

ALABAMA LEGISLATURE OFFICE FILE FILED 1999 2000 10072

10037 SENATE COMMUNITY & REGIONAL AFFAIRS



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original documents after microfilm reproductions have been made.

A handwritten signature in cursive script, appearing to read "Peter Davis", written over a horizontal line.

Signature of Camera Operator

A handwritten date "12/5/2001" written over a horizontal line.

Date

1999-2000

SENATE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

LIST OF FILES (PAGE 1)

MICROFICHE #

SB 80

SB 125

SB 131

SB 156

SB 181

SB 182

SB 213

SB 227

SB 240

SB 242

SB 248

SB 304

SJR 37

HB 22

HB 71

HB 92

HB 93

HB 133

HB 137

HB 155

HB 255

1999-2000

SENATE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

LIST OF FILES (PAGE 2)

MICROFICHE #

HB 272

SCRA21

S B

80

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

No. 1
Bill Version: SB80
(S) Publish Date: 2-18-99

Revision Date/Time (Note if correction): _____
Title: Tribal Family Assistance Programs
Sponsor: Rules Committee
Requestor: Governor

Dept. Affected: Health and Social Services
BRU: Public Assistance
Component: Tribal Assistance Program
COMPONENT SERIAL NO. 2336
See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
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	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY1999) cost: \$0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Under federal law, 12 Alaska Native regional non-profits and the village of Metlakatla are authorized to receive federal funds for the administration of tribal family assistance programs. This legislation authorizes the department to grant and contract with Alaska Native regional non-profit organizations for the operation of tribal family assistance programs providing temporary assistance and supportive services to recipients living in regions served by the regional non-profits and the village of Metlakatla. The legislation also provides for the approval of regional public assistance programs, serving both Native and non-Native families, designed to achieve administrative efficiency and cost effectiveness.

Passage of this legislation will have profound impacts both on the delivery of temporary assistance and supportive services to needy Alaskan Natives and others served by regional assistance programs and on general DPA operations. (Continued)

Prepared by: Jim Nordlund
Division: Public Assistance
Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Phone: 465-2680
Date/Time: 12/29/98 12:34 PM
Date: 1/14/99

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
For further distribution information, call the Governor's Legislative Office

ANALYSIS (cont.):

Effects will be felt in various areas of DPA program administration and operation. Fiscal impacts, however, are contingent upon which organizations actually pursue implementation of tribal assistance programs and the approval of regional assistance programs.

A new component has been added to the DPA budget that will accommodate the inclusion of tribal family assistance programs and regional assistance programs in the agency's planning process. In the future, agency budget requests will reflect the financial impact resulting from the development and implementation of these programs.

TONY KNOWLES
GOVERNOR



P O Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500
Fax (907) 465-3532

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 18, 1998

80

The Honorable Drue Pearce
Senate President
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182


Dear President Pearce:

The bill I transmit today continues Alaska's efforts to implement effective and responsible welfare reform, particularly in rural areas. This bill builds on the provision in federal welfare reform law that allows regional non-profit Native corporations to develop and implement independent welfare programs promoting local responsibility for program success by tying program assistance to local economic and social conditions. Under this bill, the Department of Health and Social Services (DHSS) will be able to award grants to regional Native organizations operating tribal family assistance plans that differ from the Alaska Temporary Assistance Program plan because they are designed to meet regional circumstances.

The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 provided that specifically named Alaska Native organizations could propose to operate tribal temporary assistance plans, independent of the state plan, to serve the Alaska Native and Indian populations within a specific geographical region. A state- and federally-approved tribal family assistance plan will receive, directly from the federal government, a portion of Alaska's allocation of the Temporary Assistance for Needy Families block grant money. The federal money, however, is only about half of the money that has historically been appropriated to serve this population. This bill establishes clear statutory standards under which the state would provide grants to Alaska Native organizations with federally-approved tribal plans that differ from the state's plan.

As of October 1, 1998, Tanana Chiefs Conference, Inc. (TCC) received approval from the federal government to operate its own tribal temporary assistance program for needy families. The DHSS developed a plan with TCC to serve tribal program recipients.

The Honorable Drue Pearce

February 18, 1999

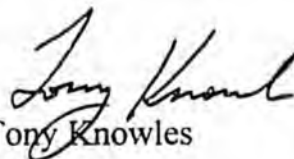
Page 2

Under current state law, however, the program must be identical to the state's temporary assistance program. As a consequence, the state loses the opportunity to shape regional programs to meet regional conditions. This bill will make it possible for regional programs to be designed to specifically address local circumstances.

Regional tribal plans are expected to be custom designed to meet the economic conditions and needs of the region. This bill also would allow the DHSS to adopt a regional plan for non-tribal members if such a plan appears more suitable to address regional conditions. Therefore, program standards under a regional plan could differ from some otherwise generally applicable standards of the state's plan, but would always contain specifically identified program elements.

This bill will contribute to making our public assistance programs more effective by considering regional conditions in plan developments. I urge your support of this measure.

Sincerely,



Tony Knowles
Governor

Objectives in Developing HB 98 or SB 80

- ✓ **Promote self-sufficiency for families on public assistance, particularly in rural Alaska.**
 - Native organizations desire self-sufficiency for all Tribal members.

- ✓ **Promote flexibility in designing local approaches to achieving self-sufficiency.**
 - Native organizations have a better grasp of regional socio-economic conditions, which allows them to tailor services based on the unique needs of local communities.
 - Alaska Native organizations will be more successful in moving clients from welfare to work, therefore reducing caseload and expenditures.
 - Providing state funds will free up federal block grant moneys that can be used for innovative welfare-to-work and self-sufficiency efforts.

- ✓ **Assure that both the State and Regional programs are managed efficiently and cost effectively.**
 - Local control and local presence puts Tribes in the best position to administer the program.
 - Federal funds alone are insufficient for operation for a TFAP.
 - Supplementing Tribal Family Assistance Programs will help ensure effective service delivery models for rural Alaska.
 - Tribes can leverage existing programs they currently administer to support self-sufficiency goals of families (i.e. Native Employment Works!, Education, Employment & Training funds, General Assistance).

- ✓ **Regional Public Assistance Programs discourage disparity in benefits and services for Alaskans living in the same community or region.**

- ✓ **Promotes rural self-governance, supports community ownership and partnerships, and guarantees equitable service delivery in rural Alaska.**

Summary of Issues Relating to the Legislation on Grants for Alaska Tribal Family Assistance Programs

Governor's Bill: "An Act relating to contracts for the provision of state public assistance to certain recipients in the state; establishing regional public assistance plans and programs to the state; relating to grants for Alaska tribal family assistance programs; and providing for an effective date."

FINDINGS AND INTENT:

Section 1 (a):

- self-sufficiency for families is a statewide goal
- self-sufficiency efforts succeed when local communities take responsibility for reducing dependence
- new law offers Native organizations the opportunity to assume responsibility for providing services; and
- it is in the State's best interests to promote regional responsibility for the design of the state services.

Section 1 (b):

- Provide certain appropriations to the Native organizations assuming responsibility.
- State plans may be approved, may be administered uniformly in the region for all recipients.

THE LEGISLATION . . .

- allows the state to grant Tribal Organizations that operate Tribal Family Assistance Programs (TFAP).
- is supported by DHSS Commissioner and DPA staff.
- gives Native organizations the opportunity to serve all Native and non-Native families within their service areas through a Regional Public Assistance Program, which discourages different service packages for clients living in same region.

THE NATIVE ORGANIZATIONS . . .

- have local control and local presence.
- are in great position with years of administrative experience with state and federal programs: Child Care; Native Employment Works (old JOBS program); Employment & Training, Energy/General Assistance, Family Services, etc.
- will leverage existing programs to support TFAP.
- desire self-sufficiency for all Tribal members.
- know local economy and characteristics of Tribal members.
- held lengthy consultation period with DHSS on these very issues.

AFTER EFFECTS if legislation is not passed. . .

- Clients will continue to live in rural communities where DHSS/DPA has no or limited presence or enforcement.
- impedes efforts to promote and support community ownership and partnerships in Welfare Reform efforts.
- Requires greater effort on part of state to guarantee equitable service delivery.

Native Organization sends Letter of Intent to the Department with a proposed plan 8 months before proposed effective date of plan¹



Department reviews plan to identify service boundaries and other important elements*.



*** STATE REQUIREMENTS:**
 Plan Must:

- Facilitate self-sufficiency within the region
- Provide for a reasonable pattern of service delivery
- Serve a specified region which is geographically coherent and shares common resources, traditions and interests
- Include the following standards:
 - * Must have dependent child in household
 - * Payment amounts cannot exceed State amount
 - * Minor parent must live in an approved adult-supervised setting
 - * Able-bodied participants must work
 - * Participants must cooperate with child support enforcement



If Native Organization does not adhere to requirements, Department notifies Native Organization of any significant deficiencies.



If plan meets requirement, Native Organization is eligible for State Grant to serve Tribal members

Native Organization may make a supplemental submission to the Department to resolve any deficiencies



Plan submitted to Federal Government



Federal Approval



Native Organization receives the Grant for Alaska Tribal Family Assistance Programs

At discretion of Commissioner, Adopt Regional Public Assistance Plan for all recipients within geographic boundary. Native Organization receives funds to serve non-Tribal members²



¹ The Commissioner may waive the time deadline specified if the Commissioner:
 (1) Enters into a joint planning agreement between the department and the Native organization; or
 (2) finds good cause and the waiver is in the state's best interest.

² The Native organization must provide documentation that indicates federal approval of TFAP. They must also be awarded an Alaska Tribal Family Assistance Grant before receiving additional funds to serve non-Tribal members through a Regional Public Assistance Program.

INFORMATION ON SB 80 - REGIONAL PUBLIC ASSISTANCE PLANS

1. **Incentives to cap regional spending and reduce welfare caseloads.** By allowing tribes to enter into more flexible agreements, which in effect impose regional caps on spending, the bill creates a strong incentive for communities within regions of the state to decrease their welfare caseloads.

Under current state statute no such regional incentives exist. The state as a whole has a vested interest to decrease its overall caseload because of its capped federal funding and 5 year limit on individual benefits. However, most communities in rural Alaska, because of their high unemployment rates are exempt from the sixty month time limit imposed by federal law. The current state statute does nothing to encourage regional programming aimed at curtailing dependency on welfare based on the state's funding cap.

2. **Tougher sanctions and stricter requirements to receive welfare.** The bill allows tribes to increase requirements and levy stronger sanctions for welfare recipients in their regions.

Current contracting under existing statute mandates adherence to standard program parameters, which some tribes feel are not assertive enough to adequately deal with certain dependency issues faced by families in their communities. Some tribes feel that current state programming is not restrictive enough to effectively encourage people in their region to move from welfare to work

3. **Local control of programming.** The bill encourages tribes to work with their regional native non-profit organizations to design welfare and employment programming which meets unique cultural economic and demographic needs of their communities. The bill's increased flexibility for regional program design allows tribes to structure local staffing of welfare programs with a greater potential for getting people to work.

Under current state statute all welfare programming is centrally regulated and operated through standards established in the statute itself. Under the current state system, the majority of services to help people to become more employable and to find work are available only at urban centered agencies. Most rural welfare recipients are monitored, if at all, through infrequent telephone contacts from caseworkers far from the communities in which they live.

4. **Putting rural Alaskans to work.** The bill allows for regional program flexibility and locally based staffing to more closely monitor fraud and overall program compliance including making sure that people receiving assistance participate in mandatory work activities.

Under the current state welfare program, mandatory work participation rules for welfare recipients who live in rural communities have remained far below required standards. While the state has been meeting or exceeding its work participation rates for welfare recipients living in Alaska's cities, its programming under the current statute has done little to get Rural recipients working for their benefits.

** the government*

Background regarding Regional Public Assistance Plans & Grants for Alaska Tribal Assistance Programs

The intent of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 is to decentralize programming and encourage local innovation to reduce dependency on welfare. In order to achieve that end, the federal law limits the amount of time that individuals can receive assistance and caps the level of annual funding available to each state or tribe.

Some tribes in Alaska have expressed their willingness to assume the responsibility of designing and operating more locally responsive welfare reform programming through their Regional Native Non-Profit Corporation. By doing so they are willing to self impose a cap on federal welfare program spending in their region and to reduce the state share of funding in direct proportion to the annual reduction in the case load for their region.

Under federal law Alaska's 12 Regional Native Non-Profit Corporations and the Metlakatla tribe have the authority to receive their federal share of funding to design and operate their own Temporary Assistance for Needy Families (TANF) program.

Current state statute allows these same tribal entities (as well as municipalities and non-profit organizations) to receive state funds to operate welfare reform programming under the Alaska Temporary Assistance Program. Unfortunately, the current state statute does not afford tribes the level of flexibility needed to implement more far reaching reform measures that some tribes wish to incorporate into their regional welfare reform program designs. Under federal law, tribal entities in Alaska which elect to operate their own TANF program using federal funds must provide services comparable to those offered by the state. However, they are not required to offer services which are identical to those of the state. Under current state statute tribes can contract with the state only to provide services and benefit levels specifically described in the statute.

The Tanana Chiefs Conference was the first tribal entity to have entered into a contract with the state to provide welfare programming for tribal households in their region. In order to do so, TCC had to modify the original program plan which it submitted for federal funding to include provisions identical to those spelled out in state statute.

