

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672

5682 HOUSE HEALTH, EDUCATION & SOCIAL SERVICES 86

Representative Max F. Gruenberg, Jr.

Page 2

February 12, 1990

Sections 3 - 5 make the changes sought by Mr. Martin. I wish I had a better sense of what motivates his desire for these changes, but they are made faithfully in accordance with his recommendations.

Per our discussion of Saturday, I did not include the suggested addition that the division director be specified the governor's executive agent in emergency matters. Mr. Martin reports to a commissioner, and, as I indicated, these responsibilities ought to be kept in the chain of command unless there is good reason to create the exception.

I incorporated section 6 to make several technical changes and to flag the "notwithstanding the 'no transfers' rule" cross-reference to AS 37.07.080(e). This, at least at first blush, looks to be at substantial variance with current AS 44.19.048(a) and deserves more careful attention than is given in this first draft.

Section 7 makes a technical change.

A word about "local government" versus "political subdivision." For purposes of AS 26.23, "political subdivision" is defined, but "local government" is not. The definition of "political subdivision" incorporates a reference to "local government," whatever it is. Consequently, where in the text I found references to "local government" that seemed to have some substantive meaning, I switched them to "political subdivision." Sections 8 and 9 are examples of the change, but there are others.

The long deletion at the end of paragraph (2) of section 9 arises out of your questioning the necessity of the existing limitation.

In bill sections 13, 14, and 15, I've deleted some dated references. In these and in several sections that follow, I substitute "money" or "state money" for "state funds" and make other changes in style.

The revision and addition to the definitions made in bill section 19 are significant.

The definition of "disaster" cross-references the definition in the Alaska Disaster Act. I reviewed the two definitions and found that, while they were very close, they were not congruent and I saw no good reason why they should not be; the change made ties them together.

Representative Max F. Gruenberg, Jr.

Page 3

February 12, 1990

The inclusion of a definition of "legislative authorization" is made at Mr. Martin's suggestion. However, it is not made in his language, for it carries a reference to relevant material in AS 26.23.020(c). I'm not sure how the addition should be understood. Since the term "legislative authorization" in the text only appears in the context of "without legislative authorization," it seems unnecessary to provide a definition unless it is to be understood that, in all other contexts except where legislative authorization is not required (i.e. in expenditures above \$1,000,000 and \$500,000 as authorized by AS 44.19.048(b) and 44.19.048(c), respectively), legislative authorization must be secured. But, if that is what Mr. Martin intends by his addition of a definition for the term, there needs to be additional drafting to these sections to clarify legislative expectations, for it is just not clear what is intended by the language that I have provided. In short, the addition of a definition for the term "legislative appropriation" to AS 44.19.050 that Mr. Martin has suggested has implications deserving of further attention.

The repealer made in section 20 confirms your note that "false swearing" covers this and that the current provision is not necessary.

The materials on which this is based are returned with this memo. I've made copies for our files.

Notwithstanding Mr. Martin's suggestions, your notes, and the many questions identified in Mark's handwriting (which I did not include in this draft and which deserve attention and direction), the revision of AS 26.23 and related disaster preparedness and assistance statutes warrants more attention than we have given in these last two days. If it is true that the measure of a government is its ability to respond during a disaster (and there seems to be something to that), then the subject should be reviewed more carefully than is done here. If the legislature does not pass this measure this session and you want more work done on this subject during the forthcoming interim, you might want to mention it to Tam so that she can make an interim assignment. I don't think that preparation of a solid draft would require the attention of a committee during an interim that includes a general election. What seems preferable would be some study of the applicable law and regulations, a little time with Mr. Martin, preparation of a draft that could be

Representative Max F. Gruenberg, Jr.

Page 4

February 12, 1990

reviewed by the disaster office in, say, September, and shared with municipal officials for comment, and a redraft by November 1 for your review.

If this memorandum or the bill draft prompts questions, please contact me.

JBC:pl
WKP2/027

Enclosure

EARTHQUAKE DISASTER PREPAREDNESS PLAN



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LAS LOMITAS SCHOOL DISTRICT
EARTHQUAKE DISASTER PREPAREDNESS PLAN

SECTION ONE - PREPARATION: PRE-EMERGENCY PROCEDURES

I.	Preparation of the schools.....	1
	A. Hazard assessment	
	B. Classroom emergency supplies	
	C. First aid supply stations	
	D. Equipment.....	2
	E. General information listings	
II.	Preparation of the students.....	3
	A. Drills	
	B. Classroom education.....	4
	C. Elective First Aid Course	
III.	Preparation of the staff	
	A. The superintendent	
	B. The principals.....	5
	C. The teachers.....	6
	D. The nurse	
	E. The secretarial staff	
	F. The custodians	
	G. The bus drivers.....	7
	H. The chairperson of the Earthquake Preparedness Committee	
IV.	PTA participation.....	8
	A. The PTA presidents	
	B. The PTA boards	
V.	Preparation of parents and the community at large	
	A. Informational meeting	
	B. Informational leaflet	
	C. First Aid and CPR courses	
VI.	Preparation of the surrounding community.....	9
	A. Search and rescue volunteers	
	B. Satellite homes	
	C. Assistants to teachers	
	D. Special skills and equipment	
	E. Home storage of extra supplies.....	10
	F. Menlo Park Block Coordinators	
	G. Local Restaurants	
	H. Recruitment	

SECTION ONE - PREPARATION: PRE-EMERGENCY PROCEDURES

I. Preparation of the schools

A. Hazard assessment

1. To be performed by qualified structural and/or civil engineer where appropriate
2. To include evaluation of interior and exterior portions of school buildings as well as school grounds
3. To include assessment of:
 - a. Proximity of toxic, flammable, corrosive, chemically reactive, or radioactive material
 - b. Proximity of high voltage power lines
 - c. Flooding from collapsed dam or reservoir, soil liquefaction, landslides; likelihood and possible effects of flooding at Las Lomas School to receive particular consideration
 - d. Probable safety of evacuation areas after a quake; proximity of gas, water, sewer lines
 - e. Interior hanging fixtures
 - f. Windows, particularly those near doorways
 - g. Bookcases and shelving within classrooms as well as all objects on shelves and cabinets
 - h. Stability of water heaters
4. To allow for removal or correction of hazards insofar as practicable

B. Classroom emergency supplies

1. Emergency supplies to be contained in tote bag placed near doorway in each classroom, library, music room, etc. (See appendix for list of contents)
2. Additional gallon distilled water stored in each classroom

C. First aid supply stations

1. To provide decentralized storage of full first aid material at three locations at La Entrada School, two at Las Lomas School
2. To include approximately 25 gallons of water for each 100 persons, appropriately chlorinated (Add 10 drops clorox per gallon)
3. To include special equipment and all information sheets (See Section One, I, D and E)

I. Preparation of the schools - continued

- h. Duplicate copies of emergency cards to be held at one other location besides office
- i. Names of at least two persons with first aid training who would operate emergency first aid center
- j. Names of staff members with training in first aid and/or CPR
- k. Copy of complete earthquake preparedness plan and evacuation procedures
- l. Names, addresses and telephone numbers of those in the surrounding community who have agreed to assist the schools (See Section V)
- m. Identification and location of emergency supplies of water within the school: hot water heaters, etc.
- n. Notation concerning special medication for students and staff

II. Preparation of the students

A. Drills

- 1. Complete drill to be held twice a year
 - a. At teacher's command, students assume drop position
 - (1) Away from windows or other potential hazards
 - (2) Under desk, table or other shelter or against inside wall
 - (3) Drop to knees with back to windows
 - (4) Head down towards knees, hands clasped behind neck, arms against ears, eyes closed
 - (5) If jacket or other object available, could be used for additional head protection
 - (6) Be silent so directions can be heard
 - b. Teacher also assumes drop position with children, then stands and monitors students' position
 - c. Students hold drop position for 60 seconds
 - d. Teacher gives directions for evacuation to prearranged location
 - e. Teacher takes emergency kit to evacuation site
 - f. Teacher makes provision for gallon of water to be taken also

III. Preparation of the staff - continued

3. Order a site and building hazard survey which would include recommendations on how to determine the safety of buildings after an earthquake
4. See that principals and staff are trained to determine safety of buildings after an earthquake
5. Require all staff to review annually earthquake preparedness and disaster procedures and check preparations for their own classrooms
6. See that all schools carry out drills and earthquake education programs for both students and staff
7. Recommend that all teachers hold current first aid certification; recommend that one teacher out of every six at each school hold current CPR certification
8. Instruct business manager to check disaster plans of bus drivers
9. Encourage all staff to prepare family disaster plans
10. Appoint a chairperson for the Earthquake Preparedness Committee; should be a staff member who would serve for more than one year to provide continuity
11. Cooperate with the chairperson of the Earthquake Preparedness Committee to see that the terms of the preparedness plan are carried out
12. Keep parents informed of school policies and plans relating to earthquakes
13. By May receive from the committee a list of supplies needed for the following year
14. In the spring prepare an annual report to the school board on earthquake preparedness including updating procedures, expenses and recommendations for the following year

B. The principals shall:

1. Be knowledgeable of the responsibilities for earthquake preparedness
2. Designate a second-in-command and a backup
3. Designate a location for emergency first aid center and persons to operate it; supervise decentralized storage of equipment and water
4. Set up procedures to protect essential records
5. See that teachers are trained (responsibilities, earthquake curriculum, buddy system, first aid and CPR)

III. Preparation of the staff - continued

G. The bus drivers shall:

1. Be aware of administrative policy regarding earthquake procedures
2. Keep current on state and county earthquake procedures for bus drivers

H. The chairperson of the Earthquake Preparedness Committee shall:

1. Keep the plan implemented and updated
2. Be responsible for coordinating subsequent earthquake preparedness planning
3. Serve as liaison between staff, schools, PTAs, local governments, emergency agencies, and news media
4. See that a committee be formed including staff from each school, PTA earthquake representative from each school, and other interested persons
5. See that parents are informed of school policies and disaster plans
6. Hold an earthquake education meeting for parents and other community members in the fall of 1982 and at least once every three years thereafter; prepare informational leaflet (See V. B., p. 5)
7. Encourage community members to take first aid and CPR training
8. Keep a current list of:
 - a. Search and rescue volunteers from the community
 - b. Satellite homes
 - c. Community members to assist teachers immediately following disaster
 - d. People with special skills or equipment in community to be made available to the schools following a disaster
 - e. Extra supplies to be stored in homes near schools
9. Cooperate with Menlo Park Block Coordinators
10. During May present to the superintendent a list of supplies needed for the following year
11. During May present to the PTA presidents a list of supplies for which PTA funds are requested for the following year
12. In May prepare an annual report to the superintendent on earthquake preparedness including updating procedures, expenses, and recommendations for the following year

VI. Preparation of the surrounding community to assist the schools

A. Search and rescue volunteers

1. To provide each school a minimum of six volunteers
2. Volunteers to make first commitment after a severe earthquake to proceed immediately to school and participate in search and rescue operations
 - a. Such volunteers to be those whose daily occupations are near school
 - b. Such volunteers to have affirmed with their associates their intent to serve the school immediately following a quake
 - c. Such volunteers to be familiarized with school buildings and equipment

B. Satellite homes (pending legal approval)

1. To provide shelter for those students who remain at school unclaimed by authorized adult following a serious earthquake
2. To be provided by a minimum of six volunteer households in close proximity to each school
3. To be provided by families who will:
 - a. Agree to take in four or five students
 - b. Accept students following an earthquake for as much as several days
 - c. Consider keeping extra supplies of food and water on hand

C. Assistants to teachers:

1. To provide each school a group of parents whose informal agreement is to report to the school disaster center following a major earthquake for assignment to assist teachers. The wish of such volunteers to serve the teacher of their own children is to be honored.
2. To be comprised of a number of at least twice that of the teaching staff

D. Persons with special skills or equipment

1. To provide the school with a group of persons whose resources in skills or equipment might be tapped in the event of an emergency
 - a. Skilled volunteers might include doctors, nurses, para-professionals, psychologists, those trained in first aid and/or CPR, engineers, handymen, licensed CB radio operators.

