

ALASKA LEGISLATURE COMMITTEE FILES 2001-2002 8672

10532 SENATE HEALTH EDUCATION & SOCIAL SERVICES

377

SB

11

SENATE COMMITTEE REPORT First Committee of Referral

DATE: 1/8/01

FURTHER: Finance

Date of 5-Day Notice: 02/05/01
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 04/27/01

Health, Education and Social Services Committee considered SENATE BILL NO. 11

"An Act relating to the legal age for attending school; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DEED	2/5/01		x	1

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>George Sawyer</i>	✓			
<i>John Ward</i>			✓	
CHAIR: <i>Lyle Allen</i>			✓	

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB11
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Education & Early Dev.
 Title: An act relating to the legal age for BRU: k-12 Support
attending school... Component: Foundation Program
 Sponsor: Senator Therriault
 Requester: Senate HESS Component Number: 141

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	*	*	*	*	*	*
Miscellaneous						
TOTAL OPERATING	*	*	*	*	*	*

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

CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	*	*	*	*	*	*
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY2001) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

AS 14.30.010 amends the compulsory age of a child entering school from age seven to age six.

* There maybe children six years old that are not attending public school. The Department of Education & Early Development has no data to project the potential cost to the foundation program.

Prepared by: Eddy Jeans, School Finance Manager Phone 8679
 Division: Education and Support Services Date/Time 2/5/01 12:00 AM
 Approved by: Bruce Johnson, Deputy Commissioner of Education Date 2/5/01
 Agency: Education & Early Development

For distribution information, call the Governor's Legislative Office

Table 155.—Ages for compulsory school attendance, special education services for students, policies for year-round schools and kindergarten programs, by state: 1997 and 1995

State	Compulsory attendance, 1997	Compulsory special education services, 1997 ¹	Year-round schools, 1995		Provision of kindergarten education, 1995			
			Has policy on year-round schools	Has districts with year-round schools	School districts required to offer		Attendance required	
					Half day	Full day	Half day	Full day
1	2	3	4	5	6	7	8	9
Alabama	7 to 16	3 to 21		X		X		
Alaska	² 7 to 16	3 to 21		X				
Arizona	³ 6 to 16	3 to 21	X	X	X		X	
Arkansas	5 to 17	3 to 21	X	X		X		X
California	6 to 18	3 to 21	X	X	X			
Colorado	7 to 16	⁴ 3 to 20		X				
Connecticut	7 to 16	3 to 20			X			
Delaware	5 to 16	3 to 20			X			
District of Columbia	5 to 18	⁵ 3 to 21				X		X
Florida	6 to 16	3 to 20	X	X		X		X
Georgia	7 to 16	3 to 21		X		X		
Hawaii	⁶ 6 to 18	3 to 20		X				
Idaho	7 to 16	3 to 20	X	X				
Illinois	7 to 16	3 to 20	X	X	X			
Indiana	⁷ 7 to 18	3 to 21		X	X			
Iowa	6 to 16	Birth to 20						
Kansas	7 to 16	3 to 20		X	X			
Kentucky	⁸ 6 to 16	3 to 20						
Louisiana	7 to 17	3 to 21						
Maine	7 to 17	3 to 19						
Maryland	5 to 16	Birth to 20			X			
Massachusetts	6 to 16	3 to 21			X			
Michigan	6 to 16	Birth to 25						
Minnesota	⁹ 7 to 16	Birth to 20	X	X	X			
Mississippi	6 to 17	3 to 20		X		X		
Missouri	7 to 16	3 to 20		X	X		X	
Montana	¹⁰ 7 to 16	3 to 18			X			
Nebraska	7 to 16	Birth to 20	X					
Nevada	7 to 17	3 to 21		X	X			
New Hampshire	6 to 16	3 to 20						
New Jersey	6 to 16	3 to 21					X	
New Mexico	5 to 18	3 to 21		X	X			
New York	¹¹ 6 to 16	3 to 21	X	X				
North Carolina	7 to 16	3 to 20	X	X				
North Dakota	7 to 16	3 to 20			X	X	X	X
Ohio	6 to 18	3 to 21		X	X		X	
Oklahoma	5 to 18	3 to 21	X	X	X			
Oregon	7 to 18	3 to 21		X	X			
Pennsylvania	8 to 17	3 to 20			X		X	
Rhode Island	6 to 16	3 to 20			X			
South Carolina	¹² 5 to 17	⁴ 3 to 21		X	X		X	
South Dakota	¹⁰ 6 to 16	3 to 21	X		X	X	X	
Tennessee	7 to 17	3 to 21			X	X		
Texas	6 to 17	3 to 21	X	X	X	X	X	
Utah	6 to 18	3 to 21	X	X	X		X	
Vermont	7 to 16	3 to 21						
Virginia	5 to 18	2 to 21		X	X	X	X	X
Washington	¹³ 8 to 18	3 to 20		X				
West Virginia	6 to 16	3 to 20	X		X			
Wisconsin	¹⁴ 6 to 18	⁴ 3 to 20						
Wyoming	7 to 16	⁴ 3 to 20			X			

¹ Most states have an upper age limit whereby education is provided up to a certain age or completion of secondary school, whichever comes first.

² Ages 7 to 16 or high school graduation.

³ Ages 6 to 16 or tenth grade completion.

⁴ Upper age limit for eligibility has been updated for 1997.

⁵ State has established two points in the program year by which children must be 3 years of age to be eligible for services.

⁶ Students over the age of 16 may withdraw with the approval of a principal and student's guardians, and if an alternative education program exists.

⁷ From age 7 until student (1) graduates; (2) between age 16 to 18 and meets requirements for exit interview before graduation; or (3) reaches 18. Withdrawal before 18 requires parent/guardian and principal written permission.

⁸ Must have parental signature for leaving school between ages 16 to 18.

⁹ Age 18 takes effect in 2000.

¹⁰ Age 16 or completion of eighth grade.

¹¹ Ages 6 to 17 for New York City and Buffalo.

¹² Permits parental waiver of kindergarten at age 5.

¹³ Or can exit if age 18 or older, has a useful occupation, has met graduation requirements or has a certificate of educational competency.

¹⁴ Ages 6 to 18 or high school graduation.

—Data not available.

NOTE.—The Education of the Handicapped Act (EHA) Amendments of 1986 make it mandatory for all states receiving EHA funds to serve all 3- to 18-year-old disabled children.

SOURCE: U.S. Department of Education, Office of Special Education and Rehabilitation Services, *The Eighteenth Annual Report to Congress on the Implementation of The Individuals with Disabilities Education Act, 1996*; National Association of State Directors of Special Education, Inc., unpublished data; Education Commission of the States, "Cleaninghouse Notes," March 1997; and Council of Chief State School Officers, *State Education Policies on Student Attendance and Use of Time: 1995*. (This table was prepared May 1997.)



NEA-ALASKA

Affiliated with the National Education Association

NEA-Alaska Position Paper Senate Bill 11

We appreciated Senator Gene Therriault and Senator Bettye Davis introducing SB 11 to lower the compulsory attendance age from seven to age 6. The earlier children are expected to attend school the sooner children will be exposed to opportunities from socialization to learning.

As schools work to implement new learning standards, exposing children to the opportunity to learn at an earlier age will strengthen the foundation upon which a child's learning career is built. The sooner children are exposed to opportunities to learn the sooner children can overcome obstacles to learning.

Most six-year old children, we believe, are enrolled in first grade, so SB 11's impact on facilities and personnel is not clear. Facilities in some school districts are already overcrowded, so additional enrollment may tax those systems even more. It is important that all children have access and are taught in facilities that contribute to learning and child development. Teachers and teaching supplies for children should be provided so students can take full advantage of the opportunity to learn at age 6.

NEA-Alaska supports mandatory kindergarten attendance at age five. Alaska schools are required to offer kindergarten but attendance is not required. Even though SB 11 does not establish mandatory kindergarten enrollment, requiring children to attend first grade at age 6 is a step in the right direction. Expecting children to attend one year sooner than is currently required offers a six-year-old student a greater opportunity to learn.

We commend the sponsors for introducing SB 11.

The Digest of Education Statistics 1996 / Table 7

Table 7.--Percent of the population 3 to 34 years old enrolled in school, by race/ethnicity, sex, and age: October 1975 to October 1995

Year and age	Total				Male		
	All races	White, non-Hispanic	Black, non-Hispanic	Hispanic origin	All races	White, non-Hispanic	Black, non-Hispanic
1	2	3	4	5	6	7	8
1975							
Total, 3 to 34 years	53.7	53.0	57.7	54.8	56.1	55.2	60.4
3 and 4 years	31.5	31.0	34.4	27.3	30.9	31.1	31.4
5 and 6 years	94.7	95.1	94.4	92.1	94.4	94.8	94.8
7 to 9 years	99.3	99.4	99.3	99.6	99.2	99.2	99.4
10 to 13 years	99.3	99.3	99.1	99.7	98.9	99.0	98.9
14 and 15 years	98.2	98.5	97.4	95.0	98.4	98.6	97.6
16 and 17 years	89.0	89.5	86.8	86.2	90.7	91.2	88.1
18 and 19 years	46.9	46.8	46.9	44.0	49.9	49.4	49.6
20 and 21 years	31.2	32.1	26.7	27.5	35.3	36.7	28.4
22 to 24 years	16.2	16.4	13.9	14.1	20.0	20.8	14.5
25 to 29 years	10.1	10.1	9.4	8.3	13.1	13.2	11.6
30 to 34 years	6.6	6.6	7.1	5.5	7.7	7.5	8.7
1980							
Total, 3 to 34 years	49.7	48.8	54.0	49.8	50.9	50.0	56.2
3 and 4 years	36.7	37.4	38.2	28.5	37.8	39.2	36.4
5 and 6 years	95.7	95.9	95.5	94.5	95.0	95.4	94.1
7 to 9 years	99.1	99.1	99.4	98.4	99.0	99.0	99.5
10 to 13 years	99.4	99.4	99.4	99.7	99.4	99.4	99.4
14 and 15 years	98.2	98.7	97.9	94.3	98.7	98.9	98.4
16 and 17 years	89.0	89.2	90.7	81.8	89.1	89.4	90.7
18 and 19 years	46.4	47.0	45.8	37.8	47.0	48.5	42.9
20 and 21 years	31.0	33.0	23.3	19.5	32.6	34.8	22.8
22 to 24 years	16.3	16.8	13.6	11.7	17.8	18.7	13.4
25 to 29 years	9.3	9.4	8.8	6.9	9.8	9.8	10.6
30 to 34 years	6.4	6.4	6.9	5.1	5.9	5.6	7.2
1985							
Total, 3 to 34 years	48.3	47.8	50.8	47.7	49.2	48.7	52.6
3 and 4 years	38.9	40.3	42.8	27.0	36.7	39.1	34.6
5 and 6 years	96.1	96.6	95.7	94.5	95.3	95.6	94.5
7 to 9 years	99.1	99.4	98.6	98.4	99.0	99.3	98.4
10 to 13 years	99.3	99.3	99.5	99.4	99.2	99.2	99.1
14 and 15 years	98.1	98.3	98.1	96.1	98.3	98.4	98.5
16 and 17 years	91.7	92.5	91.8	84.5	92.4	92.9	92.0
18 and 19 years	51.6	53.7	43.5	41.8	52.2	53.4	49.4
20 and 21 years	35.3	37.2	27.7	24.0	36.5	38.8	29.9
22 to 24 years	16.9	17.5	13.8	11.6	18.8	19.8	13.5
25 to 29 years	9.2	9.6	7.4	6.6	9.4	9.7	5.8
30 to 34 years	6.1	6.2	5.2	5.7	5.4	5.6	3.9
1990							
Total, 3 to 34 years	50.2	49.8	52.2	47.2	50.9	50.4	54.3
3 and 4 years	44.4	47.2	41.8	30.7	43.9	47.9	38.1
5 and 6 years	96.5	96.7	96.5	94.9	96.5	96.8	96.2
7 to 9 years	99.7	99.7	99.8	99.5	99.7	99.7	99.9
10 to 13 years	99.6	99.7	99.9	99.1	99.6	99.6	99.9

14 and 15 years	99.0	99.0	99.4	99.0	99.1	99.2	99.7
16 and 17 years	92.5	93.5	91.7	85.4	92.6	93.4	93.0
18 and 19 years	57.2	59.1	55.0	44.0	58.2	59.7	60.4
20 and 21 years	39.7	43.1	28.3	27.2	40.3	44.2	31.0
22 to 24 years	21.0	21.9	19.7	9.9	22.3	23.7	19.3
25 to 29 years	9.7	10.4	6.1	6.3	9.2	10.0	4.7
30 to 34 years	5.8	6.2	4.5	3.6	4.8	5.0	2.3
1995							
Total, 3 to 34 years	53.7	53.8	56.3	49.7	54.3	54.2	58.6
3 and 4 years\2\	48.7	52.2	47.8	36.9	49.4	51.1	52.4
5 and 6 years	96.0	96.6	95.4	93.9	95.3	95.9	94.6
7 to 9 years	98.7	98.9	97.7	98.5	98.9	99.0	98.1
10 to 13 years	99.1	99.0	99.2	99.7	99.1	99.0	99.5
14 and 15 years	98.9	98.8	99.0	98.9	99.0	98.9	99.6
16 and 17 years	93.6	94.4	93.0	88.2	94.5	95.0	95.6
18 and 19 years	59.4	61.8	57.5	46.1	59.5	61.9	59.2
20 and 21 years	44.9	49.7	37.8	27.1	44.7	50.0	36.7
22 to 24 years	23.2	24.4	20.0	15.6	22.8	24.1	20.6
25 to 29 years	11.6	12.3	10.0	7.1	11.0	12.2	6.3
30 to 34 years	5.9	5.7	7.7	4.7	5.4	5.0	6.9

\1\Includes enrollment in any type of graded public, parochial, or other private schools. Includes nursery schools, kindergartens, elementary schools, high schools, colleges, universities, and professional schools. Attendance may be on either a full-time or part-time basis and during the day or night. Enrollments in "special" schools, such as trade schools, business colleges, or correspondence schools, are not included.

\2\Preprimary enrollment collected using new procedures. May not be comparable to figures for earlier years.