The original TCC welfare program plan (not allowable under current state statute) called for the following:

- A 5% across the board reduction in benefits,
- Mandatory alcohol and substance abuse evaluations for all adult household members
- Stronger sanctions for failure to comply with work requirements
- Stronger sanctions for non compliance with provisions regarding domestic violence
- Incentives for participation in parent teacher conferences and local health screenings

The proposed bill would allow tribes flexibility which is comparable to federal welfare legislation. It is premised on the same rationale that allows states to design and operate their own programming. It has been designed through the joint efforts of the tribal entities specified in state and federal law with the support of the State of Alaska Department of Health and Social Services. The bill allows for increased local involvement in the design and implementation of welfare reform programming, increases regional program accountability, and creates local incentives to reduce welfare roles by establishing regional caps on welfare spending.

For additional information regarding the proposed state legislation, Tribal TANF programming and the TCC Athabaskan Self-sufficiency Assistance Partnership (ASAP) program contact:

Don Shircel, Director of Family Services
Tanana Chiefs Conference, Inc.
122 First Avenue, Suite 600
Fairbanks, AK 99701

Phone: 1-800-478-6822 extension 3229

Fax: (907) 459-3883

E-mail: dshircel@tananachiefs.org

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR HOFFMAN

TO: CSSB 80(CRA), Draft Version "D"

1 Page 7, line 21, following "obtain assistance":

2 Insert "under this chapter"

3 Page 7, line 22, following "region":

4 Insert "; however, the person may obtain directly from the department any other public
5 assistance administered by the department for which the person is eligible, and the department
6 may not discriminate against a person in the provision of other public assistance on the basis
7 that the person's assistance under this chapter is obtained from an organization that is
8 administering a grant under this section"

9 Page 9, line 10, following "state public assistance":

10 Insert "under this chapter"

11 Page 9, line 11, following "region":

12 Insert "; however, the person may obtain directly from the department any other public
13 assistance administered by the department for which the person is eligible, and the department
14 may not discriminate against a person in the provision of other public assistance on the basis
15 that the person's assistance under this chapter is obtained from an organization that is
16 administering a contract under this section"

CS FOR SENATE BILL NO. 80(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered:

Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to contracts for the provision of state public assistance to
2 certain recipients in the state; providing for regional public assistance plans and
3 programs in the state; relating to grants for Alaska Native family assistance
4 programs; and providing for an effective date."

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

6 * Section 1. FINDINGS AND INTENT. (a) The legislature finds that

7 (1) self-sufficiency for Alaska families is a statewide goal and that achieving
8 self-sufficiency is greatly influenced by local conditions, particularly in rural Alaska with its
9 unique mix of subsistence and cash economies;

10 (2) self-sufficiency efforts are more likely to succeed when local communities
11 in a region of Alaska take responsibility for reducing dependence and when those efforts
12 accurately reflect the social and economic conditions of that region;

13 (3) new federal welfare reform law offers Alaska Native nonprofit
14 organizations the opportunity to assume responsibility for providing public assistance and self-

1 sufficiency services throughout the state; and

2 (4) it is in the best interests of the state to promote regional responsibility for
3 the design of the state public assistance program and self-sufficiency services.

4 (b) It is the intent of the legislature

5 (1) to provide certain appropriations that would otherwise be used to provide
6 assistance and self-sufficiency services to the recipients living in a public assistance region
7 through an Alaska Native family assistance grant to the Alaska Native nonprofit organizations
8 that are assuming the responsibility for providing assistance and services in that region;

9 (2) that state public assistance plans may be approved on a regional basis in
10 appropriate circumstances and, if approved, may be administered uniformly in the region for
11 all recipients in order to achieve the maximum cost efficiencies and benefits of a regionally
12 designed program.

13 * Sec. 2. AS 36.30.850(b) is amended by adding a new paragraph to read:

14 (41) contracts awarded under AS 47.27.072 for state public assistance
15 provided under a regional public assistance plan.

16 * Sec. 3. AS 47.27.005 is amended to read:

17 **Sec. 47.27.005. Duties of the department.** The department shall

18 (1) administer the Alaska temporary assistance program by providing
19 assistance with basic living expenses and self-sufficiency services to needy children
20 and their families under this chapter and, if appropriate, by establishing regional
21 public assistance programs to provide effectively for varying economic conditions
22 in regions of the state designated by the department;

23 (2) establish, by regulation, program standards that will provide
24 incentives to work, incentives for financial planning, and opportunities to develop
25 self-sufficiency while providing assistance with basic living expenses;

26 (3) prepare, submit to the federal government, and amend, if necessary,
27 a state plan designed to ensure [ASSURE] that federal money is available to the state
28 for the operation of the program set out in this chapter to provide assistance for basic
29 living expenses and self-sufficiency services to needy children and their families
30 consistent with the state objectives identified in (2) of this subsection [SECTION];

31 (4) adopt methods of program administration to ensure consistency with

1 the federal requirements under a successor federal program that replaces the aid to
2 families with dependent children program;

3 (5) make reports regarding the program to the federal government as
4 required under federal law [ANY SUCCESSOR FEDERAL PROGRAM THAT
5 REPLACES THE AID TO FAMILIES WITH DEPENDENT CHILDREN
6 PROGRAM], in the form and containing the information required, and comply with
7 the provisions that the federal government determines are necessary to ensure correct
8 and verifiable information on the program;

9 (6) provide to the legislature an annual executive summary of the
10 information required to be reported to the federal government under (5) of this
11 subsection [SECTION];

12 (7) conduct studies and research in order to evaluate and monitor the
13 effectiveness of the state program; and

14 (8) adopt regulations and take action to implement, interpret, and
15 administer the provisions of this chapter.

16 * Sec. 4. AS 47.27.005 is amended by adding a new subsection to read:

17 (b) In implementing its duties under (a) of this section, the department may
18 adopt program standards that vary by region in the state in order to incorporate the
19 standards of an Alaska Native family assistance plan into a regional plan. The
20 program standards adopted under this subsection need not contain all of the
21 requirements of this chapter if they meet the standards set out in AS 47.27.072 and
22 contain the program elements set out in AS 47.27.071.

23 * Sec. 5. AS 47.27 is amended by adding new sections to read:

24 **Sec. 47.27.071. Alaska Native family assistance grants.** (a) Notwithstanding
25 a contrary provision of this chapter and in addition to grants awarded under
26 AS 47.27.050, the department may award and administer Alaska Native family
27 assistance grants in accordance with this section to Alaska Native organizations that
28 meet the requirements of AS 47.27.070. Only an organization that received approval
29 for, and has agreed to operate, a federally approved tribal family assistance plan in this
30 state is eligible to receive a grant under this section. An organization that receives a
31 grant under this section shall operate the plan approved under this section on a state

1 fiscal year basis.

2 (b) If an organization intends to apply for a grant under this section, the
3 organization shall first submit to the department a letter of intent along with a copy
4 of the proposed federal tribal family assistance plan that will be submitted to the
5 federal government for approval. The organization shall make its submission to the
6 department at least six months before the proposed effective date of the federal tribal
7 family assistance plan. The department shall review the submission and notify the
8 organization of significant deficiencies that would make the organization ineligible to
9 be considered for an Alaska Native family assistance grant even if federal approval is
10 received without significant changes to the federal tribal family assistance plan and
11 federal grant money is awarded for implementation of that plan. The organization may
12 make a supplemental submission to the department to resolve deficiencies noted by the
13 department. If, after departmental review and supplemental revision, an organization's
14 plan remains eligible for consideration for a grant award under this section, the
15 department shall notify the organization that the organization may submit a proposal
16 for a grant award after the organization has received notice of federal approval of the
17 federal tribal family assistance plan and the pending award of federal grant money.
18 The commissioner may waive the time deadline specified in this subsection if the
19 commissioner

20 (1) enters into a joint planning agreement between the department and
21 the organization; or

22 (2) finds good cause and the waiver is in the state's best interest.

23 (c) If the department awards a grant under this section, the grant shall be in
24 an amount that

25 (1) for the first fiscal year under the plan accepted by the department,
26 represents a fair and equitable portion of the state appropriations for the state public
27 assistance program administered under this chapter intended to serve the state residents
28 who will be served by the plan; and

29 (2) for the second and subsequent state fiscal years under the plan
30 accepted by the department, represents a fair and equitable portion of state
31 appropriations made for public assistance programs that is allocated for Alaska Native

1 family assistance grants to be awarded under this section in order to serve the state
2 residents who will be served by the plan; if the money is not allocated for these grants,
3 the amounts shall be made in the same manner as described in (1) of this subsection.

4 (d) For an organization to be eligible to be awarded a grant under this section,
5 the organization's proposal must include

6 (1) documentation that the organization

7 (A) has received federal approval of its federal tribal family
8 assistance plan to operate a tribal assistance program in this state; and

9 (B) will receive a grant directly from the federal government to
10 implement the federal tribal family assistance plan;

11 (2) a plan for operation of the Alaska Native family assistance grant
12 that meets the requirements of (e) of this section; and

13 (3) if the commissioner determines that a federally approved tribal
14 family assistance plan would be a cost-effective and efficient means of administering
15 the program established in this chapter in that region of the state and the needs of state
16 public assistance recipients receiving assistance under this chapter can be met through
17 a contract awarded under AS 47.27.072, the organization's agreement to enter into a
18 contract with the department to provide state public assistance to those eligible state
19 residents in the region who are not included in the population to be served by the
20 federally approved tribal family assistance plan.

21 (e) An organization's plan for operation of the Alaska Native family assistance
22 grant must

23 (1) be designed to facilitate self-sufficiency of assistance recipients in
24 the region specified in the federally approved tribal family assistance plan by
25 addressing the conditions specific to that region;

26 (2) provide for a reasonable pattern of service delivery from all
27 providers serving that region;

28 (3) serve a specified region that consists of a geographically cohesive
29 group of communities that share similar interests, resources, and traditions; and

30 (4) provide for administration of the grant money received under this
31 section to establish a program in accordance with the plan accepted by the department

1 and in compliance with other requirements of this section; the program must include
2 the following standards for providing assistance to eligible families:

3 (A) only families with at least one dependent child or a woman
4 in the last trimester of pregnancy are eligible for assistance paid from an
5 Alaska Native family assistance grant;

6 (B) amounts for assistance provided from an Alaska Native
7 family assistance grant to eligible families may not exceed the amounts
8 specified under AS 47.27.025(b) when combined with assistance provided
9 under the federally approved tribal family assistance grant;

10 (C) to remain eligible for assistance paid from an Alaska Native
11 family assistance grant, a minor parent of a dependent child must meet the
12 requirements of AS 47.27.027;

13 (D) families receiving assistance paid from an Alaska Native
14 family assistance grant shall comply with the provisions of AS 47.27.035(a)
15 regarding participation in work activities;

16 (E) families receiving assistance paid from Alaska Native family
17 assistance grant money shall comply with the provisions of AS 47.27.040
18 regarding assignment of support rights and cooperation with the child support
19 enforcement agency of the Department of Revenue;

20 (F) the organization has an impartial appeals process to allow
21 for affected families in the region of the state covered by the plan accepted by
22 the department to have a fair hearing.

23 (f) The department may award a grant under this section only if the department
24 determines that the proposal, including a plan for operation of the grant, meets the
25 criteria specified in (d) and (e) of this section and that an award of the grant to the
26 organization would be in the public interest. The department may not distribute grant
27 money until a grant agreement between the organization and the department is
28 executed that meets the requirements of this section.

29 (g) Records pertaining to recipients of assistance from an Alaska Native family
30 assistance grant awarded under this section are confidential public assistance records
31 under AS 47.05.020 and regulations adopted under AS 47.05.020. Use and misuse of

1 these records are subject to the provisions of AS 47.05.030. It is an official purpose
2 under AS 47.05.020 for an organization receiving a grant under this section and the
3 department or another agency of the state to exchange information concerning
4 recipients of assistance under this section if the information requested is for purposes
5 directly connected with the administration of a grant under this section.

6 (h) An organization receiving a grant under this section shall provide to the
7 department a copy of its quarterly report made under 42 U.S.C. 611. The organization
8 shall have its financial records audited annually by a certified public accountant
9 authorized to practice under AS 08.04. The department may prescribe the form and
10 specify the information required to document compliance with this section.

11 (i) If an organization wishes to terminate its program before the end of the
12 time period for which the grant was awarded under this section, the organization must
13 obtain the consent of the department or provide notice to the department 120 days
14 before the anticipated date of termination. At the end of a grant agreement or by early
15 termination under this section, the organization shall provide an inventory of property
16 valued at \$1,000 or over and purchased, in whole or in part, with grant money awarded
17 under this section. The department shall notify the organization of the required
18 disposition of the property listed on the inventory.

19 (j) If the department awards a grant under this section, a person applying for
20 assistance under this chapter who is covered by the federally approved tribal family
21 assistance plan in that region of the state may obtain assistance from the department
22 only through the organization designated by the department to serve the region. A
23 person aggrieved by a decision made by an organization under a grant awarded under
24 this section may use the appeal procedure specified in AS 47.27.072(e).

25 **Sec. 47.27.072. Regional public assistance plans, programs, and contracts.**

26 (a) Notwithstanding a contrary provision of this chapter, the department may develop
27 a regional public assistance plan and implement a regional program for the
28 administration of this chapter in order to provide state public assistance in a uniform
29 and cost-effective manner in a region of this state. The department may develop a
30 regional public assistance plan only if an Alaska Native organization is authorized to
31 implement a federally approved tribal family assistance plan in the region and has been

1 awarded an Alaska Native family assistance grant for a program in that region for the
2 applicable fiscal year under AS 47.27.071. The regional public assistance plan under
3 this section must be designed to serve eligible state residents in the region who are not
4 covered by a federally approved tribal family assistance program in that region.