SECTION TWO - EMERGENCY AND EVACUATION PROCEDURES

I. In the event of an earthquake

A. Inside the school building

1. If inside the school building at the time of an earthquake
 - a. Move away from windows or other potential hazards
 - b. Get under desk or table or other shelter or against inside wall. If shelter moves, move with it and stay under.
 - c. Assume drop position and be silent so directions can be heard above the noise of the earthquake.
 - d. Stay in drop position until earthquake is over and/or until further instructions are given.
2. After the initial shock and things settle down, teachers will evacuate classroom, being alert to possibility of aftershocks.
3. When leaving classrooms, teachers should make every effort to take with them the roll book, emergency supplies stored in a tote bag near the door, and the gallon of distilled water also stored in the classroom. Announce that nobody is to return to the room unless authorized to do so.
4. Teachers will take classes to pre-arranged places on the playgrounds and will remain there until re-entry to school buildings has been approved, they are directed to take the children elsewhere, or they have been picked up by parents or other authorized persons.
5. In the event that Las Lomas School is flooded by the rupture of the Bear Gulch Dam, children will be walked to La Entrada School where they will remain under the supervision of the Las Lomas staff.
6. Schools will remain open indefinitely until every child has been released to parents or to an authorized person.

B. Outside the school building

1. If outside the school building or walking to or from school when an earthquake occurs:
 - a. Get clear of all buildings, trees, exposed wires, or other hazards that may fall. The safest place is in the open.
 - b. Assume drop position until quake is over
2. After the earthquake, if on the way to school, continue to school. If on the way home, continue home.

II. During an extended period after an earthquake

7. See that parents and guardians are notified as soon as possible of any serious injury to students; if necessary, send injured children to emergency centers designated by the cities of Menlo Park and Atherton
8. Release students according to the superintendent's directive
9. Release teachers at the principal's discretion

C. The teachers shall:

1. Remain with their class group, or report to the disaster center if they do not have a class group.
2. Teachers are in charge of all first aid for the students in their class group until an emergency first aid station is established. Students with major injuries are to remain in the classroom supervised by one teacher from a buddy group; children with minor injuries are to be cared for after evacuation. Use bottled water until notified that water system is safe. Use red flag in emergency kit to signal major first aid needs whether they are on the field or in the classroom.
3. When evacuating classroom, take emergency kit and water.
4. Check with buddy classes when evacuating. If there are seriously injured persons who cannot be moved, assign one teacher to remain. Other teachers evacuate the rest of the children.
5. Take roll. Send notice to disaster center immediately of any student who is not with class group, noting possible whereabouts, i.e., at library, absent from school, etc. Take roll periodically throughout the disaster period.
6. Note on class roster in emergency kit the name of anyone who for any reason leaves the class group: to go to first aid center, disaster center, home, home of authorized person.
 - a. Teachers are asked to be specific in noting names and addresses of those to whom students are released if other than parents.
 - b. Note on records time child was released
 - c. Record any unusual behavior or any first aid given
7. If the child is released to anyone other than a parent or authorized person, i.e., to first aid center, write the child's name on the child in permanent ink. (The child might go into shock or become unconscious later and not be able to give name. If child is sent to medical center away from school, identification is even more essential.)

SECTION THREE - ANNUAL REVIEW

I. The superintendent shall:

- A. Appoint a second-in-command and a backup
- B. Appoint a chairperson for the Earthquake Preparedness Committee or reaffirm one who is continuing in that position
- C. Update hazard survey if necessary
- D. See that supplies needed to implement the plan are provided
- E. Carry out responsibilities as designated in Section One, III. A., p. 4
- F. Schedule each fall a workshop for staff covering emergency preparedness
- G. Schedule community education program on appropriate years

II. The principals shall:

- A. Appoint a second-in-command and a backup
- B. Carry out responsibilities as designated in Section One, III. B., p. 5
- C. See that earthquake preparedness training is provided for all new staff, aides and substitutes
- D. Receive from each teacher a hazard survey report on classroom conditions; take necessary action to remove or correct hazards as practicable
- E. See that first aid equipment and supplies are checked at each location
- F. See that disaster equipment is properly located and in working order and that maps locating such equipment are up-to-date
- G. Conduct an earthquake preparedness review with staff including reminders of earthquake drills to be conducted during the year and curriculum for students

III. The teachers shall:

- A. Conduct a hazard survey of their classrooms and report to principal
- B. Carry out responsibilities as designated in Section One, III. C., p. 6

IV. The nurse shall:

- A. Check first aid supplies in stations, recirculating and replacing when necessary
- B. Update any special medical information when necessary

VIII. The chairperson of the Earthquake Preparedness Committee shall: - continued

4. Check with principals to see that earthquake education is taught yearly to all students and offer committee assistance where appropriate
 5. Check with La Entrada principal about provisions for elective first aid course and offer committee assistance where appropriate
 6. Update informational leaflet when necessary
- B. With the committee evaluate the plan and its effectiveness and report recommendations to the superintendent, principals and PTA presidents

IX. The PTA presidents shall:

Carry out responsibilities as designated in Section One, IV. A., p. 8

APPENDIX C

List of first aid supplies
to be stored at first aid supply stations*

Quantity	Supplies
1	Band-aids, box
5	Steri-pads Gauze pads, pkgs 2x2
5	" " " " " " 4x4
2	Gauze roller 2" x 5yd, doz
1	Adhesive tape roll 1"
1	" " " " 2"
1	Tongue depressors, box 500 (finger splints)
Stack	Magazines for splints for arms
	Wood, long pieces from shop for leg splints
2	Elastic bandages 2" ankle wrap
1	Ampules ammonia inhalant, box
1	Eye irrigating solution
2	Instant cold packs squeezable
1	Scissors, small sharp
1	Splinter forceps
1	Forehead thermometer
Assorted	Safety pins
1	Phisoderm (green soap)
1	Red Cross first aid manual
1	Sanitary napkins, large box
1	Household bleach, pint
Several	Plastic straws (for measuring drops of bleach)
1	Tylenol, bottle
2	Eyepatches, sterile
1	Kleenex, 200-size box
1	Warm blanket
1	Flashlight with batteries
1	Baking soda, box
1	Universal antidote, bottle
1	Iso rubbing alcohol, pint
1	Neosporum, tube
1	Kaopectate and spoon
1	Stretcher
	Paper, pens, marking pens for keeping records

*To be revised following meeting of school nurses for San Mateo County.

6-2243E -
Chenoweth
3/13/90

Original sponsor(s): REP. GRUENBERG, Larson, Foster, Finkelstein

1 IN THE HOUSE

BY THE HESS COMMITTEE

2 CS FOR HOUSE BILL NO. 556 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to disaster relief and prepared-
7 ness."

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

9 * Section 1. AS 26.23.020(c) is amended to read:

10 (c) A condition of disaster emergency shall be declared by
11 proclamation of the governor if the governor finds that a disaster has
12 occurred or that such an occurrence is imminent or threatened. If the
13 legislature is not in session when a proclamation is issued, concur-
14 rently with the issuance of the proclamation, the governor shall issue
15 a call [SHALL BE ISSUED BY THE GOVERNOR] to convene a special session
16 of the legislature to consider ratification of actions taken under
17 this chapter. A call for a special session under this section may be
18 cancelled by the unanimous agreement of the presiding officers of the
19 senate and [,] house of representatives and the governor before the
20 actual convening of the special session. If a special session is
21 held, actions taken by the governor under this chapter that are not
22 ratified by the legislature within 15 days of its convening are void.
23 The disaster emergency so declared remains in effect until the gover-
24 nor finds that the threat or danger has passed or the disaster has
25 been dealt with to the extent that emergency conditions no longer
26 exist and the governor terminates the disaster emergency by proclama-
27 tion; but a proclamation of disaster emergency does not remain in
28 effect for longer than 30 days unless renewed by the legislature. The
29 legislature, by concurrent resolution, may terminate a disaster

1 emergency at any time. All proclamations issued under this subsection
2 must indicate the nature of the disaster, the area or areas threatened
3 or affected, and the conditions that have brought it about or which
4 make possible the termination of the disaster emergency.

5 * Sec. 2. AS 26.23.040(a) is amended to read:

6 (a) The Alaska division of emergency services shall prepare and
7 maintain a state emergency plan and keep it current. The plan may
8 include provisions for

9 (1) prevention and minimization of injury and damage caused
10 by disasters;

11 (2) prompt and effective response to disasters;

12 (3) emergency relief;

13 (4) identification of geographical areas, municipalities,
14 cities or villages especially vulnerable to a disaster;

15 (5) recommendations for

16 (A) zoning, building, and other land use controls; [,
17 SAFETY MEASURES FOR SECURING MOBILE HOMES OR OTHER NONPERMANENT
18 OR SEMI-PERMANENT STRUCTURES,] and

19 (B) other preventive and preparedness measures de-
20 signed to eliminate or reduce disasters or their impact;

21 (6) assistance to local officials in designing local emer-
22 gency action plans;

23 (7) authorization and procedures for the construction of
24 temporary works designed to protect against or mitigate danger, dam-
25 age, or loss from a disaster;

26 (8) 'PREPARATION AND DISTRIBUTION TO THE APPROPRIATE STATE
27 AND LOCAL OFFICIALS OF CATALOGS OR EXTRACTS LISTING FEDERAL, STATE,
28 AND PRIVATE ASSISTANCE PROGRAMS;

29 (9) organization of manpower and chains of command;

1 (9) [(10)] coordination of federal, state, and local disas-
2 ter activities;

3 (10) [(11)] coordination of the state emergency plan with
4 the disaster plans of the federal government; and

5 (11) [(12)] other matters necessary to carry out the pur-
6 poses of this chapter.

