	-22.9	-14.0	-20.6	-10.9	-18.1
Rate per 100,000 Inhabitants									
Year:									
1984	539.9	7.9	35.7	205.7	290.6	4,498.5	1,265.5	2,795.2	437.7
1985	558.1	8.0	36.8	209.3	304.0	4,666.4	1,291.7	2,911.2	463.5
1986	620.1	8.6	38.1	226.0	347.4	4,881.8	1,349.8	3,022.1	509.8
1987	612.5	8.3	37.6	213.7	352.9	4,963.0	1,335.7	3,095.4	531.9
1988	640.6	8.5	37.8	222.1	372.2	5,054.0	1,316.2	3,151.7	586.1
1989	666.9	8.7	38.3	234.3	385.6	5,107.1	1,283.6	3,189.6	634.0
1990	729.6	9.4	41.1	256.3	422.9	5,073.1	1,232.2	3,185.1	655.8
1991	758.2	9.8	42.3	272.7	433.4	5,140.2	1,252.1	3,229.1	659.0
1992	757.7	9.3	42.8	263.7	441.9	4,903.7	1,168.4	3,103.6	631.6
1993	747.1	9.5	41.1	256.0	440.5	4,740.0	1,099.7	3,033.9	606.3
1994	713.6	9.0	39.3	237.8	427.6	4,660.2	1,042.1	3,026.9	591.3
1995	684.5	8.2	37.1	220.9	418.3	4,590.5	987.0	3,043.2	560.3
1996	636.6	7.4	36.3	201.9	391.0	4,451.0	945.0	2,980.3	525.7
1997	611.0	6.8	35.9	186.2	382.1	4,316.3	918.8	2,891.8	505.7
1998	567.6	6.3	34.5	168.5	361.4	4,052.5	863.2	2,729.5	459.9
1999	523.0	5.7	32.8	150.1	334.3	3,743.6	770.4	2,550.7	422.5
2000	506.5	5.5	32.0	145.0	324.0	3,618.3	728.8	2,477.3	412.2
2001 ⁴	504.5	5.6	31.8	148.5	318.6	3,658.1	741.8	2,485.7	430.5
2002 ⁵	494.4	5.6	33.1	146.1	309.5	3,630.6	747.0	2,450.7	432.9
2003	475.0	5.7	32.1	142.2	295.0	3,588.4	740.5	2,414.5	433.4
Percent change:									
rate per 100,000 inhabitants:									
2003/2002	-3.9	+0.7	-2.8	-2.7	-4.7	-1.2	-0.9	-1.5	+0.1
2003/1999	-9.2	-0.3	-2.0	-5.3	-11.8	-4.1	-3.9	-5.3	+2.6
2003/1994	-33.4	-36.7	-18.2	-40.2	-31.0	-23.0	-28.9	-20.2	-26.7

¹ Populations are U.S. Census Bureau provisional estimates as of July 1 for each year except 1990 and 2000 which are decennial census counts.

² The murder and nonnegligent manslaughter that occurred as a result of the riots of September 11, 2001, are not included in this table.

³ The 2002 crime figures have been adjusted.

⁴ NOTE: Although arrest data are included in the trend and alternative tables, sufficient data are not available to estimate totals for this offense.

Table 5
Crime in the United States
by State, 2003

Area	Population	Violent crime					Property crime			
		Violent crime	Murder and nonnegligent manslaughter	Forcible rape	Robbery	Aggravated assault	Property crime	Burglary	Larceny-theft	Motor vehicle theft
ALABAMA										
Metropolitan Statistical Area	3,179,196									
Area actually reporting	95.2%	14,871	242	1,197	5,305	8,127	139,325	33,305	93,858	12,162
Estimated total	100.0%	15,364	247	1,240	5,441	8,436	144,477	34,489	97,441	12,547
Cities outside metropolitan areas	557,794									
Area actually reporting	92.9%	2,698	30	245	477	1,946	26,129	5,004	19,687	1,438
Estimated total	100.0%	2,881	32	263	507	2,079	27,863	5,339	20,993	1,531
Nonmetropolitan counties	763,762									
Area actually reporting	79.7%	866	16	122	72	656	7,894	2,724	4,469	701
Estimated total	100.0%	1,086	20	153	90	823	9,901	3,417	5,605	879
State Total	4,500,752	19,331	299	1,656	6,038	11,338	182,241	43,245	124,039	14,957
Rate per 100,000 inhabitants		429.5	6.6	36.6	134.2	251.9	4,049.1	960.8	2,756.0	332.3
ALASKA										
Metropolitan Statistical Area	315,592									
Area actually reporting	100.0%	2,222	21	291	389	1,521	14,707	1,798	11,488	1,421
Cities outside metropolitan areas	122,867									
Area actually reporting	93.4%	689	3	122	30	534	4,421	522	3,471	428
Estimated total	100.0%	738	3	131	32	572	4,733	559	3,716	458
Nonmetropolitan counties	210,383									
Area actually reporting	100.0%	890	15	178	23	674	4,840	1,498	2,773	569
State Total	648,818	3,850	39	600	444	2,767	24,280	3,855	17,977	2,448
Rate per 100,000 inhabitants		593.4	6.0	92.5	68.4	426.5	3,742.2	594.2	2,770.7	377.3
ARIZONA										
Metropolitan Statistical Area	4,958,626									
Area actually reporting	98.4%	25,898	415	1,719	7,393	16,371	288,776	52,742	181,499	54,535
Estimated total	100.0%	26,208	416	1,745	7,460	16,587	292,974	53,653	184,112	55,209
Cities outside metropolitan areas	502,704									
Area actually reporting	98.8%	1,177	13	68	123	973	14,582	2,663	10,828	1,091
Estimated total	100.0%	1,192	13	69	125	985	14,765	2,696	10,964	1,105
Nonmetropolitan counties	319,481									
Area actually reporting	100.0%	1,238	12	42	34	1,150	6,596	2,264	3,649	683
State Total	5,880,811	28,638	441	1,856	7,619	18,722	314,335	58,613	198,725	56,997
Rate per 100,000 inhabitants		513.2	7.9	33.3	136.5	335.5	5,632.4	1,050.3	3,560.9	1,021.3
ARKANSAS										
Metropolitan Statistical Area	1,566,369									
Area actually reporting	92.8%	8,199	115	651	1,804	5,629	71,247	15,972	50,710	4,565
Estimated total	100.0%	8,486	117	680	1,830	5,859	74,132	16,800	52,599	4,733
Cities outside metropolitan areas	456,839									
Area actually reporting	86.1%	2,429	25	108	288	2,008	14,204	4,166	9,417	621
Estimated total	100.0%	2,822	29	125	335	2,333	16,501	4,840	10,940	721
Nonmetropolitan counties	702,506									
Area actually reporting	79.6%	894	22	78	50	744	6,431	2,598	3,390	443
Estimated total	100.0%	1,123	28	98	63	934	8,077	3,263	4,258	556
State Total	2,725,714	12,431	174	903	2,228	9,126	98,710	24,903	67,797	6,010
Rate per 100,000 inhabitants		456.1	6.4	33.1	81.7	334.8	3,621.4	913.6	2,487.3	220.5
CALIFORNIA										
Metropolitan Statistical Area	24,663,398									
Area actually reporting	100.0%	202,433	2,369	9,695	63,482	126,887	1,191,157	235,397	716,933	238,827
Cities outside metropolitan areas	263,004									
Area actually reporting	100.0%	1,197	7	182	180	1,058	12,364	2,960	8,383	1,021
Nonmetropolitan counties	558,051									
Area actually reporting	100.0%	1,721	31	147	108	1,435	11,565	3,917	6,170	1,478
State Total	35,484,453	205,551	2,407	9,994	63,770	129,380	1,215,086	242,274	731,486	241,326
Rate per 100,000 inhabitants		579.3	6.8	28.2	179.7	364.6	3,424.3	682.8	2,061.4	680.1
COLORADO										
Metropolitan Statistical Area	3,900,941									
Area actually reporting	95.4%	13,767	160	1,638	3,562	8,407	154,403	28,339	105,124	20,940
Estimated total	100.0%	14,276	164	1,699	3,669	8,744	162,012	29,524	110,630	21,858
Cities outside metropolitan areas	295,314									
Area actually reporting	87.4%	869	9	135	52	667	11,047	1,648	8,923	476
Estimated total	100.0%	986	10	154	59	763	12,635	1,885	10,206	544
Nonmetropolitan counties	354,433									
Area actually reporting	94.5%	420	3	48	7	372	4,435	908	3,246	281
Estimated total	100.0%	444	3	40	7	394	4,693	961	3,435	297
State Total	4,550,688	14,706	177	1,893	3,735	9,901	179,140	32,170	124,271	22,699
Rate per 100,000 inhabitants		345.1	3.9	41.6	82.1	217.6	3,940.9	711.3	2,730.8	491.8
CONNECTICUT										
Metropolitan Statistical Area	2,813,777									
Area actually reporting	100.0%	9,359	101	570	4,002	4,686	81,477	13,071	58,074	10,332
Cities outside metropolitan areas	157,399									
Area actually reporting	100.0%	29	0	26	66	208	3,307	640	2,545	222
Nonmetropolitan counties	512,196									
Area actually reporting	100.0%	1,072	3	56	78	940	6,017	1,898	3,647	472
State Total	3,483,372	10,736	104	652	4,146	5,834	90,801	15,609	64,366	11,026
Rate per 100,000 inhabitants		308.2	3.0	18.7	119.0	167.5	2,606.7	448.1	1,842.1	316.5
DELAWARE										
Metropolitan Statistical Area	651,493									
Area actually reporting	100.0%	4,430	19	279	1,272	2,861	22,802	4,662	15,478	2,662
Cities outside metropolitan areas	38,608									
Area actually reporting	100.0%	340	0	24	72	244	2,051	427	1,567	57
Nonmetropolitan counties	127,381									
Area actually reporting	100.0%	699	5	51	45	508	2,814	877	1,776	161
State Total	817,491	5,179	24	353	1,389	3,613	27,667	5,966	18,821	2,880
Rate per 100,000 inhabitants		630.0	2.9	43.2	169.9	442.0	3,384.4	729.8	2,302.3	352.1