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

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

14 (1) has been awarded an Alaska Native family assistance grant for a
15 program in that region under AS 47.27.071;

16 (2) agrees to administer state public assistance under this chapter to
17 state residents in the region who are not served by the Alaska Native family assistance
18 grant awarded under AS 47.27.071;

19 (3) agrees to provide state public assistance identical to that provided
20 under the federally approved tribal family assistance plan for which Alaska Native
21 family assistance grant money has been awarded under AS 47.27.071; and

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

24 (d) Records pertaining to recipients of state public assistance under a contract
25 awarded under this section have the same confidential protections as are provided to
26 recipients of assistance from Alaska Native family assistance grants under
27 AS 47.27.071.

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

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

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

12 * Sec. 6. AS 47.27.900 is amended by adding a new paragraph to read:

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

17 * Sec. 7. APPLICABILITY. This Act does not apply to the provisions of an existing
18 Alaska Native family assistance grant agreement in effect on the effective date of this Act
19 until the earliest of the following occurs:

20 (1) the grant agreement expires;
21 (2) the grant agreement is terminated;
22 (3) a substantial modification is made to the grant agreement; routine technical
23 amendments to an existing Alaska Native family assistance grant agreement in effect on the
24 effective date of this Act do not constitute a substantial modification for purposes of this
25 paragraph.

26 * Sec. 8. This Act takes effect immediately under AS 01.10.070(c).

Objectives in Developing CS SB 80

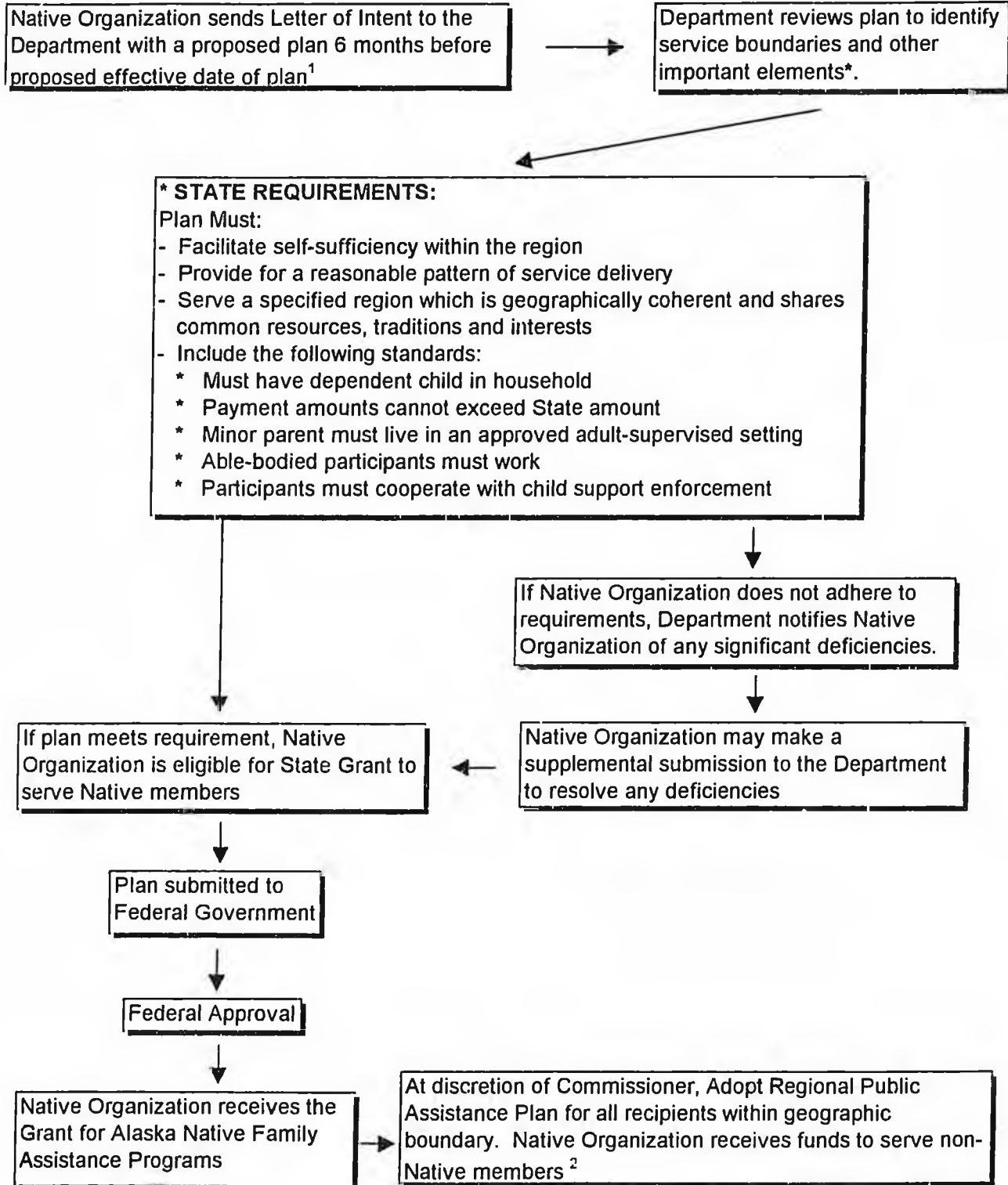
- ✓ **Promote self-sufficiency for families on public assistance, particularly in rural Alaska.**
 - Native organizations desire self-sufficiency for all Natives living in their region.

- ✓ **Promote flexibility in designing local approaches to achieving self-sufficiency.**
 - Native organizations have a better grasp of regional socio-economic conditions, which allows them to tailor services based on the unique needs of local communities
 - Native organizations will be more successful in moving clients from welfare to work, therefore reducing caseload and expenditures.
 - Providing state funds will free up federal block grant moneys that can be used for innovative welfare-to-work and self-sufficiency efforts.

- ✓ **Assure that both the State and Regional programs are managed efficiently and cost effectively.**
 - Local control and local presence puts Native organizations in the best position to administer the program
 - Federal funds alone are insufficient for operation for an Alaska Native Family Assistance Plan.
 - Supplementing Alaska Native Family Assistance Programs will help ensure effective service delivery models for rural Alaska.
 - Native organizations can leverage existing programs they currently administer to support self-sufficiency goals of families (i.e. Native Employment Works!, Education, Employment & Training funds, General Assistance).

- ✓ **Regional Public Assistance Programs discourage disparity in benefits and services for Alaskans living in the same community or region.**

- ✓ **Promotes rural self-governance, supports community ownership and partnerships, and guarantees equitable service delivery in rural Alaska.**



¹ The Commissioner may waive the time deadline specified if the Commissioner:
 (1) Enters into a joint planning agreement between the department and the Native organization; or
 (2) finds good cause and the waiver is in the state's best interest.

² The Native organization must provide documentation that indicates federal approval of their Alaska Native Family Assistance Program. They must also be awarded an Alaska Native Family Assistance Grant before receiving additional funds to serve non-Native members through a Regional Public Assistance Program.

deems necessary to produce statistically valid estimates of the performance of State programs funded under this part. The Secretary may develop and implement procedures for verifying the quality of data submitted by the States.

"(2) REPORT ON USE OF FEDERAL FUNDS TO COVER ADMINISTRATIVE COSTS AND OVERHEAD.—The report required by paragraph (1) for a fiscal quarter shall include a statement of the percentage of the funds paid to the State under this part for the quarter that are used to cover administrative costs or overhead.

"(3) REPORT ON STATE EXPENDITURES ON PROGRAMS FOR NEEDY FAMILIES.—The report required by paragraph (1) for a fiscal quarter shall include a statement of the total amount expended by the State during the quarter on programs for needy families.

"(4) REPORT ON NONCUSTODIAL PARENTS PARTICIPATING IN WORK ACTIVITIES.—The report required by paragraph (1) for a fiscal quarter shall include the number of noncustodial parents in the State who participated in work activities (as defined in section 407(d)) during the quarter.

"(5) REPORT ON TRANSITIONAL SERVICES.—The report required by paragraph (1) for a fiscal quarter shall include the total amount expended by the State during the quarter to provide transitional services to a family that has ceased to receive assistance under this part because of employment, along with a description of such services.

"(6) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to define the data elements with respect to which reports are required by this subsection.

"(b) ANNUAL REPORTS TO THE CONGRESS BY THE SECRETARY.—Not later than 6 months after the end of fiscal year 1997, and each fiscal year thereafter, the Secretary shall transmit to the Congress a report describing—

"(1) whether the States are meeting—

"(A) the participation rates described in section 407(a); and

"(B) the objectives of—

"(i) increasing employment and earnings of needy families, and child support collections; and

"(ii) decreasing out-of-wedlock pregnancies and child poverty;

"(2) the demographic and financial characteristics of families applying for assistance, families receiving assistance, and families that become ineligible to receive assistance;

"(3) the characteristics of each State program funded under this part; and

"(4) the trends in employment and earnings of needy families with minor children living at home.

subpart (b)

sec 412



USC 612. "SEC. 412. DIRECT FUNDING AND ADMINISTRATION BY INDIAN TRIBES.

"(a) GRANTS FOR INDIAN TRIBES.—

"(1) TRIBAL FAMILY ASSISTANCE GRANT.—

"(A) IN GENERAL.—For each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002, the Secretary shall pay to each Indian tribe that has an approved tribal family assistance plan a tribal family assistance grant for the fiscal

year in an amount equal to the amount determined under subparagraph (B), and shall reduce the grant payable under section 403(a)(1) to any State in which lies the service area or areas of the Indian tribe by that portion of the amount so determined that is attributable to expenditures by the State.

"(B) AMOUNT DETERMINED.—

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

"(ii) USE OF STATE SUBMITTED DATA.—

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

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

DISPUTES

"(2) GRANTS FOR INDIAN TRIBES THAT RECEIVED JOBS FUNDS.—

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

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

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

"(D) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated \$7,638,474 for each fiscal year specified in subparagraph (A) for grants under subparagraph (A).

"(b) 3-YEAR TRIBAL FAMILY ASSISTANCE PLAN.—

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

NEW?

3yr Plan

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

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

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

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

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

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

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

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

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

"(1) consistent with the purposes of this section;

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

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

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

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

"(1) generally accepted accounting principles; and

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

"(f) PENALTIES.—

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

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

412(c) →
applies to Tribal
identity

(1), (a)(6), (b)
(3), reword
'comply with
407(a)'

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

sec 41
Applies
Tribes

"(h) SPECIAL RULE FOR INDIAN TRIBES IN ALASKA.—

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

Comparals

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

waiver per

"SEC. 413. RESEARCH, EVALUATIONS, AND NATIONAL STUDIES.

42 USC 613.

"(a) RESEARCH.—The Secretary shall conduct research on the benefits, effects, and costs of operating different State programs funded under this part, including time limits relating to eligibility for assistance. The research shall include studies on the effects of different programs and the operation of such programs on welfare dependency, illegitimacy, teen pregnancy, employment rates, child well-being, and any other area the Secretary deems appropriate. The Secretary shall also conduct research on the costs and benefits of State activities under section 409.

"(b) DEVELOPMENT AND EVALUATION OF INNOVATIVE APPROACHES TO REDUCING WELFARE DEPENDENCY AND INCREASING CHILD WELL-BEING.—

"(1) IN GENERAL.—The Secretary may assist States in developing, and shall evaluate, innovative approaches for reducing welfare dependency and increasing the well-being of minor children living at home with respect to recipients of assistance under programs funded under this part. The Secretary may provide funds for training and technical assistance to carry out the approaches developed pursuant to this paragraph.

"(2) EVALUATIONS.—In performing the evaluations under paragraph (1), the Secretary shall, to the maximum extent feasible, use random assignment as an evaluation methodology.

"(c) DISSEMINATION OF INFORMATION.—The Secretary shall develop innovative methods of disseminating information on any research, evaluations, and studies conducted under this section, including the facilitation of the sharing of information and best practices among States and localities through the use of computers and other technologies.

"(d) ANNUAL RANKING OF STATES AND REVIEW OF MOST AND LEAST SUCCESSFUL WORK PROGRAMS.—

"(1) ANNUAL RANKING OF STATES.—The Secretary shall rank annually the States to which grants are paid under section 403 in the order of their success in placing recipients of assistance under the State program funded under this part into long-term private sector jobs, reducing the overall welfare caseload, and, when a practicable method for calculating this information becomes available, diverting individuals from formally applying to the State program and receiving assistance.

Opportunity Reconciliation Act of 1996) shall not apply with respect to the State before the expiration (determined without regard to any extensions) of the waiver to the extent the amendments made by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 are inconsistent with the waiver.

"(B) NO EFFECT ON NEW WORK REQUIREMENTS.—Notwithstanding subparagraph (A), a waiver granted under section 1115 or otherwise which relates to the provision of assistance under a State program funded under this part (as in effect on September 30, 1996) shall not affect the applicability of section 407 to the State.

"(b) STATE OPTION TO TERMINATE WAIVER.—

"(1) IN GENERAL.—A State may terminate a waiver described in subsection (a) before the expiration of the waiver.

"(2) REPORT.—A State which terminates a waiver under paragraph (1) shall submit a report to the Secretary summarizing the waiver and any available information concerning the result or effect of the waiver.