NOTE.--Data are based upon sample surveys of the civilian noninstitutional population.

SOURCE: U.S. Department of Commerce, Bureau of the Census, Current Population Survey, unpublished data. (This table was prepared August 1996.)

[Download this table as a Lotus WK1 file.](#)



Alaska State Legislature

SENATOR
GENE THERRIAULT

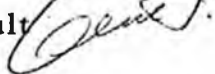
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Senate

While in session
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Senate District Q

Senate Bill 11: "An act relating to the legal age for attending school; and providing for an effective date."

Sponsor: Senator Gene Therriault 

Sponsor Statement

Senate Bill 11 lowers the mandatory age for school attendance from 7 years old to 6 years of age.

Encouraging a parent's commitment to a child's education, SB 11 requires students to become involved in a formal educational setting at the age of 6. The option of choosing public, private or home schooling for children will not be impacted by this legislation. In addition, the option to enroll a child in Kindergarten at age 5 or 6 is also unaffected.

Research indicates that earlier education is beneficial, and in fact most children in Alaska are enrolled by the age of 6. However, a small percentage of students who are enrolled do not actually regularly attend because state law does not require it until age 7. In some cases, even though a six-year-old is enrolled in school, he or she might miss up to a third of the school year and still not be considered truant. This places a burden on teachers to keep the student up with the rest of the class, and increases the potential for the student to be "held back."

Alaska State Legislature

SENATOR
GENE THERRIAULT

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Senate

While in session
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Juneau, Alaska
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Senate District Q

REQUEST FOR HEARING

To: Senator Lyda Green, Chair
Senate Health, Education & Social Services Committee

Subject: SB 11

Sponsor: Senator Gene Therriault 

Date: January 17, 2001

I would like to respectfully request that SB 11 be scheduled for a hearing before the Senate Health, Education & Social Services Committee.

Senate Bill 11 lowers the mandatory age for school attendance from 7 years old to 6 years of age.

Encouraging a parent's commitment to a child's education, SB 11 requires students to become involved in a formal educational setting at the age of 6. The option of choosing public, private or home schooling for children will not be impacted by this legislation. In addition, the option to enroll a child in Kindergarten at age 5 or 6 is also unaffected.

Alaska State Legislature

SENATOR
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Senate

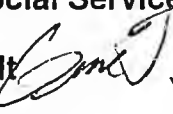
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Senate District Q

MEMORANDUM

DATE: January 18, 2001

TO: Senator Green, Chair
Health, Education & Social Services Committee

FROM: Senator Gene Therriault 

SUBJECT: SB 11 Teleconference Request

I would like to respectfully request a teleconference be scheduled with the LIO in Fairbanks in conjunction with the hearing of Senate Bill 11.

Prospective witnesses are David Pfrimmer, Loyola McManus, and Susan Stitham.

Alaska State Legislature

SENATOR
GENE THERRIAULT

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Senate


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Senate District Q

REQUEST FOR SECOND HEARING

To: Senator Lyda Green, Chair
Senate Health, Education & Social Services Committee

Subject: SB 11

Sponsor: Senator Gene Therriault 

Date: April 18, 2001

I would like to respectfully request that SB 11 be scheduled for a second hearing before the Senate Health, Education & Social Services Committee.

As we discussed during the first hearing on this bill, the language would impact a very small number of students who currently enroll in school at the age of six, but then attend only sporadically. The list of exemptions that allow parents to choose schooling other than the public K-12 program is not modified by the bill. Parents retain the power to enroll their children in any of the alternatives listed under AS 14.30.010(b). In addition, the option to enroll a child in Kindergarten at age 5 or 6 is also unaffected.

I am willing to consider any amendments the committee members may propose that carry out the intent of this legislation. If there are no proposals, I would like a final vote on the bill.

Exemptions for enrollment per AS 14.30.010(b)

Section (b) exempts the compulsory attendance age when a child:

- (1) is provided an academic education comparable to that offered by the public schools in the area, either by
 - (A) attendance at a private school with certified teachers;
 - (B) tutoring by certified personnel; or
 - (C) religious or private school attendance operated in compliance with AS 14.45.100-14.45.200;
- (2) attends a school operated by the federal government;
- (3) has a physical or mental condition that a competent medical authority determines will make attendance impractical;
- (4) is in the custody of a court or law enforcement authorities;
- (5) is temporarily ill or injured;
- (6) has been suspended or expelled under AS 14.03.160 or suspended or denied admittance under AS 14.30.045;
- (7) resides more than two miles from either a public school or a route on which transportation is provided by the school authorities, except that this paragraph does not apply if the child resides within two miles of a federal or private school that the child is eligible and able to attend;
- (8) is excused by action of the school board of the district at a regular meeting or by the district superintendent subject to approval by the school board of the district at the next regular meeting;
- (9) has completed the 12th grade;
- (10) is enrolled in
 - (A) a state boarding school established under AS 14.16; or
 - (B) a full-time program of correspondence study approved by the department, whether it is the district or the centralized correspondence program;
- (11) is equally well served by an educational experience approved by the school board as serving the child's educational interests despite an absence from school, and the request for excuse is made in writing by the child's parents or guardian and approved by the principal or administrator of the school that the child attends;
- (12) is being educated in the child's home by a parent or legal guardian.

ALASKA STATE LEGISLATURE



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SENATOR LYDA GREEN
SENATE DISTRICT N

Memo

To: Senator Lyda Green
From: Aurora Hauke
Date: 01/16/01
Re: SB11: Compulsory School Age

This bill was in response to a resolution passed by the Association of Elementary School Principals.

Since Kindergarden is not mandatory, when a child reaches mandatory age (7), the parent has the choice to enter them into kindergarden or first grade. Most first graders are 6, so lowering the compulsory school age would allow for a 6-year-old to enter school at either kindergarden or first grade.

As soon as the sponsor statement is prepared, they will send a copy over.

Alaska Association of Elementary School Principals

Resolution 98-9

Supporting early childhood education and mandatory kindergarten in the State of Alaska.

Submitted by: Alaska Association of Elementary School Principals

WHEREAS research dealing with brain growth and development, along with longitudinal studies on the benefits of Head Start and other early childhood programs correlate with success in school; and

WHEREAS meeting the needs of young children (ages 0-6) has been noted by the Alaska Adolescent Health Committee to be a critical means of preventing problem behaviors among adolescents; and

WHEREAS pre-kindergarten and kindergarten programs provide an excellent opportunity for prevention of school failure; and

WHEREAS presently there is no Alaska State Statute requiring attendance in a kindergarten program by kindergarten-aged children; and

WHEREAS presently, not all five year olds in Alaska attend a kindergarten program;

BE IT THEREFORE RESOLVED that the Alaska Association of Elementary School Principals supports early childhood education and mandatory kindergarten in the state of Alaska.

BE IT FURTHER RESOLVED that the Alaska Association of Elementary School Principals supports full funding of a mandatory kindergarten as well as full funding of transportation to and from school for kindergarten students.

passed Oct '98

>
> Here is one example of why the current statute is ineffective. Currently
> the Division of Youth and Family Services is supposed to pursue truancy
> in the state along with the School Districts and Boroughs. The
> Fairbanks North Star Borough pursues this as best they can given the
> limits they have. One of many cases this year is of a child who of five
> years old that missed 75 days of school last year due to the failure of
> the parent to get them to school. The child was five, Kindergarten was
> not mandatory so the parent felt no compulsion to meet the child's
> educational need. The only consequence was educational neglect and the
> there was nothing the Borough, D.F.Y.S. or School district could do to
> about it. Now at age six the child has missed 59 days of school. All
> pertinent information about parent contacts, absences and educational
> difficulties was turned over to the District Attorney by the School
> District only to be told that due to State law there was nothing that
> they could do until the law was amended/changed. Their hands are tied
> while this little girl's education and future is further neglected. We
> have discussed that at the State wide Principals conference and agreed
> that a change needs to happen a.s.a.p. The educational future of this
> young child and many like her depends on our ability to get these
> children into school and keep them there. Please do your part by
> changing this part of the state statute so we can better do our part for
> these children. Thank you.

>
> Sincerely Yours

>
> David Pfrimmer, Principal
> North Pole Elementary

Subject: Re: Compulsory School Age

Date: Fri, 12 Jan 2001 11:39:13 -0900

From: Loyola McManus <aaesp@alaska.net>

To: Holly Morris <Holly_Morris@legis.state.ak.us>

Holly,

Sorry I did not get back to you earlier. That particular Resolution was passed in 1998 and is due to be reviewed at our annual conference next October. I do not recall any particular discussion at our last conference, but do know that many elementary principals feel strongly that Kindergarten be mandatory.

More and more children need that structured language development as a prerequisite for success in reading. With the majority of students attending part or full day Kindergarten, those who do not frequently fall behind unless the home is providing a rich language experience.

While the law currently states mandatory age of 7, I believe the reality is that most children start Kindergarten at age 5 and First Grade at age 6.

I am currently the Executive Director of The Alaska Association Of Elementary Principals (AAESP) and a retired principal. I will pass your request on to the active principals serving on our Board and encourage them to respond to the Senator's request for more information.

We really appreciate your contacting us on issues concerning elementary and middle school education. Don't hesitate to call upon us at any time.

Loyola McManus

At 09:29 AM 1/12/01 -0900, you wrote:

>Ms. McManus,

>

> As you may be aware, Senator Therriault introduced a bill, SB11, lowering the compulsory age for starting school from seven years old to six years of age. I have the resolution the Alaska Association of Elementary School Principals passed (Resolution 98-9), and am wondering if there has been further discussion in your association. In your position as President of the Association, I would like to request any information you might pass along regarding this issue.

>

> My name is Holly Morris and as a member of Senator Therriault's staff,

>

>I will be carrying this legislation.

>

>Thank you in advance for your prompt attention to this matter.

Subject: SB 11 Support

Date: Tue, 16 Jan 2001 15:04:24 -0900

From: Loyola McManus <aaesp@alaska.net>

To: Holly Morris <Holly_Morris@legis.state.ak.us>

Holly,

The Alaska Association Of Elementary School Principals would be in strong support of lowerin the mandatory school age from 7 yrs. to 6 yrs. As you know, our Resolution 98-9 went even further by supporting "mandatory Kindergarten".

It is well know that strong reading skills are a tremendous asset in success in school. In fact much school failure can be traced to the lack of good reading skills. Students who start their formal education with their peers in Kindergarten (age 5) or at the latest First Grade (age 6) have a much better chance of developing the correct language and pre reading skills than those who do not arrive at school until age 7.

A student who first arrives at school at age 7 would be age appropriate for second graders. However academically s/he would most likely fit better with K or First graders. This can be a terrible dilemma for those involved in grade placement.

Do you place a child with others who are socially, physically, and emotionally at his/her level even though s/he will not be able to do the academic work, thus having the early experiences be those of failure? Do you place a child where s/he fits academically even though s/he would feel s/he were with "babies", fostering negative peer interactions? Both cases would be damaging to the child.

If the mandatory starting age were changed to 6 years, it would be easier socially, physically, and emotionally to place him/her in Kindergarten or if s/he had some language background, to place in First grade without being so far behind.

We at AAESP expressed by our Resolution 98-9 that the very best would be to have all children start at age 5 in Kindergarten to assure an even start and provide strong language and reading development support. With the State focus on "benchmark testing" and the "exit exam" it would seem logical to require attendance at the age when the majority of children first begin their formal schooling.

Another problem with the current requirement of "age 7" is that when a family has truancy problems, a school can pursue the issue in court but may have to exclude the first grader because s/he is not yet 7 and thus "not required" to be in school. This does not help that child or that family develop good educational habits.

We commend Senator Therriault for proposing the lowering of the mandatory age for school attendance and as mentioned above would be pleased to see it go to 5 years of age so that all students start together.

Subject: Legislative Action

Date: 17 Jan 2001 08:41:03 -0900

From: "Marman_Meg" <marman_meg@msmail.asd.k12.ak.us>

To: "Morris Holly" <Holly_Morris@legis.state.ak.us>

I received information about a bill being introduced reducing the mandatory school age from 7 to 6 which I want to fully support. I'm presently a principal in Anchorage, but previously taught kindergarten for a number of years. It is essential that we provide a literacy rich environment for our young children at the earliest age possible. This is even more important if the children are living in lower socio-economic environments. Thank you for relaying this information to the appropriate people. Thanks. Meg

mandaatory school agge

Subject: mandaatory school agge

Date: Tue, 16 Jan 2001 16:27:31 -0900

From: Kathie Cook <kathie@northstar.k12.ak.us>

To: Holly_Morris@legis.state.ak.us

I am in favor of lowering the mandatory school age to six. I would also support mandatory kindergarten. Kindergarten is becoming more and more important for getting our kids ready to learn. It would seem to me that having all students attend kindergarten would be a good start for benchmark one.

Kathie Cook
Ladd Elementary, principal

Subject:

Date: Thu, 9 Nov 2000 12:23:45 -0900

From: "pfrimm@northstar.k12.ak.us" <pfrimm@northstar.k12.ak.us>

To: Representative_Tom_Brice@legis.state.ak.us, Representative_John_Davies@legis.state.ak.us,
Representative_John_Coghill@legis.state.ak.us,
Representative_Gene_Therriault@legis.state.ak.us,
Representative_Jcannette_James@legis.state.us, Senator_Mike_Miller@legis.state.ak.us,
Senator_Gary_Wilken@legis.state.ak.us

Dear Legislatures

Just a reminder of a letter I sent you all last year regarding a couple of educational issues. I thought since this is a new session that I would again encourage you to pursue proposal. here is a copy of my last correspondence.