7 * Sec. 3. AS 26.23.040(b) is amended to read:

8 (b) The Alaska division of emergency services shall play an
9 integral part in the development and revision of local and interjuris-
10 dictional disaster plans prepared under AS 26.23.060. To this end, it
11 may employ or otherwise secure the services of professional and tech-
12 nical personnel capable of providing expert assistance to political
13 subdivisions, their disaster agencies, and interjurisdictional plan-
14 ning and disaster agencies. [THESE PERSONNEL SHALL CONSULT WITH
15 POLITICAL SUBDIVISIONS AND AGENCIES ON A REGULAR BASIS AND SHALL MAKE
16 FIELD EXAMINATIONS OF THE AREAS, CIRCUMSTANCES, AND CONDITIONS TO
17 WHICH PARTICULAR LOCAL AND INTERJURISDICTIONAL DISASTER PLANS ARE
18 INTENDED TO APPLY AND MAY SUGGEST OR REQUIRE REVISIONS.]

19 * Sec. 4. AS 26.23.040(e) is amended to read:

20 (e) The Alaska division of emergency services shall

21 (1) determine requirements of the state and its political
22 subdivisions for food, clothing, and other necessities in the event of
23 a disaster emergency;

24 (2) [PROCURE AND PRE-POSITION SUPPLIES, MEDICINES, MATERI-
25 ALS, AND EQUIPMENT;

26 (3)] adopt standards and requirements for local and inter-
27 jurisdictional disaster plans;

28 (3) [(4)] periodically review local and interjurisdictional
29 disaster plans;

1 (4) [(5) PROVIDE FOR MOBILE SUPPORT UNITS;

2 (6)] establish and operate, or assist political subdi-
3 visions, their disaster agencies, and interjurisdictional disaster
4 agencies to establish and operate, training [AND PUBLIC INFORMATION]
5 programs;

6 (5) [(7) MAKE SURVEYS OF INDUSTRIES, RESOURCES, AND FACILI-
7 TIES IN THE STATE, BOTH PUBLIC AND PRIVATE, AS ARE NECESSARY TO CARRY
8 OUT THE PURPOSES OF THIS CHAPTER;

9 (8)] plan and make arrangements for the availability and
10 use of any private facilities, services, and property and, if neces-
11 sary and if in fact used, provide for payment for use under terms and
12 conditions agreed upon by the parties;

13 (6) [(9) ESTABLISH A REGISTER OF PERSONS WITH TYPES OF
14 TRAINING AND SKILLS IMPORTANT IN DISASTER PREVENTION, PREPAREDNESS,
15 RESPONSE, AND RECOVERY;

16 (10) ESTABLISH A REGISTER OF MOBILE AND CONSTRUCTION EQUIP-
17 MENT AND TEMPORARY HOUSING AVAILABLE FOR USE IN A DISASTER EMERGENCY;

18 (11)] prepare, for issuance by the governor, orders, procla-
19 mations, and regulations as necessary or appropriate in coping with
20 disasters;

21 (7) [(12)] cooperate with the federal government and any
22 public or private agency or entity in achieving any purpose of this
23 chapter and in implementing programs for disaster prevention, pre-
24 paredness, response and recovery;

25 (8) [(13)] develop and carry out procedures and policies to
26 effectively employ disaster relief funds made available by the gover-
27 nor's authority or by special legislative action; these procedures
28 shall include application and documentation by disaster victims or
29 applicants, review, verification and funding approval, and processing

1 of appeals;

2 (9) [(14)] do other things necessary or proper for the
3 implementation of this chapter.

4 * Sec. 5. AS 26.23.050(b) is amended to read:

5 (b) Whenever, and to the extent that, money is needed to cope
6 with a disaster, the first recourse shall be to money [FUNDS] regular-
7 ly appropriated to state and local agencies. The second recourse
8 shall be to money [FUNDS] available in the disaster relief fund or the
9 oil and hazardous substance release response fund, as appropriate. If
10 money available from these sources is insufficient, and if the gover-
11 nor finds that other sources of money to cope with the disaster are
12 not available or are insufficient, the governor may, notwithstanding
13 the limitations [ANY LIMITATION] imposed by AS 37.07.080(e),

14 (1) transfer and spend money appropriated for other pur-
15 poses; or

16 (2) [, IN SITUATIONS INVOLVING NATURAL DISASTERS,] borrow
17 from the United States government or other public or private sources
18 for a term not to exceed two years.

19 * Sec. 6. AS 26.23.060(a) is amended to read:

20 (a) Each political subdivision in the state is within the jurisdic-
21 tion of, and shall be served by, the Alaska division of emergency
22 services. A [AN INCORPORATED] municipality also may be served by a
23 local or interjurisdictional agency responsible for disaster prepared-
24 ness and coordination of response.

25 * Sec. 7. AS 26.23.060(c) is amended to read:

26 (c) Each political subdivision that does not have a disaster
27 agency and has not made arrangements to secure or participate in the
28 services of a disaster agency shall designate a liaison officer to
29 facilitate the cooperation and protection of that political

1 subdivision [CITY] in the work of disaster prevention, preparedness,
2 response, and recovery.

3 * Sec. 8. AS 26.23.080 is amended to read:

4 Sec. 26.23.080. COMMUNITY DISASTER LOANS. Whenever, at the
5 request of the governor, the President has declared a major disaster
6 to exist in this state, the governor may

7 (1) upon the governor's determination that a political
8 subdivision [LOCAL GOVERNMENT] of the state will suffer a substantial
9 loss of tax and other revenue from the disaster and has demonstrated a
10 need for financial assistance to perform its governmental functions,
11 apply to the federal government, on behalf of the political subdivi-
12 sion [LOCAL GOVERNMENT], for a loan; the governor may receive and
13 disburse the proceeds of any approved loan to any applicant political
14 subdivision [LOCAL GOVERNMENT];

15 (2) determine the amount needed by any applicant political
16 subdivision [LOCAL GOVERNMENT] to restore or resume its governmental
17 functions, and to certify the amount to the federal government; [HOW-
18 EVER, AN APPLICATION AMOUNT MAY NOT EXCEED 25 PER CENT OF THE ANNUAL
19 OPERATING BUDGET OF THE APPLICANT FOR THE FISCAL YEAR IN WHICH THE
20 MAJOR DISASTER OCCURRED;]

21 (3) recommend to the federal government, based upon review
22 by the governor, the cancellation of all or any part of repayment
23 when, for the first three full fiscal years following the major disas-
24 ter, the revenue of the political subdivision [LOCAL GOVERNMENT] is
25 insufficient to meet its operating expenses, including additional
26 disaster-related expenses of a municipal operation character.

27 * Sec. 9. AS 26.23.110(a) is amended to read:

28 (a) When the governor has declared a disaster emergency, or the
29 President, at the request of the governor, has declared a major

1 disaster or emergency to exist in this state, the governor may

2 (1) through the use of state agencies, clear from publicly
3 or privately owned land or water, debris and wreckage that may threat-
4 en public health, safety, or property;

5 (2) apply for and accept funds from the federal government
6 and use those funds to make grants to a political subdivision [ANY
7 LOCAL GOVERNMENT] for the purpose of removing debris or wreckage from
8 publicly or privately owned land or water.

9 * Sec. 10. AS 26.23.110(b) is amended to read:

10 (b) Authority under (a)(1) of this section may not be exercised
11 unless the affected political subdivision [LOCAL GOVERNMENT], corpo-
12 ration, organization, or individual unconditionally authorizes the
13 removal of the debris or wreckage from public and private property
14 and, in the case of removal of debris or wreckage from private prop-
15 erty, first agrees to indemnify the state government against claims
16 arising from the removal.

17 * Sec. 11. AS 26.23.230(5) is amended to read:

18 (5) "political subdivision" means

19 (A) a [HOME RULE OR GENERAL LAW BOROUGH OR CITY IN-
20 CLUDING A UNIFIED] municipality;

21 (B) [,] an unincorporated village; [,] or

22 (C) another [OTHER] unit of local government;

23 * Sec. 12. AS 44.19.048(b) is amended to read:

24 (b) Subject to the restrictions of [(d) AND] (e) of this sec-
25 tion, the governor may, without additional legislative authorization,
26 expend not more than \$1,000,000 of the assets of the disaster relief
27 fund for the following purposes:

28 (1) to implement provisions of law relating to disaster
29 relief in the case of a disaster [AS DEFINED IN AS 44.19.050 OCCURRING

1 AFTER OCTOBER 11, 1967];

2 (2) to alleviate the effects of a disaster [AS DEFINED IN
3 AS 44.19.050 OCCURRING AFTER OCTOBER 11, 1967,] by making loans or
4 grants to persons or municipalities on terms the governor considers
5 appropriate or by other means the governor considers appropriate.

6 * Sec. 13. AS 44.19.048(c) is amended to read:

7 (c) Subject to the restrictions of [(d) AND] (e) of this sec-
8 tion, the governor may, without additional legislative authorization,
9 expend during a [FOR ANY] fiscal year not more than \$500,000 of the
10 assets of the disaster relief fund to prevent or minimize the effects
11 of an event that [WHICH] occurs in [ANY PART OF] the state [AFTER
12 OCTOBER 11, 1967] and that [WHICH], in the determination of the gover-
13 nor, poses a direct and imminent threat of resulting in a disaster of
14 sufficient magnitude and severity to justify state action.

15 * Sec. 14. AS 44.19.049(a) is amended to read:

16 (a) Grants and loans for urban renewal shall be made available
17 to municipalities damaged by disasters occurring in the state [AFTER
18 AUGUST 1, 1967] in order to match federal funds under federal urban
19 renewal programs. A grant or loan of state money [FUNDS] to a munic-
20 ipality for an urban renewal program under this section may not exceed
21 25 percent of the aggregate of the net project costs of the urban
22 renewal project. State money [FUNDS] shall be made available to a
23 municipality to match federal funds only if the urban renewal project
24 is made necessary by the disaster.

25 * Sec. 15. AS 44.19.049(b) is amended to read:

26 (b) Money [THE FUNDS] for the grants or loans authorized by
27 [UNDER] this section shall come from the disaster relief fund provided
28 for in AS 44.19.048(a) [AS 44.19.048 - 44.19.050].

29 * Sec. 16. AS 44.19.049(c) is amended to read:

1 (c) An [NO] urban renewal project that costs more than [COSTING
2 OVER] \$30,000,000 is not eligible for grants or loans under this
3 section.

4 * Sec. 17. AS 44.19.049(d) is amended to read:

5 (d) The governor shall determine the eligibility of a municipal-
6 ity for a grant and loan of money [FUNDS] to match federal funds for
7 urban renewal. In making the determination the governor shall con-
8 sider the following standards:

9 (1) the amount of participating money available from the
10 United States government for urban renewal;

11 (2) the amount and availability of money [FUNDS] from other
12 sources to meet the municipality's required contribution of matching
13 funds;

14 (3) whether or not the urban renewal project was made
15 necessary by a disaster;

16 (4) the needs of other municipalities damaged by the disas-
17 ter for funds to match federal funds for urban renewal projects, and
18 the urgency of the needs of other communities as compared with the
19 community under consideration;

20 (5) the cost of the urban renewal project;

21 (6) the general welfare of the state and its inhabitants.