DISTRICT OF COLUMBIA¹										
Metropolitan Statistical Area	563,384									
Area actually reporting	100.0%	9,060	249	274	3,941	4,596	32,678	4,671	18,104	9,903
Cities outside metropolitan areas	None									
Nonmetropolitan counties	None									
Total	563,384	9,060	249	274	3,941	4,596	32,678	4,671	18,104	9,903
Rate per 100,000 inhabitants		1,608.1	44.2	48.6	699.5	815.8	5,800.3	829.1	3,213.4	1,757.8
FLORIDA										
Metropolitan Statistical Area	15,959,074									
Area actually reporting	99.9%	118,630	872	935	30,844	80,579	725,538	161,346	484,816	79,376
Estimated total	100.0%	118,659	872	937	30,852	80,598	725,762	161,392	484,973	79,397
Cities outside metropolitan areas	196,937									
Area actually reporting	99.2%	1,746	11	81	327	1,327	11,687	2,634	8,333	720
Estimated total	100.0%	1,761	11	82	330	1,338	11,780	2,655	8,359	726
Nonmetropolitan counties	863,057									
Area actually reporting	100.0%	3,860	41	308	341	3,170	20,154	6,597	12,117	1,440
State Total	17,019,068	124,250	924	1,227	31,523	85,106	757,696	170,644	505,489	81,563
Rate per 100,000 inhabitants		730.2	5.4	39.5	185.2	500.1	4,452.0	1,002.7	2,970.1	479.2
GEORGIA										
Metropolitan Statistical Area	6,964,510									
Area actually reporting	97.1%	31,989	563	1,828	12,668	16,930	302,922	63,860	199,987	39,075
Estimated total	100.0%	32,721	573	1,876	12,936	17,336	311,054	65,516	205,459	40,079
Cities outside metropolitan areas	642,357									
Area actually reporting	85.1%	3,511	44	201	746	2,520	30,512	5,917	23,222	1,373
Estimated total	100.0%	4,127	52	236	877	2,962	35,857	6,954	27,289	1,614
Nonmetropolitan counties	1,077,848									
Area actually reporting	87.4%	2,251	27	106	212	1,906	19,750	5,675	12,605	1,467
Estimated total	100.0%	2,574	31	121	242	2,180	22,590	6,491	14,421	1,678
State Total	8,684,715	39,422	656	2,233	14,055	22,478	369,501	78,961	247,169	43,371
Rate per 100,000 inhabitants		453.9	7.6	25.7	161.8	258.8	4,254.6	909.2	2,846.0	499.4
HAWAII										
Metropolitan Statistical Area	905,301									
Area actually reporting	100.0%	2,606	15	266	989	1,336	48,306	7,967	32,086	8,253
Cities outside metropolitan areas	None									
Nonmetropolitan counties	352,307									
Area actually reporting	100.0%	794	7	101	179	507	17,561	3,442	12,721	1,398
State Total	1,257,608	3,400	22	367	1,168	1,843	65,867	11,409	44,807	9,651
Rate per 100,000 inhabitants		270.4	1.7	29.2	92.9	146.5	5,237.5	907.2	3,562.9	767.4
IDAHO										
Metropolitan Statistical Area	864,948									
Area actually reporting	99.0%	2,354	17	402	195	1,740	28,531	5,308	21,332	1,891
Estimated total	100.0%	2,370	17	405	195	1,753	28,715	5,352	21,460	1,903
Cities outside metropolitan areas	212,578									
Area actually reporting	97.7%	491	0	52	37	402	7,067	1,419	5,279	369
Estimated total	100.0%	502	0	53	38	411	7,233	1,452	5,403	378
Nonmetropolitan counties	288,806									
Area actually reporting	98.4%	437	8	49	11	569	3,733	971	2,439	323
Estimated total	100.0%	444	8	50	11	575	3,794	987	2,479	328
State Total	1,566,332	3,316	25	508	244	2,539	39,742	7,791	29,342	2,609
Rate per 100,000 inhabitants		242.7	1.6	27.2	17.9	165.8	2,908.7	570.2	2,147.5	190.9
ILLINOIS²										
State Total	12,651,544	70,456	896	4,167	23,809	41,584	415,593	78,288	295,541	41,764
Rate per 100,000 inhabitants		556.8	7.1	29.9	188.2	328.6	3,284.4	618.7	2,335.6	330.1
INDIANA										
Metropolitan Statistical Area	4,790,924									
Area actually reporting	91.2%	18,489	312	1,371	5,839	10,967	165,549	32,915	114,774	17,860
Estimated total	100.0%	19,314	317	1,437	5,991	11,569	174,579	34,672	121,187	18,720
Cities outside metropolitan areas	507,223									
Area actually reporting	86.8%	978	8	64	223	643	18,672	3,211	14,493	968
Estimated total	100.0%	1,126	9	20	257	740	21,499	3,697	16,687	1,115
Nonmetropolitan counties	897,496									
Area actually reporting	99.4%	841	9	97	92	643	7,101	1,908	4,639	554
Estimated total	100.0%	1,416	15	163	155	1,083	11,956	3,212	7,811	933
State Total	6,195,643	21,856	341	1,720	6,401	13,192	208,034	41,581	145,685	20,764
Rate per 100,000 inhabitants		352.8	5.5	27.8	103.3	216.2	3,337.7	671.1	2,351.4	335.2
IOWA										
Metropolitan Statistical Area	1,592,457									
Area actually reporting	98.6%	5,734	37	577	1,005	4,115	61,238	11,192	45,787	4,259
Estimated total	100.0%	5,778	37	582	1,010	4,149	61,890	11,303	46,303	4,284
Cities outside metropolitan areas	594,552									
Area actually reporting	91.0%	1,622	5	137	95	1,385	18,059	3,860	13,376	823
Estimated total	100.0%	1,783	5	151	104	1,523	19,852	4,243	14,704	905
Nonmetropolitan counties	757,447									
Area actually reporting	99.3%	456	5	29	9	417	5,398	1,986	3,001	409
Estimated total	100.0%	459	5	29	9	416	5,436	2,000	3,024	412
State Total	2,944,062	8,020	47	762	1,123	6,089	87,178	17,546	64,011	5,601
Rate per 100,000 inhabitants		272.4	1.6	25.9	38.1	206.8	2,961.1	596.0	2,174.9	190.2
KANSAS										
Metropolitan Statistical Area	1,091,995									
Area actually reporting	96.7%	7,559	79	639	1,969	4,852	72,431	14,104	52,314	6,013
Estimated total	100.0%	7,767	80	677	2,007	4,973	74,411	14,465	53,837	6,178
Cities outside metropolitan areas	603,937									
Area actually reporting	95.5%	2,110	34	248	194	1,629	25,391	5,046	19,315	1,830
Estimated total	100.0%	2,210	36	260	208	1,706	26,598	5,296	20,233	1,979
Nonmetropolitan counties	425,575									
Area actually reporting	97.3%	802	7	102	30	663	7,491	2,076	4,909	506
Estimated total	100.0%	824	7	105	31	681	7,696	2,133	5,043	520
State Total	2,723,507	10,771	121	1,042	2,246	7,360	108,777	21,887	79,115	7,777
Rate per 100,000 inhabitants		393.5	4.5	38.3	82.5	270.2	3,994.0	803.6	2,904.8	283.6
KENTUCKY³										
State Total	4,117,827	10,777	188	1,054	3,196	6,339	110,418	27,656	73,396	9,366
Rate per 100,000 inhabitants		261.7	4.6	25.6	77.6	153.9	2,681.5	671.6	1,782.4	227.5

