

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

8539 HOUSE HEALTH EDUCATION & SOCIAL SERVICES

GOVERNOR

HANLEY

<p>PROJECT AREAS</p> <ul style="list-style-type: none"> ● Project areas specified for each project ● Statewide: <ul style="list-style-type: none"> - Unemployed Parents - Self-Employment ● At least two sites: <ul style="list-style-type: none"> - Community Work (1 urban, 1 rural) - Diversion 	<p>PROJECT AREAS</p> <ul style="list-style-type: none"> ● Project areas not specified by project ● At least 4 separate projects in 4 areas of the state ● At least one project in each of: <ul style="list-style-type: none"> - Municipality >25,000 population - Municipality between 5,000 and 25,000 population - Municipality or community <5,000 population
<p>BENEFIT REDUCTIONS</p> <ul style="list-style-type: none"> ● No provision 	<p>BENEFIT REDUCTIONS</p> <ul style="list-style-type: none"> ● Statewide 1.7 percent cut in AFDC payment levels



Representative Mark Hanley
Alaska State Legislature

MEMORANDUM

DATE: February 23, 1995

TO: Representative Cynthia Toohey
Representative Con Bunde
Co-Chairs, Health, Education & Social Services

FROM: Representative Mark Hanley *MH*

RE: HB 78 "An Act relating to public assistance"

This memo is to respectfully request that you schedule HB 78 for a hearing at your earliest convenience.

It has been said, the best way to reform welfare is to get people off welfare. According to a recent survey by the State Department of Health and Social Services, 88% of AFDC clients in Alaska said they would rather work than rely on public assistance. Most families on welfare want a way off--they want the self-sufficiency and pride that job training and employment bring.

HB 78 directs the Department of Health and Social Services to apply for a waiver from federal provisions governing AFDC programs to establish a "workfare" demonstration project. This project would require able-bodied AFDC recipients to work or perform community service, or have their benefits reduced. Incentives to work are provided in the form of higher income disregards and a higher vehicle allowance. The costs of child care and transportation necessary for participation are covered.

America is ready to "end welfare as we know it". Many states are using waiver projects to develop alternatives to the tradition of welfare; it is time for Alaska, with its growing welfare rolls and dwindling revenues, to step up to the plate. The bill's language on the demonstration project does not

REQUEST FOR HEARING

change state law, it simply guides the Department of Health & Social Services in exercising its authority to apply for and implement waivers to the federal program. Also included in the bill is a reduction in the assistance programs to offset the cost of the demonstration project.

Congress is currently hearing a plethora of welfare reform measures. One proposal would authorize federal block grants for welfare funding, giving states the flexibility to design their own programs. HB 73 would allow us a look into what may or may not work in Alaska, giving us an advantage in this process. The demonstration project could become state policy, putting us on the fast-track for real change in the welfare system.

HB 78 is an important piece of legislation; it is a step towards breaking the cycle of dependence on welfare by making self-reliance possible and preferable.

SECTIONAL ANALYSIS

House Bill No. 78
February 21, 1995

HB 78 amends existing statutes for the Aid to Families with Dependent Children [AFDC] and Adult Public Assistance [APA] programs. This legislation authorizes the Department of Health & Social Services [DHSS] to seek federal approval to operate an experimental AFDC demonstration project under the authority of section 1115(a) of the Social Security Act, authorizes imposition of certain modified AFDC eligibility criteria and requirements for participation in a mandatory work program on project participants, and establishes a ratable reduction in benefit payments for AFDC and APA programs statewide.

Section 1 Directs DHSS to seek authority from the federal government by December 31, 1995, to operate a demonstration project. This section provides DHSS discretionary authority to implement the project in the event of only partial federal approval of the waiver application.

Section 1 also allows the department to modify or discontinue the waiver application or project if federal law or regulation changes substantially affect it. It also directs DHSS, to recommend to the legislature any changes in statute needed to operate a fiscally responsible project.

Section 2 makes changes in AFDC eligibility provisions for purposes of operating the experimental demonstration project authorized under section 1.

Subsection 1 provides for an increase of the federally-set earnings disregard from the current short-term level of \$30 plus one-third of the remainder for two years to \$200 plus one-third of the remainder for a period of two years.

Subsection 2 waives the federal AFDC-Unemployed Parent "100 hour rule" that currently disqualifies two-parent families with a principal wage-earner working over 100 hours a month, allowing the recipient to work more hours and retain more income.

Subsection 3 waives the federal vehicle equity limit that disqualifies AFDC families who own a single vehicle worth more than \$2500, and substitutes a modified rule that allows possession of a combination of vehicles worth up to \$5000 before their value is counted in the \$1000 maximum resource asset test.

The modified requirements of Section 2 would apply in the project area defined in Section 4. AFDC families living in the project area would be randomly assigned to experimental or control groups. Members of the control group would be subject to normal AFDC eligibility requirements.

Section 3 establishes a "workfare" requirement as part of the demonstration project. It applies to the project area defined in Section 4. AFDC families living in the project area would be randomly assigned to experimental and control groups. Members of the control group would be subject to the normal JOBS program participation requirements.

Subsection (a) requires adult AFDC recipients in the demonstration project to participate in uncompensated work activities for 21 hours per week or compensated activities for 15 hours a week. It requires DHSS to sanction those who fail to participate as required by not including them as a member of the family in the eligibility determination for AFDC assistance.

Subsection (b) directs DHSS to subcontract with organizations in the project area to administer subsection (a) of this section if the organizations have had successful experience in the required areas. The department is required to determine who must participate in the activity as detailed in subsections (c) and (d).

Subsection (c) establishes exemptions from the workfare requirements for certain individuals participating in the demonstration, including:

- Individuals employed at least 15 hours per week - if they are working less than 15 hours, work time is credited toward the 21 hour requirement.
- Individuals participating in a Job Opportunities and Basic Skills training activity operated by the state JOBS program, or one operated by an Alaska Native organization.

- Individuals exempt from participating in the state JOBS program.
- Individuals determined by DHSS to be physically or mentally incapable of performing workfare activities.

It also prohibits DHSS from requiring individuals to participate in workfare unless childcare and transportation costs are paid.

Section 4 defines the project area for the demonstration project, which includes the Municipality of Anchorage, the Matanuska-Susitna Borough, the Fairbanks North Star Borough, and the North Slope Borough.

Section 5 requires other state agencies to cooperate with DHSS to implement the demonstration project.

Section 6 defines basic terms, defines the basic scope of the project, and authorizes DHSS to establish the project area within the constraints of Section 4.

Section 7 establishes a temporary statewide reduction of 1.7 percent in the maximum monthly AFDC payments to most families. The maximum payment for children living with a non-needy relative is reduced by a lesser amount to avoid bringing payment for 2 children below the federally established minimum of \$550; the amount payable to such family units in May of 1988.

Section 8 establishes a temporary statewide ratable reduction of 1.7 percent in the maximum monthly Adult Public Assistance payments to most recipients.

Section 9 allows the Department to start adopting regulations to implement the ratable reductions immediately.

Section 10 repeals the entire act July 1, 2000.

AID TO FAMILIES WITH DEPENDENT CHILDREN
Maximum Monthly AFDC for Family of Three Persons
Standard of Need and Maximum Benefit Payment as of October 1, 1994

State	Need Standard 3 Persons*	Maximum Benefits 3 Persons	Maximum Benefits Ranking	Benefit as a Percent of Poverty*	Rank by Percent of Poverty
Alabama	673	160	51	15.6%	51
Alaska	975	923	1	71.9%	1
Arizona	954	347	33	33.8%	33
Arkansas	705	204	47	19.9%	47
California	715	607	6	59.2%	6
Colorado	421	421	20	41.0%	20
Connecticut	735	735	2	71.6%	2
Delaware	338	338	35	32.9%	35
Dist. Of Columbia	712	420	21	40.9%	21
Florida	991	303	40	29.5%	40
Georgia	424	280	43	27.3%	43
Hawaii	1,140	712	4	60.3%	5
Idaho	991	317	38	30.9%	38
Illinois	890	367	29	35.8%	29
Indiana	320	320	37	31.2%	37
Iowa	849	426	18	41.5%	18
Kansas	396	396	25	38.6%	25
Kentucky	526	228	46	22.2%	46
Louisiana	658	190	48	18.5%	48
Maine	553	418	22	40.7%	22
Maryland	507	366	30	35.7%	30
Massachusetts	579	579	7	56.4%	7
Michigan	509	424	19	41.3%	19
Minnesota	532	532	11	51.9%	11
Mississippi	368	368	28	35.9%	28
Missouri	312	285	42	27.8%	42
Montana	478	389	26	37.9%	26
Nebraska	364	364	31	35.5%	31
Nevada	699	348	32	33.9%	32
New Hampshire	1,405	307	39	29.9%	39
New Jersey	985	443	16	43.2%	16
New Mexico	381	381	27	37.1%	27
New York	577	577	8	56.2%	8
North Carolina	544	266	44	25.9%	44
North Dakota	501	501	13	48.8%	13
Ohio	901	341	34	33.2%	34
Oklahoma	645	324	36	31.6%	36
Oregon	460	460	15	44.8%	15
Pennsylvania	587	403	24	39.3%	24
Rhode Island	554	554	9	54.0%	9
South Carolina	440	440	17	42.9%	17
South Dakota	491	491	14	47.9%	14
Tennessee	500	185	50	18.0%	50
Texas	751	188	49	18.3%	49
Utah	553	415	23	40.4%	23
Vermont	724	724	3	70.6%	3
Virginia	322	291	41	28.4%	41
Washington	1,158	546	10	53.2%	10
West Virginia	497	249	45	24.3%	45
Wisconsin	647	517	12	50.4%	12
Wyoming	674	674	5	65.7%	4

Note*

Need standard is the maximum monthly allowable income as defined in state and federal regulations.

The percent of poverty is based on the 1994 Federal Poverty Guideline (FPG) for a family of three persons converted to a monthly rate.

The FPG for all states is \$1,026, except Alaska, which is increased 25 percent to \$1,284; and Hawaii which is increased 15 percent to \$1,180.

Source: U. S. Department of Health and Human Services, Administration for Children and Family Services, untitled draft document dated December 1994.

DEMOCRATIC LEADERSHIP COUNCIL

THE NEW DEMOCRAT

VOLUME FIVE, NUMBER 5

DECEMBER 1993

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MAKING WELFARE WORK

Will Marshall
Lyn A. Hogan
Theresa Funicello
Andrew Cooper
Lee A. Bowes

MAKING WELFARE WORK

INVESTMENT ♦ FROM ON THE MIDDLE CLASS

UNDER INDICTMENT

Americans Want To Change, But Not Demolish, the Welfare System

BY WILL MARSHALL

Nothing better exemplified candidate Bill Clinton's commitment to fundamental change than his promise to "end welfare as we know it." More than any other, this pledge defined him as a New Democrat determined to move beyond an exhausted left-right debate that is failing to confront America's most pressing problems.

In calling for a two-year limit on welfare, Clinton proposed the most radical reform in U.S. social policy since the New Deal. The notion that welfare should offer poor Americans transitional support en route to a job—rather than subsidize a way of life widely seen as divorced from work and responsibility—clearly struck a responsive chord with the public.

Recent surveys confirm that Americans, regardless of class or race, overwhelmingly want to change—but not demolish—the welfare system. People are less concerned about costs than about welfare's failure to encourage and reward the values most Americans live by: work and saving, marriage and family, individual initiative and a sense of responsibility to one's community. More than 90 percent of the public thinks that making welfare recipients self-sufficient is more important than removing them from the rolls to cut costs. Nearly as many support work requirements, even for mothers with young children.

Despite near-unanimous support for sweeping reform, the administration has been curiously slow off the mark. In a questionable strategic judgment, the White House delayed action on welfare and instead pressed ahead with a far more complicated and costly plan to overhaul the nation's health care system. The downgrading of welfare reform as a presidential priority has heartened both liberal defenders of the status quo and conservative opponents of new public efforts to help the poor. It also has blurred the president's New Democrat image even as his economic and health care initiatives define him in more traditional terms.

Still, as Lyn A. Hogan notes in this section, the administration deserves credit for giving Wisconsin approval to test a two-year limit on welfare eligibility in two counties. Other states likewise have proposed using a combi-

nation of carrots and sticks to move welfare recipients into jobs.

The indictment against America's welfare system has four main counts:

It undercuts incentives to work and isolates the poor in a separate welfare economy; it penalizes marriage and underwrites out-of-wedlock births and single parenthood; it empowers bureaucracies and social service providers rather than poor citizens; and it undermines values held by most Americans, rich and poor, perversely rewarding failure rather than success.

Although virtually every president in the last two decades has vowed to fix these defects, their tries at reform have foundered on ideological gridlock. Conservative resistance to spending more on social programs, coupled with liberal reluctance to demand more of welfare recipients, has ruled out anything more dramatic than marginal adjustments in the status quo. We are left with a welfare system that seems impossible to defend yet impossible to change fundamentally.

Apart from the fact that it comes from a Democrat, President Clinton's call for time-limited assistance is striking because it represents a great conceptual leap forward. Time limits would ensure that the requirement to work replaces the right to income maintenance as the organizing principle of welfare policy. Such a policy casts welfare not as an entitlement but as a compact of mutual obligation: While society owes everyone a chance to work, the beneficiaries of public aid have a corresponding responsibility to strive to support themselves. This approach says that all work confers moral dignity and can lead to self-sufficient citizenship.

