

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672

6285 SENATE HEALTH, EDUCATION AND SOCIAL SERVICES

689

1 principal of the fund for the administrative expenses of the commis-
2 sion.

3 * Sec. 7. AS 37.14.240(d) is amended to read:

4 (d) Up to \$150,000 per year may be appropriated from the princi-
5 pal of the fund for the administrative expenses of the board [COMMIS-
6 SION].

7 * Sec. 8. AS 37.14.270 is amended by adding a new paragraph to read:

8 (5) "commission" means the Alaska Commission on Children
9 and Youth established under AS 44.19.521.

10 * Sec. 9. AS 37.14.270 is amended by adding a new paragraph to read:

11 (6) "board" means the Alaska Children's Trust Fund Board.

12 * Sec. 10. AS 39.05.100(a) is amended to read:

13 (a) A person appointed to a board or commission of the state
14 government shall be and have been before the last general election,
15 (1) a registered voter in the state, if the appointment is made at
16 large or (2) a registered voter from the judicial district, if the
17 appointment is made from a specific judicial district. The student
18 member of the Board of Regents of the University of Alaska appointed
19 under AS 14.40.150(b), [AND] the student member of the Alaska Commis-
20 sion on Postsecondary Education appointed under AS 14.4?.015(e), and a
21 member of the Alaska Commission on Children and Youth appointed under
22 AS 44.19.521, are exempt from the requirement of this subsection if
23 the member was not old enough to be a registered voter in the last
24 general election.

25 * Sec. 11. AS 39.05.100(a) is amended to read:

26 (a) A person appointed to a board or commission of the state
27 government shall be and have been before the last general election,
28 (1) a registered voter in the state, if the appointment is made at
29 large or (2) a registered voter from the judicial district, if the

1 appointment is made from a specific judicial district. The student
2 member of the Board of Regents of the University of Alaska appointed
3 under AS 14.40.150(b) and [,] the student member of the Alaska Commis
4 sion on Postsecondary Education appointed under AS 14.42.015(e) [, AN
5 A MEMBER OF THE ALASKA COMMISSION ON CHILDREN AND YOUTH APPOINTE
6 UNDER AS 44.19.521,] are exempt from the requirement of this sub-
7 section if the member was not old enough to be a registered voter in
8 the last general election.

9 * Sec. 12. AS 39.50.200(b) is amended by adding a new paragraph to
10 read:

11 (50) Alaska Commission on Children and Youth (AS 44.19.521).

12 * Sec. 13. AS 44.19 is amended by adding new sections to read:

13 ARTICLE 17. ALASKA COMMISSION ON CHILDREN AND YOUTH.

14 Sec. 44.19.521. CREATION OF COMMISSION. (a) There is created
15 in the Office of the Governor the Alaska Commission on Children and
16 Youth.

17 (b) The commission consists of four executive-branch members and
18 seven public members, who are appointed by, and serve in that capacity
19 at the pleasure of, the governor. At least one of the public members
20 must be under the age of 21 at the time of appointment. The com-
21 mission shall elect one of its members as chair. The chair may ap-
22 point other officers as necessary.

23 Sec. 44.19.523. TERMS OF OFFICE; COMPENSATION. (a) The term of
24 office of a member of the commission is three years.

25 (b) A vacancy shall be filled in the same manner as the original
26 appointment. A person appointed to a vacancy serves for the unexpired
27 portion of the term.

28 (c) Public members of the commission serve without compensation
29 for their services but are entitled to per diem and travel allowances

1 authorized under AS 39.20.180.

2 Sec. 44.19.525. POWERS OF THE COMMISSION. The commission may

3 (1) use legal, technical, secretarial, and administrative
4 services as may be provided by the governor;

5 (2) use voluntary and uncompensated services of private
6 persons and organizations as may be made available to the commission;

7 (3) receive, and use for operating purposes, money from the
8 federal government or other sources;

9 (4) hold public hearings;

10 (5) hire an executive director and technical and clerical
11 staff that are necessary to perform the duties of the commission; and

12 (6) take other actions reasonably necessary to carry out
13 the duties of the commission.

14 Sec. 44.19.527. DUTIES OF THE COMMISSION. (a) The commission
15 shall establish and maintain its primary office in Anchorage.

16 (b) The commission shall develop a comprehensive statewide plan
17 that identifies the needs of children and youth, individually and as
18 they relate to their families, and makes recommendations to enhance
19 their quality of life. In meeting this charge, the commission may

20 (1) recommend the services and programs that should be
21 available for children and families in the areas of child care,
22 health, social services, education, special education, child protec-
23 tion, parent and staff training, nutrition, poverty, mental health,
24 safety, and employment of youth;

25 (2) identify the service needs of children and where gaps
26 and overlaps in services exist;

27 (3) monitor the emerging needs of and problems facing
28 children, and develop effective, comprehensive, and coordinated strat-
29 egies to address those needs and problems;

1 (4) develop and recommend adoption of a process for moni-
2 toring and evaluating children's programs;

3 (5) provide opportunities for the public to participate in
4 the planning and development of children's programs and policies;

5 (6) receive and act upon requests for recommendations from
6 parents, state officials, members of state advisory committees, legis-
7 lators, representatives of the state court system, and providers of
8 children's services on matters related to children and youth;

9 (7) meet with and make recommendations to state officials
10 and members of advisory committees who are responsible for the expen-
11 diture of state and federal money and provide recommendations to the
12 legislature and the department on structural and procedural changes,
13 contracting of services, establishment of standards, and the consoli-
14 dation of efforts designed to deliver services in a more cost-effec-
15 tive manner;

16 (8) serve as a statewide clearinghouse for government and
17 nongovernment programs and resources relating to children, youth, and
18 families;

19 (9) serve as an advocate for the interests of children by
20 informing the public, including leaders of the business community,
21 educators, local and state officials, the legal system, and the commu-
22 nications media of the nature and scope of problems faced by children;

23 (10) coordinate efforts and consult and cooperate with
24 persons, departments, organizations, and groups, including other
25 boards and commissions, interested in the problems and concerns of
26 children and youth; and

27 (11) make recommendations to the governor, legislature, and
28 state officials with respect to legislation, regulations, and appro-
29 priations for programs or services that benefit children and youth.

1 (c) In formulating the strategy to address the needs of and
2 problems facing children, the commission shall actively solicit advice
3 and information from children and youth of all ages and socioeconomic
4 backgrounds. The commission shall also seek advice and information
5 from parents and children's services providers, including those with
6 expertise in the areas of mental health, health care, prenatal care,
7 adolescent drug and alcohol treatment, education, special education,
8 early childhood education, early childhood special education, non-
9 profit funding sources, child abuse and neglect, domestic violence,
10 child care, dependence, delinquency and the justice system, minority
11 issues, and family support systems.

12 (d) The commission shall prepare and publish an annual report on
13 the status of children in the state and its recommendations and pro-
14 posals for change. The commission shall provide the governor and the
15 legislature with copies of the report by the 15th day of each regular
16 legislative session.

17 Sec. 44.19.529. TECHNICAL ASSISTANCE AND STAFF SUPPORT. The
18 executive branch departments shall cooperate with the commission and
19 provide technical assistance to the commission upon the request of the
20 commission.

21 * Sec. 14. TEMPORARY USE OF PRINCIPAL. Notwithstanding AS 37.14.230
22 and 37.14.240, as amended by secs. 3, 5, and 6 of this Act, until July 1,
23 1991, the Alaska Commission on Children and Youth may use not more than
24 \$50,000 from the principal of the Alaska children's trust fund for the
25 purposes specified in AS 37.14.240(b)(2) and (3).

26 * Sec. 15. REVISOR'S INSTRUCTION. To be consistent with the changes
27 made by secs. 1, 3, 6, and 8 of this Act, wherever in AS 37.14.200 - 37.-
28 14.270 and in the regulations adopted under those statutes "Alaska Chil-
29 dren's Trust Fund Board" or "board" is used, they shall be read as

1 referring to the Alaska Commission on Children and Youth and the commis
2 sion, respectively. Under AS 01.05.031, the revisor of statutes shall
3 implement this section in the statutes and under AS 44.62.125(b)(6), th
4 regulations attorney shall implement this section in the administrativ
5 regulations.

6 * Sec. 16. REVISOR'S INSTRUCTION. To be consistent with the change:
7 made by secs. 2, 4, 7, and 9 of this Act, wherever in AS 37.14.200 -
8 37.14.270 and in the regulations adopted under those statutes "Alaska Com-
9 mission on Children and Youth" or "commission" is used, they shall be read
10 as referring to the Alaska Children's Trust Fund Board and the board,
11 respectively. Under AS 01.05.031, the revisor of statutes shall implement
12 this section in the statutes and under AS 44.62.125(b)(6), the regulations
13 attorney shall implement this section in the administrative regulations.

14 * Sec. 17. AS 37.14.270(5), AS 39.50.200(b)(50), AS 44.19.521, 44.19.-
15 523, 44.19.525, 44.19.527, and 44.19.529 are repealed June 30, 1991.

16 * Sec. 18. AS 37.14.270(1), AS 47.50.010, 47.50.020, 47.50.030, 47.50.-
17 040, and 47.50.050 are repealed.

18 * Sec. 19. TERMS OF INITIAL APPOINTEES. Notwithstanding AS 44.19.523,
19 enacted by sec. 13 of this Act, the governor shall set the terms of the
20 members initially appointed to the Alaska Commission on Children and Youth
21 so that four members serve three-year terms, four members serve two-year
22 terms, and three members serve one-year terms.

23 * Sec. 20. REVIEW OF LAWS RELATING TO CHILDREN. The Alaska Commission
24 on Children and Youth, established under sec. 13 of this Act, may review
25 the laws of the state with regard to matters involving children. The
26 commission may review the laws of the state to determine to what degree the
27 protection of the law does not extend to the unborn, and to what extent the
28 programs of the state and of the commission that relate to preborn children
29 are not authorized, but may actually be prohibited, by state law. If the

1 commission performs a review under this section, the commission sha
2 prepare and publish a report of its findings and recommendations and pr
3 vide the governor and the legislature with copies by January 1, 1991.

4 * Sec. 21. Sections 2, 4, 7, 9, 11, and 16 of this Act take effe
5 June 30, 1991.

6 * Sec. 22. Except as provided in sec. 21 of this Act, this Act take
7 effect July 1, 1989.

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SENATE COMMITTEE REPORT

FURTHER

HESS
FIN

4/25/89

DATE TURNED INTO OFFICE 5-1-89

Mr. President:

STATE AFFAIRS

Committee considered CSHB 66 (FIN) am

establishing the Alaska Commission on Children and Youth; abolishing the Office of Child Advocacy; relating to the Alaska children's trust fund; efd

and recommended

- replace with _____ CS _____) same title
- or adopt _____ CS _____) new title
- attached amendment(s) and technical title change (HB only)
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

FISCAL NOTE(S) zero fiscal impact appropriation no FN
 new updated previous
 same as previous fiscal note(s) published _____

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Ge Adams - No Rec.
Jan. Hill - No Rec.
Tim Kelly - Do Pass if amended

Chair signature and recommendation

Committee Backup attached



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

INTERIM COMMISSION ON CHILDREN AND YOUTH

BRIEFING PAPER: CSHB66 (Finance) am

1. Background

The Governor's Interim Commission on Children and Youth was established by Administrative Order in March, 1987 and will terminate on May 15, 1989. The Interim Commission was charged with beginning the development of a comprehensive child care system, and addressing issues that prevented Alaskan youth from achieving their full potential as self-sufficient adults.

The Interim Commission is operated out of the Governor's Office and is composed of 22 members representing the public, the executive branch, and the Legislature.

The Interim Commission's primary accomplishments over the past two years have been:

- producing a report on the status of Alaska's children and youth, including recommendations for programs and services
- developing FY89 and FY90 Children's Funding proposals
- conducting statewide public hearings on issues related to children and youth
- coordinating with public and private child advocacy agencies and groups
- serving as a clearinghouse for informational resources
- focusing attention on issues related to children and youth in order to insure a place on the public policy agenda for these issues

Through these efforts, the Interim Commission has made considerable progress towards meeting its goals. There obviously remains much to be done, however, and the Interim Commission has recommended the establishment of the Alaska Commission on Children and Youth as the most efficient and cost-effective method to accomplish those objectives.

Establishment of the Alaska Commission on Children and Youth is supported by many, many individual parents and child advocates. In addition, the following 25 groups and organizations have testified in support of the Commission:

Alaska Association for the Education of Young Children, Alaska Association of Day Care Administrators, Alaska Association of Homes for Children, Alaska Council on Prevention of Alcohol and Drug Abuse, Alaska Federation of Natives, Alaska Foster Parents Association, Alaska Head Start Directors Association, Alaska School Counselors Association, ARCU Dependent Care Task Force, Arctic Alliance for People, Catholic Community Services, Child Advocacy Network, Child Care Connection, Community of Christian Women, Covenant House, Dads Against Discrimination, Girl Scouts, Inter-Agency Child Advocates of Norton Sound, Ketchikan Hospital, KIDPAC, NANA Regional Corporation, National Education Association, Parent- Teachers Association State Board of Managers, Sealaska Corporation, and Volunteers of America.

2. Bill Content:

In its current version, the bill creates the Alaska Commission on Children and Youth in the Office of the Governor. The Commission would be composed of 7 public members (one of whom must be under age 21) and 4 executive branch members. The Commission would be physically located either in Anchorage or in a location determined by a majority of the members.

The Commission would be responsible for: developing a comprehensive plan to identify the needs of children and youth; determining gaps and overlaps in services; developing a process of monitoring and evaluating children's programs; coordinating efforts to meet the needs of children; serving as a clearinghouse for information; recommending structural and procedural changes to deliver services in a more cost-effective manner; and actively soliciting the input of parents, youth, educators, social service providers and others.

The Commission would be required to submit an annual report on the status of children and youth which would include recommendations and proposals. The Commission is given the authority to review state laws pertaining to children and would be required to submit a report on that review.

The Commission would sunset in 1994.

Children's Trust Fund and PFD Check-off

The bill authorizes the Commission, for as long as the Commission is in existence, to act as the board for the statutorily created Children's Trust Fund, thereby eliminating the need for an additional board. The Commission, serving as the Board, would be authorized to award grants, not to exceed \$50,000. each, to child abuse and neglect prevention programs.

Funds for those grants would be generated by a \$10. PFD check-off, effective with the 1990 PFD application. In addition, up to \$150,000. of monies coming into the Trust Fund could be used for operating expenses of the Commission, steadily and over time reducing the need for expenditure of general funds dollars to operate the Commission.

3. Fiscal Note

The fiscal note for HB66 is \$152.8, and provides for 1 PFT Executive Director (range 21A), 1 PPT Research Analyst (Range 18A), and 1 PPT Secretary (Range 10A). The fiscal note also provides for travel (for the 7 public members only) to 4 quarterly meetings and contractual monies to cover costs of telephone, postage, copying and printing, advertising meetings, and supplies.

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: An Act Establishing the Alaska
Commission on Children and Youth
 Sponsor: Rules Committee
 Requestor: _____

Agency Affected: Office of the Governor
 BRU: Commissions/Special Offices
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		103.7	107.9	110.2	113.8	116.2
TRAVEL		22.7	22.7	22.7	22.7	22.7
CONTRACTUAL		22.9	23.9	23.9	23.9	23.9
SUPPLIES		1.5	1.5	1.5	1.5	1.5
EQUIPMENT		1.0	1.0	1.0	1.0	1.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		152.8	157.0	159.3	162.9	165.5

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		152.8	157.0	9.3	12.9	15.5
FEDERAL FUNDS						
OTHER *				150.0 *	150.0*	150.0*
TOTAL		152.8	157.0	159.3	162.9	165.5

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Analysis Attached

* FUNDS TO COME FROM THE ALASKA CHILDREN'S TRUST FUND.