Dear Representative,

>
> I would like to recommend a change to a specific Alaska Education Law.
> The Section is under Chapter 30 on Pupils and Educational Programs for
> Pupils, Article 1. Compulsory Education, Sec. 14.30.010.
>
> This outdated section currently states (a) Every child between seven and
> 16 years of age shall attend school at the public school in the district
> in which the child resides during each school term. Every parent,
> guardian or other person having the responsibility for or control of a
> child between seven and 16 years of age shall maintain the child in
> attendance at a public school in the district in which the child resides
> during the entire school term, except as provided in (b) of this
> section.
>
> The common practice statewide is to enroll children at five years of age
> in Kindergarten and first grade at six. Although some parent wish to
> wait until the child is six before entering kindergarten which is fine
> too. After being in Education for 21 years I believe that Kindergarten
> should be mandatory. Parents could have a choice of enrolling them at
> age five or by age six. Kindergarten has developed into an essential
> part of our educational program in the nation and state. The
> expectation for first graders are much different that today than they
> were when this Statute was written. My proposal is two part.
>
> One: Make Kindergarten mandatory. Enrollment may be at either age 5 or
> age 6 depending on the maturity of the student level and decision of the
> parent.
>
> Two: Change the compulsory age to attend school from 6 to 17,
> maintaining all the current exceptions provided in the current section.
>
> Here is one example of why the current statue in ineffective. Currently
> the Division of Youth and Family Services is supposed to pursue truancy
> in the state along with the School Districts and Boroughs. The
> Fairbanks North Star Borough pursues this as best they can given the
> limits they have. One of many cases this year is of a child who of five
> years old that missed 75 days of school last year due to the failure of
> the parent to get them to school. The child was five, Kindergarten was
> not mandatory so the parent felt no compulsion to meet the child's
> educational need. The only consequence was educational neglect and the
> there was nothing the Borough, D.F.Y.S. or School district could do to
> about it. Now at age six the child has missed 59 days of school. All
> pertinent information about parent contacts, absences and educational

> difficulties was turned over to the District Attorney by the School
> District only to be told that due to State law there was nothing that
> they could do until the law was amended/changed. Their hands are tied
> while this little girls education and future is further neglected. We
> have discussed that at the State wide Principals conference and agreed
> that a change needs to happen a.s.a.p. The educational future of this
> young child and many like her depends on our ability to get these
> children into school and keep them there. Please do your part by
> changing this part of the state statute so we can better do our part for
> these children. Thank you.

>

> Sincerely Yours

>

> David Pfrimmer, Principal

>

> North Pole Elementary

Subject: SB 11 School Age

Date: Mon, 05 Feb 2001 19:51:06 +0000

From: Rod McCoy <rodmc coy@alaska.com>

To: Senator_Lyda_Green <Senator_Lyda_Green@legis.state.ak.us>,
Senator_Loren_Leman <Senator_Loren_Leman@legis.state.ak.us>,
Senator_Jerry_Ward <Senator_Jerry_Ward@legis.state.ak.us>,
Senator_Gary_Wilken <Senator_Gary_Wilken@legis.state.ak.us>,
Senator_Davis <Senator_Bettye_Davis@legis.state.ak.us>

All educational research on age of instruction supports early attendance in school.

Parents can easily opt out in this state by simply saying they are home schooling.

But at least set the standard.

Send SB 11 out of committee

Rod McCoy
7749 Old Harbor Rd.
Anchorage, Ak 99504
337 6138

Eric R. McCoy / Mark R. McCoy
23-429/D 23-429/u
(same address)

POM for Senator Green



From: Ms. ~~Rose C. Smith~~
1140 Gail Dr

VK: 28-025/N

Telephone: 376-2517

Wasilla, AK 99654

Constituent

Registered Voter: V

Email:

Bill: SB 11 Title: COMPULSORY SCHOOL AGE

Message:

Please pass SB 11.

Entered in MAT on 2/06/01 POMID:99119

Distribution: 5

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Message 1 out of 9.

Subject: Senate Bill 11

Date: Thu, 8 Feb 2001 13:32:07 -0900

From: Rachael Moreland <rachaelmoreland@att.net>

To: <Senator_Lyda_Green@legis.state.ak.us>

Rachael A. Moreland
PO Box 23013
Ketchikan, AK 99901-3013

VR: 01-025/R

Dear Senator Green,

Greetings from Ketchikan! Jack happened to mention Senate Bill 11 in a conversation this morning. Alaska has very strong statutes that allow parents to exercise their responsibility to educate their children. We have worked hard to preserve those rights. SB 11 strips parents of yet another choice. I hope that you will not support it.

A proposal which will lower the age of compulsory government school attendance from age 7 to 6 is not in the best interest of children. Families who choose to send their kids to government schools should also be able to choose when to begin that process. As you know as a parent and grandparent, some children are ready for school at earlier ages than others. Often the oldest & older children are not ready for school as early as their younger siblings. I know this was true in my family. Parents or guardians who know the child should make the decision regarding when their child should begin school - not a government employee. Circumstances in which children are not receiving any education whatsoever (i.e. not being taught at home, etc.) are extremely rare, and in those instances there are usually other areas of neglect and/or abuse for which there are government programs to assist (and enroll the child in a government school). What are the fiscal impacts of SB 11? What are the benefits? And do those benefits outweigh parental responsibility of doing what's best for their children (in their opinion, not the governments)? Who or what organizations strongly support this proposal?

Please consider SB 11 carefully and thoroughly in the Senate HESS Committee.

Thank you, keep up the great work

Sincerely,
Rachael

Rachael Moreland
PO Box 23013
Ketchikan, AK 99901

Subject: SB 11

Date: Wed, 7 Feb 2001 07:16:58 -0900

From: "Jack E. Phelps" <jephelps@worldnet.att.net>

To: "Lyda Green" <Senator_Lyda_Green@legis.state.ak.us>

*SB 11
Comm. File*

Jack E. Phelps
PO Box 23267
Ketchikan, AK 99901-3267
VR: 01-005/R

Lyda

No good can come of this idea to push the compulsory attendance age downward. There is no evidence that children are better off being institutionalized at an earlier age and plenty of evidence to the contrary. The only real motive behind such a bill is to get the school ADM increased so the districts can extort more money from the GF. The only other motivation I can think of originates with those who think educrats can take better care of kids than parents can. Please, for the sake of children and families, if not for fiscal reasons, do what you can to waylay this bill. Loren and Jerry have said they will help you hold it in committee. I will talk to Gene to try to find out what the heck he has in mind. Hopefully, he will listen to reason.

Let me know if you want me to do anything else.

Jack

Jack E. Phelps
jephelps@att.net

"Only those willing to risk going too far can possibly find out how far one can go."

-- T.S. Eliot

Bob
file
Barbara K. Kamrath
PO Box 201
Delta Junction, AK 99737
VR: 35-010/D

Subject: Agreement with SB 11

Date: Tue, 6 Feb 2001 15:45:24 -0900

From: "Barbara Kamrath" <debk@dgsdmail.dgsd.k12.ak.us>

Organization: DGSD

To: <Senator_Lyda_Green@legis.state.ak.us>, <Senator_Loren_Leman@legis.state.ak.us>, <Senator_Pete_Kelly@legis.state.ak.us>, <Senator_Jerry_Ward@legis.state.ak.us>, <Senator_Gary_Wilken@legis.state.ak.us>, <Senator_Bettye_Davis@legis.state.ak.us>

Dear Senator:

As an elementary educator and primary principal I know first hand the importance of young children being in a caring and challenging environment to begin their educational journey. The first steps of this journey need to begin at the earliest possible age in order to maximize the positive effect of language development, numerical exploration and other readiness skills for future success in school.

As a community of learners and educators we have more input in our young children's education if they are enrolled in the public/private school setting. Truancy regulations would give teeth to this requirement of reducing the mandatory age for school attendance to 6 years of age.

We are now introducing high stakes assessments and evaluations to our students (as young as 3rd grade). It is only fair that we give them more than an adequate opportunity to meet the challenges of these benchmarks. By requiring them to be in school or receive schooling a year younger we have opened the window more widely for systematic learning.

I urge you to fully consider (SB 11), sponsored by Senator Therriault, and do what is best for the young children of Alaska.

Barbara K. Kamrath

Director
Safe Schools/Healthy Students
Delta/Greely School District
Delta Junction, AK 99737

POM for Senator Green

Anusora files



From: Ms. Anita J Byers
PO Box 865

YR: 08-197/u

Telephone: 262-6188

Soldotna, AK 99669

NON Constituent

Registered Voter: V

Email:

Bill: SB 11 Title: COMPULSORY SCHOOL AGE

Message:

I urge you to move this bill out of committee.

Entered in SOL on 2/19/01 POMID:99203 Stored

Distribution: 8

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THANK YOU for contacting our office. I appreciate hearing your ideas and opinions on the many concerns we are addressing in the Alaska State Legislature.

February 22, 2001

Dear Anita,

As I review the issues, I will keep your comments in mind and do my best to make thoughtful, informed decisions. I applaud and appreciate the time and effort you put forth to speak up for Alaska!

Thank you for your POM regarding SB 11. Currently, the committee is continuing to work on SB 11. After the work is completed, the bill will be scheduled for a new hearing.

Please stay in touch.

Sincerely,

ALASKA STATE CAPITOL, JUNEAU, ALASKA 99801-1182
PHONE: 465-6600, FAX: 465-3805, Senator_Lyda_Green@legis.state.ak.us

**SENATE COMMITTEE REPORT,
First Committee of Referral**

DATE: 1/8/01

FURTHER: Finance

Date of 5-Day Notice: 02/05/01
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 04/27/01

Health, Education and Social Services Committee considered **SENATE BILL NO. 11**

"An Act relating to the legal age for attending school; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

same title

new title

House Bill:

same title

technical title

new SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DEED	2/5/01		x	1

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Betty Davis</i>	✓			
<i>J. Howard</i>			✓	
<i>Lyda Green</i>			✓	
CHAIR: <i>Lyda Green</i>				

SB

19

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 19
(S) Publish Date: 1/9/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
Title: CSED Sunset and Update BRU: Child Support Enforcement
Component: Child Support Enforcement
Sponsor: Rules Committee
Requester: Governor Component Number: 111

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
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 (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

There would be no fiscal impact from this legislation. However, failure to adopt this legislation would move the state out of compliance with federal law for child support enforcement programs and would expose the state to the penalty of losing almost \$80 million a year in federal funding for Alaska's child support enforcement program and Alaska's Temporary Assistance Program (ATAP).

Prepared by: Barbara Miklos, Director Phone 269-6800
Division: Child Support Enforcement Division Date/Time Dec. 8, 2000
Approved by: Larry Persily, Deputy Commissioner Date Dec. 8, 2000
Agency: Department of Revenue

For distribution information, call the Governor's Legislative Office

TONY KNOWLES
GOVERNOR
governor@gov.state.ak.us

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

SB191
P.O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500
Fax (907) 465-3532
www.gov.state.ak.us

January 8, 2001

The Honorable Rick Halford
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Halford:

Alaska's Child Support Enforcement Division collected and distributed a record \$85 million in Fiscal Year 2000 and is headed toward a new record this year. This bill I transmit today guarantees the state can retain the tools that enabled this success in helping thousands of children receive the financial support they need. It also keeps Alaska in compliance with federal welfare reform laws and eligible for nearly \$80 million in annual federal funding to operate Alaska's family assistance and child support programs.

This bill continues the state program begun in 1997 and 1998 as part of Alaska's compliance with federal welfare reform which has reduced dependence on government-funded public assistance programs by increasing child support collections. The Alaska legislature chose to sunset those compliance measures on July 1, 2001

This bill is important to the lives of the children and parents who make up the nearly 48,000 child support cases in Alaska. It will keep in place those successful provisions of the 1997 and 1998 legislation which have improved child support collections, including:

- Enhanced due process protections in paternity proceedings.
- Requirements that all employers report newly hired employees to the child support agency.
- Authorization to use financial institution data matches to locate assets of delinquent parents.
- Immunity from civil liability for employers and financial institutions that comply with child support income-withholding orders.

The Honorable Rick Halford

January 8, 2001


Page 2

- Prohibitions against disclosing identifying information of a parent or child when there is evidence of domestic violence.
- Requirements for Social Security numbers on certain vital statistics and court records, and on applications for some state licenses. To protect an individual's privacy, the numbers are not required on the actual licenses but only on the applications.
- Authorization for the child support agency to obtain orders requiring delinquent parents to seek work and orders to set aside a parent's fraudulent transfer of property if it was done to avoid a child support obligation.
- Improved access to records of other government agencies and financial institutions to locate delinquent parents and their assets.

I also want to point out that this bill repeals one controversial part of the earlier legislation. Alaska recently received a waiver from the federal requirement to collect Social Security numbers on applications for sport fishing and hunting licenses, allowing us to remove that requirement from law.

In the years since passage of the 1997 and 1998 legislation, the state has found the provisions of those bills effective at ensuring children receive the support they need from both parents. Failure to adopt this bill would jeopardize several years of progress in helping Alaska's families.

Sincerely,



Tony Knowles
Governor

STATE OF ALASKA

DEPARTMENT OF REVENUE CHILD SUPPORT ENFORCEMENT DIVISION

TONY KNOWLES, GOVERNOR

Please Reply To:

CSED, MS

550 W. 7th Ave., Suite 310
Anchorage, AK 99501-6699
907-269-6900
800-478-3300 Toll Free in Alaska
907-269-6650 CSC FAX
TTY: (907) 269-6894
Toll Free Alaska TTY: (800) 370-6894

January 23, 2001

The Honorable Lyda Green
Alaska State Legislature
State Capitol
Room 125
Juneau, AK 99801-1182

Dear Senator Green:

I am requesting that the Senate Health, Education and Social Services Committee hear SB19. This bill repeals the termination date of changes made by ch.87, SLA 1997 and ch. 132, SLA 1998 regarding child support enforcement and related programs.

The 1997 and 1998 child support legislation ensured Alaska's compliance with federal welfare reform requirements. The provisions of these Acts have been effective at increasing the amount of child support collected for Alaska's children. Moreover, federal funding for the state's child support enforcement program and the federal public assistance block grant depend on compliance with the federal requirements. The 1998 Act repealed these provisions as of July 1, 2001. It also included a nonseverability provision, which requires that if any part of that Act is found to be unconstitutional, the remaining provisions of the Act also will be considered invalid. SB19 repeals these sunset and nonseverability provisions, thus assuring that the law and court rule changes made by the 1997 and 1998 Acts will be retained.

This bill includes several provisions that have improved child support collections, including:

- Enhanced due process protections in paternity proceedings.
- Requirements that all employers report newly hired employees to the child support agency.
- Authorization to use financial institution data matches to locate assets of delinquent parents.
- Immunity from civil liability for employers and financial institutions that comply with child support income-withholding orders.
- Prohibitions against disclosing identifying information of a parent or child where there is evidence of domestic violence.
- Requirements for Social Security numbers on certain vital statistics and court records, and on applications for some state licenses. To protect an individual's privacy, the numbers are not required on the actual licenses but only on the applications.