Time limits, however, are not enough. Simply mandating a two-year limit, without other reforms, would only worsen the plight of 14 million welfare recipients, 9 million of who are children. Helping people develop their capacities—especially those with few resources and many problems—is an expensive proposition. Hence, a radical redesign of social welfare will cost more, not less, in the short run. In fact, the current welfare system has survived successive bouts of reform

precisely because it is a relatively cheap way to deal with the poor.

But spending more now to enable people to work will reap large dividends down the road: fewer people on public aid, more people working and paying taxes, and fewer children trapped in an underclass characterized by rampant unemployment, crime and illegitimacy.

President Clinton will have to strike a political bargain with the left and the right if he is to achieve his goal of making welfare "a second chance, not a way of life": Liberals will have to accept time limits, and con-

servatives will have to accept higher social costs.

In addition to time limits, a progressive, work-based social policy requires five key policy shifts:

- First and most important, we must make work pay. Low-wage jobs simply can't compete with the package of benefits available in the welfare economy. For example, a welfare recipient in Ohio may collect a maximum basic welfare grant (Aid to Families with Dependent Children plus food stamps) of \$633 a month, or \$7,396 a year. However, she also is eligible for valuable Medicaid and child care assistance and possibly housing substi-

PAPA, PREACH

The Link Between Illegitimacy and Dependency

BY LYN A. HOGAN

While politicians and policy experts wrestle with ways to end welfare dependency, a pandemic of illegitimate births guarantees rising demand for social services. More teenagers than ever are having babies out of wedlock, and the majority of those teens and their children are ending up on welfare, often for very long spells.

In the past, widowed and divorced mothers were the primary beneficiaries of the main welfare program, Aid to Families with Dependent Children. Since the 1980s, though, the divorce rate has stabilized while the trend toward illegitimacy has skyrocketed. The proportion of all families with children that are headed by single women grew from 18 percent in 1980 to 30 percent in 1991. The Congressional Budget Office attributes 81 percent of the growth in female-headed families during 1991 to never-married

mothers, many of them teenagers. That same year there were roughly 576,000 births to unmarried teens, and the number keeps growing.

Never-married motherhood causes a host of problems, especially for teenagers, that fosters welfare dependence. In 1990, for example, the average income of a family headed by a never-married woman was \$8,337, compared with \$15,762 for a family headed by a divorced mother and \$39,076 for a two-parent family. Never-married mothers are the least likely to earn high school diplomas, and only 20 percent collect child support from absent fathers, compared with 77 percent of divorced mothers. According to Douglas J. Besharov of the American Enterprise Institute, at least 40 percent of never-married mothers receiving AFDC will remain on the rolls for 10 years or more, compared with 14 percent of

divorced women.

Teenage mothers, who never marry, have the highest risk of becoming long-term welfare dependents. A 1990 report by the CBO shows that half of all unmarried teen mothers receive AFDC within a year of the birth of their first child, and three-fourths receive AFDC by the time their first child turns 5. Child Trends, Inc. estimates that 43 percent of all mothers who receive welfare for 10 years or more started their families as unwed teens.

The cost to federal taxpayers of families begun by teenagers is enormous—almost \$29.3 billion in 1991 for AFDC, food stamps and Medicaid alone, the Center for Population Options estimates. Given the current trend, these costs will only spiral upward.

Lyn A. Hogan is the social policy analyst for the Progressive Policy Institute.

dies. Yet, if she takes a 40-hour-a-week job at the minimum wage of \$4.25, she will make only \$8,840 a year, nearly \$3,000 below the poverty line for a typical family of three. It makes little sense to exhort welfare recipients to work if that means lowering their standard of living or leaving them without health care.

The alternative is to shift public subsidies from welfare to work, so that what people earn from low-wage jobs and subsidies always exceeds what they collect for not working. At the president's request, Congress this year took a giant step in this direction by expanding the earned income tax credit, a subsidy to low-wage workers. Together with food stamps, the EITC should be sufficient so that even a minimum-wage job would lift a full-time worker and her family out of poverty. Working mothers also will need more transitional assistance for child care and perhaps housing as they move from welfare to private jobs.

- Second, we must assure universal access to health care. When welfare recipients take a job, they soon lose Medicaid benefits worth about \$3,000 a year. The jobs they are most likely to take rarely offer health insurance or pay enough to let them buy their own policy. Health care reform must guarantee universal access and so remove a serious obstacle to work.

- Third, we must strengthen child support enforcement to supplement the income of poor families. Even with expanded subsidies for work, many single mothers who lack education and skills will remain on the financial edge. Their children deserve the support of both parents, yet only 20 percent of never-married mothers collect child support from absent fathers. We need to crack down on deadbeat dads and encourage mothers to cooperate by letting them keep more of their child support payments.

- Fourth, we must expand welfare-to-work efforts by public agencies, nonprofit groups and even private businesses. As Lee A. Bowes notes in this issue, while studies show that education and training programs can lead to marginal increases in earnings, such gains are rarely enough to lift a family out of poverty. On the other hand, innovative ventures such as America Works and Chicago's Project Match, profiled in this issue by Andrew Cooper, show that with intensive support, even long-term welfare recipients can get and hold private jobs with decent pay and benefits.

This is not to deny that many welfare recipients need more education and training. The question is, should their entry into the job market be delayed while they attend training classes? That may make sense for some—especially teen-age mothers who dropped out of school when they became pregnant. But for adults, get-

ting a job is usually a better bet than getting generic training that may be irrelevant to the local job market.

A recent Manpower Demonstration Research Corporation study of California's GAIN program confirms this view. The study found that programs that stress work, offer intensive job placement and work closely with local employers to determine training needs have been more successful at both reducing welfare rolls and increasing earnings than programs that stress education and training. This should not be surprising: Most people learn their jobs on the job. What welfare recipients need more than anything else is to be reconnected to the world of work. Moreover, such efforts should begin when a person joins the welfare rolls, not when she reaches the two-year limit. The best time-limited welfare system is one in which no one ever hits the limit, as David Ellwood, assistant secretary of planning and evaluation at the Department of Health and Human Services, has said.

- Fifth, we must offer community-service jobs for people who can't find or keep private jobs. If society is to require work as a condition of public assistance, it must guarantee the opportunity to work. But community-service jobs at a minimum wage should be a last resort. Wage subsidies for private jobs, and other transitional benefits, should create a differential that always makes private work a better paying proposition. Our new social welfare system should be characterized above all by closer ties with private employers and should work to reduce the stigma now attached to welfare recipients as they seek employment.

These five initiatives would move us from a system centered on income maintenance and consumption to a system oriented around work and the development of personal assets. In addition, welfare reform should be reinforced by an array of empowering initiatives, including individual development accounts to encourage saving and asset-building; microenterprise to encourage self-employment; tenant management and ownership, to encourage public housing residents to handle their own affairs; and social service vouchers, to give poor people more control over the services created for them.

It's impossible, of course, to subsidize private jobs that don't exist. A crucial question for backers of the time-limited approach is whether there will be enough jobs for welfare recipients seeking work. Liberals say expanding welfare rolls show that jobs are not available; conservatives point to the want ads and the fact that immigrants seem to find jobs here. In truth, however, no one knows the answer because the supply of jobs is

dynamic, always expanding and contracting. Time limits are the only way to find out whether our labor markets can absorb the estimated 1.5 million people who would need jobs two years after the limit was imposed.

Finally, as we figure out how to help people leave welfare, we need to redouble efforts to prevent them from entering the system in the first place. A serious prevention strategy must take aim squarely at the explosion of out-of-wedlock births to teen-age mothers. As Hogan details in an accompanying article, illegitimacy is closely linked to welfare dependency.

There are lots of devilish details to be worked out,

and a work-based social policy will be no more immune to the law of unintended consequences than others. All this suggests the need for a lengthy transition, lots of state experiments with ways to move people into private jobs and to create and monitor community service jobs, and much more rigorous evaluation of these efforts. Nonetheless, President Clinton should press ahead. If he makes 1994 the year of replacing welfare with work, he will find a public eager for change and ready to support his resolve. ♦

Will Marshall is president of the Progressive Policy Institute.

THE SOUP KITCHEN ELITE

'Good Guys' Always Find a Way To Get Money for Themselves

BY THERESA FUNICIELLO

WOODSTOCK, N.Y.

Poverty in America is a megabusiness. With remarkable creativity, every time our social welfare institutions discover or redefine a need of poor people, the "nonprofit" agencies find a way to get money for themselves. In the meantime, poor people have become increasingly poor. It was not quite by accident. Or quite by design.

Instead of helping the poor directly by spending enough money to provide them with adequate benefits, the social welfare system is indirect. Instead of offering a welfare mother enough money to buy decent food and housing for her children, the system offers her food pantries and homeless shelters and information and referral services. The idea, of course, is that she can't be trusted to use money wisely and that it is more prudent to offer her services. The result, however, is an elaborate series of poverty bureaucracies that are wasteful and inefficient. But because the people who run these bureaucracies are "good guys," their motives are rarely questioned and their effectiveness is rarely evaluated.

A triad of interests converged to create this perverse exchange. These three are the nonprofit agencies that lobby for services and later deliver them, the for-profit corporate sector and wealthy individuals who fund nonprofits to influence government policy, and the government officials and bureaucrats whose stars rise and fall

with each wave of public policy. The nonprofits and for-profits interface with government as personnel rotate in and out of staff positions. They are also frequently linked through interlocking directorates. And layers of elected officials influence the contracting-out process in a covert exchange for an array of future campaign contributions. Each of the "helping hands" washes the others while counting the bounty of its good intentions.

Their power is directly proportional to the amount of money they control, the size of their bureaucracies and the successes they claim. Since they are the "good guys," the media tend to report their self-representations uncritically. The result is social policy fashioned by relatively few individuals. Often irrational even on its face, it is the public consequence of virtually private decision-making.

The system fails us all, not by spending too much money on poor people, but by spending so much on their surrogate: the social welfare establishment that purports to represent these people. In particular, by using welfare mothers as public punching bags and ascribing multiple failures to them, the players position themselves to "fix" the women. Those now referred to as the "underclass" are regular subjects of social scientists (biased only by the sources of their paychecks) and the objects of innumerable cures by social welfare charlatans.

Single mothers, in spite of being employed outside the home in ever greater numbers, have become more frequently and more desperately poor. For those on Aid to Families with Dependent Children, benefits nationwide have plummeted in purchasing power in the last two decades. In part, the decline in the value of AFDC was a direct consequence of the expansion of the non-profit world. For instance, every time a charity fought for government money to increase the distribution of surplus food and other commodities, poor people's modest political power was squandered. But the money went neither to food purchases (for the most part) nor to the people who needed some. It paid for offices and warehouses and trucks and stoves and salaries and amenities for the soup-kitchen elite.

Consider the example of Second Harvest, a Chicago-based nonprofit corporation controlled by some of the country's biggest consumer product manufacturers and distributors, including the Kellogg Co., the Stop & Shop Cos. and McDonald's Corp. Second Harvest's operating expenses—supported by corporate and individual donations, government contracts and grants—are reported at \$14 million. But Second Harvest is not a warehouse for groceries. It is a set of polished offices where discarded corporate donations are brokered to food banks. Second Harvest's cash is used for salaries, rents, computers and accountants.

Second Harvest assists corporations by taking products that they cannot sell because they have reached their expiration date, have been poorly packaged, short-weighted, overproduced or damaged. Before the advent of organizations like Second Harvest, most of these items would have been dumped at corporate expense. Now, the corporations get a tax break, regardless of the quality of the products they are donating. Half of what is accepted as tax-deductible is immediately dumped by the food-bankers—in local landfills, also on the taxpayers' tab. The rest is only partly food and only partly nutritious. Items such as meat tenderizer, Cocoa Puffs, hair spray and diet soda top the list. The "cost" of getting an actual head of lettuce to a family can be as much as three times the retail value. Frankly, most mothers would rather have the cash.

At its best, our patchwork of social policies tends to focus on symptoms rather than solutions. For example, advocates agree that the common denominator of low-birthweight babies is the poverty of the mothers. You would think that the solution would address that. Yet advocates merely propose more prenatal care. More jobs for health-care professionals will not change the unalterable fact that mothers need to eat enough food

to have healthy birthweight babies. Food cannot be prescribed by a physician or dispensed by a pharmacist, nor is it ever likely to be distributed through an IRS-driven garbage market. Giving mothers money to buy food will ensure that they get it. But for some reason, health-care advocates generally leave the income/resource distribution issue alone.

In spite of a relentless pursuit of government contracts and donated dollars, the poverty industry, unlike the welfare mother, is rarely subjected to serious scrutiny. It is accountable to no one. Unless a provider is caught with a hand in the till, it is free to do virtually anything. No one is forced to measure and produce X amount of anything. And not a soul will ask the people who receive the services to evaluate their quality.

When affluent people decide a service isn't up to snuff, they vote with their feet and their pocketbooks. Poor people have no similar recourse to the power of the market: They are denied a say about which services they need and which providers can best satisfy those needs.

Shouldn't we be just as angry about a child raised in foster care to the tune of \$50,000 annually who ages out of the system without being able to live independently as we were about the \$600 hammers procured by the Pentagon? Shouldn't we be angrier? One-third of the children in foster care are there because their mothers are homeless.

There is more than enough money wasted in this nonprofit patronage game on unwanted, unneeded and incompetently delivered services than it would take to provide income security to everyone. Last year, the nonprofit sector in this country took in \$125 billion in tax-deductible contributions alone. Money isn't the problem. Politics are. After all, a young widow with children can get Social Security survivors' benefits at four times the average rate of AFDC payments, and she will stay on the rolls many more years than her welfare counterpart. No one worries about her "dependency" or about the costs to the U.S. Treasury, or whether her children will grow up seeing the proper connections between "work" and income.