Prepared by: House Finance Committee Phone: 465-3757
 Division: Ronald Larson, Co-chair Date: March 30, 1989
Lyman Hoffman, Co-chair

Approved by Commissioner: _____ Date: _____
 Agency: _____

Distribution (by preparer):

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

HB 66 Analysis

PERSONAL SERVICES

Salaries are shown at step A for FY 90. Personal Services requests for subsequent years include one-step merit increases for all three positions.

Executive Director	PFT	Range 21A	\$61,678
Research Analyst	PPT	Range 18A	25,750
Secretary	PPT	Range 10A	<u>16,230</u>

Total Personal Services \$103,658

TRAVEL

Seven Public members:

Juneau: travel @ \$400/person x 6 people = 2,400
 per diem @ 80/day x 3 days x 7 people = 1,680 4,080

Anchorage: travel @ 400/person x 5 people = 2,000
 per diem @ 80/day x 3 days x 7 people = 1,680

Administrative Staff:

travel @ 400/person x 2 people = 800
 per diem @ 80/day x 3 days x 2 people = 480 4,960

Fairbanks: travel @ 400/person x 6 people = 2,400
 per diem @ 80/day x 3 days x 7 people = 1,680

Administrative Staff:

travel @ 400/person x 2 people = 800
 per diem @ 80/day x 3 days x 2 people = 480 5,360

Rural: travel @ 500/person x 6 people = 3,000
 per diem @ 80/day x 4 days x 7 people = 2,240

Administrative Staff:

travel @ 500/person x 2 people = 1,000
 per diem @ 80/day x 4 days x 2 people = 640 6,880

Conference: travel @ 1,000/person x 1 person = 1,000
 per diem @ 80/day x 5 days x 1 person = 400 1,400

Total Travel: 22,680

HB 66 Analysis

CONTRACTUAL

Communication:	Telephone (toll costs, base/local fixed costs, centrex network costs) 600/mo x 12 months	7,200
	Telecopier charges -- 25/mo x 12 months	300
	Teleconference charges -- 5 @ 450	2,250
	Postage -- 300/mo x 12	3,600
Transportation:	Freight and express charges -- 75/mo x 12	900
Advertising, Printing & Binding:		
	Subscriptions	75
	Advertising -- 4 meetings x 350	1,400
	Printing -- 4 newsletters x 800 each	3,200
	Annual report	1,500
	Forms, misc.	750
	Photocopy, fixed costs 55/mo x 12	660
	Photocopy, vendor charges	400
Minor Repair, Maintenance		1,200
Employee Tuition, Training		500
	Total Contractual:	23,935

SUPPLIES

Office and Library supplies	
100/mo x 12	1,200
Data processing supplies	300
Total Supplies:	1,500

EQUIPMENT

Office furniture, misc. office equipment	1,000
Total Equipment:	1,000

FISCAL NOTE

REQUEST

Revision Date: April 11, 1989
Title: An Act establishing the Alaska Commission on Children and Youth
Sponsor: Rules/Governor
Requestor: _____

Agency Affected: Revenue
BRU: Permanent Fund Dividend Division
Components: Permanent Fund Dividend Division

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
OPERATING						
PERSONAL SERVICES	-0-	24.1	11.9	11.9	11.9	11.9
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	11.0	11.0	11.0	11.0	11.0
SUPPLIES	-0-	0.2	0.2	0.2	0.2	0.2
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	-0-	35.3	23.1	23.1	23.1	23.1
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	35.3	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	23.1	23.1	23.1	23.1
TOTAL	-0-	35.3	23.1	23.1	23.1	23.1

POSITIONS:

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

ANALYSIS: See Attached.

Prepared By: Ervin Jones
Division: Permanent Fund Dividend Division
Approved by Commissioner: Hugh Malone
Agency: Revenue

Phone: 465-2323
Date: April 11, 1989

Date: 4/11/89

Distribution (by preparer):

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

Department of Revenue
Permanent Fund Dividend Division
Fiscal Note Analysis
CS HB 66 (Finance)
April 11, 1989

Assumptions:

1. The bill will take effect for the 1990 permanent fund dividend year and application. The 1989 dividend application has already been printed.
2. Currently, the only "check-off" on the Permanent Fund Dividend application is the Winter Olympic check-off. During the last legislature, a total of 18 bills were introduced calling for specific check-offs, plus an omnibus check-off bill (SB 406) which would have required 3,600 organizations to be listed on the form as possible check-offs. If Section 1 of this bill [CSHB66(Fin)] receives favorable attention by the House, I think the floodgate will open and we will once again be faced with dozens of check-off requests. This fiscal note is prepared on the assumption that the subject bill is the only bill of this nature which will become law. The passage of multiple bills with varying formulas (\$5, half of dividend, all or part of dividend, etc.) will inevitably have a compounding effect. Whereas there may be savings in some areas, there will be increased costs in others.
- 3) All FY90 costs of administering this law will be borne by the general fund, since no funds will be available to the trust account until October 1, 1990. Funding for administrative costs in FY91 and thereafter will be taken from the trust account as appropriated by the legislature.
- 4) The incremental cost of computer resources will result in a chargeback by the Department of Administration.
- 5) Whereas the cost of programming changes will be a one-time cost, the cost of document review, data capture, data processing chargeback, and the extra page in the dividend booklet will be continuing.
- 6) Contributions will only be honored to the extent of available funds. Garnishments and assignments will take precedence in the order established by statute. Contributions and elections will then be honored in the order listed on the form schedule, which will be in the order they become law.
- 7) Management of the AKSAS account, including accounting for transfers to the Children's Trust Fund account and reversing entries as a result of returned and cancelled warrants will be by the Administrative Services Division, Department of Revenue.

Department of Revenue
 Permanent Fund Dividend Division
 Fiscal Note Analysis
 CS HB 66 (Finance)
 April 11, 1989

Program Summary:

The provision of a new contribution decision on the dividend application will cause additional administrative cost in several areas:

- a) An additional page added to each application, a schedule of contribution decisions with explanatory information on each check-off.
- b) The computer system will need to be changed to account for the change in the program, to establish new accounting controls and to provide for the transfer of funds to the trust account, and notification of AKSAS upon cancellation and reissue of warrants.
- c) Each of approximately 540,000 PFD applications will need to be visually reviewed and coded as to decision on the contribution decision. Each application will be data captured with additional attention and keystrokes expended on each positive decision.

1. Positions

	<u>FY 90</u>	<u>FY 91</u>
1 PPT Analyst/Programmer V, R21 @ \$6,110.86/Mo including salary and benefits for 2 months	=	\$12.2
PCN 04-1125 would be funded for an additional two months, in accordance with Attachment A. Ongoing maintenance of new programs would be accomplished by existing staff.		
1 PPT Document Processor I, R7 @ \$2,340.37/Mo, including salary and benefits for 3 months	=	\$7.0 \$7.0

This position would assist in the manual review and coding of 540,000 applications for the new contribution decision. This position represents the equivalent of the additional time and effort.

Department of Revenue
 Permanent Fund Dividend Division
 Fiscal Note Analysis
 CS HB 66 (Finance)
 April 11, 1989

	<u>FY 90</u>	<u>FY 91</u>
1 PPT Data Processing Clerk I, R8, @ \$2,446.08/Mo, including salary and benefits for 2 months =	\$4.6	\$4.6
<p>This position would assist in the data capture of the additional contribution decision. The position represents the equivalent value of the additional time and effort.</p>		
TOTAL Personal Services	\$24.1	\$11.9
2. <u>Other Expenditures:</u>		
a) <u>Travel:</u>	\$0.0	\$0.0
b) <u>Contractual:</u>		
Data Processing Chargeback	\$5.0	\$5.0
Add a page to the PFD Booklet	\$6.0	\$6.0
c) <u>Supplies:</u>	\$0.2	\$0.2
d) <u>Equipment:</u> Use existing equipment	<u>\$0.0</u>	<u>\$0.0</u>
TOTAL COST	<u>\$35.3</u>	<u>\$23.1</u>
3. <u>Funding:</u> General Fund.		
4. <u>Section Cost Analysis:</u> N/A.		

Computations: N/A.

Economic Impact: N/A.

Impact on Local Government: N/A.

Suggested Amendments: N/A.

Attachments: Attachment A: "Summary of DP Needs"

Department of Revenue
Permanent Fund Dividend Division
Fiscal Note Analysis
CS HB 66 (Finance)
Summary of Data Processing Requirements
April 11, 1989

Wang data entry processing	75.0 hours
Includes: Data entry	
Batch lists	
Corrections	
Wang to IBM transfer	
IBM Update jobs	30.0 hours
Includes: Edits	
Batch listings	
Log sheets	
DMS Online programs for lookup and changes	37.5 hours
Nightly Update of Changes	22.5 hours
Warrant Jobs	90.0 hours
Includes: Printing warrants with different amounts. Include check stub messages. Modify warrant registers as needed for balancing.	
Create new program(s) for transferring accumulated decisions to trust account and to account for the reserve necessary due to returned and cancelled PFD warrants.	
Miscellaneous	45.0 hours
Includes: Setting up test files on IBM	
Systems testing	
Administrative functions, i.e. paper work required by Admin. DP to add files and programs to tables.	
TOTAL HOURS	300.0 hours

Original sponsor: Rules/Governor

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 66 (Finance) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Commission on Chil-
7 dren and Youth; abolishing the Office of Child Advo-
8 cacy; relating to the Alaska children's trust fund;
9 and providing for an effective date."

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

11 * Section 1. AS 37.14.200 is amended by adding a new subsection to
12 read:

13 (d) The Department of Revenue shall prepare the permanent fund
14 dividend application to allow applicants to designate that \$10 of the
15 dividend be subtracted from their check and contributed to the Alaska
16 children's trust fund. Permanent fund dividend contributions made
17 under this subsection shall be deposited in the fund. The Department
18 of Revenue may use money in the fund to pay administrative costs
19 incurred under this subsection

20 * Sec. 2. AS 37.14.220 is repealed and reenacted to read:

21 Sec. 37.14.220. ADMINISTRATION OF THE FUND. The fund shall be
22 administered by the Alaska Commission on Children and Youth.

23 * Sec. 3. AS 37.14.220 is repealed and reenacted to read:

24 Sec. 37.14.220. ALASKA CHILDREN'S TRUST FUND BOARD ESTABLISHED.

25 (a) The Alaska Children's Trust Fund Board is established in the
26 Office of the Governor. The board is composed of

27 (1) the governor or a designee of the governor;

28 (2) the commissioner of health and social services or the
29 commissioner's designee;

1 (3) a member of the Council on Domestic Violence and Sexual
2 Assault elected by the council;

3 (4) the director of the office of public advocacy or the
4 director's designee;

5 (5) the commissioner of education or the commissioner's
6 designee;

7 (6) a member of the senate appointed by the president of
8 the senate;

9 (7) a member of the house of representatives appointed by
10 the speaker of the house of representatives; and

11 (8) three members appointed by the governor as follows:

12 (A) a licensed physician with a specialty in pediat-
13 rics who has practiced medicine in the state for at least five
14 years and who is an expert in the subject of child abuse and
15 neglect; and

16 (B) two public members, one of whom is a recognized
17 expert in the subject of child abuse and neglect.

18 (b) The board shall elect a member to chair the board.

19 (c) The Office of the Governor shall provide staff for the
20 board.

21 * Sec. 4. AS 37.14.230 is amended to read:

22 Sec. 37.14.230. POWERS AND DUTIES OF THE COMMISSION [BOARD].
23 When acting as administrator of the fund, the commission [THE BOARD]
24 shall

25 (1) hold [REGULAR MEETINGS AND] special meetings it con-
26 sidered necessary; the commission [BOARD] may hold meetings by telecon-
27 ference;

28 (2) award grants from the net income of the fund to commu-
29 nity-based programs and projects that the commission [BOARD] finds

1 will aid ; the prevention of child abuse and neglect;

2 (3) monitor approved programs and projects for compliance
3 with AS 37.14.200 - 37.14.270;

4 (4) before providing assistance to a program or project,
5 approve written findings on the program or project that include a
6 consideration of the means of measuring the effectiveness of the
7 program or project;

8 (5) apply for, and use net income from the fund to obtain,
9 private and federal grants for the prevention of child abuse and
10 neglect;

11 (6) solicit contributions, gifts, and bequests to the fund;

12 (7) keep audio tape recordings of each meeting of the
13 commission [BOARD] to be made available on request; and

14 (8) submit to the governor and the legislature by Febru-
15 ary 1 each year a report describing

16 (A) the child abuse and neglect prevention services
17 that were provided by the programs and projects to which the
18 commission [BOARD] awarded grants; and

19 (B) the annual level of contributions, income, and
20 expenses of the fund.

21 * Sec. 5. AS 37.14.230 is amended to read:

22 Sec. 37.14.230. POWERS AND DUTIES OF THE BOARD [COMMISSION].
23 The board [WHEN ACTING AS ADMINISTRATOR OF THE FUND, THE COMMISSION]
24 shall

25 (1) hold regular meetings and special meetings it considers
26 necessary; the board [COMMISSION] may hold meetings by teleconference;

27 (2) award grants from the net income of the fund to commu-
28 nity-based programs and projects that the board [COMMISSION] finds
29 will aid in the prevention of child abuse and neglect;

1 (3) monitor approved programs and projects for compliance
2 with AS 37.14.200 - 37.14.270;

3 (4) before providing assistance to a program or project,
4 approve written findings on the program or project that include a
5 consideration of the means of measuring the effectiveness of the
6 program or project;

7 (5) apply for, and use net income from the fund to obtain,
8 private and federal grants for the prevention of child abuse and
9 neglect;

10 (6) solicit contributions, gifts, and bequests to the fund;

11 (7) keep audio tape recordings of each meeting of the board
12 [COMMISSION] to be made available on request; and

13 (8) submit to the governor and the legislature by Febru-
14 ary 1 each year a report describing

15 (A) the child abuse and neglect prevention services
16 that were provided by the programs and projects to which the
17 board [COMMISSION] awarded grants; and

18 (B) the annual level of contributions, income, and
19 expenses of the fund.

20 * Sec. 6. AS 37.14.240(a) is amended to read:

21 (a) Except as provided in AS 37.14.200(d) and (d) of this sec-
22 tion, the [THE] principal of the fund and any capital gains or losses
23 realized on the principal shall be retained perpetually in the fund
24 for investment as specified in AS 37.14.210, and may not be used for
25 the awarding of grants.

26 * Sec. 7. AS 37.14.240 is amended by adding a new subsection to read:

27 (d) Up to \$150,000 per year may be appropriated from the princi-
28 pal of the fund for the administrative expenses of the commission.

29 * Sec. 8. AS 37.14.240(d) is amended to read:

1 (d) Up to \$150,000 per year may be appropriated from the princi-
2 pal of the fund for the administrative expenses of the board [COMMIS-
3 SION].

4 * Sec. 9. AS 37.14.270 is amended by adding a new paragraph to read:

5 (5) "commission" means the Alaska Commission on Children
6 and Youth established under AS 44.19.521.

7 * Sec. 10. AS 37.14.270 is amended by adding a new paragraph to read:

8 (6) "board" means the Alaska Children's Trust Fund Board.

9 * Sec. 11. AS 39.05.100(a) is amended to read:

10 (a) A person appointed to a board or commission of the state
11 government shall be and have been before the last general election,
12 (1) a registered voter in the state, if the appointment is made at
13 large or (2) a registered voter from the judicial district, if the
14 appointment is made from a specific judicial district. The student
15 member of the Board of Regents of the University of Alaska appointed
16 under AS 14.40.150(b), [AND] the student member of the Alaska Commis-
17 sion on Postsecondary Education appointed under AS 14.42.015(e), and a
18 member of the Alaska Commission on Children and Youth appointed under
19 AS 44.19.521, are exempt from the requirement of this subsection if
20 the member was not old enough to be a registered voter in the last
21 general election.