"(3) HOLD HARMLESS PROVISION.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, a State that, not later than the date described in subparagraph (B) of this paragraph, submits a written request to terminate a waiver described in subsection (a) shall be held harmless for accrued cost neutrality liabilities incurred under the waiver.

"(B) DATE DESCRIBED.—The date described in this subparagraph is 90 days following the adjournment of the first regular session of the State legislature that begins after the date of the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

"(c) SECRETARIAL ENCOURAGEMENT OF CURRENT WAIVERS.—The Secretary shall encourage any State operating a waiver described in subsection (a) to continue the waiver and to evaluate, using random sampling and other characteristics of accepted scientific evaluations, the result or effect of the waiver.

"(d) CONTINUATION OF INDIVIDUAL WAIVERS.—A State may elect to continue 1 or more individual waivers described in subsection (a).

42 USC 616.

"SEC. 416. ADMINISTRATION.

"The programs under this part and part D shall be administered by an Assistant Secretary for Family Support within the Department of Health and Human Services, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be in addition to any other Assistant Secretary of Health and Human Services provided for by law, and the Secretary shall reduce the Federal workforce within the Department of Health and Human Services by an amount equal to the sum of 75 percent of the full-time equivalent positions at such Department that relate to any direct spending program, or any program funded through discretionary spending, that has been converted into a block grant program under the Personal Responsibility and Work Opportunity Act of 1996 and the amendments made by such Act, and by an amount equal to 75 percent of that portion of the total full-time equivalent departmental management positions at such Department that bears the same relationship to the amount

appropriated for any direct spending program, or any program funded through discretionary spending, that has been converted into a block grant program under the Personal Responsibility and Work Opportunity Act of 1996 and the amendments made by such Act, as such amount relates to the total amount appropriated for use by such Department, and, notwithstanding any other provision of law, the Secretary shall take such actions as may be necessary, including reductions in force actions, consistent with sections 3502 and 3595 of title 5, United States Code, to reduce the full-time equivalent positions within the Department of Health and Human Services by 245 full-time equivalent positions related to the program converted into a block grant under the amendment made by section 2103 of the Personal Responsibility and Work Opportunity Act of 1996, and by 60 full-time equivalent managerial positions in the Department.

"SEC. 417. LIMITATION ON FEDERAL AUTHORITY.

42 USC 617.

"No officer or employee of the Federal Government may regulate the conduct of States under this part or enforce any provision of this part, except to the extent expressly provided in this part."; and

(2) by inserting after such section 418 the following:

"SEC. 419. DEFINITIONS.

42 USC 619.

"As used in this part:

"(1) ADULT.—The term 'adult' means an individual who is not a minor child.

"(2) MINOR CHILD.—The term 'minor child' means an individual who—

"(A) has not attained 18 years of age; or

"(B) has not attained 19 years of age and is a full-time student in a secondary school (or in the equivalent level of vocational or technical training).

"(3) FISCAL YEAR.—The term 'fiscal year' means any 12-month period ending on September 30 of a calendar year.

"(4) INDIAN, INDIAN TRIBE, AND TRIBAL ORGANIZATION.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the terms 'Indian', 'Indian tribe', and 'tribal organization' have the meaning given such terms by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(B) SPECIAL RULE FOR INDIAN TRIBES IN ALASKA.—The term 'Indian tribe' means, with respect to the State of Alaska, only the Metlakatla Indian Community of the Annette Islands Reserve and the following Alaska Native regional nonprofit corporations:

"(i) Arctic Slope Native Association.

"(ii) Kawerak, Inc.

"(iii) Maniilaq Association.

"(iv) Association of Village Council Presidents.

"(v) Tanana Chiefs Conference.

"(vi) Cook Inlet Tribal Council.

"(vii) Bristol Bay Native Association.

"(viii) Aleutian and Pribilof Island Association.

"(ix) Chugachmuit.

"(x) Tlingit Haida Central Council.

"(xi) Kodiak Area Native Association.

"(xii) Copper River Native Association.

Sec.
419
(B)

**Comparability Criteria for
the State of Alaska and Alaska Tribal TANF programs**

Section 412(h) of the Social Security Act requires Tribal TANF eligible entities in the State of Alaska to operate a program in accordance with requirements comparable to the State of Alaska's TANF program. Comparability means similarity between State and Tribal TANF programs in the State of Alaska. Comparability, when defined related to services provided, does not necessarily mean identical or equal services.

Comparability of programs has been established on the basis of the following program criteria developed by the Secretary in consultation with the State of Alaska and the Tribal TANF eligible entities in Alaska:

The Alaska Department of Health and Social Services and Tribal TANF eligible entities shall use the following standards to determine that comparability requirements are met in the state of Alaska:

(A) only families with at least one dependent child or a woman in the last trimester of pregnancy are eligible for assistance;

(B) amounts for assistance provided to eligible families may not exceed the amounts specified under AS 47.27.025(b);

(C) to remain eligible for assistance, any minor parent of a dependent child must meet the requirements of AS 47.27.027;

(D) families receiving assistance must comply with the provisions of AS 47.27.035(a) regarding participation in work activities;

(E) families receiving assistance must cooperate with the tribal TANF program and the State of Alaska Child Support Enforcement Division (CSED) or their tribe (when a tribe operates a child support enforcement program) in their efforts to establish paternity and to establish, modify, or enforce a child support order for a dependent child within a tribal TANF program family. A tribal TANF program applicant may not begin to receive benefits until he or she has assigned all rights to the tribal entity authorized under the Act to operate a TANF program for the period for which benefits are paid.

TERMS:

The Secretary retains the authority to amend the TANF program comparability criteria. Should any substantial changes in the federal or state welfare reform laws impact the state's TANF program or the TANF programs of any of the Alaska Native Organizations, the state or any of the Alaska Native Organizations may submit amendments to the program comparability criteria. The Secretary shall consider such submissions in consultation with the state and the Alaska Native Organizations. All amendments to the program comparability criteria shall be made in writing and shall become effective after notice and opportunity for comment by the state and the Alaskan tribal entities.

CERTIFICATION:

The State of Alaska and the following Alaska Native Organizations have been consulted by the Secretary to resolve the issue of comparability in the state of Alaska:

Aleutian/Pribilof Islands Association	Copper River Native Association
Arctic Slope Native Association	Kawerak, Inc.
Association of Village Council Presidents	Kodiak Area Native Association
Bristol Bay Native Association	Maniilaq Association
Central Council of Tlingit & Haida Tribes	Metlakatla Indian Community
Chugachmiut	Tanana Chiefs Conference
Cook Inlet Tribal Council	

By signing this document, I, the Executive Director for the Arctic Slope Native Association, certify that my employee(s): 1) participated in the consultation process; 2) reviewed the document; 3) understand each comparability criteria; and 4) understand that this document will be utilized upon approval of a Tribal TANF program.

For the Alaska Native Organization - Arctic Slope Native Association:



Eben Hopson, Jr., Executive Director



Date

For the Alaska Department of Health & Social Services:

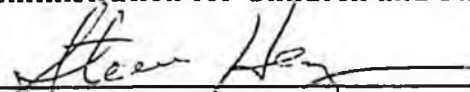


Karen Perdue, Commissioner

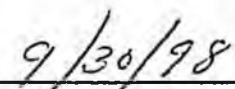


Date

**For the U.S. Department of Health & Human Services,
Administration for Children and Families:**



Steve Henigson, Regional Administrator



Date

AS 47.27.020 WELFARE, SOCIAL SERVICES & INSTITUTIONS

Sec. 47.27.025. Family assistance. [See effective date of chapter note.]

(b) The amounts of assistance for basic living expenses may not exceed the following:

- (1) for a dependent child living with a nonneedy relative caretaker, \$452 per month, plus \$102 for each additional child;
- (2) for a dependent child living with at least one needy parent or relative caretaker, \$821 per month, plus \$102 for each additional child and \$102 for a second needy parent if the second parent is physically or mentally unable to perform gainful activity as defined by department regulation; or
- (3) for a family consisting solely of an eligible pregnant woman, \$514 per month.

Sec. 47.27.027. Assistance to minors. [See effective date of chapter note.] (a) If an applicant under AS 47.27.020 is not married, is under the age of 18, and has not been previously emancipated under AS 09.55.590, the applicant must

(1) live in a home maintained by the applicant's parent, legal guardian, or other adult relative, unless the applicant establishes that there is good cause, as established by the department in regulation, to waive this requirement; if the department waives this requirement, the applicant must live in an approved, adult-supervised, supportive living environment;

(2) agree that assistance for basic living expenses on behalf of the applicant's family may be paid to the applicant's parent, legal guardian, or other adult relative, or if applicable, to the adult head of the adult-supervised, supportive living environment in which the applicant resides; and

(3) maintain attendance in a secondary school or other appropriate training program unless the applicant has a high school diploma or general equivalent diploma.

(b) The department shall reduce the assistance for which an assistance unit is otherwise eligible under this chapter if a minor parent in the assistance unit fails, without good cause, to meet standards of adequate levels of school attendance, as defined in regulations of the department. The reduction under this subsection shall be achieved by disregarding the needs of the person who failed to meet the school attendance standards. The person's needs shall be disregarded until the minor parent complies. (AS 7 ch 107 SLA 1996)

Sec. 47.27.035. Participation in work activities. [See effective date of chapter note.]

(a) An Alaska temporary assistance program participant shall, after the participant's family has received a cumulative total of 24 months of assistance or sooner if assigned to do so by the department, participate in work activities as assigned by the department or its designee in order for the family to continue to receive assistance or services from the department under the Alaska temporary assistance program, unless the participant is exempt from the work participation requirements under one or more of the exemptions set out in (b) - (d) of this section.

(b) A parent or caretaker with a dependent child of up to 12 months of age may be exempt from work participation requirements for up to 12 months, as established in the family self-sufficiency plan.

(c) A parent or caretaker may be exempt from work participation requirements in the family self-sufficiency plan if

(1) the parent or caretaker is providing home care for a child who is experiencing a disability or a related, disabled person who requires 24-hour care;

(2) the parent or caretaker establishes an inability to participate for medical reasons supported by documentation from a physician or other licensed medical professional;

(3) the participation would impose an unreasonable hardship on the family; or

(4) there is a dependent child in the home that has not yet attained six years of age and the parent or caretaker demonstrates an inability to obtain needed child care because appropriate child care is not available.

(d) The department may not require a person to participate in work activities under (a) of this section

(1) if the person is the sole custodial parent for a child under six years of age unless the department agrees to pay for the costs of child care determined by the department to be necessary for the person's participation; and

(2) unless the department agrees to pay for transportation expenses determined by the department to be necessary for the person's participation in the activity.

Sec. 47.27.040. Assignment of support rights; cooperation with child support enforcement agency. [See effective date of chapter note.]

(b) An Alaska temporary assistance program participant shall cooperate with the child support enforcement agency of the Department of Revenue in establishing paternity or establishing, modifying, or enforcing a child support order requiring the payment of support by the noncustodial parent for a dependent child for whom Alaska temporary assistance program assistance is received unless the participant establishes good cause for refusing to cooperate.

Summary of Issues Relating to the Legislation on Grants for Alaska Native Family Assistance Programs

Governor's Bill: "An Act relating to contracts for the provision of state public assistance to certain recipients in the state; establishing regional public assistance plans and programs to the state; relating to grants for Alaska Native family assistance programs; and providing for an effective date."

FINDINGS AND INTENT:

Section 1 (a):

- self-sufficiency for families is a statewide goal
- self-sufficiency efforts succeed when local communities take responsibility for reducing dependence
- new law offers Native organizations the opportunity to assume responsibility for providing services; and
- it is in the State's best interests to promote regional responsibility for the design of the state services.

Section 1 (b):

- Provide certain appropriations to the Native organizations assuming responsibility.
- State plans may be approved, may be administered uniformly in the region for all recipients.

THE LEGISLATION . . .

- allows the state to grant Native organizations that operate Alaska Native Family Assistance Programs.
- is supported by DHSS Commissioner and DPA staff.
- gives Native organizations the opportunity to serve all Native and non-Native families within their service areas through a Regional Public Assistance Program, which discourages different service packages for clients living in same region.

THE NATIVE ORGANIZATIONS . . .

- have local control and local presence.
- are in great position with years of administrative experience with state and federal programs: Child Care; Native Employment Works (old JOBS program); Employment & Training, Energy/General Assistance, Family Services, etc.
- will leverage existing programs to support the Alaska Native Family Assistance Programs.
- desire self-sufficiency for all Natives.
- know local economy and characteristics of Native people.
- held lengthy consultation period with DHSS on these very issues.

AFTER EFFECTS if legislation is not passed. . .

- Clients will continue to live in rural communities where DHSS/DPA has no or limited presence.
- impedes efforts to promote and support community ownership and partnerships in Welfare Reform efforts.
- Requires greater effort on part of state to guarantee equitable service delivery.