DEPARTMENTAL SUPPORT LETTER

The Honorable Lyda Green
January 23, 2001
Page 2 of 2

- Authorization for the child support agency to obtain orders requiring delinquent parents to seek work and orders to set aside a parent's fraudulent transfer of property if it was done to avoid a child support obligation.
- Improved access to records of other government agencies and financial institutions to locate delinquent parent and their assets.

SB19 also repeals one controversial piece of the earlier legislation. We have removed the requirement to collect Social Security numbers on applications for sport fishing and hunting licenses. We requested and received a waiver from the federal government for that requirement.

CSED has implemented and tested the changes brought about by the 1997 and 1998 Acts. The agency has found these new programs and enforcement tools to be effective in ensuring that more children receive the support to which they are entitled. Due in great part to these changes, the agency's collections have increased. In fiscal year 2000, the agency collected over \$85 million, the largest annual collection in the agency's history.

We look forward to working with you on this legislation. Please let me know what information I can provide to assist the committee.

Sincerely,



Barbara Miklos
Director

cc: Larry Persily, Deputy Commissioner, Department of Revenue
Shari Kochman, Deputy Legislative Director, Office of the Governor

THE
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SENATE COMMITTEE REPORT

DATE: 1/25/01

FURTHER: Finance

DATE TURNED
IN TO OFFICE: _____

Health, Education and Social Services Committee considered **SENATE BILL NO. 19**
CHILD SUPPORT ENFORCEMENT/SOCIAL SECURITY NUMBER

and recommends:

- be replaced with CS SB 19 (HES)
- adopt previous CS ()
- attached amendment(s)
- adopt Letter of Intent by Committee
- further referral to Committee

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
Revenue	10/00		✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John A. Lujan</i>	✓			
<i>Jim Taylor</i>			✓	
<i>Frank</i>			✓	
<i>Betty Davis</i>	✓			
CHAIR: <i>Linda Meen</i>	✓			

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/9/01

FURTHER BY: HESS
 Finance

Date of 5-Day Notice: 1-18-01
 (in accordance with Uniform Rule 23)

DATE TURNED
 IN TO OFFICE: 1-24-01

Resources Committee considered SENATE BILL NO. 19

CHILD SUPPORT ENFORCEMENT/ SOC SEC. #

and recommends:

- be replaced with CS SB 19 (RES)
- adopt previous CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
Revenue	12800		✓	1

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	No REC	AMEND
<i>True Revenue</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
CHAIR: <i>[Signature]</i>	✓			

ALASKA STATE LEGISLATURE



Interim:

600 East Railroad Avenue
Wasilla, Alaska 99654
(907) 376-3370
(907) 376-3157 Fax

Session:

State Capitol
Juneau, Alaska 99801-1182
(907) 465-6600
(907) 465-3805 Fax

SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE SENATOR LYDA GREEN, CHAIR

AMENDMENT TO CSSB 19(HES), Draft Version "L"

Explanation: This amendment is offered to ensure that an employer who unintentionally fails to report a newly hired employee to child support enforcement agencies may not be held liable for their failure to do so in a private civil case.

Analysis: This amendment adds a new section 11, which amends the new hire reporting requirements in AS 25.27.075 to include "Violation of this subsection does not give rise to a private cause of action."

This amendment also renumbers the bill accordingly and provides that Section 11 shall take effect immediately.

SENATOR LOREN LEMAN, VICE-CHAIR
SENATOR PETE KELLY, SENATOR JERRY WARD, SENATOR BETTYE DAVIS

AMENDMENT

OFFERED IN THE SENATE

TO: CSSB 19(HES), Draft Version "L"

1 Page 1, line 2, following "information":

2 Insert ", employer reports about employees,"

3

4 Page 4, following line 27:

5 Insert a new bill section to read:

6 **** Sec. 11.** AS 25.27.075(a) is amended to read:

7 (a) An employer doing business in the state shall report to the agency the
8 hiring, rehiring, or return to work of each employee. The report shall be made within
9 the time limits set out in (b) of this section. The report must contain the name,
10 address, and social security number of the newly hired employee, the name and
11 address of the employer, and the identifying number assigned to the employer by the
12 United States Department of the Treasury, Internal Revenue Service. Violation of
13 this subsection does not give rise to a private cause of action.

14

15 Renumber the following bill sections accordingly.

16

17 Page 5, line 25:

18 Delete "Section 13"

19 Insert "Sections 11 and 14"

20 Delete "takes"

21 Insert "take"

22

23 Page 5, line 26:

24 Delete "Sections 1 - 12"

1

Insert "Sections 1 - 10, 12, and 13"

22-GS1002L
Lauterbach
2/2/01

CS FOR SENATE BILL NO. 19(HES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:
Referred:

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

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to federal child support enforcement requirements regarding social
2 security number information and certain kinds of automated data matching with
3 financial institutions; repealing the termination date of changes made by ch. 87, SLA
4 1997, and ch. 132, SLA 1998, regarding child support enforcement and related
5 programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing
6 uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for
7 an effective date."

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

9 * Section 1. AS 06.40.050(a) is amended to read:

10 (a) Application for a license under this chapter shall be in writing and in the
11 form prescribed by the department. [IF THE APPLICANT IS A NATURAL
12 PERSON, THE APPLICATION FORM MUST REQUIRE SUBMISSION OF THE
13 APPLICANT'S SOCIAL SECURITY NUMBER.]

1 * Sec. 2. AS 08.01.089 is amended to read:

2 **Sec. 08.01.089. Copies of records for child support purposes.** If a copy of a
3 public record concerning an individual who owes or is owed child support that is
4 prepared or maintained by the department is requested by the child support
5 enforcement agency created in AS 25.27.010 or a child support enforcement agency of
6 another state, the department shall provide the requesting agency with a certified copy
7 of the public record [, INCLUDING THE INDIVIDUAL'S SOCIAL SECURITY
8 NUMBER]. If these records are prepared or maintained by the department in an
9 electronic data base, the records may be supplied by providing the requesting agency
10 with a copy of the electronic record and a statement certifying its contents. A
11 requesting agency receiving information under this section may use it only for child
12 support purposes authorized under law.

13 * Sec. 3. AS 08.08.137 is amended to read:

14 **Sec. 08.08.137. Fingerprints [; SOCIAL SECURITY NUMBER].** The
15 Board of Governors shall require an applicant for admission to be fingerprinted [AND
16 TO PROVIDE THE APPLICANT'S SOCIAL SECURITY NUMBER]. The
17 fingerprints shall be used to determine whether the applicant has a record of criminal
18 convictions in this state or another jurisdiction. The Board of Governors may use the
19 information obtained from the fingerprinting only in its official determination of the
20 character and fitness of the applicant for admission to the Alaska Bar Association.
21 [THE APPLICANT'S SOCIAL SECURITY NUMBER SHALL BE PROVIDED TO
22 THE CHILD SUPPORT ENFORCEMENT AGENCY ESTABLISHED IN
23 AS 25.27.010, OR THE CHILD SUPPORT ENFORCEMENT AGENCY OF
24 ANOTHER STATE, UPON REQUEST BY THE RESPECTIVE AGENCY; THE
25 REQUESTING AGENCY MAY USE THAT INFORMATION ONLY FOR CHILD
26 SUPPORT PURPOSES AUTHORIZED UNDER LAW.]

27 * Sec. 4. AS 09.55.050 is amended to read:

28 **Sec. 09.55.050. Effect of presumptive death certificate.** After the judge or
29 magistrate has entered an order declaring that the person is presumed to be dead either
30 under AS 09.55.020 - 09.55.060 or under the laws dealing with missing persons, the
31 judge or magistrate shall make out and sign a certificate entitled "Presumptive Death

1 Certificate" in the form and manner and containing the information required by the
2 Bureau of Vital Statistics. [IN ADDITION TO THE INFORMATION REQUIRED
3 BY THE BUREAU OF VITAL STATISTICS, THE CERTIFICATE MUST
4 CONTAIN THE DECEDENT'S SOCIAL SECURITY NUMBER, IF
5 ASCERTAINABLE.] The certificate shall be recorded by the judge or magistrate and
6 then filed with the Bureau of Vital Statistics. Upon the entry of the order and the
7 recording and filing of the "Presumptive Death Certificate" as herein provided, the
8 missing person is presumed to be dead, and the person's estate may be administered in
9 accordance with the then existing provisions of law applicable to the administration of
10 the estates of deceased persons.

11 * Sec. 5. AS 16.05.450(a) is amended to read:

12 (a) The commissioner or an authorized agent shall issue a crewmember fishing
13 license under AS 16.05.480 to each qualified person who files a written application at
14 a place in the state designated by the commissioner, containing the reasonable
15 information required by the commissioner together with the required fee. [THE
16 COMMISSIONER SHALL REQUIRE THE REPORTING OF THE APPLICANT'S
17 SOCIAL SECURITY NUMBER ON THE APPLICATION.] The application shall be
18 simple in form and shall be executed by the applicant under the penalty of unsworn
19 falsification.

20 * Sec. 6. AS 16.05.480(b) is amended to read:

21 (b) A person applying for a resident commercial license under this section
22 shall provide [THE PERSON'S SOCIAL SECURITY NUMBER AND] the proof of
23 residence that the department requires by regulation.

24 * Sec. 7. AS 18.50.280(a) is amended to read:

25 (a) For each dissolution, divorce, and annulment of marriage granted by a
26 court in the state, the clerk of the court shall prepare and file a certificate of
27 dissolution, divorce, or annulment with the bureau, on forms prescribed and furnished
28 by the bureau. [THE FORMS MUST REQUIRE THE REPORTING OF THE
29 SOCIAL SECURITY NUMBERS OF THE PETITIONER OR PLAINTIFF AND, IF
30 ASCERTAINABLE, THE OTHER PARTY TO THE DISSOLUTION, DIVORCE,
31 OR ANNULMENT OF MARRIAGE.] The petitioner or plaintiff shall furnish the

1 court with the information necessary to complete the certificate, and the furnishing of
2 this information is prerequisite to the issuance of a decree.

3 * **Sec. 8.** AS 18.60.395(a) is amended to read:

4 (a) The Department of Labor and Workforce Development shall adopt
5 regulations for the licensing of boiler operators. The regulations must conform to the
6 generally accepted nationwide standards and practices established for boiler operators.
7 [IN ADDITION TO ANY REQUIREMENTS ADOPTED BY REGULATION
8 UNDER THIS SUBSECTION, A PERSON APPLYING FOR A LICENSE SHALL
9 PROVIDE TO THE DEPARTMENT, ON THE APPLICATION, THE PERSON'S
10 SOCIAL SECURITY NUMBER.]

11 * **Sec. 9.** AS 18.65.410(a) is amended to read:

12 (a) Application for a license as a security guard must be made on forms
13 provided by the commissioner. The application must require the furnishing of
14 information reasonably required by the commissioner to carry out the provisions of
15 AS 18.65.400 - 18.65.490, including classifiable fingerprints to enable the search of
16 criminal indices for evidence of a prior criminal record [, AND MUST REQUIRE
17 THE FURNISHING OF THE APPLICANT'S SOCIAL SECURITY NUMBER IF
18 THE APPLICANT IS A NATURAL PERSON]. The application must be
19 accompanied by a nonrefundable application fee of \$50 for a security guard and \$200
20 for a security guard agency.

21 * **Sec. 10.** AS 18.72.030(a) is amended to read:

22 (a) A person who desires to sell fireworks at wholesale in the state shall first
23 make verified application for a license to the state fire marshal on forms provided by
24 the state fire marshal. [THE FORMS MUST REQUIRE THE APPLICANT TO
25 SUPPLY THE APPLICANT'S SOCIAL SECURITY NUMBER IF THE
26 APPLICANT IS A NATURAL PERSON.] The application shall be accompanied by
27 an annual license fee of \$50.

28 * **Sec. 11.** AS 28.15.061(b) is amended to read:

29 (b) An application under (a) of this section must

30 (1) contain the applicant's full name, [SOCIAL SECURITY
31 NUMBER,] date and place of birth, sex, and mailing and residence addresses;

1 (2) state whether the applicant has been previously licensed as a driver
2 and, if so, when and by what jurisdiction;

3 (3) state whether any previous driver's license issued to the applicant
4 has ever been suspended or revoked or whether an application for a driver's license has
5 ever been refused and, if so, the date of and reason for the suspension, revocation, or
6 refusal; and

7 (4) contain other information that the department may reasonably
8 require to determine the applicant's identity, competency, and eligibility.

9 * **Sec. 12.** AS 06.20.020(b); AS 06.40.050(e); AS 08.01.060(b), 08.01.100(e);
10 AS 14.20.027; AS 16.05.450(d), 16.05.480(d); AS 18.50.230(f), 18.50.280(c);
11 AS 18.60.395(d); AS 18.65.410(b); AS 18.72.030(b)(2); AS 21.06.255; AS 25.05.091(b);
12 AS 25.20.050(n); AS 25.24.160(d), 25.24.210(f), 25.24.230(i); AS 25.27.020(a)(2)(D); and
13 AS 28.15.061(g) are repealed.

14 * **Sec. 13.** The following are repealed:

15 (1) Section 148(c), ch. 87, SLA 1997, as amended by sec. 53, ch. 132, SLA
16 1998;

17 (2) Sections 2, 14, and 16, ch. 37, SLA 1998;

18 (3) Section 53, ch. 132, SLA 1998;

19 (4) Section 54(b), ch. 132, SLA 1998, as amended by sec. 101, ch. 21, SLA
20 2000;

21 (5) Section 54(c), ch. 132, SLA 1998;

22 (6) Section 56, ch. 132, SLA 1998;

23 (7) Section 92, ch. 58, SLA 1999; and

24 (8) Section 103, ch. 21, SLA 2000.

25 * **Sec. 14.** Section 13 of this Act takes effect immediately under AS 01.10.070(c).

26 * **Sec. 15.** Sections 1 - 12 of this Act take effect July 1, 2006.