22 * Sec. 12. AS 39.05.100(a) is amended to read:

23 (a) A person appointed to a board or commission of the state
24 government shall be and have been before the last general election,
25 (1) a registered voter in the state, if the appointment is made at
26 large or (2) a registered voter from the judicial district, if the
27 appointment is made from a specific judicial district. The student
28 member of the Board of Regents of the University of Alaska appointed
29 under AS 14.40.150(b) and [,] the student member of the Alaska

1 Commission on Postsecondary Education appointed under AS 14.42.015(e)
2 [, AND A MEMBER OF THE ALASKA COMMISSION ON CHILDREN AND YOUTH AP-
3 POINTED UNDER AS 44.19.521,] are exempt from the requirement of this
4 subsection if the member was not old enough to be a registered voter
5 in the last general election.

6 * Sec. 13. AS 39.50.200(b) is amended by adding a new paragraph to
7 read:

8 (50) Alaska Commission on Children and Youth (AS 44.19.521).

9 * Sec. 14. AS 44.19 is amended by adding new sections to read:

10 ARTICLE 17. ALASKA COMMISSION ON CHILDREN AND YOUTH.

11 Sec. 44.19.521. CREATION OF COMMISSION. (a) There is created
12 in the Office of the Governor the Alaska Commission on Children and
13 Youth.

14 (b) The commission consists of four executive-branch members and
15 seven public members, who are appointed by, and serve in that capacity
16 at the pleasure of, the governor. At least one of the public members
17 must be under the age of 21 at the time of appointment. The com-
18 mission shall elect one of its members as chair. The chair may ap-
19 point other officers as necessary.

20 Sec. 44.19.523. TERMS OF OFFICE; COMPENSATION. (a) The term of
21 office of a member of the commission is three years.

22 (b) A vacancy shall be filled in the same manner as the original
23 appointment. A person appointed to a vacancy serves for the unexpired
24 portion of the term.

25 (c) Public members of the commission serve without compensation
26 for their services but are entitled to per diem and travel allowances
27 authorized under AS 39.20.180.

28 Sec. 44.19.525. POWERS OF THE COMMISSION. The commission may

29 (1) use legal, technical, secretarial, and administrative

1 services as may be provided by the governor;

2 (2) use voluntary and uncompensated services of private
3 persons and organizations as may be made available to the commission;

4 (3) receive, and use for operating purposes, money from the
5 federal government or other sources;

6 (4) hold public hearings;

7 (5) establish and maintain an office in Anchorage, or at a
8 location determined to be the most appropriate location by a majority
9 vote of the commissions, and hire an executive director and technical
10 and clerical staff that are necessary to perform the duties of the
11 commission; and

12 (6) take other actions reasonably necessary to carry out
13 the duties of the commission.

14 Sec. 44.19.527. DUTIES OF THE COMMISSION. (a) The commission
15 shall develop a comprehensive statewide plan that identifies the needs
16 of children and youth, individually and as they relate to their fam-
17 ilies, and makes recommendations to enhance their quality of life. In
18 meeting this charge, the commission may

19 (1) recommend the services and programs that should be
20 available for children and families in the areas of child care,
21 health, social services, education, special education, child protec-
22 tion, parent and staff training, nutrition, poverty, mental health,
23 safety, and employment of youth;

24 (2) identify the service needs of children and where gaps
25 and overlaps in services exist;

26 (3) monitor the emerging needs of and problems facing
27 children, and develop effective, comprehensive, and coordinated strat-
28 egies to address those needs and problems;

29 (4) develop and recommend adoption of a process for

1 monitoring and evaluating children's programs;

2 (5) provide opportunities for the public to participate in
3 the planning and development of children's programs and policies;

4 (6) receive and act upon requests for recommendations from
5 parents, state officials, members of state advisory committees, legis-
6 lators, representatives of the state court system, and providers of
7 children's services on matters related to children and youth;

8 (7) meet with and make recommendations to state officials
9 and members of advisory committees who are responsible for the expen-
10 diture of state and federal money and provide recommendations to the
11 legislature and the department on structural and procedural changes,
12 contracting of services, establishment of standards, and the consoli-
13 dation of efforts designed to deliver services in a more cost-effec-
14 tive manner;

15 (8) serve as a statewide clearinghouse for government and
16 nongovernment programs and resources relating to children, youth, and
17 families;

18 (9) serve as an advocate for the interests of children by
19 informing the public, including leaders of the business community,
20 educators, local and state officials, the legal system, and the commu-
21 nications media of the nature and scope of problems faced by children;

22 (10) coordinate efforts and consult and cooperate with
23 persons, departments, organizations, and groups, including other
24 boards and commissions, interested in the problems and concerns of
25 children and youth; and

26 (11) make recommendations to the governor, legislature, and
27 state officials with respect to legislation, regulations, and appro-
28 priations for programs or services that benefit children and youth.

29 (b) In formulating the strategy to address the needs of and

1 problems facing children, the commission shall actively solicit advice
2 and information from children and youth of all ages and socioeconomic
3 backgrounds. The commission shall also seek advice and information
4 from parents and children's services providers, including those with
5 expertise in the areas of mental health, health care, prenatal care, /support.
6 adolescent drug and alcohol treatment, education, special education,
7 early childhood education, early childhood special education, non-
8 profit funding sources, child abuse and neglect, domestic violence,
9 child care, dependence, delinquency and the justice system, minority
10 issues, and family support systems.

11 (c) The commission shall prepare and publish an annual report on
12 the status of children in the state and its recommendations and pro-
13 posals for change. The commission shall provide the governor and the
14 legislature with copies of the report by the 15th day of each regular
15 legislative session.

16 Sec. 44.19.529. TECHNICAL ASSISTANCE AND STAFF SUPPORT. The
17 executive branch departments shall cooperate with the commission and
18 provide technical assistance to the commission upon the request of the
19 commission.

20 * Sec. 15. TEMPORARY USE OF PRINCIPAL. Notwithstanding AS 37.14.230
21 and 37.14.240, as amended by secs. 4, 6, and 7 of this Act, until July 1,
22 1991, the Alaska Commission on Children and Youth may use not more than
23 \$50,000 from the principal of the Alaska children's trust fund for the
24 purposes specified in AS 37.14.240(b)(2) and (3).

25 * Sec. 16. REVISOR'S INSTRUCTION. To be consistent with the changes
26 made by secs. 2, 4, 7, and 9 of this Act, wherever in AS 37.14.200 - 37.-
27 14.270 and in the regulations adopted under those statutes "Alaska Chil-
28 dren's Trust Fund Board" or "board" is used, they shall be read as refer-
29 ring to the Alaska Commission on Children and Youth and the commission,

1 respectively. Under AS 01.05.031, the revisor of statutes shall implement
2 this section in the statutes and under AS 44.62.125(b)(6), the regulations
3 attorney shall implement this section in the administrative regulations.

4 * Sec. 17. REVISOR'S INSTRUCTION. To be consistent with the changes
5 made by secs. 3, 5, 8, and 10 of this Act, wherever in AS 37.14.200 -
6 37.14.270 and in the regulations adopted under those statutes "Alaska Com-
7 mission on Children and Youth" or "commission" is used, they shall be read
8 as referring to the Alaska Children's Trust Fund Board and the board,
9 respectively. Under AS 01.05.031, the revisor of statutes shall implement
10 this section in the statutes and under AS 44.62.125(b)(6), the regulations
11 attorney shall implement this section in the administrative regulations.

12 * Sec. 18. AS 37.14.270(5), AS 39.50.200(b)(50), AS 44.19.521, 44.19.-
13 523, 44.19.525, 44.19.527, and 44.19.529 are repealed June 30, 1994.

14 * Sec. 19. AS 37.14.270(1), AS 47.50.010, 47.50.020, 47.50.030, 47.50.-
15 040, and 47.50.050 are repealed.

16 * Sec. 20. TERMS OF INITIAL APPOINTEES. Notwithstanding AS 44.19.523,
17 enacted by sec. 14 of this Act, the governor shall set the terms of the
18 members initially appointed to the Alaska Commission on Children and Youth
19 so that four members serve three-year terms, four members serve two-year
20 terms, and three members serve one-year terms.

21 * Sec. 21. REVIEW OF LAWS RELATING TO CHILDREN. The Alaska Commission
22 on Children and Youth, established under sec. 14 of this Act, may review
23 the laws of the state with regard to matters involving children. If a
24 review is done, the commission shall prepare and publish a report of its
25 findings and recommendations and provide the governor and the legislature
26 with copies by January 1, 1991.

27 * Sec. 22. Sections 3, 5, 8, 10, 12, and 17 of this Act take effect
28 June 30, 1994.

29 * Sec. 23. Except as provided in sec. 22 of this Act, this Act takes

1 effect July 1, 1989.

SENATE AMENDMENT # /

HESJ

BY: Senator Fischer

Unan. Do pass

TO: SCS CSHB 66(Rules) SENATE BILL NO. _____

TO: _____ HOUSE BILL NO. _____

On Page 9, line 26, following the word "children."

Insert new language to read:

"The commission shall review the laws of the state to determine to what degree the protection of law extends to the unborn, and to what extent the programs of the state and of the commission that relate to preborn children are not authorized, but may actually be prohibited, by state law."

On Page 9, lines 26 and 27, delete:

"If a review is done, the"

def

and insert in its place:

"The"

Pre Natal
Fetal AIC Syndrome
Crack Babies
Healthy Baby

Can we
provide protective

(TURN IN ORIGINAL AMENDMENT TO SENATE SECRETARY'S OFFICE. THE AMENDMENT WILL BE NUMBERED, COPIED AND DISTRIBUTED.)

Alaska State Legislature

Senator Paul A. Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269 H



State Senate

While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-3791

February 26, 1990

Debra Urias
612 Biorka Street
Sitka, Alaska 99835

Dear Debra,

I just wanted to drop you a quick note thanking you for your kind letter about my amendment for the unborn. It made my day!

It is always nice to hear from people around the state who believe in the same things that I do. Thanks for writing.

Cordially,

A handwritten signature in cursive script that reads "Paul".

Senator Paul Fischer

FEB 22 1990

2-16-90

Dear Sen. Paul Fischer,

I would like ~~to~~ thank you for your
stand for the "unborn" ^{Amendment}

I understand that the ~~bill~~ did not
go through, and boy am I sorry for
that. I'm sorry for all the unborn children

Please keep standing for what is
right.

I'm praying for you each day that
our God Jesus Christ will strengthen
you for it. Because it will ~~take~~
take back here. To do it.

Thank you.

Debra Urias

612 Biorkes St

Sittler, ALc 99835

I believe all children have the right
to live no matter what their size is.

re- Small Station
TKs. for your
kind letter. It
made my day!

DEFINITIONS OF "PERSON"

§ 01.10.050

GENERAL PROVISIONS

§ 01.10.060

Debenham Elec. Supply Co., Sup. Ct. Op. No. 2105 (File No. 4335), 612 P.2d 1001 (1980).

Quoted in Employment Sec. Comm'n v. Wilson, Sup. Ct. Op. No. 587 (File No.

1084), 461 P.2d 425 (1969); Thorsheim v. State, Sup. Ct. Op. No. 611 (File No. 1090), 468 P.2d 383 (1970); State v. City of Anchorage, Sup. Ct. Op. No. 932 (File No. 1743), 513 P.2d 1104 (1973).

Sec. 01.10.050. Tense, number, and gender. (a) Words in the present tense include the past and future tenses, and words in the future tense include the present tense.

(b) Words in the singular number include the plural, and words in the plural number include the singular.

(c) Words of any gender may, when the sense so indicates, refer to any other gender. (§ 3 ch 62 SLA 1962; am § 3 ch 58 SLA 1982)

Effect of amendments. — The 1982 amendment substituted "any gender may, when the sense so indicates, refer to any other gender" for "the masculine gender

include the feminine and the neuter and when the sense so indicates, words of the neuter gender may refer to any gender" in subsection (c).

Sec. 01.10.060. Definitions. In the laws of the state, unless the context otherwise requires,

(1) "action" includes any matter or proceeding in a court, civil or criminal;

(2) "daytime" means the period between sunrise and sunset;

(3) "month" means a calendar month unless otherwise expressed;

(4) "nighttime" means the period between sunset and sunrise;

(5) "oath" includes affirmation or declaration;

(6) "peace officer" means any officer of the state troopers, members of the police force of any incorporated city or borough, United States marshals and their deputies, and other officers whose duty it is to enforce and preserve the public peace;

(7) "person" includes a corporation, company, partnership, firm, association, organization, business trust, or society, as well as a natural person;

(8) "personal property" includes money, goods, chattels, things in action, and evidences of debt;

(9) "property" includes real and personal property;

(10) "real property" is coextensive with land, tenements, and hereditaments;

(11) Repealed by § 2 ch 66 SLA 1965.

(12) "signature" or "subscription" includes the mark of a person who cannot write, with the name of that person written near the mark by a witness who writes the witness's own name near the name of the person who cannot write; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names to the sworn statement;

"PERSON"
IN GENERAL
PROVISIONS

Criminal liability for injury or death caused by operation of pleasure boat. 8 ALR4th 686.

Sec. 11.41.135. Multiple deaths. If more than one person dies as a result of a person committing conduct constituting a crime specified in AS 11.41.100 — 11.41.130, each death constitutes a separately punishable offense. (§ 1 ch 143 SLA 1982)

Cited in Nukapigak v. State. Sup. Ct. Op. No. 2667 File No. 58201. P 2d (1983).

Sec. 11.41.140. Definition. In AS 11.41.100 — 11.41.140 "person", when referring to the victim of a crime, means a human being who has been born and was alive at the time of the criminal act. A person is "alive" if there is spontaneous respiratory or cardiac function or, when respiratory and cardiac functions are maintained by artificial means, there is spontaneous brain function. (§ 3 ch 166 SLA 1979)

DEFINITION OF "PERSON" IN HOMICIDES

Cross references. — For definition of terms used in this title, see AS 11.81.900

Article 2. Assault and Reckless Endangerment.

Section	Section
200. Assault in the first degree	230. Assault in the fourth degree
210. Assault in the second degree	250. Reckless endangerment
220. Assault in the third degree	

Collateral references. — 6 Am Jur 2d. Assault and Battery, § 1 et seq

6A C.J.S., Assault and Battery, § 1 et seq

Acquittal on charge as to one offense as bar to charge as to the other offense, where one person is killed or assaulted by acts directed at another. 2 ALR 606.

Homicide or assault in attempting to prevent elopement. 8 ALR 660

Principal in second degree, or aider and abetter in case of felonious assault. 16 ALR 1043.

Intent of aider in case of felonious assault. 16 ALR 1045

Criminal responsibility of peace officers for killing or wounding one whom they wished to investigate or identify. 16 ALR 1366, 61 ALR 321.

Conviction or acquittal upon charge of murder of, or assault upon, one person as bar to prosecution for like offense against

another person at the same time. 20 ALR 341; 113 ALR 222.

Homicide or assault in defense of habitation or property. 25 ALR 508; 32 ALR 1541; 34 ALR 1456.

Kicking as an aggravated assault, or an assault with a deadly weapon. 33 ALR 1186.

Acquittal or conviction of assault and battery as bar to prosecution for rape, or assault with intent to commit rape, based on same transaction. 78 ALR 1213.

Rights and responsibilities, civil or criminal, of police officers in respect of examination of persons under arrest ("third degree"). 79 ALR 457.