LOUISIANA										
Metropolitan Statistical Area	3,368,336									
Area actually reporting	97.9%	22,398	495	1,514	6,254	14,135	155,065	34,164	103,087	17,814
Estimated total	100.0%	22,799	497	1,537	6,333	14,432	158,822	34,822	105,952	18,048
Cities outside metropolitan areas	420,432									
Area actually reporting	74.7%	2,389	26	125	367	1,871	16,728	4,234	11,772	722
Estimated total	100.0%	3,197	35	167	491	2,504	22,389	5,667	15,756	966
Nonmetropolitan counties	707,564									
Area actually reporting	88.5%	2,713	48	128	217	2,320	12,703	3,882	8,053	768
Estimated total	100.0%	3,066	54	145	245	2,622	14,358	4,388	9,102	868
State Total	4,496,334	29,062	586	1,849	7,069	19,558	195,569	44,877	130,810	19,882
Rate per 100,000 inhabitants		646.3	13.0	41.1	157.2	435.0	4,349.5	998.1	2,909.3	442.2
MAINE										
Metropolitan Statistical Area	757,912									
Area actually reporting	100.0%	874	10	224	243	397	19,985	3,763	15,329	693
Cities outside metropolitan areas	276,145									
Area actually reporting	100.0%	397	3	99	38	257	8,322	1,547	6,441	334
Nonmetropolitan counties	271,671									
Area actually reporting	100.0%	151	3	31	8	109	3,771	1,269	2,273	229
State Total	1,305,728	1,422	16	354	289	763	32,078	6,579	24,043	1,456
Rate per 100,000 inhabitants		108.9	1.2	27.1	22.1	58.4	2,456.7	503.9	1,841.3	111.5
MARYLAND										
Metropolitan Statistical Area	5,223,096									
Area actually reporting	100.0%	37,461	520	1,276	13,147	22,518	201,714	37,049	128,701	35,964
Cities outside metropolitan areas	73,338									
Area actually reporting	100.0%	632	2	40	92	498	4,063	642	3,241	180
Nonmetropolitan counties	212,475									
Area actually reporting	100.0%	685	3	42	63	577	3,641	950	2,430	261
State Total	5,508,909	38,778	525	1,358	13,302	23,593	209,418	38,641	134,372	36,405
Rate per 100,000 inhabitants		703.9	9.5	24.7	241.5	428.3	3,801.4	701.4	2,439.2	660.8
MASSACHUSETTS										
Metropolitan Statistical Area	6,400,207									
Area actually reporting	97.0%	29,564	142	1,760	7,887	19,775	159,700	33,851	100,813	25,036
Estimated total	100.0%	30,122	142	1,795	7,982	20,203	163,170	34,621	103,067	25,482
Cities outside metropolitan areas	32,237									
Area actually reporting	87.1%	56	0	3	3	50	739	88	630	21
Estimated total	100.0%	74	0	3	3	68	848	101	723	24
Nonmetropolitan counties	978									
Area actually reporting	100.0%	0	0	0	0	0	0	0	0	0
State Total	6,433,422	30,196	142	1,798	7,985	20,271	164,018	34,722	103,790	25,506
Rate per 100,000 inhabitants		469.4	2.2	27.9	124.1	315.1	2,549.5	539.7	1,613.3	396.5
MICHIGAN										
Metropolitan Statistical Area	8,213,764									
Area actually reporting	99.4%	47,359	591	4,254	11,074	31,440	286,422	57,943	177,145	51,334
Estimated total	100.0%	47,498	591	4,271	11,104	31,532	288,034	58,213	178,297	51,524
Cities outside metropolitan areas	643,814									
Area actually reporting	91.9%	1,414	4	339	82	919	18,855	2,706	15,409	740
Estimated total	100.0%	1,511	4	363	88	1,056	20,251	2,905	16,549	797
Nonmetropolitan counties	1,222,407									
Area actually reporting	97.5%	2,452	21	797	63	1,571	21,528	6,966	15,182	1,380
Estimated total	100.0%	2,515	22	817	65	1,611	22,071	7,142	15,514	1,415
State Total	10,079,985	51,524	617	5,451	11,257	34,199	330,356	68,260	208,360	53,736
Rate per 100,000 inhabitants		511.2	6.1	54.1	111.7	339.3	3,277.3	677.2	2,067.1	533.1
MINNESOTA										
Metropolitan Statistical Area	3,654,603									
Area actually reporting	94.3%	11,001	102	1,487	3,690	5,722	117,167	19,498	86,591	11,108
Estimated total	100.0%	11,715	105	1,545	3,757	5,908	123,606	20,347	91,724	11,535
Cities outside metropolitan areas	548,339									
Area actually reporting	99.5%	1,080	9	276	102	693	19,661	2,797	15,861	1,003
Estimated total	100.0%	1,086	9	277	103	697	19,760	2,811	15,941	1,006
Nonmetropolitan counties	856,233									
Area actually reporting	100.0%	887	14	261	44	568	14,325	4,538	8,571	1,216
State Total	5,059,375	13,288	128	2,083	3,904	7,173	167,691	27,696	116,236	13,559
Rate per 100,000 inhabitants		262.6	2.5	41.2	77.2	141.8	3,116.8	547.4	2,297.4	272.0
MISSISSIPPI										
Metropolitan Statistical Area	1,228,282									
Area actually reporting	81.6%	3,995	93	497	1,820	1,849	50,539	13,144	31,508	5,665
Estimated total	100.0%	4,893	105	555	1,952	1,893	57,394	15,164	35,868	6,362
Cities outside metropolitan areas	664,143									
Area actually reporting	76.8%	2,131	56	258	657	1,160	27,283	6,548	19,245	1,190
Estimated total	100.0%	2,766	71	328	824	1,473	34,644	8,063	25,072	1,211
Nonmetropolitan counties	1,048,836									
Area actually reporting	41.3%	895	38	80	96	681	6,256	2,730	3,082	444
Estimated total	100.0%	2,169	92	194	233	1,650	15,157	6,614	7,467	1,076
State Total	2,881,281	9,060	268	1,077	3,019	5,016	107,195	29,839	68,407	8,949
Rate per 100,000 inhabitants		325.5	9.3	37.4	104.8	174.1	3,720.4	1,035.6	2,374.3	310.6
MISSOURI										
Metropolitan Statistical Area	4,161,628									
Area actually reporting	99.9%	22,409	240	1,091	5,898	15,240	190,829	31,803	132,006	26,720
Estimated total	100.0%	22,478	240	1,092	5,900	15,246	190,842	31,820	132,091	26,731
Cities outside metropolitan areas	667,620									
Area actually reporting	100.0%	2,480	25	186	229	3,010	25,745	4,557	20,198	693
Nonmetropolitan counties	875,236									
Area actually reporting	100.0%	2,640	21	116	74	1,027	10,614	4,511	7,143	935
State Total	5,704,484	28,949	288	1,394	6,201	19,081	229,001	40,960	169,417	28,659
Rate per 100,000 inhabitants		472.8	5.0	24.4	105.7	334.5	4,014.5	717.1	2,794.9	502.4