ALASKA STATE LEGISLATURE



Interim:

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Session:

State Capitol
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SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE
SENATOR LYDA GREEN, CHAIR

HESS CS FOR CSSB 19 (RES)
CHILD SUPPORT ENFORCEMENT/SOC SEC. #

The following changes were made to CSSB 19 (RES):

- Findings and intent language was removed.
- The five-year sunset was renewed on requirements that applicants for various licenses provide their social security numbers to the licensing agency and that the licensing agency provide those social security numbers to child support enforcement agencies.
- The five-year sunset was renewed on the requirements that certain court documents and documents of the Bureau of Vital Statistics include social security numbers and that those social security numbers be provided to child support enforcement agencies.
- The five-year sunset was renewed on the provisions allowing the child support enforcement agency to enter into agreements with financial institutions for financial data matching.

SENATOR LOREN LEMAN, VICE-CHAIR
SENATOR PETE KELLY, SENATOR JERRY WARD, SENATOR BETTYE DAVIS

CS for Senate Bill 19 (HES)

Sectional Analysis

Sections 1 through 12 and section 15: Renew selected sunset provisions.

- Imposes a five-year sunset on the requirements that applicants for various licenses provide their social security numbers to the licensing agency and that the licensing agency provide those social security numbers to the child support enforcement agency of this or another state.
- Imposes a five-year sunset on the requirements that certain court documents and documents of the Bureau of Vital Statistics include social security numbers and that those social security numbers be provided to the child support enforcement agency of this or another state.
- Imposes a five-year sunset on the provisions allowing the child support enforcement agency to enter into agreements with financial institutions for financial data matching.

Section 13: Repeals the original sunset, nonseverability, and related provisions.

- Repeals the original sunset and nonseverability provisions of the 1997 and 1998 Acts.
- Repeals several related provisions from other legislation that refer to the original sunset provisions of the 1997 and 1998 Acts.

Section 14: Effective date of the Act.

- Establishes an immediate effective date for section 13 of the Act.

CS for Senate Bill 19 (RES)

Sectional Analysis

Sec. 1: Findings, Purpose and Intent.

- Recognizes the value of the work of CSED to Alaska's children and the importance of the statutory changes of 1997 and 1998 to that work.
- Acknowledges that the 1997 and 1998 statutes brought Alaska into compliance with federal law, which is a condition of receiving federal financial participation in child support enforcement and public assistance programs.
- Identifies a nonseverability provision of the 1998 Act which, if triggered, would put the state in jeopardy of losing this funding.
- Confirms that these statutes will be automatically repealed by sunset clauses on July 1, 2001, unless the sunset clauses are repealed, also jeopardizing the funding.
- States the intent to repeal the sunset and nonseverability provisions.

Section 2: Repeals the sunset, nonseverability, and related provisions.

- Repeals the sunset and nonseverability provisions of the 1997 and 1998 Acts.
- Repeals several related provisions from other legislation that refer to the sunset provisions of the 1997 and 1998 Acts.

Section 3: Effective date of the Act.

- Establishes an immediate effective date for the Act.

CHILD SUPPORT ENFORCEMENT "SUNSET" SUMMARY

Legislation passed in 1997 and 1998 contained sunset provisions that will take effect in 2001. These laws support programs and activities at CSED that have resulted in a significant increase in child support payments, and improved services to families in Alaska. If the sunset is allowed to occur, these improvements will be diminished, and by being out of compliance with welfare reform laws Alaska will be in jeopardy of losing \$80,000,000 in federal public assistance and child support funding.

Below is an outline of key parts of the 1997 and 1998 legislation, as well as a description of how the sunset provisions would affect CSED's work. Each of these segments is a requirement of federal compliance.

Availability of Records/Access to Information

The subject statutes allow CSED to obtain certain types of information electronically and through administrative action. If these provisions are repealed, CSED may be required to contact sources of information separately for each case, and take the difficult and time-consuming avenue of obtaining a court order to request basic information. The time lost would severely hamper our child support enforcement efforts.

'Best Efforts' Language

Adopted in 1998, this language allows a non-custodial parent who is found by a court to be making the 'best efforts possible under the circumstances to have no child support arrearages' to avoid the loss or suspension of a driver's or other license. The act adds commercial crewmember fishing licenses to existing license statute, and removes subpoena noncompliance as a reason for general license suspension. Instead, the act allows license suspension for subpoena noncompliance only in the context of a civil contempt action.

Central Registry

The law requires courts to automatically forward child support orders to CSED, and authorizes CSED to exchange this and other critical information within strict confidentiality guidelines. These procedures allow CSED to serve clients with improved timeliness and accuracy, efficiencies that will be diminished if the statutes are repealed.

Credit Bureau Reporting

Current state law requires child support debt to be reflected on a delinquent parent's credit bureau report until it has been paid. The sunset would have the effect that unpaid child support arrears could not be reported after 10 years.

Definitions: Duty of support, earnings, tribunal, arrearages

The 1997 and 1998 acts redefined a number of key terms used in child support enforcement, and this nationwide uniformity is essential to cooperative enforcement efforts between the states.

Due Process

The 1997 and 1998 acts strengthened due process protections by requiring additional notices to parents of their rights and responsibilities in paternity and child support proceedings and by providing additional opportunities for parents and other persons to request and obtain administrative and judicial review of agency actions and decisions.

Financial Institution Data Match and Immunity from Liability

Current statutes allow us to match the names of parents who owe arrears with the names on accounts at financial institutions. This makes it much more difficult for delinquent parents to hide their assets, simplifies the search for funds in multi-state institutions, and allows the institutions to cooperate without fear of retaliatory lawsuits. Few banks would participate in the FIDM if this protection were repealed. Searching for hidden assets would require sweeps of all banks for each and every case. For many children our ability to collect support would be seriously compromised.

Income Withholding

In direct response to federal requirements from PRWORA, the 1997 and 1998 acts have simplified the way a non-custodial pays child support through withholding, and shortened to 7 days the time between the request for withholding and the commencement of withholding by the employer. Within 2 days of receipt of withheld funds, CSED forwards the payment to the family. In out-of-state cases, we can request income withholding directly (without going through the other state's child support agency), often saving several months' delay. If these laws are allowed to sunset, it will be harder for CSED to collect monthly payments and arrearages; these collections may take months to implement, rather than immediately; and it will be easier for delinquent parents to avoid payment of their child support obligations by moving to another job before income withholding can be established.

Liens

The subject legislation simplified the statute so that CSED or a parent may assert a lien when the obligor owes an arrearage under a support order being enforced by the agency. Also, Alaska cooperates with other jurisdictions by giving full faith and credit to liens arising by operation of law in other states, *if the person seeking to enforce the lien complies with this state's procedural requirements for recording and serving liens*. The simplified statutes, and the reciprocity with regard to liens, allow us to collect lawfully established support payments and arrearages that might otherwise be unreachable.

Miscellaneous

The subject statutes provide procedures and definitions relating to the following subjects, and bring Alaska into conformance with language in PRWORA.

- exchange information
- application for services
- payments to the agency
- audit of collections
- notice of public assistance
- order establishment
- service of papers
- regulations
- fees for services
- state registry information

Modification

The subject statutes require that parties be given periodic notice of their right to seek review of child support orders. They allow review of orders every three years and clarify CSED's authority to modify administrative orders where out of state court orders also exist. If allowed to sunset, all parties' rights to due process will be weakened because state agencies will no longer be required to have written regulations setting out procedures and standards governing the modification process.

New Hire Reporting

Under the current law, all employers in the state are required to report to CSED new hires and rehires. This information helps CSED locate parents, and establish and enforce child support orders. New Hire reporting is currently responsible for about 12% of total child support collections. If the acts sunset, we will revert to a previous statute that only required employers to report new hires if notified by CSED, and which created a number of classes of exempt employers. Reversion to the old statute will *increase* to \$1000 the civil penalties that can be levied against employers for not reporting

Non-Cooperation

Current and previous laws require ATAP recipients to cooperate with child support proceedings. The 1997 act clarified who would make the determination of non-cooperation (CSED) and who would decide if the party had good cause for non-cooperation (DHHS). This clarification promotes cooperation in matters of paternity and child support, and protects parties who may have reasons for not cooperating, such as threats of domestic violence. These protections would be jeopardized by the sunset.

Nondisclosure of Information

The 1997 statute allows CSED to refuse to disclose the address or other identifying information of a parent or child if the health, safety, or liberty of that person would be unreasonably put at risk by such disclosure. Under the sunset, Alaska law will revert to a requirement to make such information available regardless of the risk if the obligor is current on child support obligations and has a previous visitation or joint custody agreement.

Paternity

The 1997 and 1998 acts include detailed requirements for the form, use, and legal effect of voluntary acknowledgments of paternity, and for proceedings to establish paternity. Acknowledgement forms must include a statement setting out the legal consequences, rights, responsibilities and alternatives to signing the form and listing the restrictions to rescinding the acknowledgment. The acts also addressed a variety of substantive and procedural requirements for the establishment of paternity, including genetic testing, consideration of the best interests of the child, recovery of costs of testing, and allowing a putative father to request genetic testing. Reversion to previous law will diminish due process provisions and safety considerations, and will complicate the paternity determination process.

Seek Work Orders

In cases where support is owed a child who is receiving public assistance, the 1997 statute allows CSED to order an obligor to seek work, or to ask a court to order an obligor to seek work, unless the obligor enters into and complies with an approved payment plan. Without this statute, CSED would have to request a seek work order from the court in the context of a civil contempt proceeding.

Social Security Numbers

The 1997 and 1998 acts required applicants for state licenses, including professional, business, occupational, driver's, recreational and marriage licenses, to include their social security numbers. These numbers help CSED locate parents and collect child support, and reduce the number of cases of mistaken identity. (Requirements for social security numbers on hunting and fishing licenses have been waived and will be allowed to sunset even if the sunset repealer is passed.)

Subpoenas

The current statutes establish procedures that give CSED the authority to subpoena financial or other information needed to establish, modify, or enforce a child support order. They require that subpoenas be served in person, or by registered, certified or insured mail. They allow a claim of good cause excusing compliance, provide a direct avenue of appeal of penalty decisions to the Superior court, and specify that CSED will enforce a subpoena from another state in the same manner. Repeal will restrict CSED's ability to obtain critical information, limiting the establishment, modification and enforcement of child support orders; and will diminish parties' due process rights with regard to administrative subpoenas.

UIFSA

The 1998 act revised the previous UIFSA statute to be clearer and more consistent. Without the changes, interstate cooperation in child support cases would be very difficult.

CSED WELFARE REFORM LEGISLATION "SUNSET" SUMMARY

Repealer 2001

NARRATIVE	STATE LAWS	FEDERAL LAWS	AMENDING SECTIONS
<p>Availability of Records/Access to Information * must be able to obtain access, without order from another tribunal, to: - gov't records, including vital statistics, state tax, property, occ. licensing, business entity, employment security, public assistance, DMV, corrections - customer records of public utilities & cable television per subpoena - financial institution information * to subpoena any financial information, and impose penalties for failure to respond * employer information upon request</p>	<p>AS 06.05.537 AS 08.01.089 AS 09.25.100 AS 16.05.815 AS 18.50.310 AS 18.50.320 AS 22.35.020 AS 23.20.110 AS 25.24.920 AS 25.27.020(c) AS 25.27.085 AS 25.27.086 AS 25.27.250(c) AS 25.27.300 AS 28.05.061 AS 29.45.103 AS 33.30.216 AS 39.25.080 AS 40.17.010 AS 43.23.055 AS 47.05.020 AS 47.05.030</p>	<p>42 U.S.C. § 666(c)(1) PRWORA § 325</p>	<p>1997 Act: Secs. 2, 7, 10, 11, 19, 26, 33, 34, 47, 77, 83-85, 140 – 146 1998 Act: Secs. 10, 11, 26, 48</p>
<p>Central Registry * requires the state to have a central case registry and an automated system for extracting and exchanging information with federal case registry, federal parent locator service, ATAP programs, and agencies of other states</p>	<p>AS 25.24.920 AS 25.27.020(a)(13)</p>	<p>42 U.S.C. § 654A(e) & (f) PRWORA § 311</p>	<p>1997 Act: Secs. 47, 76</p>
<p>Credit Bureau Reporting * must have procedures requiring CSED to report periodically to credit bureaus the names of non-custodial parents who owe arrears</p>	<p>AS 25.27.273</p>	<p>42 U.S.C. § 666(a)(7) PRWORA § 367</p>	<p>1997 Act: Sec. 133</p>

<p>Definitions * duty of support; earnings; support order; business day; employer; tribunal; arrearage</p>	<p>AS 25.27.900</p>	<p>42 U.S.C. § 653(p) and throughout PRWORA § 366 and throughout</p>	<p>1997 Act: Secs. 136 – 139 1998 Act: Secs. 49 – 50</p>
<p>Financial Institution Data Match * must be able to enter into agreements with financial institutions to do automated data exchanges and to attach assets located through that data match</p>	<p>AS 25.27.020(a)(2)(D) AS 25.27.250 AS 09.65.250</p>	<p>42 U.S.C. § 666(a)(17) PRWORA § 372</p>	<p>1997 Act: Secs. 13, 74</p>
<p>Fraudulent Transfers * must have the Uniform Fraudulent Conveyance Act, the Uniform Fraudulent Transfer Act, or a law specifying indicia of fraud creating prima facie case re transfer of property to avoid payment of support AND procedures by which state can seek to avoid transfer or obtain settlement in best interests of the child support creditor</p>	<p>AS 25.27.279 AS 09.25.060 AS 34.40 15 AAC 125.415</p>	<p>42 U.S.C. § 666(g) PRWORA § 364</p>	<p>1997 Act: Sec. 135</p>
<p>High Volume Automated Enforcement * have automated procedures to take actions upon request from another state</p>	<p>AS 25.27.022 AS 25.27.900</p>	<p>42 U.S.C. § 666(a)(14) PRWORA § 323 (with technical amendment)</p>	<p>1998 Act: Sec. 21, 22, 50</p>
<p>Immunity from Liability * financial institutions are not liable for disclosure of info to agency * employers are not liable for disclosure of info to agency or for good faith compliance with a withholding order</p>	<p>AS 09.65.250 AS 25.25.504 AS 25.25.250(h)</p>	<p>42 U.S.C. § 669A 42 U.S.C. § 666(b)(6)(A) 42 U.S.C. § 666(a)(17) PRWORA §§ 314, 353, 372</p>	<p>1997 Act: Secs. 13, 62</p>
<p>Income Withholding * revises existing withholding laws to incorporate various fed requirements, including 7 day employer deadline and no prior notice to obligor. Also, cleans up statutes relating to when and how CSED initiates income withholding when no immediate income withholding in order and when CSED may issue an order to withhold and deliver</p>	<p>AS 25.27.022(d) AS 25.27.062 AS 25.27.150 AS 25.27.250</p>	<p>42 U.S.C. § 666(b) 42 U.S.C. § 666(c)(1)(F) & (G) PRWORA § 314, 325</p>	<p>1997 Act: Secs. 80 – 82, 90 – 93, 128 – 130, 148(a) 1998 Act: Secs. 22, 23, 47</p>

