

CS FOR HOUSE BILL NO. 190(HSS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered: 4/15/09

Referred: Finance

Sponsor(s): REPRESENTATIVES FAIRCLOUGH, Hawker, Holmes, Peggy Wilson

A BILL

FOR AN ACT ENTITLED

1 **"An Act amending the Alaska children's trust."**

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

3 * **Section 1.** AS 37.14.200 is amended by adding a new subsection to read:

4 (d) The legislature may appropriate annually an amount that is equivalent to
5 five percent of the average of the market values of the trust income and principal on
6 June 30 for the first five of the six fiscal years immediately preceding that fiscal year,
7 taking into account administrative expenses, as a grant to a named recipient under
8 AS 37.05.316 subject to terms and conditions set by the board under AS 37.14.250.

9 * **Sec. 2.** AS 37.14.225 is amended to read:

10 **Sec. 37.14.225. Trust board established.** The Alaska Children's Trust Board
11 is established in the Office of the Governor. The board is composed of

- 12 (1) the governor or a designee of the governor;
13 (2) the commissioner of health and social services or the
14 commissioner's designee;
15 (3) the commissioner of education and early development or the

1 commissioner's designee; [AND]

2 (4) four public members appointed by the governor [; IN
3 APPOINTING THE PUBLIC MEMBERS, THE GOVERNOR SHALL GIVE A
4 PREFERENCE TO PERSONS] who have experience and expertise in

5 (A) children's or prevention programs; [OR]

6 (B) private sector finance;

7 **(C) sexual assault; or**

8 **(D) domestic violence; and.**

9 **(5) one nonvoting member appointed by the speaker of the house**
10 **of representatives;**

11 **(6) one nonvoting member appointed by the president of the**
12 **senate.**

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

14 **Sec. 37.14.230. Powers and duties of the board.** **The** [WHEN ACTING AS
15 ADMINISTRATOR OF THE TRUST, THE] board shall

16 (1) hold regular and special meetings it considers necessary; the board
17 may hold meetings by teleconference;

18 (2) award **a grant to a named recipient in an amount that is**
19 **appropriated under AS 37.14.200(d) under conditions** [GRANTS FROM THE
20 NET INCOME OF THE TRUST TO COMMUNITY-BASED PROGRAMS AND
21 PROJECTS] that the board finds will aid in the prevention of child abuse and neglect;

22 (3) monitor approved **subgrants made by the named recipient**
23 [PROGRAMS AND PROJECTS] for compliance with AS 37.14.200 - 37.14.270 **and**
24 **specified grant conditions;**

25 (4) [BEFORE PROVIDING ASSISTANCE TO A PROGRAM OR
26 PROJECT,] approve written findings **of the named recipient** on the **subgrant**
27 program or project that include a consideration of the means of measuring the
28 effectiveness of the program or project;

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

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

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

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

5 (A) the child abuse and neglect prevention services that were
6 provided by the programs and projects to which the **named recipient**
7 [BOARD] awarded grants; and

8 (B) the annual level of contributions, income, and expenses of
9 the trust.

10 * **Sec. 4.** AS 37.14.240 is repealed and reenacted to read:

11 **Sec. 37.14.240. Fund utilization.** (a) Five percent of the market value of the
12 unencumbered balance of the trust income and principal may be appropriated for
13 awarding a named recipient grant by the board under AS 37.14.250.

14 (b) Up to \$150,000 a year may be appropriated from the unencumbered
15 balance of the trust income and principal for the administrative expenses of the board
16 relating to AS 37.14.200 - 37.14.270, including obtaining private and federal grants
17 for the trust and soliciting contributions, gifts, and bequests for the trust.

18 * **Sec. 5.** AS 37.14.250 is repealed and reenacted to read:

19 **Sec. 37.14.250. Named recipient grant.** (a) A named recipient grant may only
20 be awarded to a nonprofit entity that is established for the purpose of enhancing the
21 mission of the Alaska Children's Trust and raising funds for the prevention of child
22 abuse and neglect.

23 (b) Before a grant to a named recipient is awarded or renewed by the board,
24 the Department of Commerce, Community, and Economic Development shall prepare
25 and execute an agreement under AS 37.05.316(a) with the named recipient that
26 describes grant conditions that include the following:

27 (1) a portion of the Alaska children's trust grant may be held in and
28 managed as a permanent endowment fund;

29 (2) the grantee may maintain a reserve to finance grants and grant
30 administration operations at a consistent level from year to year;

31 (3) the grantee may provide for the distribution of amounts from the

1 interest on an endowment fund established under (1) of this subsection for the
2 charitable purpose of preventing child abuse and neglect; and
3 (4) the grantee shall annually report the investment performance of an
4 endowment established under (1) of this subsection to the board.