

**ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672**

**6838 HOUSE HEALTH EDUCATION & SOCIAL SERVICES**

HB

260

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# Alaska State Legislature

REPRESENTATIVE  
MARK BOYER

VICE-CHAIRMAN  
HOUSE FINANCE COMMITTEE



## House of Representatives

FAIRBANKS

1098 LAKEVIEW TERRACE  
FAIRBANKS, ALASKA 99701  
(907) 456-6473

JUNEAU

P.O. BOX V  
STATE CAPITOL  
JUNEAU, ALASKA 99811  
(907) 465-3466

### MEMORANDUM

DATE: April 10, 1991

TO: Representative Pat Carney, Co-chair  
Representative Georgianna Lincoln, Co-chair  
House HESS Committee

FROM: Representative Mark Boyer *MB*

RE: Scheduling of HB 260 (UAF Recreation Center)

I would respectfully request that you schedule a hearing for HB 260, relating to revenue bonds issued by the University of Alaska, at your earliest convenience.

The bill is a necessary addition to legislation that passed last session which allowed the Board of Regents of the University to issue debt. The bill provided that the Board could enter into agreements securing bonds and that those agreements might provide for fixing and collecting fees, rentals, or charges to secure payment of the bonds. HB 260 would grant the Board of Regents additional ability to pledge revenues in the amount of \$6 million to cover the cost of building and furnishing the UAF recreation center.

This specific authority is a necessary component to issue revenue bonds. Revenue bonds are bonds secured only by the revenues of particular facilities. The existing permission to issue debt did not grant the University the ability to pledge revenues to secure this specific debt. HB 260 would rectify this deficiency. The bill would also authorize indebtedness for the student recreation center in Fairbanks.

The new recreation center will be a \$5 million addition to the current Patty Center and connected by a covered walkway. The new facility is scheduled to be completed in 1993. The facility at UAF will house an indoor jogging track, three basketball courts, aerobic and weight rooms and a field for touch football and soccer.

Student activity fees will be increased \$75, but the cost won't go into effect until the center is being used. The fees will be used to reimburse the cost of building and furnishing the structure. During the past fall the students at UAF voted to support these fee increases for this purpose. User fees

FAIRBANKS 20B

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from community groups will also contribute to the building fund.

Attached also is a blank committee substitute, which would correct a drafting error in the original bill. Sec. 2, which specifically designates authorization for the proposed University of Alaska-Fairbanks recreation center, is redundant and the language is not necessary, according to the university's legal counsel. The other minor change made in the proposed CS is the addition of three words on page 1, line 14: "under this section." Adding this phrase will clarify that the issuance of revenue bonds by the university will only apply to this section of the law. I would hope that this CS would become the HESS CS.

If you have questions or comments please don't hesitate to contact my office at 465-3467.

**CS FOR HOUSE BILL NO. 260 ( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**

**Referred:**

**Sponsor(s): REPRESENTATIVES BOYER, Koponen**

**A BILL**

**FOR AN ACT ENTITLED**

**1 "An Act relating to revenue bonds issued by the University of Alaska; and providing for  
2 an effective date."**

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

**4 \* Section 1. AS 14.40 is amended by adding a new section to read:**

**5 Sec. 14.40.254. UNIVERSITY REVENUE BONDS. (a) Subject to AS 14.40.253, the board  
6 may issue revenue bonds to pay the cost of acquiring, constructing, or equipping a facility that  
7 the board determines is necessary.**

**8 (b) The board may enter into an agreement with a trustee or bond owner for the purpose  
9 of securing payment of revenue bonds issued by the University of Alaska to acquire, construct,  
10 or equip a facility that the board determines is necessary. The agreement may include the fixing  
11 and collection of fees, charges, or rentals pledged to secure payment of the revenue bonds and  
12 agreement regarding the use of the proceeds of the revenue bonds.**

**13 (c) The state pledges not to limit or alter rights vested under this section in the University  
14 of Alaska to fulfill the terms of a contract with revenue bond owners.**

1           (d) The board may pledge revenue received by the University of Alaska as fees, charges,  
2           or rentals in order to secure payment of the revenue bonds. A pledge of revenue received by the  
3           University of Alaska is considered a perfected security interest and is valid and binding from the  
4           time the pledge is made. The pledge creates an immediate lien against property pledged without  
5           physical delivery or other act.

6   \* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

James F. Lynch  
Controller and Associate Vice  
President for Finance



813 Gruening Building  
Fairbanks, Alaska 99775-5300  
(907) 474-7711  
(907) 474-5167 (FAX)

University of Alaska  
Statewide System of Higher Education

April 9, 1991

Representative Mark Boyer  
House of Representatives  
P.O. Box V  
Juneau, AK 99811

Re: House Bill 260, University of Alaska Student Recreation  
Center Revenue Bond Authorization

Dear Representative Boyer:

This letter is in response to your request for information regarding the student recreation center debt authorization request.

In its narrowest sense, the bill provides authorization to issue revenue bonds for a specific project, the Fairbanks campus student recreation center; and in a broader sense it provides the university with the ability to pledge university receipts to secure that debt or any debt issued under AS 14.40.253.

A student referendum was held in October 1990 at which the Fairbanks studentbody approved a proposal for assessment of a separate activity fee of \$75 per semester for payment of debt service to construct an indoor recreation center on campus. Based on that statement of student commitment for the project, the Board of Regents approved seeking legislative authorization to issue revenue bonds for the recreation center. The university administration is supportive of the project because of the personal commitment by the students to pay for the facility and its improvement in the quality of student life on campus. However, although the student commitment on a per student basis is quite large, the revenue base is relatively small for a project this size. Depending on design and construction costs, the project may have to be scaled down, or other revenue sources pledged, in order to make the financing feasible and attractive to underwriters, bond insurers and investors. Details of the project are enclosed.

The bill also gives the university a broader base of revenue to pledge as support for debt transactions. Historically, specific revenues have been pledged to finance specific projects such as housing fees for student housing, student fees for the Anchorage recreation center, and power plant rent for plant construction. Although specific pledging of project revenues keeps the issue neat and tidy from an accounting perspective, it provides considerably less security from the perspective of investors, bond insurers and rating agencies. It results in higher interest

Representative Mark Boyer  
April 9, 1991  
Page 2

rates, higher bond issuance costs and restrictive covenants such as debt service and renovation reserves, property and liability insurance requirements, and environmental hazard indemnification.

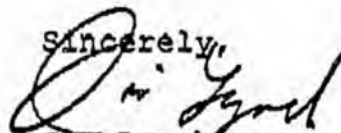
In principle, a broader revenue base for support of a specified debt, provides a more attractive debt instrument for investors. This provision will put the university in a better position to obtain more favorable rates, terms and conditions than merely being forced to accept the dictates of bond insurers, rating agencies and underwriters. For example, in structuring a debt issue for a specialized service facility, such as the student recreation center, the project fees may be adequate to pay the actual debt service, but bond insurers, rating agencies or the market may require pledged fees to be 125 percent or 140 percent of the estimated annual debt service. The minimal revenue pledge may also require alternative terms and conditions to provide comfort to the investor such as higher interest rates, large debt service and renovation reserves, and a host of restrictions on construction and operation of the facilities.

A broader revenue base will allow the university to put together more sensible, flexible and saleable financing packages. For instance, it may be able to pay the actual debt service with project fees, but provide a critical margin of security to investors by an additional pledge of other student fees; it may be able to structure the debt over a shorter term if considered necessary for market or debt policy reasons; it may be able to structure level debt service payments or subsidize the student contribution in early years, so as to take advantage of higher student contributions resulting from a larger student population and fee inflation in later years.

The university has issued very little long-term debt. Its total FY91 debt service, including principal and interest payments, for long-term debt is \$2.7 million (approximately 1.3 percent of unrestricted current fund revenues, which is extremely low) and levels off at approximately \$2 million in FY94. The Board of Regents is currently working on debt policy which will place constraints on further debt issuances. Enclosed for your information is a draft copy of the Regents' debt policy relating to facilities and real property improvements, a copy of a university long-term debt service schedule and a copy of a schedule of revenue bond debt comparison for several other states which I received from Dan Kaplan of John Nuveen & Co. several months ago.

If you have any questions or if I can be of any assistance, please let me know.

Sincerely,



Jim Lynch

Part V

Finance and Business Management

Chapter I

Debt and Credit

A. Scope:

This policy applies to all external debt transactions of the University.

B. Purpose:

The purpose of this policy is:

1. To maintain the creditworthiness of the University and the state of Alaska;
2. To minimize the cost of capital for acquisition and construction and/or leasing of facilities;
3. To provide guidelines for debt financing the acquisition or construction of essential facilities and other real property improvements; and
4. To provide guidelines for equipment financing and other credit transactions.

C. Facilities and Real Property Improvements:

1. All facilities and other real property debt issuances must be approved by the Board of Regents.
2. The University's annual debt service, including any proposed issue, shall not exceed 5% of the University's unrestricted revenues.
3. Refunding or refinancing debt shall be issued only if it results in a net present value savings, eliminates restrictive covenants or provides other benefits which can be clearly demonstrated.
4. Each debt issue, or homogeneous group of debt issues, shall have a level or declining debt service schedule.
5. The final maturity for any new debt issues, excluding refunding issues, shall not exceed 75% of the useful life of the facility purchased or constructed with the proceeds.

6. The final maturity for any refunding issues, excluding interim or temporary financings, shall not exceed the final maturity of the debt being refunded.
7. Debt proceeds not expended for direct acquisition or financing costs in accordance with the expenditure plan approved by the Board shall be used to defease or redeem the related debt at the earliest allowed time.
8. Debt proceeds shall not be used to pay or reimburse University departments or employees for the cost of services or expenses unless such costs are directly assignable to the project in accordance with the expenditure plan approved by the Board.
9. The University shall engage an external financial advisor for each debt issue to prepare a letter of comment and recommendation (including the type of financing, call, security and credit enhancement features, term, time and manner of sale, reasonableness of costs and other terms and conditions) and evaluate at the time of issuance the reasonableness of interest rates, underwriter fees, financing costs, reserve requirements and other related issues.
10. The University shall engage external bond counsel for each tax-exempt debt issue to perform all services customarily provided by bond counsel, including preparation or review of all debt authorizing resolutions and related documents and agreements.
11. The University shall use appropriate competitive procedures for selection of financing consultants, bond counsel, underwriters, trustees, bond insurance and for sale of debt.
12. The University shall provide the State Bond Committee notice of all debt issuances 60 days prior to planned issuance, including a description of the project and details of the financing plan.
13. The Commissioner of Revenue shall be invited to participate in the organization and management of all presentations to rating agencies and the preparation of official statements.

University of Alaska  
Total Debt Service Schedule  
December 31, 1990

	<u>Notes</u>	<u>Revenue Bonds</u>	<u>Leasehold Obligations</u>	<u>Certificates of Participation</u>	<u>Total</u>
FY91	\$ 992,276.08	\$ 530,067.90	\$ 1,144,607.50	\$ 53,889.53	\$ 2,720,841.01
FY92	993,176.08	524,511.65	1,139,720.00	162,313.76	2,657,407.73
FY93	2,072,215.02	528,749.16	1,137,820.00	180,638.76	3,738,784.18
FY94	475,285.80	527,430.41	940,170.00	187,791.26	1,942,886.21
FY95	475,435.80	539,736.65	1,178,505.00	194,273.76	2,193,677.45
FY96	191,935.80	527,167.91	1,171,002.50	205,086.26	1,890,106.21
FY97	191,935.80	529,567.91	1,170,077.50	209,726.26	1,891,581.21
FY98	191,935.80	531,442.90	1,160,510.00	218,603.76	1,883,888.70
FY99	191,935.80	527,736.65	1,162,027.50	221,326.26	1,881,699.95
FY00	191,935.80	522,884.16	1,159,075.00	223,338.76	1,873,894.96
FY01	191,935.80	470,233.06	1,156,365.00	229,641.26	1,818,533.86
FY02	191,935.80	439,617.43	658,535.00	229,878.76	1,290,088.23
FY03	191,935.80	289,732.31	656,858.75	229,303.13	1,138,526.86
FY04	191,935.80	230,551.03	657,450.00	237,503.13	1,079,936.83
FY05	191,935.80	132,410.25	654,957.50	244,228.13	979,303.55
FY06	191,935.80	128,810.25	654,005.00	239,662.50	974,751.05
FY07	191,935.80	130,210.25	654,115.00	233,806.26	976,261.05
FY08	191,935.80	50,135.25	650,312.50	103,687.50	892,383.55
FY09	191,935.80				191,935.80
FY10	191,935.80				191,935.80
FY11	191,935.80				191,935.80
FY12	159,932.12				159,932.12
	<u>\$ 8,239,293.70</u>	<u>\$ 7,160,995.13</u>	<u>\$ 17,106,113.75</u>	<u>\$ 3,604,699.04</u>	<u>\$ 36,111,101.62</u>

**Comparison of State General  
Obligation and University Debt  
(dollars in thousands)**

	<u>Alaska</u>	<u>Delaware</u>	<u>Montana</u>	<u>North Dakota</u>	<u>Oklahoma</u>	<u>Vermont</u>	<u>Wyoming</u>
Population	534,000	633,000	819,000	679,000	3,305,000	541,000	507,000
General Obligation Debt	\$490,000	\$456,530	\$83,390	\$138,095	\$80,376	\$271,810	\$ -0-
G.O. Ratings	Aa/AA-	AA/AA+	Aa/AA-	Aa/AA-	Aa/AA	Aa/AA	NR/NR
University Revenue Debt (1)	\$9,390	\$45,515	\$123,828	\$26,375	\$66,040	\$63,530	\$46,265
Ratings (2)	NR/NR	NR/AA+	Aaa/AAA	A1/A	A/A	A/AA	Aaa/AAA

(1) Student fee, general receipts or auxiliary enterprise fund debt.