MONTANA										
Metropolitan Statistical Area	321,651									
Area actually reporting	87.9%	957	12	59	220	666	13,144	1,606	10,666	872
Estimated total	100.0%	1,033	13	63	224	733	13,939	1,698	11,309	932
Cities outside metropolitan areas	180,244									
Area actually reporting	70.2%	650	4	56	31	559	5,458	554	4,607	297
Estimated total	100.0%	927	6	80	44	797	7,777	789	6,565	423
Nonmetropolitan counties	415,726									
Area actually reporting	70.0%	974	8	72	21	873	4,700	865	3,449	386
Estimated total	100.0%	1,391	11	103	30	1,247	6,712	1,235	4,926	551
State Total	917,621	3,351	30	246	298	2,777	28,428	3,722	22,800	1,906
Rate per 100,000 inhabitants		365.2	3.3	26.8	32.5	302.6	3,098.0	405.6	2,484.7	207.7
NEBRASKA										
Metropolitan Statistical Area	972,426									
Area actually reporting	98.1%	4,071	43	323	1,081	2,624	45,104	6,669	33,198	5,237
Estimated total	100.0%	4,091	43	325	1,083	2,640	45,395	6,730	33,403	5,262
Cities outside metropolitan areas	395,801									
Area actually reporting	89.3%	588	7	106	60	415	13,075	1,849	10,693	533
Estimated total	100.0%	659	8	119	67	465	14,640	2,070	11,973	597
Nonmetropolitan counties	371,064									
Area actually reporting	91.6%	253	5	47	11	190	4,136	1,165	2,728	243
Estimated total	100.0%	276	5	51	12	208	4,517	1,272	2,980	265
State Total	1,739,291	5,026	56	495	1,162	3,313	64,552	10,072	48,356	6,124
Rate per 100,000 inhabitants		289.0	3.2	28.5	66.8	190.5	3,711.4	579.1	2,780.2	352.1
NEVADA										
Metropolitan Statistical Area	2,002,686									
Area actually reporting	100.0%	15,117	193	813	5,094	7,017	90,426	20,215	49,780	20,431
Cities outside metropolitan areas	43,757									
Area actually reporting	100.0%	116	1	10	25	80	1,597	348	1,157	92
Nonmetropolitan counties	194,711									
Area actually reporting	100.0%	532	3	51	43	435	4,086	1,414	2,357	315
State Total	2,241,154	13,765	197	874	5,162	7,532	96,109	21,977	53,294	20,838
Rate per 100,000 inhabitants		614.2	8.8	39.0	230.3	336.1	4,288.4	980.6	2,378.0	929.8
NEW HAMPSHIRE										
Metropolitan Statistical Area	804,274									
Area actually reporting	85.3%	1,262	12	236	387	627	14,907	2,459	11,153	1,295
Estimated total	100.0%	1,393	13	271	411	698	16,871	2,734	12,704	1,433
Cities outside metropolitan areas	426,204									
Area actually reporting	66.1%	315	3	90	43	179	6,109	1,121	4,687	301
Estimated total	100.0%	477	5	136	65	271	9,242	1,696	7,091	455
Nonmetropolitan counties	57,209									
Area actually reporting	81.9%	38	0	16	2	20	275	100	151	24
Estimated total	100.0%	46	0	20	2	24	335	122	184	29
State Total	1,287,687	1,916	18	427	478	993	26,448	4,552	19,979	1,917
Rate per 100,000 inhabitants		148.8	1.4	33.2	37.1	77.1	2,053.9	353.5	1,551.5	148.9
NEW JERSEY										
Metropolitan Statistical Area	8,638,396									
Area actually reporting	100.0%	31,599	407	1,325	13,366	16,501	219,799	43,453	141,778	34,568
Cities outside metropolitan areas	None									
Nonmetropolitan counties	None									
State Total	8,638,396	31,599	407	1,325	13,366	16,501	219,799	43,453	141,778	34,568
Rate per 100,000 inhabitants		365.8	4.7	15.3	154.7	191.0	2,544.4	501.0	1,641.3	400.2
NEW MEXICO										
Metropolitan Statistical Area	1,200,062									
Area actually reporting	88.0%	7,758	75	614	1,493	5,576	49,668	11,777	32,206	5,685
Estimated total	100.0%	8,454	79	672	1,565	6,138	52,717	12,715	33,993	6,091
Cities outside metropolitan areas	397,362									
Area actually reporting	91.3%	3,105	21	163	315	2,606	18,983	4,465	13,593	925
Estimated total	100.0%	3,402	23	179	345	2,855	20,794	4,891	14,890	1,013
Nonmetropolitan counties	277,190									
Area actually reporting	70.5%	433	7	61	28	137	2,673	1,137	1,371	165
Estimated total	100.0%	614	10	86	40	178	3,790	1,612	1,944	234
State Total	1,874,614	12,470	112	937	1,950	9,471	77,301	19,218	50,827	7,256
Rate per 100,000 inhabitants		665.2	6.0	50.0	104.0	505.2	4,123.6	1,025.2	2,711.3	387.1
NEW YORK										
Metropolitan Statistical Area	17,630,414									
Area actually reporting	99.3%	23,641	989	3,244	35,348	46,140	397,171	67,795	285,262	44,114
Estimated total	100.0%	23,872	990	3,255	35,427	46,281	399,777	68,176	287,311	44,290
Cities outside metropolitan areas	582,644									
Area actually reporting	90.0%	1,328	6	184	208	930	15,573	2,564	12,627	382
Estimated total	100.0%	1,475	7	204	231	1,033	17,297	2,848	14,025	424
Nonmetropolitan counties	977,057									
Area actually reporting	93.0%	1,781	17	292	93	1,381	13,392	4,154	8,740	468
Estimated total	100.0%	1,918	18	314	100	1,486	14,374	4,469	9,402	503
State Total	19,190,115	59,265	934	3,775	35,758	48,800	411,448	75,493	310,718	45,217
Rate per 100,000 inhabitants		465.2	4.9	19.7	186.3	254.3	2,248.3	393.4	1,619.3	235.6
NORTH CAROLINA										
Metropolitan Statistical Area	5,765,063									
Area actually reporting	98.0%	28,614	320	1,503	9,879	16,912	259,980	68,549	170,223	21,178
Estimated total	100.0%	29,334	323	1,524	9,958	17,129	263,927	69,699	172,827	21,401
Cities outside metropolitan areas	815,560									
Area actually reporting	92.5%	4,885	66	279	1,485	1,053	49,166	12,119	34,784	2,263
Estimated total	100.0%	5,271	71	302	1,602	1,296	53,080	13,082	37,560	2,438
Nonmetropolitan counties	1,826,625									
Area actually reporting	97.5%	3,939	112	305	652	2,870	41,574	17,453	21,145	2,976
Estimated total	100.0%	4,041	115	313	669	2,944	42,653	17,906	21,694	3,053
State Total	8,407,248	38,246	509	2,119	12,229	21,369	359,640	100,687	232,081	26,892
Rate per 100,000 inhabitants		454.9	6.1	25.4	145.5	278.0	4,278.0	1,197.6	2,760.5	319.9