Alaska Native Organization Contacts - Welfare Reform
Regional Non-Profits / Metlakatla

Karen Gonne -Harrell, Family Services Supervisor
Aleutian/Pribilof Islands Association
401 E. Fireweed Lane, Suite 201
Anchorage, Alaska 99503-2111
Ph: (907)276-2700 Ext. 109 / FAX: (907)279-4351
E-mail: apiacmsv@ptialaska.net

Colleen Akpik-Lemen, Social Services Director
Arctic Slope Native Association
P.O. Box 1232
Barrow, Alaska 99723
Ph: (907)852-6974 / FAX: (907)852-2049
E-mail: colleen_akpik-lemen@asna.alaska.ihs.gov

Zack Brink, Vice-President of Operations
Association of Village Council Presidents, Inc.
P.O. Box 219
Bethel, Alaska 99559
Ph: (907)543-7300 Ext. 7302 / FAX: (907)543-3596
E-mail: Zack_Brink@avcp.org

Rose Hevano, Workforce Development Director
Bristol Bay Native Association
P.O. Box 310
Dillingham, Alaska 99576
Ph: (907)842-2262 / FAX: (907)842-3498
E-mail: heyano@bbna.com

Sharon Olsen, Director of Employment & Training
Central Council: Tlingit/Haida Indian Tribes
320 West Willoughby
Juneau, Alaska 99801
Ph: (907)586-1432 / FAX: (907)586-8970
E-mail: sharon@ccthtest.ptialaska.net

Rose Ellis, Director of Employment & Training
Chugachmiut
4201 Tudor Centre, Suite 210
Anchorage, Alaska 99508
Ph: (907)562-4155 / FAX: (907)563-2891
E-mail: rose@chugachmiut.com

David Thundereagle, Planner
Cook Inlet Tribal Council
670 W. Fireweed Lane
Anchorage, Alaska 99503-2578
Ph: (907)265-5958 / FAX: (907)265-5996
E-mail: dthundereagle@citci.com

Teri Nutter, Educ., Comm. Dev. & Child Care
Copper River Native Association
Drawer H
Copper Center, Alaska 99573
Ph: (907)822-5241 / FAX: (907)822-5247
E-mail: tnutter@usa.net

Kavik Hahn, Planner
Kawerak, Inc.
P.O. Box 948
Nome, Alaska 99762
Ph: (907)443-5231 / FAX: (907)443-3708
E-mail: kavik@kawerak.org

Brenda Schwantes, Education Administrator
Kodiak Area Native Association
3449 E. Rezanof Drive
Kodiak, Alaska 99615
Ph: (907)486-9800 / FAX: (907)486-9898
E-mail: brendasc@ptialaska.net

Barbara Janitscheck, Vice Pres. of Traditional Services
Maniilaq Association
P.O. Box 256
Kotzebue, Alaska 99752
Ph: (907)442-3311 / FAX: (907)442-7833
E-mail: bjanitscheck@maniilaq.org

Ruthie J. Monroe, Training Specialist
Maniilaq Manpower, Inc.
P.O. Box 725
Kotzebue, Alaska 99752
Ph: (907)442-3860 / FAX: (907)442-2003
E-mail: mnijtpa@esc.ttrc.doleta.gov

Mae Williams, Director of Employment, Training and Child Care Development
Metlakatla Indian Community
P.O. Box 8
Metlakatla, Alaska 99926
Ph: (907)886-5872 / FAX: (907)886-4469
E-mail: ccamtlk@ptialaska.net

Don Shircel, Director of Family Services
Tanana Chiefs Conference
122 First Avenue
Fairbanks, Alaska 99701
Ph: (907)452-8251 Ext. 3229 / FAX: (907)459-3851
E-mail: dshircel@tananachiefs.org

ALASKA FEDERATION OF NATIVES, INC.

1998 ANNUAL CONVENTION

RESOLUTION NO. 98-36

TITLE: SUPPORTING STATE MATCHING FUNDS FOR TRIBAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) PROGRAMS

WHEREAS: The twelve Alaska Native Regional Non-Profits are eligible under federal law to contract for administration of the Temporary Assistance for Needy Families (TANF) Program; and,

WHEREAS: The twelve Alaska Native Regional Non-Profits request the State of Alaska Legislature to support and fund the match towards the State Temporary Assistance to Needy Families (TANF) Program and,

WHEREAS: These Alaska Naive organizations eligible to contract for TANF fully support the Alaska Human Resources Investment Council and other non-profit organizations in their efforts to have the State of Alaska Legislature to fund a match towards Tribal Temporary Assistance to Needy Families (TANF) Programs;

NOW THEREFORE BE IT RESOLVED that the Delegates to the 1998 Annual Convention of the Alaska Federation of Natives, Inc., that AFN supports the legislation to fund matching funds through the State of Alaska for Tribal Temporary Assistance for Needy Families (TANF) Programs.

SUBMITTED BY: Bristol Bay Native Association

COMMITTEE RECOMMENDATION: DO PASS

CONVENTION ACTION: PASSED



WELFARE REFORM

1997 was a productive year for addressing many of the important issues involved with the implementation of welfare reform in Alaska. At the federal level, the technical amendments to the Federal legislation helped to remove barriers to implementation of the act in rural Alaska. At the State level, representatives from the regional Native non-profit corporations and the Alaska Department of Health and Social Services held joint meetings throughout the year to identify issues of concern and design a model tribal Temporary Assistance to Needy Families (TANF) plan.

The good news is that all parties seem to agree on the fundamental principles underlying welfare reform. The regional non-profits strongly support the notion of moving tribal members from welfare to work. For decades, the welfare system has had a devastating impact on the Native community resulting in an unhealthy dependency by tribal members in the State for economic survival. Assisting tribal members to become self sufficient will go a long way toward strengthening the Native community. The joint State/tribal meetings have also played a key role in establishing a constructive dialogue with the State on welfare reform. We would especially like to thank Deputy Commissioner Jay Livey and other DHSS staff for their dedication in addressing some of the more difficult issues involved with welfare reform.

In 1998, the State contracted with Tanana Chiefs Conference (TCC) to operate a Tribal Family Assistance Program, allowing them to receive state funding for benefits to those that are eligible under the Athabascan Self-Sufficiency Assistance Partnership (ASAP) Program. This is a two year demonstration project between the state Division of Public Assistance and TCC.

As we look ahead, it is vitally important that we continue to forge a true partnership between the State and the regional non-profits in order to make welfare reform a success in rural Alaska. Regional non-profits across the state are ready and willing to operate a tribal TANF in their region provided that the State is willing to enter into an agreement as a full partner.

While a great deal of progress has been made, there are still major areas of concern that need to be addressed in order to move forward with welfare reform.

WELFARE REFORM RECOMMENDATIONS 1999 STATE LEGISLATIVE PACKET

The Alaska Federation of Natives (AFN) is making the following recommendations:

1. We urge the Alaska legislature to appropriate matching funds for tribal TANF programs. Federal law authorizes the 12 Native regional non-profits and Metlakatla to operate tribal TANF programs. We feel that proposed legislation submitted by

Commissioner Perdue's office will provide us with the opportunity to provide an effective program for clients throughout Alaska. It has been our experience as a service provider that the programs we design ourselves are the most successful. We also feel that cooperative welfare reform efforts between regional Native non-profits and the State will not only benefit clients but the State of Alaska as well.

2. Earmark funds to develop comprehensive welfare to work services based on the "One Stop Shop" developed for the urban centers in Alaska. These services should be modified to address the unique rural economic conditions. We are recommending that the State form a partnership with the regional non-profits since we have the infrastructure to make this program a success. One possible source of funds for this program might be the welfare reform savings the State is realizing already. As part of this partnership, the State should contract with Native non-profits to provide rural employment services.

3. Many long-term recipients will need training, education, employment, ongoing support and other vital services to help them make a successful transition to being self-sufficient citizens before reaching their 60-month limit. Since clients have been required to work under the new law, the regional non-profits' education, employment and training programs have experienced increased demand for services from ATAP clients. Native organizations currently receive State-funded Case Management grants to provide supportive services leading to direct employment. This program supports short-term training as opposed to long-term training. Despite the availability of funds, the funding level is insufficient to support clients that require an array of services that would meet their short-term training education, employment and training needs. Regional non-profits are requesting adequate funding and support services (such as childcare, transportation) to assist clients in transition from dependency to employment.

4. Under the Welfare Reform, Alaska Temporary Assistance Program (ATAP) clients are limited to 60-months of ATAP benefits. Clients who live in communities meeting the *50% or more of the adult population not employed* criteria, are exempt from the 60-month time limit. Many of our villages have estimated unemployment rates as high as 60 - 80%. Currently, villages that do not meet the exemption criteria are able to request reconsideration for the exemption status from the Division of Public Assistance. There is an annual deadline of December 1st to request reconsideration. We are urging that the State DPA make every consideration to exempt villages whose rates are close to the 50% rate. Additionally, because economic conditions change rapidly in rural Alaska, the Division should provide this reconsideration process throughout the lifetime of the Temporary Assistance program without specific deadlines.

5. The State needs to request the Federal Government to provide a formal waiver for the State Welfare to Work (WtW) Program paperwork and administrative requirements. Currently, the Federal Government has acknowledged that Native organizations with the P.L. 102-477 status are not required to provide detailed financial monthly report required under State WtW, but there is no formal waiver.

6. The Alaska Human Resources Investment Council needs to coordinate with the regional non-profit to address the issues of economic development, unemployment, employment and training and welfare reform in rural Alaska. In order to do this, we need Native representatives on local workforce boards.

7. Long-lasting welfare reform in rural Alaska can succeed only with long term sustainable economic development. We recommend that state and federal economic development programs be combined for rural programs, similar to how ATAP works - federal dollars and matching state funds. There has to be a strong commitment and a strong partnership among the State and Federal governments and regional Native non-profits to address the monumental challenges we face out in the rural communities and we are asking for your help.

One example of this type of commitment and partnership is the Unalakleet Fish Plant. The IRA, Native Corporation, and city worked with Kawerak, DCRA, Norton Sound Economic Development Corporation, Alaska Village Initiatives, and the Indian HUD CDBG program to plan and finance the construction of the facility. Once it is in operation, it will employ an estimated 63 people during fishing and around seven individuals year round. This facility will also help to support the 250 commercial fishermen and their 250 - 400 crewmen. If there was an easier and more efficient way to combine funds and efforts in enterprises like this, more could be accomplished in rural Alaska. Regional non-profits are ready and willing to work with DCRA and other appropriate state agencies to develop a process for economic development in rural Alaska.

8. Increase federal and state economic development and loan programs for rural Alaska. We also recommend that a process be developed to make it easier to access these funds.

PLEASE REFER TO ENCLOSED AFN RESOLUTION 98-36

SB

125



Senator Lyman F. Hoffman

Alaska State Legislature
State Capitol • Juneau, Alaska 99801-1182 • (907) 465-4453

Senate Bill 125 School Crisis Response Planning

Sponsor Statement

In February of 1997, gunfire exploded in the hallways of the Bethel Regional High School ending the lives of principal Ron Edwards and student Josh Palacios.

The actions that took place immediately following this tragedy still haunt the residents of Bethel with questions such as, should we have..? And Why didn't we..?, or Who should we turn to..? These are the questions we hope can be addressed.

I sincerely hope that no other school or community will experience this type of trauma and the pain that accompanies it. If, however, a crisis, which affects the life, health, and emotional well being of students, does happen, schools must be prepared to respond. Some schools in Alaska have planned for such crises, others have not. SB 125 would make sure that every school has a crisis response plan.

SB 125 adds a new section to the educational statutes requiring each school to develop a site specific crisis response plan.

- 1) The Dept. of Education would provide the standards.
- 2) Each School District would develop a template for use by their schools.
- 3) Each school would then put into place their site specific crisis response team.

SB 125 has had valuable input from numerous individuals and organizations involved in school safety issues. It became obvious early on that the scope of this bill was very broad and can involve a variety of school safety issues. SB 125 targets one critical component: It asks each school to engage in the forethought and planning to be prepared to meet the needs of students in times of tragedy and crisis.

It is our intent to keep this a crisis response bill, and to work on many of the other school safety issues in future legislation.

P.O Box 886 • Bethel, Alaska 99559 • (907) 543-3541

District T
 Adak
 Adakchak
 Aklak
 Akutan
 Aleknagik
 Amchitka
 Atka
 Atmautluak
 Attu
 Belkofski
 Bethel
 Chefornak
 Chignik
 Chignik Lagoon
 Chignik Lake
 Clark's Point
 Cold Bay
 Dillingham
 Dutch Harbor
 Eek
 Egegik
 Ekuk
 Ekwok
 False Pass
 Goodnews Bay
 Igluig
 Iliamna
 Ivanof Bay
 Kasigluk
 King Cove
 King Salmon
 Kipnuk
 Kokhanok
 Kokhanok Bay
 Koliganek
 Kongiganak
 Kwethluk
 Kwigillingok
 Levelock
 Manokotak
 Naknek
 Napakiak
 Napaskiak
 Nelson Lagoon
 New Stuyahok
 Newhalen
 Nikolski
 Nondalton
 Nunapituk
 Oscarville
 Pedro Bay
 Perryville
 Pilot Point
 Platinum
 Port Alsworth
 Port Heiden
 Port Moller
 Portage Creek
 Quinhagak
 Saint George Island
 Saint Paul Island
 Sand Point
 Shemya
 South Naknek
 Squaw Harbor
 Togiak
 Tuntutuliak
 Twin Hills
 Ugashik
 Unalaska
 Unga



Senator Lyman F. Hoffman

Alaska State Legislature
State Capitol • Juneau, Alaska 99801-1182 • (907) 465-4453

- District T
- Adak
- Aklavik
- Akiak
- Akutuk
- Aleknagik
- Amchitka
- Atka
- Atnautuk
- Attu
- Belkofski
- Bethel
- Chefornak
- Chignik
- Chignik Lagoon
- Chignik Lake
- Clark's Point
- Cold Bay
- Dillingham
- Dutch Harbor
- Eek
- Egegik
- Ekuk
- Ekwok
- False Pass
- Goodnews Bay
- Iglulik
- Iliamna
- Ivanof Bay
- Kasigluk
- King Cove
- King Salmon
- Kipnuk
- Kokhanok
- Kokhanok Bay
- Kolliganek
- Kongiganak
- Kwethluk
- Kwigillingok
- Levelock
- Manokotak
- Naknek
- Napaklak
- Napaskiak
- Nelson Lagoon
- New Stuyahok
- Newhalen
- Nikolski
- Nondalton
- Nunapitchuk
- Oscarville
- Pedro Bay
- Perryville
- Pilot Point
- Platinum
- Port Alsworth
- Port Heiden
- Port Moller
- Portage Creek
- Quinhagak
- Saint George Island
- Saint Paul Island
- Sand Point
- Shemya
- South Naknek
- Squaw Harbor
- Togiak
- Tuntutuliak
- Twin Hills
- Ugashik
- Unalaska
- Ungavik

MEMORANDUM

TO: Senator Tim Kelly, Chair
Senate Community and Regional Affairs Committee

FROM: Senator Lyman Hoffman

DATE: April 26, 1999

RE: Senate Bill 125 – School Crisis Planning

Since the introduction of Senate Bill 125 my office has had many conversations with educators and others working in the area of school crisis planning. A number of suggestions have been made that I believe will improve the ability of schools across the state to implement the legislation. I have had a blank committee substitute prepared for your consideration. Changes in the CS are as follows:

Page 1, lines 7 – 13, relating to the composition of the crisis response team.