(2) Triple A ratings are for insured issues.

Note: All but three state university systems (Hawaii, Mississippi and Oregon) have received legislative authorization for some type of university revenue bond financing.

Source: Moody's Bond Record  
S & P Municipal Bond Bank

John Vosmek Architect

16 January 1991

## UAF ATHLETIC FACILITY DESIGN RECEIVES STUDENT APPROVAL AND SUPPORT

John Vosmek Architect has recently completed preliminary plans and a model of a student recreation center for the campus of the University of Alaska - Fairbanks. The design and model were used as informational materials in a successful campaign to win student approval of a fee assessment to service approximately \$5,000,000 in bonds to support the project. Snow on the ground from October to May and temperatures commonly dropping to -40F make indoor recreation space particularly important to the quality of life and recruitment and retention on this campus.

The student recreation center will house the first increment of an indoor running course and a multi-purpose space (to support three basketball, tennis or volleyball courts or, with a roll-out synthetic turf, a multi-purpose indoor field). Space for free weights and conditioning equipment, a dance and aerobics area and support facilities for cross country skiing are included with recreational lockers and changing rooms. The design also defines additions to accommodate an extended indoor running course and needed circulation and handicapped access improvements, which would be accomplished with complementary state funds.

This step toward the funding of the facilities improvements is part of a multi-year effort to find funding alternatives during the economic downturn which started in 1985-1986 in the state of Alaska.

Revisions updating an athletic facilities master plan for the campus, originally drafted in 1986, are currently being completed.

### PROJECT SUMMARY

Project:	Student Recreation Center (Fieldhouse) University of Alaska - Fairbanks
Client:	University of Alaska Facilities Planning and Constr.
Constr. Budget:	approx. \$4,000,000 ( <del>\$6,688,000 incl. circ./access</del> )
Area:	55,700 sf ( <del>77,700 sf</del> ) <del>incl. circ./access</del>
Completion:	Fall 1992 (earliest)

University of Alaska

Student Recreation Center on Fairbanks Campus

### Background

A self evaluation study in 1985 determined that the Physical Education intramural, recreation and athletic program on the University of Alaska Fairbanks campus has major constraints because of facility inadequacies. Nationally recommended standards for recreational facilities show UAF currently at a deficit of 30,000 square feet and project a deficit of 60,000 square feet by the year 2000.

A comprehensive master plan to aid the orderly implementation of both the immediate and long term facilities for athletic and recreation needs was developed in 1986. Last Fall, the master plan was revised to prioritize the enhancement of student recreation and intramural facilities in the most cost-effective manner.

The proposed recreation center will be primarily for student use. A committee of student representatives will ensure the new facility is responsive to the recreational needs and interests of students.

### Project Scope

It is the recommendation of the Department of Athletics and Campus Recreation that a new all-weather multipurpose facility (est. 40,000 square feet) be built adjacent to the hockey arena that would include an elevated indoor jogging track (8 laps to a mile) and a synthetic playing surface which would consist of three (3) basketball courts. Any one of the courts could accommodate the following activities: volleyball, badminton, tennis, soccer, dance, or free play. A portable mesh netting would separate each court. With the three courts covered with artificial turf, it would be used for soccer, softball, and flag

football. On the second floor, along with a jogging track, will be a weight and conditioning area. In the future, a connection of the Student Recreation Center to the existing Patty Center will be built to complete the project.

### **Funding**

A student petition, with over four hundred signatures, was presented to the UAF Administration in December of 1989, asking for a referendum on the proposed project. The petition proposed that funding for design and construction of the Student Recreation Center come from the sale of revenue bonds to be amortized over the twenty years by an increase in student activity fees. The referendum was approved by student vote on October 25, 1990.

At its meeting on February 21-22, 1991, the Board of Regents approved the funding concept for the facility on the Fairbanks Campus and authorized the University Administration to request the legislature enact legislation authorizing the University of Alaska to issue tax exempt revenue bonds, certificate of participation, or other financing instruments for the construction of the facility. Further, the Board of Regents motion included the authorization to initiate action to secure interim and permanent financing and construction of the facility at a cost of approximately \$5.9 million, inclusive of cost of debt issuance and financing reserves.

( DRAFT )

January 21, 1991

FINANCIAL STATEMENT FOR  
UAF STUDENT RECREATION CENTER

Construction Estimate 1/16/91	\$4,076,863
Total Project Cost Estimate	\$5,435,817
Rounded	\$5.5 Million

UAF Enrollment Figures:

A \$75/semester additional activity fee would be charged to students carrying eight (8) or more credits.

Spring 1990 - 3,437 students  
Fall 1991 - 3,763 students (before drop/add)

For estimating purposes, we used 3,600 students with 8 or more credit hours:

3,600 students X \$150/year = \$540,000/year fee income.

OPTION 1

Use student fees to pay off debt over twenty years

Annual debt service (20 yrs) for 5,500,000 @ 7.5% interest = \$539,511/per yr.

OPTION 2

*Not Approved by BOR*

Request state financing assistance for \$2.5 million and reduce the debt to ten (10) years.

\$3,000,000	Student Financed Debt
\$2,500,000	State Appropriation
<u>\$5,500,000</u>	Total Project Cost

Annual debt service (10 yrs) for \$3,000,000 @ 7.5% interest = \$437,058/per yr.

(This could produce approximately \$100,000/yr cushion against declining enrollments or unfunded operating costs or early debt retirement).

NOTE: This option requires amending the FY92 Capital Request.

WOHLFORTH, ARGETSINGER, JOHNSON & BRECHT

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

900 WEST 5TH AVENUE, SUITE 600

ANCHORAGE, ALASKA 99501

TELEPHONE (907) 276-6401

TELECOPY (907) 276-5093

OF COUNSEL  
ROGER G. CONNOR

PETER ARGETSINGER  
JULIUS J. BRECHT  
CYNTHIA L. CARTLEDGE  
ROBERT M. JOHNSON  
BARBARA E. KISSNER  
THOMAS F. KLINKNER  
ANDREW M. LEBO  
BRADLEY E. MEYEN  
JAMES A. SARAFIN  
KENNETH E. VASSAR  
ERIC E. WOHLFORTH

April 4, 1991

Mr. Rick Solie  
Office of Senator Steve Frank  
Alaska State Senate  
P.O. Box V  
Juneau, Alaska 99811

RE: University of Alaska Legislative Bill  
Our File Number 3120.0004

Dear Mr. Solie:

You have asked me to explain the technical reason for the Bill relating to Bonds issued by the University of Alaska and approving the issuance of Revenue Bonds for Construction of a Student Recreation Center at the University in Fairbanks.

The bill is a necessary addition to the legislation passed last year allowing the University to issue debt. The bill provides that the University may enter into agreements securing bonds and that those agreements may provide for the fixing and collecting of fees, rentals, or charges of the University to secure bonds. The bill also gives the Board of Regents power to pledge revenues to secure bonds.

The power to pledge revenues to secure bonds is an essential element of the permission to issue revenue bonds. Revenue bonds are by nature bonds secured only by the revenues of particular facilities. The existing permission of the University to issue debt lacked the essential feature of the ability to pledge revenues of the University to secure that debt. The proposed bill remedies that omission.

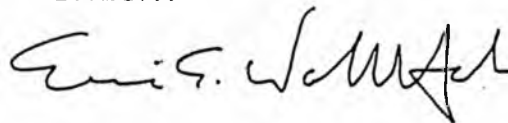
Mr. Rick Solie  
April 4, 1991  
Page 2

In addition, the bill contains a specific authorization for indebtedness in respect of the student recreation center in Fairbanks.

If you desire further information, please contact me.

Very truly yours,

WOHLFORTH, ARGETSINGER, JOHNSON  
& BRECHT



Eric E. Wohlforth

:gt

cc: Mr. James Lynch  
University of Alaska, Fairbanks

To: Rick Solie

# Sports update: Students and athletes get more room to play

Lynn Lashbrook, UAF director of athletics and recreation, is doubly excited. The Carlson Center held record crowds for the season openers in both hockey and basketball; and UAF students recently voted to raise their activity fees to help fund a new recreation center.

The Nanooks hockey team played to a record crowd in the recently completed Carlson Center in downtown Fairbanks. The center, built to host conventions and big-name entertainers, held 3,500 fans for the opening hockey game of the season, Friday, Oct. 26. The crowd included more than 400 students, another record.

"We knew we needed more space for our fans. The crowd at the Carlson Center proved it," says Lashbrook. Previously, the crowd record was 2,000 for Nanook basketball and 1,800 for hockey at the Patty Center.

"The response from the Fairbanks public really reinforced our enthusiasm about using the center," says Lashbrook. The Nanooks will play all their home hockey games in the Carlson Center this season. Other UAF teams, including both men's and women's basketball, have opened their seasons in the center.

"In response to the overwhelming support, we have rescheduled some of our men's basketball games so they will be played in the Carlson Center too," says Lashbrook.

"Our teams were able to pull in an incredible number of first-time fans. We rely on fans, not just for income but because a bigger crowd intensifies

the enthusiasm of both the spectators and the teams," Lashbrook continues. "Everybody wins in this case."

"We are dedicating this season to Chancellor O'Rourke," Lashbrook says. "He has supported this program through a difficult time for the university. We wouldn't be in the center without his help."

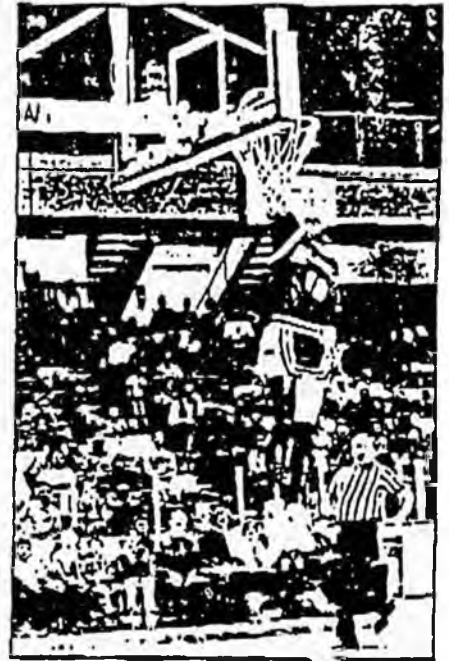
"The move of some games to the Carlson Center has allowed us to concentrate on the recreational opportunities on campus," Lashbrook says.

Which brings us to the new rec center. The \$5 million addition to the Party Center, which is slated to be ready for use in 1993, will be built next to the existing ice arena on campus.

The structure will house an indoor jogging track, three new basketball courts, aerobics and weight rooms and an open area for games such as touch football and soccer.

"Right now, we are using every bit of existing space," says Lashbrook. "We have crammed staff into rooms that used to be locker rooms or closets. We are maxed out."

"The new center will be used strictly for recreation, leaving the Party Gym for classes and team practice. It will allow intramural leagues to play at reasonable times, not after all the other



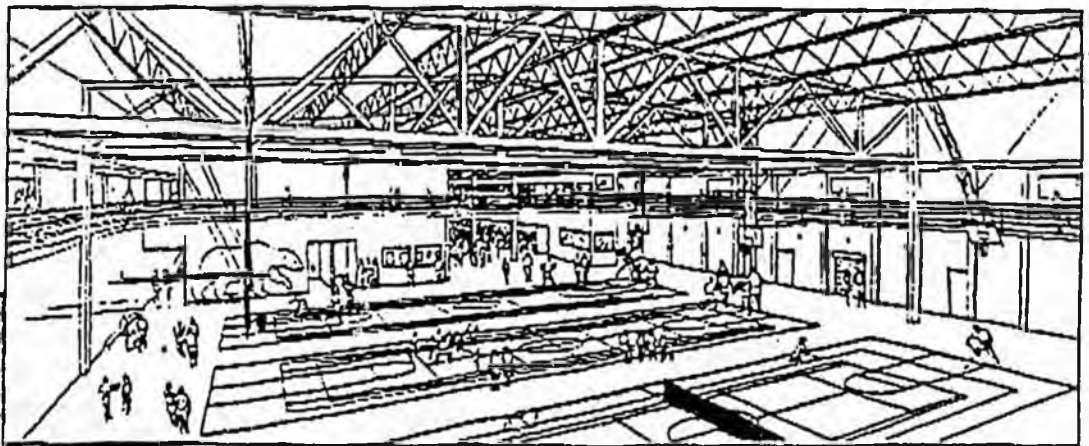
*WATCH 'EM GROW—Nanook men's basketball opened their season to record crowds in the Carlson Center on Nov. 10.*

activities are finished for the day, as they do now," Lashbrook continued.