NORTH DAKOTA										
Metropolitan Statistical Area	286,263									
Area actually reporting	99.5%	253	3	73	28	149	7,382	1,039	5,825	518
Estimated total	100.0%	254	3	73	28	150	7,432	1,047	5,864	521
Cities outside metropolitan areas	141,733									
Area actually reporting	84.0%	140	6	51	16	67	3,527	424	2,804	299
Estimated total	100.0%	167	7	61	19	80	4,201	505	3,340	356
Nonmetropolitan counties	205,841									
Area actually reporting	81.6%	59	2	14	3	40	1,348	317	867	164
Estimated total	100.0%	72	2	17	4	49	1,653	389	1,063	201
State Total	633,837	493	12	151	51	279	13,286	1,941	10,267	1,078
Rate per 100,000 inhabitants		77.8	1.9	23.8	8.0	44.0	2,096.1	306.2	1,619.8	170.1
OHIO										
Metropolitan Statistical Area	9,211,400									
Area actually reporting	90.2%	33,940	443	3,829	15,781	13,887	335,607	77,844	221,267	36,496
Estimated total	100.0%	35,357	454	4,051	16,274	14,578	360,292	82,495	239,706	38,091
Cities outside metropolitan areas	834,409									
Area actually reporting	69.6%	1,261	24	241	354	642	26,246	4,677	20,544	1,025
Estimated total	100.0%	1,810	34	346	505	922	37,688	6,716	29,500	1,472
Nonmetropolitan counties	1,389,989									
Area actually reporting	70.9%	664	24	135	76	429	12,999	4,055	7,928	1,016
Estimated total	100.0%	936	34	190	107	605	18,337	5,720	11,184	1,433
State Total	11,435,798	38,103	522	4,587	16,889	16,105	416,317	94,931	280,390	40,996
Rate per 100,000 inhabitants		333.2	4.6	40.1	147.7	140.8	3,640.5	830.1	2,451.9	358.5
OKLAHOMA										
Metropolitan Statistical Area	2,242,103									
Area actually reporting	100.0%	13,093	154	995	2,808	9,136	113,012	24,122	78,534	10,356
Cities outside metropolitan areas	696,232									
Area actually reporting	100.0%	3,222	29	364	373	2,456	29,735	7,394	20,615	1,726
Nonmetropolitan counties	603,197									
Area actually reporting	100.0%	1,443	23	142	43	1,235	8,461	3,330	4,255	876
State Total	3,511,532	17,758	206	1,501	3,224	12,827	151,208	34,846	103,404	12,958
Rate per 100,000 inhabitants		505.7	5.9	42.7	91.8	365.3	4,306.0	992.3	2,944.7	369.0
OREGON										
Metropolitan Statistical Area	2,740,172									
Area actually reporting	99.0%	9,033	54	981	2,575	5,423	139,022	22,234	100,182	16,606
Estimated total	100.0%	9,075	54	987	2,584	5,450	139,928	22,406	100,810	16,712
Cities outside metropolitan areas	371,581									
Area actually reporting	98.2%	956	5	134	212	605	20,455	3,489	15,542	1,424
Estimated total	100.0%	973	5	136	216	616	20,835	3,554	15,831	1,450
Nonmetropolitan counties	447,843									
Area actually reporting	90.4%	427	8	86	46	287	8,559	2,410	5,401	745
Estimated total	100.0%	472	9	95	51	317	9,467	2,666	5,974	827
State Total	3,559,596	10,520	68	1,218	2,851	6,383	170,290	28,626	122,615	18,989
Rate per 100,000 inhabitants		295.5	1.9	34.2	80.1	179.3	4,782.3	804.2	3,444.6	533.5
PENNSYLVANIA										
Metropolitan Statistical Area	10,391,620									
Area actually reporting	91.3%	43,421	606	2,848	16,917	23,050	245,380	43,022	172,494	29,864
Estimated total	100.0%	45,463	622	2,996	17,441	24,404	264,583	45,786	187,517	31,280
Cities outside metropolitan areas	867,466									
Area actually reporting	73.9%	1,763	9	173	274	1,307	15,180	2,352	12,068	760
Estimated total	100.0%	2,386	12	234	371	1,769	20,543	3,183	16,331	1,029
Nonmetropolitan counties	1,106,369									
Area actually reporting	100.0%	1,367	17	326	168	856	15,515	4,950	9,432	1,133
State Total	12,365,455	49,216	651	3,556	17,960	27,029	300,641	53,919	213,280	33,442
Rate per 100,000 inhabitants		398.0	5.3	28.8	145.4	218.6	2,431.3	436.0	1,724.8	270.4
PUERTO RICO										
Metropolitan Statistical Area	3,683,868									
Area actually reporting	100.0%	11,614	756	2,001	7,616	3,022	68,252	19,969	36,220	12,063
Cities outside metropolitan areas	194,664									
Area actually reporting	100.0%	271	23	4	101	143	1,643	885	607	148
Total	3,878,532	11,885	779	2,004	7,737	3,165	69,895	20,857	36,827	12,211
Rate per 100,000 inhabitants		306.4	20.1	5.3	199.5	81.6	1,802.1	537.8	949.5	314.8
RHODE ISLAND										
Metropolitan Statistical Area	1,076,164									
Area actually reporting	100.0%	3,050	23	491	828	1,708	32,184	5,521	22,285	4,378
Cities outside metropolitan areas	None									
Nonmetropolitan counties	None									
Area actually reporting	100.0%	24	2	14	2	6	47	3	35	9
State Total	1,076,164	3,074	25	505	830	1,714	32,231	5,524	22,320	4,387
Rate per 100,000 inhabitants		295.6	2.3	46.9	72.1	159.3	2,995.0	513.1	2,074.0	407.7
SOUTH CAROLINA										
Metropolitan Statistical Area	3,112,033									
Area actually reporting	99.9%	24,873	223	1,445	4,581	18,624	143,710	32,333	98,452	12,925
Estimated total	100.0%	24,880	223	1,445	4,582	18,630	143,772	32,343	98,500	12,920
Cities outside metropolitan areas	265,266									
Area actually reporting	99.5%	3,275	27	114	518	2,616	16,812	3,547	12,461	804
Estimated total	100.0%	3,292	27	115	521	2,629	16,896	3,565	12,523	808
Nonmetropolitan counties	769,853									
Area actually reporting	100.0%	4,746	30	283	567	3,836	25,003	7,674	15,304	2,023
State Total	4,147,152	32,908	360	1,848	5,670	25,095	185,671	43,582	126,327	15,762
Rate per 100,000 inhabitants		793.5	7.2	44.4	136.7	605.1	4,477.1	1,050.9	3,046.1	380.1
SOUTH DAKOTA										
Metropolitan Statistical Area	174,249									
Area actually reporting	97.1%	846	6	240	81	519	8,996	1,562	6,910	524
Estimated total	100.0%	864	6	247	81	530	9,185	1,593	7,057	535
Cities outside metropolitan areas	201,164									
Area actually reporting	91.1%	267	1	64	10	192	4,343	759	3,172	312
Estimated total	100.0%	293	1	70	11	211	4,770	834	3,703	333
Nonmetropolitan counties	238,896									
Area actually reporting	83.8%	140	2	31	10	97	1,127	374	664	89
Estimated total	100.0%	168	3	37	12	116	1,344	446	792	106
State Total	764,309	1,325	10	354	104	837	18,299	2,873	11,662	874
Rate per 100,000 inhabitants		173.4	1.3	46.3	13.6	112.1	2,361.7	375.9	1,511.4	114.4