It's time to start asking real questions about ourselves as a people, the limits of our system of resource distribution, the abuses of power inherent in contracting out and our mean-spirited policies that save one family and throw another away. It's our tyranny of kindness. ♦

Theresa Funicello, a former welfare mother and welfare rights advocate, is the author of Tyranny of Kindness—Dismantling the Welfare System To End Poverty in America.

THE TRAINING TRAP

Research Shows the Best Path From Welfare to Work Is a Straight Line

BY LEE A. BOWES

President Clinton's plan to revamp the welfare system has rekindled a debate between those who believe education and training is the best route from welfare to work, and those who believe in a direct path—placing people in jobs that offer decent pay and benefits.

The argument has been going on for a long time, and the education-and-training camp has had the upper hand for most of it. This is beginning to change, and none too soon. The president's plan will succeed only if it puts welfare recipients into jobs where they can get experience. A growing body of research backs this view.

Previous federal stabs at welfare reform have been disappointing, to say the least. The Aid to Families with Dependent Children program had an education and training component that began in the 1960s. The Work Incentive program, or WIN, technically required women to participate once their youngest child turned 6. Partly because of inadequate funding, it never really worked.

The federal government vastly expanded job training for the disadvantaged in the '70s and '80s through the Comprehensive Employment and Training Act and its successor, the Job Training Partnership Act. Studies of both found that they have largely ignored the needs of the most disadvantaged. Just last year, for example, the Labor Department issued new regulations for JTPA to address concerns that the program benefits white men almost exclusively.

By the late '80s, welfare caseloads were growing, and a consensus was emerging that recipients should be obliged to engage in some sort of activity leading to self-sufficiency. Congress responded by passing the Family Support Act, which required states to enroll a certain percentage of their caseloads in education, job training or job search programs. The program's overwhelming emphasis, however, has been on education and training rather than placement in jobs.

Recent research supports the view that a strategy focused on finding people jobs first rather than on enrolling them in training classes is the answer. In their

study, Judith Gueron and Edward Pauly found little evidence that education and training helps welfare recipients get jobs. And government-sponsored programs such as CETA, JTPA and proprietary and vocational schools failed to prepare people for the labor market, according to researcher Paul Osterman. Unlike apprenticeship programs in Germany and Japan, he says, the American programs fail to integrate themselves in companies' recruitment and employment systems. Other findings:

Previous federal stabs at welfare reform have been disappointing, to say the least.

The Work Incentive program, or WIN, technically required women to participate once their youngest child turned 6.

Partly because of inadequate funding, it never really worked.

- A recent analysis of a Rockefeller Foundation-funded job-training demonstration program for single minority mothers found that only one of four sites, in San Diego, was showing positive results. The researchers attributed its success to an aggressive approach to job-specific training and marketing to employers.

- The Manpower Demonstration Research Corporation recently finished a two-year study of California's GAIN program, which tries to move welfare recipients into activities leading toward independence. It found that Riverside County had the greatest success in getting candidates into jobs. The researchers said this was

because the program focused on getting jobs, kept up relationships with area employers and encouraged welfare recipients to be flexible about taking jobs.

- The Urban Institute recently published a study of Washington state's Family Independence Program, a voluntary training program. The researchers said the program is failing to increase employment because it lacks ties to the job market.

- Michael Dowling, New York state's newly appointed commissioner of social services, has redirected all welfare department activities and funds into a jobs-first strategy. Education and training are considered secondary.

My own research, published as *No One Need Apply: Getting and Keeping the Best Workers*, indicates that employers hire largely through networks and informal systems. The adage "it's who you know, not what you know" is alive and well in American business. Welfare-reform policies without a strategy aimed at penetrating the job market are doomed to fail.

In a traditional welfare-to-work program, people get classroom training and help writing a resume, and then they are expected to find the job themselves. At America Works, half of our staff members are selling a service to corporations—a four-month trial employee in which the businesses save up to \$2,500 in combined benefits and taxes. During the trial an America Works staff member acts as a full-service human-resource department for the worker, arranging day care, child care, helping to pay overdue bills—you name it.

We're paid a fee only if the person gets a job and stays on a company payroll an average of six months. According to a study by Ernst and Young, 85 percent of the first 750 people we placed in jobs are still employed. Their average stay on welfare had been five years. Their average annual pay was \$15,000, and more than a third had received promotions and raises.

The evidence is clear: If you want to move people from welfare to work, you have to help them find jobs. It's time for classroom training to take a back seat. ♦

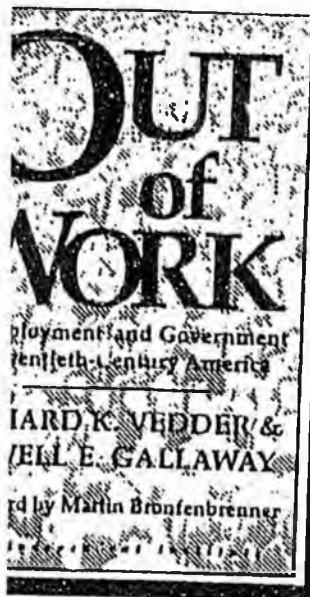
The adage "it's who you know, not what you know" is alive and well in American business. Welfare-reform policies without a strategy aimed at penetrating the job market are doomed to fail.

America Works, the for-profit company I founded with my husband, is rooted in the belief that the job-finding service is distinct from the education and training service. (See *The New Democrat*, May 1993.) The America Works model was created to help people find jobs, support their transition to work and remove disincentives to work. We have contracts with New York, Connecticut and Indiana and with Indianapolis.

Here's how America Works works. People on welfare hear about us through word of mouth. We screen people only to make sure they're eligible for our services. We believe strongly in motivation. Participants must be on time and have perfect attendance the first week of the program. After about five weeks in classes—where they learn interview techniques, appropriate dress and behavior, basic office skills, etc.—we get them a job at a company, but on our payroll.

Lee A. Bowes is chief executive officer of America Works.

most comprehensive book ever on unemployment in the United States." — GEORGE GILDER



Out of Work is a triple hit: an engaging history of a century of U.S. economic history that puts wage rates adjusted for productivity in context; explains unemployment patterns; and explains the mythology that high wage rates and government spending reduce unemployment; a history of the long-headed public policies since 1930 that have raised unemployment levels.
— J. SCHEWARTZ
Bureau of Economic Research

Out of Work is fascinating and brilliant — a must read and an important book.
— RICHARD A. KUDLOW
Managing Director and Chief Economist
Hewlett-Packard Company

Out of Work is essential for economists, labor market researchers, and especially for social scientists, and especially for those who are interested in and concerned about unemployment.
— T. BENNETT
Director of Labor Research

The specter of unemployment is increasingly used to justify ever bigger government programs — from continuing high military expenditures to a return to New Deal-type make-work agencies. Now, *Out of Work* amasses relentless and devastating evidence that the major cause of high unemployment, both cyclical and secular, is government itself.

Out of Work challenges Keynesian fiscal demand-management and shows that such policies as minimum wages, legal privileges for unions, civil rights legislation, unemployment compensation, and welfare have all played significant roles in generating joblessness. Too, *Out of Work* lucidly and absorbingly recounts the history of American unemployment. It demonstrates, for example, that the policies of both presidents Herbert Hoover and Franklin Roosevelt not only prolonged and exacerbated the unemployment of the Great Depression, but directly contributed to the depression's banking crisis as well.

In short, *Out of Work* redefines the way we think about one of the most explosive issues of the twentieth century.

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Joint Economic Committee of Congress

"Vedder and Gallaway show convincingly that we need once again to rethink our entire notions of unemployment. Sixty years of the welfare state together with intrusive government regulations have given us problems largely unreachable by federal policies designed to cope with cyclical unemployment. In effect, you cannot turn a standard screw with a Phillips (curve) screwdriver."
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Professor of Economics, Northwestern University

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Welfare Reform, Dependency Reduction, and Labor Market Entry

ROBERT RECTOR

The Heritage Foundation, Washington, DC 20002

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Dependency reduction requires altering the welfare incentive structure: reducing the rewards for nonwork and increasing the rewards for work. Requiring welfare recipients to work in exchange for welfare benefits reduces the attractiveness of welfare and is crucial to dependency reduction. However, most current workfare programs impose minimal requirements on welfare recipients and are ineffectual. This paper proposes methods for improving workfare as well as other reforms.

1. Introduction

Today nearly one out of eight American children is being raised on welfare under the Aid to Families with Dependent Children (AFDC) program. Almost one out of ten Americans receives Food Stamps. With total means-tested welfare spending exceeding \$225 billion annually, or around \$7,000 for every poor person in the U.S., welfare now consumes four percent of the Gross National Product—the same level as during the Great Depression, when a quarter of the labor force was unemployed (Rector, 1992b).

Not only has the cost of welfare become exorbitant, but many also believe that the present system has greatly contributed, over the last 25 years, to the rise of a new set of "behavioral poverty" problems including eroded work ethic and dependency, lack of educational aspiration and achievement, increased single parenthood and illegitimacy, criminal activity, and drug and alcohol abuse.

The onset of the War on Poverty directly coincided with the disintegration of the low-income family—the black family in particular. During the mid-1960s when the War on Poverty began, the black illegitimate birth rate was roughly 25 percent—today it has risen to 65 percent and, if current trends continue, will reach 75 percent in ten years. Similar trends are found among low-income whites. A second key problem in welfare policy is long-term dependence: 65 percent of the 4.3 million families currently on AFDC will stay on for over 8 years; 82 percent will be on for over five years. Only 7 percent will receive welfare for less than two years (Committee on Ways and Means, 1992, p. 685). This pattern of dependence is passed from one generation to another. With all other socioeconomic variables held constant, being raised in a single-parent AFDC family doubles the probability that a woman will give birth

are dependency they should reduce welfare benefit levels or at least not increase those benefits in real dollar terms.

V. Altering Benefit Reduction Rates

As noted, means-tested programs provide benefits to households below specified income levels. In theory, a program could offer full benefits to all households with earnings below, say, \$10,000 per year and no benefits to households with earnings above that level. In practice, this is seldom done because an abrupt termination of benefits creates a "notch" effect in which net income falls as earnings rise. For example, assume a welfare program provided \$2,000 in benefits to households with annual earnings below \$10,000, and zero benefits to those with earnings above \$10,000. If a household had earnings of exactly \$10,000, its net income, combining earnings and welfare, would equal \$12,000. If the household's earnings, however, rose by one dollar to \$10,001, all welfare benefits would be eliminated. Net income would fall by \$1,999 as a result of one dollar of extra earnings. For this reason, welfare benefits are usually lowered incrementally as earnings rise. The benefit reduction rate (sometimes called the marginal tax rate of the program) measures the cut in benefits per dollar of earnings. Although the rules are detailed and technical, basically AFDC benefits are cut by one dollar for each dollar of earnings. Food stamps are cut by 50 cents for every dollar of earnings.

Lowering benefit reduction rates (cutting benefits less per dollar of added earnings) is a perennial favorite proposal of legislators seeking to promote work effort. However, both theory and empirical evidence indicate that this policy will not achieve its intended result. While higher maximum benefit levels have an unambiguous income effect which reduces labor, lowering benefit reduction rates generates both income and substitution effects which offset each other. Contrary to the conceptions of most legislators, SIME/DIME in fact showed that lower benefit reduction rates yielded lower labor force participation, i.e., the income effect dominated the substitution effect (SRI International, 1983, p. 127).

The history of the AFDC program shows that lower benefit reduction rates have little or no effect in reducing dependence. Prior to the 1970s, the AFDC program had a benefit reduction rate of roughly 100 percent; during the 1970s, the benefit reduction rate was cut to around 66 percent; in 1981, it was returned to 100 percent. But the lower benefit reduction rate in the 1970s did not reduce dependence. While some AFDC mothers may have been induced to work more, the lower benefit reduction rate made AFDC more attractive and drew more mothers into the welfare program to start with. And the lower benefit reduction rate also encouraged mothers who otherwise would have worked full time and exited from AFDC entirely to work part time, combining wage and welfare income, and thereby remain on welfare longer (Levy, 1979).

However, one program where benefit rate reductions could have a pro-labor effect is Medicaid, the only major welfare program with a substantial "notch."

Historically, a welfare mother lost all Medicaid coverage when she lost AFDC eligibility. Thus, each dollar of added earnings reduced AFDC benefits by one dollar, but the marginal dollar of earnings which eliminates the last dollar of AFDC payments simultaneously rendered the mother's family ineligible for Medicaid coverage worth between \$3,000 and \$4,000 per year. Although Congress has attempted to assuage this dilemma through several measures, including transition benefits which allow a family to retain Medicaid coverage for 12 months after losing AFDC eligibility, a substantial "notch" problem still remains (Ellwood, 1990).

Some analysts have maintained that providing Medicaid-type coverage to all working single mothers would spark an exodus of AFDC mothers into the labor force, dropping the AFDC caseload as much as 16 percent (Moffitt, 1989). However, providing medical coverage of unlimited duration only to single mothers or only to families which have previously been on AFDC would create critical equity problems vis-à-vis low-income, working, two-parent families who have never been on welfare but currently lack medical coverage. Also providing long-term, free medical coverage to those exiting from AFDC poses an invitation to many families to enroll in AFDC precisely to obtain such coverage. (This issue will be discussed further in the section on wage supplements below.)

V. Performance Requirements

Most welfare programs today have no performance requirements; persons who meet the categorical and income criteria are simply given assistance and are expected to contribute nothing in exchange for the aid given.⁵ This practice represents a sharp break from the past; during the Great Depression, for example, beneficiaries were expected to work for aid received through programs such as the Civilian Conservation Corps and the Works Progress Administration.