Students won't actually feel the pinch until the building is being used.

Their contribution, an addition of \$75 to their activity fee, will be used to reimburse the cost of building and furnishing the structure. User fees from community groups will also contribute to the building fund.

The UA Board of Regents must now approve sale of a bond to finance the construction and is set to discuss it at the next board meeting.



*BUILDING A DREAM—Athletic Director Lynn Lashbrook looks forward to the space and versatility that the new Student Recreation Center will provide.*

Revision Date: \_\_\_\_\_ Department Affected: University of Alaska  
 Title: University of Alaska BRU: University of Alaska Fairbanks  
Revenue Bonds Component: UAF/Fairbanks Campus

Sponsor: Representative Mark Boyer  
 Requestor: \_\_\_\_\_

COMPONENT SERIAL NO. 

0	7	4	1
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Jim Lynch, Controller *Jim Lynch* Phone: 907-474-7711  
 Division: University of Alaska Date: 04/11/91  
 Approved by Commissioner: *Jim Lynch for Brian Rogers*  
 Agency: University of Alaska Date: 04/11/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 5, 1991

FURTHER REFERRALS:

Finance

Date of Committee Action: \_\_\_\_\_

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 260

HOUSE BILL NO. 260

UNIV. OF ALASKA REVENUE BONDS

"An Act relating to revenue bonds issued by the University of Alaska and approving the issuance of revenue bonds for construction of a student recreation center at the University of Alaska Fairbanks; and providing for an effective date."

RECOMMENDATIONS: CS HB 260 (NES)  the same title  
 be replaced with CS HB 260 (NES)  a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact \_\_\_\_\_  fiscal note(s) \_\_\_\_\_

zero fiscal note University of Alaska 4/11/91  zero fiscal note(s) \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Pat O'Byrne</i>	✓				
<i>Debra...</i>	✓				
<i>Jo...</i>	✓				
<i>Betty Davis</i>	✓	<i>Mark Hamley</i>		✓	
<i>Mary Miller</i>	✓	<i>Cheri Davis</i>		✓	

*Pat O'Byrne*  
 CHAIRMAN'S SIGNATURE

HB

262

**Municipality  
of  
Anchorage**



OFFICE OF THE MAYOR

P.O. BOX 196650  
ANCHORAGE, ALASKA 99519-6650  
(907) 343-4431

TOM FINK,  
MAYOR

December 6, 1990

Ms. Candace Hullett  
P.O. Box 672064  
Chugiak, AK 99567

Dear Ms. Hullett:

I am in receipt of your letter and package of November 13 in regard to runaway children. I am totally supportive of the thrust of your package.

We certainly do need changes in the law as well as changes in attitudes. Some of the state people are working on these problems. We have turned the world a little bit upside down so that when any child gets in trouble it's the parent's fault, yet we don't want to allow the parent the authority to discipline his or her child. Often the child abuse laws and child sexual abuse laws are tools improperly used to stop the parent from fulfilling his or her responsibilities. The pendulum has swung too far and needs to be brought back in the center.

I am very supportive of what you are attempting to do.

Sincerely,

Tom Fink

letters of support.

January 11, 1991

Representative Randy Phillips  
State of Alaska  
Juneau, Alaska

Dear Representative Phillips:

During this past year the undersigned have put together this broad and comprehensive legislative package in hopes of solving some very serious problems in our communities through out the State of Alaska. In brief the problems are: the lack of control of our children, the tremendous growth of "Parent Abuse" by children, and the alarming numbers of crimes committed by children and against children. As parents and future parents we must protect the most cherished part of our lives "Our Children".

This year the Anchorage Municipal Assembly has recognized that this problem requires very high priority. This package is supported and has been enthusiastically endorsed by local law enforcement people, Mayor Tom Fink, churches, family support groups and parents from all over the State of Alaska.

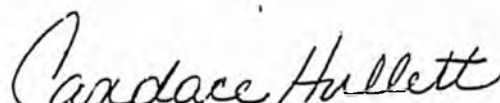
We would appreciate your support and would be delighted if you would sponsor this package.

On behalf of our children, we thank you.

Sincerely,



Fred Dyson  
Anchorage Assemblyman  
12239 Lugene Lane  
Eagle River, Alaska 99577



Candace Hullett  
P.O. Box 672064  
Chugiak, Alaska 99567



# Palmer Police Department

423 SOUTH VALLEY WAY  
PALMER, ALASKA 99645



RONALD L. OTTE  
CHIEF OF POLICE

PHONE: (907) 745-4811

December 27, 1990

Sandy Pevan  
P.O. Box 871256  
Wasilla, Alaska 99687

Dear Ms. Pevan:

As we discussed by phone, Palmer is a small community that does not generate a large number of calls in any category. When combined with the information from the rest of the Valley, however, you should get a good picture of the runaway problem in this area of the State.

During 1989 and 1990 there have been 42 reported runaways in Palmer. I am sure there are actually more that do not get reported for one reason or another. The runaway problem in the Valley is serious and appears to be getting worse.

I wish you luck in your efforts to effect a change in the way we all must deal with runaways. If I can be of further assistance please let me know.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Ronald L. Otte".

Ronald L. Otte  
Chief of Police

RLO/lp



# ANCHORAGE POLICE DEPARTMENT

4501 SOUTH BRAGAW STREET • ANCHORAGE, ALASKA 99507-1599  
TELEPHONE (907) 786-8500



TOM FINK  
MAYOR

December 12, 1990

Candace Hullett  
P.O. Box 672064  
Chugiak, Alaska 99567

Dear Ms Hullett:

Thank you for your letter of November 15, 1990, and for your opportunity to express my support for your cause.

There is a delicate relationship between the right of a child to grow and the authority of the parents to give direction to that growth. I agree with your premise that this relationship is currently out of balance - that we have unfairly given our children "rights", hence obligations, with which they may not be equipped to cope. There are additional considerations:

- > Parents can be held responsible for a failure over which they had no control,
- > The police, and others, try to operate in an environment of convoluted, and often contradictory, rules and procedures.

Given this, I would support any effort to return balance to this most important issue.

Sincerely,

Kevin M. O'Leary  
Chief of Police

KMO:lz

RECEIVED  
APR 20 P.M.

HEALTH ED. & SOCIAL SERVICES

Legislator: Georgianna Lincoln

4-24-91

I understand that some of the wording of this bill  
HB #262 can be misinterpreted, our concerns are addressed in  
this memorandum, dated 12-18-90. Subject: Laws Relating to Minors  
(Work Order No. 7LS-1346A) TO: Representative Randy Phillips  
FROM: Terri Lauterbach Legislative Counsel

Our intent with HB #262 is to address the problems of  
nonabused runaways. Then to return these children back to their  
families. It is not our intent to have these children  
incarcerated as long as these children have not violated the  
current laws; E.G. drugs, alcohol, robbery or murder.

The parents at this point are not allowed this  
protection with our current "Non Law". The police and  
D.Y.F.S can not currently address this problem. We as parents  
understand the many problems that we face in our daily lives,  
but with your help we can make a positive change and protect  
our children that are in danger.

If I can help in anyway please contact me. Thank you for  
your help in addressing this problem.

Sandy Pevan

*Sandy Pevan*

PO BOX 871256  
Wasilla, Alaska 99687  
Phone - 373-6198



Member

# Alaska State Legislature

Session  
State Capitol  
Juneau, AK 99801  
(907) 465-4949

Randy Phillips  
State Representative  
House District 15

Interim  
P.O. Box 142  
Eagle River AK 99577  
(907) 694-4949

House Finance Committee

## Memorandum

TO: Representative Pat Carney, CoChair  
Representative Georgianna Lincoln, CoChair  
House, Health Education and Social Services Committee

FROM: Representative Randy Phillips ~~REP~~

DATE: April 27, 1992

RE: House Bill 262, "An Act relating to persons under 21 years of age."

According to the Alaska Department of Health and Social Services, over 3,500 youth runaway from home each year in Alaska. Many of these youths end up on the streets or in the homes of exploitive adults where they engage in prostitution, drug trafficking and property crimes to support themselves.

House Bill 262 was proposed as a means of addressing the growing problem of "runaway" children in Alaska, the inability of parents to deal with these children under existing laws and the inability of the state and local governments to protect these children. House Bill 262 changes several statutes relating to persons under the age of twentyone.

Section 1 changes the definition of contributing to the delinquency of a minor. Current statute provides that a person over the age of 19 may not aid, induce, cause or encourage a child under the age of 16 to be absent from the custody of a parent, guardian. HB262 would raise that age from 16-18.

Section 2 raises the age for purchase and possession of firearm from 16 to 21 years of age.

*SPONSOR STATEMENT*

Section 3 prohibits an unemancipated minor from working without the permission of the minor's legal custodian and from working after 10:00 pm on school nights.

Sections 4 and 5 provide limitations on parental financial liability for the acts of runaway minors.

Sections 6 and 7 direct the Department of Health and Social Services to conduct a statewide conference on runaway youth and to conduct a pilot project to identify, assist, and return runaway youths to their homes.

The concepts in this bill are supported by the Chiefs of Police in Anchorage and Palmer as well as the Mayor of Anchorage. As well as several thousand individuals who have signed petitions in support of the Parent and Child Protection Initiative, which is attached.

This bill is intended as a first step in a comprehensive look at statutes that apply to runaway children. Thank you for your support in addressing this important issue.

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
Title: "An Act relating to persons under 21 years of age."  
Sponsor: Representative R. Phillips  
Requestor: House HESS Committee

Department Affected: Department of Law  
BRU: Prosecution  
Component: All

COMPONENT SERIAL 

--	--	--	--

Expenditures/Revenues: (Thousands of Dollars)

85 through 91

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL						

POSITIONS:

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

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

This bill makes changes in laws concerning persons under 21 years of age, including making possession of a firearm more restrictive, that may cause more local law enforcement effort. However, these changes should not have a fiscal impact on the Department of Law.

*Richard I. Peques*

Prepared by: Richard I. Peques, Director  
Division: Administrative Services

Phone: 465-3672  
Date: April 27, 1992

Approved by Commissioner: Richard I. Peques / PARI  
Agency: Department of Law

Date: April 27, 1992

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

BILL NO : HB 262

Revision Date: \_\_\_\_\_  
Title: "An Act relating to persons under 21 years of age."  
Sponsor: Representative R. Phillips  
Requestor: House HES

Department Affected: Labor  
BRU: Labor Standards & Safety  
Component: Wage & Hour  
COMPONENT SERIAL NO. 345

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Randy Carr, Acting Director Phone : 264-2452  
Division: Labor Standards & Safety Date : 4/27/92  
Approved by Commissioner: C. W. Mahler  
Agency: Department of Labor Date: 4/27/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

7-LS0346G  
Lauterbach  
4/27/92

CS FOR HOUSE BILL NO. 262 ( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES R.PHILLIPS, M.A.Miller

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to persons under 21 years of age."

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

3 \* Section 1. AS 11.51.130(a) is amended to read:

4 (a) A person commits the crime of contributing to the delinquency of a minor if, being  
5 19 years of age or older, the person

6 (1) aids, induces, causes, or encourages a child under 18 years of age to do any  
7 act prohibited by state law;

8 (2) [REPEALED

9 (3)] aids, induces, causes, or encourages a child under 18 years of age to enter  
10 or remain in the same room in a building where the unlawful sale of a drug occurs; or

11 (3) [(4) REPEALED

12 (5)] aids, induces, causes, or encourages a child under 18 [16] years of age to be  
13 absent from the custody of a parent, guardian, or custodian or to be repeatedly absent from  
14 school, without just cause, unless the child's disabilities of minority have been removed for

1 general purposes under AS 09.55.590.

2 \* Sec. 2. AS 11.61.220(a) is amended to read:

3 (a) A person commits the crime of misconduct involving weapons in the third degree if  
4 the person

5 (1) knowingly possesses a deadly weapon, other than an ordinary pocket knife or  
6 a defensive weapon, that is concealed on the person;

7 (2) knowingly possesses a loaded firearm on the person in any place where  
8 intoxicating liquor is sold for consumption on the premises;

9 (3) being a person [AN UNEMANCIPATED MINOR] under 21 [16] years of  
10 age, possesses a firearm without the written consent of a parent or guardian of the person  
11 [MINOR];

12 (4) knowingly possesses a firearm

13 (A) within the grounds of or on a parking lot immediately adjacent to a  
14 public or private preschool, elementary, junior high, or secondary school, without the  
15 permission of the chief administrative officer of the school or district or the designee of  
16 the chief administrative officer, except that a person 21 years of age or older may possess  
17 an unloaded firearm in the trunk of a motor vehicle or encased in a closed container in  
18 a motor vehicle; or

19 (B) within the grounds of or on a parking lot immediately adjacent to a  
20 center, other than a private residence, licensed under AS 47.35.010 - 47.35.075 or  
21 recognized by the federal government for the care of children; [OR]

22 (5) possesses or transports a switchblade or a gravity knife; or

23 (6) with criminal negligence sells or delivers or offers to sell or deliver a  
24 firearm to a person under 21 years of age without the written consent of a parent or  
25 guardian of the person.