22 * Sec. 18. AS 44.19.050 is repealed and reenacted:

23 Sec. 44.19.050. DEFINITIONS. In AS 44.19.048 - 44.19.050

24 (1) "disaster" has the meaning given in AS 26.23.230;

25 (2) "legislative authorization" means

26 (A) the approval of the legislature given during

27 (i) a regular legislative session;

28 (ii) a special legislative session convened under

29 AS 26.23.020(c); or

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(B) the approval of the Legislative Budget and Audit Committee if the legislature is not convened in regular session or in special session.

* Sec. 19. AS 26.23.090(c) and AS 44.19.048(d) are repealed.

HB

562

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

H. NESS

2/28/90

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 12, 1990

FURTHER REFERRALS:

FINANCE

Date of Committee Action: 2/28/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: HB 562

HOUSE BILL NO. 562

APPROP: SUBSTANCE ABUSE GRANT FUND

"An Act making a special appropriation to the Community Action Against Substance Abuse grant fund; and providing for an effective date."

RECOMMENDATIONS:

- be replaced with CSHB 562 (HESS) the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact _____
- zero fiscal note _____
- zero with analysis _____

- fiscal note(s) _____
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS:

J. Ellis
M. B. ...
M. ...

SIGNING:
(Check approp. column)

	Do Not Pass	No Rec	Amend
<u>John Jan</u>		<input checked="" type="checkbox"/>	
<u>Cheri Davis</u>		<input checked="" type="checkbox"/>	

J. Ellis
 Chairman's Signature

Funding Information: General Fund \$500,000
 Other Funds -0-
 \$500,000

Original sponsor(s): REP. ELLIS, Koponen

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 562 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the commu-
7 nity action against substance abuse grant fund; and
8 providing for an effective date."

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

10 * Section 1. The sum of \$500,000 is appropriated from the general fund
11 to the office of alcoholism and drug abuse in the Department of Health and
12 Social Services for deposit into the community action against substance
13 abuse grant fund (AS 47.37.045).

14 * Sec. 2. The appropriation made by sec. 1 of this Act is not a one-
15 year appropriation and is not subject to AS 37.25.010.

16 * Sec. 3. This Act takes effect on the effective date of an Act enacted
17 by the Sixteenth Alaska State Legislature establishing the community action
18 against substance abuse grant fund.

HB

571

STATE OF ALASKA THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY LEGISLATIVE REFERENCE LIBRARY

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Mary Van Nimwegen

H. HESS	3/4/90
H. HESS	3/14/90
H. HESS	3/20/90
H. HESS	3/21/90

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 28, 1990

FURTHER REFERRALS:

Date of Committee Action: 3/21/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: HB 571

HOUSE BILL NO. 571

NOTICE TO CHILD SUPPORT OBLIGORS

"An Act requiring notice to obligors about obligations relating to support."

RECOMMENDATIONS:

- be replaced with CS HB 571 (HESS) [] the same title
- [] have attached amendment(s) [] a new title
- [] do pass
- [] do not pass
- [] no recommendation
- [] individual recommendations
- additional referral to the FINANCE Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact Revenue
- [] zero fiscal note _____
- [] zero with analysis _____

- [] fiscal note(s) _____
- [] zero fiscal note(s) _____
- [] zero fn/analysis _____

SIGNING DO PASS:

J. Ellis

W. Greenberg

W. Amos

Wheri Davis

Max Bayer

SIGNING:

(Check approp. column)

Do Not
Pass

No Rec

Amend

	Do Not Pass	No Rec	Amend

J. Ellis
Chairman's Signature

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act Requiring Notice to Obligor
about obligations relating to support.
Sponsor: Rules Committee
Requestor: Governor

Agency Affected: Department of Revenue
BRB: Child Support Enforcement Division
Components: _____

EXPENDITURES/REVENUES:

	FY 91	FY 92	FY 92	FY 93	FY 94	FY 95
OPERATING						
PERSONAL SERVICES	1.4	1.4	1.5	1.5	1.6	1.6
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	2.3	2.3	2.4	2.5	2.5	2.6
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LANDS & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	3.7	3.7	3.9	4.0	4.1	4.2
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING:

GENERAL FUND	1.3	1.3	1.4	1.4	1.4	1.5
FEDERAL FUNDS	2.4	2.4	2.5	2.6	2.7	2.7
OTHER	0	0	0	0	0	0
TOTAL	3.7	3.7	3.9	4.0	4.1	4.2

POSITIONS:

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

ANALYSIS: There will be no fiscal impact for FY90. This fiscal note provides the resources to run a special program, to review cases with successful attempts to locate obligor and to mail notice of accruing liability. The Federal funding is computed IAW the Gramm-Rudman-Hollings Act, which set the Federal Financial Participation for child support programs at 64.846%.

Prepared by: Linca Langston
Division: Child Support Enforcement Division

Phone: 263-6270
Date: March 20, 1990

Approved by Commissioner: *Hugh Malone* FOR
Agency: Department of Revenue

Date: March 20, 1990

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agencies

STEVE COWPER, GOVERNOR

DEPARTMENT OF REVENUE

CHILD SUPPORT ENFORCEMENT DIVISION

550 WEST 7TH, 4TH FLOOR
ANCHORAGE, AK 99501-3558
PHONE: (907) 276-3441
TOLL FREE ALASKA: 800-478-3300

March 12, 1990

The Honorable Peter Goll
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

REC'D MAR 15 1990

Kimberly

Dear Representative Goll:

Following up on your phone conversations with Ardith Lynch of our Division, we have had an opportunity to review HB 571 in light of the comments of the HESS committee and the public who testified last Tuesday.

Since the intent of the bill is to provide notification to obligors that the support rights for their child have been assigned to the State before a substantial AFDC liability accrues, we suggest that the scope of the bill be limited to cases in which support has been assigned to the State under AS 47.23.345. (As a practical matter, notice of the support obligation is also promptly given in other cases enforced by the agency; however, since arrears to the State do not accrue in non-AFDC cases, it is unnecessary to include them in the scope of HB 571.) To clarify that notice must be given regardless of whether a support order has been entered, we suggest that the language "delinquent in paying" should be deleted as indicated in the attached copy of HB 571.

We also suggest that 30-day notice not be required in cases in which the duty of support (i.e. paternity) has not been established. The agency is prohibited by AS 47.23.040 and Federal regulation from attempting to establish paternity in cases involving incest or forcible rape, when legal proceedings for adoption are pending, or when it would not be in the best interests of the child. Therefore, an exception to the notice requirement is necessary for these cases.

There is also a good policy reason to waive the notice requirement in all cases in which paternity has not been established. Before we file a paternity complaint, we obtain a sworn affidavit from the mother to verify the allegation of paternity. We could certainly notify putative fathers within 30 days on the basis of the minimal information provided with the AFDC application. However, since the new Federal program standards require the agency to serve paternity complaints within 90 days of locating the putative father, these potential obligors will receive timely notification. The slight additional delay to obtain detailed factual support for this serious allegation must be balanced against the potential disruption to an obligor which could be caused by an unsubstantiated claim.

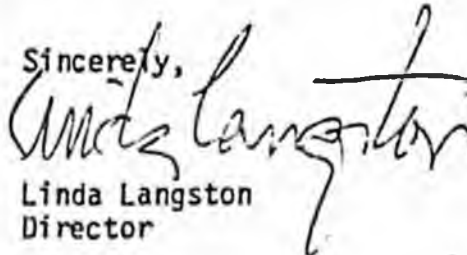
Representative Peter Goll
March 12, 1990
Page 2 of 2

Finally, to address the concern that obligors are unable to pay both the liability and the interest when there has been a delay in notice, we suggest that no interest accrue on the liability to the State if timely notice is not given, as stated in proposed subsection (b). AS 47.23.120 should be amended to provide that an obligor is liable for public assistance provided regardless of receipt of notice under AS 47.23.277. It then would read as follows:

AS 47.23.120. OBLIGOR LIABLE FOR PUBLIC ASSISTANCE FURNISHED OBLIGEE.

(a) An obligor is liable to the State in the amount of assistance granted under AS 47.25.310 - 47.25.420 to a child whom the obligor owes a duty of support except that if a support order has been entered, the liability of the obligor may not exceed the amount of support provided in the support order. An obligor is liable to the State regardless of receipt of notice under AS 47.23.277.

(b) An obligor is liable to the State in the amount of the cost incurred if the State is maintaining a child whom the obligor owes a duty of support in a foster home or institution, except that if a support order has been entered, or an agreement for payment of that cost executed between the obligor and the State, the liability of the obligor may not exceed the amount provided in the support order or agreement. An obligor is liable to the State regardless of receipt of notice under AS 47.23.277.

Sincerely,

Linda Langston
Director

LL:AL:tr
90-57

Enclosure (HB 571 with annotations)

cc: Representative Johnny Ellis, Chairman, House HESS Committee ✓

FN: 32871

BY THE HESS COMMITTEE

1 IN THE HOUSE

2 HOUSE BILL NO. 571

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act requiring notice to obligors about obliga-
7 tions relating to support."

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

9 * Section 1. AS 47.23 is amended by adding a new section to read:

10 Sec. 47.23.277. NOTICE TO OBLIGORS.^(a) Within 30 days after the
11 agency knows the identity and address of an obligor who resides in the
12 state ~~who is delinquent in paying a~~ ^{and whose} duty of support ~~enforced under~~ ^{has been established}
13 ~~this chapter or who is liable to the state under AS 47.23.120,~~ ^{and assigned} the
14 agency shall notify the obligor of the obligor's accruing liability.

(b) If the agency fails to provide notice of an accruing liability within 30 days of learning the identity and address of an obligor whose duty of support to a child has been established, interest shall not accrue on the liability to the state unless a support order has been entered.

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF REVENUE

550 WEST 7TH, 4TH FLOOR
ANCHORAGE, AK 99501-3568
PHONE: (907) 270-3441
TOLL FREE ALASKA: 800-478-3300

CHILD SUPPORT ENFORCEMENT DIVISION

March 5, 1990

Representative Johnny Ellis
Room 104, Capitol
P.O. Box V
Juneau, Alaska 99811

Subject: HB 571

Dear Johnny:

We have had an opportunity to review HB 571 in conjunction with the new Federal standards for program operations (45 CFR Part 232, 301 through 304, 306 and 307). The new Federal standards become effective for all States on October 1, 1990. They establish specific time frames for child support case actions that will now be uniform across the nation.