Most discussion of welfare reform today involves returning to earlier principles by requiring beneficiaries to work or engage in other activities for the aid they receive. A Gallup poll conducted in November 1991 showed that most Americans favored requiring welfare recipients to work in exchange for the benefits given them. A full 79 percent of those polled agreed that the government should require "able bodied people on welfare, including women with small children, to do work for their welfare checks" (Marshall, 1992, p. 225). As a candidate, President Clinton proposed to require welfare recipients to work in exchange for benefits after two years on the rolls.

Under the impetus of the Reagan reforms of 1981 and the Family Support Act of 1988, states are experimenting with a variety of performance requirements under the loose and somewhat misleading term of "workfare." Workfare, in fact, refers to three distinct types of required activity.

Job Search. These programs require welfare recipients to seek employment. In a group job search program, for example, an individual will be required to receive up to a week's training on how to find a job. This may be followed by several weeks of participation in a phone bank where recipients are required to report to the wel-

biased in favor of programs that offer extensive education, childcare, and support services—and are oblivious to the possibility that such generous services may actually attract more people onto the welfare rolls (O'Neill, 1990, p. 100).⁸ The MDRC method now almost monopolizes workfare evaluation. While this method yields useful information on welfare exits, it should be complemented by other techniques capable of measuring dissuasion effects.

VI. Examples of Effective Workfare Programs

Although most discussion of workfare is presently dominated by the MDRC evaluations, showing modest results, studies of several less-known workfare programs show dramatically higher impacts on dependency. These programs impose much more rigorous performance requirements on welfare recipients, and were evaluated either by time series data or through county by county comparisons which capture dissuasion effects.

The importance of *dissuasion effects* can be seen quite clearly in an experiment conducted in Washington state in the early 1980s (Fiedler, 1983). Under the Intensive Applicant Employment Services (IAES) project, new applicants to AFDC were placed immediately in organized job search for up to 30 days before the initial AFDC grant was awarded. Those applicants who failed to obtain employment during the initial month were subsequently enrolled in AFDC. The project sent a clear message that work was expected and that welfare was to be a last resort.

IAES was carefully evaluated as a pilot project. Some fifty counties and other jurisdictions were sorted into pairs in which each county was matched with another county as similar as possible demographically, socially, and economically. Random assignment was then used to designate an experimental and a control county within each matched pair. Within the experimental counties some 80 percent of new applicants were exempted from the IAES job search requirements because they were mothers with children under three or because the family's financial straits made postponing the initial welfare check impossible. Despite the fact that the number of new applicants who were required to search for work before receiving welfare was limited, the IAES requirements and the moral message they conveyed had a striking effect in discouraging new AFDC applications. During the evaluation period, the number of AFDC applications rose sharply throughout Washington state, but the increase was far less in IAES counties. When compared to control counties without the IAES program, the job search requirement was found to have reduced new AFDC applications by 15 percent.

The message conveyed by the IAES program also appeared to linger in the minds of new welfare applicants even after they were enrolled in AFDC and the IAES requirements were terminated. New AFDC enrollees in IAES counties were more likely to leave AFDC within the first year after enrolling, reducing the new applicant caseload by another 7 percent. Thus, the combined dissuasion and exit

effects of the IAES program cut first year welfare costs of new applicants to AFDC by one-fifth overall.

Recent research on pilot projects in Ohio also shows that rigorous workfare programs can dramatically reduce welfare dependence (Schiller and Brasher, 1993). In the Ohio programs, primary emphasis was placed on community service work rather than job search or training. At any given point in time roughly two-thirds of participants were performing mandatory community service work for up to 40 hours per week. Work requirements were continued as long as the individual received welfare benefits; this approach differed greatly from conventional short-term workfare programs which require recipients to work for a few months but then suspend the work obligation and allow the recipient to continue to receive benefits without further work obligation.

Around 25 percent of single mothers on AFDC were required to perform community service work in exchange for the welfare benefits they received; the requirement resulted in an overall reduction in the AFDC single-mother caseload of 11.3 percent. For every 100 AFDC single mothers placed in the workfare program, the AFDC rolls were reduced by some 45 cases. Similar reductions were seen in the AFDC-Unemployed Parent program (AFDC-UP), which provides welfare to two-parent families. Eighty percent of AFDC-UP fathers were required to participate in workfare, resulting in a 34 percent reduction in the AFDC-UP caseload. For every 100 AFDC-UP fathers required to work, the AFDC-UP rolls were reduced by some 42 cases. The Ohio workfare programs are, by far, the most successful dependency reduction programs so far evaluated. The effects on both AFDC and AFDC-UP caseloads are four to five times greater than the effects reported for conventional job search and training programs elsewhere in the country.⁹

Other states have shown that work requirements can dramatically reduce welfare dependence, at least in the AFDC-UP program. In 1983, Utah established the Emergency Work Program (EWP) in place of traditional AFDC-UP program for two-parent families (Janzen and Taylor, 1991). EWP established one of the most stringent and comprehensive workfare systems yet known. Male parents of welfare families were required to participate in organized activities for 40 hours per week: 8 hours of job search and 32 hours of community service work or education and training. These requirements were rigorously enforced, some 20 percent of families were terminated each year for noncompliance. Among the remaining male parents, EWP achieved an effective participation rate in mandatory activities of 100 percent.

As noted, EWP offered some education and skills training in addition to community service work and job search. However, education and training did not increase the employability of welfare recipients relative to participation in other activities. A final unusual feature of EWP was a work/job search requirement imposed on both spouses in some families. Work requirements on both spouses rose from 5 percent of caseload initially to 61 percent in EWP's third year. It is unclear to what extent this extra requirement added to EWP's success in reducing dependency.

welfare benefits in exchange for a full year's labor. By contrast, once an individual is required to work as a condition for receiving welfare payments, the attractiveness of welfare is greatly reduced, and the incentives to leave welfare through employment or marriage are greatly enhanced.

At present we have few models of successful work requirement programs, but the available evidence suggests that successful programs would have the following components. (1) The requirement to work or participate in other activities should be permanent, not temporary, and should last as long as the recipient receives welfare. (2) The requirement to work or participate in other activities should be continuous, not intermittent. There should be no intervals of inactivity as recipients are shuttled between different sub-components of the program. (3) The emphasis should be on mandatory community service work; job search and training should be de-emphasized. (4) Recipients should be required to work or perform other activities for a minimum of 30 hours per week. (5) Welfare benefits should be contingent on and paid only after the fully successful completion of relevant performance requirements. (6) The ethos of the welfare office is very important; caseworkers must sincerely and persistently inform recipients that they have a moral obligation to themselves and the community to get a private sector job or, if jobs are not available, to perform community service work. (7) Opposition to workfare by public sector unions currently results in prohibitions on welfare recipients undertaking much public sector work which they are capable of performing; such prohibitions must be lifted.

Finally, work requirements should be imposed first on those who are most readily employable. More specifically, work requirements of the sort outlined above should be established for all fathers in two-parent AFDC-UP families and for single mothers who have no children under age five or who have been on welfare for over four years.¹⁴ If such a regime were instituted nationwide, some two million adult welfare recipients would be engaged in continuous work activities. The result would be a gradual, but profound, reduction in dependence.

NOTES

¹This calculation is for a mother with no earnings and no persons who are not part of the AFDC unit living in the household. Data available from the author on request.

²This penalty occurs because when a single mother on welfare marries an employed male, the man's earnings are included in the calculation of the mother's welfare eligibility; upon marriage, welfare benefits are eliminated or cut significantly and the joint income of the man and the woman falls dramatically.

³For a review of the effects of welfare on family structure see Murray (forthcoming).

⁴Critics charge that the SIME/DIME findings cannot be applied to the existing welfare system because the SIME/DIME benefit levels were much higher than those of existing welfare programs. In reality, the SIME/DIME benefit levels ranged between 95 and 140 percent of the poverty income thresholds, a range of benefit levels very similar to the average combined benefits packages provided to AFDC families by different states under the existing welfare system.

⁵In addition to income criteria, some welfare programs also have categorical criteria which define eligibility, such as having dependent children, being elderly, or being disabled.

⁶Data provided by the Office of Family Assistance, Department of Health and Human Services.

⁷Among the population required to participate, SWIM reduced caseloads by 7 percent and AFDC costs by 15 percent. Since the group eligible for participation comprised a third of the total AFDC caseload, reductions as a percentage of the entire AFDC population would be about 5 percent for costs and 2 to 3 percent for cases (Hamilton and Friedlander, 1989, p. 52).

⁸These comments simply point out the limits of the MDRC studies and are not intended to criticize the studies themselves which provide useful information on many important questions. The National Supported Work Demonstrations, in particular, provide invaluable data to social scientists.

⁹The key factors explaining the success of the Ohio experiments appear to be the heavy emphasis on required work, the seriousness of the work obligations, and the severity of the sanctions provided for non-compliance. Also the Ohio evaluation included an unusually long (five-year) evaluation period and found that the effects cumulatively increased over time. Dissuasion effects, however, did not appear to have a major role.

¹⁰The study compared the AFDC-UP program in 1980-1981 and the EWP program in 1984-1987. Utah's unemployment rate was 6.8 percent in the AFDC-UP comparison period and 6.2 percent in the EWP period.

¹¹Work requirements also appear to be very effective in reducing caseloads in General Assistance programs which largely aid single, nonelderly adults (Bernstein, 1982, pp. 48-49).

¹²There are key differences between wage supplementation and benefit rate reduction. In wage supplementation the value of government aid provided is relatively low; this encourages families to combine higher earnings with moderate amounts of government aid. In the benefit rate reduction approach, initial welfare benefits are high, encouraging families to combine high levels of welfare receipt with modest supplemental wage income.

¹³Legislation enacted in 1990 established an incremental series of increases to the EITC over future years, the figures given in the text are for 1994 when the increases are completed.

¹⁴If work requirements are established for mothers with children over age five, it is also necessary to establish requirements for mothers who have been on the welfare rolls for over four years. Otherwise, mothers would have an incentive to continue to have children to avoid the work obligation.

03/09/95 14:35:12 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1120
MESSAGE FROM: LIOCJEN IN ANCHORAGE JNU

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MESSAGE TEXT: LYNN KORAL IS IN THE CONFERENCE

ALSO WISHES TO TESTIFY

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(FROM HIS HOME) ✓
MR. TIM MAYBERRY
TO TESTIFY ON HB 78

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LOCATION:FAIRBANKS

HB 73	MS.	MARY	MATTHEWS ✓	TESTIFY
HB 78	MS.	RONNIE	ROSENBERG ✓	TESTIFY
HB 78	MS.	LUCI	BEACH ✓	TESTIFY

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LOCATION:ANCHORAGE (UPDATED)

HB 78	ANGIE	SALERNO ✓	TESTIFY
HB 78	PUDGE	KLEINKAUF ✓	TESTIFY
HB 78	HOSANNA	LEE ✓	TESTIFY

03/09/95

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM

LTN1150

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HB 78	MS.	RONNIE	ROSENBERG	TESTIFY
HB 78	MS.	LUCI	BEACH	TESTIFY
HB 78	MS.	JENNIFER	MOORE	TESTIFY
HB 78	MS.	JANET	BOYD	TESTIFY
HB 78	MR.	JOHN	LOVE	TESTIFY



Alaska State Legislature

House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

SUBJECT OF MEETING:

DATE: MARCH 9, 1995

PLACE: Capitol Room 106

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
✓ DAVID BERTHA STRONG	ACCESS ALASKA	7505 CEDAR HAVY ST. T 801 KATLUIK #115	99504 99501			(Y) N	78
✓ Barry Burnett	SELF	P.O. BOX 210048 Auke Bay AK 99821	99821	789-2324		(Y) N	78
✓ BARBARA TURNER	SELF	3625 AMALGA #131D JUNEAU AK	99801	789-2324		(Y) N	78
✓ DONNA BURNETT	SELF	P.O. BOX 210048 Auke Bay AK	99821			(Y) N	78
✓ LORRAINE PHILLIPS	SON	1607 21st Ave X-C Fairbanks, AK	99701	(907) 451-1197		(Y) N	78
Tom / Lardal	Self	5521 Podag Dr Wardell AK	99654	376-8570		(Y) N	78
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✓ Jennifer Reynolds	Self	1201 Brock Rd., N. Pole AK	99705	488-3719		(Y) N	78
						Y N	
						Y N	
						Y N	



Alaska State Legislature

House of Representatives

COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

DATE:

PLACE: Capitol Room 106

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Leigh Nagstrom	myself	801 Airport Hgts ^{Anch} #396	99508	278 4210		<input checked="" type="radio"/> Y	<input type="radio"/> N	HB 78
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
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						<input type="radio"/> Y	<input type="radio"/> N	

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		PO BOX 16049	FAIRBANKS	AK 99716	(907)488-4482
5	MS.	JANET	BOYD		T 01 HE 78
		805 AIRPORT WAY	FAIRBANKS	AK 99701	(907)456-8901
6	MR.	JOHN	LOVE		T 01 HB 78
		805 AIRPORT WAY	FAIRBANKS	AK 99701	(907)456-8901
7	MS.	VICKI	THAYER		O 01 HB 78
		1127 JOYCE DR.	FAIRBANKS	AK 99701	(907)458-0821
8	MS.	JENNIFER	MOORE		O 01 HB 78
		1122 CANDMAR RD.	FAIRBANKS	AK 99709	(907)455-4234