26 \* Sec. 3. AS 12.62.035(f)(1) is amended to read:

27 (1) "contributing to the delinquency of a minor" means a conviction for a  
28 violation or attempted violations of AS 11.51.130(a) [AS 11.51.130(a)(1), (3), OR (5)]; former  
29 AS 11.40.130; or the laws of another jurisdiction if the offense would have been a crime in this  
30 state under AS 11.51.130(a) [AS 11.51.130(a)(1), (3), OR (5)] or former AS 11.40.130 if  
31 committed in the state;

1 . \* Sec. 4. AS 23.10.350 is amended by adding a new subsection to read:

2 (c) A minor for whom the disabilities of minority have not been removed for general  
3 purposes under AS 09.55.590 may not be employed or allowed to work

4 (1) without the written permission of the minor's legal custodian; or

5 (2) after 10:00 p.m. on the night before school is in session unless the minor has  
6 graduated from secondary school or its equivalent.

7 \* Sec. 5. AS 34.50.020(a) is amended to read:

8 (a) Except as provided in (c) of this section. a [A] person, municipal corporation,  
9 associati~~n~~, village, school district, or religious or charitable organization, incorporated or  
10 unincorporated, may recover damages in a civil action in an amount not to exceed \$2,000 and  
11 court costs, from either parent or both parents or the legal guardian or person having the legal  
12 custody of an unemancipated minor under the age of 18 years, who maliciously or wilfully  
13 destroys real or personal property belonging to the person, municipal corporation, association,  
14 village, school district, or religious or charitable organization.

15 \* Sec. 6. AS 34.50.020 is amended by adding new subsections to read:

16 (c) A parent, legal guardian, or person having the legal custody of an unemancipated  
17 minor under the age of 18 years, is not liable under (a) of this section if

18 (1) the destructive acts of the minor occurred while the minor was evading the  
19 custody and control of the parent, guardian, or person having legal custody of the minor; and

20 (2) the parent, legal guardian, or person having legal custody of the minor  
21 demonstrates by clear and convincing evidence that specific reasonable efforts were made before  
22 the destructive acts occurred to control the behavior of the minor.

23 (d) In this section, "unemancipated minor" means a minor for whom the disabilities of  
24 minority have not been removed for general purposes under AS 09.55.590.

25 \* Sec. 7. CONFERENCE ON RUNAWAY YOUTH. (a) Before November 1, 1992, the Department  
26 of Health and Social Services shall conduct a public conference at which interested individuals and  
27 groups can present and receive information and recommend changes, or comment on recommended  
28 changes, in state policies, regulations, and laws relating to the prevention of runaway youth problems,  
29 assistance for runaway youths, and reunification of families from which youths have run away.

30 (b) After the conference held under this section, the Department of Health and Social Services  
31 shall develop legislative and regulatory proposals to respond to the problem of runaway youth in the

1 state. By January 30, 1993, the department shall submit its recommended legislative proposals to the  
2 legislature.

3 \* Sec. 8. PILOT PROJECT. (a) The Department of Health and Social Services shall conduct a pilot  
4 project whose purpose is to identify, assist, and return to their homes runaway youths in the state.

5 (b) By January 30, 1994, the department shall report to the legislature about the effectiveness  
6 of the pilot project and the department's recommendations for statewide application of the project's  
7 programmatic components.

7-LS0346J ✓  
Lauterbach  
4/29/92

CS FOR HOUSE BILL NO. 262 ( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES R.PHILLIPS, M.A.Miller

A BILL  
FOR AN ACT ENTITLED

1 "An Act relating to persons under 21 years of age; providing for designation of 'safe  
2 homes' for runaway minors; and providing for an effective date."

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

4 \* Section 1. LEGISLATIVE FINDINGS; INTENT. (a) The legislature finds that licensed programs  
5 for runaway minors need not be the only sources of government-encouraged assistance for runaway  
6 minors. There exist many concerned citizens in the state who, with appropriate oversight and certain  
7 limitations of their liability, would volunteer to assist runaway minors in their private residences. It  
8 would be in the public interest to encourage properly qualified private citizens to seek designation of  
9 their homes as "safe homes" where runaway minors could seek temporary, short-term shelter and other  
10 care.

11 (b) It is the intent of legislature that the Department of Health and Social Services, in  
12 implementing secs. 16 - 19 of this Act, adopt regulations under which interested nonprofit corporations  
13 could be approved by the department for the purpose of designating "safe homes." Oversight of the safe  
14 homes by the nonprofit corporations and the state should involve less regulation than is required for

1 (f) The court may remove the disabilities of minority as requested in the petition if found  
 2 to be in the best interest of the minor [PETITIONER], after a hearing. The removal may be for  
 3 general purposes or the limited purposes specified in the decree.

4 \* Sec. 8. AS 11.51.130(a) is amended to read:

5 (a) A person commits the crime of contributing to the delinquency of a minor if, being  
 6 19 years of age or older, the person aids, induces, causes, or encourages a child

7 (1) [AIDS, INDUCES, CAUSES, OR ENCOURAGES A CHILD] under 18 years  
 8 of age to do any act prohibited by state law;

9 (2) [REPEALED

10 (3) AIDS, INDUCES, CAUSES, OR ENCOURAGES A CHILD] under 18 years  
 11 of age to enter or remain in the same room in a building where the unlawful sale of a drug  
 12 occurs;

13 (3) [OR (4) REPEALED

14 (5) AIDS, INDUCES, CAUSES, OR ENCOURAGES A CHILD] under 16 years  
 15 of age to be [ABSENT FROM THE CUSTODY OF A PARENT, GUARDIAN, OR  
 16 CUSTODIAN OR TO BE] repeatedly absent from school, without just cause: or

17 (4) under 18 years of age to be absent from the custody of a parent,  
 18 guardian, or custodian without just cause, unless the child's disabilities of minority have  
 19 been removed for general purposes under AS 09.55.590 or the person has immunity under  
 20 AS 47.10.398(a).

21 \* Sec. 9. AS 11.61.220(a) is amended to read:

22 (a) A person commits the crime of misconduct involving weapons in the third degree if  
 23 the person

24 (1) knowingly possesses a deadly weapon, other than an ordinary pocket knife or  
 25 a defensive weapon, that is concealed on the person;

26 (2) knowingly possesses a loaded firearm on the person in any place where  
 27 intoxicating liquor is sold for consumption on the premises;

28 (3) being a person [AN UNEMANCIPATED MINOR] under 21 [16] years of  
 29 age, possesses a firearm without the written consent of a parent or guardian of the person  
 30 [MINOR];

31 (4) knowingly possesses a firearm

# **CORRECTION**

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

7-LS0346V ✓  
Lauterbach  
4/29/92

CS FOR HOUSE BILL NO. 262 ( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES R.PHILLIPS, M.A.Miller

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to persons under 21 years of age; providing for designation of 'safe  
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3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. LEGISLATIVE FINDINGS; INTENT. (a) The legislature finds that licensed programs  
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6 minors. There exist many concerned citizens in the state who, with appropriate oversight and certain  
7 limitations of their liability, would volunteer to assist runaway minors in their private residences. It  
8 would be in the public interest to encourage properly qualified private citizens to seek designation of  
9 their homes as "safe homes" where runaway minors could seek temporary, short-term shelter and other  
10 care.

11 (b) It is the intent of legislature that the Department of Health and Social Services, in  
12 implementing secs. 16 - 19 of this Act, adopt regulations under which interested nonprofit corporations  
13 could be approved by the department for the purpose of designating "safe homes." Oversight of the safe  
14 homes by the nonprofit corporations and the state should involve less regulation than is required for

1 licensed programs for runaways under AS 47.10.310 while still requiring the homes to meet health and  
2 safety standards designed to protect the runaway minor in the safe home.

3 \* Sec. 2. AS 09.55.590(a) is amended to read:

4 (a) A minor who is a resident of this state and is at least 16 years of age, who is living  
5 separate and apart from the parents or guardian of the minor, capable of self-support and of  
6 managing one's own financial affairs, or the legal custodian of such a minor, may petition the  
7 superior court to have the disabilities of minority removed for limited or general purposes.

8 \* Sec. 3. AS 09.55.590(b) is amended to read:

9 (b) A minor or the legal custodian of a minor may institute a [THIS] petition under  
10 this section in the name of the minor.

11 \* Sec. 4. AS 09.55.590(c) is amended to read:

12 (c) The petition for removal of disabilities of minority must state [:]

13 (1) the name, age, and residence address of the minor [PETITIONER];

14 (2) the name and address of each living parent;

15 (3) the name and address of the guardian of the person and the guardian of the  
16 estate, if any;

17 (4) the reasons why removal would be in the best interest of the minor [CHILD];

18 and

19 (5) the purposes for which removal is sought.

20 \* Sec. 5. AS 09.55.590(d) is amended to read:

21 (d) The person who institutes a petition under this section [PETITIONER] must obtain  
22 the consent of each living parent or guardian having control of the person or property of the  
23 minor [PETITIONER]. If the person who is to consent to the petition is unavailable or the  
24 whereabouts of that person are unknown, or if a parent or guardian unreasonably withholds  
25 consent, the court, acting in the best interest of the minor [PETITIONER], may waive this  
26 requirement of consent as to that parent or guardian.

27 \* Sec. 6. AS 09.55.590(e) is amended to read:

28 (e) The court may appoint an attorney or a guardian ad litem to represent the interests  
29 of the minor [PETITIONER] at the hearing. Appointment of an attorney or guardian ad litem  
30 shall be made in accordance with AS 25.24.310.

31 \* Sec. 7. AS 09.55.590(f) is amended to read:

1 (f) The court may remove the disabilities of minority as requested in the petition if found  
2 to be in the best interest of the minor [PETITIONER], after a hearing. The removal may be for  
3 general purposes or the limited purposes specified in the decree.

4 \* Sec. 8. AS 11.51.130(a) is amended to read:

5 (a) A person commits the crime of contributing to the delinquency of a minor if, being  
6 19 years of age or older, the person aids, induces, causes, or encourages a child

7 (1) [AIDS, INDUCES, CAUSES, OR ENCOURAGES A CHILD] under 18 years  
8 of age to do any act prohibited by state law;

9 (2) [REPEALED]

10 (3) AIDS, INDUCES, CAUSES, OR ENCOURAGES A CHILD] under 18 years  
11 of age to enter or remain in the same room in a building where the unlawful sale of a drug  
12 occurs;

13 (3) [OR (4) REPEALED

14 (5) AIDS, INDUCES, CAUSES, OR ENCOURAGES A CHILD] under 16 years  
15 of age to be [ABSENT FROM THE CUSTODY OF A PARENT, GUARDIAN, OR  
16 CUSTODIAN OR TO BE] repeatedly absent from school, without just cause; or

17 (4) under 18 years of age to be absent from the custody of a parent,  
18 guardian, or custodian without just cause, unless the child's disabilities of minority have  
19 been removed for general purposes under AS 09.55.590 or the person has immunity under  
20 AS 47.10.398(a).

21 \* Sec. 9. AS 11.61.220(a) is amended to read:

22 (a) A person commits the crime of misconduct involving weapons in the third degree if  
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24 (1) knowingly possesses a deadly weapon, other than an ordinary pocket knife or  
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26 (2) knowingly possesses a loaded firearm on the person in any place where  
27 intoxicating liquor is sold for consumption on the premises;

28 (3) being a person [AN UNEMANCIPATED MINOR] under 21 [16] years of  
29 age, possesses a firearm without the written consent of a parent or guardian of the person  
30 [MINOR];

31 (4) knowingly possesses a firearm

1 (A) within the grounds of or on a parking lot immediately adjacent to a  
 2 public or private preschool, elementary, junior high, or secondary school, without the  
 3 permission of the chief administrative officer of the school or district or the designee of  
 4 the chief administrative officer, except that a person 21 years of age or older may possess  
 5 an unloaded firearm in the trunk of a motor vehicle or encased in a closed container in  
 6 a motor vehicle; or

7 (B) within the grounds of or on a parking lot immediately adjacent to a  
 8 center, other than a private residence, licensed under AS 47.35.010 - 47.35.075 or  
 9 recognized by the federal government for the care of children; [OR]

10 (5) possesses or transports a switchblade or a gravity knife; or

11 (6) with criminal negligence sells or delivers or offers to sell or deliver a  
 12 firearm to a person under 21 years of age without the written consent of a parent or  
 13 guardian of the person.

14 \* Sec. 10. AS 12 62.035(f)(1) is amended to read:

15 (1) "contributing to the delinquency of a minor" means a conviction for a  
 16 violation or attempted violations of AS 11.51.130(a) [AS 11.51.130(a)(1), (3), OR (5)]; former  
 17 AS 11.40.130; or the laws of another jurisdiction if the offense would have been a crime in this  
 18 state under AS 11.51.130(a) [AS 11.51.130(a)(1), (3), OR (5)] or former AS 11.40.130 if  
 19 committed in the state;

20 \* Sec. 11. AS 23.10.350 is amended by adding a new subsection to read:

21 (c) A minor for whom the disabilities of minority have not been removed for general  
 22 purposes under AS 09.51.590 may not be employed or allowed to work

23 (1) without the written permission of the minor's legal custodian; or

24 (2) after 10:00 p.m. on the night before school is in session unless the minor has  
 25 graduated from secondary school or its equivalent; however, a minor under 16 years of age may  
 26 not be employed to work after 9:00 o'clock in the evening, as provided in AS 23.10.340.