TENNESSEE										
Metropolitan Statistical Area	4,237,335									
Area actually reporting	100.0%	33,347	337	1,770	8,796	22,444	205,209	48,498	134,118	22,593
Estimated total										
Cities outside metropolitan areas	578,487									
Area actually reporting	100.0%	3,576	29	172	461	2,914	29,700	6,595	21,328	1,777
Estimated total										
Nonmetropolitan counties	1,025,926									
Area actually reporting	100.0%	3,254	29	143	115	2,967	20,924	8,114	10,770	2,040
Estimated total										
State Total	5,841,748	40,177	395	2,085	9,372	28,325	255,833	63,207	166,216	26,410
Rate per 100,000 inhabitants		687.8	6.8	35.7	160.4	484.9	4,379.4	1,082.0	2,845.3	452.1
TEXAS										
Metropolitan Statistical Area	19,139,661									
Area actually reporting	99.9%	112,887	1,287	7,172	36,079	68,349	933,337	196,088	643,619	93,630
Estimated total	100.0%	112,910	1,287	7,174	36,085	68,364	933,649	196,149	643,847	93,653
Cities outside metropolitan areas	1,373,327									
Area actually reporting	99.3%	5,889	62	554	769	4,504	55,776	12,868	40,288	2,620
Estimated total	100.0%	5,918	62	556	770	4,530	56,063	12,937	40,497	2,629
Nonmetropolitan counties	1,605,521									
Area actually reporting	100.0%	3,373	69	282	163	2,859	26,710	10,994	14,089	1,922
Estimated total										
State Total	22,118,509	122,201	1,418	8,012	37,018	75,753	1,016,422	219,785	698,433	98,204
Rate per 100,000 inhabitants		552.5	6.4	36.2	167.4	342.5	4,595.3	992.7	3,157.7	444.0
UTAH										
Metropolitan Statistical Area	2,078,616									
Area actually reporting	98.1%	5,317	52	785	1,212	3,268	90,781	15,052	68,451	7,248
Estimated total	100.0%	5,401	53	802	1,223	3,323	92,168	15,325	69,488	7,355
Cities outside metropolitan areas	128,198									
Area actually reporting	91.9%	226	3	50	16	157	4,173	719	3,237	217
Estimated total	100.0%	245	3	54	17	171	4,539	782	3,521	236
Nonmetropolitan counties	144,653									
Area actually reporting	94.3%	188	2	34	14	138	2,504	624	1,717	163
Estimated total	100.0%	199	2	36	15	146	2,655	662	1,820	173
State Total	2,351,467	5,845	58	892	1,255	3,640	99,362	16,769	74,829	7,764
Rate per 100,000 inhabitants		248.6	2.5	37.9	53.4	154.8	4,225.5	713.1	3,182.2	330.2
VERMONT										
Metropolitan Statistical Area	203,769									
Area actually reporting	96.4%	344	4	55	34	251	5,334	1,153	3,944	237
Estimated total	100.0%	352	4	55	35	258	5,521	1,189	4,089	243
Cities outside metropolitan areas	197,181									
Area actually reporting	100.0%	225	1	46	19	159	5,215	792	4,227	196
Estimated total										
Nonmetropolitan counties	218,157									
Area actually reporting	100.0%	105	9	20	6	70	2,885	977	1,701	207
Estimated total										
State Total	619,107	682	14	121	60	487	13,621	2,958	10,017	646
Rate per 100,000 inhabitants		110.2	2.3	19.5	9.7	78.7	2,200.1	477.8	1,618.0	104.3
VIRGINIA										
Metropolitan Statistical Area	6,295,851									
Area actually reporting	99.2%	18,115	373	1,498	6,306	9,938	177,667	24,735	136,521	16,411
Estimated total	100.0%	18,324	375	1,516	6,363	10,070	179,518	24,986	137,964	16,568
Cities outside metropolitan areas	265,801									
Area actually reporting	96.6%	754	5	79	149	521	8,099	979	6,684	436
Estimated total	100.0%	780	5	82	154	539	8,383	1,013	6,919	451
Nonmetropolitan counties	324,598									
Area actually reporting	97.6%	1,240	32	171	151	886	11,543	2,849	7,821	873
Estimated total	100.0%	1,271	33	175	155	908	11,830	2,920	8,015	895
State Total	7,886,250	20,175	413	1,773	6,672	11,517	199,731	28,919	152,898	17,914
Rate per 100,000 inhabitants		275.8	5.6	24.0	90.3	155.9	2,704.1	391.5	2,070.0	242.5
WASHINGTON										
Metropolitan Statistical Area	5,166,728									
Area actually reporting	99.9%	19,625	167	2,461	5,518	11,479	261,672	51,146	171,859	38,667
Estimated total	100.0%	19,643	167	2,464	5,523	11,489	261,989	51,198	172,079	38,712
Cities outside metropolitan areas	323,537									
Area actually reporting	95.7%	841	3	215	130	493	17,777	3,231	13,575	921
Estimated total	100.0%	879	3	225	136	515	18,570	3,375	14,181	1,014
Nonmetropolitan counties	441,180									
Area actually reporting	86.2%	664	12	154	52	446	9,683	3,257	5,619	787
Estimated total	100.0%	754	14	175	59	506	10,985	3,695	6,397	893
State Total	6,131,445	21,276	184	2,864	5,718	12,510	291,544	58,268	192,657	40,619
Rate per 100,000 inhabitants		347.0	3.0	46.7	91.3	204.0	4,754.9	950.3	3,142.1	662.5
WEST VIRGINIA										
Metropolitan Statistical Area	989,502									
Area actually reporting	91.7%	2,016	29	182	568	2,092	26,729	6,141	18,295	2,293
Estimated total	100.0%	2,194	30	187	586	2,238	28,672	6,488	19,768	2,416
Cities outside metropolitan areas	226,821									
Area actually reporting	82.3%	473	3	32	58	380	4,198	831	3,167	201
Estimated total	100.0%	575	4	39	76	462	5,101	1,008	3,848	244
Nonmetropolitan counties	594,031									
Area actually reporting	86.1%	909	25	60	64	751	7,702	2,310	4,648	744
Estimated total	100.0%	1,045	29	70	74	872	8,942	2,682	5,396	864
State Total	1,810,354	4,661	63	296	730	3,572	42,714	10,178	29,012	3,524
Rate per 100,000 inhabitants		257.5	3.5	16.4	40.3	197.3	2,359.4	562.2	1,602.6	194.7
WISCONSIN										
Metropolitan Statistical Area	3,955,013									
Area actually reporting	97.2%	10,343	159	937	4,248	4,996	124,400	19,827	93,776	10,753
Estimated total	100.0%	10,432	160	952	4,266	5,054	126,387	20,270	95,261	10,856
Cities outside metropolitan areas	610,894									
Area actually reporting	99.0%	980	4	144	86	746	19,669	2,523	16,417	709
Estimated total	100.0%	989	4	145	87	753	19,862	2,548	16,598	716
Nonmetropolitan counties	906,402									
Area actually reporting	100.0%	674	17	101	33	523	11,498	3,744	7,006	749
Estimated total										
State Total	5,472,299	12,095	181	1,198	4,366	6,330	157,747	26,562	119,866	12,320
Rate per 100,000 inhabitants		221.0	3.3	21.9	80.1	115.7	2,882.6	485.4	2,172.1	225.1

WYOMING

Metropolitan Statistical Area	150,994									
Area actually reporting	100.0%	338	6	51	46	235	6,529	1,052	5,106	371
Cities outside metropolitan areas	208,513									
Area actually reporting	97.5%	612	4	59	29	520	7,666	1,039	6,319	308
Estimated total	100.0%	627	4	60	30	533	7,859	1,065	6,478	316
Nonmetropolitan counties	141,735									
Area actually reporting	95.8%	335	4	24	8	299	2,164	473	1,585	106
Estimated total	100.0%	349	4	25	8	312	2,260	494	1,655	111
State Total	501,242	1,314	14	136	84	1,080	16,648	2,611	13,219	798
Rate per 100,000 inhabitants		262.1	2.8	27.1	16.8	215.5	3,321.3	520.9	2,641.2	159.2

¹ Includes offenses reported by the Zoological Police and the Metro Transit Police.

² Limited data for 2003 were available for Illinois and Kentucky. See Offense Estimation, Appendix I, for details.

NOTE: Although arson data are included in the trend and clearance tables, sufficient data are not available to estimate totals for this offense.

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 9
Bill Version: CSSB 54(FIN)
(S) Publish Date: 1/25/06

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
Title: An Act relating to protective orders for crimes RDU: Alaska State Troopers
involving sexual assault or stalking... Component: AST Detachments
Sponsor: Senator Dyson
Requester: Senate Finance Committee Component No.: 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies	10.0					
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	10.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	10.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	10.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill allows victims of sexual assaults to obtain protective orders under the statute that currently allows protective orders for victims of stalking, which are available in circumstances when domestic violence protective orders are not available because there are no "household member" relationships between perpetrators and victims. The bill also expands mandatory arrest provisions, expands the crime of violating a protective order, adds to the notice of victims' rights for stalking victims, and increases the information that must be provided to the court when stalking/sexual assault orders are requested or in effect.

Prepared by: Lieutenant James Helgoe
Division: Alaska State Troopers
Approved by: Commissioner William Tandeske
Agency: Department of Public Safety

Phone: 907-269-4532
Date/Time: 1/24/06 10:03 AM
Date: 1/24/2006

FISCAL NOTE # 9

STATE OF ALASKA
2006 LEGISLATIVE SESSION

BILL NO. CSSB 54(FIN)

ANALYSIS CONTINUATION

Section 8 of the proposed legislation amends AS 18.65.865(c) to add information for sexual assault victims to the Department of Public Safety's notice about rights and services for stalking victims. This will require changes to the notice booklet that the Department of Public Safety is responsible for drafting, printing, and distributing. These additional changes are estimated to cost the Department of Public Safety \$10,000 in design and printing requirements.

Even though there is a potential increase in the numbers of arrests for violations, this increase can be absorbed using current assets within the Department of Public Safety.

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 8
Bill Version: CSSB 54(FIN)
(S) Publish Date: 1/25/06

Revision Date/Time (Note if correction): _____ Dept. Affected: Pubic Safety
Title: An Act Relating to protective orders RDU: Statewide Support
for crimes involving sexual assault... Component: Criminal Records and ID
Sponsor: Senator Dyson
Requester: Senate Finance Committee Component No. 1190

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual	4.2					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	4.2	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	4.2					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	4.2	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill allows victims of sexual assaults to obtain protective orders under the statute that currently allows protective orders for victims of stalking, which are available in circumstances when domestic violence protective orders are not available because there are no "household member" relationships between perpetrators and victims. The bill also expands mandatory arrest provisions, expands the crime of violating a protective order, adds to the notice of victims' rights for stalking victims, and increases the information that must be provided to the court when stalking/sexual assault orders are requested or in effect.