The CS divides the membership of the committee into two components-those who shall serve and those who may serve.

The team shall consist of the principal, one certified staff (a teacher) and one classified staff (e.g. a secretary), and one parent.

The team may include school board or advisory board members, school counselor, law enforcement representative, and a student.

This change recognizes the diversity of resources among schools around the state. We expect that a school counselor would be involved in a crisis response plan, but if counseling services are provided on an itinerant basis and a counselor is unavailable for the work of the committee, work will proceed. We expect that the appropriate board or advisory board will be involved in crisis planning, but placing the designation in a permissive rather than mandatory status should alleviate concerns or larger districts that don't have a site specific advisory board.

Page 2, lines 7-8, adds "or faculty"

Adding faculty to the section that requires protocols for responding to immediate physical harm recognizes that there may be circumstances where everyone in the building may be in harm's way, not just the students.

Page 2, line 9, removes subsection (5) related to "other policies..."

This language actually doesn't make sense because it falls under the requirement of the components the plan *must* include. School specific plans will, of course, include other policies as appropriate.

Page 2, lines 17-23, makes changes in requirements for updating the plan.

The plan must be reviewed annually and updated as appropriate. Specific language requiring update every three years has been removed. A copy of the plan must be on file in the district office. The requirement that the plan be submitted to the Department of Education has been removed.

Page 2, line 24, removes the specific time requirement for annual training in crisis response.

Feedback on what the appropriate level of training may be for inservice on school crisis has been varied. Some suggest that initial staff training may be two days and in subsequent years a much smaller amount of time would be required. The goal of the bill is that every adult be engaged in the discussions of how to respond to a crisis at that school site. With the requirement that the plan must be reviewed annually I am hopeful that this will be accomplished without a specific time mandate.

Thank you for your consideration of Senate Bill 125 and these proposed changes. If you have any questions or further suggestions please let me know.

Mat-Su Borough School District Emergency Procedures

FOR HELP:

Use intercom to contact office
Call (Principal's Office)
Call 911

Bomb Threat				Exposure to Blood Borne Pathogens/Body Fluids	Evacuation
Visitor In Building	Gangs/Group Violence			Hostage/Weapons Situation (Violence)	Suspected Missed Alcohol/Drugs
	Campus Closure	Lock Down Procedures	Break-In Procedures		

HOSTAGE/WEAPONS SITUATION (VIOLENCE)

Immediately report situation to office or call 911.
 Move students to a safe area away from crisis area.
 Lock doors and windows.
 Account for students.
 Wait for instructions.

If Taken Hostage:

Get word to office, if possible (via code word to passerby).
 Remove students from area, if possible.
Do not try to disarm gunman.
 Keep calm. Follow gunman's instructions.
 Direct students to be quiet and to sit away from gunman, windows, and exits.
 Be aware police may be able to hear what is taking place and may enter room at any time.
 Follow police instructions.

HOSTAGE/WEAPON SITUATION Page 1									
		ADMINISTRATOR		TEACHERS-ED. ASSTS.		CUSTODIANS-I TEAM		CRISIS AREA	
PREVENTION		CONDUCT PERIODIC DRILLS, OBTAIN PARENTAL RELEASE INSTRUCTIONS		TEACH STUDENTS: Go to nearest safe classroom FOLLOW DIRECTIONS					
		DEVELOP GUNMAN/HOSTAGE CODE, INFORM ADULTS RE STOCKHOLM SYNDROME		REPORT ALL UNIDENTIFIED VISITORS TO OFFICE		REPORT ALL UNIDENTIFIED VISITORS TO OFFICE			
INTERVENTION		ANNOUNCE SEEK SHELTER & OFF LIMITS AREA		IMMEDIATELY REPORT INCIDENT TO OFFICE				IF POSSIBLE, GET WORD TO OFFICE (CODE WORDS TO PASSERBY)	
		CALL 911		MOVE STUDENTS AWAY FROM AREA		I TEAM: NOTIFY TEACHERS, CLEAR ASSIGNED AREAS OF STUDENTS		DO NOT TRY TO DISARM IF POSSIBLE REMOVE STUDENTS FROM AREA	

	CALL?????????? TAKE NECESSARY ACTION TO INSURE SAFETY	STAY CALM FOLLOW SEEK SHELTER PROCEEDRES	BOTH: REPORT TO OFFICE/COMMAND CENTER	KEEP CALM FOLLOW GUNMAN'S INSTRUCTION
	HAVE SECRETARIES LIMIT INCOMING CALLS	REMAIN IN CLASSROOMS LOCK DOORS & WINDOWS	CUSTODIANS: AVOID CRISIS AREA, BRING BUILDING MAPS TO OFFICE	DIRECT STUDENTS TO SIT DOWN AND BE QUIET
	FOLLOW POLICE INSTRUCTIONS	TAKE COVER IF NEEDED ACCOUNT FOR STUDENTS WAIT FOR INSTRUCTIONS	CUSTODIANS: FOLLOW POLICE DIRECTIONS (ex. help control traffic)	BE AWARE POLICE MAY BE ABLE TO HEAR WHAT IS HAPPENING
			I TEAM: COMMUNICATION DUTIES-STUDENTS, PARENTS, MEDICAL	MOVE STUDENTS AWAY FROM GUNMAN

HOSTAGE/WEAPON SITUATION Page 2

ADMINISTRATOR	TEACHERS-ED. ASSTS.	STUDENTS	CRISIS AREA
CONSULT WITH POLICE AND ?????			IF APPROPRIATE, BUILD ON POSITIVE ASPECT OF STOCKHOLM SYNDROME
SUPERINTENDENT OR PRINCIPAL MAY REQUEST DISTRICT ??? HELP			FOLLOW POLICE INSTRUCTIONS
ANNOUNCE EVACUATION, CLOSURE OR CONTINUE CLASSES	REPORT TO OFFICE NAMES OF MISSING STUDENTS		REMAIN AFTER CRISIS RESOLVED TO ANSWER POLICE QUESTIONS
ADMINISTER ORDERLY RELEASE OF STUDENTS IF APPROPRIATE	PERFORM ASSIGNED STUDENT RELEASE DUTIES IF APPROPRIATE	FOLLOW TEACHER/POLICE INSTRUCTIONS	
FOLLOW OUR POSTITION D PLAN			

POSTVENTION	APPROPRIATE						
	GIVE WRITTEN REPORT TO SUPERINTENDENT						
	TAKE APPROPRIATE DISCIPLINARY MEASURES						
	REQUEST DISTRICT DEBRIEFING TEAM IF APPROPRIATE						

Return to [Emergency Procedures](#)

Page maintained by Chuck Loosli. Created: 3/25/97 Updated: 3/25/97

BOMB THREAT

1. Intercom the following message to teachers: Teachers, please sweep your rooms. The custodians need help. (Announced via intercom or other appropriate methods)
2. Teachers visually check their rooms/areas. If anything is out of place such as an unidentified package or a suspicious looking article, notify administrators.
3. If your class is in apparent or possible danger, go to the library or the commons. Take a "field trip" away from the problem.
4. Do not alarm students. Do not panic.
5. Evacuation of the building should be an administrative decision. Use common sense.

BOMB THREAT									
		ADMINISTRATORS		RECEIVER OF CALL		TEACHERS-ED. ASSTS.		CUSTODIANS-I TEAM	
PREVENTION		POST BOMB THREAT REPORT FORMS AT EACH LISTED TELEPHONE				POST EVACUATION MAP IN ROOM		MAINTAIN EVACUATION ALARMS	
		PREPARE BUILDING SWEEP PLAN							
INTERVENTION				KEEP CALLER ON LINE ASK CHECK SHEET QUESTIONS					
		CALL 911 SUPERINTENDENT ???????????		REPORT TO PRINCIPAL		DO NOT TOUCH LIGHT SWITCHES, DESKS, LOCKERS			

		NOTIFY FACULTY & DIRECT EVACUATION IF DEEMED NECESSARY	FOLLOW PRINCIPAL DIRECTIONS	LEAVE DOORS AND WINDOWS OPEN FOLLOW OFFICE DIRECTIONS	REPORT TO COMMAND POST FOR POSSIBLE SWEEP DIRECTIONS
		IMPLEMENT BUILDING SWEEP W/POLICE		STAY WITH STUDENTS	
		DIRECT STUDENTS TO RETURN TO BUILDING WHEN SAFE			
POSTVENTION		WRITTEN REPORT TO SUPT. TAKE DISCIPLINARY ACTION IF INDICATED			

Return to [Emergency Procedures](#)

Page maintained by Chuck Loosli. Created: 3/21/97 Updated: 3/24/97

EARTHQUAKE
Earthquake Preparedness Handbook

Remain calm.
 Stay indoors or outdoors, wherever you are, until tremors stop.
 Stop, drop, and cover.
 Take cover under desks, tables, against inside wall or under doorways.
 Stay alert for possible aftershocks.

If gas is smelled, move everyone out immediately.

Evacuation: Exit building through nearest safe exit.
 Avoid downed power lines and open gas lines.
 Move out of fire lanes.

Teachers: Follow students out and stay with students.
 Take student rosters, paper and pencil.
 Take roll to determine students missing.
 Report missing students to I Team member wearing emergency vests

Unattached students report to I Team member wearing emergency vests
 Wait for further instructions.

EARTHQUAKE									
		ADMINISTRATORS		TEACHERS		CUSTODIANS		I TEAMS	
PREVENTION		ADVISE EMPLOYEES OF EARTHQUAKE PROCEDURES		ADVISE STUDENTS RE: EARTHQUAKE PROCEDURES					
INTERVENTION		STAY CALM STAY WHERE YOU ARE		STAY CALM STAY WHERE YOU ARE UNTIL TREMORS STOP		STAY CALM STAY WHERE YOU ARE UNTIL TREMORS STOP		STAY CALM STAY WHERE YOU ARE UNTIL TREMORS STOP	
		TAKE COVER INSIDE WALLS UNDER DESKS, ARMS AROUND HEAD		TAKE COVER INSIDE WALLS, UNDER DESKS, ARMS AROUND HEAD		TAKE COVER		TAKE COVER	
				IF SMELL GAS, OPEN WINDOW, MOVE STUDENTS OUTSIDE		TURN OFF GAS LINES UNTIL		REPORT TO COMMAND POST	

		MOVE STUDENTS OUTSIDE, REPORT	SAFETY DETERMINED	FOLLOW INSTRUCTIONS
		SIGNAL EVACUATION IF NEEDED CALL 911	CHECK FOR DAMAGE (GAS, WATER, ELECTRICAL, SEWER, STRUCTURAL)	PROVIDE COMMUNICATIONS HELP FOR COMMAND POST
		SET UP COMMAND POST	REPORT DAMAGE TO COMMAND POST	
POSTVENTION		FOLLOW POSTVENTION PLAN IF NEEDED		

Return to Emergency Procedures

Page maintained by Chuck Loosli. Created: 3/21/97 Updated: 10/20/97

LOCKDOWN PROCEDURE

Lock down will be a term used at this school to refer to a situation which calls for the isolation of faculty and students from a potentially violent environment.

The Principal's office will be identified as the central control center in all emergency situations. A second and third area will be designated by the building administrator.

1. Staff will be notified via an all call to "LOCK DOWN" repeat "LOCK DOWN IMMEDIATELY".
 - a. Staff, go to your doors and lock them--- Admit no one except an administrator. Remain in your secure area until further notice is given.
 - b. Keep students in a secure area until further notice, disregard any bells.
 - c. If the situation warrants a building evacuation, staff members will be notified as to the process and nearest safe exit.

_____ is the alternate evacuation center.
(Fill in for your school)

At the Elementary level schools bring any students into your classroom seen at the time of the lock down.

REMEMBER, YOUR PRIMARY RESPONSIBILITY IS THE SAFETY OF YOUR STUDENTS AND YOURSELF. DO NOT PUT EITHER IN JEOPARDY.