27 \* Sec. 12. AS 34.50.020(b) is amended to read:

28 (b) A state agency or its agents, including a person working in or responsible for the  
 29 operation of a foster, receiving, or detention home, or children's institution, is not liable for the  
 30 acts of unemancipated minors in its charge or custody. A state agency or an agent of a state  
 31 agency, including a nonprofit corporation that designates safe homes under AS 47.10.392 -

1 47.10.399 and employees of or volunteers with that corporation, is not liable for the acts of  
2 a minor sheltered in a safe home, as defined in AS 47.10.399.

3 \* Sec. 13. AS 47.10 is amended by adding new sections to read:

4 ARTICLE 4A. SAFE HOMES FOR RUNAWAY MINORS.

5 Sec. 47.10.392. CERTIFICATE REQUIRED. A private residence may not be held out  
6 publicly as a safe home for runaway minors unless the residence

7 (1) is designated a safe home by a nonprofit corporation that is licensed to make  
8 the designation under AS 47.35.085; and

9 (2) has a valid permit from the department signifying that designation.

10 Sec. 47.10.394. OPERATION OF SAFE HOME. (a) A safe home may not shelter a  
11 runaway minor for more than seven days unless the department determines that

12 (1) the minor is the subject of exceptional circumstances; or

13 (2) another appropriate setting is not available for the minor.

14 (b) The provider of a safe home shall promptly inform the department of a runaway  
15 minor in the home who claims to be the victim of child abuse or neglect, as defined in  
16 AS 47.17.290, or whom the provider has reasonable cause to suspect has been a victim of child  
17 abuse or neglect.

18 (c) The provider of a safe home shall make good faith efforts to ensure that notice of the  
19 minor's presence in a safe home is given to the minor's legal custodian as soon as possible after  
20 the minor is admitted to the home. The notice need not specify the location of the safe home.  
21 The provider may give the notice, or the provider may request the appropriate law enforcement  
22 agency to give the notice. If requested by the provider, the law enforcement agency shall make  
23 good faith efforts to give the notice required under this subsection.

24 Sec. 47.10.396. CONFIDENTIALITY. If the department requires record keeping by a  
25 safe home or by a nonprofit corporation that is licensed to designate safe homes, records of the  
26 home and the nonprofit corporation that identify a runaway minor who has been sheltered in a  
27 safe home or has sought assistance from a safe home are confidential and are not subject to  
28 inspection or copying under AS 09.25.110 - 09.25.120 unless

29 (1) after being informed of the minor's right to privacy, the minor consents in  
30 writing to the disclosure of the records;

31 (2) the records are relevant to an investigation or proceeding involving child abuse

1 or neglect or a child in need of aid petition; or

2 (3) disclosure of the records is necessary to protect the life or health of the minor.

3 Sec. 47.10.398. IMMUNITY FROM LIABILITY. (a) A person in a safe home, or in  
4 a home for which an application to be designated a safe home is being considered by a nonprofit  
5 corporation licensed for that purpose by the department, that is operated in a manner that is  
6 consistent with AS 47.10.392 - 47.10.399 and regulations adopted under those sections is not  
7 criminally liable under AS 11.51.130(a)(4).

8 (b) Except as provided in (c) of this section, the provider of a safe home, or of a home  
9 for which an application to be designated a safe home is being considered by a nonprofit  
10 corporation approved for that purpose by the department, and the members of the provider's  
11 household, other than a runaway minor, are not liable for civil damages as a result of an act or  
12 omission

13 (1) in admitting or refusing to admit a runaway minor to the home; or

14 (2) by a runaway minor who is sheltered in the home.

15 (c) The provisions of (b) of this section do not preclude liability for civil damages as a  
16 result of recklessness or intentional misconduct.

17 Sec. 47.10.399. DEFINITIONS. In AS 47.10.392 - 47.10.399,

18 (1) "runaway minor" has the meaning given in AS 47.10.390;

19 (2) "safe home" means a private residence whose legal occupant agrees to shelter,  
20 without compensation, a runaway minor accepted into the residence by the legal occupant and  
21 that

22 (A) is not simultaneously licensed under AS 47.10.310 as a program for  
23 runaway minors;

24 (B) has been designated a safe home by a nonprofit corporation licensed  
25 for that purpose under AS 47.35.085; and

26 (C) has a permit issued by the department under AS 47.35.085.

27 \* Sec. 14. AS 47.10.141(b) is amended to read:

28 (b) A peace officer shall take into protective custody a minor described in (a) of this  
29 section if the minor is not otherwise subject to arrest or detention. The peace officer shall honor  
30 the minor's preference to (1) return the minor to the legal custodian if the legal custodian  
31 consents to the return; (2) take the minor to a nearby location agreed to by the minor and the

1 legal custodian; or (3) take the minor to an office specified by the Department of Health and  
2 Social Services, a program for runaway minors licensed by the department under AS 47.10.310,  
3 a safe home that has a permit from the department under AS 47.35.085 that agrees to  
4 shelter the minor, or a facility or contract agency of the department. If an office specified by  
5 the department, a licensed program for runaway minors, a safe home that will accept the minor,  
6 or a facility or contract agency of the department does not exist in the community, the officer  
7 shall take the minor to another suitable location and promptly notify the department. A minor  
8 under protective custody may not be housed in a jail or other detention facility. Immediately  
9 upon taking a minor into protective custody, the officer shall advise the minor orally and in  
10 writing of the right to social services under AS 47.10.142(b), and, if known, the officer shall  
11 advise the legal custodian that the minor has been taken into protective custody and that  
12 counseling services for the custodian and the minor's household are available under  
13 AS 47.10.142(b).

14 \* Sec. 15. AS 47.10.142(b) is amended to read:

15 (b) A minor who has left home and is evading the person having legal custody of the  
16 minor may obtain the services of the department. The department shall assess the situation and  
17 furnish the minor with the social services it considers appropriate to protect the well-being of the  
18 minor and to preserve the minor's family life if preserving it is considered desirable under the  
19 circumstances. The department shall also offer counseling services to the person having legal  
20 custody of the minor and to the members of the minor's household if it determines that  
21 counseling services would be appropriate in the situation. If, after assessing the situation,  
22 considering the wishes of the minor, offering counseling services to the legal custodian and  
23 the minor's household, and furnishing appropriate social services to the minor, the department  
24 considers it necessary, the department may take emergency custody of the minor.

25 \* Sec. 16. AS 47.35.020 is amended to read:

26 Sec. 47.35.020. LICENSE OR PERMIT REQUIRED FOR CERTAIN CARE  
27 FACILITIES. A person may not, without a license or permit to do so,

28 (1) maintain or conduct, for more than 90 days, a boarding home, foster home,  
29 group home, institution, or other place for the regular reception or care of children under 16 years  
30 of age, or a foster home, group home, or institution for the care of dependent adults; [OR]

31 (2) engage in the business of receiving or caring for children under 14 years of

1 age, with or without compensation, in a nursery in which five or more children not related by  
2 blood or marriage, or legal adoption, to the owner, operator, or manager of the business are  
3 lodged; or

4 (3) hold out publicly that the person's residence is a safe home for runaway  
5 minors.

6 \* Sec. 17. AS 47.35 is amended by adding a new section to read:

7 Sec. 47.35.085. SAFE HOMES FOR RUNAWAY MINORS. (a) The department shall  
8 adopt regulations under which a nonprofit corporation may apply for a license to designate and  
9 supervise safe homes for runaway minors.

10 (b) The department shall also adopt regulations setting health and safety standards for  
11 safe homes. The regulations adopted under this subsection must

12 (1) involve less regulation than is required for programs for runaways licensed  
13 under AS 47.10.310 and foster homes licensed under this chapter;

14 (2) provide that they will be enforced by persons licensed under (a) of this section  
15 except as provided in (d) of this section; and

16 (3) require that a nonprofit corporation licensed under (a) of this section inspect  
17 the safe homes, perform criminal background checks of its residents, keep records, and meet  
18 other requirements only to the extent that they are necessary to ensure the health and safety of  
19 a runaway minor in the home.

20 (c) If a person licensed under (a) of this section certifies to the department that a home  
21 meets the standards set under (b) of this section, the department shall issue the home a permit  
22 authorizing it to be a safe home for runaway minors. The permit may not be transferred to a  
23 different facility or owner.

24 (d) Upon notice from a person licensed under (a) of this section that a safe home is not  
25 in compliance with AS 47.10.392 - 47.10.399 or the regulations of the department adopted under  
26 (b) of this section, the department may revoke a permit issued under this subsection or modify  
27 it to provisional status. The department shall give written notice of revocation or modification  
28 under this subsection at least 30 days before the effective date of the action. However, if the  
29 health or well-being of a child is in jeopardy, the revocation or modification action is effective  
30 immediately upon the issuance of written notice by the department.

31 \* Sec. 18. AS 47.35.100(a) is amended to read:

1 (a) Without a license issued by the department in accordance with its regulations a person  
2 may not operate an agency providing any of the following services:

3 (1) the placement of children for foster home care;

4 (2) the placement of children for adoption; [OR]

5 (3) individual and family counseling; or

6 (4) designation and supervision of safe homes for runaway minors under

7 AS 47.35.085.

8 \* Sec. 19. AS 47.35.900 is amended by adding new paragraphs to read:

9 (7) "runaway minor" has the meaning given in AS 47.10.390;

10 (8) "safe home for runaway minors" or "safe home" means a private residence  
11 whose legal occupant agrees to shelter, without compensation, a runaway minor accepted into the  
12 residence, subject to the limitations imposed under this chapter and AS 47.10.392 - 47.10.399.

13 \* Sec. 20. This Act takes effect immediately under AS 01.10.070(c).

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 5, 1991

FURTHER REFERRALS:

Judiciary  
Finance

Date of Committee Action: 5/5/92

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 262

HOUSE BILL NO. 262

MISC. LAWS RELATING TO MINORS

"An Act relating to persons under 21 years of age."

RECOMMENDATIONS:

be replaced with CS HB 262 (HES)

the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): \_\_\_\_\_ (Dept)

APPROVES PREVIOUS: \_\_\_\_\_ (Dept/Date)

fiscal impact \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note Labor, Law

zero fiscal note(s) \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
		Cheri Davis		<input checked="" type="checkbox"/>	
		<del>Cheri Davis</del>		<input checked="" type="checkbox"/>	
<i>Ruth Lee</i>	<input checked="" type="checkbox"/>	<del>Cheri Davis</del>		<input checked="" type="checkbox"/>	
<i>J. G. Songales</i>	<input checked="" type="checkbox"/>	Betty Davis		<input checked="" type="checkbox"/>	
<i>Mary Miller</i>	<input checked="" type="checkbox"/>				

*Ruth Lee*  
 \_\_\_\_\_  
 CHAIRMAN'S SIGNATURE

# *Children in Crisis*

A REPORT ON RUNAWAY AND  
HOMELESS YOUTH IN ALASKA

JANUARY 1992



State of Alaska  
Department of Health and Social Services  
Division of Family and Youth Services

Walter J. Hickel  
Governor

Theodore A. Mala, MD, MPH  
Commissioner

# STATE OF ALASKA

## DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF FAMILY AND YOUTH SERVICES

WALTER J. HICKEL, GOVERNOR

P.O. BOX 110630  
JUNEAU, ALASKA 99801-0630  
PHONE: (907) 465-3170

January 24, 1992

Dear Alaskans:

Each year the Department of Health and Social Services, Division of Family and Youth Services (DFYS) is mandated under AS 47.10.300 to report to the Legislature on the status of Homeless and Runaway Youth in Alaska. This year's report is bolstered by tremendous public participation at the grass roots level.

In reaction to public outcry from parents of runaways, social services professionals and public safety officials, DFYS in conjunction with Representative Randy Phillips (R) Eagle River convened a series of three community-centered conferences to explore the problem of runaway and homeless youth in Alaska.

What the participants found is astounding. Over 3,500 Alaska youth runaway from home each year. On any given day, an estimated 37 youths are on the run. And, an estimated 1820 youths are homeless each year.

The conferences also brought to light shortcomings in the social services system that should serve youth. Since DFYS is mandated to serve either neglected/abused children or delinquent youth, runaways and homeless kids are often underserved.

It is clear that the time has come for improved service to these lost, but not forgotten children and their families. Several communities have already taken ownership of the problem, developing 24-hour crisis networks and shelters. But before the problem of homeless and runaway youth in Alaska can be appropriately addressed, all communities, the Legislature and the Administration must climb on the wave of enthusiasm and take joint ownership of this grave dilemma.

We thank Representative Phillips, DFYS staff members, the consultants and, most of all, the people of the communities involved for their participation in this report. We are confident that together we can better serve the homeless and runaway youth of Alaska.