MSG: 1410 NO FURTHER INFORMATION
ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/10/95 LEGISLATIVE TELECONFERENCE NETWORK LTN1410
10:44:32 N CONFERENCE DISPLAY PAGE 10 - FINAL STATS L362
TCN 50328 T/C DATE: 03/09/95 TIME: 14:00 to 16:30 STATUS: 6 ADJOURNED

LIO VTS	NAME	STATUS	STARTED	ENDED	PARTICIPANTS
ANC	ANCHORAGE	3 STATS IN	14:00	15:40	3
BAR	BARROW	2 NO INTEREST			0
FBX	FAIRBANKS	3 STATS IN	14:00	15:50	8
JNU	JUNEAU	3 STATS IN	14:10	15:55	62
SEW	SEWARD	3 STATS IN	14:35	15:55	1
ZZZ OF1	OFFNET 1	1 OUTSTANDING			1

MSG: 1410 NO FURTHER INFORMATION
ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/10/95 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
10:45:58 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE L362
TCN 50328 T/C DATE: 03/09/95 TIME: 14:00 to 16:30 STATUS: 6 ADJOURNED
SITE: LIO SEW VTS SEWARD

1	DIXIE	LANDENBURGER		O 01 HB 78
	PO BOX 279	SEWARD	AK 99664	(907)224-3979

03/10/95 LEGISLATIVE TELECONFERENCE NETWORK LTN1404.
 10:43:59 N CONFERENCE DISPLAY PAGE 04 - VOLUNTEER & OFF-NET SITES L362
 TCN 50328 T/C DATE: 03/09/95 TIME: 14:00 to 16:30 STATUS: 6 ADJOURNED
 * LIO VTS NAME ADDRESS CONTACT TELEPHONE
 ZZZ OF1 OFFNET 1 FAIRBANKS TIM MAYBERRY 907 474 9007

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 05 PF2 NextC# ynnnn PF3 Exit PF4 Menu PF5 Update PF7 Bwd PF8 Fwd

03/10/95 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
 10:44:08 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE L362
 TCN 50328 T/C DATE: 03/09/95 TIME: 14:00 to 16:30 STATUS: 6 ADJOURNED
 SITE: LIO ANC VTS ANCHORAGE

1	ANGIE	SALERNO	NASW	T 01 HB 78
	1727 WICKERSHAM DR	ANCHORAGE	AK 99507	(907)563-4502
2	PUDGE	KLEINKAUF		T 01 HB 78
	4201 MACINNES	ANCHORAGE	AK 99508	(907)561-7113
3	HOSANNA	LAHAIE LEE		T 01 HB 78
	1902 LOGAN	ANCHORAGE	AK 99508	(907)272-3872

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/10/95 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
 10:44:12 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE L362
 TCN 50328 T/C DATE: 03/09/95 TIME: 14:00 to 16:30 STATUS: 6 ADJOURNED
 SITE: LIO BAR VTS BARROW



Alaska State Legislature

House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

DATE: MARCH 30

PLACE: Capitol Room 106

SUBJECT OF MEETING:

HB 78: PUBLIC ASSISTANCE
 DEMO PROJECT
 and INCREASE

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Greene, Bob	AK. Womens Lobby	P.O. box 33156 Jno	99802		463-6744	<input checked="" type="radio"/> Y	<input type="radio"/> N	HB 78
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	
						<input type="radio"/> Y	<input type="radio"/> N	

HB

87

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB87

Revision Date: _____
 Title: Authorizing Youth Courts for peer adjudication of minors
 and renaming community legal assistance grant fund.
 Sponsor: B. Davis
 Requestor: House (HES)

Dept. Affected: Health and Social Services
 BRU: Family and Youth Services
 Component: Southcentral Region
 COMPONENT SERIAL NO. 254
 See also (SN#): 255.258

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGES IN REVENUES ()						
-------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

There would be no fiscal impact to the department if this bill were to become law.

Prepared by: Kathy Tibbles, Acting Director
 Division: Division of Family & Youth Services

Phone: 465-3191
 Date: 01/25/95

Approved by Commissioner: Karen Perdue, Commissioner
 Agency: Department of Health & Social Services

Date: 1/26/95

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 For further distribution information, call the Governor's Legislative Office

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB87

Revision Date: _____
 Title: Authorizing Youth Courts for peer adjudication of minors
and renaming community legal assistance grant fund.
 Sponsor: B. Davis
 Requestor: House (HES)

Dept. Affected: Health and Social Services
 BRU: Family and Youth Services
 Component: Northern Region
 COMPONENT SERIAL NO. 255
 See also (SN#): 254,258

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGES IN REVENUES						
---------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

There would be no fiscal impact to the department if this bill were to become law.

Prepared by: Kathy Tibbles, Acting Director
 Division: Division of Family & Youth Services

Phone: 465-3191
 Date: 01/25/95

Approved by Commissioner: Karen Perdue, Commissioner
 Agency: Department of Health & Social Services

Date: 1/26/95

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB87

Revision Date: _____
 Title: Authorizing Youth Courts for peer adjudication of minors
 and renaming community legal assistance grant fund.
 Sponsor: B. Davis
 Requestor: House (HES)

Dept. Affected: Health and Social Services
 BRU: Family and Youth Services
 Component: Southeastern Region
 COMPONENT SERIAL NO. 258
 See also (SN#): 254,255

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGES IN REVENUES ()						
-------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1008 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

There would be no fiscal impact to the department if this bill were to become law.

Prepared by: Kathy Tibbles, Acting Director
 Division: Division of Family & Youth Services

Phone: 465-3191
 Date: 01/25/95

Approved by Commissioner: Karen Perdue, Commissioner
 Agency: Department of Health & Social Services

Date: 1/26/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 87

Revision Date: _____
Title: An Act authorizing youth courts
Sponsor: Reps. B. Davis, Davies, Robinson
Requestor: _____

Dept. Affected: Alaska Court System
BRU: Trial Courts
Components: _____
COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

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

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 95) cost: \$ None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel
Agency: Alaska Court System

Phone: 264-8228
Date: 03/20/95

Approved by: Arthur H. Snowden, II, Administrative Director
Agency: Alaska Court System

Date: 03/20/95

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

HOUSE COMMITTEE REPORT

(7)

Date Referred: January 17, 1995

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 3/23/95

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 87

HOUSE BILL NO. 87

AUTHORIZING YOUTH COURTS

"An Act authorizing youth courts to provide for peer adjudication of minors who have allegedly committed violations of state or municipal laws, and renaming the community legal assistance grant fund and amending the purposes for which grants may be made from that fund in order to provide financial assistance for organization and initial operation of youth courts."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) Court System zero fiscal note(s) _____
3 - H+SS

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Larry L. Jones</i>	✓			
<i>Donna Blende</i>	✓			
<i>Wanda Kately</i>	✓			
<i>Carol Peterson</i>	✓			
<i>Ann Brice</i>	✓			

CHAIR'S SIGNATURE *Donna Blende*

ALASKA STATE LEGISLATURE

716 W. FOURTH AVE., SUITE 470
ANCHORAGE, ALASKA 99501
(907) 258-8161
FAX: (907) 258-3371

STATE CAPITOL
JUNEAU, ALASKA 99801-1102
(907) 465-3873
FAX: (907) 465-2294



MINORITY WHIP
—
CHAIR
CHILDREN'S CAUCUS
—
HEALTH, EDUCATION
& SOCIAL SERVICES
—
STATE AFFAIRS
—
ECONOMIC TASK
FORCE

REPRESENTATIVE BETTYE DAVIS

DISTRICT 21

SPONSOR STATEMENT

HB 87: "An act authorizing youth courts to provide for peer adjudicator of minors who have allegedly committed violations of state or municipal laws, and renaming the community legal assistance grant fund and amending the purposes for which grants may be made from that fund in order to provide financial assistance for the organization and initial operation of youth courts."

A youth court is a court in which the roles of attorneys, judges, bailiffs, clerks and jurors are filled by young people. Anchorage has had a youth court since 1989 and the recidivism rate is much less in teens handled by the youth court as compared with those dealt with in the standard juvenile justice system.

A youth court accomplishes more than just lightening the volume of cases burdening the legal system. It affords teenagers an opportunity to play a positive role in the administration of justice, thus gaining an awareness and respect for their legal responsibilities.

Youth courts have the advantage of providing peer pressure along with justice. The sentences are usually community service and the defendants generally are first time offenders charged with misdemeanors.

Youth courts also afford the defendants a chance via trial by their peers to resolve legal problems without receiving a criminal record.

Sponsor Statement
Youth Court
Page 2

Representative Joe Sitton, impressed by the achievements of the Anchorage Youth Court, introduced this Bill in the Eighteenth Legislature. It passed the House resoundingly with 36 Yeas and 4 excused. Unfortunately, it did not reach the Senate floor.

I am re-introducing this Bill because I feel that the Youth Courts offer a second chance to young defendants who would not normally receive one, while teaching respect and understanding of the law at the same time.

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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

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

MEMORANDUM

January 25, 1995

SUBJECT: House Bill 87, relating to the use of youth courts for certain minors --
sectional analysis. (Work Order No. 9-LS0384\A)

TO: Representative Bettye Davis
ATTN: Liz Roberts

FROM: Jack Chenoweth
Legislative Counsel

HB 87 authorizes youth courts to provide for peer adjudication of minors charged with violations of state laws or municipal ordinances. The bill also proposes to broaden (and rename) the use of the community legal assistance grant fund as a source of financial support for new youth courts.

Section 3. This bill section, the measure's principal operative provision, adds a new section to the body of codified law. AS 18.05.100 is added as a part of the title concerned generally with health and safety matters. The section authorizes establishment of youth courts "to hear, determine, and dispose of cases involving a minor whose alleged act that brings the minor within the jurisdiction of [the Alaska Court System]" constitutes a violation of a state law or municipal ordinance. The section defines the jurisdiction of youth courts, sets out the process for establishment of a youth court, imposes significant standards and procedures that are to guide a youth court as it operates, and provides the Alaska Court System general authority to refer a possible delinquency matter to a youth court.

*

Bill sections 4 - 8 rename and revise the objectives of the existing Community Legal Assistant Grant Fund.

Section 4. The amendments proposed to AS 44.47.200 by this bill section change the name of the fund and authorize use of money in the fund to help nonprofit corporations start operations as youth courts.

Section 6. The addition of AS 44.47.210(b) proposed by this bill section permits nonprofit corporations planning to operate youth courts to apply for a grant from the fund, direct that

Representative Bettye Davis

January 25, 1995

Page 2

the grant be matched, but permit waiver of the match requirement under the circumstances noted.

Section 8. The addition of AS 44.47.220(b) proposed by this bill section sets limits on the amount that may be awarded as a grant from the fund to a corporation planning to operate a youth court, and limits on the proper use by the grantee of the money received by the grant.

Sections 5 and 7. The changes made by these two bill sections are technical changes to existing law made in light of the proposed additions set out in bill sections 4, 6, and 8.

*

Sections 1 and 2. In these uncodified sections are set out a statement of purpose of the Act and a brief summary of the state's recent experience with youth courts.

JBC:lmb:pl

95-086.lmb

ANCHORAGE YOUTH COURT

P.O. BOX 102735
Anchorage, Alaska 99510
(907) 274-5986
FAX (907) 272-0491

WHAT IS YOUTH COURT?

Youth Court provides the opportunity for young people grades 7 through 12 and/or ages 12 through 18 who are accused of breaking the law, to be judged. It is a court in which the roles of attorneys, judges, bailiffs, clerks and jurors are filled by young people. Youth Court members develop and apply an understanding of the law through legal education, Anchorage Youth Court Bar Association membership, and actual participation in Anchorage Youth Court trials. Defendants are afforded a chance via trial by their peers to resolve their legal problems without receiving a criminal record. The community benefits by receiving valuable service work as a partial redress for the wrongs committed.

In order to become members of the Anchorage Youth Court, young people complete a legal training course whereby they learn basic legal principals and practices. The Anchorage Youth Court Bar Association holds meetings on a regular basis. At the meetings, members participate in activities designed to give a broader perspective of the judicial system. Activities may include workshops, mock trials, speakers, and movies about the judicial system.

Defendants are usually first time offenders charged with petty crimes, who have been referred to the Anchorage Youth Court by a Referring Authority, usually the juvenile probation department. Once a defendant is referred to the Anchorage Youth Court, the defendant is arraigned, and if he or she pleads guilty, may be sentenced to community service. If the defendant pleads not guilty, he or she is tried by a jury or a panel of judges. A criminal record is not accrued upon a finding of guilt.

At completion of a case, The Anchorage Youth Court will return its findings to the Referring Authority for final disposition.

YOUTH COURT REFERRALS

Intake will make referrals to Youth Court on appropriate juveniles. Target cases will be those in which the School District is the victim, such as vandalism cases, second degree burglary or where the offense occurs within the school, such as theft from lockers, other students, and/or teachers. The offense will be of a serious enough nature to warrant court action if the juvenile referred does not cooperate with Youth Court and their recommendation(s) on sentencing.

Intake will screen the family prior to making the referral. The juvenile and family will be told that going through Youth Court is voluntary and will result in not having a formal record. They will also be notified that failure to comply will result in having the case handled by Intake. Intake will have the family and the juvenile sign an agreement and hold our case open for four months or until Youth Court is completed. They will also be told they can confer with an attorney prior to agreeing to Youth Court.