Return to [Emergency Procedures](#)

Page maintained by Chuck Loosli. Created: 3/25/97 Updated: 3/25/97

CS FOR SENATE BILL NO. 125()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR HOFFMAN

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to school crisis response planning."

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

3 * Section 1. AS 14.33 is amended by adding a new section to read:

4 Article 2. Required School Crisis Response Planning.

5 Sec. 14.33.100. Required school crisis response planning. (a) Each district
6 shall develop a model school crisis response plan for use by each school in the district.
7 Each school in a district shall develop a school specific crisis response plan. Each
8 school shall form a crisis response team consisting of the principal, one certified and
9 one classified member of the school staff, and one parent whose child attends the
10 school. The crisis response team may include one member of the governing board or
11 advisory school board, a school counselor, a member from local law enforcement
12 authorities, and one student in grade 10 or higher if the school has those grades. The
13 district and each school within the district shall consult with local social services
14 agencies and local law enforcement authorities when developing the school crisis
15 response plan.

1 (b) A school specific crisis response plan must meet standards as determined
2 by the department by regulation. A school specific crisis response plan must include:

- 3 (1) the person in charge and a designated substitute;
4 (2) the names of the crisis response team members and their specific
5 job functions relating to a crisis;
6 (3) a communication plan;
7 (4) protocols for responding to immediate physical harm of students or
8 faculty and to traumatic events, including the period after the events have concluded;
9 (5) disaster and emergency procedures to respond to earthquakes, fire,
10 flood, explosions, or other events or conditions in which death or serious injury is
11 likely;
12 (6) crisis procedures for safe entrance to and exit from the school by
13 students, parents, and employees, including an evacuation and lock down plan; and
14 (7) crisis policies for enforcing school discipline and maintaining a safe
15 and orderly environment.

16 (c) Each district shall annually review and update as appropriate each school's
17 crisis response plan. A copy of each school's crisis response plan, as annually updated,
18 shall be retained by the district and a copy provided to each local agency that has a
19 role in the plan. Notice of completion of the annual review and update and the
20 location of a school's crisis response plan shall be posted at each school in the district.
21 A school crisis response plan shall be printed and available for inspection by the
22 public.

23 (d) Each district shall annually provide to each district employee training in
24 crisis response, including evacuation and lock down drills.

25 (e) In this section,

26 (1) "crisis" includes a traumatic event or condition that creates distress,
27 hardship, fear, or grief;

28 (2) "district" has the meaning given in AS 14.17.990.

29 * **Sec. 2. TRANSITION.** A city or borough school district or regional educational
30 attendance area shall complete the initial model school crisis response plan required by
31 AS 14.33.100, added by sec. 1 of this Act, on or before July 1, 2000. A school in a city or

- 1 borough school district or regional educational attendance area shall complete the initial school
- 2 specific crisis response plan required by AS 14.33.100, added by sec. 1 of this Act, on or
- 3 before December 31, 2000.

FISCAL NOT

No. 1

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BI Bill Version: SB125
(S) Publish Date: 4-21-99

Revision Date: _____ Dept Affected: Military & Veterans Affairs
 Title: An Act relating to school crisis response BRU: Disaster Planning & Control
planning. Component: Disaster Planning & Control
 Sponsor: Senator Hoffman
 Requestor: (S) HES Component Serial No. #1308

Expenditures/Revenues (Inflation not included unless otherwise noted below) (Thousands of Dollars)

OPERATING EXPENDITURES	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
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	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: \$ none

POSITIONS

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

ANALYSIS:

(Attach a separate page if necessary)

While not specifically tasked in the proposed bill, it is implied that the Department of Military and Veterans Affairs/Division of Emergency Services, as the State's primary agency dealing with natural disasters, would be tasked or requested to provide planning and training assistance to the Department of Education and school districts. This assistance would be provided as part of the regular duties of the Division of Emergency Services.

Prepared by: Jim Butchart, Plans and Preparedness Manager Phone: 907) 423-7000
 Division: Emergency Services Date: 13-Apr-99
 Approved by Commissioner: Mike Benson for Governor Dutka Date: 4-14-99
 Agency: Military & Veterans Affairs

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information call the Governor's Legislative Office

SB

131



Official Business

Alaska State Senate

Senate Finance Committee

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

SPONSOR STATEMENT

Senate Bill 131

ADMIN COSTS VILLAGE PUBLIC SAFETY OFFICERS

Senate Bill 131, an act related to grants to nonprofit regional corporations for village public safety officers (VPSO), limits the amount of administrative overhead that the nonprofit corporations are able to charge against grants received from the state.

VPSOs serve as the first line of public defense in many villages. In FY 99, approximately 5.5 million dollars were passed from the Department of Public Safety to the nonprofit corporations overseeing VPSOs. Four million dollars went toward salaries and benefits of 84 officers covering 82 villages; the balance of funding went to administration (approximately 27.5% or 1.5 million dollars). SB 131 will provide consistency in administrative costs among the nonprofit providers as they manage their respective programs.

Department of Public
Safety
Division of Alaska State Troopers
VPSO Grants
FY97 FY98 FY99

Summary of Direct Administrative Costs

<u>Direct Costs</u>	FY 97 Grants	FY 98 Grants	FY 99 Grants
VPSO Salaries	\$2,381,085	\$2,394,448	\$2,827,412
VPSO Overtime	\$31,135	\$28,100	\$15,100
VPSO Benefits	\$851,271	\$878,206	\$1,040,344
VPSO Travel	\$133,750	\$134,150	\$125,880
subtotal	\$3,397,241 68.4%	\$3,434,904 68.5%	\$4,008,736 72.6%
<u>Administrative Costs</u>			
Coordinator Salary	\$315,621	\$322,036	\$322,036
Clerk Salary	\$29,617	\$20,074	\$20,074
Cor/Clk Benefits	\$104,257	\$107,438	\$107,438
Coordinator Travel	\$42,735	\$38,235	\$38,235
Administration	\$32,880	\$34,198	\$34,198
Liability Insurance	\$122,970	\$134,720	\$122,715
subtotal	\$648,080 13.1%	\$656,701 13.1%	\$644,696 11.7%
Indirect Costs	\$920,179 18.5%	\$923,895 18.4%	\$870,068 15.8%
CONTRACT TOTALS:	\$4,965,500.00	\$5,015,500.00	\$5,523,500.00



TANANA CHIEFS CONFERENCE, INC.



122 FIRST AVENUE, SUITE 600
FAIRBANKS, ALASKA 99701-4897
PHONE 907/452-8251 • FAX 907/459-3850

April 7, 1999

Senate Finance Committee
State of Alaska
Fax 465 3756

Honorable Committee Members,

I wish to speak against the SB 131, which seeks to limit the Village Public Safety Officers program administrative indirect charges to 15%. I will explain why I'm against it, AND offer alternative.

The How & Why of Indirect Rates:

An indirect rate's purpose, is to allow a fair and equitable charge to all programs - State, Federal or local, for the general administration of the corporation. These rates are reviewed yearly by a Federal cognizant agency. In this review, any unallowed costs are excluded from the calculation. Thus, ALL programs are assured:

**They are only paying actual and allowed costs of running the program, and
Their program is not charged more than some other more "needy" program.**

The Alternative:

Accept the federally negotiated rate for all entities with such a rate. It is far more equitable and easier to limit overall funding, than it is to limit indirect charges. The program will run much better when there is local control and flexibility.

Benefit:

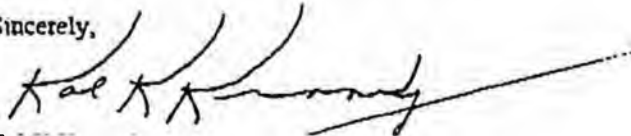
State or Federal programs are then assured they are NOT paying more than their fair share of administration, through a process that is reviewed every year by an outside auditor!

So I respectfully request:

**LET'S USE THE SYSTEM THAT IS IN PLACE, and NOT LOOSE THE BENEFIT OF THE
OUTSIDE INDIRECT REVIEW PROCESS,**

**ALLOW THE NEGOTIATED INDIRECT RATE, WHEN ONE EXISTS, TO TAKE PRECEDENCE
OVER AN ARBITRARY 15% RATE.**

Sincerely,



Kal K Kennedy
Contract Compliance Officer
Tanana Chiefs Conference

CITY OF AKUTAN

AKUTAN



P.O. Box 109
Akutan, Alaska 99553
Phone (907) 698-2228
Fax (907) 698-2202

Anchorage Office
1600 A Street, Suite 103
Anchorage, AK 99501-5146
Phone: (907) 274-7555
Fax (907) 276-7569

Date: April 7, 1999
To: Senate Community & Regional Affairs Committee
From: City of Akutan
Subject: SB 131 - VPSO Program

Please accept this letter as our written testimony in opposition to Senate Bill 131. The bill threatens to eliminate our VPSO program because the regional non-profits are unable to administer the program with only 15 percent administrative costs.

The VPSO program is extremely important to public safety coverage in our small, remote communities. State Trooper coverage in rural Alaska is sparse. Transportation and weather conditions are such that the Trooper stationed in Cold Bay cannot reach Akutan for several days if a problem arises. The VPSO often handles critical conditions on his own until help can arrive.

Please reconsider the 15 percent administrative restriction. Our regional non-profit insists they cannot administer the program at that rate. Continued VPSO coverage in our community is extremely critical

Thank you,

Erika Tritremmel
City Administrator

ALASKA STATE LEGISLATURE
LEGISLATIVE BUDGET AND AUDIT COMMITTEE
Division of Legislative Finance



P.O. Box 113200
Juneau, AK 99811-3200
(907) 465-3795
FAX (907) 463-4885

MEMORANDUM

DATE: January 29, 1998
TO: Senator Dave Donley
ATTN: Karen Brand
FROM: Gretchen Mannis
Fiscal Analyst *GMM*
SUBJECT: VPSO Administrative Costs

The feedback from the other analysts about administrative cost rates for grants to non-profits is coming in in terms of "indirect" rates – not "administrative costs". And for indirect rates, each grant has different rules – especially if there is federal money involved. The departments don't have any central source of information about this subject, but indirect rates seem to range from 18% - 22% of direct costs.

It is important to note that most grant budgets are structured differently than the way the VPSO funding was presented. In their breakdown (attached), they broke out "direct administrative costs" from "direct costs" and lumped the direct administrative costs together with indirect costs. A more traditional approach would be to include the "direct administrative" costs with direct costs, and break out only the indirect costs.

The key is how the term "administrative" is defined. The definition used by Public Safety in this instance includes overhead recovered through approved indirect rates PLUS any direct costs that sound like they are administrative. In the strict accounting sense, however, all costs are direct that are not recovered via approved overhead rates. That is consistent across all federal programs

In the case of the VPSO program, the indirect – or overhead - costs are the "on-site overhead" and "off-site overhead". Indirect costs are calculated as a percentage of the direct costs. Therefore if the VPSO budget were recast in this manner, indirect costs would total 22.7% of direct costs in FY96 and 22.6% in FY97 (see attached worksheet).

I hope this doesn't just confuse the issue – please call with further questions.

**VPSO PROGRAM CONTRACTS COMPARISON
FY99**

VPSO Positions	5	28	11	3	5	9	7	9	7	84
Grantee	APIA	AVCP	BBNA	CHUG	KANA	KAWA	MANU	TCC	THCC	TOTAL
Fiscal Year	99	99	99	99	99	99	99	99	99	99
VPSO Salaries	187,460	947,220	347,209	66,782	126,875	321,943	240,158	384,344	205,421	2,827,412
VPSO Benefits	80,011	285,067	146,519	23,620	41,869	105,243	74,257	195,236	88,522	1,040,344
VPSO Overtime	0	3,000	5,000	0	0	5,000	0	0	2,100	15,100
VPSO Travel	16,000	30,000	13,000	3,000	5,230	16,000	8,000	26,250	8,400	125,880
Total VPSO Direct	283,471	1,265,287	511,728	93,402	173,974	448,186	322,415	605,830	304,443	4,008,736
Administration Direct	50,503	66,246	36,610	23,106	26,112	62,075	60,381	70,523	61,631	457,187
Indirect Cost Recovery	78,818	231,886	164,502	34,953	55,624	130,729	91,871	70,152	76,327	934,862
General Insurance	8,662	40,424	15,881	4,331	7,219	12,993	10,106	12,993	10,106	122,715
Total Grant	421,454	1,603,843	728,721	155,792	262,929	653,983	484,773	759,498	452,507	5,523,500
Indirect as Percentage of Total Grant	18.70%	14.46%	22.57%	22.44%	21.16%	19.99%	18.95%	9.24%	16.87%	16.93%

SB

156

TONY KNOWLES, GOVERNOR

LOCAL BOUNDARY COMMISSION

333 W. 4TH AVE., SUITE 220
ANCHORAGE, ALASKA 99501-2341
(907) 269-4500

April 20, 1999

The Honorable Tim Kelly, Chairman
Senate Community and Regional Affairs Committee
State Capitol
Juneau, AK 99801

RE: Senate Bill No. 156 – "An Act relating to municipal incorporation, to reclassification of cities, to municipal boundary changes, and to dissolution of municipalities."