Sincerely,



Theodore A. Mala, MD, MPH  
Commissioner



Brian Saylor, PhD, MPH  
Deputy Commissioner

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## Executive Summary

The Division of Family & Youth Services (DFYS) convened a conference on November 7 & 8, 1991, in Palmer, to discuss with citizens and consultants the growing runaway and homeless youth crisis in the state. In addition, DFYS held similar community meetings on the Kenai Peninsula and on Kodiak Island as they were not represented at the Palmer conference. Over 100 professionals and citizens from across the state who attended the conferences concluded that runaway and homeless youth are a serious problem in all parts of the state. They estimated that:

- \*\*\* Over 3,500 Alaska youth run away from home each year;
- \*\*\* There are over 13,000 runaway incidents in the state each year; and
- \*\*\* Over 1,800 Alaskan adolescents are homeless annually.

Most of these youth have no access to safe shelter, family reunification assistance, or programs to help them become productive adults. Consequently, they:

- \*\*\* Run to city streets, out-of-state, friends' homes or exploitive adults;
- \*\*\* May find shelter in abandoned buildings, tents, or vehicles;
- \*\*\* Cycle in and out of unstable living situations creating a lifestyle of chaos, insecurity and unrealistic expectations; and
- \*\*\* May engage in prostitution, drug trafficking and property crimes to support themselves.

Conference participants concluded that additional services for runaway and homeless youth are needed in Alaska. Currently, DFYS programs are designed to meet the needs of either neglected and abused children, or delinquent youth. While some runaway and homeless youth fall into these two categories, most fall through a large gap in the social services system that fails to address their specific needs. Consequently, youth behaviors often escalate to the level of services they can access. In other words, youth must commit law violations or reach an observable level of abuse and neglect before the service system can respond.

Only Juneau, Anchorage and Fairbanks have programs designed specifically to meet the needs of Runaway and Homeless Youth. These programs are not adequate to meet the runaway and homeless need in the urban areas they serve. Aside from some local grass-roots efforts to house runaway and homeless youth, services in rural Alaska are seriously lacking.

Each region represented at the conferences identified several options for addressing the runaway and homeless youth problem in their areas.

- \*\*\* Participants from the Matanuska-Susitna Valley have already begun work on establishing a 6-to-12 bed Safe Home shelter and a Host Home Network.
- \*\*\* Anchorage representatives feel their area needs 40 more beds, perhaps half designated for younger teens (12-15) and half designated as supervised or unsupervised apartments. In addition, Anchorage seeks a 15 bed, short-term "cool down" shelter.
- \*\*\* Participants from Southeast Alaska and Kodiak feel the need for a greater continuum of care, involving many agencies. They also expressed a need for a juvenile detoxification center.
- \*\*\* All areas expressed some interest in establishing a 24-hour on-call crisis intervention service, and development of better runaway prevention and follow-up planning. All areas believe that in addition to federal and private funds, a third stream of funding is needed to address the problem.
- \*\*\* Consultants recommend development of a strong state multi-agency network with a designated lead agency.

Other cities and boroughs in Alaska need additional representation from their communities to complete planning in their geographic areas. Meetings or other information gathering efforts should be initiated in these geographic areas to complete the identification of strategies to address the problem. In addition, conferees should solicit input from former and current teen runaways and homeless youth to involve their insight into the problem.

# Introduction

## *Background*

Intra-family conflict and disagreements between parents and their children are a regular part of our society. Many families are torn apart by child abuse and neglect, substance abuse and domestic violence. Changing family structures place more stresses on parents and children. Fewer and fewer children seem to be raised in stable, supportive two-parent households.

A consequence of these pressures on families and children is the growing national problem of runaway and homeless youth who leave home due to family conflicts, violence and abuse. Based on the latest research, the National Network of Runaway and Youth Services estimates that each year 1 to 1.3 million youth run away from their homes. Another 300,000 young people are homeless annually.

The problem of runaway and homeless youth is a growing crisis in Alaska as well. As this Conference Report will detail, there are over 13,000 runaway incidents in the state each year and over 1,800 youth annually are homeless. Some areas of the state have services to assist these vulnerable young people. Many areas of the state have few or no services. And in no area of the state are services even close to responding adequately to the growing number of runaway and homeless youth.

Alarmed by the number of runaway and homeless youth in their area, citizens and professionals in the Matanuska-Susitna Valley began to organize a community-wide effort to respond to this problem. In 1991 they delivered petitions signed by over 2,500 Alaska residents to the Governor and the Legislature. These petitions requested that action be taken to assist local communities in addressing the problem of runaway and homeless youth.

In response to these petitions, Representative Randy Phillips introduced legislation (H.B. 262) that in part would make running away from home and curfew violations a crime punishable by a fine up to \$300 or up to 30 days in detention. Current Alaska statutes contain provisions allowing parents to file runaway reports on their children and permitting law enforcement officers to take runaway juveniles into custody for the purpose of assessment and referral to services. However, runaways can not be compelled to accept services or return home. Under current law, runaway juveniles in Alaska may not be placed in secure detention.

Alaska law has provisions for the licensing and operation of programs for runaway minors. Such programs do exist in the more urban areas of the state (Juneau, Anchorage, Fairbanks). These programs are funded primarily by federal grants. Other areas of the state must rely on Division of Family and Youth Services (DFYS) funded programs that are designed to serve abused and neglected children or criminal law violators.

## *Definitions*

Alaska statute 47.10.390 defines a runaway minor as "a person under 18 years of age who:

- (A) is habitually absent from home;
- (B) refuses to accept available care;
- (C) has no parent, guardian, custodian, or relative able or willing to provide care;  
or
- (D) has been physically abandoned by
  - (i) both parents;
  - (ii) the surviving parent; or
  - (iii) one parent if the other parent's rights and responsibilities have been terminated or voluntarily relinquished."

For the purposes of these conferences, the following nationally recognized definitions for runaway and homeless youth were used:

**Runaway:** Youth who leave home and return at a later date. If the objective of services is to return the youth to a home environment or group care, then the youth is a runaway.

**Homeless:** Youth who leave home and do not return or who periodically return to destructive home environments. If the objective of service is preparation for independent living then the youth is homeless. Homeless youth do not have any apparent legal means of financial support.

The combined definitions for runaway and homeless youth used by the conferences are functionally equivalent to the legal definition for runaway youth contained in Alaska statutes.

Conference participants described Runaway and Homeless youth as having one or in most cases more of the following characteristics:

- \*\*\* Physically and sexually abused;
- \*\*\* Abuse alcohol and drugs;
- \*\*\* Abandoned or rejected by parents;

- \*\*\* Truant, failing in school and having difficulty staying in school;
- \*\*\* Unable to focus on future planning and independence;
- \*\*\* Diagnosable emotional and mental health problems; and
- \*\*\* Experience chronic health problems including sexually transmitted diseases, pregnancy and poor nutrition.

### ***The Conferences***

On November 7 and 8, 1991, the Division of Family and Youth Services convened a conference in Palmer to begin development of a statewide plan for runaway and homeless youth. With the assistance of Division staff and the Northwest Network of Runaway and Youth Services, over 100 professionals and citizens from around the state developed the framework for such a plan. Division of Family and Youth Services staff convened similar conferences on the Kenai Peninsula with 26 participants on December 10, 1991, and on Kodiak Island with 16 participants on December 12, 1991.

The conferences began with a discussion of the behaviors, characteristics and special problems of runaway and homeless youth. Participants then defined desirable outcomes for these youth. Finally, strategies to reach the desired outcomes were developed. When completed, these strategies will comprise a blueprint for how Alaska can address the problem of runaway and homeless youth.

Many aspects of the statewide plan were completed at the conferences. The strategy details for some areas of the state are yet to be finalized. The recommendations section at the end of this Conference Report suggest some ways to complete the plan.

### ***Population Description and Desired Outcomes***

Although participants split into working groups by geographic regions for the purpose of gathering information for this report, the population descriptions and desired outcomes developed by each group was virtually the same.

## Runaway Youth

Each group was ask to provide a descriptive list that would address each of the topics below:

### *Primary reasons that youth runaway from home:*

- \* Physical and sexual abuse
- \* Family conflict:
  - lack of communication
  - poor or inconsistent parental discipline
  - emotional abuse
  - consistent undermining of youths self-esteem
- \* Poor supervision/absent parents
- \* Parental drug/alcohol abuse
- \* Youth drug/alcohol abuse
- \* Low self-esteem/fear of failure or consequences
- \* Peer influence
- \* Adolescent rebellion; want to be on their own

Conference participants consistently reported that youth running away from home were choosing this course of action out of a sense of desperation and confusion. Whether real or perceived, most runaway youth leave home because they are running from something and not to something or for excitement and adventure.

While most of the reasons for runaway incidents identified by the conference participants centered around the dynamics of various family problems, there was a great deal of concern and empathy for the parents of runaway youth. These professionals perceived that the parents of many of these youth do have the desire to keep their families intact and their children at home.

### *Where youth run:*

- \* City streets, shelters, out-of-state
- \* Friends' homes or apartments
- \* Extended family members

- \* Exploitative relationships
- \* Strangers
- \* Well-meaning adults
- \* Abandoned buildings, tents, vehicles, boats, shipping vans
- \* Hotels/motels (often with other youth)

Conference participants were especially concerned about youth who are "harbored" or find shelter with older adults or peers. In many instances these individuals provide food, shelter, illegal drugs and alcohol in exchange for sex, assistance selling drugs or involvement in other criminal activity.

In most communities safe shelter is available to youth only through programs funded by Division of Family and Youth Services (DFYS). The only way a youth can access shelter through DFYS is to meet specific criteria that would constitute a "filing" by DFYS for protective services or to commit a criminal offense. Many runaway youth do not meet the criteria for these placements, and therefore are not eligible for DFYS-funded shelter. Even without DFYS restrictions, there are not enough shelter beds to accommodate the number of runaway youth identified within these communities.

### ***Behaviors and problems of runaway youth:***

- \* Illegal activity to meet survival needs
  - prostitution
  - selling drugs
  - property crimes (including theft from parents homes)
- \* Depression/Suicidal ideation
- \* 20% have diagnosable mental health conditions
- \* Almost all use drugs and alcohol, large portion have drug and alcohol problems
- \* High likelihood of school failure/truancy (although those enrolled in strong alternative school programs may continue to attend school)
- \* Financial Problems/Panhandling
- \* Most will have emotional or psychological problems
- \* Poor anger control/assaultive behavior
- \* Low self esteem
- \* Promiscuity/Teen Pregnancy
- \* High risk for sexually transmitted diseases
- \* High risk victims of violence
- \* At least 40% are abuse victims
- \* Some may have Fetal Alcohol Syndrome (FAS), Fetal Alcohol Effect (FAE), and/or various diagnosable learning disabilities.

Estimated numbers of runaway youth:

Conference participants were asked to estimate the number of youth in their area on the run each day, the number that runaway each year and also the number of incidents of runaway per year.

**ESTIMATE**

<u>AREA</u>	<u>YOUTH PER DAY</u>	<u>INCIDENTS PER YEAR</u>	<u>YOUTH PER YEAR</u>
Matanuska -Susitna	3.2	1,200	600
Southeast Alaska	4.1	1,500	300
Greater Fairbanks	6.8	2,500	450
Bethel	1.0	450	150
Nome	.7	285	100
Barrow	.8	300	100
Anchorage	12.0	4,500	1,500
Kenai Peninsula	5.0	1,825	250
Kodiak	<u>3.0</u>	<u>1,095</u>	<u>60</u>
<b>TOTALS</b>	<b>36.6</b>	<b>13,655</b>	<b>3,510</b>

***Other demographics:***

**AGE:** Most areas reported the ages of runaway youth to be between 12-17 years of age. The average age was estimated to be 14.5 years, although the remote community of Bethel reported 13 years of age as did the community of Seward.

**GENDER:** Approximately the same number of males and females engage in runaway behavior in the Mat-Su, Kodiak and Anchorage areas. The areas of Juneau, Fairbanks, Bethel and Nome reported 55% were female and 45% were male. The Kenai Peninsula reported 66% female to 33% male while Barrow reported 70% female and 30% male.

RACE: The breakdown of runaways by race is as follows:

<u>AREA</u>	<u>CAUCASIAN</u>	<u>NATIVE</u>	<u>OTHER</u>
Matanuska -Susitna	80%	20%	0%
Anchorage	70%	20%	10%
Juneau	64%	33%	2%
Fairbanks	65%	20%	15%
Bethel	13%	95%	2%
Nome	10%	85%	5%
Barrow	4%	96%	1%
Kenai Peninsula	Not identified		
Kodiak	60%	30%	10%

### *Desired Outcomes:*

To arrive at the following list of outcomes participants discussed how they would know that their responses to the problems of runaway youth had been successful; what would be different in their lives, their families and within their communities. Participants agreed communities should be more responsible for their youth and families by recognizing the problems of runaway youth and supporting programs that provide family-oriented activities and treatment/counseling services.