Prepared by: Director David Schade
Division: Statewide Services
Approved by: Commissioner William Tandeske
Agency: Department of Public Safety

Phone 907-269-0202
Date/Time 1/24/06 10:23 AM
Date 1/24/2006

FISCAL NOTE # 8

STATE OF ALASKA
2006 LEGISLATIVE SESSION

BILL NO. CSSB 54(FIN)

ANALYSIS CONTINUATION

Section 1 expands AS 11.56.740, the crime of violating a protective order, to include in subsection (2) violations of protective orders issued under AS 18.65.850, 18.65.855, or 18.65.860. (AS 18.65 orders, which were previously available to victims of stalking, are in this bill made available to victims of sexual assaults.) The crime is committed by violating any of the provisions authorized by AS 18.65.850 (c) (1)-(3) in a stalking/sexual assault protective order (including original, ex parte order, emergency, and modified orders). (In contrast, only violations of the first 7 of the possible 16 provisions of a domestic violence order are crimes.) This will require the Department of Public Safety (DPS) to modify the Uniform Offense Citation Table to add violations of sexual assault orders to this crime in the table, but will have no fiscal impact on the Statewide Support Results Delivery Unit (RDU) of the DPS.

Section 2 amends AS 18.65.530(a), which requires mandatory arrest (when the officer has probable cause and the crime occurred within the previous 12 hours). There is no change to subsection (a)(1), which requires arrest for certain crimes involving domestic violence. Subsection (a)(2) is expanded to include the crime of violating stalking/assault orders. Subsection (a)(3) expands the crime of violating conditions of release to add violations of AS 12.30.025, release before trial in cases involving stalking and of AS 12.30.029, release in sexual abuse and sexual assault cases. This section will have no fiscal impact on the Statewide Support RDU of the DPS.

Sections 3, 4, and 5 amend AS 18.65.850 to allow victims of sexual assault to obtain the protective orders that are currently available to stalking victims. New subsection 18.65.850(c)(4) provides that the court may order other relief determined to be necessary to protect the petitioner or the designated household member. The addition of sexual assault orders to stalking orders (in sections 3, 4, 5, and also 7, below) will require the DPS to make modifications to the Alaska Public Safety Information Network (APSIN) programming regarding the central registry and individual records, which will require \$4,200 for contractual services.

Section 6 adds AS 18.65.850(e) to provide that a stalking/sexual assault order may not be denied solely because of a lapse of time between the act and the filing of the petition. This section will have no fiscal impact on the Statewide Support RDU of the DPS.

Section 7 adds language to AS 18.65.855(a) and (b) to allow victims of sexual assault to obtain ex parte and emergency protective orders under the statute that allows protective orders for victims of stalking. The DPS has concerns about one change in this section - the addition of subsection (4) to AS 18.65.855(b). AS 18.65.540(a) requires the DPS to maintain a central registry of Domestic Violence (DV) and stalking protective orders. This section will have no fiscal impact on the Statewide Support RDU of the DPS.

Section 8 amends AS 18.65.865(c) to add information for sexual assault victims to the DPS notice about rights and services for stalking victims. This will require changes to the notice booklet that the DPS is responsible for drafting, printing, and distributing (see the Alaska State Trooper's (AST) fiscal note for their fiscal impact).

Section 9 adds subsection (d) to AS 18.65.865 in regard to the information that parties must provide to the court when a stalking/sexual assault protective order petition is filed, pending, or in effect. The petition must include a statement of known civil or criminal actions involving either party, and both parties are subject to a continuing duty to inform the court of civil or criminal actions. This section will have no fiscal impact on the Statewide Support RDU of the DPS.

Section 10 adds a reference to the definition of "sexual assault" as it applies to the stalking/sexual assault protective order provisions.

FISCAL NOTE # 8

STATE OF ALASKA
2006 LEGISLATIVE SESSION

BILL NO. CSSB 54(FIN)

ANALYSIS CONTINUATION

Section 11 provides that sections 4 and 5 have the effect of modifying Civil Rule 65 regarding temporary restraining orders.

Section 12 provides a title change for Article 11 of AS 18.65.

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 7
Bill Version: CSSB 54(FIN)
(S) Publish Date: 1/25/06

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
Title An Act relating to notification of victims of sexual .. RDU Legal and Advocacy Services
Component Office of Public Advocacy
Sponsor Senator Dyson
Requester (S) Finance Component No. 43

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
*1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill, if enacted, is not expected to have a fiscal impact on the operations of the Office of Public Advocacy.

Prepared by: Joshua P. Fink, Director
Division: Office of Public Advocacy
Approved by: Mike Tibbles, Deputy Commissioner
Agency: Administration

Phone: 907 269-3500
Date/Time: 1/18/06 12:08 p.m.
Date: _____

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 6
Bill Version: CSSB 54(FIN)
(S) Publish Date: 1/25/06

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
Title: An Act relating to notification of victims of sexual .. RDU: Legal and Advocacy Service
Component: Public Defender Agency
Sponsor: Senator Dyson
Requester: (S) Finance Component No.: 1631

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
This bill, if enacted, is not expected to have a fiscal impact on the operations of the Public Defender Agency.

Prepared by: Quinian Steiner, Director Phone: 907.334.4414
Division: Public Defender Agency Date/Time: 1/17/06 11:10 a.m.
Approved by: Mike Tibbles, Deputy Commissioner Date: _____
Agency: Administration

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: 5
Bill Version: CSSB 54(FIN)
(S) Publish Date: 1/25/06

Revision Date/Time (Note if correction): _____ Dept. Affected: Corrections
Title: "An act relating to notification to victims of RDU: Institutional Facilities
sexual assault; relating to protective orders; and relating. . ." Component: Institution Director's Office
Sponsor: Senators Dyson, Guess, French, Ellis
Requester: Senate Finance Component No.: 524

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type--Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)

Passage of this legislation should not have a significant fiscal impact on the Department of Corrections.

Prepared by: Shariann Griffin, Director
Division: Administrative Services
Approved by: Portia C.K. Parker, Deputy Commissioner
Agency: Department of Corrections

Phone: (907) 465-3339
Date/Time: 1/17/06 10:06 AM
Date: 1/17/2006



SENATOR FRED DYSON

SPONSOR STATEMENT

CS SB 54 (FIN)—*“An Act amending protective order statutes for crimes involving stalking to include crimes involving sexual assault and sexual abuse, to provide for other relief ordered by a court, to add the protective orders to a centralized registry, to prevent denial solely for a lapse of time, and to require notification of the court of known civil or criminal actions involving the petitioner or respondent; relating to notifications to victims of sexual assault and to mandatory arrest for crimes involving violation of protective orders and violation of conditions of release; and amending Rule 65, Alaska Rules of Civil Procedure.”*

Historically, violent crime in Alaska has exceeded the national averages in nearly every category. Current statistics are no exception. According to a recent FBI report, our state has a stunning rate of sexual assault that nearly triples the national average. This annual Uniform Crime Report shows that as violent crime went down nationwide, it went up in Alaska. Forcible rapes in Alaska occurred at a rate of 92.5 per 100,000 people in 2003. The national average was 32.1. Although this latest increase is truly alarming, it may merely reflect the tendency for more victims to choose to report the crimes against them, rather than being solely due to an increase in offenses. Regardless, the problems persist in our state. The report continues to show that Alaska's violent crime rate—which includes murder, nonnegligent manslaughter, forcible rape, robbery, and aggravated assault—increased to 593 per 100,000 people, while the national average was 475.

In the past 30 years, Alaska has ranked among the five worst states nearly each year for the rate of sexual assault. Over 10 times has our state led the nation in this dubious distinction.

Victims of domestic violence and stalking have access to protective orders. The passage of SB 54 will allow victims of sexual assault to seek this protection as well. It is generally believed that forcible rapes and sexual assaults are crimes of power, leaving the victim exceedingly fearful. Many times, victims are bullied and too terrified to report these crimes. In light of this, SB 54 attempts to grant safety and security to these victims.

These new guidelines for protective orders are inserted into the current civil remedies for stalking. Protective orders, ex parte orders, and emergency orders will be available to these victims. This bill focuses on victims of sexual assault (1st, 2nd, 3rd, 4th degrees) and sexual abuse of a minor (1st, 2nd, 3rd, 4th degrees) that is not domestic violence.