Assault with intent to ravish or rape consenting female under age of consent. 81 ALR 599

Homicide or assault in connection with negligent operation of automobile or its use for unlawful purpose or in violation of law. 99 ALR 756

(26) "incompetent person" means a person who is impaired by reason of mental illness or mental deficiency to the extent that the person lacks sufficient understanding or capacity to make or communicate responsible decisions concerning that person;

(27) "intoxicated" means intoxicated from the use of a drug or alcohol;

(28) "law" includes statutes and regulations;

(29) "leased" includes "rented";

(30) "metal knuckles" means a device that consists of finger rings or guards made of a hard substance and designed, made, or adapted for inflicting serious physical injury or death by striking a person;

(31) "misdemeanor" means a crime for which a sentence of imprisonment for a term of more than one year may not be imposed;

(32) "nondeadly force" means force other than deadly force;

(33) "offense" means conduct for which a sentence of imprisonment or fine is authorized; an offense is either a crime or a violation;

(34) "official detention" means custody, arrest, surrender in lieu of arrest, or confinement under an order of a court in a criminal or juvenile proceeding, other than an order of conditional bail release;

(35) "official proceeding" means a proceeding heard before a legislative, judicial, administrative, or other governmental body or official authorized to hear evidence under oath;

(36) "omission" means a failure to perform an act for which a duty of performance is imposed by law;

(37) "organization" means a legal entity, including a corporation, company, association, firm, partnership, joint stock company, foundation, institution, government, society, union, club, church, or any other group of persons organized for any purpose;

(38) "peace officer" means a public servant vested by law with a duty to maintain public order or to make arrests, whether the duty extends to all offenses or is limited to a specific class of offenses or offenders;

(39) "person" means a natural person and, when appropriate, an organization, government, or governmental instrumentality;

(40) "physical injury" means a physical pain or an impairment of physical condition;

(41) "police dog" means a dog used in police work under the control of a peace officer;

(42) "possess" means having physical possession or the exercise of dominion or control over property;

(43) "premises" means real property and any building;

(44) "propelled vehicle" means a device upon which or by which a person or property is or may be transported, and which is self-propelled, including automobiles, vessels, airplanes, motorcycles, snow machines, all-terrain vehicles, sailboats, and construction equipment;

DEFINITION OF
"PERSON" IN OTHER
TITLE 11 CRIMES

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 20, 1989

SUBJECT: Amendment to CSHB 36 (Finance)
TO: Representative Terry Martin
FROM: Jack Chenoweth
Legislative Counsel

You offered an amendment to extend the status of a victim under this legislation to a prenatal or unborn child. In response during floor debate, you reported, members opposed to the amendment related that the law as drafted already provided that status, and that the proposed amendment was unnecessary. I do not share that conclusion.

Persons having the status of victims under the victim's rights legislation are identified in AS 12.55.185(11). The definition is couched in terms of "persons." AS 12.55 does not offer a definition of the term "person," nor is one provided for that title. In the absence of a definition, the court would likely look to the definition offered in AS 01.10.060(8), applicable to all titles in the Alaska Statutes unless other meaning is elsewhere specifically provided. The Title 1 definition identifies, in addition to specific "artificial" entities such as corporations and firms, only a "natural person." The term "natural person" is most often used to distinguish a human being from an "artificial person," that is, something that has been given the status a person by operation of law, and that appears to be the context in which the term "natural person" has been used in Alaska law.

After debate, you reported, the Department of Law suggested that the proper definition of the term "person" to be applied in Title 12 is that set out in the closely related Title 11. Title 12 is, as you know, the Criminal Procedure title that works together with the Criminal Law title, Title 11. Title 11 offers two definitions of the term "person." One (AS 11.41.140) operates only for purposes of homicide

Representative Terry Martin
Page 2
March 20, 1989

and requires that, for a crime to be a homicide, the victim of the crime must have been born. The second (AS 11.81.-900(39)), generally applicable to all other provisions of Title 11, speaks of a "natural person."

Though the relationship between the two criminal titles is close, the Title 11 definitions are not necessarily applicable to Title 12. But even if they are, the definitions of "person"--particularly that set out in AS 11.81.900(39)--in no way assures that a prenatal or unborn child is captured within the definition of the term "natural person." To the contrary, I think there is at least the color of argument under common law that a prenatal or unborn child is not a natural person, and that the status of a natural person commences only at birth. The definition offered in AS 11.41.140 does not necessarily suggest that the definition of "natural person" is to the contrary and, in my judgment, only should be interpreted so as to clarify that a homicide may be committed only as against a person who has been born.

In a criminal law context, at common law no rights were recognized as implicit in unborn children. The killing of an unborn child, for example, was not regarded as a homicide for the reason that the fetus was not considered a human being or a person before its birth.

In the recent development of civil actions for wrongful death, there has been a substantial erosion of the common law interpretation so that, at present, a slight majority of the states (and the District of Columbia) recognizes that survival and wrongful death actions may be brought by the estates of stillborn children for fatal injuries received by the stillborn child. To recover, there must be evidence that the unborn child was viable, that is, the child was capable of an independent existence apart from the mother at the time of sustaining the injuries resulting in prenatal death. However, Alaska is not counted among the majority of the states. In the only reported case, Mace v. Jung, 210 F. Supp. 706 (D.Ct. Alaska 1962), applying the state's wrongful death statute the federal district court denied the right to maintain an action for the wrongful death of an unborn, nonviable fetus.

Civil wrongful death actions aside, there is nothing to indicate that, in the context of the criminal law, Alaska has departed from the common law rule that a fetus was not

Representative Terry Martin
Page 3
March 20, 1989

recognized as a person until born alive and given independent existence of its mother.

As I mentioned, if the amendment you offered is redundant of existing law (and, for reasons given above, I do not think it is), then no harm would be done. If it is not redundant, then you may contend that it would be necessary in order to extend to the prenatal or unborn child the status of a victim for purposes of the legislation.

As to the amendment: The amendment is proper in form and place of insertion to accomplish what I understand to be your intent. All of the operative provisions of this bill that give rights to a victim or someone acting on behalf of or in place of a victim turn on the definition of the term "victim" set out in AS 12.55.185(11).

CSHB 36(Fin)am

The Speaker objected and withdrew his objection. There being no further objection, the letter appears below:

"Dear Representative Donley:

You have asked whether 'the parent, guardian or custodian of a prenatal child' would be granted statutory rights as a victim under the language of section 7, paragraph 11 of CSHB 36 (Fin), 'if that prenatal child is harmed as a result of perpetration of an offense against the child's mother.' The short answer to your question is yes, the parent, guardian or custodian of a 'prenatal child' would fall within the existing statutory definition.

As you know, CSHB 36 (Finance) is a bill that deals with the procedural rights of victims of crime, and provides a mechanism for victims to participate in the criminal justice process. The primary definition of victim is set out in the proposed AS 12.55.185(11)(A): 'victim means a person against whom an offense has been perpetrated.' Proposed AS 12.55.185(11)(B) and (C) define who has the statutory rights granted to victims if the actual victim is either a minor or has died. Of course for anyone to qualify as a victim, a criminal offense under Title 11 or other statutory provisions must first have been committed.

Two situations may arise in which a 'prenatal child' is involved. The first is where an assault on a woman terminates a pregnancy. In this case, the woman would be the actual victim and so would directly receive the procedural rights granted under the proposed legislation. If the woman also died, the procedural rights would go to her survivors. The person with whom the woman lived in a spousal relationship, and presumably the father of the child, would be granted primary rights as a victim under the statute.

The second situation presented is where an assault on a mother does not terminate a pregnancy, but causes an injury to the child that is discovered after birth. To the extent that such an assault constitutes a crime against the child under Title 11, the child's parent, guardian, or custodian would be granted full procedural rights set out in CSHB 36 (Finance) under the proposed AS 12.55.185(11)(B)(ii).

As currently drafted, the Martin amendment to CSHB 36 (Finance) offered on the floor of the House on March 17, 1989, appears to apply only to the second situation addressed above. We reach this conclusion based on the reference to 'parent, guardian or custodian,' (since it is unlikely that a 'prenatal child' would have a guardian or custodian) as well as on the use of the word 'harmed' (which implies a live birth). As such, the Martin amendment appears to be an unnecessary duplication of the language of AS 12.55.185(11)(B)(ii) which applies when the victim is a minor and which grants rights to the minor's 'parent, ... guardian, or custodian.' Even if the Martin amendment were

CSHB 36(Fin)am

interpreted to apply in the situation where an assault on the mother terminates a pregnancy, the effect of the Martin amendment is simply to duplicate the language of the proposed AS 12.55.185(11)(A).

We hope that your legal questions about this issue have been answered. If not, feel free to contact us at any time for additional information.

Very truly yours,

DOUGLAS B. BAILY
ATTORNEY GENERAL

By: /s/

Laurie H. Otto

Assistant Attorney General"

The question to be reconsidered: "Shall CSHB 36(Fin)am pass the House?" The roll was taken with the following result:

CSHB 36(FIN)AM RECONSIDERATION

Yeas:	38	Barnes, Boucher, Boyer, Brown, Cato, Collins, Cotten, Davis, C., Davis, M., Donley, Ellis, Foster, Furnace, Goll, Gruenberg, Grussendorf, Hanley, Hoffman, Hudson, Jacko, Koponen, Larson, MacLean, Martin, Menard, Miller, Navarre, Pettyjohn, Phillips, Rieger, Sharp, Shultz, Spohnholz, Swackhammer, Taylor, Ulmer, Wallis, Zawacki
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Nays:	0	
-------	---	--

Excused:	0	
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Absent:	2	Davidson, Leman
---------	---	-----------------

And so, CSHB 36(Fin)am passed the House on reconsideration.

Representative Navarre moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the court rule changes. There being no objection, it was so ordered.

Representative Martin moved and asked unanimous consent that the House adopt the following Letter of Intent:

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act Establishing the Alaska
Commission on Children and Youth
Sponsor: Rules Committee
Requestor: _____

Agency Affected: Office of the Governor
BRU: Commissions/Special Offices

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		103.7	107.9	110.2	113.8	116.1
TRAVEL		22.7	22.7	22.7	22.7	22.7
CONTRACTUAL		22.0	23.0	23.0	23.0	23.0
SUPPLIES		1.5	1.5	1.5	1.5	1.5
EQUIPMENT		1.0	1.0	1.0	1.0	1.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		152.8	157.0	159.3	162.9	165.5

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		152.8	157.0	9.3	12.9	15.5
FEDERAL FUNDS						
OTHER *				150.0 *	150.0*	150.0*
TOTAL		152.8	157.0	159.3	162.9	165.5

POSITIONS:

FULL-TIME		1	1	1	1	1
PART-TIME		2	2	2	2	2
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Analysis Attached

* FUNDS TO COME FROM THE ALASKA CHILDREN'S TRUST FUND.

Prepared by: House Finance Committee Phone: 465-3757
Division: Ronald Larson, Co-chair Date: March 30, 1989
Lyman Hoffman, Co-chair

Approved by Commissioner: _____ Date: _____
Agency: _____

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

HB 66 Analysis

PERSONAL SERVICES

Salaries are shown at step A for FY 90. Personal Services requests for subsequent years include one-step merit increases for all three positions.

Executive Director	PFT	Range 21A	\$61,678
Research Analyst	PPT	Range 18A	25,750
Secretary	PPT	Range 10A	<u>16,230</u>

Total Personal Services \$103,658

TRAVEL

Seven Public members:

Juneau: travel @ \$400/person x 6 people = 2,400
per diem @ 80/day x 3 days x 7 people = 1,680 4,080

Anchorage: travel @ 400/person x 5 people = 2,000
per diem @ 80/day x 3 days x 7 people = 1,680

Administrative Staff:

travel @ 400/person x 2 people = 800
per diem @ 80/day x 3 days x 2 people = 480 4,960

Fairbanks: travel @ 400/person x 6 people = 2,400
per diem @ 80/day x 3 days x 7 people = 1,680

Administrative Staff:

travel @ 400/person x 2 people = 800
per diem @ 80/day x 3 days x 2 people = 480 5,360

Rural: travel @ 500/person x 6 people = 3,000
per diem @ 80/day x 4 days x 7 people = 2,240

Administrative Staff:

travel @ 500/person x 2 people = 1,000
per diem @ 80/day x 4 days x 2 people = 640 6,880

Conference: travel @ 1,000/person x 1 person = 1,000
per diem @ 80/day x 5 days x 1 person = 400 1,400

Total Travel: 22,680

HB 66 Analysis

CONTRACTUAL

Communication:	Telephone (toll costs, base/local fixed costs, centrex network costs) 600/mo x 12 months	7,200
	Telecopier charges -- 25/mo x 12 months	300
	Teleconference charges -- 5 @ 450	2,250
	Postage -- 300/mo x 12	3,600
Transportation:	Freight and express charges -- 75/mo x 12	900
Advertising, Printing & Binding:		
	Subscriptions	75
	Advertising -- 4 meetings x 350	1,400
	Printing -- 4 newsletters x 800 each	3,200
	Annual report	1,500
	Forms, misc.	750
	Photocopy, fixed costs 55/mo x 12	660
	Photocopy, vendor charges	400
Minor Repair, Maintenance		1,200
Employee Tuition, Training		500
	Total Contractual:	23,935

SUPPLIES

Office and Library supplies 100/mo x 12	1,200
Data processing supplies	300
Total Supplies:	1,500

EQUIPMENT

Office furniture, misc. office equipment	1,000
Total Equipment:	1,000

Feb

1. Last - Cut govt.

Arizona

Karen

20/21 →

Intend. (Pretend) - help children.

Fund raising

Nail in coffin of
the Family.

1st - contraception

Cut govt -

Bob Evans → F Riv. B. dje

Hickey - sterling Aug.

CSHB 36(Fin)amHouse Letter of Intent
for
CSHB 36(Fin)am

"It is the intent of the legislature that if a woman is made to miscarry as a result of a crime, that woman, if she survives, is the victim, and if she does not survive, the person designated under AS 12.55.185(11)(C) is the victim entitled to all protections under the Alaska Victims Rights Act.

Further it is the legislature's intent that if a child is born injured as a result of a crime committed against the child's mother while the child was in utero, that child is entitled to the same protections as any other victim under the Act."

The Letter of Intent was signed by Representatives C. Davis, Furnace, Pettyjohn, Taylor, Miller, Martin, Hudson, Sharp, Leman, Phillips, Hanley, Barnes, Wallis, Boucher, Larson and Hoffman.

Representative Goll objected.

Representative Martin placed a call of the House.

The Speaker stated the call was satisfied.

The question being: "Shall the House adopt the Letter of Intent for CSHB 36(Fin)am?" The roll was taken with the following result:

CSHB 36(FIN)AM INTENT

Yeas: 35 Barnes, Boucher, Brown, Cato, Collins, Cotten, Davis, C., Davis, M., Donley, Ellis, Foster, Furnace, Gruenberg, Grussendorf, Hanley, Hoffman, Hudson, Jacko, Larson, Leman, MacLean, Martin, Menard, Miller, Navarre, Pettyjohn, Phillips, Rieger, Sharp, Shultz, Swackhammer, Taylor, Ulmer, Wallis, Zawacki

CSHB 36(Fin)am

Nays: 5 Boyer, Davidson, Goll, Koponen, Spohnholz

Excused: 0

Absent: 0

Koponen changed from "yea" to "nay".

And so, the Letter of Intent was adopted.

CSHB 36(Fin)am was referred to the Chief Clerk for engrossment.

SECOND READING OF HOUSE RESOLUTIONSHJR 11

The following was read the second time:

HOUSE JOINT RESOLUTION NO. 11
Relating to Congressional reauthorization of the Clean Air Act.

with the:

Transportation Committee report	page 647
Zero fiscal note (Environmental Conservation) published 3/17/89	page 647

Representative Navarre moved and asked unanimous consent that the following committee substitute be adopted in lieu of the original resolution:

CS FOR HOUSE JOINT RESOLUTION NO. 11
(Transportation)
(same title)

There being no objection, it was so ordered.

CSHJR 11(Trsp)

Representative Navarre moved and asked unanimous consent that CSHJR 11(Trsp) be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

Fetus rights amendment on Senate bill

By LARRY PERSILY

The Associated Press

JUNEAU — Legislation creating a permanent state Commission on Children and Youth was amended in the Senate on Monday to require a commission review of fetus rights.