- \* Safety and security (including safe housing)
- \* Return home/stay home
- \* Return to school; stay in school
- \* Better family communication skills/Family in recovery
- \* No substance abuse (youth and other family members)
- \* Improved self-esteem
- \* Cessation of abuse
- \* Responsible sexual behavior (includes fewer teen pregnancies)
- \* No criminal activity
- \* Adequate food, clothing, medical & mental health care
- \* Greater community responsibility for its youth

- \* Kids discover someone cares
- \* Supportive, loving, nurturing home environments
- \* Positive peer culture influence rather than negative
- \* Adequate life skills

## Homeless Youth

### *Primary reasons youth leave home:*

- \* Sexual and physical abuse
- \* Abandoned by parents
- \* Family can no longer economically support their children
- \* Thrown out/asked to leave
- \* Alcohol and drug abuse (youth and/or parent)
- \* Adolescent rebellion; want to be on their own
- \* Emotional abandonment/belief no one cares about them
- \* Family stress and emotional abuse
- \* Domestic violence.
- \* Youth refuses to follow the family rules & values
- \* Teen pregnancy

Homeless youth believe, for various reasons, that they cannot return home even if they have intact families. Some are not allowed to return home because they have unresolved conflicts with their parents. Many homeless youth are "grown up" runaways with a history of multiple runaway incidents, and formal and informal out-of-home placements. Most have in effect "been on their own" for months or even years. They are alienated, not only from their families, but from their communities as well.

### *Where homeless youth live:*

Homeless youth find shelter the same way that runaway kids find shelter. The difference is that they frequently move from one living situation to another because no immediate or extended family resource is available or appropriate.

The progression from runaway to homeless often begins by the runaway moving from friend to friend until they "wear out their welcome." The runaway may then graduate to abandoned housing, city streets and finally to exploitive adults as more and more shelter options disappear. Eventually, it becomes apparent to them that they are not able to return home. They may be placed in out-of-home care by state agencies, but simply return to unstable, unsuitable living situations when released from placement.

The phenomena of cycling in and out of living situations becomes an act of survival and one which consumes most of their energy leaving little time for the pursuit of employment, education or training.

### *Behaviors and problems of homeless youth:*

Many of these youth have the same problems and behaviors as runaway youth. Homeless youth have in addition:

- \* Emancipation issues
- \* Inadequate living skills, vocational skills or have not completed their high school education.
- \* Health care is only addressed on an emergency basis
  - they have chronic health problems
  - sexually transmitted diseases
  - lack of resources for dental care
- \* Distrust of adults
- \* Criminal activity:
  - property crimes
  - selling drugs
  - prostitution
- \* Teen pregnancy/Teen parenting
- \* Illiteracy
- \* Severe emotional problems:
  - anger
  - depression
  - suicidal ideation
  - self-mutilation
  - very low self-esteem
- \* Likely to have cyclical family histories of:
  - homelessness
  - poverty
- \* Escalation of alcohol and drug abuse and a higher rate of addiction.
- \* Street-wise
- \* System-wise
- \* History of out-of-home placements
- \* Inability to engage in realistic life planning, short term perspective, unrealistic expectations, and difficulty in making long term commitments.

Physical and sexual abuse, drug and alcohol use and emotional problems can be severe and chronic for homeless youth. Some have become "street-wise" and are adept at living in marginal and dis-enfranchised urban populations. Many have established a "street family" of other youth and adults who inhabit the street scene. Many have become "system-wise" from their years of cycling in and out of foster care and informal placements and

understand how to manipulate the system minimally to meet their needs. They learn to avoid more punitive aspects of the social and criminal justice systems, although some may commit crimes to receive needed services.

Because they are so consumed with meeting their day to day basic needs of food, shelter, and clothing they often develop very unrealistic expectations of themselves and their communities. To the drug and/or alcohol-addicted youth, these basic needs are superseded in order to get the "next fix." They take a very short term perspective of their lives and are unable to engage in planning or making long term commitments in personal relationships and/or employment/educational endeavors.

***Estimated numbers of homeless youth per year:***

Matanuska-Susitna	300
Anchorage	1,000
Fairbanks	200
Barrow	10
Bethel	50
None	10
Kodiak	30
Kenai Peninsula	120
Southeast Alaska	100
TOTAL	1,820

***Other demographics:***

- AGE: Approximately 90% of homeless youth are 16-21 years of age.
- GENDER: Several areas reported that there were slightly more homeless males than females. Anchorage reported 70% males and 30% females. Homer and Kodiak, however reported 60% females to 40% males.
- RACE: Approximately the same as for runaway youth, with Anchorage reporting a slightly higher percentage of native youth (25%) and other ethnic groups (15%) and a lower percentage of caucasian youth (60%).

### *Desired Outcomes:*

- \* Viable, safe housing
- \* Improved life and employment skills
- \* Job opportunities that pay a living wage
- \* Completion of high school education
- \* Reduction in criminal activity
- \* Reduction in alcohol/drug abuse
- \* Family reconciliation (probably without family reunification)
- \* Increased self-esteem
- \* Ability to plan for the future and make commitments
- \* Become responsible community members

Again, the conference participants sought to determine how they would know they had been successful in responding to the needs of homeless youth. The most desirable outcomes revolved around the provision of safe housing, attaining job/vocational skills, completion of high school education and getting/keeping a job. The groups generally felt that if these things could be attained, homeless youth would be less likely to engage in criminal activity, alcohol and drug abuse, and self destructive behaviors.

The groups also expected that due to the support of services for homeless youth that they would feel better about themselves, and have greater opportunity for reconciling with their families even if they didn't return home. This would also result in more appropriate life planning and ultimately their becoming productive, responsible, contributing members of their communities.

## Strategies

Ultimately, participants believed that services needed to focus on strengthening the family. Program approaches that lead to greater reliance on government services to provide ongoing safety, security, guidance and nurturance for children are far too expensive and likely to fail.

For runaway youth this means family reunification and resolution of problems and conflicts that precipitated the runaway incident. Whenever possible, families should be given the opportunity to learn skills that will prevent conflicts from escalating to runaway incidents.

For homeless youth the solutions are especially important to strengthen future families. Adolescent women who are homeless are very likely to become pregnant. Male homeless youth are not prepared to support a family and may have learned the patterns of domestic violence from their fathers. The only family they have known was most likely to have been unstable, abusive, violent and non-supportive. There is no reason to believe that these teenagers will be any different than their parents. Without intervention, the violence, abuse and dysfunction that they experienced in their families will be repeated in the families they create.

Currently only Juneau, Anchorage and Fairbanks receive state and federal funds for runaway and homeless youth programs. Private funding also supports Covenant House in Anchorage. Participants believed that additional services would be needed in all parts of the state to adequately meet the needs of runaway and homeless youth.

A summary of program models that have been effective in meeting the needs of runaway and homeless youth was presented at the conferences and is attached in the appendix. Strategies developed by conference participants for different regions of the state follow.

### *Matanuska-Susitna Valley*

Because the conference was held in Palmer, the Matanuska-Susitna area was represented by a substantial cross-section of professionals and citizens. Consequently, this region's strategies are the most complete and have the broadest support from the region.

#### Safe Home Shelter

The primary focus of the plan for the Mat-Su area is development of a 6-to-12 bed safe house shelter for runaways. The purpose of this program is to provide shelter, safety and food for youth who have left home.

The program will include a full-time family counselor who will develop plans to return youth home, to a relative's home or to some other safe long-term housing. Family reunification assistance will begin within 24 hours after a youth is admitted to the shelter. The average length of stay in the home is expected to be 72 hours and the maximum stay will be 14 days.

Awake shelter staff will be available on a 24 hour basis to provide crisis intervention, assessment and screening for youth brought to the house. It was felt that dependent, abused or neglected youth or those with criminal law violations were inappropriate for the safe house as other DFYS-funded programs are available for these youth.

### **24 Hour On-Call**

The Mat-Su area has an existing system of 24-hour on-call crisis capability. These systems are operated by law enforcement, DFYS, and Life Quest (a private community-based agency). Participants identified a need for greater communication and coordination among these agencies. The existing Children's Services Task Force will help clarify roles and responsibilities of agencies providing on-call crisis services. These agencies plus other agencies in the area (including schools) will be primary access points for the shelter. Runaway youth may also self-refer to the shelter.

### **Host Home Network**

The second service priority for the Mat-su area is a host home network and family mediation services. Paid and volunteer families will be used to provide shelter for youth who can not be returned home within the 14-day maximum stay at the safe house. Family mediation services will supplement the work of the shelter's family counselor. Mediation will use trained volunteers to help resolve specific family conflicts and behavior problems. Funds will be needed for recruitment, training and support of host homes. Department of Health and Social Services can adopt standards for these homes. A part- or full-time staff person is needed to recruit, train and support family mediation volunteers.

After a system of services for runaways was operating, participants from the Mat-Su area believed that a group facility for homeless youth should be developed. This program should have a strong case management component.

## *Anchorage*

The second largest representation at the Mat-su conference was from Anchorage. Anchorage participants determined that the greatest priority service needs for runaway and homeless youth were strengthening 24-hour access to services, more efficient use (and possible re-organization) of their youth services team, developing a "cool down" short term shelter for runaways and adding approximately 40 more beds for homeless youth.

Anchorage has several points of access that are available 24-hours a day for runaway and homeless youth. However, it is not clear to law enforcement and agencies providing these services who has what type of service and how much of it is available. The group agreed that one agency should be identified to coordinate a 24 hour access system and determine a protocol for agencies to follow for access into the service system for runaway and homeless youth.

To accomplish this the group will propose restructuring of their current youth services team model, the Child Advocacy Network (CAN), so it may take on the coordination of some important resources for runaway and homeless youth. Those are:

- \* Update Agency Resource Manual for the area and the state.
- \* Establishing a coordinated case management referral system for difficult runaway clients and their families.
- \* Developing a written protocol/description of the service system and coordination of access to services for runaway youth.

The group thought that existing shelter at Covenant House and the Challenge program of Alaska Youth and Parent Foundation was not meeting the needs of some runaway youth (ie: some runaways will not use the shelters because of rules they consider too restrictive). Therefore, they will explore options for the development of a "cool down" short-term 15 bed shelter facility that will provide basic needs of shelter, food and clothing for youth who are not able to commit to moving from their transient life style, but are in need of safe, secure shelter.

There was also consensus that approximately 40 new transitional living beds were needed to house homeless youth in Anchorage. It was felt that 20 of those beds were needed for younger homeless youth (12-15 years) and 20 for youth 16-19 years of age. A mix of supervised and unsupervised apartment living and some self-governed group care will be developed to establish a "continuum" of options for homeless youth. This will insure that appropriate options exist for all homeless youth so each individuals specific needs will be met.

Other areas that were identified to be considered for further development were mediation training for school personnel and other social service workers, access to free or low-cost dental care, more job/living skill training, more workers/volunteers to provide street outreach for substance abuse education and development of a Host Home model shelter program for younger less sophisticated runaway youth.

Anchorage was not widely represented at this meeting and review comments suggest there is a need to more thoroughly examine the identified needs and strategies at a follow up meeting which includes a broader base of participants.

### *Juneau, Fairbanks, Nome, Bethel and Barrow*

Representatives from Southeastern Alaska, the greater Fairbanks area, Nome, Bethel and Barrow also attended the Mat-Su conference. These participants believed that follow-up planning should be done in their geographic regions to develop specific programs and priorities. Such an approach will utilize the expertise of experienced professionals and knowledgeable citizens in each region and create the broadest base of support for the plan. Regional planning should lead to:

- establishment of an interdisciplinary team that will oversee implementation of the plan and services to runaway and homeless youth (including protocols for service delivery);
- designation of a single point of access for services;
- a comprehensive continuum of care for runaway and homeless youth that includes the following services:
  - \* in-home services;
  - \* family mediation services;
  - \* medical care;
  - \* 24 hour crisis line;
  - \* 24 hour access to services;
  - \* food and safe shelter;
  - \* case management;
  - \* detox services;
  - \* school trackers;
  - \* alternative and vocational education;
  - \* independent living preparation programs;
  - \* substance abuse treatment (including in-patient treatment);
  - \* peer helper programs (for parents and youth);
  - \* recreation opportunities;
  - \* mental health treatment; and,
  - \* public education and advocacy.

Those present singled out in-home services, school trackers and juvenile detox as high priority services for runaway and homeless youth in their communities.

Participants also emphasized that resources made available on a statewide basis must be flexible to meet the disparate regional needs. They also believed that schools were a key part of the service package for runaway and homeless youth in more rural areas. Schools

should work to keep runaway and homeless youth in school by reducing the number of suspensions and working more closely with parents.

### *Kenai Peninsula Borough*

Twenty-six representatives from Seward, Homer, Kenai and Soldotna attended a one day workshop in Soldotna on December 10, 1991, to address their region's runaway and homeless youth issues. These participants identified the following program/service areas:

- \* immediate, short-term, safe shelter for both runaway and homeless youth
- \* adequate social workers to serve the area
- \* additional foster homes for temporary placement of runaway and homeless youth
- \* expand human services in the area.
- \* the community of Seward expressed a need for better networking between existing programs/services
- \* third funding source for runaways

Homer has started a "Safe Harbor" non-profit organization under the umbrella of the Catholic Social Services in Anchorage to aid the homeless. "Helping our Teens" (H.O.T.) is the organizations first program. Its program goals are to:

- assist with food bank programs
- locate temporary living quarters in area homes
- locate permanent, reasonable rentals
- assist with employment
- improve communications between teens and parents
- provide a crisis line.