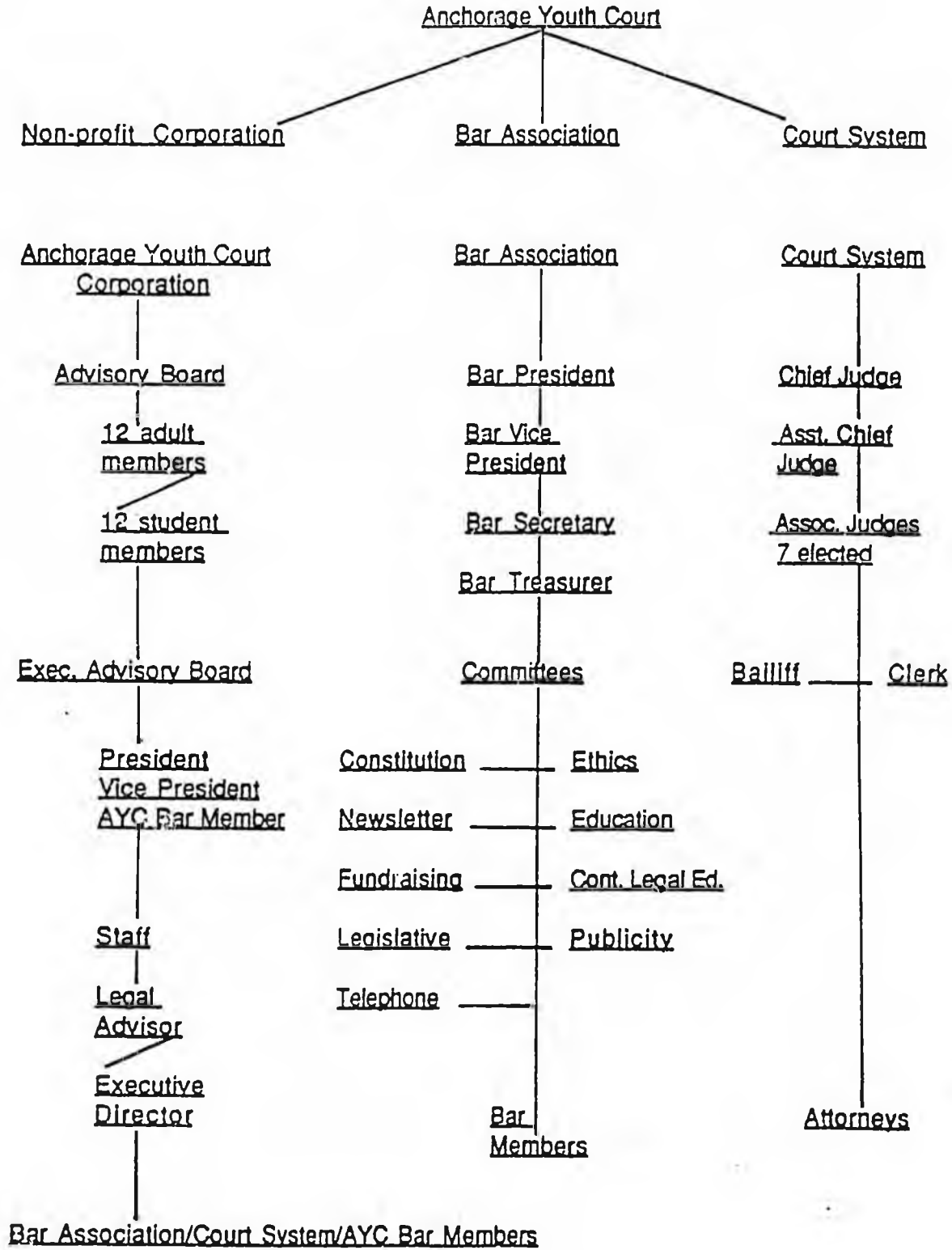
Once the agreement is signed a copy of that agreement and a copy of the police report will be forwarded to Youth Court. If the juvenile has any prior record that information will also be forwarded.

Intake will hold an open file for a period not to exceed four months. All action by Youth Court will need to be completed within this time frame. Youth Court will not have authority to place a juvenile in a detention facility or impose formal probation.

After all action is completed by Youth Court, their findings will be sent to Intake and the case will be considered closed. Intake will not take further action on these cases unless the juvenile referred refuses to cooperate or complete the sentence. Also further infraction of the law could be reason to have the referral revoked.

The closed record will be filed and treated like other informal and referred cases, with no formal record.

ANCHORAGE YOUTH COURT
ORGANIZATIONAL CHART



OVERVIEW OF ANCHORAGE YOUTH COURT COURSE

Logistics

The Anchorage Youth Court course is a 10 week course, with classes held once a week for two hours each. Classes are scheduled on Monday through Thursday evenings and on Saturday. Students will be assigned to one "class day" for the entire course, meeting with the same instructor(s) on the same day, at the same place each week. Teachers need to KEEP ATTENDANCE. An attendance sheet is included for that purpose. Students with more than two absences and/or who have not participated in the mock trial may not take the bar exam. Teachers will be asked to submit a list of students eligible to take the bar exam.

Instructors are responsible to confirm each class with their students. Instructors may use office conference rooms (their own or other locations, if they do not have conference rooms available) libraries, or classrooms. These facilities are free. Arrangements have been made for classrooms at Dimond, Service, West, East, Bartlett and Chugiak and selected junior high schools on a regular, ongoing basis for the extent of the course. Instructors may rearrange a class schedule, either time or place, (or add a class or event) as the needs or desires of students and instructors dictate, but each instructor is responsible for confirming such changes with his or her students. If classroom changes are necessary, please notify the AYC coordinator well in advance of the date.

Goals

Course goals are twofold. First, to teach the basic concepts necessary for students to participate in Youth Court. To participate in Youth Court, each student must pass the Youth Court bar examination, and be sworn in. Second, the Anchorage Youth Court course should provide an introduction to law that educates students about the judicial system and generates enthusiasm about Anchorage Youth Court and the legal field. Every student who wants to participate should be able to do so. After the first few classes, a special tutorial session should be provided for students who want to "catch up," reinforce their knowledge and/or ask questions. Our goal is to equip each student with necessary skills to be an effective member of Anchorage Youth Court.

THE ALASKA LEGISLATURE



DRAFT

SPONSOR'S APPROVAL

BD

* HONORING *

* ANCHORAGE YOUTH COURT *

We, the members of the Eighteenth Alaska State Legislature, take this opportunity to recognize and acknowledge the outstanding work of the Anchorage Youth Court.

The Anchorage Youth Court is a court in which the roles of attorneys, judges, bailiffs, clerks and jurors are filled by young people. Defendant youth are afforded a chance via trial by their peers to resolve legal problems without receiving a criminal record.

We congratulate the Anchorage Youth Court for winning the 1993 American Bar Association/Information America Public Education Project Award for working in partnership with the justice system to produce a program involving teen lawyers, judges and defendants.

One hundred eighty-eight teenagers ranging from seventh through twelfth graders are recipients of this award, which came with a \$5,000 cash grant as well as the Outstanding Partnership Award.

As a result of the Anchorage Youth Court:

- Anchorage teenagers have gained an awareness and respect for their legal responsibilities.
- They are afforded the opportunity to play a positive role in administration of justice.
- The volume of cases burdening the judicial system has been lightened.
- Anchorage lawyers have been able to provide a service to the public by educating students about substantive and procedural criminal law.
- The community has received valuable service and redress for the wrongs committed.

We, the members of the Eighteenth Alaska State Legislature, acknowledge with gratitude the opportunity the Anchorage Youth Court has given young people and adults to work together to resolve problems in their community.

CITATION



Alaska State Legislature

House of Representatives
 COMMITTEE ON HEALTH, EDUCATION
 AND SOCIAL SERVICES

SUBJECT OF MEETING:
*HB 87: AUTHORIZING
 YOUTH COURTS*

DATE: *MARCH 23*

PLACE: Capitol Room 106

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Donna Schuetz	DFYS	P.O. Box 110630 Juneau	99811⁽⁰⁶²⁾		465-3458	Y	N	<i>Answer Questions</i>
PAT CCASBY	COLE SYSTEMS	319 SEWARD STREET, STE 11 NORTH JUN AK 99801	99801	586-1580	463-6753	Y	(N)	
Linda Egan	Youth Commission	1512 31st PIERSK	99801		489-3780	(Y)	N	<i>Comment - Surf -</i>
Amy MacLinnon	Youth Commission	11141 Glacier Ave.	99801	586-3902		Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	

HB

92

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO HB 92

Revision Date: _____ Dept. Affected Administration
 Title: "An Act extending the termination date of the BRU: Office of the Commissioner
Citizen's Review Panel for Permanency Planning..." Component Permanency Planning
 Sponsor: House HESS
 Requestor: Rep. Tooley COMPONENT SERIAL NO. 1888

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	136.6	142.6	148.8	0.0	0.0	0.0
TRAVEL	1.0	1.0	1.1	0.0	0.0	0.0
CONTRACTUAL	18.0	18.8	19.6	0.0	0.0	0.0
SUPPLIES	3.5	3.7	3.8	0.0	0.0	0.0
EQUIPMENT	11.5	0.5	0.5	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	170.6	166.6	173.9	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	170.6	166.6	173.9	0.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
Total	170.6	166.6	173.9	0.0	0.0	0.0

Estimate of current year (FY 95) cost: \$ 65.0

POSITIONS:

FULL-TIME	3	3	3	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)
(Please see attached)

Prepared by: Sharon Barton, Director Phone: 465-5655
 Division: Administrative Services Date: _____

Approved by Commissioner: Mark Boyer Date: 2/3/95
 Agency: Department of Administration

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HB 92 would extend the life of the Citizen's Review Panel for Permanency Planning until June 30, 1997. Under AS 44.66.010 (b), the review panel could remain in existence until June 30 of the succeeding year (1998) for the purpose of concluding its affairs. The fiscal note assumes the office would remain open until June 30, 1998.

Personal services costs are based on two full time Social Worker II positions and one Administrative Assistant II position.

Travel will consist of one or two trips between Anchorage and Juneau.

Contractual costs are comprised of office lease expense and telephone expenses.

Supplies costs are comprised of miscellaneous office supplies expenses.

First year equipment includes office and computer equipment. These start up costs are necessary because the pilot program has been operating for the past eighteen months with office furniture (personal property) on loan from the former Deputy Commissioner. Computers obtained from state surplus are barely functional and are so old they cannot run current software. If the program is to be continued these basic items must be purchased. FY 97 and FY 98 equipment would cover miscellaneous equipment expenses.

FY95 funding runs out about March 15, 1995. The current plan calls for shutting down the program and laying off staff on that date. If the program is to be continued supplemental funding for FY95 in the amount of \$65.0 would be necessary.

02/02/95

Position Information Inquiry/Update

11:11:44

Position: 02-02?036	Project: 0	Salary Costs: 31,740.00
Component: 02-95-01-20-02-00	Region:	Benefits Costs: 13,797.00
Scenario: 1 FY: 96	COLA %= 0.000	Total Costs: 45,537.00

 Actuals not available (Status: UNKNOWN) | Retirement Code: A

00/00/00	Step: A for 12.0 months & Step: B for 0.0 months (total: 12.00)
0	Merit Date; use merit defaults? N (0.0 @ & 0.0 @)
	Class/Sched Prefix: 2 Schedule: 2A (actual:)
	Bargaining Unit: GG Range: 14 (actual:)
	Location Code: EBA Place: ANCHORAGE
	Job Class Code: P4112 Title: SOCIAL WORKER II _____
	Seasonal Indic.: F Type: -

Optional Override Salary Rates:

Monthly Rate: 0.00 for 0.0 months & rate of 0.00 for 0.0 months
 Hourly Rate: 0.00 for 0.0 months Frozen at this rate? (Y/N): N

Press ENTER to update record; enter # or use PF key to go to another screen:
 1=Premium pay info 2=Funding info 4=Code Translations 6=Calculations
 8=Detail Report 12=Exit w/o update Selection: 0_

02/02/95

Position Information Inquiry/Update

11:12:13

Position: 02-02?058	Project: 0	Salary Costs: 31,740.00
Component: 02-95-01-20-02-00	Region:	Benefits Costs: 13,797.00
Scenario: 1 FY: 96	COLA %= 0.000	Total Costs: 45,537.00

 Actuals not available (Status: UNKNOWN) | Retirement Code: A

00/00/00	Step: A for 12.0 months & Step: B for	_0.0 months (total: 12.00)
0	Merit Date; use merit defaults? N	(0.0 @ & 0.0 @)
	Class/Sched Prefix: 2	Schedule: 2A (actual:)
	Bargaining Unit: GG	Range: 14 (actual:)
	Location Code: EBA	Place: ANCHORAGE
	Job Class Code: P4112	Title: SOCIAL WORKER II _____
	Seasonal Indic.: F	Type: -

Optional Override Salary Rates:

Monthly Rate: 0.00_____ for _0.0 months & rate of 0.00_____ for _0.0 months
 Hourly Rate: 0.00_____ for _0.0 months Frozen at this rate? (Y/N): N

Press ENTER to update record; enter # or use PF key to go to another screen:
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02/02/95

Position Information Inquiry/Update

11:06:59

Position: 02-02?035	Project: 0	Salary Costs: 31,740.00
Component: 02-95-01-20-02-00	Region: _	Benefits Costs: 13,797.00
Scenario: 1 FY: 96	COLA %= 0.000	Total Costs: 45,537.00

 Actuals not available (Status: UNKNOWN) | Retirement Code: A

00/00/00	Step: A for 12.0 months & Step: B for _0.0 months (total: 12.00)
0	Merit Date; use merit defaults? N (0.0 @ & 0.0 @)
	Class/Sched Prefix: 2 Schedule: 2A (actual:)
	Bargaining Unit: GG Range: 14 (actual:)
	Location Code: EBA Place: ANCHORAGE
	Job Class Code: P1913 Title: ADMIN ASST II _____
	Seasonal Indic.: F Type: -

Optional Override Salary Rates:

Monthly Rate: 0.00 _____ for _0.0 months & rate of 0.00 _____ for _0.0 months
 Hourly Rate: 0.00 _____ for _0.0 months Frozen at this rate? (Y/N): N

Press ENTER to update record; enter # or use PF key to go to another screen;
 1=Premium pay info 2=Funding info 4=Code Translations 6=Calculations
 8=Detail Report 12=Exit w/o update Selection: 0_

HOUSE COMMITTEE REPORT

(7)

Date Referred: January 18, 1995

FURTHER REFERRALS:

Finance

Date of Committee Action: 2/9/95

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 92

HOUSE BILL NO. 92

EXTEND FOSTER CARE REVIEW PANEL

"An Act extending the termination date of the Citizens' Review Panel for Permanency Planning; and providing for an effective date."

recommends it be replaced the same title
 with the following committee substitute _____ a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) Admin

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>			✓	
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			

CHAIR'S SIGNATURE _____

[Handwritten Signature]

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES



STATE CAPITOL, JUNEAU 99801
(907) 465-3759

SPONSOR STATEMENT

HOUSE BILL 92

"An Act extending the termination date of the Citizens' Review Panel for Permanency Planning"

House Bill 92 would extend the termination date of the Citizens' Review Panel for Permanency Planning to 1997. This would be in accordance with the recommendation of the Division of Legislative Audit which completed an audit in September of 1993.