The amendment, supported by anti-abortion legislators, came as a surprise to many lawmakers and prompted a negative reaction from House Democrats.

"It's an extension of the abortion issue that we don't think has anything to do with the thrust of the children's commission," said Rep. Johnny Ellis, D-Anchorage.

"I can't imagine the House would concur with the amendment," said Rep. Mark Boyer, D-Fairbanks.

The bill was approved 15-4, forcing a likely conference committee debate over House and Senate versions.

House Bill 66 would establish the commission as a permanent agency within the governor's office. The commissioner's job would include investigating the needs of young people, recommending legislative action, monitoring the effectiveness of state programs and advocating for children's rights.

The commission had existed as a temporary agency, but officially expired last year when the Senate block-

"I believe the unborn have a right to live."

— Sen. Paul Fischer

ed passage of the bill granting permanent status. House members already had passed the legislation.

Lawmakers last session agreed to provide money for the commission to continue working for one year, pending final action by the Senate on the legislation.

The bill was introduced by Gov. Steve Cowper.

The Senate approved Sen. Paul Fischer's amendment by a 10-9 vote. Although the measure is scheduled for reconsideration Tuesday, few senators expect any changes.

Voting against the amendment were Republican Sens. Drue Pearce and Arliss Sturgulewski of Anchorage, Democratic Sens. Jim Duncan of Juneau, Bettye Fahrenkamp of Fairbanks, Jay Kertula of Palmer, Fred Zharoff of Kodiak, and Pat Pourchot, Pat Rodey and Mike Szymanski of Anchorage.

A similar amendment was offered in the House last session by Rep. Terry Martin, R-Anchorage. Although it managed to win approval on its first try, Democrats

later were able to rescind it before sending the bill to the Senate.

The amendment says the commission shall review state laws to determine the legal rights of fetuses and if any existing state programs violate those rights.

"I believe the unborn have a right to live," Fischer said.

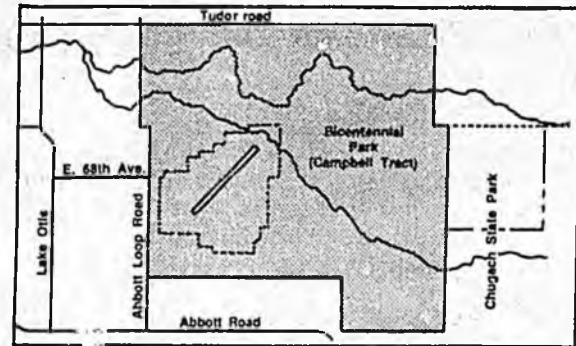
Ellis said the amendment was offered by anti-abortion

supporters who wanted to force a vote on extending legal rights to fetuses.

Although Fischer succeeded in attaching his amendment to the bill, he voted against the legislation. The amendment improved the bill, but the state does not need another commission, he said.

The legislation would appropriate \$152,800 a year for the children's commission.

Notice MAJOR DEVELOPMENTS are planned for BICENTENNIAL PARK (CAMPBELL TRACT)



Several major developments are planned for your park, including a major tourist attraction. A group is being formed called "Friends of Campbell Tract" to try to maintain the park as essentially an undeveloped area. If you are interested in joining such a group, please call Nancy, 333-1233, or Chuck, 338-1918.

OPINION

Anchorage Daily News

Gerald E. Grilly
Publisher

Howard Weaver
Managing Editor



Michael Carey, Editorial Page Editor

Katherine Fanning, Editor and Publisher 1971 to 1983
Lawrence Fanning, Editor and Publisher 1967 to 1971

Founded in 1946 by Norman C. Brown

Hope amid hate

South African leader provides reason for hope

It remains uncertain precisely what South Africa President F.W. de Klerk has in mind for his country. Not a man to telegraph his moves, he sprung many of his most dramatic changes of recent months on an unsuspecting country — and on a world every bit as unsuspecting.

But one thing's certain: South Africa will not be the same when Mr. de Klerk is done. He has made it clear that his plans don't include business as usual — vicious discrimination, violent suppression, and



POINT MACKENZIE COWS, EXCITED BY NEWS THAT ARGUE ABOUT WHETHER THIS MAKES THEM ELIGIBI

President Bush needs a n

Even in one's least senti- mental mood, there is some- thing stirring about the an- the State of



"help ou
"commit
The of
dent tells
democrat

February 7, 1990

FEB 09 1990

Senator Jim Duncan
Pouch V
Juneau AK 99811

I favor the amendment to protect the child in the womb. I am surprised and disappointed that you would vote against it.

The early Nuremberg trials are still vivid in my memory. "Stars and Stripes", the Army newspaper, carried daily reports of the trials to those of us who were assigned in the ETO (the European Theater of Operations). Medical personnel were among the first to be tried. It was they who declared "non-person" status. Abortion had been legalized early. When in 1938 it was followed by the legalization of euthanasia, the victims were "the mentally ill, the terminally ill and the incurables". During that one year, the mental patients were eliminated ... at great saving of government funds, of course.

Of interest to us and our contemporaries might be the fact that many of those who promoted or encouraged the destruction of "non-persons" (Here they are called fetuses, vegetables, or non-persons.) later became themselves the victims. Politicians and military personnel soon found others that were "inconvenient".

Is history's teacher?

Last week, Dear Abby quoted Martin Niemöller, the German Lutheran pastor who said he "didn't speak up". I'm sure you've heard the rest.

For whom do we speak? or fail to?

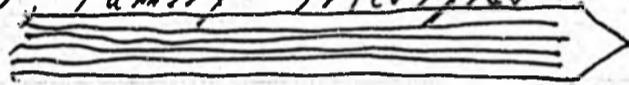
Barbara Fallon
3400 Douglas Highway, #12
Juneau AK 99801

cc: Representative Bill Hudson
Representative Fran Ulmer
Senator Paul Fischer

Person - Def.

Fetus - Webster - in man, the offspring in the womb from the end of the third month of pregnancy until birth: distinguished from EMBRYO

Any prohibition against the hiring of homosexuals for programs dealing with morality, family lifestyles



Preclude ~~Advocating program~~ -
Funding program for children
advocacy ~~of~~ v

ESTABLISHED
1988

AN ACT

Establishing the Alaska children's trust fund to provide a continuing source of revenue for grants to community-based programs for the prevention of child abuse and neglect; and providing for an effective date.

* Section 1. AS 37.14 is amended by adding new sections to read:

ARTICLE 4. ALASKA CHILDREN'S TRUST FUND.

Sec. 37.14.200. ALASKA CHILDREN'S TRUST FUND ESTABLISHED. (a) The Alaska children's trust fund is established as a separate endowment trust fund of the state.

(b) The principal of the fund consists of

- (1) legislative appropriations to the fund; and
- (2) gifts, bequests, and contributions of cash or other assets from a person.

(c) The net income of the fund shall be determined by the commissioner of revenue in accordance with investment accounting principles and in a manner that preserves the distinction between principal and income.

Sec. 37.14.210. POWERS AND DUTIES OF THE COMMISSIONER OF REVENUE. The commissioner of revenue is the treasurer of the fund and has the following powers and duties under this section:

- (1) to act as official custodian of the cash and investments belonging to the fund by securing adequate and safe custodial

Chapter 19

1 facilities;

2 (2) to receive all items of cash and investments belonging
3 to the fund;

4 (3) to collect the principal and income from investments
5 owned or acquired by the fund and deposit the amounts in separate
6 principal and income accounts for the fund;

7 (4) to invest and reinvest the assets of the fund as pro-
8 vided in this section and as provided for the investment of surplus
9 pension funds under AS 39.35.110(a), (c), (e), (f), (h) and (i);

10 (5) to exercise the powers of an owner with respect to the
11 assets of the fund;

12 (6) to do all acts, whether or not expressly authorized,
13 that the commissioner of revenue considers necessary or proper in
14 administering the assets of the fund;

15 (7) to maintain accounting records of the fund in accor-
16 dance with investment accounting principles and with distinctions
17 between the principal and income accounts of the fund;

18 (8) to engage an independent firm of certified public
19 accountants to annually audit the financial condition of the fund's
20 investments and investment transactions;

21 (9) to enter into and enforce contracts or agreements
22 considered necessary for the investment purposes of the fund;

23 (10) to report to the board the condition and investment
24 performance of the fund.

25 Sec. 37.14.220. ALASKA CHILDREN'S TRUST FUND BOARD ESTABLISHED.

26 (a) The Alaska Children's Trust Fund Board is established in the
27 Office of the Governor. The board is composed of

28 (1) the governor or a designee of the governor;

29 (2) the commissioner of health and social services or the

commissioner's designee;

(3) a member of the C
Assault elected by the council;

(4) the director of
director's designee;

(5) the commissioner
designee;

(6) a member of the
the senate;

(7) a member of the
the speaker of the house of rep

(8) three members ap

(A) a licensed
ries who has practiced m
years and who is an exp
neglect; and

(B) two publ
expert in the subject of

(b) The board shall ele

(c) The staff of the
staff of the board.

Sec. 37.14.230. POWERS

(1) hold regular
necessary; the board may hol

(2) award grants
community-based programs and f
the prevention of child abu

(3) monitor app
with AS 37.14.200 - 37.14.2

1 commissioner's designee;

2 (3) a member of the Council on Domestic Violence and Sexual
3 Assault elected by the council;

4 (4) the director of the office of public advocacy or the
5 director's designee;

6 (5) the commissioner of education or the commissioner's
7 designee;

8 (6) a member of the senate appointed by the president of
9 the senate;

10 (7) a member of the house of representatives appointed by
11 the speaker of the house of representatives; and

12 (8) three members appointed by the governor as follows:

13 (A) a licensed physician with a specialty in pediat-
14 rics who has practiced medicine in the state for at least five
15 years and who is an expert in the subject of child abuse and
16 neglect; and

17 (B) two public members, one of whom is a recognized
18 expert in the subject of child abuse and neglect.

19 (b) The board shall elect a member to chair the board.

20 (c) The staff of the office of child advocacy serves as the
21 staff of the board.

22 Sec. 37.14.230. POWERS AND DUTIES OF BOARD. The board shall

23 (1) hold regular meetings and special meetings it considers
24 necessary; the board may hold meetings by teleconference;

25 (2) award grants from the net income of the fund to com-
26 munity-based programs and projects that the board finds will aid in
27 the prevention of child abuse and neglect;

28 (3) monitor approved programs and projects for compliance
29 with AS 37.14.200 - 37.14.270;

Chapter 19

(4) before providing assistance to a program or project, approve written findings on the program or project that include a consideration of the means of measuring the effectiveness of the program or project;

(5) apply for, and use net income from the fund to obtain, private and federal grants for the prevention of child abuse and neglect;

(6) solicit contributions, gifts, and bequests to the fund;

(7) keep audio tape recordings of each meeting of the board to be made available on request; and

(8) submit to the governor and the legislature by February 1 each year a report describing

(A) the child abuse and neglect prevention services that were provided by the programs and projects to which the board awarded grants; and

(B) the annual level of contributions, income, and expenses of the fund.

Sec. 37.14.240. FUND UTILIZATION. (a) The principal of the fund and any capital gains or losses realized on the principal shall be retained perpetually in the fund for investment as specified in AS 37.14.210, and may not be used for the awarding of grants.

(b) The net income of the fund may be appropriated only for the following purposes:

(1) the awarding of grants;

(2) obtaining private and federal grants for the fund;

(3) soliciting contributions, gifts, and bequests for the fund; and

(4) reimbursement to the Department of Revenue for the costs of establishing the fund.

(c) Realized net income that has not been appropriated and expended, shall be appropriated but not expended, shall be appropriated and expended.

Sec. 37.14.250. GRANTS. (a) In awarding income of the fund, the board shall consider a qualified applicant only after the applicant has submitted a proposal in the form prescribed by the board. A grant shall not be awarded unless the board makes written findings:

(1) the proposed project, if successful, will reduce child abuse or neglect;

(2) the application for financial assistance includes an adequate plan for project implementation, including a feasibility and project effectiveness;

(3) the applicant demonstrates that the necessary expertise is available to accomplish the objectives of the program or project; and

(4) the applicant has identified all necessary ancillary to the project, additional governmental actions generated by the program or project, including maintenance, or other support costs for the project.

(b) The board may establish other rules for the awarding of grants under this section if necessary to carry out the purposes of the fund.

(c) The board shall award grants in the following order:

(1) are appropriate to the conditions of the proposed program or project; and

(2) will make the most effective use of the fund available.

(c) Realized net income that has not been appropriated, or that has been appropriated but not expended, shall be invested until appropriated and expended.

Sec. 37.14.250. GRANTS. (a) In awarding grants from the net income of the fund, the board shall consider the proposals of a qualified applicant only after the applicant has submitted a detailed proposal in the form prescribed by the board. The board may not award a grant unless the board makes written findings that

(1) the proposed project, if successful, will help prevent child abuse or neglect;

(2) the application for financial assistance contains an adequate plan for project implementation, including both financial feasibility and project effectiveness;

(3) the applicant demonstrates that sufficient technical expertise is available to accomplish the objectives of the proposed program or project; and

(4) the applicant has identified costs associated with and ancillary to the project, additional governmental costs, future obligations generated by the program or project, and necessary operating, maintenance, or other support costs for the life of the program or project.

(b) The board may establish other requirements for the award of grants under this section if necessary to carry out the purpose of the fund.

(c) The board shall award grants in amounts that

(1) are appropriate to the conditions of the applicant and the proposed program or project; and

(2) will make the most effective use of the money available.

Chapter 19

(d) The amount of all grants awarded by the board during a 12-month period to a single project or program may not exceed \$50,000. The board may not finance more than 75 percent of the cost of a program or project during each of the first two years for which the program or project receives a grant, 50 percent during each of the third and fourth years, and 25 percent during each year thereafter.

(e) A recipient of a grant may not use more than 10 percent of the grant for administration of the program or project.

(f) To the extent consistent with the terms or conditions of the grant, a private or federal grant awarded to the board shall be distributed in the same manner as provided for grants under this section and AS 37.14.260.

Sec. 37.14.260. ELIGIBILITY FOR GRANTS. The board may award a grant to an applicant if

(1) the applicant has submitted a proposal that is acceptable to the board; and

(2) programs and projects, if any, of the applicant that have previously received a grant from the board have complied with all requirements of that assistance and have performed with sufficient success or promise to warrant further financial assistance.

Sec. 37.14.270. DEFINITIONS. In AS 37.14.200 - 37.14.270

(1) "board" means the Alaska Children's Trust Fund Board;

(2) "child abuse and neglect" has the meaning given in AS 47.17.070;

(3) "fund" means the Alaska children's trust fund established under AS 37.14.200;

(4) "prevention of child abuse and neglect" includes primary and secondary prevention programs;

(5) "primary prevention program" means an educational or

training program intended to raise the awareness of the public and includes concerns concerning child abuse and neglect.

(6) "secondary prevention program" means a program designed to reach high-risk groups and to prevent the occurrence of child abuse and neglect.

* Sec. 2. Notwithstanding the provisions of AS 37.14.200 enacted by sec. 1 of this Act, until July 1, 1990, the Trust Fund Board may use not more than \$500,000 of the Alaska children's trust fund for the purposes of AS 37.14.200(b)(2) and (3) as enacted by sec. 1 of this Act.

* Sec. 3. This Act takes effect July 1, 1990.

Chapter 19

training program intended to raise the awareness of and change attitudes concerning child abuse and neglect and its prevention;

(6) "secondary prevention program" means a service intended to reach high-risk groups and to prevent the occurrence or recurrence of child abuse and neglect.

* Sec. 2. Notwithstanding the provisions of AS 37.14.230 and 37.14.240 as enacted by sec. 1 of this Act, until July 1, 1989, the Alaska Children's Trust Fund Board may use not more than \$50,000 from the principal of the Alaska children's trust fund for the purposes specified in AS 37.14.240(b)(2) and (3) as enacted by sec. 1 of this Act.