2003 FBI Uniform Crime Report: <http://www.fbi.gov/ucr/03crms.htm>

2003 Department of Public Safety Crime Report: <http://www.dps.state.ak.us/OnlineLibrary/htm/crta2003.pdf>



SENATOR FRED DYSON

SECTIONAL ANALYSIS

CS SB 54 (FIN)—*“An Act amending protective order statutes for crimes involving stalking to include crimes involving sexual assault and sexual abuse, to provide for other relief ordered by a court, to add the protective orders to a centralized registry, to prevent denial solely for a lapse of time, and to require notification of the court of known civil or criminal actions involving the petitioner or respondent; relating to notifications to victims of sexual assault and to mandatory arrest for crimes involving violation of protective orders and violation of conditions of release; and amending Rule 65, Alaska Rules of Civil Procedure.”*

Section 1. Sets the criminal penalty for violating a sexual assault protective order as a class A misdemeanor, as is the current penalty for violation of a domestic violence or stalking protective order.

Section 2. Adds sexual assault to the mandatory arrest provisions. A peace officer shall make an arrest for violations of a protective order or violations of conditions of release for cases of domestic violence, sexual assault, and stalking.

Section 3. Ensures that the protective order is entered into the central registry of protective orders.

Section 4. Creates the availability of protective orders for victims of sexual assault by petitioning the district or superior court. A parent or guardian may file on behalf of a minor.

Section 5. Sets the parameters for court hearings. A hearing will be arranged in at least 10 days, and upon preponderance of the evidence, a 6-month protective order is available.

Section 6. Outlines the remedies available for protective orders for victims of stalking or sexual assault. Adds an allowance for the court to determine other relevant protections.

Section 7. Similar to a domestic violence provision, this subsection allows sexual assault victims to seek protective orders when they feel unsafe, rather than being limited by the time elapsed since the crime.

Section 8. Creates the availability of ex parte and emergency protective orders for victims of sexual assault. Ex parte orders are obtainable upon a probable cause finding and are valid for 20 days. In addition, peace officers may acquire emergency protective orders for victims of sexual assault, valid for 72 hours, upon probable cause that a crime has occurred.

Section 9. Expands the notification from the Department's of Public Safety to include victims of sexual assault. Investigating peace officers will provide information that explains victims' rights and available services.



SENATOR FRED DYSON

Section 10. Adds the requirement that the petitioner must inform the court of pending civil and criminal actions involving the petitioner or the respondent, if any. This provision is already required for domestic violence protective orders.

Section 11. Identifies the crimes of sexual assault (1st, 2nd, 3rd, 4th degrees) and sexual abuse of a minor (1st, 2nd, 3rd, 4th degrees).

Section 12. Changes Rule 65, Alaska Rules of Civil Procedure, regarding restraining orders.

Section 13. Revisor's Instructions to expand the titles currently involving stalking to include sexual assault.

SB

54

SFIN

FILE

SENATE FINANCE COMMITTEE RE: JRT

REPORTED OUT
 JAN 24 2005
 SENATE FINANCE COMMITTEE

DATE: 3/31/05

FURTHER:

DATE TURNED IN TO OFFICE: 1/25/2006

Finance Committee considered SENATE BILL NO. 54

SB 54 PROTECTIVE ORDERS FOR SEXUAL ASSAULT

"An Act relating to notification to victims of sexual assault; relating to protective orders; and relating to arrests for crimes involving sexual assault, violation of protective orders, or violation of conditions of release."

and recommends:

- be replaced with _____ CS SB 54 (FIN)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

CS Senate Bill:
 Same Title
 New Title

SCS House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#
Corrections	1/17/06			✓	
ADM ^{Public Defense}	1/17/06			✓	
ADM ^{Public Def.}	1/18/06			✓	
DPS	1/24/06	4,200			
DPS	1/24/06	19,000			

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#

DLAW FN FOR ^{1/23/06} ~~1/23/06~~ APPROPRIATION - no fiscal note ✓

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			

FISCAL NOTE

REPORTED CUT
JAN 24 2006
 SENATE FINANCE COMMITTEE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB54CS-LAW-CJL-1-13-
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title "An Act relating to protective orders for crimes RDU CRIMINAL
involving sexual assault or stalking..." Component Criminal Justice Litigation
 Sponsor Senator Dyson
 Requester Senate Finance Component No. 2202

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill chiefly amends AS 18.65.850 (Protective Orders for Stalking) to allow victims of sexual assault, that is not involving domestic violence, to apply for a protective order.

Passage of this legislation will have no fiscal impact on the Department of Law.

Prepared by: Kathryn Daughheteo, Director
 Division: Administrative Services Division
 Approved by: Kathryn Daughheteo for David Márquez, Attorney General
 Agency: Department of Law

Phone 465-3673
 Date/Time 1/25/06 4:24 PM
 Date 1/25/2006

FISCAL NOTE

REPORTED OUT
JAN 24 2006
 SENATE FINANCE COMMITTEE

STATE OF ALASKA
 2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSSB 54(JUD)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title An Act relating to notification of victims of sexual .. RDU Legal and Advocacy Service
 Component Public Defender Agency
 Sponsor Senator Dyson
 Requester (S) Finance Component No. 1631

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill, if enacted, is not expected to have a fiscal impact on the operations of the Public Defender Agency.

Prepared by: Quinlan Steiner, Director
 Division: Public Defender Agency
 Approved by: Mike Tibbles, Deputy Commissioner
 Agency: Administration

Phone 907.334.4414
 Date/Time 1/17/06 11:10 a.m.
 Date _____

FISCAL NOTE

REPORTED OUT
JAN 24 2006
 SENATE FINANCE COMMITTEE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSSB 54(JUD)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title An Act relating to notification of victims of sexual .. RDU Legal and Advocacy Services
 Component Office of Public Advocacy
 Sponsor Senator Dyson
 Requester (S) Finance Component No. 43

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 This bill, if enacted, is not expected to have a fiscal impact on the operations of the Office of Public Advocacy.

Prepared by: Joshua P. Fink, Director Phone 907.269-3500
 Division Office of Public Advocacy Date/Time 1/18/06 12:08 p.m.
 Approved by: Mike Tibbles, Deputy Commissioner Date _____
 Agency Administration

FISCAL NOTE

REPORTED OUT
JAN 24 2006
 SENATE FINANCE COMMITTEE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSSB 54(JLID)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Corrections
 Title: "An act relating to notification to victims of RDU Institutional Facilities
sexual assault; relating to protective orders; and relating. . ." Component Institution Director's Office
 Sponsor: Senators Dyson, Guess, French, Ellis
 Requester: Senate Finance Component No. 524

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type-Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

POSITIONS	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Full-time	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)
 Passage of this legislation should not have a significant fiscal impact on the Department of Corrections.

Prepared by: Sharleen Griffin, Director Phone (907) 465-3339
 Division: Administrative Services Date/Time 1/17/06 10:06 AM
 Approved by: Portia C.K. Parker, Deputy Commissioner Date 1/17/2006
 Agency: Department of Corrections

FISCAL NOTE

REPORTED OUT
JAN 24 2006
 SENATE FINANCE COMMITTEE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB54CS(FIN)-DPS-AST-1-24-06
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title: An Act relating to protective orders for crimes RDU: Alaska State Troopers
involving sexual assault or stalking... Component: AST Detachments
 Sponsor: Senator Dyson
 Requester: Senate Finance Committee Component No.: 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies	10.0					
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	10.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
1002 Federal Receipts						
1003 GF Match						
1004 GF	10.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	10.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 This bill allows victims of sexual assaults to obtain protective orders under the statute that currently allows protective orders for victims of stalking, which are available in circumstances when domestic violence protective orders are not available because there are no "household member" relationships between perpetrators and victims. The bill also expands mandatory arrest provisions, expands the crime of violating a protective order, adds to the notice of victims' rights for stalking victims, and increases the information that must be provided to the court when stalking/sexual assault orders are requested or in effect.

Prepared by: Lieutenant James Helgou Phone: 907-269-4532
 Division: Alaska State Troopers Date/Time: 1/24/06 10:03 AM
 Approved by: Commissioner William Tandeske Date: 1/24/2006
 Agency: Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

BILL NO. SB54CS(FIN)-DPS-AST-1-24-06

ANALYSIS CONTINUATION

Section 8 of the proposed legislation amends AS 18.65.865(c) to add information for sexual assault victims to the Department of Public Safety's notice about rights and services for stalking victims. This will require changes to the notice booklet that the Department of Public Safety is responsible for drafting, printing, and distributing. These additional changes are estimated to cost the Department of Public Safety \$10,000 in design and printing requirements.

Even though there is a potential increase in the numbers of arrests for violations, this increase can be absorbed using current assets within the Department of Public Safety.