The new Federal rules stipulate a 90-day notice requirement, and we would like to recommend that that standard be adopted in HB 571. We also recommend that the bill, instead of adding a new section as AS 47.23.277, be entered as a new subsection (c) to AS 47.23.120. It then would read as follows:

AS 47.23.120. OBLIGOR LIABLE FOR PUBLIC ASSISTANCE FURNISHED OBLIGEE.

(a) An obligor is liable to the state in the amount of assistance granted under AS 47.25.310 - 47.25.420 to a child whom the obligor owes a duty of support. [except that] If a support order has been entered, the liability of the obligor may not exceed the amount of support provided [for] in the support order. An obligor is liable to the State regardless of receipt of notice under (c) of this section.

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

(c) An obligor who resides in the State shall be notified of the accruing liability for a child for whom a duty of support has been established within 90 days after the agency knows the identity and address of the obligor.

ATTENTION: HOUSE H.E.S.S.

H.B. 472 I strongly support this bill. This Bill will put the child support award system in to the democratic process.

In my opinion it is good policy for parents and elected officials to be directly involved in formulating child support laws.

H.B. 571 I strongly support this bill so that obligors will be notified when a duty of support begins accruing.

H.B. 538 and 539 I strongly support these bills. I believe that children have the right to have access to both parents and both parents have the right to access their children. This visitation project will benefit families and children by providing mediation for visitation problems.

I am a member of the Alaska Support Group.

^
FAMILY

Paul A. L. Nelson

Paul A. L. Nelson

March 6, 1990

Rhona L. Miels

Rhona L. Miels Non-member

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF REVENUE

CHILD SUPPORT ENFORCEMENT DIVISION

660 WEST 7TH, 4TH FLOOR
ANCHORAGE, AK 99501-3566
PHONE: (907) 278-3441
TOLL FREE ALASKA: 800-478-3300

March 5, 1990

Representative Johnny Ellis
Room 104, Capitol
P.O. Box V
Juneau, Alaska 99811

Subject: HB 571

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

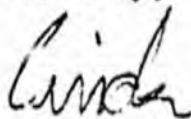
(c) An obligor who resides in the State shall be notified of the accruing liability for a child for whom a duty of support has been established within 90 days after the agency knows the identity and address of the obligor.

Representative Johnny Ellis
Re: HB 571
March 5, 1990
Page 2 of 2

You will note that we have added language to clarify that the obligor's liability for support is not affected by the notice requirement, since it could be construed under HB 571 that the notice requirement imposes a 30-day statute of limitations on the State's right to recover support to offset the State's public assistance debt.

We thank you for the opportunity to comment and look forward to working with you on this bill.

Sincerely,



Linda Langston
Director

LL:AAL:akj

FN: 32611

ATTENTION: HOUSE H.E.S.S.

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I am a member of the Alaska Support Group.

^
FAMILY

Paul A. L. Nelson

Paul A. L. Nelson

March 6, 1990

Rhona L. Miels

Rhona L. Miels Non-member

STEVE COWPER
GOVERNOR



PHONE
(907) 561-4227

STATE OF ALASKA

OFFICE OF THE GOVERNOR

ALASKA WOMEN'S COMMISSION
3601 C STREET - SUITE 742
ANCHORAGE, ALASKA 99503

March 7, 1990

Representative Johnny Ellis
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Alaska 99811

Dear Representative Ellis and members of House HESS:

I had the opportunity to listen in on the discussion on HB 571, and the clarification regarding the intent of directing this bill towards absent parents who are accruing a debt to AFDC. The Women's Commission supports the speedy notification to absent parents who do not have a child support order in place and who are accruing a debt to AFDC. It is, of course, incumbent upon that parent to respond in a timely manner.

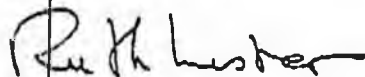
The Women's Commission strongly supports HB513. This legislation is long overdue. Many youth are in school at age 19. Completion of their education is our first concern.

Regarding HB472, the Women's Commission at their meeting on Mar 2 and 3 in Anchorage, made a decision not to support HB472. Last year I observed the court appointed child support guidelines committee. This committee took extensive testimony and carefully addressed all issues. A review of their committee notes would easily persuade you of this. There were good reasons for their decisions and the process was cost effective for the State.

Only the court has the opportunity of actually knowing both sides of the story. The obligors have been very vocal. It is my experience from years of working in the domestic violence field that where there is ongoing harassment in relation to custody and support there is often past or present violence or threats. We are only hearing one side of the story at these hearings. Custodial parents rarely feel able or safe to testify. If guidelines are decided legislatively, I believe that we will not have a fair and balanced process because we will only hear from obligors.

The present guidelines, with allowance for special case exceptions, provide for adequate support if the non-custodial parent is working. They are not high compared to other states. One of the problems that is most often brought up is second families. Some non-custodial parents who have been paying low support amounts have suddenly, through a modification, had their obligation increased. This problem will decline with time as all new awards are determined by 90.3 and non-custodial parents do not therefore experience large changes in their obligations.

Sincerely

A handwritten signature in cursive script, appearing to read "Ruth Lister".

Ruth Lister
Executive Director

RL/kh

Notify Obligor within 30 Days

RECOMMENDATION 37:

THE TASK FORCE RECOMMENDS THAT IN CASES WHERE THE UNCONTESTED IDENTITY AND THE ADDRESS WITHIN ALASKA OF THE NON-CUSTODIAL PARENT ARE KNOWN, THE CHILD SUPPORT ENFORCEMENT DIVISION MUST NOTIFY OBLIGORS THAT A SUPPORT OBLIGATION HAS BEEN ACCRUING BECAUSE OF NON-PAYMENT OF COURT-ORDERED SUPPORT AND/OR BECAUSE OF PAYMENT OF AID TO FAMILIES WITH DEPENDENT CHILDREN BENEFITS FOR WHOM THE PARENT HAS A DUTY OF SUPPORT, WITHIN 30 DAYS AFTER THE DATE THAT THESE FACTS BECOME KNOWN TO THE DIVISION.

Issue

Sometimes government agencies take a long time to notify non-custodial parents that the custodial parent of their children is receiving AFDC benefits. Because of this, non-custodial parents can build a large debt to the state without knowing that the debt is being incurred, with interest. How can this be avoided?

FSA Criteria

The Act strengthens the relationship between the public assistance and Child Support Enforcement agencies, both of which operate on the assumption that parents are responsible for the support of their children, even if they don't live in the same house.

AFDC benefits can sometimes be viewed as child support payments paid by the government on behalf of the non-custodial parent. Just because the parents don't make the payments doesn't mean they are not still responsible for some or all of the payments. Therefore AFDC cash benefits can be considered a loan to the non-custodial parent, which must be repaid, with interest. This debt and interest accrual begins when the first AFDC check is issued for a parent's children.

Therefore when single parents apply for AFDC, they must provide the name and address of the children's other parent, so that child support payments can be collected to offset the government-paid AFDC benefits. The government then notifies the non-custodial parent that the other parent is receiving AFDC benefits for their children and that a debt is therefore developing.

Rationale

Neither the Act nor existing regulations provide guidelines for when the State must notify the non-custodial parents that costs are being incurred for which they are responsible. This recommendation provides a reasonable time frame. The intent is to allow the non-custodial parent as much time as possible to repay or make plans for repaying AFDC debts.

Original sponsor(s): HESS Committee

1 IN THE HOUSE

BY THE HESS COMMITTEE

2 CS FOR HOUSE BILL NO. 571 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act requiring notice to obligors about obliga-
7 tions relating to support."

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

9 * Section 1. AS 47.23.120 is amended by adding new subsections to read:

10 (c) Within 30 days after the agency knows the identity and
11 address of an obligor who resides in the state and who is liable to
12 the state under this section, the agency shall send written notifica-
13 tion to the obligor of the obligor's accruing liability. The notice
14 required under this subsection must be in clear, concise, and easily
15 readable language. The notice may accompany other communications by
16 the agency.

17 (d) If the agency fails to comply with (c) of this section,
18 interest does not accrue on the liability to the state unless a sup-
19 port order has been entered.

20 (e) The agency's failure to comply with (c) of this section does
21 not bar an action by the state to recover amounts owed by the obligor.
22
23
24

H B

581

STATE OF ALASKA THE LEGISLATURE

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JUNEAU, ALASKA 99811
907-465-3800

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Mary Van Nimwegen

✓ NESS	3/24/90
11 NESS	3/30/90
4 NESS	4/4/90
11. NESS	4/5/90

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 13, 1990

FURTHER REFERRALS:

FINANCE

Date of Committee Action: 4/5/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: HB 581

HOUSE BILL NO. 581

UNIVERSAL HEALTH CARE TASK FORCE

"An Act creating a universal health care task force; and providing for an effective date."

RECOMMENDATIONS:

- be replaced with CS HB 581 (HESS) the same title
 a new title
- have attached amendment(s)
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS: (Date/Dept)

- fiscal impact DHS
- zero fiscal note _____
- zero with analysis _____

- fiscal note(s) _____
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS

SIGNING:
(Check approp. column)

Do Not Pass No Rec Amend

J. Ellis
Peter Lee
D. Hensley
Mark Baker
Ray

<u>W. J. ...</u>		<input checked="" type="checkbox"/>	

J. Ellis
Chairman's Signature

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affecte DHSS
 Title: "An Act creating a universal health care task BRU: Administrative Services
for and providing for an effective date."
 Sponsor: _____ Components: Planning and Development
 Requestor: by the HESS Committee

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY92	FY93	FY94	FY 95	FY 96
PERSONAL SERVICES	93.0	102.5				
TRAVEL	26.3	40.8				
CONTRACTUAL	28.6	23.2				
SUPPLIES	0.9	0.5				
EQUIPMENT	0.0	0.0				
LAND & STRUCTURES	0.0	0.0				
GRANTS, CLAIMS	0.0	0.0				
MISCELLANEOUS	0.0	0.0				
TOTAL OPERATING	208.8	167.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0				
REVENUE	0.0	0.0				

FUNDING: (Thousands of Dollars)

GENERAL FUND	208.8	167.0				
FEDERAL FUNDS	0.0	0.0				
OTHER	0.0	0.0				
TOTAL	208.8	167.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY	3	3				

ANALYSIS: (Attach a separate page if necessary)

See attached assumptions and calculation analysis.

NO fiscal impact in FY 90.

