



# LAWS OF ALASKA

1990

**Source**

SCS CSHB 66(R1s)

**Chapter No.**

16

**AN ACT**

Establishing the Alaska Commission on Children and Youth; abolishing the Office of Child Advocacy; relating to the Alaska children's trust fund; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 11

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: March 16, 1990  
Actual Effective Date: Sections 2, 4, 7, 9, 11, and 16 take effect June 30, 1993; remainder of Act takes effect July 1, 1990

AN ACT

Establishing the Alaska Commission on Children and Youth; abolishing the Office of Child Advocacy; relating to the Alaska children's trust fund; and providing for an effective date.

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 AS 37.14.220 is repealed and reenacted to read:

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

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 AS 37.14.220 is repealed and reenacted to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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pal of the fund for the administrative expenses of the commission.

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

(d) Up to \$150,000 per year may be appropriated from the principal of the fund for the administrative expenses of the board [COMMISSION].

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

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

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

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

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

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

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

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

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

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

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

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

12 ARTICLE 17. ALASKA COMMISSION ON CHILDREN AND YOUTH.

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

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

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

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

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

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

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

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

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

8                   (4) hold public hearings;

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

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

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

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

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

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

egies to address those needs and problems;

(4) develop and recommend adoption of a process for monitoring and evaluating children's programs;

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

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

(7) meet with and make recommendations to state officials and members of advisory committees who are responsible for the expenditure of state and federal money and provide recommendations to the legislature and the department on structural and procedural changes, contracting of services, establishment of standards, and the consolidation of efforts designed to deliver services in a more cost-effective manner;

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

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

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

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

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priations for programs or services that benefit children and youth.

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

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

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

\* Sec. 14. TEMPORARY USE OF PRINCIPAL. Notwithstanding AS 37.14.230 and 37.14.240, as amended by secs. 3, 5, and 6 of this Act, until July 1, 1992, the Alaska Commission on Children and Youth may use not more than \$50,000 from the principal of the Alaska children's trust fund for the purposes specified in AS 37.14.240(b)(2) and (3).

\* Sec. 15. REVISOR'S INSTRUCTION. To be consistent with the changes made by secs. 1, 3, 6, and 8 of this Act, wherever in AS 37.14.200 - 37.-14.270 and in the regulations adopted under those statutes "Alaska Child-SCS CSHB 66(R1s)

1 dren's Trust Fund Board" or "board" is used, they shall be read as  
2 referring to the Alaska Commission on Children and Youth and the commis-  
3 sion, respectively. Under AS 01.05.031, the revisor of statutes shall  
4 implement this section in the statutes and under AS 44.62.125(b)(6), the  
5 regulations attorney shall implement this section in the administrative  
6 regulations.

7 \* Sec. 16. REVISOR'S INSTRUCTION. To be consistent with the changes  
8 made by secs. 2, 4, 7, and 9 of this Act, wherever in AS 37.14.200 - 37.14.-  
9 270 and in the regulations adopted under those statutes "Alaska Commission  
10 on Children and Youth" or "commission" is used, they shall be read as  
11 referring to the Alaska Children's Trust Fund Board and the board, respec-  
12 tively. Under AS 01.05.031, the revisor of statutes shall implement this  
13 section in the statutes and under AS 44.62.125(b)(6), the regulations  
14 attorney shall implement this section in the administrative regulations.

15 \* Sec. 17 AS 37.14.270(5), AS 39.50.200(b)(50), AS 44.19.521, 44.19.-  
16 523, 44.19.525, 44.19.527, and 44.19.529 are repealed June 30, 1993.

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

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

24 \* Sec. 20. REVIEW OF LAWS RELATING TO CHILDREN. The Alaska Commission  
25 on Children and Youth, established under sec. 13 of this Act, may review  
26 the laws of the state with regard to matters involving children. If a  
27 review is done, the commission shall prepare and publish a report of its  
28 findings and recommendations and provide the governor and the legislature  
29 with copies by January 1, 1992.

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1 \* Sec. 21. Sections 2, 4, 7, 9, 11, and 16 of this Act take effect  
2 June 30, 1993.

3 \* Sec. 22. Except as provided in sec. 21 of this Act, this Act takes  
4 effect July 1, 1990.  
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