<p>License Suspension * "Best efforts" language added for occupational and drivers' licenses * recreational licenses</p>	AS 25.27.244 AS 25.27.246 AS 09.50.020 AS 11.51.120 AS 12.55.139	42 U.S.C. 666(a)(16) PRWORA § 369	1997 Act: Secs. 106 – 127 1998 Act: Secs. 3 – 5 and 34 – 46
<p>Liens * liens must arise by operation of law against non-custodial parent in arrears AND must give full faith & credit for liens arising in other states as long as other states meet Alaska's requirements</p>	AS 25.27.230 AS 25.27.240	42 U.S.C. § 666(a)(4) PRWORA § 368	1997 Act: Secs. 104, 105 1998 Act: Sec. 31 – 33
<p>Medical Support Orders * eliminates the requirement that the employer do business in Alaska before CSED sends a copy of medical support order to employer * requires the agency to send notice of medical support to new employer when obligor changes jobs</p>	AS 25.27.063(b) AS 25.27.020(a)(9) AS 25.27.060 AS 21.36.095 Civil Rule 90.3(d)	42 U.S.C. § 666(a)(19) PRWORA § 382	1998 Act: Sec. 24
<p>Miscellaneous * statute of limitations * interest rates * application for services * payments to the agency * audit of collections * certification of arrears * notice of public assistance * order establishment * service of papers</p>	AS 09.10.040 AS 25.27.020(a)(6) AS 25.27.025 AS 25.27.100(a) AS 25.27.103 AS 25.27.105 AS 25.27.120(c) AS 25.27.160(b) AS 25.27.265	42 U.S.C. § 666(a)(2) 42 U.S.C. § 654A 42 U.S.C. § 654(4), (5) 42 U.S.C. § 666(c)(1) 42 U.S.C. § 654B(a)(1) PRWORA § 301 PRWORA § 311, 312 PRWORA § 325	1997 Act: Secs. 74 – 76, 78, 86 – 89, 94, 131 – 132 1998 Act: Secs. 2, 27
<p>Modification * notice every 3 years of request for review; 3-year cycle for review upon request of parent or state agency, either per guidelines or based on COL or automated methods, without a material change in circumstances</p>	AS 25.24.170(b) AS 25.27.190 AS 25.27.193	42 U.S.C. § 666(a)(10) PRWORA § 351	1997 Act: Secs. 44, 101 – 103
<p>New Hire Reporting * must require employers to report hiring, rehiring, of each</p>	AS 25.27.075	42 U.S.C. § 653A PRWORA § 313	1998 Act: Sec. 25

employee			
Non-Cooperation * good faith determinations when custodial parent fails to cooperate with CSED	AS 47.27.040(b)	42 U.S.C. § 654(29) PRWORA § 333	1997 Act: Sec. 147
Nondisclosure of Information * nondisclosure of information when there is a finding of domestic violence	AS 25.27.275	42 U.S.C. § 654(26) PRWORA § 303	1997 Act: Sec. 134
Paternity * state must have laws governing paternity establishment and voluntary acknowledgment of paternity which comply with detailed federal requirements. Please see summary for specifics.	AS 18.50.160 AS 18.50.165 AS 25.20.050 AS 25.20.055 AS 25.27.040(a) AS 25.27.165 AS 25.27.166 AS 25.27.167	42 U.S.C. § 666(a)(5) 42 U.S.C. § 666(c)(1) 42 U.S.C. § 652(a)(7) PRWORA § 325, 331	1997 Act: Secs. 20 – 22, 36 – 42, 79, 95 – 100 1998 Act: Secs. 12, 28 – 30
Seek Work Orders * agency must be able to obtain order requiring obligor to seek work	AS 25.27.020(d)	42 U.S.C. § 666(a)(15) PRWORA § 365	1997 Act: Sec. 77
Social Security Numbers * must require SSN's on license applications (professional, driver's, occupational, recreational, marriage), case files re divorce, support or paternity, death certificates	AS 06.20.020 AS 06.40.050 AS 08.01.060 AS 08.01.100 AS 08.08.137 AS 09.55.050 AS 14.20.027 AS 16.05.330 AS 16.05.346 AS 16.06.360 AS 16.05.450 AS 16.05.480 AS 18.50.230 AS 18.60.395 AS 18.65.410 AS 18.72.030 AS 21.06.255 AS 25.05.091	42 U.S.C. § 666(a)(13) PRWORA § 317	1997 Act: Secs. 3 – 6, 8, 9, 12, 14 – 18, 23 – 25, 27 – 32, 35, 41, 43, 45, 46 1998 Act: Secs. 6 – 9, 12, 14 – 17, 51 – 52

	AS 18.50.165 AS 18.50.280 AS 25.20.050(n) AS 25.24.160 AS 25.24.210 AS 25.24.230 AS 28.15.061		
Subpoenas * must be able to subpoena any financial or other information without approval of separate body, impose penalties for noncompliance, and enforce other states' subpoenas	AS 25.27.085 AS 25.27.086	42 U.S.C. § 666(a)(2) 42 U.S.C. § 666(c)(1) PRWORA § 325	1997 Act: Secs. 83 – 85 1998 Act: Sec. 26
Tax Dependents * court may not unconditionally grant noncustodial parent right to claim child as tax dependent unless parent meets federal requirements and does not owe more than four times the monthly support obligation at end of tax year.	AS 25.24.152 AS 25.24.232	None	1998 Act: Secs. 13, 18
UIFSA * state must adopt verbatim the revised version of UIFSA	AS 25.25.101 – 25.25.903	42 U.S.C. § 666(f) PRWORA § 321	1997 Act: Secs. 48 – 73 1998 Act: Secs. 19 – 20



DEPARTMENT OF HEALTH & HUMAN SERVICES

Administration for
Children and Families

2201 Sixth Avenue, Suite 600
Seattle, WA 98121-1827

Barbara Miklos, Director
Child Support Enforcement Division
550 West 7th, 4th Floor
Anchorage, AK 99501-3556

Dear Ms. Miklos:

This is in response to your request for clarification of:

- The consequences if a State fails to enact laws or otherwise conform to the requirements of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Public Law 104-193, and
 - Nationwide information on state compliance with PRWORA.
1. In order for a State to receive Federal funding for the operation of its child support enforcement program, it must have an approved State IV-D plan which meets the requirements of section 454 of the Social Security Act (the Act). One of those requirements, specified at section 454(20)(A), is that the State must have in effect all of the laws required by section 466.

PRWORA made numerous changes to sections 454 and 466 of the Act. When a State fails to comply with all statutory requisites, its plan is subject to disapproval by the Office of Child Support Enforcement (OCSE). In accordance with sections 452(a)(3) and 455(a)(1)(A) of the Act, there would then be no authority to expend Federal funds under Title IV-D of the Act for the operation of the State's child support enforcement program.

Therefore, a determination that a State IV-D plan is disapproved will result in immediate suspension of all Federal payments for the State's child support enforcement program, and such payments will continue to be withheld until the State IV-D plan can be approved by OCSE. Alaska received approximately \$12.4 million in Title IV-D funding for the administration of its child support program in FY 1997, and over \$3.2 million in Title IV-D performance related child support incentives.

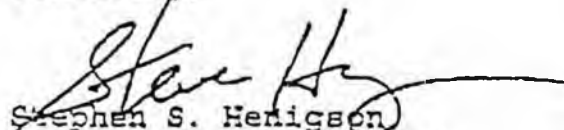
Page 2 - Barbara Miklos

In addition, in order to be eligible for a block grant for Temporary Assistance to Needy Families (TANF), section 402(a)(2) of the Act requires a State to certify that it will operate a child support enforcement program under the State plan approved under part D. Therefore, TANF funding would also be jeopardized if the State failed to enact the required child support legislation on a timely basis. Alaska's Federal funding for IV-A for FY 1997 was approximately \$63 million.

2. Data on state compliance with PRWORA changes frequently. We are therefore unable to provide you with an accurate and up to date listing of which states have fully complied with its provisions. Most states have either passed legislation that has been found complete, or is under review. Alaska is in the category of states which did not pass enabling legislation in 1997, but which have expressed an intent to do so and are working with its Regional Office to develop such legislation. Only one state, Idaho, has failed to enact enabling legislation and has stated it is unwilling to do so. Attached is a "notice of intent" to disapprove Idaho's state plan, with the resulting loss of Federal funding. If proposed legislation is not enacted in Alaska, our office would begin the process of issuing a similar notice of intent to disapprove.

Please contact Michael Furtado at (206) 615-2552, ext. 3045 if you have any further questions.

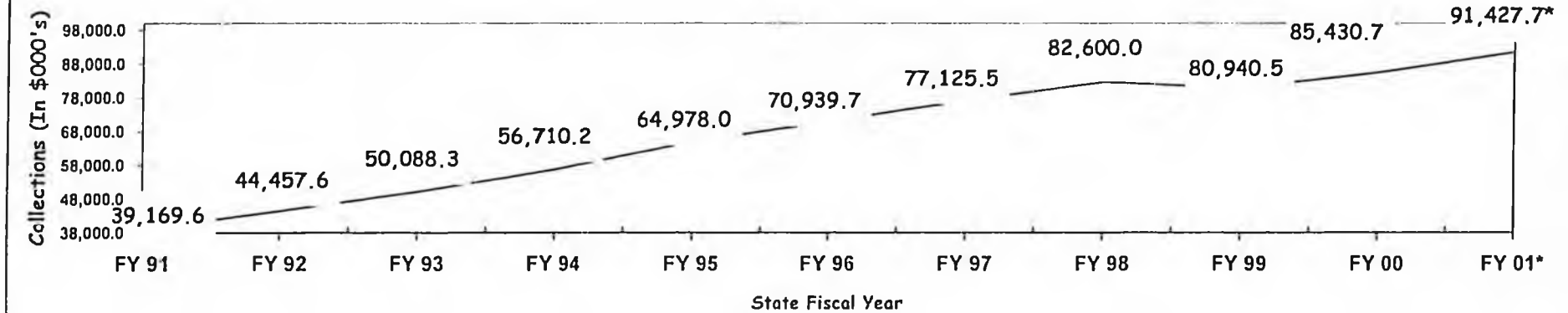
Sincerely,


Stephen S. Hennigson
Regional Administrator

Attachment: Idaho Notice of Intent to Disapprove

**CHILD SUPPORT ENFORCEMENT DIVISION
Annual Collections
FY 91 to 01**

*(FY 01 is Projected)



	Government	Family	Total
FY 91	12,946.6	26,223.0	39,169.6
FY 92	14,396.1	30,061.5	44,457.6
FY 93	15,565.1	34,523.2	50,088.3
FY 94	17,365.8	39,344.4	56,710.2
FY 95	20,332.4	44,445.6	64,978.0
FY 96	22,647.5	48,292.2	70,939.7
FY 97	24,760.7	52,364.8	77,125.5
FY 98	23,301.7	59,298.3	82,600.0
FY 99	20,733.1	60,207.4	80,940.5
FY 00	19,756.1	65,674.6	85,430.7
FY 01*	18,768.3	72,659.4	91,427.7

*Projected

ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Division of Legislative Audit



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Juneau, AK 99811-3300
(907) 465-3830
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legaudit@legis.state.ak.us

SUMMARY OF: A Special Report on the Department of Revenue, Child Support Enforcement Division, Selected Issues, November 28, 2000.

PURPOSE OF THE REPORT

In accordance with Title 24 of the Alaska Statutes and a special request by the Legislative Budget and Audit Committee, we conducted an audit of the Department of Revenue, Child Support Enforcement Division (CSED). Our objectives were to determine the merits of specific, performance-related allegations made against CSED. These allegations focused on agency activities in the areas of collections, administrative processes, and communications.

REPORT CONCLUSIONS

We found most of these allegations to be either unfounded or already fully addressed by CSED. We noted weaknesses in the areas of client communications, employee morale, and office culture.

Collections

- Correct support amounts collected.
- CSED assists other states with collections.
- A few support obligations remain overstated.
- Arrearages accrue without the parent's knowledge.
- CSED charges required interest on arrearages.
- CSED correctly calculates interest due.
- CSED seizes assets and suspends licenses, when appropriate.
- CSED now current on posting receipts.
- CSED disburses correct amounts.

Administrative Processes

- CSED not authorized to change legal custody or visitation rights.
- CSED modifies administrative support orders, when appropriate.
- CSED holds administrative hearings upon request.

Communications

- CSED does not fully respond to all client inquiries.
- Legal notices are being properly sent.
- Phone contact with CSED perceived as difficult.
- Computer generated correspondence accurately reflects the date prepared.
- Support orders are sent out in a timely manner.
- No evidence of unauthorized handwritten changes to court or CSED orders.
- Account addresses substantially correct.

FINDINGS AND RECOMMENDATIONS

1. The CSED director should pursue ways to improve the division's communications.

Overall, we found CSED's customer service to be satisfactory. However, based on our observations and those we obtained through surveys of program participants, there are several areas of client communication that could be improved. These include incoming telephone calls, form letters, responses to written inquiries, and documentation of client contact.

2. The CSED director should take steps to improve employee morale and the office culture.

We conducted a survey of all CSED employees. The results revealed a widespread morale problem. Employees commonly perceived problems specifically in hiring and promotion and generally in the way CSED is managed.