* Sec. 3. This Act takes effect July 1, 1988.

go0239hI.
Lauterbach
5/8/89

Original sponsor: Rules/Governor

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IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

SENATE CS FOR CS FOR HOUSE BILL NO. 66 (HESS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act establishing the Alaska Commission on Children and Youth; abolishing the Office of Child Advocacy; relating to the Alaska children's trust fund; and providing for an effective date."

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

* Section 1. AS 37.14.220 is repealed and reenacted to read:

Sec. 37.14.220. ADMINISTRATION OF THE FUND. The fund shall be administered by the Alaska Commission on Children and Youth.

* Sec. 2. AS 37.14.220 is repealed and reenacted to read:

Sec. 37.14.220. ALASKA CHILDREN'S TRUST FUND BOARD ESTABLISHED.

(a) The Alaska Children's Trust Fund Board is established in the Office of the Governor. The board is composed of four executive branch members and seven public members, who are appointed by, and serve in that capacity at the pleasure of, the governor.

(b) The board shall elect a member to chair the board.

(c) The Office of the Governor shall provide staff for the board.

* Sec. 3. AS 37.14.230 is amended to read:

Sec. 37.14.230. POWERS AND DUTIES OF THE COMMISSION [BOARD].
When acting as administrator of the fund, the commission [THE BOARD] shall

(1) hold [REGULAR MEETINGS AND] special meetings it considers necessary; the commission [BOARD] may hold meetings by teleconference;

1 (2) award grants from the net income of the fund to commu-
2 nity-based programs and projects that the commission [BOARD] finds
3 will aid in the prevention of child abuse and neglect;

4 (3) monitor approved programs and projects for compliance
5 with AS 37.14.200 - 37.14.270;

6 (4) before providing assistance to a program or project,
7 approve written findings on the program or project that include a
8 consideration of the means of measuring the effectiveness of the
9 program or project;

10 (5) apply for, and use net income from the fund to obtain,
11 private and federal grants for the prevention of child abuse and
12 neglect;

13 (6) solicit contributions, gifts, and bequests to the fund;

14 (7) keep audio tape recordings of each meeting of the
15 commission [BOARD] to be made available on request; and

16 (8) submit to the governor and the legislature by Febru-
17 ary 1 each year a report describing

18 (A) the child abuse and neglect prevention services
19 that were provided by the programs and projects to which the
20 commission [BOARD] awarded grants; and

21 (B) the annual level of contributions, income, and
22 expenses of the fund.

23 * Sec. 4. AS 37.14.230 is amended to read:

24 Sec. 37.14.230. POWERS AND DUTIES OF THE BOARD [COMMISSION].
25 The board [WHEN ACTING AS ADMINISTRATOR OF THE FUND, THE COMMISSION]
26 shall

27 (1) hold regular meetings and special meetings it considers
28 necessary; the board [COMMISSION] may hold meetings by teleconference;

29 (2) award grants from the net income of the fund to

1 community-based programs and projects that the board [COMMISSION]
2 finds will aid in the prevention of child abuse and neglect;

3 (3) monitor approved programs and projects for compliance
4 with AS 37.14.200 - 37.14.270;

5 (4) before providing assistance to a program or project,
6 approve written findings on the program or project that include a
7 consideration of the means of measuring the effectiveness of the
8 program or project;

9 (5) apply for, and use net income from the fund to obtain,
10 private and federal grants for the prevention of child abuse and
11 neglect;

12 (6) solicit contributions, gifts, and bequests to the fund;

13 (7) keep audio tape recordings of each meeting of the board
14 [COMMISSION] to be made available on request; and

15 (8) submit to the governor and the legislature by Febru-
16 ary 1 each year a report describing

17 (A) the child abuse and neglect prevention services
18 that were provided by the programs and projects to which the
19 board [COMMISSION] awarded grants; and

20 (B) the annual level of contributions, income, and
21 expenses of the fund.

22 * Sec. 5. AS 37.14.240(a) is amended to read:

23 (a) Except as provided in (d) of this section, the [THE] princi-
24 pal of the fund and any capital gains or losses realized on the prin-
25 cipal shall be retained perpetually in the fund for investment as
26 specified in AS 37.14.210, and may not be used for the awarding of
27 grants.

28 * Sec. 6. AS 37.14.240 is amended by adding a new subsection to read:

29 (d) Up to \$150,000 per year may be appropriated from the

1 principal of the fund for the administrative expenses of the commis-
2 sion.

3 * Sec. 7. AS 37.14.240(d) is amended to read:

4 (d) Up to \$150,000 per year may be appropriated from the princi-
5 pal of the fund for the administrative expenses of the board [COMMIS-
6 SION].

7 * Sec. 8. AS 37.14.270 is amended by adding a new paragraph to read:

8 (5) "commission" means the Alaska Commission on Children
9 and Youth established under AS 44.19.521.

10 * Sec. 9. AS 37.14.270 is amended by adding a new paragraph to read:

11 (6) "board" means the Alaska Children's Trust Fund Board.

12 * Sec. 10. AS 39.05.100(a) is amended to read:

13 (a) A person appointed to a board or commission of the state
14 government shall be and have been before the last general election,
15 (1) a registered voter in the state, if the appointment is made at
16 large or (2) a registered voter from the judicial district, if the
17 appointment is made from a specific judicial district. The student
18 member of the Board of Regents of the University of Alaska appointed
19 under AS 14.40.150(b), [AND] the student member of the Alaska Commis-
20 sion on Postsecondary Education appointed under AS 14.42.015(e), and a
21 member of the Alaska Commission on Children and Youth appointed under
22 AS 44.19.521, are exempt from the requirement of this subsection if
23 the member was not old enough to be a registered voter in the last
24 general election.

25 * Sec. 11. AS 39.05.100(a) is amended to read:

26 (a) A person appointed to a board or commission of the state
27 government shall be and have been before the last general election,
28 (1) a registered voter in the state, if the appointment is made at
29 large or (2) a registered voter from the judicial district, if the

1 appointment is made from a specific judicial district. The student
2 member of the Board of Regents of the University of Alaska appointed
3 under AS 14.40.150(b) and [,] the student member of the Alaska Commis-
4 sion on Postsecondary Education appointed under AS 14.42.015(e) [, AND
5 A MEMBER OF THE ALASKA COMMISSION ON CHILDREN AND YOUTH APPOINTE
6 UNDER AS 44.19.521,] are exempt from the requirement of this sub-
7 section if the member was not old enough to be a registered voter in
8 the last general election.

9 * Sec. 12. AS 39.50.200(b) is amended by adding a new paragraph to
10 read:

11 (50) Alaska Commission on Children and Youth (AS 44.19.521).

12 * Sec. 13. AS 44.19 is amended by adding new sections to read:

13 ARTICLE 17. ALASKA COMMISSION ON CHILDREN AND YOUTH.

14 Sec. 44.19.521. CREATION OF COMMISSION. (a) There is created
15 in the Office of the Governor the Alaska Commission on Children and
16 Youth.

17 (b) The commission consists of four executive-branch members and
18 seven public members, who are appointed by, and serve in that capacity
19 at the pleasure of, the governor. At least one of the public members
20 must be under the age of 21 at the time of appointment. The com-
21 mission shall elect one of its members as chair. The chair may ap-
22 point other officers as necessary.

23 Sec. 44.19.523. TERMS OF OFFICE; COMPENSATION. (a) The term of
24 office of a member of the commission is three years.

25 (b) A vacancy shall be filled in the same manner as the original
26 appointment. A person appointed to a vacancy serves for the unexpired
27 portion of the term.

28 (c) Public members of the commission serve without compensation
29 for their services but are entitled to per diem and travel allowances

1 authorized under AS 39.20.180.

2 Sec. 44.19.525. POWERS OF THE COMMISSION. The commission may

3 (1) use legal, technical, secretarial, and administrative
4 services as may be provided by the governor;

5 (2) use voluntary and uncompensated services of private
6 persons and organizations as may be made available to the commission;

7 (3) receive, and use for operating purposes, money from the
8 federal government or other sources;

9 (4) hold public hearings;

10 (5) hire an executive director and technical and clerical
11 staff that are necessary to perform the duties of the commission; and

12 (6) take other actions reasonably necessary to carry out
13 the duties of the commission.

14 Sec. 44.19.527. DUTIES OF THE COMMISSION. (a) The commission
15 shall establish and maintain its primary office in Anchorage.

16 (b) The commission shall develop a comprehensive statewide plan
17 that identifies the needs of children and youth, individually and as
18 they relate to their families, and makes recommendations to enhance
19 their quality of life. In meeting this charge, the commission may

20 (1) recommend the services and programs that should be
21 available for children and families in the areas of child care,
22 health, social services, education, special education, child protec-
23 tion, parent and staff training, nutrition, poverty, mental health,
24 safety, and employment of youth;

25 (2) identify the service needs of children and where gaps
26 and overlaps in services exist;

27 (3) monitor the emerging needs of and problems facing
28 children, and develop effective, comprehensive, and coordinated strat-
29 egies to address those needs and problems;

1 (4) develop and recommend adoption of a process for moni-
2 toring and evaluating children's programs;

3 (5) provide opportunities for the public to participate in
4 the planning and development of children's programs and policies;

5 (6) receive and act upon requests for recommendations from
6 parents, state officials, members of state advisory committees, legis-
7 lators, representatives of the state court system, and providers of
8 children's services on matters related to children and youth;

9 (7) meet with and make recommendations to state officials
10 and members of advisory committees who are responsible for the expen-
11 diture of state and federal money and provide recommendations to the
12 legislature and the department on structural and procedural changes,
13 contracting of services, establishment of standards, and the consoli-
14 dation of efforts designed to deliver services in a more cost-effec-
15 tive manner;

16 (8) serve as a statewide clearinghouse for government and
17 nongovernment programs and resources relating to children, youth, and
18 families;

19 (9) serve as an advocate for the interests of children by
20 informing the public, including leaders of the business community,
21 educators, local and state officials, the legal system, and the commu-
22 nications media of the nature and scope of problems faced by children;

23 (10) coordinate efforts and consult and cooperate with
24 persons, departments, organizations, and groups, including other
25 boards and commissions, interested in the problems and concerns of
26 children and youth; and

27 (11) make recommendations to the governor, legislature, and
28 state officials with respect to legislation, regulations, and appro-
29 priations for programs or services that benefit children and youth.

1 (c) In formulating the strategy to address the needs of and
2 problems facing children, the commission shall actively solicit advice
3 and information from children and youth of all ages and socioeconomic
4 backgrounds. The commission shall also seek advice and information
5 from parents and children's services providers, including those with
6 expertise in the areas of mental health, health care, prenatal care,
7 adolescent drug and alcohol treatment, education, special education,
8 early childhood education, early childhood special education, non-
9 profit funding sources, child abuse and neglect, domestic violence,
10 child care, dependence, delinquency and the justice system, minority
11 issues, and family support systems.

12 (d) The commission shall prepare and publish an annual report on
13 the status of children in the state and its recommendations and pro-
14 posals for change. The commission shall provide the governor and the
15 legislature with copies of the report by the 15th day of each regular
16 legislative session.

17 Sec. 44.19.529. TECHNICAL ASSISTANCE AND STAFF SUPPORT. The
18 executive branch departments shall cooperate with the commission and
19 provide technical assistance to the commission upon the request of the
20 commission.

21 * Sec. 14. TEMPORARY USE OF PRINCIPAL. Notwithstanding AS 37.14.230
22 and 37.14.240, as amended by secs. 3, 5, and 6 of this Act, until July 1,
23 1991, the Alaska Commission on Children and Youth may use not more than
24 \$50,000 from the principal of the Alaska children's trust fund for the
25 purposes specified in AS 37.14.240(b)(2) and (3).

26 * Sec. 15. REVISOR'S INSTRUCTION. To be consistent with the changes
27 made by secs. 1, 3, 6, and 8 of this Act, wherever in AS 37.14.200 - 37.-
28 14.270 and in the regulations adopted under those statutes "Alaska Chil-
29 dren's Trust Fund Board" or "board" is used, they shall be read as

1 referring to the Alaska Commission on Children and Youth and the commis
2 sion, respectively. Under AS 01.05.031, the revisor of statutes shall
3 implement this section in the statutes and under AS 44.62.125(b)(6), th
4 regulations attorney shall implement this section in the administrativ
5 regulations.

6 * Sec. 16. REVISOR'S INSTRUCTION. To be consistent with the changes
7 made by secs. 2, 4, 7, and 9 of this Act, wherever in AS 37.14.200 -
8 37.14.270 and in the regulations adopted under those statutes "Alaska Com-
9 mission on Children and Youth" or "commission" is used, they shall be read
10 as referring to the Alaska Children's Trust Fund Board and the board,
11 respectively. Under AS 01.05.031, the revisor of statutes shall implement
12 this section in the statutes and under AS 44.62.125(b)(6), the regulations
13 attorney shall implement this section in the administrative regulations.

14 * Sec. 17. AS 37.14.270(5), AS 39.50.200(b)(50), AS 44.19.521, 44.19.-
15 523, 44.19.525, 44.19.527, and 44.19.529 are repealed June 30, 1991.

16 * Sec. 18. AS 37.14.270(1), AS 47.50.010, 47.50.020, 47.50.030, 47.50.-
17 040, and 47.50.050 are repealed.

18 * Sec. 19. TERMS OF INITIAL APPOINTEES. Notwithstanding AS 44.19.523,
19 enacted by sec. 13 of this Act, the governor shall set the terms of the
20 members initially appointed to the Alaska Commission on Children and Youth
21 so that four members serve three-year terms, four members serve two-year
22 terms, and three members serve one-year terms.

23 * Sec. 20. REVIEW OF LAWS RELATING TO CHILDREN. The Alaska Commission
24 on Children and Youth, established under sec. 13 of this Act, may review
25 the laws of the state with regard to matters involving children. The
26 commission may review the laws of the state to determine to what degree the
27 protection of the law does not extend to the unborn, and to what extent the
28 programs of the state and of the commission that relate to preborn children
29 are not authorized, but may actually be prohibited, by state law. If the

1 commission performs a review under this section, the commission sha
2 prepare and publish a report of its findings and recommendations and pr
3 vide the governor and the legislature with copies by January 1, 1991.

4 * Sec. 21. Sections 2, 4, 7, 9, 11, and 16 of this Act take effect
5 June 30, 1991.

6 * Sec. 22. Except as provided in sec. 21 of this Act, this Act take
7 effect July 1, 1989.

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Lauterbach
5/8/89

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 66 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Commission on Chil-
7 dren and Youth; abolishing the Office of Child Advo-
8 cacy; relating to the Alaska children's trust fund;
9 and providing for an effective date."

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

11 * Section 1. AS 37.14.220 is repealed and reenacted to read:

12 Sec. 37.14.220. ADMINISTRATION OF THE FUND. The fund shall be
13 administered by the Alaska Commission on Children and Youth.

14 * Sec. 2. AS 37.14.220 is repealed and reenacted to read:

15 Sec. 37.14.220. ALASKA CHILDREN'S TRUST FUND BOARD ESTABLISHED.

16 (a) The Alaska Children's Trust Fund Board is established in the
17 Office of the Governor. The board is composed of four executive
18 branch members and seven public members, who are appointed by, and
19 serve in that capacity at the pleasure of, the governor.

20 (b) The board shall elect a member to chair the board.

21 (c) The Office of the Governor shall provide staff for the
22 board.