Prepared by: D. Williams *DW*
 Division: Div. of Admin. Svcs., DHSS
 Approved by Commissioner: *Sam Oudue*
 Agency: Dept. of Health & Soc. Svcs

Phone: 465-3015
 Date: April 3, 1990
 Date: 4/4/90

Distribution (by preparer):

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

PERSONNEL	FY 91	FY 92
RAIII 22 months = \$ 93,214	\$ 42,370	\$ 50,844
RA II 17 months = 58,327	30,879	27,448
CTIII 20 months = 43,960	19,782	24,178
Total personnel \$195,501	\$93,031	\$102,470

TRAVEL	FY 91	FY 92
Task Force travel:		
8 meetings, 5 members, 3 days per diem	\$ 17,250	28,750
Evenings will be public meeting & discussion		
Next day is education/work session		
3 days stipend @ \$150; avg. fare \$400; misc.		
\$30 total per meeting, per member \$850		
Staff travel for research and meetings:	9,000	12,000
Total travel	\$26,250	\$40,750

CONTRACTUAL	FY 91	FY 92
Printing		1,000
4 X \$5,000 for expert testimony & task force education	10,000	10,000
Advertizing (display ads)	1,500	2,500
Telephone long distance calls	350	650
Office space (500 sq. ft. lease @ 1.50 per sq ft)	6,750	9,000
Employer survey (phone)	20,000	
Characteristics survey (phone, interview and observation)	50,000	
Total contractual	\$88,600	\$23,150

SUPPLIES	FY 91	FY 92
Paper goods, office supplies	\$ 600	450
Reference books	300	
Total supplies	\$ 900	\$ 450

EQUIPMENT		
Personal Computer = \$4,500 value donated	-0-	-0-

TOTAL FOR PROJECT	\$208,781	\$166,820

Assumptions:

1. Written work of the task force in providing program description and supportive documentation will be provided by legislative research agency.
2. Teleconferencing of public meetings will be provided at no cost through the legislative network or other comparable arrangement.
3. Reimbursement for services of those appointed by the Governor will be limited to \$150 per day plus travel and per diem.
4. Advisory committee members will provide funding for travel and other costs for their participation from their respective budgets.
5. Computer used for staff research work will be donated.



HEALTH CARE COALITION OF ALASKA

HOUSE BILL NO. 581

Sec. 2 - Page 3 - beginning line 5 - after (6) Office of the Governor
add:

- (7) Hospital Administrator
- (8) Physician
- (9) Health Care Provider
- (10) Consumer

Sec. 2 - Page 3 - beginning line 14 - after the word "public" add:

Alaska Pharmaceutical Association, Alaska Public Health Association,
Alaska Dental Society, Alaska Academy of Physician Assistants, Alaska
Nurses Association, Department of Veterans Affairs, CHAMPUS, Department of
Defense,

Sec. 2 - Page 3 - beginning line 20 - after the number "1982;" add:

and the study done by Thomas Parran, University of Pittsburgh Graduate
School of Public Health, for the Department of Interior, 1954, called
"Alaska Health: A survey Report";

Sec. 2 - Page 4 - beginning line 4 - after the word "providers" add:

Department of Veterans Affairs, Department of Defense (CHAMPUS),

FISCAL NOTE CALCULATIONS

	sal/w-perq	12 months	6 months	3 months
Research Analyst III	3336/4237 mo	50,844	25,422	12,711
Research Analyst II	2702/3431 mo	41,172	20,586	10,293
Clerk Typist III	1731/2198 mo	26,376	13,188	6,594

PERSONNEL		1st year	2nd year
RAIII 18 months	= \$ 76,266	\$ 25,422	\$ 50,844
RA II 15 months	= 51,465	10,293	41,172
C T 15 months	= 32,970	6,594	26,376
total personnel	\$160,701	\$42,309	\$118,392

TRAVEL (18 MONTHS)
 5 meetings, plus 3 exec. meetings with chair \$ 6,750
 Evenings will be public meeting & discussion
 Next day is education/work session
 3 days per diem; avg. fare \$400

Staff & advisory commission (6 plus 3) 12,150
 9 @ \$90 X 3 X 5 =

4 out-of-state trips by staff 4,000
 total travel \$22,900

CONTRACTUAL	1ST YEAR	18 MO
Printing	\$ 1,000	
4 X \$5,000 for expert testimony & task force education	20,000	
Advertizing (display ads)	3,000	
Telephone long distance calls	1,000	
office space (500 sq. ft. lease @ 1.50 per sq ft)	9,000	
total contractual	\$31,000	46,500

SUPPLIES	1ST YEAR	18 MO
paper goods, office supplies	\$ 600	
reference books	300	
total supplies	\$ 900	1,350

EQUIPMENT	
Word processor	\$ 4,200

GRAND TOTAL FOR PROJECT \$235,651

6-2306E

Ford
4/3/90

Original sponsor(s): HESS Committee

1 IN THE HOUSE

BY THE HESS COMMITTEE

2 CS FOR HOUSE BILL NO. 581 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Universal Health Care Task
7 Force; and providing for an effective date."

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

9 * Section 1. FINDINGS. The legislature finds that

10 (1) over 50,000 residents of the state cannot afford to pay
11 their medical bills, are not covered by a group health insurance plan, do
12 not qualify for public assistance programs, and cannot afford to pay indi-
13 vidual health insurance premiums; a vast majority of the uninsured are
14 either employed or are dependents of employed state residents;

15 (2) many state residents with high risk, preexisting health
16 conditions are unable to obtain health insurance and must deplete their
17 personal resources in order to obtain care;

18 (3) many state residents do not receive certain kinds of crit-
19 ical care due to exclusions in their health insurance policies;

20 (4) the health insurance coverage for many state residents does
21 not cover costly illnesses or injuries causing catastrophic financial
22 consequences to them and their families;

23 (5) due to the lack of health insurance coverage, many state
24 residents do not obtain necessary preventive care, and this leads to dra-
25 matically higher remedial care and an additional incidence of disease and
26 illness in the state;

27 (6) the cost of providing health care to those who are unable to
28 pay is shifted to those who are taxpayers or participants in a health
29 insurance plan;

1 (7) the Governor's Interim Commission on Health Care recommended
2 that "a state working group should explore and develop health insurance
3 plans for medically uninsured Alaskans";

4 (8) every state resident should be guaranteed a basic level of
5 health care regardless of income and should not become financially desti-
6 tute before obtaining health care; access to health care should be univer-
7 sal, including those state residents with preexisting health conditions;

8 (9) the issues of medical indigency and universal health care
9 are complicated, complex issues requiring review by an authoritative group
10 for a certain period of time.

11 * Sec. 2. PURPOSE. The purpose of the Universal Health Care Task Force
12 created by this Act, is to

13 (1) design a cost-efficient program allowing access to health
14 care, through insurance or other means, to all state residents, that is not
15 dependent on the individual's ability to pay and that provides a basic
16 level of health care services to all participating state residents;

17 (2) define the best strategy for implementing a universal health
18 care program, including consideration of the redistribution of existing
19 funds spent on health care in the state in order to provide for a rational
20 and equitable health care system that affords all state residents preven-
21 tive and remedial health care services.

22 * Sec. 3. UNIVERSAL HEALTH CARE TASK FORCE. (a) The Universal Health
23 Care Task Force is created in the Department of Health and Social Services.
24 The task force is composed of five individuals appointed by the governor
25 with a significant and demonstrated expertise or interest in health care.
26 As a nonvoting technical advisory committee to assist the task force, the
27 governor shall also assign one representative each from the Department of
28 Health and Social Services, the division of insurance, the division of
29 retirement and benefits, the state house of representatives, the state

1 senate, and the Office of the Governor.

2 (b) The members of the task force are entitled to receive \$150 for
3 each day spent on task force business and per diem and travel expenses
4 authorized for boards and commissions under AS 39.20.180.

5 (c) The governor shall select a chair and a vice-chair from among the
6 members of the task force.

7 * Sec. 4. DUTIES OF THE TASK FORCE. The task force shall

8 (1) solicit advice and information from health care consumer
9 groups, the insurance industry, health care providers including the State
10 Medical Association, the State Health Association, the Alaska Pharmaceuti-
11 cal Association, the Alaska Public Health Association, the Alaska Dental
12 Association, the Alaska Academy of Physicians Assistants, the Alaska Nurses
13 Association, the United States Department of Veterans Affairs, the United
14 States Department of Defense, the Civilian Health and Medical Program of
15 the Uniformed Services, public employee unions, representatives of the
16 medically indigent, emergency services personnel, large and small busi-
17 nesses, the Medical Care Advisory Committee, the Alaska Native Health
18 Service, actuaries, public relations experts, the public, and the technical
19 advisory committee created in sec. 3 of this Act;

20 (2) analyze all the relevant information necessary to recommend
21 a program of universal health coverage, including 1990 census data and the
22 study done in 1954 for the United States Department of the Interior by
23 Thomas Parran, titled "Alaska Health: A Survey Report";

24 (3) update the information in the "Alaska Comprehensive Health
25 Care Financing Study" done by the Battelle Human Affairs Research Center in
26 1982;

27 (4) make an accurate estimate of the number of people who are
28 unable to receive necessary health care services in the state, which pa-
29 tients are generating unpaid medical bills, which state residents are

1 uninsured or lack adequate insurance, which health care providers are
2 providing uncompensated care, who is paying for the cost of uncompensated
3 care, and the total cost of uncompensated care in the state;

4 (5) identify those health care services necessary to achieve an
5 acceptable minimum level of health care for all state residents and to
6 examine those health care services that provide the most care for the most
7 people at the least cost, including prevention services; the health care
8 rationing system in Oregon shall be examined by the task force;

9 (6) recommend ways to coordinate services between nonprofit
10 health care providers, profit making health care providers, the state
11 division of public health, the United States Department of Veterans Af-
12 fairs, the United States Department of Defense, and the Alaska Native
13 Health Service in order to achieve a more efficient and effective health
14 care delivery system;

15 (7) consider possible delivery systems for a universal health
16 care program, including using a single, comprehensive statewide system or
17 changing existing health care services to yield an integrated system of
18 health care coverage; options that shall be considered include

19 (A) expanding the use of private health insurance to pro-
20 vide coverage to the uninsured and underinsured;

21 (B) establishing health insurance coverage mechanisms
22 described in Senate Bill 6, Senate Bill 254, Senate Bill 304, and
23 House Bill 47, of the Sixteenth Alaska State Legislature;

24 (C) using the state employees' health plan as the founda-
25 tion for an insurance pool that would include the uninsured who are
26 not covered in the workplace, with the possibility of expanding the
27 pool to eventually cover all state residents;

28 (D) continuing or reinstating government programs, includ-
29 ing the Medicaid medically needy option or the catastrophic illness

1 program, if private insurance is not the best way to provide coverage;

2 (E) sponsoring the pooling of small employers into a single
3 organized health care purchasing group;

4 (F) mandating coverage in the workplace for employers with
5 a certain threshold number of employees;

6 (G) mandating a minimum basic level of health services to
7 be included in a health insurance plan, with a special emphasis on
8 important preventive services and children's health services;

9 (H) requiring that health care programs include residents
10 who are unable to obtain insurance due to a high risk or a preexisting
11 medical condition;

12 (I) requiring that health care programs include coverage
13 for costly medical services that have a catastrophic financial impact
14 on patients and their families, including making the state the payor
15 of last resort before a family becomes destitute;

16 (J) requiring that the University of Alaska provide health
17 coverage for all students;