"Safe Harbor" is working directly with legislators to investigate the liability issues and a "Good Samaritan" law. This group has identified a need for a short term (1 to 3 days with a maximum stay of 2 weeks) safe home model for homeless youth. They will be meeting with representatives from the Kenai Peninsula Community Care Center and Youth Corrections staff to determine the feasibility of cooperative utilization of existing resources.

Two other groups, the Kenai Interagency Team and the Social Service Task Force, will continue their meetings regarding runaway and homeless youth in their area, and will carry forward strategies identified at the conference.

## *Kodiak*

A one-day conference on runaway and homeless youth was held in Kodiak on December 12, 1991. Conference participants concluded that the following are needed in the Kodiak area:

- \* Community must "own" problem/ combination of city, borough and state responsibility
- \* Safe housing with a home type environment probably a "safe home" model which is citizen based
- \* Centralized resources
- \* Heightening of public awareness
- \* Funding
  - from whom
  - how much
  - consider pull tabs from local service organizations
  - consider a "Ronald McDonald House" model
- \* Change legislation
- \* Research liability issues and "Good Samaritan" law
- \* Vocational skills for runaway and especially homeless youth

The conference in Kodiak resulted in an acute awareness of the extent of the runaway and homeless youth population in their community. Participants agreed to discuss the runaway and homeless youth issue at the Child Abuse Task Force meeting in January 1992 to determine if the two should be combined or whether to establish a separate Runaway and Homeless Youth Task Force.

## Consultant Recommendations

### *Follow-up Planning*

Meetings or other information gathering efforts should be initiated in geographic areas outside the Mat-Su Valley to complete the recommended strategies section of this report. This will allow individuals who were not able to attend the conference to contribute their expertise and experience to each area's plan. The information contained in this report can be used as a starting point for these regional discussions.

### *Need for Services*

It is clear that additional services for runaway and homeless youth are needed in the state. In most areas of the state inadequate services have allowed youth behaviors to escalate to the level of services they can access. Division of Family and Youth Services programs are the only services available in many communities. Consequently, youth must commit law violations or reach an observable level of abuse and neglect before the service system can respond. A more complete continuum of care is needed that provides for earlier intervention and more efficient safe shelter for runaway and homeless youth. In addition, programs specifically designed to meet the needs of runaway and homeless youth are likely to elicit the voluntary cooperation of juveniles who now refuse services.

The use of detention to provide safe shelter for runaways is directly related to the lack of appropriate shelter programs in the community. Debate over the criminalization of runaway behavior should follow, not precede, creation of a separate state funding stream for services to runaway and homeless youth. Once adequate services are in place in all parts of the state the need for new laws can be considered.

Several conference participants commented that existing state juvenile detention facilities were full and that funding for some of these facilities may be in jeopardy. It makes little sense to make running away from home a crime if the state (as a vehicle for allowing runaways to be placed in secure detention) has no way of providing a useful sanction for violation of the law. In addition, youth will quickly learn that the law has no teeth and runaway behavior will continue unabated.

## ***Prevention***

Throughout the Mat-su conference, several participants noted the need to develop specific strategies to prevent runaway incidents and youth homelessness. While this planning was beyond the scope of the conference, it remains an important unaddressed need. In addition, stabilization of the existing runaway population will allow programs to begin focusing on services that will prevent future family problems and subsequent runaway behavior.

## ***Continued Advocacy and Statewide Communication***

The professionals and citizens who attended these conferences are building the nucleus of a strong state network on runaway and homeless youth. They will share information and program technology, and advocate for the needs of this vulnerable population. A strategy should be considered to develop and support this network. In particular, a lead agency or agencies should be identified to coordinate the network.

## Participant Lists

### *Runaway and Homeless Youth Workshop Palmer, Alaska November 7 & 8, 1991*

Ducan Hunter  
Mat-Su Schools  
123 West Evergreen  
Palmer, AK 99645  
746-9200

Heidi Shumate  
Life Quest  
Wasey House  
230 E. Paulson Street #68  
Wasilla, AK 99687  
373-3449

B.W. Mac Armstrong  
Division of Alcohol and Drug Abuse  
3601 C Street  
Suite 358  
Anchorage, AK 99516  
561-3812

Kathy Summers  
Mat-Su Schools (PJMS)  
1159 S. Chugach  
Palmer, AK 99645  
745-3812

Karen Wilson  
Ft. Richardson Youth Services  
Ft. Richardson, AK 99505  
384-1508

Pascal Lambert  
Army Community Service  
Ft. Richardson, AK 99505  
384-1502

Guy Harrison  
Palmer Police Dept.  
423 S. Valley Way  
Palmer, AK 99645  
373-7775

Bill Tandeske  
Alaska State Troopers  
453 S. Valley Way  
Palmer, AK 99645  
745-2131

Shirley Whittingham  
Mat-Su Borough School District  
Palmer, AK 99645  
746-5484

Dace C. Boyd  
Mat-Su School District  
Palmer High School  
1170 W. Archer Ave.  
Palmer, AK 99645  
745-3241

Kathy Faris  
Mat-Su Schools  
650 Bogard  
Wasilla, AK  
376-5308

Joni Peterson  
FNA Family Focus  
313 7th Avenue  
Fairbanks, AK  
452-5802

Kent MacDougall  
FNA Family Focus  
313 7th Avenue  
Fairbanks, AK 99708  
455-2645

Mindy Hunter  
FNA Family Focus  
P.O. Box 84483  
Fairbanks, AK 99708  
455-6079

Paula Hunt  
Foster Parent  
P.O. Box 1983  
Palmer, AK 99645  
746-2645

Leslie Bogda  
Valley Women's Resource Center  
403 S. Alaska Street  
Palmer, AK 99645-6339  
746-4080

Candi Hullett  
Parent  
Meddac, AK  
384-0600

Renee Chatman  
Rep. Bettye Davis' Office  
3111 C Street #508  
Anchorage, AK 99503  
561-2039

Sandy Pevan  
P.O. Box 871256  
Wasilla, AK 99654  
373-6198

Steve Strube  
P.O. Box 521155  
Big Lake, AK 99652  
892-7760

Gladys Langdon  
DFYS  
550 W. 8th Avenue  
Anchorage, AK  
265-5080

Charm Mastriano  
DFYS  
268 Fireweed  
Palmer, AK 99645  
745-4836

Denise Prince  
Human Resources Co.  
1075 Check Street #101  
Wasilla AK 99654  
376-4836

Lois Pillifant  
Sen. Jay Kerttula's Office  
376-2675

Rep. Pat Carney  
(D) Anchorage  
373-2518

Darlene Sheal  
Box 738  
Palmer, AK 99654  
745-4258

Jayne Webb  
LifeQuest  
Mat-Su Crisis Line  
230 E. Paulson #68  
Wasilla, AK 99654  
376-2411  
Kathleen Wicker  
Human Resources Co.  
1075 Check Street #101  
Wasilla, AK 99687  
376-4836

Carolyn Frichette  
Division of Mental Health  
Juneau, AK 99811  
465-2195

Ted Beilman  
Sen. Jay Kerttula's Office  
Box 1009  
Palmer, AK 99654

Ken Fallon  
Family and Children's Clinic  
561 S. Denali Street  
Suite A  
Palmer AK 99654  
745-3327

Lois Conway  
DFYS  
268 E. Fireweed  
Palmer, AK  
745-1701

Rep. Randy Phillips  
(R) Eagle River  
Box 142  
Eagle River, AK 99577  
694-4749

James A. Steele  
LifeQuest  
230 E. Paulson  
Wasilla, AK 99687  
373-0132

Dolores Pinion  
Houston Jr/Sr High  
Big Lake, AK 99652  
892-9266

Bill Herman  
Mat-Su Council on Alcoholism  
2801 Bogard Road  
Wasilla, AK 99654  
376-4000

Judy Mathis  
Rep. Ron Larson's Office  
165 E. Parks Highway  
Suite 106  
Wasilla, AK 99687  
376-5211

Jimmy Rail  
City of Barrow  
Box 629  
Barrow, AK 99723  
852-5211

Betty Jo Engleman  
Juneau Youth Service  
P.O. Box 32839  
Juneau, AK 99801  
789-7610

Stacy Toner  
Juneau Youth Service  
P.O. Box 32839  
Juneau, AK 99803  
789-7610

Steve Richards  
Sen. Curt Menard's Office  
165 E. Parks Highway  
Suite 106  
Wasilla, AK 99654

Martin Poyourow  
Norton Sound Community Mental Health  
Box 966  
Nome, AK 99672  
443-5206

Peg Rogers  
Kids Are People  
701 E. Parks Highway  
Suite 206B  
376-9273

Sheila Gaddis  
Karen Brady  
Sara THoelke  
Helen Vickerson  
Susan Thompson  
Sue Wendling  
Tamara Williams  
Alaska Youth and Parent Foundation  
3745 Community Park Loop  
Anchorage, AK 99508  
274-6541

Josephine Angaiak  
DFYS  
Box 328  
Bethel, AK 99559  
543-3141

Emil Portscheller, Jr.  
P.O. Box 2544  
Palmer, AK 99654  
746-3011

Jane Barnes  
Covenant House  
609 F. Street  
Anchorage, AK 99501  
272-1255

Margaret Krause  
Youth Corrections  
286 E. Fireweed #5  
Palmer, AK 99645  
745-9527

Marie Congden  
LifeQuest  
P.O. Box 1085  
Palmer, AK 99645  
745-7733

Shirley Covington  
Health Services Coordinator  
Mat-Su School District  
690 Cope Industrial Way  
Palmer, AK 99645  
746-9527

Peter Burch  
Mat-Su Alternative School  
Wasilla, AK  
373-7775

Thomas Pease  
Rep. Pat Carney's Office  
165 E. Parks Highway  
Suite 106  
Wasilla, AK 99654  
373-2518

Michaele Giesler  
DFYS Probation Intake  
2600 Providence  
Anchorage, AK 99508  
562-2285

Scott Waterman  
KSKA FM 91  
561-1161

Rick Cooke  
Sen. Rick Halford's Office  
P.O. Box 190  
Chugiak, AK 99567  
694-4958

Vicki DeWalt  
Palmer Jr Middle School  
745-3812

Donis Morris  
McLaughlin Youth Center  
2600 Providence Drive  
Anchorage, AK 99508  
561-1433

Phil Snyder  
DFYS-Youth Corrections  
1502 Wilbur Street  
Fairbanks, AK 99701  
452-1581

Gene Shafer  
Fairbanks Youth Facility  
1502 Wilbur  
Fairbanks, AK 99701  
452-1581

Mary Stachelrodt  
Group One Consortium  
HCol 621 A  
Palmer, AK 99654  
745-8152

Gregory D. VanKirk  
DFYS  
268 E. Fireweed  
Palmer, AK 99645  
745-1701

Donna M. Schultz  
DFYS  
P.O. Box 110630  
Juneau, AK 99811-0630  
465-3085

Randall Hines  
DFYS  
P.O. Box 110630  
Juneau, AK 99811-0630  
465-3781

Ernesto Alvarez  
DFYS-Youth Corrections  
550 W. 8th Avenue  
Suite 302  
Anchorage, AK 99501  
265-5095

Patti Becker  
DFYS  
P.O. Box 110630  
Juneau, AK 99811-0630

*Runaway and Homeless Youth Workshop  
Kenai, Alaska  
December 10, 1991*

Joe Lawlor  
Safe Harbor  
Box 1133  
Homer, AK 99603  
235-7943

Tom Schroder  
Safe Harbor  
Box 2043  
Homer, AK 99603  
235-6223

Ginger Drais  
School District  
Box 691  
Soldotna, AK 99669  
262-7634

Nancy Orth  
Seward Life Action Council  
Box 402  
Seward, AK 99664  
224-5257

Marilyn Schoder  
Safe Harbor  
Box 2043  
Homer, AK 99603  
235-6223

Stan Vogel  
Sohi Counselor  
Box 1904  
Soldotna, AK 99669  
262-7411

Sen. Paul Fischer  
Box 748  
Soldotna, AK 99669  
262-9269

Joyce Fischer  
Sen. Fisher's Office  
Box 784  
Soldotna, AK 99669

Dan Morris  
Kenai Police Department  
107 S. Willow  
Kenai, AK 99611  
283-7879

Pat Malone  
Rep. Mike Navarre's Office  
34824 K. Beach  
Soldotna, AK 99669  
262-7842

Lucie Statr  
Catholic Social Services  
11127 Frontage Road  
Kenai, AK 99611  
238-3627

Lela McNutt  
DFYS  
110 Trading Bay #106  
Kenai, AK 99611  
283-3136

Nick Nanent  
DFYS  
110 Trading Bay #160  
Kenai, AK 99611  
283-3136

Karen Rogers  
DFYS-Youth Corrections  
145 Main St. Loop  
Kenai, AK 99611  
283-3128