23 * Sec. 3. AS 37.14.230 is amended to read:

24 Sec. 37.14.230. POWERS AND DUTIES OF THE COMMISSION [BOARD].
25 When acting as administrator of the fund, the commission [THE BOARD]
26 shall

27 (1) hold [REGULAR MEETINGS AND] special meetings it con-
28 sidered necessary; the commission [BOARD] may hold meetings by telecon-
29 ference;

1 (2) award grants from the net income of the fund to commu-
2 nity-based programs and projects that the commission [BOARD] finds
3 will aid in the prevention of child abuse and neglect;

4 (3) monitor approved programs and projects for compliance
5 with AS 37.14.200 - 37.14.270;

6 (4) before providing assistance to a program or project,
7 approve written findings on the program or project that include a
8 consideration of the means of measuring the effectiveness of the
9 program or project;

10 (5) apply for, and use net income from the fund to obtain,
11 private and federal grants for the prevention of child abuse and
12 neglect;

13 (6) solicit contributions, gifts, and bequests to the fund;

14 (7) keep audio tape recordings of each meeting of the
15 commission [BOARD] to be made available on request; and

16 (8) submit to the governor and the legislature by Febru-
17 ary 1 each year a report describing

18 (A) the child abuse and neglect prevention services
19 that were provided by the programs and projects to which the
20 commission [BOARD] awarded grants; and

21 (B) the annual level of contributions, income, and
22 expenses of the fund.

23 * Sec. 4. AS 37.14.230 is amended to read:

24 Sec. 37.14.230. POWERS AND DUTIES OF THE BOARD [COMMISSION].
25 The board [WHEN ACTING AS ADMINISTRATOR OF THE FUND, THE COMMISSION]
26 shall

27 (1) hold regular meetings and special meetings it considers
28 necessary; the board [COMMISSION] may hold meetings by teleconference;

29 (2) award grants from the net income of the fund to

1 community-based programs and projects that the board [COMMISSION]
2 finds will aid in the prevention of child abuse and neglect;

3 (3) monitor approved programs and projects for compliance
4 with AS 37.14.200 - 37.14.270;

5 (4) before providing assistance to a program or project,
6 approve written findings on the program or project that include a
7 consideration of the means of measuring the effectiveness of the
8 program or project;

9 (5) apply for, and use net income from the fund to obtain,
10 private and federal grants for the prevention of child abuse and
11 neglect;

12 (6) solicit contributions, gifts, and bequests to the fund;

13 (7) keep audio tape recordings of each meeting of the board
14 [COMMISSION] to be made available on request; and

15 (8) submit to the governor and the legislature by Febru-
16 ary 1 each year a report describing

17 (A) the child abuse and neglect prevention services
18 that were provided by the programs and projects to which the
19 board [COMMISSION] awarded grants; and

20 (B) the annual level of contributions, income, and
21 expenses of the fund.

22 * Sec. 5. AS 37.14.240(a) is amended to read:

23 (a) Except as provided in (d) of this section, the [THE] princi-
24 pal of the fund and any capital gains or losses realized on the prin-
25 cipal shall be retained perpetually in the fund for investment as
26 specified in AS 37.14.210, and may not be used for the awarding of
27 grants.

28 * Sec. 6. AS 37.14.240 is amended by adding a new subsection to read:

29 (d) Up to \$150,000 per year may be appropriated from the

1 principal of the fund for the administrative expenses of the commis-
2 sion.

3 * Sec. 7. AS 37.14.240(d) is amended to read:

4 (d) Up to \$150,000 per year may be appropriated from the princi-
5 pal of the fund for the administrative expenses of the board [COMMIS-
6 SION].

7 * Sec. 8. AS 37.14.270 is amended by adding a new paragraph to read:

8 (5) "commission" means the Alaska Commission on Children
9 and Youth established under AS 44.19.521.

10 * Sec. 9. AS 37.14.270 is amended by adding a new paragraph to read:

11 (6) "board" means the Alaska Children's Trust Fund Board.

12 * Sec. 10. AS 39.05.100(a) is amended to read:

13 (a) A person appointed to a board or commission of the state
14 government shall be and have been before the last general election,
15 (1) a registered voter in the state, if the appointment is made at
16 large or (2) a registered voter from the judicial district, if the
17 appointment is made from a specific judicial district. The student
18 member of the Board of Regents of the University of Alaska appointed
19 under AS 14.40.150(b), [AND] the student member of the Alaska Commis-
20 sion on Postsecondary Education appointed under AS 14.42.015(e), and a
21 member of the Alaska Commission on Children and Youth appointed under
22 AS 44.19.521, are exempt from the requirement of this subsection if
23 the member was not old enough to be a registered voter in the last
24 general election.

25 * Sec. 11. AS 39.05.100(a) is amended to read:

26 (a) A person appointed to a board or commission of the state
27 government shall be and have been before the last general election,
28 (1) a registered voter in the state, if the appointment is made at
29 large or (2) a registered voter from the judicial district, if the

1 appointment is made from a specific judicial district. The student
2 member of the Board of Regents of the University of Alaska appointed
3 under AS 14.40.150(b) and [,] the student member of the Alaska Commis-
4 sion on Postsecondary Education appointed under AS 14.42.015(e) [, AND
5 A MEMBER OF THE ALASKA COMMISSION ON CHILDREN AND YOUTH APPOINTED
6 UNDER AS 44.19.521,] are exempt from the requirement of this sub-
7 section if the member was not old enough to be a registered voter in
8 the last general election.

9 * Sec. 12. AS 39.50.200(b) is amended by adding a new paragraph to
10 read:

11 (50) Alaska Commission on Childrer and Youth (AS 44.19.521).

12 * Sec. 13. AS 44.19 is amended by adding new sections to read:

13 ARTICLE 17. ALASKA COMMISSION ON CHILDREN AND YOUTH.

14 Sec. 44.19.521. CREATION OF COMMISSION. (a) There is created
15 in the Office of the Governor the Alaska Commission on Children and
16 Youth.

17 (b) The commission consists of four executive-branch members and
18 seven public members, who are appointed by, and serve in that capacity
19 at the pleasure of, the governor. At least one of the public members
20 must be under the age of 21 at the time of appointment. The com-
21 mission shall elect one of its members as chair. The chair may ap-
22 point other officers as necessary.

23 Sec. 44.19.523. TERMS OF OFFICE; COMPENSATION. (a) The term of
24 office of a member of the commission is three years.

25 (b) A vacancy shall be filled in the same manner as the original
26 appointment. A person appointed to a vacancy serves for the unexpired
27 portion of the term.

28 (c) Public members of the commission serve without compensation
29 for their services but are entitled to per diem and travel allowances

1 authorized under AS 39.20.180.

2 Sec. 44.19.525. POWERS OF THE COMMISSION. The commission may

3 (1) use legal, technical, secretarial, and administrative
4 services as may be provided by the governor;

5 (2) use voluntary and uncompensated services of private
6 persons and organizations as may be made available to the commission;

7 (3) receive, and use for operating purposes, money from the
8 federal government or other sources;

9 (4) hold public hearings;

10 (5) hire an executive director and technical and clerical
11 staff that are necessary to perform the duties of the commission; and

12 (6) take other actions reasonably necessary to carry out
13 the duties of the commission.

14 Sec. 44.19.527. DUTIES OF THE COMMISSION. (a) ~~The commission~~

15 ~~shall establish and maintain its primary office in Anchorage.~~

16 (b) The commission shall develop a comprehensive statewide plan
17 that identifies the needs of children and youth, individually and as
18 they relate to their families, and makes recommendations to enhance
19 their quality of life. In meeting this charge, the commission may

20 (1) recommend the services and programs that should be
21 available for children and families in the areas of child care,
22 health, social services, education, special education, child protec-
23 tion, parent and staff training, nutrition, poverty, mental health,
24 safety, and employment of youth;

25 (2) identify the service needs of children and where gaps
26 and overlaps in services exist;

27 (3) monitor the emerging needs of and problems facing
28 children, and develop effective, comprehensive, and coordinated strat-

1 (4) develop and recommend adoption of a process for moni-
2 toring and evaluating children's programs;

3 (5) provide opportunities for the public to participate in
4 the planning and development of children's programs and policies;

5 (6) receive and act upon requests for recommendations from
6 parents, state officials, members of state advisory committees, legis-
7 lators, representatives of the state court system, and providers of
8 children's services on matters related to children and youth;

9 (7) meet with and make recommendations to state officials
10 and members of advisory committees who are responsible for the expen-
11 diture of state and federal money and provide recommendations to the
12 legislature and the department on structural and procedural changes,
13 contracting of services, establishment of standards, and the consoli-
14 dation of efforts designed to deliver services in a more cost-effec-
15 tive manner;

16 (8) serve as a statewide clearinghouse for government and
17 nongovernment programs and resources relating to children, youth, and
18 families;

19 (9) serve as an advocate for the interests of children by
20 informing the public, including leaders of the business community,
21 educators, local and state officials, the legal system, and the commu-
22 nications media of the nature and scope of problems faced by children;

23 (10) coordinate efforts and consult and cooperate with
24 persons, departments, organizations, and groups, including other
25 boards and commissions, interested in the problems and concerns of
26 children and youth; and

27 (11) make recommendations to the governor, legislature, and
28 state officials with respect to legislation, regulations, and appro-

1 (c) In formulating the strategy to address the needs of and
2 problems facing children, the commission shall actively solicit advice
3 and information from children and youth of all ages and socioeconomic
4 backgrounds. The commission shall also seek advice and information
5 from parents and children's services providers, including those with
6 expertise in the areas of mental health, health care, prenatal care,
7 adolescent drug and alcohol treatment, education, special education,
8 early childhood education, early childhood special education, non-
9 profit funding sources, child abuse and neglect, domestic violence,
10 child care, dependence, delinquency and the justice system, minority
11 issues, and family support systems.

12 (d) The commission shall prepare and publish an annual report on
13 the status of children in the state and its recommendations and pro-
14 posals for change. The commission shall provide the governor and the
15 legislature with copies of the report by the 15th day of each regular
16 legislative session.

17 Sec. 44.19.529. TECHNICAL ASSISTANCE AND STAFF SUPPORT. The
18 executive branch departments shall cooperate with the commission and
19 provide technical assistance to the commission upon the request of the
20 commission.

21 * Sec. 14. TEMPORARY USE OF PRINCIPAL. Notwithstanding AS 37.14.230
22 and 37.14.240, as amended by secs. 3, 5, and 6 of this Act, until July 1,
23 1991, the Alaska Commission on Children and Youth may use not more than
24 \$50,000 from the principal of the Alaska children's trust fund for the
25 purposes specified in AS 37.14.240(b)(2) and (3).

26 * Sec. 15. REVISOR'S INSTRUCTION. To be consistent with the changes
27 made by secs. 1, 3, 6, and 8 of this Act, wherever in AS 37.14.200 - 37.-
28 14.270 and in the regulations adopted under those statutes "Alaska Chil-

1 referring to the Alaska Commission on Children and Youth and the commis-
2 sion, respectively. Under AS 01.05.031, the revisor of statutes shall
3 implement this section in the statutes and under AS 44.62.125(b)(6), the
4 regulations attorney shall implement this section in the administrative
5 regulations.

6 * Sec. 16. REVISOR'S INSTRUCTION. To be consistent with the changes
7 made by secs. 2, 4, 7, and 9 of this Act, wherever in AS 37.14.200 -
8 37.14.270 and in the regulations adopted under those statutes "Alaska Com-
9 mission on Children and Youth" or "commission" is used, they shall be read
10 as referring to the Alaska Children's Trust Fund Board and the board,
11 respectively. Under AS 01.05.031, the revisor of statutes shall implement
12 this section in the statutes and under AS 44.62.125(b)(6), the regulations
13 attorney shall implement this section in the administrative regulations.

14 * ~~Sec. 17. AS 37.14.270(5), AS 39.50.200(b)(50), AS 44.19.521, 44.19.-~~
15 ~~523, 44.19.525, 44.19.527, and 44.19.529 are repealed June 30, 1992.~~

16 * Sec. 18. AS 37.14.270(1), AS 47.50.010, 47.50.020, 47.50.030, 47.50.-
17 040, and 47.50.050 are repealed.

18 * Sec. 19. TERMS OF INITIAL APPOINTEES. Notwithstanding AS 44.19.523,
19 enacted by sec. 13 of this Act, the governor shall set the terms of the
20 members initially appointed to the Alaska Commission on Children and Youth
21 so that four members serve three-year terms, four members serve two-year
22 terms, and three members serve one-year terms.

23 * Sec. 20. REVIEW OF LAWS RELATING TO CHILDREN. The Alaska Commission
24 on Children and Youth, established under sec. 13 of this Act, may review
25 the laws of the state with regard to matters involving children. The
26 commission ~~may~~ review the laws of the state to determine to what degree the
27 protection of the law does not extend to the unborn, and to what extent the
28 programs of the state and of the commission that relate to preborn children

1 commission performs a review under this section, the commission shall
2 prepare and publish a report of its findings and recommendations and pro-
3 vide the governor and the legislature with copies by January 1, 1991.

4 * ~~Sec. 21. Sections 2, 4, 7, 9, 11, and 16 of this Act take effect~~
5 ~~June 30, 1991.~~

6 * Sec. 22. Except as provided in sec. 21 of this Act, this Act takes
7 effect July 1, 1989.

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Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 66 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Commission on Chil-
7 dren and Youth; abolishing the Office of Child Advo-
8 cacy; relating to the Alaska children's trust fund;
9 and providing for an effective date."

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

11 * Section 1. AS 37.14.200 is amended by adding a new subsection to
12 read:

13 (d) The Department of Revenue shall prepare the permanent fund
14 dividend application to allow applicants to designate that \$10 of the
15 dividend be subtracted from their check and contributed to the Alaska
16 children's trust fund. Permanent fund dividend contributions made
17 under this subsection shall be deposited in the fund. The Department
18 of Revenue may use money in the fund to pay administrative costs
19 incurred under this subsection.

20 * Sec. 2. AS 37.14.220 is repealed and reenacted to read:

21 Sec. 37.14.220. ADMINISTRATION OF THE FUND. The fund shall be
22 administered by the Alaska Commission on Children and Youth.

23 * Sec. 3. AS 37.14.220 is repealed and reenacted to read:

24 Sec. 37.14.220. ALASKA CHILDREN'S TRUST FUND BOARD ESTABLISHED.

25 (a) The Alaska Children's Trust Fund Board is established in the
26 Office of the Governor. The board is composed of four executive
27 branch members and seven public members, who are appointed by, and
28 serve in that capacity at the pleasure of, the governor.

1 (c) The Office of the Governor shall provide staff for the
2 board.

3 * Sec. 4. AS 37.14.230 is amended to read:

4 Sec. 37.14.230. POWERS AND DUTIES OF THE COMMISSION [BOARD].
5 When acting as administrator of the fund, the commission [THE BOARD]
6 shall

7 (1) hold [REGULAR MEETINGS AND] special meetings it con-
8 siderers necessary; the commission [BOARD] may hold meetings by telecon-
9 ference;

10 (2) award grants from the net income of the fund to commu-
11 nity-based programs and projects that the commission [BOARD] finds
12 will aid in the prevention of child abuse and neglect;

13 (3) monitor approved programs and projects for compliance
14 with AS 37.14.200 - 37.14.270;

15 (4) before providing assistance to a program or project,
16 approve written findings on the program or project that include a
17 consideration of the means of measuring the effectiveness of the
18 program or project;

19 (5) apply for, and use net income from the fund to obtain,
20 private and federal grants for the prevention of child abuse and
21 neglect;

22 (6) solicit contributions, gifts, and bequests to the fund;

23 (7) keep audio tape recordings of each meeting of the
24 commission [BOARD] to be made available on request; and

25 (8) submit to the governor and the legislature by Febru-
26 ary 1 each year a report describing

27 (A) the child abuse and neglect prevention services
28 that were provided by the programs and projects to which the

1 (B) the annual level of contributions, income, and
2 expenses of the fund.