Management contends that it has made some improvements in these areas in the past year, after our surveys were conducted. Given this progress, management should arrange for updated surveys to determine what problems still exist and to allow it to plan further improvements. To be successful, these surveys need to be both independent and confidential. If requested, Legislative Audit will assist CSED in conducting employee and client surveys in 2001.

*a more detailed
analysis*

Bill: CSSB19 (HES)
Sponsor(s): Senate Rules Committee by Request of the Governor
Short Title: CHILD SUPPORT ENFORCEMENT/SOC SEC. #
Long Title: An Act relating to federal requirements regarding social security number information and certain kinds of automated data matching with financial institutions; repealing the termination date of changes made by ch. 87, SLA 1997, and ch. 132, SLA 1998, regarding child support enforcement and related programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for an effective date.

SECTIONAL ANALYSIS

- Section 1: Removes Social Security Number requirement on applications for licenses for businesses entering into premium finance agreements or insurance sold under the Premium Financing Action.
- Section 2: Removes Social Security Numbers from the Child Support Enforcement reporting requirements for Centralized Licensing.
- Section 3: Removes requirement that the Alaska Bar Association report an applicant's Social Security Number to Child Support Enforcement.
- Section 4: Removes Social Security Number requirement on presumptive death certificates.
- Section 5: Removes Social Security Number requirement on applications for crewmember fishing licenses.
- Section 6: Removes Social Security Number requirement on applications for resident commercial fishing licenses.
- Section 7: Removes Social Security Number requirement from dissolution, divorce, or annulment of marriage forms.
- Section 8: Removes Social Security Number requirement from application for licensing of boiler operators.
- Section 9: Removes Social Security Number requirement from application for licensing of security guards.
- Section 10: Removes Social Security Number requirement from application for licenses to sell fireworks at wholesale.
- Section 11: Removes Social Security Number requirement from application for drivers license.

Section 12: Repeals:

- 1: Social Security Number requirement of application for license for persons making loans of money, credit, goods, or things under the Alaska Small Loans Act.
- 2: Reporting requirement of Social Security Numbers to Child Support Enforcement from licensing application under Premium Financing Act.
- 3: Social Security Number requirement of application for Centralized Licensing.
- 4: Social Security Number requirement for renewal of Centralized Licensing license.
- 5: Social Security Number requirement for application for teacher certificate or a limited teacher certificate.
- 6: Reporting requirement of Social Security Numbers to Child Support Enforcement from licensing of crewmember fishing licenses.
- 7: Reporting requirement of Social Security Numbers to Child Support Enforcement from licensing of commercial fishing licenses.
- 8: Social Security Number requirement for death registration.
- 9: Social Security Number requirement for court reports of divorce, dissolution, and annulment.
- 10: Reporting requirement of Social Security Numbers to Child Support Enforcement from licensing of boiler operators.
- 11: Reporting requirement of Social Security Numbers to Child Support Enforcement from licensing of security guards.
- 12: Reporting requirement of Social Security Numbers to Child Support Enforcement from licensing of fireworks wholesalers.
- 13: Social Security Number requirement for application for Division of Insurance licenses.
- 14: Social Security Number requirement for application for marriage license & reporting requirements of Social Security Numbers to Child Support Enforcement.
- 15: Social Security Number requirement for paternity order or acknowledgements.
- 16: Social Security Number requirement in the records of a judgement of divorce or declaring a marriage void for each party involved.
- 17: Social Security Number requirement for petitions filed for dissolution of marriages for each party involved.
- 18: Social Security Number requirement in the records of a judgement of dissolution of marriage for each party involved.
- 19: Financial data matching requirements.
- 20: Reporting requirement of Social Security Numbers to Child Support Enforcement from drivers license applications.

Section 13: Repeals:

- 1: July 1, 2001 repeal date of 1997 and 1998 CSED legislation.
- 2: Sections of ch. 37, SLA 1998, Austerman's canned salmon processor reporting bill, which provide for language of exceptions of the confidentiality of the Department of Revenue which don't include Child Support Enforcement.
- 3: July 1, 2001 repeal date of sections 3-9, 16, 21-26, 30-33, 47, 51, and 52 of 1997 CSED legislation.
- 4: Intent of consistency of 1997 & 1998 CSED legislation, notwithstanding language differences.
- 5: Nonseverability of sections 1-12, 14-17, 19-26, 28-53, and 55 of 1998 CSED legislation.
- 6: Definition of "license" stipulation, which states that definition would remain the same if CSED legislation were allowed to sunset. This is basically a housecleaning repealer.
- 7: Revisor's uncodified law changes for no delayed repeal of 1998 amendmⁿt to notification guidelines for initiating paternity proceedings. Also a housecleaning repealer.

Section 14: Section 13 takes effect immediately.

Section 15: Sections 1-12 take effect July 1, 2006.

sectional analysis of 1997 & 1998 CSED legislation
from Sen. Halford's office

Senate Bill 154 (1997)

- * Section 1. FINDINGS; INTENT.
- * Sec. 2. Allows CSED to get bank records of someone who pays or receives child support.
- * Sec. 3-9. Requires various occupational licensing departments to collect SSNs and share info with CSED.
- * Sec. 10-11. Allows Revenue to share information with CSED.
- * Sec. 12. Requires SSN on presumptive death certificate.
- * Sec. 13. Grants immunity for entities or persons honoring CSED subpoenas.
- * Sec. 14-18. Requires various occupational licensing departments to collect SSNs and share info with CSED.
- * Sec. 19. Allows ADF&G to share information with CSED
- * Sec. 20-22. Sets up requirements for paternity acknowledgement forms.
- * Sec. 23. Requires collection of SSNs on death certificates and sharing info with CSED.
- * Sec. 24-25. Requires collection of SSNs on divorce, dissolution & annulment forms and sharing info with CSED.
- * Sec. 26. Allows sharing of vital records with CSED.
- * Sec. 27-35. Requires various occupational licensing departments to collect SSNs and share info with CSED.
- * Sec. 36. Guidelines for establishing paternity - father & mother both sign form or paternity is determined by court or tribunal.
- * Sec. 37. Specifies what type of genetic tests are acceptable for establishing paternity.
- * Sec. 38. Specifies when genetic testing shall be ordered - by request of CSED or when someone alleges with reasonable possibility that someone could be the father or denies the accusation with reasonable possibility that they are not the father.
- * Sec. 39. Allows CSED to recover genetic testing costs if the putative father turns out to be the father.
- * Sec. 40. Requires CSED to honor a paternity determination from another state.
- * Sec. 41. Sets out guidelines for paternity determination by a tribunal.
- * Sec. 42. Allows DHSS to define when a hospital doesn't have to copy with the "early acknowledgement of paternity" program
- * Sec. 43. Requires court to get SSNs of spouses and children involved in dissolution or divorce.
- * Sec. 44. Allows modification of an order without a material change in circumstances once every 3 years.
- * Sec. 45-46. Requires court to get SSNs of spouses and children involved in dissolution and share w/CSED.
- * Sec. 48-74. Sections complying with UIFSA - regarding interstate cases. Standardizes definitions, determines which state has jurisdiction, lays out how modification, enforcement, registration, paternity testing, income withholding, etc. work when two jurisdictions are involved.
- * Sec. 74-79. Defines duties of the department - adopting regulations, information exchange, access to information, interest rates, and cost recovery for paternity tests.
- * Sec. 80. Allows custodial parent to begin immediate income withholding, if there is an arrearage, without other services from CSED.
- * Sec. 81. Allows CSED to serve an income withholding order electronically, specifies that income withholding starts immediately and that the withheld amount must be sent to CSED within 7 business days of payday.
- * Sec. 82. Specifies that employer can send a lump payment for everyone, as long as deadlines are met.
- * Sec. 83-84. Allows CSED to subpoena financial & other information to establish, modify or enforce an order.
- * Sec. 85. Describes how to handle subpoenas from other states.
- * Sec. 86. Technical change.
- * Sec. 87. Requires payments to be made to CSED, if CSED is the enforcing agency.
- * Sec. 88. Technical change.
- * Sec. 89. Requires an obligor to send payments to CSED when they owe the state for public assistance.
- * Sec. 90-93. Allows CSED to begin income withholding without prior notice if there's an arrearage.
- * Sec. 94. Specifies how CSED calculates administrative orders.
- * Sec. 95. Allows putative father to petition for paternity determination.
- * Sec. 96. Requires notice of paternity and financial responsibility to state that a party can show good cause not to order the testing.
- * Sec. 97. Requires CSED to order additional genetic testing upon receipt of payment and request.
- * Sec. 98. Allows CSED to recover costs for paternity testing if the putative father is the father.
- * Sec. 99. Requires SSNs on paternity decisions/admissions and allows the agency to not order genetic testing if it's in the best interests of the child.
- * Sec. 100. Prevents using the dis-establishment of paternity process if there was an acknowledgement or admission of paternity (these are formal procedures defined in statute)
- * Sec. 101-102. Allows CSED to initiate a modification of an administrative support order.
- * Sec. 103. Allows CSED to write regulations for periodic modification of administrative support orders.

- * Sec. 104. Technical change regarding liens and determination of paternity.
- * Sec. 105. Allows other states to record and assert liens.
- * Sec. 106-118. Adds commercial crewmember fishing licenses to the list of licenses that can be denied if you have an arrearage, allows denial of licenses if an obligor fails to comply with a subpoena or warrant.
- * Sec. 119-127. Allows CSED to have a driver's license denied or suspended if they fail to comply with a subpoena or warrant.
- * Sec. 128-130. Allows CSED to garnish wages, issue an order to withhold and deliver without prior notice if more than 30 days have passed after an administrative support order or establishment of paternity, allows 14 business days to deliver property other than wages.
- * Sec. 131-132. Requires SSNs and other information to be kept on file with CSED for paternity & child support proceedings. Also requires parties to keep CSED aware of changes in information.
- * Sec. 133. Allows CSED to send entire history of an obligor to a credit agency (used to be just 10 years).
- * Sec. 134. Allows CSED to keep information of a party or the child secret if they are in danger.
- * Sec. 135. Allows the voiding of transfers of property made to avoid child support payments.
- * Sec. 136. Technical change.
- * Sec. 137-139 Definitions
- * Sec. 140-146 Gives CSED access to records of various records of other departments.
- * Sec. 147. Gives CSED authority to determine when an ATAP participant is in good faith compliance with paternity determination efforts.
- * Sec. 148. Repealer section.
- * Sec. 149-153. Alaska Rules of Civil Procedure changes.
- * Sec. 154. Rules of Evidence changes.
- * Sec. 155. Bar Association Rules changes.
- * Sec. 156. Regulations adoption.
- * Sec. 157-161. Effective Dates.

Repealed sections - SENATE CS FOR CS FOR HOUSE BILL NO. 344(FIN) am S

- * Sec. 3. In the civil code, allows state to revoke licenses for contempt related to not paying child support.
- * Secs. 4-5. Allows loss or restriction of recreational license for criminal nonsupport.
- * Secs. 6-7. Repealed by Sec. 3 of bill (hunting & fishing license section)
- * Secs. 8 -9. Requires Commissioner of F&G to collect and share SSNs (*should be repealed?*)
- * Sec. 16 Requires petitions for dissolutions to have SSNs
- * Sec. 21-22. Allows other states' "CSED"s to request a particular type of automated record.
- * Sec. 23. Requires withholding order information to be served by certified mail and makes some technical language changes.
- * Sec. 24. Says the agency will send a medical support order to a new employer of an obligor.
- * Sec. 25. New hire reporting requirements.
- * Sec. 26. Allows agency to apply to the court to hold someone in contempt if they don't comply with a subpoena.
- * Sec. 30. Allows agency to apply to the court to hold someone in contempt if they don't get genetic testing.
- * Sec. 31-33. Allows agency to put a lien on property equal to the amount of the arrearage, requires Alaska to comply with other states' liens & other technical stuff about liens.
- * Sec. 47. Allows CSED to take assets without obtaining an administrative or court order.
- * Sec. 51. Driver's license application must collect SSN.
- * Sec. 52. DMV must provide SSN to CSED upon request.

* non-severability

*

FLOOR BACKUP FOR SB 19

CHILD SUPPORT ENFORCEMENT/SOCIAL SECURITY NUMBERS

Senate HESS Changes:

- **Findings and intent language was removed.**
 - **The committee felt it was unnecessary to have it in the books.**
- **Because of their controversial nature in the discussions of the original legislation and privacy issues, five-year sunsets were placed on:**
 - **Provisions that social security numbers must be required on applications for various occupational & drivers' licenses and be provided to child support enforcement agencies.**
 - **Provisions that social security numbers must appear on some court documents (i.e. dissolution of marriage and divorce documents) and Bureau of Vital Statistics documents (i.e. death certificates) and be provided to child support enforcement agencies.**
 - **Provisions that allow child support enforcement agency to enter into agreements with financial institutions for financial data matching.**
- **New hire reporting requirements amended to ensure that an employer who fails to report a newly hired or rehired employee to child support enforcement agencies may not be held civilly liable for their failure to do so.**
 - **This was put in as a measure to protect the business owner from civil suits resulting from the failure to report an employee.**

FLOOR BACKUP FOR SB 19

CHILD SUPPORT ENFORCEMENT/SOCIAL SECURITY NUMBERS

The Original Bill:

- Repealed the sunset provisions on the portions of 1997 and 1998 CSED legislation that would sunset on July 1, 2001.
- If sunset allowed, the state would lose an estimated \$70 million federal dollars for child support enforcement and public assistance.
- Repealed non-severability portion, which applied to several sections of the 1998 CSED legislation.
- CSED was concerned that if one section was found unconstitutional, the state would lose all of the provisions in the non-severability. If that happened, the state would be out of compliance with federal regulations
- Repealed related provisions from other legislation that referred to the sunsetted provisions in 1997 and 1998 CSED legislation.

Senate Resources Changes:

- Removed any reference to social security number requirements on applications for hunting and fishing licenses because that information is covered in SB 49 and HB 48.

ALASKA STATE LEGISLATURE



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SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE SENATOR LYDA GREEN, CHAIR

AMENDMENT TO CSSB 19(HES), Draft Version "L"

Explanation: This amendment is offered to ensure that an employer who unintentionally fails to report a newly hired employee to child support enforcement agencies may not be held liable for their failure to do so in a private civil case.