The enabling legislation had bi-partisan support and passed both the House and the Senate unanimously in 1990. It established an external citizens' review process in order to ensure that children do not languish in out-of-home placements, but receive the benefits of a permanent home. The goal of the act was to reunite children with their families, but in those cases where reunification was not in the best interest of the child, the process would more expeditiously place the child in a secure, permanent home.

DOA originally made a decision not to implement the panels. It has only been since FY94 that DOA is implementing pilot panels in Anchorage, so there is not yet adequate information to analyze the panels' effectiveness. External citizens' reviews have only been on-going as a model project since mid-December of 1993. Although functional for just a short period of time the panel has submitted two annual reports to the legislature.

According to the reports, public acceptance of the external review process has been excellent. The office has received numerous calls from parents requesting that their child be reviewed by the citizens' review panels. Foster parents have stated they appreciate being a part of the external review process. The office has been able to provide assistance to Native village councils regarding some procedures.

Citizen Review Panels are in existence in 25 states. It has been shown that not only can children spend less time in out-of-home placements, but cost-savings can result. Your support would be appreciated.

ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Division of Legislative Audit



P. O. Box 113300
Juneau, AK 99811-3300
(907) 465-3830
FAX (907) 465-2347

September 1, 1993

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Title 24 of the Alaska Statutes, the attached report is submitted for your review.

DEPARTMENT OF ADMINISTRATION CITIZENS' REVIEW PANEL FOR PERMANENCY PLANNING


September 1, 1993

Audit Control Number

02-1420-93

The audit reports on whether the Citizens' Review Panel for Permanency Planning (the panel) should continue its existence. Currently AS 44.66.010 has the panel scheduled for termination on June 30, 1994 and provides the panel with a year in which to conclude its affairs. We recommend that the legislature extend the panel's termination date to June 30, 1997 with the provision that sufficient funds be appropriated to allow the pilot project in Anchorage to perform reviews that can be used to evaluate the economic feasibility and rate of success for citizens' reviews.

The audit was conducted in accordance with generally accepted government auditing standards. Fieldwork procedures utilized in the course of developing the findings and discussion presented in this report are discussed in the Objectives, Scope, and Methodology section of this report.


Randy S. Welker, CPA
Legislative Auditor

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The legislature should extend the Citizens' Review Panel for Permanency Planning's (the panel's) termination date to June 30, 1997 with the provision that sufficient funds be appropriated to allow the pilot project in Anchorage to perform reviews that can be used to evaluate the economic feasibility and rate of success for citizens' reviews.

Although the enabling legislation for the establishment of citizens' review panels was passed in 1990, the Department of Administration (DOA) originally made a decision to not implement the panels. It has only been in fiscal year 1994, the year the panels are scheduled to sunset, that DOA is implementing pilot panels in one Alaskan city, Anchorage. Because the panels were never established, there are no activities to analyze to determine the panels' effectiveness.

The Department of Health and Social Services (DHSS), Division of Family and Youth Services (DFYS) has been performing permanency planning reviews to meet federal requirements. However, as explained in the Analysis of Public Need section of this report, we do not find DFYS' internal reviews fulfilling the entire objectives of the State's statutes, which establish an external review process. Alaska Statute 47.10, Article 5 specifically creates a Citizens' Review Panel for Permanency Planning and prescribes the duties, appointments, and reporting requirements of the panels.

There also remains a perception among foster care providers, guardians ad litem, court system personnel, and the general public that DFYS' internal reviews do not achieve real permanency planning for children and there continues to be widespread support for citizens' review panels. Because of this perceived need, we believe that the Anchorage pilot project in citizens' panels should be continued until June 1997 to gather data to determine the panels' effectiveness. The pilot project needs to implement a system that meets federal requirements and achieves real permanency planning for children. Effectiveness can be measured by the length of time children remain in foster care and by savings associated with children no longer being part of the foster care system.

If the data from the pilot project shows that citizens' review panels are effective, then decisions need to be made on whether and how to expand the panels to other regions in Alaska. Also, if the citizens' reviews prove to meet federal requirements, DFYS will be able to stop their internal review process and concentrate their resources on case management. DOA should pursue the possibility of receiving federal funding for the activities of the citizens' panels.

CS

CITIZEN'S REVIEW PANEL FOR PERMANENCY PLANNING
ANNUAL REPORT TO THE LEGISLATURE
JANUARY 1994

STATE OF ALASKA
WALTER J. HICKEL, GOVERNOR
DEPARTMENT OF ADMINISTRATION

900 West Fifth Avenue Suite 710 Anchorage, Alaska 99501
Telephone: 907/258-6104 FAX number: 907/258-1651

CITIZENS' REVIEW PANEL FOR PERMANENCY PLANNING

MISSION STATEMENT

As stated in the findings and purpose section of Alaska Statute 47.10.400, the Citizens' Review Panel for Permanency Planning has a twofold mission:

1. to establish a process to ensure that children do not linger unnecessarily in out-of-home placements; and,
2. to reunite children with their families by advocating for available and appropriate services to promote reunification, or if the reunification is not in the best interest of the child, to ensure that the child is placed in a secure, permanent home as expeditiously as possible.

CITIZENS' REVIEW PANELS FOR PERMANENCY PLANNING
SUMMARY OF ACTIVITY
Fiscal Year 94

The Legislature appropriated \$125,000 for FY94 for the Citizens' Review Panels, a program that provides for external reviews of children in out-of-home placement in the interest of determining a permanent placement. Permanent placement could mean unification with family, adoption, emancipation, or extended out-of-home care.

Planning for implementation began prior to the beginning of the fiscal year. Information from other states was gathered and reviewed to find programs that could be tailored to fit Alaska's situation. The final product uses parts from several states. The program is in Anchorage where half of the children in out-of-home care reside. It was designed to be a model program so that expansion could more easily occur should other funding become available. Since reviews will take place only in Anchorage, the administrative members of the state-wide panel became an advisory board. This avoided the necessity of appointing local panels in an area where citizen reviews would not take place and saved time and expenses for travel of the state-wide panel.

Roberley Waldron supervises the program. The Governor's office was asked to appoint twenty or more citizen panelists. Twenty-one members were appointed and currently there are 15 active panelists.

The program has progressed as follows:

- * The advisory board met several times to plan for implementation.
- * A contract was negotiated with a social worker-attorney to devise procedures, forms, etc. to meet all state and federal standards.
- * The list of panelists was received from the Governor's office on October 29, 1993.
- * An administrative assistant and social worker III were hired in October, a social worker II in November.
- * Training of panelists was accomplished in November and the list of children to be reviewed was received.
- * Seventeen children were reviewed in December.
- * Twenty-six children have been referred for review in January.

Comments from all associated parties regarding the process have been very favorable. The foster parents are particularly pleased to be included. Several calls have been received from parents asking that their child be reviewed by the panel (referrals are received from the court).

Here is a sample statement from a foster parent regarding her participation in the review process: "This is my first opportunity to comment to the review process. One concern I would like to share is the value of keeping the foster parents apprised of the

status of the case plan. (Child's name) lives in our home. She is a member of our family at this point and we love her. We are concerned about her and work to better her future through DFYS. We think of foster parenting as a team effort and appreciate being included in decisions that touch our lives to the core."

A Social worker wrote in her evaluation, "The panel opened up in my mind a potential resource to further explore for this child."

The review process is complex. A great deal of time and effort is spent in gathering information from the Division of Family and Youth Services (DFYS) files and prepared report for the panelists. At times the information is incomplete which is a deterrent to a good review. It takes about three hours to gather material at DFYS, at least two hours to write a summary of the material to be sent to the panels, and the actual citizens' review requires about one and one-half hours. The panelists and staff are extremely conscientious and take their responsibilities very seriously.

At the end of the fiscal year, OMB will review the data from the external reviews and compare with data from DFYS. At that time, it can be better determined what effect the external reviews are having. During the short period in operation, the staff and advisory board have become convinced that the external review could replace some of the reviews currently done by DFYS. They currently have three types of reviews. The citizen reviews meet the federal guidelines and could replace those reviews required by the federal government (Title 4-E). If that should happen, the funding provided by the federal government should follow the review.

I. OVERVIEW OF REVIEW SYSTEMS

A. PURPOSE OF FOSTER CARE REVIEW

The purpose of foster care review is to assure that children do not linger unnecessarily in foster care, but rather that they receive the support and benefits of a permanent home. Permanence is defined as a home which holds together during crisis and provides a lasting, trusting, and nurturing environment. The return of the child to the biological family is the ideal permanent goal; however, when this is not possible, the goal becomes to place the child in another stable, permanent home.

B. IMPORTANCE OF REVIEW SYSTEMS

1. Impact of Foster Care on Children

Children need the stability and support of a permanent home and family in order to grow and flourish; they need the sense of lifelong belonging and continuity that only a permanent home can provide. Children in foster care represent a huge potential loss in both financial and human terms.

It is estimated that almost half a million children pass through state foster care systems in this country every year. In fiscal year 1985, for example, federal government figures show that an average of 108,000 children were in foster care in any given month. The foster care system places a financial burden on U.S. taxpayers that was estimated at \$2 billion. The cost in human potential was- and remains- inestimable, since research indicates a direct correlation between child abuse and neglect and later juvenile delinquency and adult criminality.

When a child is placed in foster care, it is intended to be a short-term solution to an emergency situation. In the past, however, all too often foster care placements resulted in the child being destined to obscurity within the child welfare system. The ideal of assuring a permanent home for every child fell by the wayside while the child was set adrift among different foster families and group homes. The child's vital developmental years were lost, since he was neither free to return home to his natural parents nor eligible to be adopted by a new and permanent family.

Throughout the 1970's, judges, social workers, attorneys and child advocacy groups began to recognize that the U.S. foster care system was failing to respond to the needs of many abused and neglected children and their families. Many children were "adrift" in the system without regular or timely review of their placement. Crowded court calendars and understaffed child welfare agencies were contributing to an increase in the number of children and lengths of time spent in substitute care.

Concern for children lingering unnecessarily in foster care continued to mount throughout the decade. Among solutions proposed by child advocacy organizations were the comprehensive implementation of permanency planning case work and foster care placement monitoring through regular case reviews. A new resource was also identified to help monitor foster care children and to advocate on their behalf: citizen volunteers.

*(from South Carolina which has had a
citizen's review system in place since 1971)*

Sec. 47.10.400. Citizens' review panel for permanency planning. (a) There is created in the Department of Administration the Citizens' Review Panel for Permanency Planning. The state panel consists of five voting members appointed by the governor from among present members of local citizen review panels established under AS 47.10.420. The governor shall appoint at least one voting state panel member from each judicial district. The governor may not appoint a person who has committed a felony or violated AS 11.51.130 or a law with substantially similar elements. The panel also includes the following five nonvoting members who serve ex officio or their designees: the commissioner of health and social services, the director of the office of public advocacy, the attorney general, the public defender appointed under AS 18.35.030, and the chief justice of the Alaska Supreme Court.

(b) Appointed members of the state panel serve at the pleasure of the governor for staggered terms of three years or until their successors are appointed.

(c) The voting members of the state panel shall elect from among the voting members a chair who shall serve for one year. Three voting members of the state panel constitute a quorum for the transaction of business. The panel may not take official action without the affirmative vote of at least three of its members.

(d) Members of the state panel are entitled to reimbursement for actual expenses necessary to perform their duties as state panel members. The reimbursement may not exceed the amount of per diem and expenses authorized for boards and commissions under AS 39.20.130.

(e) The state panel shall meet twice annually. Meetings may take place telephonically.

(f) The state panel may employ a program coordinator who shall serve at the pleasure of the state panel. The program coordinator shall employ staff as necessary to carry out the program coordinator's duties under state panel directives and to provide clerical assistance to local panels. (§ 2 ch 117 SLA 1990)

Cross references. — For terms of initial appointments to the review panel, see § 7, ch. 117, SLA 1990 in the Temporary and Special Acts.