3 * Sec. 5. AS 37.14.230 is amended to read:

4 Sec. 37.14.230. POWERS AND DUTIES OF THE BOARD [COMMISSION].
5 The board [WHEN ACTING AS ADMINISTRATOR OF THE FUND, THE COMMISSION]
6 shall

7 (1) hold regular meetings and special meetings it considers
8 necessary; the board [COMMISSION] may hold meetings by teleconference;

9 (2) award grants from the net income of the fund to commu-
10 nity-based programs and projects that the board [COMMISSION] finds
11 will aid in the prevention of child abuse and neglect;

12 (3) monitor approved programs and projects for compliance
13 with AS 37.14.200 - 37.14.270;

14 (4) before providing assistance to a program or project,
15 approve written findings on the program or project that include a
16 consideration of the means of measuring the effectiveness of the
17 program or project;

18 (5) apply for, and use net income from the fund to obtain,
19 private and federal grants for the prevention of child abuse and
20 neglect;

21 (6) solicit contributions, gifts, and bequests to the fund;

22 (7) keep audio tape recordings of each meeting of the board
23 [COMMISSION] to be made available on request; and

24 (8) submit to the governor and the legislature by Febru-
25 ary 1 each year a report describing

26 (A) the child abuse and neglect prevention services
27 that were provided by the programs and projects to which the
28 board [COMMISSION] awarded grants; and

1 expenses of the fund.

2 * Sec. 6. AS 37.14.240(a) is amended to read:

3 (a) Except as provided in AS 37.14.200(d) and (d) of this sec-
4 tion, the [THE] principal of the fund and any capital gains or losses
5 realized on the principal shall be retained perpetually in the fund
6 for investment as specified in AS 37.14.210, and may not be used for
7 the awarding of grants.

8 * Sec. 7. AS 37.14.240 is amended by adding a new subsection to read:

9 (d) Up to \$150,000 per year may be appropriated from the princi-
10 pal of the fund for the administrative expenses of the commission.

11 * Sec. 8. AS 37.14.240(d) is amended to read:

12 (d) Up to \$150,000 per year may be appropriated from the princi-
13 pal of the fund for the administrative expenses of the board [COMMIS-
14 SION].

15 * Sec. 9. AS 37.14.270 is amended by adding a new paragraph to read:

16 (5) "commission" means the Alaska Commission on Children
17 and Youth established under AS 44.19.521.

18 * Sec. 10. AS 37.14.270 is amended by adding a new paragraph to read:

19 (6) "board" means the Alaska Children's Trust Fund Board.

20 * Sec. 11. AS 39.05.100(a) is amended to read:

21 (a) A person appointed to a board or commission of the state
22 government shall be and have been before the last general election,
23 (1) a registered voter in the state, if the appointment is made at
24 large or (2) a registered voter from the judicial district, if the
25 appointment is made from a specific judicial district. The student
26 member of the Board of Regents of the University of Alaska appointed
27 under AS 14.40.150(b), [AND] the student member of the Alaska Commis-
28 sion on Postsecondary Education appointed under AS 14.42.015(e), and a

1 AS 44.19.521, are exempt from the requirement of this subsection if
2 the member was not old enough to be a registered voter in the last
3 general election.

4 * Sec. 12. AS 39.05.100(a) is amended to read:

5 (a) A person appointed to a board or commission of the state
6 government shall be and have been before the last general election,
7 (1) a registered voter in the state, if the appointment is made at
8 large or (2) a registered voter from the judicial district, if the
9 appointment is made from a specific judicial district. The student
10 member of the Board of Regents of the University of Alaska appointed
11 under AS 14.40.150(b) and [,] the student member of the Alaska Commis-
12 sion on Postsecondary Education appointed under AS 14.42.015(e) [, AND
13 A MEMBER OF THE ALASKA COMMISSION ON CHILDREN AND YOUTH APPOINTED
14 UNDER AS 44.19.521,] are exempt from the requirement of this sub-
15 section if the member was not old enough to be a registered voter in
16 the last general election.

17 * Sec. 13. AS 39.50.200(b) is amended by adding a new paragraph to
18 read:

19 (50) Alaska Commission on Children and Youth (AS 44.19.521).

20 * Sec. 14. AS 44.19 is amended by adding new sections to read:

21 ARTICLE 17. ALASKA COMMISSION ON CHILDREN AND YOUTH.

22 Sec. 44.19.521. CREATION OF COMMISSION. (a) There is created
23 in the Office of the Governor the Alaska Commission on Children and
24 Youth.

25 (b) The commission consists of four executive-branch members and
26 seven public members, who are appointed by, and serve in that capacity
27 at the pleasure of, the governor. At least one of the public members
28 must be under the age of 21 at the time of appointment. The com-

1 appoint other officers as necessary.

2 Sec. 44.19.523. TERMS OF OFFICE; COMPENSATION. (a) The term of
3 office of a member of the commission is three years.

4 (b) A vacancy shall be filled in the same manner as the original
5 appointment. A person appointed to a vacancy serves for the unexpired
6 portion of the term.

7 (c) Public members of the commission serve without compensation
8 for their services but are entitled to per diem and travel allowances
9 authorized under AS 39.20.180.

10 Sec. 44.19.525. POWERS OF THE COMMISSION. The commission may

11 (1) use legal, technical, secretarial, and administrative
12 services as may be provided by the governor;

13 (2) use voluntary and uncompensated services of private
14 persons and organizations as may be made available to the commission;

15 (3) receive, and use for operating purposes, money from the
16 federal government or other sources;

17 (4) hold public hearings;

18 (5) hire an executive director and technical and clerical
19 staff that are necessary to perform the duties of the commission; and

20 (6) take other actions reasonably necessary to carry out
21 the duties of the commission.

22 Sec. 44.19.527. DUTIES OF THE COMMISSION. (a) The commission
23 shall establish and maintain its primary office in Anchorage.

24 (b) The commission shall develop a comprehensive statewide plan
25 that identifies the needs of children and youth, individually and as
26 they relate to their families, and makes recommendations to enhance
27 their quality of life. In meeting this charge, the commission may

28 (1) recommend the services and programs that should be
29 available for children and youth.

1 health, social services, education, special education, child protec-
2 tion, parent and staff training, nutrition, poverty, mental health,
3 safety, and employment of youth;

4 (2) identify the service needs of children and where gaps
5 and overlaps in services exist;

6 (3) monitor the emerging needs of and problems facing
7 children, and develop effective, comprehensive, and coordinated strat-
8 egies to address those needs and problems;

9 (4) develop and recommend adoption of a process for moni-
10 toring and evaluating children's programs;

11 (5) provide opportunities for the public to participate in
12 the planning and development of children's programs and policies;

13 (6) receive and act upon requests for recommendations from
14 parents, state officials, members of state advisory committees, legis-
15 lators, representatives of the state court system, and providers of
16 children's services on matters related to children and youth;

17 (7) meet with and make recommendations to state officials
18 and members of advisory committees who are responsible for the expen-
19 diture of state and federal money and provide recommendations to the
20 legislature and the department on structural and procedural changes,
21 contracting of services, establishment of standards, and the consoli-
22 dation of efforts designed to deliver services in a more cost-effec-
23 tive manner;

24 (8) serve as a statewide clearinghouse for government and
25 nongovernment programs and resources relating to children, youth, and
26 families;

27 (9) serve as an advocate for the interests of children by
28 informing the public, including leaders of the business community,

1 communications media of the nature and scope of problems faced by
2 children;

3 (10) coordinate efforts and consult and cooperate with
4 persons, departments, organizations, and groups, including other
5 boards and commissions, interested in the problems and concerns of
6 children and youth; and

7 (11) make recommendations to the governor, legislature, and
8 state officials with respect to legislation, regulations, and appro-
9 priations for programs or services that benefit children and youth.

10 (c) In formulating the strategy to address the needs of and
11 problems facing children, the commission shall actively solicit advice
12 and information from children and youth of all ages and socioeconomic
13 backgrounds. The commission shall also seek advice and information
14 from parents and children's services providers, including those with
15 expertise in the areas of mental health, health care, prenatal care,
16 adolescent drug and alcohol treatment, education, special education,
17 early childhood education, early childhood special education, non-
18 profit funding sources, child abuse and neglect, domestic violence,
19 child care, dependence, delinquency and the justice system, minority
20 issues, and family support systems.

21 (d) The commission shall prepare and publish an annual report on
22 the status of children in the state and its recommendations and pro-
23 posals for change. The commission shall provide the governor and the
24 legislature with copies of the report by the 15th day of each regular
25 legislative session.

26 Sec. 44.19.529. TECHNICAL ASSISTANCE AND STAFF SUPPORT. The
27 executive branch departments shall cooperate with the commission and
28 provide technical assistance to the commission upon the request of the
29

1 * Sec. 15. TEMPORARY USE OF PRINCIPAL. Notwithstanding AS 37.14.230
2 and 37.14.240, as amended by secs. 4, 6, and 7 of this Act, until July 1,
3 1991. the Alaska Commission on Children and Youth may use not more than
4 \$50,000 from the principal of the Alaska children's trust fund for the
5 purposes specified in AS 37.14.240(b)(2) and (3).

6 * Sec. 16. REVISOR'S INSTRUCTION. To be consistent with the changes
7 made by secs. 2, 4, 7, and 9 of this Act, wherever in AS 37.14.200 - 37.-
8 14.270 and in the regulations adopted under those statutes "Alaska Chil-
9 dren's Trust Fund Board" or "board" is used, they shall be read as refer-
10 ring to the Alaska Commission on Children and Youth and the commission,
11 respectively. Under AS 01.05.031, the revisor of statutes shall implement
12 this section in the statutes and under AS 44.62.125(b)(6), the regulations
13 attorney shall implement this section in the administrative regulations.

14 * Sec. 17. REVISOR'S INSTRUCTION. To be consistent with the changes
15 made by secs. 3, 5, 8, and 10 of this Act, wherever in AS 37.14.200 -
16 37.14.270 and in the regulations adopted under those statutes "Alaska Com-
17 mission on Children and Youth" or "commission" is used, they shall be read
18 as referring to the Alaska Children's Trust Fund Board and the board,
19 respectively. Under AS 01.05.031, the revisor of statutes shall implement
20 this section in the statutes and under AS 44.62.125(b)(6), the regulations
21 attorney shall implement this section in the administrative regulations.

22 * Sec. 18. AS 37.14.270(5), AS 39.50.200(b)(50), AS 44.19.521, 44.19.-
23 523, 44.19.525, 44.19.527, and 44.19.529 are repealed June 30, 1994.

24 * Sec. 19. AS 37.14.270(1), AS 47.50.010, 47.50.020, 47.50.030, 47.50.-
25 040, and 47.50.050 are repealed.

26 * Sec. 20. TERMS OF INITIAL APPOINTEES. Notwithstanding AS 44.19.523,
27 enacted by sec. 14 of this Act, the governor shall set the terms of the
28 members initially appointed to the Alaska Commission on Children and Youth
29 so that four members serve three-year terms, four members serve two-year

1 terms, and three members serve one-year terms.

2 * Sec. 21. REVIEW OF LAWS RELATING TO CHILDREN. The Alaska Commission
3 on Children and Youth, established under sec. 14 of this Act, may review
4 the laws of the state with regard to matters involving children. The
5 commission shall review the laws of the state to determine to what degree
6 the protection of the law does not extend to the unborn, and to what extent
7 the programs of the state and of the commission that relate to preborn
8 children are not authorized, but may actually be prohibited, by state law.
9 The commission shall prepare and publish a report of its findings and
10 recommendations and provide the governor and the legislature with copies by
11 January 1, 1991.

12 * Sec. 22. Sections 3, 5, 8, 10, 12, and 17 of this Act take effect
13 June 30, 1994.

14 * Sec. 23. Except as provided in sec. 22 of this Act, this Act takes
15 effect July 1, 1989.

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Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 66 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Commission on Chil-
7 dren and Youth; abolishing the Office of Child Advo-
8 cacy; relating to the Alaska children's trust fund;
9 and providing for an effective date."

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

11 * Section 1. AS 37.14.220 is repealed and reenacted to read:

12 Sec. 37.14.220. ADMINISTRATION OF THE FUND. The fund shall be
13 administered by the Alaska Commission on Children and Youth.

14 * Sec. 2. AS 37.14.220 is repealed and reenacted to read:

15 Sec. 37.14.220. ALASKA CHILDREN'S TRUST FUND BOARD ESTABLISHED.

16 (a) The Alaska Children's Trust Fund Board is established in the
17 Office of the Governor. [The board is composed of four executive
18 branch members and seven public members, who are appointed by, and
19 serve in that capacity at the pleasure of, the governor.] *Amended*

20 (b) The board shall elect a member to chair the board.

21 (c) The Office of the Governor shall provide staff for the
22 board.

23 * Sec. 3. AS 37.14.230 is amended to read:

24 Sec. 37.14.230. POWERS AND DUTIES OF THE COMMISSION [BOARD].
25 When acting as administrator of the fund, the commission [THE BOARD]
26 shall

27 (1) hold [REGULAR MEETINGS AND] special meetings it con-
28 siderers necessary; the commission [BOARD] may hold meetings by telecon-
29 ference;

1 (2) award grants from the net income of the fund to commu
2 nity-based programs and projects that the commission [BOARD] find:
3 will aid in the prevention of child abuse and neglect;

4 (3) monitor approved programs and projects for compliance
5 with AS 37.14.200 - 37.14.270;

6 (4) before providing assistance to a program or project,
7 approve written findings on the program or project that include a
8 consideration of the means of measuring the effectiveness of the
9 program or project;

10 (5) apply for, and use net income from the fund to obtain,
11 private and federal grants for the prevention of child abuse and
12 neglect;

13 (6) solicit contributions, gifts, and bequests to the fund;

14 (7) keep audio tape recordings of each meeting of the
15 commission [BOARD] to be made available on request; and

16 (8) submit to the governor and the legislature by Febru-
17 ary 1 each year a report describing

18 (A) the child abuse and neglect prevention services
19 that were provided by the programs and projects to which the
20 commission [BOARD] awarded grants; and

21 (B) the annual level of contributions, income, and
22 expenses of the fund.

23 * Sec. 4. AS 37.14.230 is amended to read:

24 Sec. 37.14.230. POWERS AND DUTIES OF THE BOARD [COMMISSION].
25 The board [WHEN ACTING AS ADMINISTRATOR OF THE FUND, THE COMMISSION]
26 shall

27 (1) hold regular meetings and special meetings it considers
28 necessary; the board [COMMISSION] may hold meetings by teleconference;

29 (2) award grants from the net income of the fund to

1 community-based programs and projects that the board [COMMISSION
2 finds will aid in the prevention of child abuse and neglect;

3 (3) monitor approved programs and projects for compliance
4 with AS 37.14.200 - 37.14.270;

5 (4) before providing assistance to a program or project,
6 approve written findings on the program or project that include a
7 consideration of the means of measuring the effectiveness of the
8 program or project;

9 (5) apply for, and use net income from the fund to obtain,
10 private and federal grants for the prevention of child abuse and
11 neglect;

12 (6) solicit contributions, gifts, and bequests to the fund;

13 (7) keep audio tape recordings of each meeting of the board
14 [COMMISSION] to be made available on request; and

15 (8) submit to the governor and the legislature by Febru-
16 ary 1 each year a report describing

17 (A) the child abuse and neglect prevention services
18 that were provided by the programs and projects to which the
19 board [COMMISSION] awarded grants; and

20 (B) the annual level of contributions, income, and
21 expenses of the fund.

22 * Sec. 5. AS 37.14.240(a) is amended to read:

23 (a) Except as provided in (d) of this section, the [THE] princi-
24 pal of the fund and any capital gains or losses realized on the prin-
25 cipal shall be retained perpetually in the fund for investment as
26 specified in AS 37.14.210, and may not be used for the awarding of
27 grants.

28 * Sec. 6. AS 37.14.240 is amended by adding a new subsection to read:

29 (d) Up to \$150,000 per year may be appropriated from the