18 (K) combining the workers' compensation system with a
19 universal health care program;

20 (L) establishing or lengthening the time for continuation
21 or conversion of health insurance coverage after a state resident
22 leaves employment;

23 (M) using the unemployment insurance program to also cover
24 health care services for the unemployed;

25 (N) examining the ability of the state to self-insure under
26 a universal health care program;

27 (O) making charity care a requirement as part of the li-
28 censing or certificate of need process;

29 (P) having special programs designed to ensure that

1 children have adequate health coverage, such as the child health care
2 programs established in Minnesota;

3 (8) consider a means of financing a universal health care pro-
4 gram including the following:

5 (A) including all residents in the program regardless of
6 their ability to pay, although those able to pay would be expected to
7 contribute based on a sliding scale;

8 (B) direct purchase of premiums by the state for individu-
9 als who are uninsured;

10 (C) the use of a payroll tax for full or partial financing
11 of a small employer insurance pool;

12 (D) a Medicaid waiver requesting a block grant from the
13 federal government to subsidize a universal state program;

14 (E) using the permanent fund dividend program to finance
15 coverage for some residents;

16 (F) using reasonable deductibles and co-payments to dis-
17 courage frivolous use of health programs;

18 (G) using the unemployment tax to cover the costs of insur-
19 ance for the unemployed or uninsured;

20 (H) a Medicaid buy-in for the medically uninsured;

21 (I) streamlining coverage so that families are not covered
22 under two separate insurance programs;

23 (9) pursue financial support from other sources, including
24 private foundations like the Robert Wood Johnson Foundation, for the work
25 of the task force and for implementation of a universal health care pro-
26 gram;

27 (10) coordinate with the community health planning efforts
28 described in Senate Bill 326 of the Sixteenth Alaska State Legisla-
29 ture;

1 (11) solicit actuarial data and other technical information
 2 and assistance from the health care insurer providing coverage to the
 3 state;

4 (12) utilize information provided by the Health Care Cost
 5 Containment Task Force established by the Sixteenth Alaska State
 6 Legislature.

7 * Sec. 5. REPORT. The task force shall, by March ~~31~~¹, 1992, provide a
 8 preliminary report, and by June 30, 1992, provide a final report to the
 9 legislature and the governor that recommends a program for providing uni-
 10 versal health care, including recommendations for implementing the program
 11 in phases in an expeditious, yet orderly manner.

12 * Sec. 6. This Act is repealed June 30, 1992.

13 * Sec. 7. This Act takes effect February 1, 1991.

H B

5 8 4

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Mary Van Nimwegen

H NESS

3/28/90

H NESS

3/29/90

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 16, 1990

FURTHER REFERRALS:

FINANCE

Date of Committee Action: 3/29/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: HB 584

HOUSE BILL NO. 584 ALCOHOLISM & DRUG ABUSE LOAN FUND

"An Act relating to a revolving loan fund in the Department of Health and Social Services."

RECOMMENDATIONS:

- be replaced with _____ the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):
(Dept)

APPROVES PREVIOUS:
(Date/Dept)

- fiscal impact _____
- zero fiscal note DHSS
- zero with analysis _____

- fiscal note(s) _____
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS:

J. Ellis

Max Bay

George J. Jr.

SIGNING:
(Check approp. column)

	Do Not Pass	No Rec	Amend.
<u>Chris Davis</u>		x	
<u>[Signature]</u>		x	

J. Ellis
Chairman's Signature

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Health & Social Services
 Title: Relating to a revolving loan fund BRU: _____
in the Department
 Sponsor: House HESS Components: _____
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY92	FY93	FY94	FY 95	FY 96
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	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE	0.0	0.0	0.0	0.0	0.0	0.0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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)
FY 90 fiscal impact is "0".

Prepared by: Matthew Felix, Acting Director
 Division: Alcohol and Drug Abuse
 Approved by Commissioner: Myra M. Munson
 Agency: Department of Health and Social Services

Phone: 586-6201
 Date: 3/28/90
 Date: _____

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

POSITION PAPER

HOUSE BILL NO. 584

"An Act relating to a revolving loan fund in the Department of Health and Social Services."

Background

HB 584 creates, within the Department of Health and Social Services, a revolving loan fund as required under 42 USC 300x - 4a. Money from within this fund may be used, in accordance with federal law, to make loans to private non-profit organizations for the cost of establishing programs to provide housing in which individuals recovering from alcohol or drug abuse may reside in a group facility.

HB 584 also gives the Department authority to adopt regulations necessary to administer the program, establish plans for the repayment of loans, charge and collect fees associated with the loans and contract for the servicing of loans made from the loan program.

Analysis

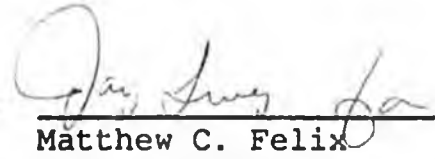
Recently, Congress, through the Comprehensive Alcohol Abuse, Drug Abuse and Mental Health Amendments of 1988, mandated that States, to be eligible for the Alcohol, Drug Abuse, Mental Health Block Grants must establish a loan program according to the provisions of 42 USC 300x - 2a. During the next federal fiscal year, the State expects to receive approximately \$2.7 million from this block grant.

This legislation is necessary because the Attorney General has determined that current law does not provide sufficient authority to the Department to establish the loan program. HB 584 will provide the Division of Alcoholism and Drug Abuse (A/DA) with the needed authority to establish the loan program according to the requirements mandated in federal law. If the loan program is not created within A/DA, future Alcohol, Drug Abuse and Mental Health Block grant funds could be jeopardized.

Position

The department of Health and Social services supports HB 584.

Recommended by:

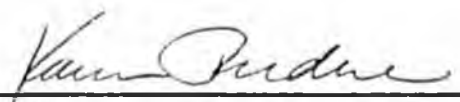


Matthew C. Felix
Acting Director
Division of Alcoholism and
Drug Abuse

Date:

3/28/90

Approved by:



Myra M. Munson, Commissioner
Department of Health and
Social Services

Date:

3/28/90

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Health & Social Services
 Title: Relating to a revolving loan fund BRU: _____
in the Department
 Sponsor: House HESS Components: _____
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY92	FY93	FY94	FY 95	FY 96
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	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE	0.0	0.0	0.0	0.0	0.0	0.0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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)
FY 90 fiscal impact is "0".

Prepared by: Matthew Felix, Acting Director
 Division: Alcohol and Drug Abuse
 Approved by Commissioner: Myra M. Munson
 Agency: Department of Health and Social Services

Phone: 586-6201
 Date: 3/28/90
 Date: _____

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

STEVE COWPER, GOVERNOR

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

P.O. BOX H
JUNEAU, ALASKA 99811-0601
PHONE: (907) 465-3030

March 28, 1990

Honorable Johnny Ellis, Chair
House Health, Education, and
Social Services Committee
Alaska State House of Representatives
P.O. Box V
Juneau, Alaska 99811

Re: Analysis of House Bill 584

Dear Representative Ellis:

HB 584 creates in the Department of Health and Social Services a revolving loan fund which is required by Federal law as a condition of receipt of Federal Block grant funds. The legislation is necessary because the Office of the Attorney General has determined that the Department does not have authority under current statute to create the loan program.

The use of money from the loan fund must conform to Federal law (42 USC 300x - 4a) which provides that the State must agree to:

- * Establish, directly or through the provision of a grant or contract to a non-profit private entity, a revolving loan fund to make loans for the costs of establishing programs for the provision of housing in which individuals recovering from alcohol or drug abuse may reside in groups of not less than 4 individuals;
- * ensure that programs are carried out in accordance with guidelines issued under this subsection;
- * ensure that not less than \$100,000 of federal funds will be available for the revolving loan fund;
- * ensure that each loan made from the revolving fund does not exceed \$4,000 and that each loan is repaid to the revolving fund not later than 2 years after the date on which the loan is made; and

Honorable Johnny Ellis

-2-

March 28, 1990

* ensure that such loans are made only to non-profit entities.

The administration of this loan fund will be absorbed within the Department's current budget so that the legislation will have no fiscal impact.

Sincerely,



Myra M. Munson
Commissioner

HAR

13

STATE OF ALASKA
THE LEGISLATURE

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Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

H NESS

3/8/90

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: _____
 Title: Smoking ban in House
Chambers BRU: _____
 Sponsor: House HESS Committee Components: _____
 Requestor: House HESS Committee

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Jim Nordlund, Staff *Jim Nordlund* Phone: 465-3759
 Division: House HESS Committee Date: 3/6/90

Approved by Commissioner: _____ Date: _____
 Agency: _____

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

AMERICAN LUNG ASSOCIATION of ALASKA

Dedicated to the prevention and control of lung disease

March 7, 1990

Representative Johnny Ellis
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

RE: HR 13

Dear Representative Ellis:

I am writing in support of your resolution that would ban smoking in the Alaska State House Chamber.

There are many positive signals that at long last our society is recognizing the consequences of smoking and health.

The recent federal ban on smoking on 99% of the U.S. domestic airline flights and the strong statements by Secretary Sullivan regarding the targeting marketing of tobacco products to certain population are positive indicators of this trend. We are becoming increasingly aware of the health risk of smoking for the individual and the associated risk of second hand smoke for non-smokers. Recent studies have indicated that at least 5,000 die annually from second hand smoke. Our society does have the potential to meet the challenge of former Surgeon General C. Everett Coop and become "Smoke Free" by the year 2000.

The health and economic facts are overwhelming. Use of tobacco products is the number one cause of preventable death in the United States. In 1988, 390,000 people died in tobacco related deaths--10% of all premature deaths. During that same year in Alaska, 19% of all deaths were tobacco related. Nationally, 29% of all males smoke and 22% of all females smoke. In Alaska, 45% of all Alaskan males smoke and 33% of all Alaska females smoke. Alaska has the highest incidents of lung cancer death in the United States among both male and female. The economic costs of tobacco use (both direct and indirect) for Alaska is roughly \$100,000,000 annual, and average of \$257 per adult Alaskan.

Since Alaska has not yet passed legislation for a stringent Indoor Clean Air Act, I think it would send a very positive signal of the House would go on record by example in favoring a smoke free environment.

Sincerely,



Walter L. Hays
Executive Director

HCR

15

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES



P.O. BOX V, JUNEAU 99811
(907) 465-3759

STATEMENT ON HCR 15 by the HOUSE HESS COMMITTEE

House Concurrent Resolution 15, "relating to citizen review boards", was introduced as one of a package of measures proposed or supported by the House HESS Committee, as a result of the Committee's interim comprehensive review of the state's child protection and foster care systems. This bill responds to testimony presented at hearings in the fall of 1988 regarding the effectiveness of the state's foster care system.

HCR 15 would continue for an additional year the demonstration citizen review panel which has recently been started in Anchorage. Seed monies for this project were provided through a grant from the National Association of Foster Care Reviewers and the Edna McConnell Clark Foundation. The funding ends in June of 1989 and will not be continued.