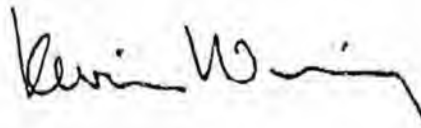
On behalf of the Local Boundary Commission, I thank you and the other members of the Senate Community and Regional Affairs Committee for introducing Senate Bill No. 156. The bill serves the best interests of the State of Alaska and existing and prospective municipal governments in Alaska. Senate Bill No. 156 carries no cost to the State. In fact, by eliminating ambiguities in existing law that needlessly invite litigation, the legislation may reduce future legal costs to the State.

The need for this legislation was identified as part of the Commission's ongoing efforts to refine its regulations. The goal is to eliminate unduly burdensome or confusing provisions and resolve ambiguities that might invite legal challenges. The Local Boundary Commission follows a rigorous decision-making process, in part, to minimize procedural grounds for challenging the Commission's actions. Still, given the contentious nature of the issues before the Commission and our litigious society, legal challenges occasionally occur.*

The current statutory provisions that authorize the Commission to act on petitions for reclassification, incorporation, boundary changes (annexation, detachment, merger, and consolidation), and dissolution contain differences in wording and are open to varying interpretation. The changes proposed by Senate Bill No. 156 establish a clear and consistent procedure for the Commission to follow on all petitions.

I urge you to give favorable consideration to Senate Bill No. 156. Please notify me when the Senate Community and Regional Affairs Committee plans to hold hearings on Senate Bill No. 156. I would welcome the opportunity to testify by teleconference in support of the measure.

Cordially,



Kevin Waring
Chairman

* Although other more recent challenges have been initiated, the last action taken by the Commission which was resolved in court involved an unsuccessful challenge of a 1992 annexation.



217 Second Street, Suite 200 ■ Juneau, Alaska 99801 ■ Tel (907)586-1325. Fax (907)-463-5480

Wednesday, April 14, 1999

The Honorable Tim Kelly, Chair
Senate Community and Regional Affairs Committee
State Capitol
Juneau, AK 99801

Re: "An Act relating to municipal incorporation..."

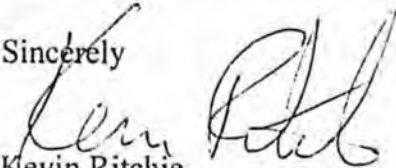
Dear Senator Kelly,

Thank you for the opportunity to comment on this bill.

The AML supports adoption of this bill as recommended by the Local Boundary Commission. The AML supports the position of the LBC on this technical amendment to clarify the LBC's power to amend petitions for incorporation, reclassification, or boundary changes. This technical clarification appears to be consistent with the original intent of the statute and is consistent with AML Policy encouraging the development of local government.

We will be happy to answer any other questions.

Sincerely


Kevin Ritchie
Executive Director

TONY KNOWLES, GOVERNOR

LOCAL BOUNDARY COMMISSION

333 W. 4TH AVE., SUITE 220
ANCHORAGE, ALASKA 99501-2341
(907) 269-4500

March 24, 1999

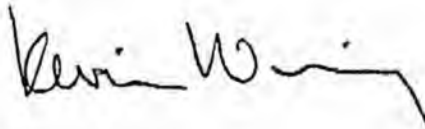
The Honorable Tim Kelly
Chairman
Senate Community and Regional Affairs Committee
State Capitol
Juneau, AK 99801

Attention Doug Salik

I have reviewed version "1-LS0519\G" of draft legislation dealing with concerns raised by the Local Boundary Commission. This latest version addresses the issues raised in my letter of March 22.

I compliment you and Ms. Cook for your cooperation in this matter. I look forward to the introduction and consideration of this legislation.

Cordially,



Kevin Waring
Chairman

cc: Representative Halcro, Co-Chair, House C&RA Committee
Representative Harris, Co-Chair, House C&RA Committee
Local Boundary Commission

FISCAL NOTE

Revision Date: _____ Dept. Affected: Community & Regional Affairs
 Title: An Act relating to municipal BRU: none
incorporation, to reclassification ... Component none
 Sponsor: Senate CRA Committee by Request
 Requestor: Senate C&RA Committee COMPONENT SERIAL NO. _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING:	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
----------------	------------	------------	------------	------------	------------	------------

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current (FY99) impact \$ none

ANALYSIS: (Attach a separate page if necessary)

This legislation would have no fiscal impact on the department.

Prepared by: Yvonne Chase, Acting Director *Yvonne Chase* Phone: 465-4708
 Division: Division of Administrative Services Date: 4/21/99
 Approved by Commissioner: *[Signature]* Date: 4/21/99
 Agency: Community & Regional Affairs

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

For further distribution information call the Governor's Legislative Office

SB

181

Alaska State Legislature

Chairman,
Judiciary Committee

State Capitol
Juneau, Alaska 99801-1182
(907) 465-3873
Fax: (907) 465-3922



50 Front Street
Suite 203
Ketchikan, Alaska 99901
(907) 225-8088
Fax: (907) 225-0713

Senator Robin L. Taylor

April 11, 2000

Senator Tim Kelly, Chair
Senate Community & Regional Affairs Committee
State Capitol, Room 101
Juneau, Alaska 99801-1182

Dear Senator Kelly: *Tim*

Please accept this letter as a request for the Senate Community and Regional Affairs committee to hear Sponsor Substitute for Senate Bill 181, "An Act directing sale of the four dam pool hydroelectric facilities."

SB 181 is an important step in bringing enough electricity to Southern Southeast Alaska. Ownership by the subscriber community corporation will give the members a valuable tool with which to determine their electric needs and costs. It is also an important step towards the building of the Swan-Tyee Intertie. Ultimately the State of Alaska will realize a saving, as the transfer will result in release from its long-term financial obligation under the current power sales agreement.

Attached you will find a copy of the Bill, Sponsor Statement and other supporting information. Thank you for your considering and scheduling SB 182 as soon as possible. If you have any questions, please feel free to contact Jim Pound or me.

Sincerely:

Robin L. Taylor
Robin L. Taylor
Senator, Dist. A

Attachments

RLT/jp

*Please announce
scheduled from the
floor as soon as the
bill is read
into the record.
RT*

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

Alaska State Legislature

Chairman,
Judiciary Committee

State Capitol
Juneau, Alaska 99801-1182
(907) 465-3873
Fax: (907) 465-3922



50 Front Street
Suite 203
Ketchikan, Alaska 99901
(907) 225-8088
Fax: (907) 225-0713

Senator Robin L. Taylor

Sponsor Statement Senate Bill 181

“An Act directing sale of the four dam pool hydroelectric facilities.”

The economic future of Southeast Alaska depends on a stable, economically feasible source of electricity. The Four Dam Pool facility currently meets the needs of the communities served but could be used even more under local control. **SB 181** accomplishes this by selling the Four Dam Pool facilities to a community corporation designed specifically to manage the hydroelectric needs of subscriber communities.

Transfer of the hydro project is a critical step in building a Swan-Tyce Intertie. Its completion will be a major first step in bringing additional affordable electricity to Southeast. Affordable electricity will offer an economic boost to the region. Many corporations have expressed an interest in developing livable wage jobs but look elsewhere once they evaluate the cost of power.

The transfer also has benefits for the state, as the sale will release it from the long-term financial obligations under the existing power sales agreement. Passage of **SB 181** will move Southern Southeast Alaska forward with a dependable, cost effective energy source.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

COPPER VALLEY ELECTRIC ASSOCIATION, INC.

P.O. BOX 45, GLENNALLEN, ALASKA 99588
(907) 822-3211 FAX 822-5586

VALDEZ (907) 835-4301 FAX 835-4328
RECEIVED

APR 4 2000

March 30, 2000

Ans'd.....
E-mail: wilkinson@cvea.org

Senator Robin Taylor
Alaska State Legislature
Room 30, State Capitol (MS 3100)
Juneau, Alaska 99801-1182

Dear Senator Taylor:

On behalf of Copper Valley Electric Association's Board of Directors, I want to thank you for the opportunity to meet with you earlier this month to discuss divestiture of the Four Dam Pool.

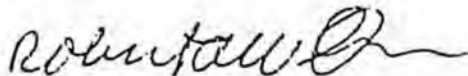
CVEA believes the Utilities' proposal meets the conditions of sale outlined by Jim Ayers in June 1995 in that it accomplishes the following:

- Releases the State of financial obligations under the Long Term Power Sales Agreement between the State and Utilities.
- It offers fair value for the projects.

Moreover, the proposal allows for the transfer of ownership to the communities the projects were constructed to benefit.

I look forward to providing you additional information in the near future.

Sincerely,



Robert A. Wilkinson
Chief Executive Officer

w:\word\legislative\00-048senators.doc

Serving the Copper River Basin and Valdez

PMC RESOLUTION TO RESUME DIVESTITURE NEGOTIATIONS WITH AEA

RESOLUTION 99-51

WHEREAS, the State of Alaska, through the Alaska Energy Authority (AEA) is the owner of four hydroelectric facilities commonly known as the Four Dam Pool (Lake Tyee, Swan Lake, Solomon Gulch and Terror Lake); and

WHEREAS, in 1985 the AEA and Kodiak Electric Association, Copper Valley Electric Association, and the municipal utilities in Wrangell, Petersburg and Ketchikan ("Purchasing Utilities") entered into the Long-Term Power Sales Agreement (PSA) providing for the sale of energy from the projects to the Purchasing Utilities; and

WHEREAS, the PSA identifies each of the projects as a "Dedicated Facility" for the respective utility or utilities taking delivery of energy from such project; and

WHEREAS, each of the projects is the principle source of electricity for each of the Purchasing Utilities and has a substantial impact on the economic welfare of each community; and

WHEREAS, the Purchasing Utilities and AEA have devoted substantial resources to the negotiation of transfer of project ownership from AEA to the Purchasing Utilities; and

WHEREAS, to assist in developing ownership transfer terms, the Purchasing Utilities and AEA jointly funded a detailed study of project conditions and risks; and

WHEREAS, in July 1997, the Purchasing Utilities presented to AEA a proposal for the purchase of the facilities; and

WHEREAS, AEA ended transfer negotiations in December 1997 and no negotiations have occurred since that time; and

WHEREAS, the Purchasing Utilities have been and remain willing to resume good faith negotiations of an ownership transfer;

NOW, THEREFORE BE IT RESOLVED:

The Purchasing Utilities of the Four Dam Pool desire to resume negotiations with AEA for the transfer of ownership of the Four Dam Pool projects to the Purchasing Utilities.

DATED this 5th day of APRIL, 1999.

PROJECT MANAGEMENT COMMITTEE

By: *Donald E. Lewis*
Chairman

Approved at the PMC meeting held March 31, 1999.

SE Alaska (Swan-Tyee) Intertie

November 1998

Page 1

Revised Funding Plan:

The new funding plan calls on the state of Alaska to issue bonds in the amount of \$45 million and defines the revenue stream to pay the debt service.

The City of Ketchikan, Ketchikan Gateway Borough, City of Saxman endorsed the new SE Alaska (Swan-Tyee) Intertie funding plan and included in their legislative priority list in 1998.

The Four Dam Pool Operating utilities (with City of Wrangell absent) unanimously endorsed the new funding plan at the October 28, 1998 Project Management Committee meeting.

Alaska Industrial Development and Export Authority (AIDEA) is currently reviewing the new funding plan.

An FY 1999 appropriation from the federal government in the amount of \$7.5 to \$10 million and the agreement by the state to bond for \$45 million will allow intertie construction to begin in 1999.

SE Alaska (Swan-Tyee) Intertie

November 1998

Page 2

Broad Based Support:

Governor Tony Knowles letter of October 7, 1998

Southeast Conference Resolution of September 24, 1998

Southeast Conference Resolution of September 25, 1995

City of Wrangell Resolution of November 25, 1997

Kodiak Electric Association Resolution of November 21, 1997

City of Ketchikan Resolution of November 20, 1997

Community Priorities Each year from 1988 through 1998

Ketchikan Gateway Borough/Cities of Ketchikan & Saxman

City of Ketchikan Resolution of November 7, 1996

Ketchikan Chamber of Commerce letter dated May 28, 1996

Copper Valley Electric Association Resolution of May 20, 1996

Thomas Bay Power Authority Resolution of May 20, 1996

SE Alaska (Swan-Tyee) Intertie

November 1998

Page 3

Current situation:	Best Case	1998 Est.
Current Energy Resources:		
Silvis Lake	10,312,000 kWh	10,000,000 kWh
Beaver Falls	37,754,000 kWh	37,000,000 kWh
Ketchikan Lakes	18,041,000 kWh	18,000,000 kWh
Swan Lake	<u>78,000,000 kWh</u>	<u>68,000,000 kWh</u>
Total Resources	144,109,000 kWh	134,000,000 kWh

1998 Generation Requirements 159,000,000 kWh

Expected Diesel Generation 25,000,000 kWh

In 1998 the pulp mill shut down all generation and began purchasing its 2,000 kW load from KPU. Additionally, the AMHS laid up the Columbia in Ketchikan for the 1998-99 winter season with its 1,500 kW load. Each additional load causes the diesels to run more and makes the need for the Swan-Tyee Intertie that much more necessary.

Load Growth Study:

Small electric utilities such as Ketchikan are greatly affected by the addition or loss of a single large customer, or by a customer changing its operation. A load forecast assumes a gradual measured growth but that is not what happens.

When KPC stopped generating power, resources required increased by 2+ Mw. When the AMHS chose to laid up Columbia in Ketchikan they added another 1.5 Mw resource requirement.

That's why the load forecast is projecting 145,000,000 kWh for 1998 (year 1 projections - low base and high) when actual resource requirements will likely exceed 159,000,000.