Sec. 47.10.410. Duties of the state panel. The state panel shall (1) by regulation adopt policies and procedures to carry out its duties and to govern the performance of the duties of the local panels established under AS 47.10.420;

(2) ensure that local panel members receive the minimum level of training necessary to effectively carry out their duties:



N A S W

ALASKA CHAPTER

National Association of Social Workers

Executive Director
Angela Salerno, ACSW

BOARD OF DIRECTORS

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MEMBER-AT-LARGE

Coco Esparza, LCSW
Kotlik

STUDENT REPRESENTATIVE

Diana Talbot
Anchorage

February 8, 1995

Representative Cynthia Toohy
State Capitol
Room 104
Juneau, AK 99801-1182

Dear Representative Toohy:

The National Association of Social Workers Alaska Chapter fully supports HB 92 which would provide for the continuation of the Foster Care Citizen's Review Panel for permanency planning in Alaska. NASW strongly advocated for the development of this review board, and continues to urge utilization as a proven method of enhancing the effectiveness of the child protection system. We believe that through this type of review, Alaskan children now growing up in out-of-home care will have a better chance at being reunited with their families, or in finding a permanent adoptive home.

Please feel free to call me with questions

Sincerely,

Angela M. Salerno, ACSW
Executive Director, NASW Alaska Chapter



Trial Courts

State of Alaska

THIRD JUDICIAL DISTRICT

303 K Street

ANCHORAGE, ALASKA 99501-2083

WILLIAM O. HITCHCOCK
Master, Trial Courts

February 8, 1995

Representative Cynthia Toohey
Alaska State Legislature
State Capitol
Juneau, AK 99801

Re: HB 92

Dear Representative Toohey:

I am writing in support of the above legislation which would extend the sunset period for the Citizens' Review Panel for Permanency Planning to 1997. The views expressed herein are solely my own and do not necessarily represent the official position of the Alaska Court System. They are drawn both from my experience in hearing children's proceedings over the past fourteen years, as well as my involvement on the board of the National Association of Foster Care Reviewers.

Citizen review came into being in Alaska in 1990 as a result of mounting concerns that children in the dependency system were drifting in foster care and that responsive permanent plans were not being developed for them. Review by impartial and independent panels was felt to provide the kind of accountability mechanism needed to lead to better outcomes for these children.

Because of the lack of funding to implement these programs statewide, there has been much discussion about either abolishing or radically altering the structure of the review process. There are those who argue that the need for case review can be met by a combination of administrative review boards within DHSS and judicial review. Others maintain that placing independent reviewers on DHSS internal review committees would be sufficient.

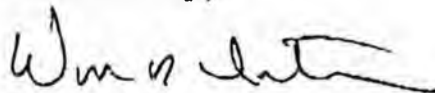
Despite some of the good changes that have been made in the child welfare system over the years since citizen review was passed, it is still my belief that independent periodic case review is still a necessary component to an integrated system of child welfare services. I firmly believe that the internal review process within the Department lacks the independence necessary to insure quality results.

The Anchorage Citizen Review Board project has been in operation for about a year now. It is time to look at the experience of that program and some of the data collected and decide on what the future course for citizen review should be. I think we do need to reexamine the statutory framework and determine if it best meets the needs of today's system, particularly in the area of the interrelationship among citizen review, internal administrative review and judicial review.

These things need to be done with the existing statutory authority still in place. Extending the sunset provision would allow that to happen and would allow a rational and well-planned retailoring of the review system if that is needed. Letting it lapse will only insure that the entire concept will disappear.

I thank you for taking the time to consider my comments.

Sincerely,



William D. Hitchcock
Master, Children's Court

HB

93

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HB 93

Revision Date: _____

Department Affected: Education

Title: Teacher Duty-Free Mealltime

BRU: Executive Administration

Component: Commissioner's Office

Sponsor: Representative James

Requestor: Representative James

COMPONENT SERIAL NO. 185

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGE IN REVENUES						
---------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

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

Prepared by: Kimberly Homme, Special Assistant

Phone: 465-2803

Division: Commissioner's Office

Date: February 11, 1996

Approved by Commissioner: *[Signature]*

Shirley Holloway, Ph. D.

Agency: Education

Date: February 11, 1996

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HOUSE COMMITTEE REPORT

(7)

Date Referred: January 18, 1995

FURTHER REFERRALS:

Finance

Date of Committee Action: 3/12/96

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 93

HOUSE BILL NO. 93

TEACHER DUTY-FREE MEALTIME

"An Act relating to the duty-free mealtime for teachers in certain school facilities."

recommends it be replaced the same title
 with the following committee substitute _____ a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

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

APPROVES PREVIOUS: _____ (Dept/Date)

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) DOE

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Jan L. ...</i>			<input checked="" type="checkbox"/>	
<i>...</i>			<input checked="" type="checkbox"/>	
<i>Car Beards</i>		<input checked="" type="checkbox"/>		
<i>...</i>	<input checked="" type="checkbox"/>			
<i>Caren Robinson</i>		<input checked="" type="checkbox"/>		
<i>...</i>		<input checked="" type="checkbox"/>		
<i>...</i>	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE *Car Beards*

Alaska State Legislature

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



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

House Of Representatives

House District 34

SPONSOR STATEMENT

HOUSE BILL 93

"An Act relating to the duty-free mealtime for teachers in certain school facilities."

This bill was introduced at the request of the Fairbanks North Star Borough School District Board of Education. The Fairbanks School Board and the District Administration strongly support the bill.

It would eliminate the underlined portion of Section 14.20.097 which reads: *"Duty-free time. Each body shall allow its teachers in school facilities with four or more teachers a daily duty-free mealtime of at least 30 minutes between 11:00 a.m. and 1:00 p.m."* This requirement directly restricts the administration's ability to create schedules that best serve interests of Fairbanks area students.

This amendment to Section 14.20.097 would allow adjustment to changing conditions and create more efficient use of facilities. Teachers would still have daily mid-day duty-free mealtimes, but eliminating the strict 11:00 - 1:00 time frame would simply allow more freedom in scheduling classes and bell times, thus providing more flexibility and cost-efficiency in meeting students' educational needs.

SPONSOR STATEMENT

Sec. 14.20.097. Duty-free time. Each governing body shall allow its teachers in school facilities with four or more teachers a daily duty-free mealtime of at least 30 minutes between 11:00 a.m. and 1:00 p.m. (§ 1 ch 11 SLA 1969)

Sec. 14.20.100. Unlawful to require statement of religious or political affiliation. A school board, or a member of a school board, may not require or compel a person applying for the position of teacher in the public schools of the state to state a religious or political affiliation. (§ 37-5-1 ACLA 1949)

Collateral references. — Discrimination because of race, color, or creed in respect of appointment, duties, compensation, etc., of schoolteachers or other public officers or employees. 130 ALR 1512. Validity of governmental requirement of oath of allegiance or loyalty as applied to college curators. 18 ALR2d 303. Dismissal or rejection of public schoolteacher because of disloyalty. 27 ALR2d 487.

Sec. 14.20.110. Penalty for violation of AS 14.20.100. A person violating AS 14.20.100 is punishable by a fine of not more than \$100. (§ 37-5-2 ACLA 1949)

Sec. 14.20.120. Statement of qualifications. A statement of the qualifications of each teacher and superintendent employed by the state or a school district shall be filed with the commissioner. The statement must contain the credits earned in college, normal school, or university, and the number of years of teaching experience both in the state and elsewhere in the form and manner prescribed by the commissioner. (§ 37-6-5 ACLA 1949; am § 5 ch 179 SLA 1957; am § 12 ch 46 SLA 1970)

Sec. 14.20.130. Employment of teachers and administrators. An employer may, after January 1, issue contracts for the following school year to employees regularly qualified in accordance with the regulations of the department. The contract for a superintendent may be for more than one school year but may not exceed three consecutive school years. (§ 1 ch 92 SLA 1960; am § 14 ch 98 SLA 1966)

NOTES TO DECISIONS

Authority of school district to employ teachers. — A school district has no authority to employ teachers except as prescribed by statute and regulation. *Spicer v. Anchorage Indep. Sch. Dist.*, 410 P.2d 995 (Alaska 1966). Letter from superintendent of schools held not to be an offer of a contract. — See *Spicer v. Anchorage Indep. Sch. Dist.*, 410 P.2d 995 (Alaska 1966). Cited in *Skagway City Sch. Bd. v. Davis*, 543 P.2d 218 (Alaska 1975).



FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT

520 Fifth Avenue

Fairbanks, Alaska 99701-4758

(907) 452-2000

Board of Education March 9, 1993

John Wilken
Member
District A
1-0941

Representative Jeanette James
Alaska State Legislature
MS 3100
Juneau, Alaska 99801-1182

Bill Burrows
Vice President
District B
1-0985

Dear Representative James:

John Haigh
Member
District D
1-7834

Thank you for responding to the Fairbanks School Board's request to introduce HB93 to repeal unnecessary restriction in law regarding strict duty-free mealtime's for teachers. The Fairbanks School Board of Education and our District Administration strongly supports this bill.


Bill Boko
Member
District O
1-9081

Current law directly impacts our ability to create high school schedules that best serve the interests of students. With the repeal of AS14.20.097 the Fairbanks Board of Education and the District's Administration will gain needed flexibility in managing daily schedules for our 15,700 students, resulting in a more efficient utilization of our facilities.

John Warwick
Member
District F
1-8148

As you know, it is the intent of the District to ensure teachers of a scheduled duty-free mealtime. We value our teaching staff and will continue to accommodate their needs in providing a positive work environment. HB93 is an important management tool and will allow us to adjust to changing conditions.

John Henry
Member
District B
1-0034

Sincerely,

Bill Burrows
Vice President
Board of Education

Bill Helms, Lt. Col.
Alaska Air Force Base
Representative
77-3259

John Papp, Major
Fort Wainwright Army Post
Representative
59-3771

cc: Interior Delegation
Rick Cross, Superintendent
Linda Anderson, Legislative Liaison

Ray McAlpin
Student Representative
1-88-9081



FAIRBANKS EDUCATION ASSOCIATION

2118 S. CUSHMAN
 FAIRBANKS, ALASKA 99701-6626
 (907) 456-1435
 FAX (907) 456-2159

February 27, 1996

Representative Cynthia Toohey and Representative Con Bunde
 House HESS Co-Chairs
 Alaska State Legislature
 Juneau, AK 99801-1182

Dear Representative Cynthia Toohey and Representative Con Bunde ,

I am writing you to urge you to do not pass HB 93. AS 14.20.097 has not been an issue in Fairbanks because the Fairbanks Education Association and the Fairbanks North Star Borough School District have mutually agreed to address individual building concerns.

The Fairbanks Education Association has agreed with the Fairbanks North Star Borough School District that in some situations, lunches outside the 11:00- 1:00 window are appropriate. Teachers in the two schools where we have addressed the issue have the option of eating during a lunch period within the 11:00-1:00 window or at a later lunch. This latitude has allowed a diabetic teacher, who had to eat lunch to maintain her blood sugar level, to eat lunch within the current 11:00-1:00 window.

If AS 14.20.097 is amended as proposed in HB 93, "lunch" could occur at any time within the day. In this district lunch could be as early as 7:15 am or as late as 4:00pm. Our concern is that "lunch" should occur near midday.

Sincerely,

Bill Bjork, President
 Fairbanks Education Association

Post-it™ Fax Note	7671	Date	2/27	# of pages	▶
To	Vernon M.	From	SBH		
Co/Dept.		Co.	FEA		
Phone #		Phone #			
Fax #		Fax #			

Rod McCoy, Teacher
7749 Old Harbor Rd.
Anchorage, Ak. 99504
February 25, 1996

House of Representatives
Hess Committee

Regarding: HB 93 Teacher duty free lunch

I met with HFSS secretary Lynne Smith during my recent trip to Juneau. She showed me a letter from the Fairbanks School Administration that supported this bill saying they are interested in continuing their offer for a duty free mealtime for their teachers. The letter made no indication of whether their intended meal was breakfast, lunch, or dinner.

I am sure the Fairbanks district has the best of intentions. However we can not remove this provision. It would allow the duty free lunch time to be abused and make the original intention of protection for the physical and emotional needs of the teacher to be abrogated.

I believe there is a need for the Department of Education to create in consensus with employee organizations a committee that will allow certain short term waivers for legislation. There would need to be protection of all interests. A district could not obtain a waiver if their employees did not support the agreement. Employees could not obtain a waiver if the district could not support it. There needs to be local community/parent group agreement.

However, I do not believe there is agreement between the Fairbanks district and its employees. If there were such an agreement, I do not believe they would be requesting this change. The issue would have already been solved locally without the participation of the state.

Please do not support this bill. Most but not all administrations understand the importance of maintaining this minimum regard for the needs of their teachers.

Respectfully,


Rod McCoy

HB 93

Amend to read

Each governing body shall allow its teachers in school facilities with four or more teachers a daily duty-free mealtime of at least 30 minutes between 11:00 a.m. and 1:00 p.m. or between such other hours as the governing body and the union representing teachers in a school district may specify.

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

Rod McCoy, Teacher
7749 Old Harbor Rd.
Anchorage, Ak. 99504
February 25, 1996

House of Representatives
Hess Committee

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Please do not support this bill. Most but not all administrations understand the importance of maintaining this minimum regard for the needs of their teachers.

Respectfully,


Rod McCoy

more money should be spent on studies directed toward the effects of bottom trawling on fish habitat.

I have enclosed a copy of a letter to the Juneau Empire which deals with the issues addressed in the reports and which would, perhaps, be interesting to you.

Thank you.

Very Truly Yours,

W.R. 

**William R. Tonsgard, Jr.
Chairman of the Board,
Channel Corporations**

Attachments

HB 93

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