The information resulting from this demonstration project, and from a similar demonstration project in Ketchikan, will be used to implement a permanent citizen system such as the one proposed in House Bill 19. These two pieces of legislation are complementary and together offer a phased-in approach to citizen review panels.

For further information on the demonstration project, please refer to the enclosed information from the Office of Public Advocacy and the Department of Health and Social Services.

HOUSE CONCURRENT RESOLUTION NO. 15

Relating to citizen review boards for the foster care system.

The Division of Family and Youth Services (DFYS) within the Department of Health and Social Services has responsibility to develop, implement, and administer services for children who cannot remain in their own homes due to problems of abuse and neglect. One of the primary services needed by these children is foster care to provide a nurturing environment through a family setting. Providing quality services to children, their natural family, and their foster family is of the greatest concern not only to state agencies mandated to provide service, but is also of the greatest concern to the broader "community" of each city and village in Alaska. The quality of service provided to children is indicative of the quality of life in a community. Developing Citizen Review Boards is one way for community members to be directly and positively involved in providing and improving the quality of service available to children and their families.

DFYS is in support of HCR No. 15, and has signed an agreement with the Anchorage and Ketchikan Demonstration projects to coordinate efforts in exploring different methods for reviewing the needs of children in foster care. Each of these projects has goals to improve the care of individual children as well as goals for improving the systems which determine program and service availability to children and families.

In Anchorage the purpose of the project is to provide an early review of children in foster care by examining the efforts of the professionals regarding family preservation and reunification. The project will specifically consider the "reasonable efforts" requirements of P.L. 96-272 in its review of each child's case. The project will also provide a vehicle for substantive research regarding the strengths and limitations of the present child protection services system.

The review panel makes recommendations regarding what the Division can do to assure early reunification; what the Division could have done to prevent the initial removal of the child from the home; and what services need to be available to accomplish the recommendations. This project also reviews the work completed by the attorneys involved in the case; the guardian-ad-litem; the court; and other aspects of services which would be relevant to the child's welfare.

In addition to providing oversight and concrete recommendations for individual children, the project will also be collecting information which will be extremely useful for human service agencies in planning. By documenting what

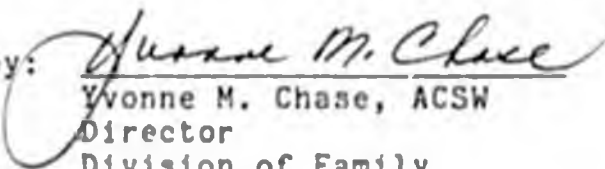
Position Paper
House Concurrent Resolution No. 15
Page 2

services are available and what services need to be available for a child to remain safely in their home, the project will be able to provide the service community, the public, and the various governmental agencies with the data needed for planning and directing human service growth and improvements in Anchorage.

The purpose of the Ketchikan project is more closely related to the planning for the individual child. The project goal is to facilitate a permanent home for every child reviewed by the project panel. The panel will make specific recommendations with time frames for completion of each task necessary for implementing the permanent plan for an individual child. Reviews will be conducted once every six months for those children who have resided in foster care for more than six months. The purpose of the review will be to determine what efforts have been made by the Division and any other related agents or agencies to carry out a plan for the permanent placement of each child.

The Division's current review system is comprised of panels in each field office location which meet the requirements of P.L. 96-272. These projects in Anchorage and Ketchikan will demonstrate the pros and cons of external review as compared to the current internal administrative review system. The projects will provide critical information for the continued development of the case review system. Most importantly, these two projects are providing invaluable information and planning for individual children and for the service communities.


Recommended by:


Yvonne M. Chase, ACSW
Director
Division of Family
and Youth Services

Date:

2/7/89

Approved by:


Myra M. Munson
Commissioner
Department of Health
and Social Services

Date:

March 7, 1989

ANCHORAGE FOSTER CARE REVIEW BOARDOVERVIEW

March 4, 1989

In early 1988, the Office of Public Advocacy received a \$24,200.00 grant from the National Association of Foster Care Reviewers and the Edna McConnell Clark Foundation to implement an early Foster Care Review project. Along with three other sites in the country, the Anchorage Foster Care Review Board (FCRB) was funded to demonstrate the impact of very early review of children in foster care.

Traditionally, case reviews have occurred, at the earliest, at 6 months after the child's case has been opened. In Anchorage a random selection of new Child In Need of Aid (CINA) cases are reviewed one month, and again at three months, after the children have entered foster care. The focus of these reviews is on the efforts of the social worker, guardian ad litem, and Court to both prevent the foster home placement and to promote family reunification and/or an alternate permanent home for the child.

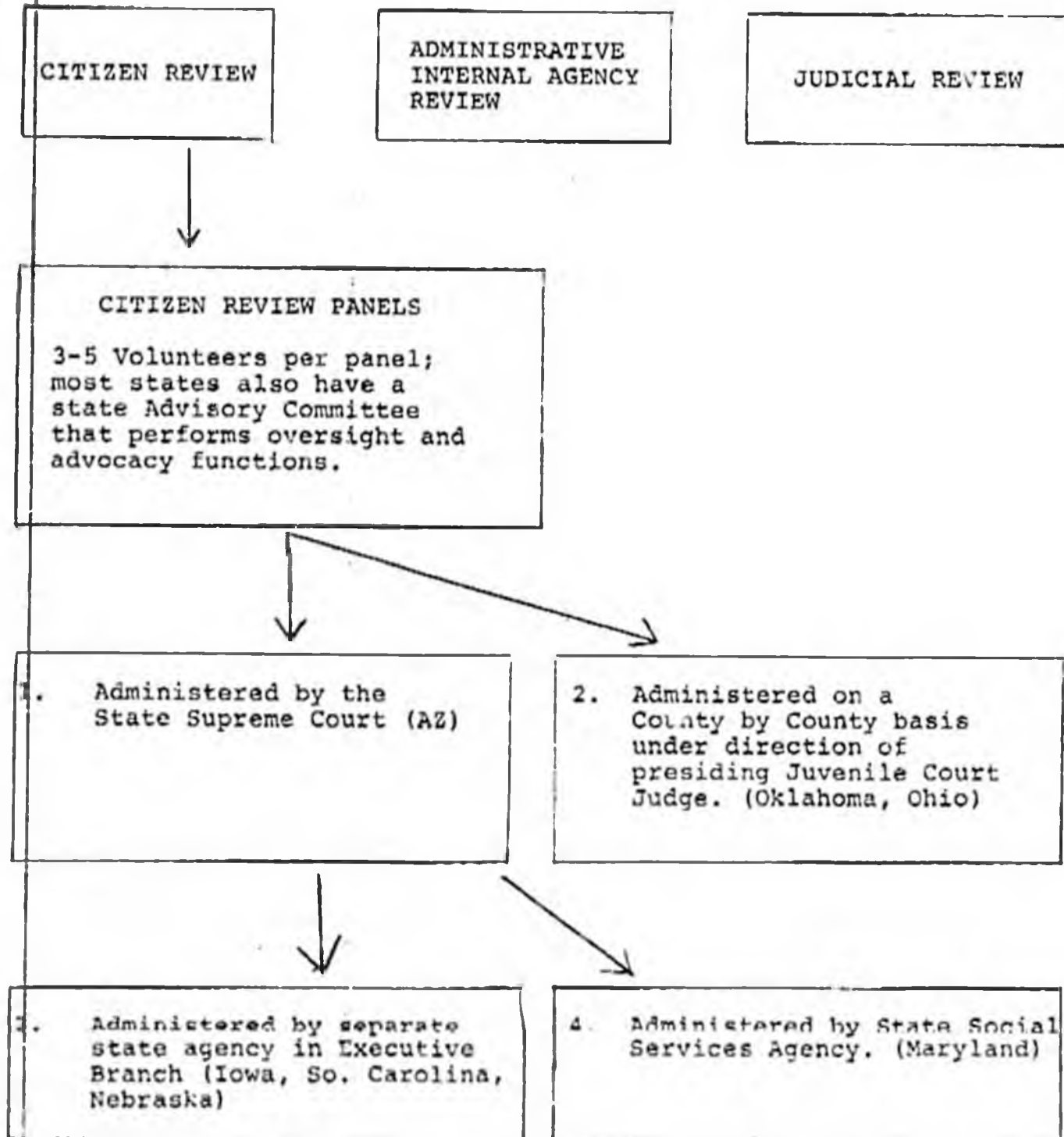
The Anchorage FCRB is guided by a Task Force consisting of staff from the Court, the Office of Public Advocacy (OPA), the Division of Family and Youth Services (DFYS), the Attorney General's Office, the Municipality of Anchorage, and the private human services and legal community. This Task Force has developed policies and procedures, assisted in the training of Board volunteers which were drawn from the Court Appointed Special Advocate (CASA) program at the Office of Public Advocacy, and continues to revise and develop the project.

Presently, the Board meets monthly to review cases. Complete case histories, written by staff following a thorough analysis of the child's Court, OPA, and DFYS files, are distributed to the Board members prior to the meeting. The Board members review approximately ten cases per month. They discuss the case in depth and formulate a report of their concerns and recommendations. This report is subsequently distributed to the parties in the case.

Since August 1988, 65 children's cases have been reviewed by the Board in Anchorage. This represents approximately one-third of all new CINA cases opened in Anchorage during this time period. In addition to making case-specific reports, the Anchorage FCRB is collecting data to identify strengths and limitations of the Anchorage child welfare system.

The grant for this demonstration project ends June 10, 1989. Neither the Clark Foundation or the National Association of Foster Care Reviewers will be providing continuation funding. Other sources of revenue have not been found for the project. HCR 15 will allow for the continuation and partial expansion of the Anchorage FCRB so that in FY 91 the project will be able to review approximately half of the children in foster care in this community.

MODELS OF FOSTER CARE REVIEW





Alaska Foster Parents Association

P. O. BOX 140651 • ANCHORAGE, ALASKA 99508



**POSITION PAPER
HCR 15
CITIZEN REVIEW BOARD
DEMONSTRATION PROJECTS**

The Alaska Foster Parent Association supports this measure only in lieu of passage of HB 19, Foster Care Review Boards.

The demonstration project in Ketchikan was funded by legislative appropriation in 1985. It has yet to hear its first review. The reason appears to be that impediments were implaced by an agency of the administration. In the meantime, an extremely valuable system of oversight has been denied to the client population receiving services from Health and Social Services.

It is our position that the greatest lesson we will learn from the pilot projects in Anchorage and Ketchikan is that we should have created a system of citizen review far earlier and that, since we have not, now is the time to do it.

We urge the passage of HB 19. Failing that, we will support this measure to keep the pilot projects alive while we continue to work toward a state-wide system of citizen foster care review, which provides quality assurance in the activities of the state dealing with children in state custody.

Miriam Sumner
President

Frank H. Wasmer
Vice President