Analysis: This amendment adds a new section 11, which amends the new hire reporting requirements in AS 25.27.075 to include "Violation of this subsection does not give rise to a private cause of action."

This amendment also renumbers the bill accordingly and provides that Section 11 shall take effect immediately.

SENATOR LOREN LEMAN, VICE-CHAIR
SENATOR PETE KELLY, SENATOR JERRY WARD, SENATOR BETTYE DAVIS

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SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE SENATOR LYDA GREEN, CHAIR

To: Senator Lyda Green, Chair
From: Aurora Hauke Committee Aide
Date: January 29, 2001
Subject: Questions for CSSB 19 (RES) Child Support Enforcement/Soc Sec #

- 1) Does the current fiscal note still apply to the bill as amended?
- 2) Why does CSED want to repeal the non-severability portion? Is there concern that a particular portion will be found unconstitutional?
- 3) SSNs are required on applications for drivers licenses. They are not required to be printed on the license. However, this is not notified on the application. Can regulations be changed to notify the applicant on the application or give them a choice on the application?

SENATOR LOREN LEMAN, VICE-CHAIR
SENATOR PETE KELLY, SENATOR JERRY WARD, SENATOR BETTYE DAVIS



OFFICIAL BUSINESS

Alaska State Legislature

Senate

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February 22, 2001

HOUSE BILLS FOR INTRODUCTION

HOUSE BILL NO. 109 BY REPRESENTATIVE COGHILL, entitled:

"An Act relating to failure by an election official to execute the voter's certificate on an absentee ballot or by a person authorized by law to execute the voter's certificate on a questioned ballot."

SENATE RESOLUTIONS FOR INTRODUCTION

SENATE JOINT RESOLUTION NO. 15 BY SENATORS AUSTERMAN, Lincoln,
Relating to imports of salmon from Chile.

SENATE JOINT RESOLUTION NO. 16 BY SENATOR TORGERSON,
Proposing amendments to the Constitution of the State of Alaska relating to certain municipal annexations.

SENATE BILLS FOR INTRODUCTION

SENATE BILL NO. 112 BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE, entitled:

"An Act placing certain employees of the Alaska Mental Health Trust Authority in the exempt service; establishing a minimum salary for the long term care ombudsman; and providing for an effective date."

SENATE BILL NO. 113 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the delay of the reduction of supplementary public school funding; and providing for an effective date."

SENATE BILL NO. 114 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to increasing the base student allocation and the maximum amount of quality school funding grants for public schools; and providing for an effective date."

SENATE BILL NO. 115 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE, entitled:

"An Act extending the termination date of the Board of Storage Tank Assistance."

THE ALASKA LEGISLATURE

DRAFT



SPONSORS APPROVAL:

A handwritten signature in black ink, appearing to read "John Torgerson", written over a horizontal line.

*** HONORING ***

*** DR. PAUL ENEBOE ***

*** HOMER CHAMBER OF COMMERCE ***

*** 2000 CITIZEN OF THE YEAR ***

The Twenty-second Alaska Legislature takes great pleasure in honoring Dr. Paul Eneboe on being named the Homer Chamber of Commerce Citizen of the Year. His accomplishments, dedication and commitment to his community shows he is well deserving of this award.

Practicing medicine for thirty-two years in Homer Dr. Eneboe has reached virtually everyone in town. In his early years he worked long hours, often receiving little or no compensation because many of Homer's residents had little or no money. Over the years he has worked to build a successful practice and take on several new doctors, but has always remained true to the health care of his patients.

Dr. Eneboe has served as the medical sponsor of the Volunteer Fire Department in 1968-1982. He is a grand supporter of many non-profit community service organizations. He has shared his knowledge of aging and assisted seniors freely, speaking to a wide variety of community forums on issues of aging. Dr. Eneboe has been a promoter of senior health issues, devoting many hours to caring for the residents of the Homer Senior Citizens and the South Peninsula Hospital long-term care facility. He was a major advocate for the recent expansion of the hospital's long-term care facility and served this year as Chief of Staff at the South Peninsula hospital.

Dr. Eneboe regularly hosts free community forums on critical issues of aging, participates in the annual community Health Fair, Holiday Adopt-A-Family program sponsor, and the Children's Christmas party. He even provides house calls to patients unable to visit his office.

The members of the Twenty-second Alaska Legislature extend their gratitude to Dr. Paul Eneboe and congratulate him on becoming Homer's Chamber of Commerce citizen of the year for the year 2000.



BRIAN PORTER
SPEAKER OF THE HOUSE

RICK HALFORD
PRESIDENT OF THE SENATE

Date:

JOHN TORGERSON
PRIME SPONSOR

Cosponsors:

CORRECTION

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State of Alaska



OFFICIAL BUSINESS

Alaska State Legislature

Senate

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February 22, 2001

HOUSE BILLS FOR INTRODUCTION

HOUSE BILL NO. 109 BY REPRESENTATIVE COGHILL, entitled:

"An Act relating to failure by an election official to execute the voter's certificate on an absentee ballot or by a person authorized by law to execute the voter's certificate on a questioned ballot."

SENATE RESOLUTIONS FOR INTRODUCTION

SENATE JOINT RESOLUTION NO. 15 BY SENATORS AUSTERMAN, Lincoln,
Relating to imports of salmon from Chile.

SENATE JOINT RESOLUTION NO. 16 BY SENATOR TORGERSON,
Proposing amendments to the Constitution of the State of Alaska relating to certain municipal annexations.

SENATE BILLS FOR INTRODUCTION

SENATE BILL NO. 112 BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE, entitled:

"An Act placing certain employees of the Alaska Mental Health Trust Authority in the exempt service; establishing a minimum salary for the long term care ombudsman; and providing for an effective date."

SENATE BILL NO. 113 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the delay of the reduction of supplementary public school funding; and providing for an effective date."

SENATE BILL NO. 114 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to increasing the base student allocation and the maximum amount of quality school funding grants for public schools; and providing for an effective date."

SENATE BILL NO. 115 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND AUDIT COMMITTEE, entitled:

"An Act extending the termination date of the Board of Storage Tank Assistance."

Introduction List

2/22/2001

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SENATE BILLS FOR INTRODUCTION (CONTINUED)

SENATE BILL NO. 116 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

"An Act relating to the Alaska temporary assistance program; and providing for an effective date."

PUBLICATION NOTICE - CITATIONS

Honoring – Dr. Paul Eneboe, Homer Chamber of Commerce 2000 Citizen of the Year
Senator(s) Torgerson

Honoring – Maritime Helicopters, Homer Chamber of Commerce Outstanding Business of the Year 2000
Senator(s) Torgerson

THE ALASKA LEGISLATURE

DRAFT



SPONSORS APPROVAL:

A handwritten signature in cursive, likely John Torgerson, written over a horizontal line.

*** HONORING ***

*** DR. PAUL ENEBOE ***

*** HOMER CHAMBER OF COMMERCE ***

*** 2000 CITIZEN OF THE YEAR ***

The Twenty-second Alaska Legislature takes great pleasure in honoring Dr. Paul Eneboe on being named the Homer Chamber of Commerce Citizen of the Year. His accomplishments, dedication and commitment to his community shows he is well deserving of this award.

Practicing medicine for thirty-two years in Homer Dr. Eneboe has reached virtually everyone in town. In his early years he worked long hours, often receiving little or no compensation because many of Homer's residents had little or no money. Over the years he has worked to build a successful practice and take on several new doctors, but has always remained true to the health care of his patients.

Dr. Eneboe has served as the medical sponsor of the Volunteer Fire Department from 1968-1982. He is a grand supporter of many non-profit community service organizations. He has shared his knowledge of aging and assisted seniors freely, speaking too a wide variety of community forums on issues of aging. Dr. Eneboe has been a promoter of senior health issues, devoting many hours to caring for the residents of the Homer Senior Citizens and the South Peninsula Hospital long-term care facility. He was a major advocate for the recent expansion of the hospital's long-term care facility and served this year as Chief of Staff at the South Peninsula hospital.

Dr. Eneboe regularly hosts free community forums on critical issues of aging, participates in the annual community Health Fair, Holiday Adopt-A-Family program sponsor, and the Children's Christmas party. He even provides house calls to patients unable to visit his office.

The members of the Twenty-second Alaska Legislature extend their gratitude to Dr. Paul Eneboe and congratulate him on becoming Homer's Chamber of Commerce citizen of the year for the year 2000.



BRIAN PORTER
SPEAKER OF THE HOUSE

RICK HALFORD
PRESIDENT OF THE SENATE

Date:

JOHN TORGERSON
PRIME SPONSOR

Cosponsors:

THE ALASKA LEGISLATURE

DRAFT



SPONSORS APPROVAL:

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*** HONORING ***

*** MARITIME HELICOPTERS ***

*** HOMER CHAMBER OF COMMERCE ***

*** OUTSTANDING BUSINESS OF THE YEAR 2000 ***

The Twenty-second Alaska Legislature joins the Homer Chamber of Commerce in congratulating Maritime Helicopters for being named "Outstanding Business of the Year".

This honor is bestowed upon a business, which has supported community activities and organizations above and beyond what would normally be expected from a local business. This is not an unusual task for owners Don and Mary Ann Fell, who have been in business since 1973. Maritime Helicopters has grown from employing 12 full-time people locally to as many as 40 people working seasonally throughout the state.

Along with monetary contributions they also contribute their services to a variety of community efforts, such as youth clubs, advocacy groups, school programs and community service organizations with the focus on local causes. They also support educational programs, offering demonstrations to various youth groups and the local schools.

They are an authorized Bell Customer Service Facility, having a base in Kodiak, and provide air taxi/charter service statewide.

Maritime is always available for Search & Rescue and Medivac services regardless of payment. If the weather permits, they never turn someone down in an emergency. They have also provided financial assistance for individuals and families in medical need.

For over a decade, Maritime Helicopters has played an important part with the community children's parties, making sure that Santa Claus and the Easter Bunny arrive at the Elks Lodge by Helicopter.

The members of the Twenty-second Alaska Legislature extend their gratitude to Maritime Helicopters for their contributions to the community and wish them well in all their future undertakings. Again, congratulations on this award.



BRIAN PORTER
SPEAKER OF THE HOUSE

RICK HALFORD
PRESIDENT OF THE SENATE

Date:

JOHN TORGERSON
PRIME SPONSOR

Cosponsors:

ALASKA STATE LEGISLATURE



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SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE SENATOR LYDA GREEN, CHAIR

Agenda

Monday, February 5, 2001

SB2 MUNICIPAL SCHOOL BOND REIMBURSEMENT

SB11 COMPULSORY SCHOOL AGE

SB19 CHILD SUPPORT ENFORCEMENT

Bills Previously Heard/Scheduled

SENATOR LOREN LEMAN, VICE-CHAIR
SENATOR PETE KELLY, SENATOR JERRY WARD, SENATOR BETTYE DAVIS

22-GS1002L

Lauterbach

2/2/01

CS FOR SENATE BILL NO. 19(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:
Referred:

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

A BILL**FOR AN ACT ENTITLED**

1 "An Act relating to federal child support enforcement requirements regarding social
2 security number information and certain kinds of automated data matching with
3 financial institutions; repealing the termination date of changes made by ch. 87, SLA
4 1997, and ch. 132, SLA 1998, regarding child support enforcement and related
5 programs; repealing the nonseverability provision of ch. 132, SLA 1998; repealing
6 uncodified laws relating to ch. 87, SLA 1997, and ch. 132, SLA 1998; and providing for
7 an effective date."

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

9 * Section 1. AS 06.40.050(a) is amended to read:

10 (a) Application for a license under this chapter shall be in writing and in the
11 form prescribed by the department. [IF THE APPLICANT IS A NATURAL
12 PERSON, THE APPLICATION FORM MUST REQUIRE SUBMISSION OF THE
13 APPLICANT'S SOCIAL SECURITY NUMBER.]

1 * **Sec. 2.** AS 08.01.089 is amended to read:

2 **Sec. 08.01.089. Copies of records for child support purposes.** If a copy of a
3 public record concerning an individual who owes or is owed child support that is
4 prepared or maintained by the department is requested by the child support
5 enforcement agency created in AS 25.27.010 or a child support enforcement agency of
6 another state, the department shall provide the requesting agency with a certified copy
7 of the public record [, INCLUDING THE INDIVIDUAL'S SOCIAL SECURITY
8 NUMBER]. If these records are prepared or maintained by the department in an
9 electronic data base, the records may be supplied by providing the requesting agency
10 with a copy of the electronic record and a statement certifying its contents. A
11 requesting agency receiving information under this section may use it only for child
12 support purposes authorized under law.

13 * **Sec. 3.** AS 08.08.137 is amended to read:

14 **Sec. 08.08.137. Fingerprints [; SOCIAL SECURITY NUMBER].** The
15 Board of Governors shall require an applicant for admission to be fingerprinted [AND
16 TO PROVIDE THE APPLICANT'S SOCIAL SECURITY NUMBER]. The
17 fingerprints shall be used to determine whether the applicant has a record of criminal
18 convictions in this state or another jurisdiction. The Board of Governors may use the
19 information obtained from the fingerprinting only in its official determination of the
20 character and fitness of the applicant for admission to the Alaska Bar Association.
21 [THE APPLICANT'S SOCIAL SECURITY NUMBER SHALL BE PROVIDED TO
22 THE CHILD SUPPORT ENFORCEMENT AGENCY ESTABLISHED IN
23 AS 25.27.010, OR THE CHILD SUPPORT ENFORCEMENT AGENCY OF
24 ANOTHER STATE, UPON REQUEST BY THE RESPECTIVE AGENCY; THE
25 REQUESTING AGENCY MAY USE THAT INFORMATION ONLY FOR CHILD
26 SUPPORT PURPOSES AUTHORIZED UNDER LAW.]

27 * **Sec. 4.** AS 09.55.050 is amended to read:

28 **Sec. 09.55.050. Effect of presumptive death certificate.** After the judge or
29 magistrate has entered an order declaring that the person is presumed to be dead either
30 under AS 09.55.020 - 09.55.060 or under the laws dealing with missing persons, the
31 judge or magistrate shall make out and sign a certificate entitled "Presumptive Death