

CONFERENCE CS FOR HOUSE BILL NO. 412

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE CONFERENCE COMMITTEE

Offered: 5/6/96

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

A BILL

FOR AN ACT ENTITLED

1 "An Act making appropriations for the operating and loan program expenses
2 of state government, for certain programs, and to capitalize funds; making
3 appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska,
4 from the constitutional budget reserve fund; and providing for an effective
5 date."

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

7 * **Section 1.** ALASKA CLEAN AIR PROTECTION FUND. Upon the effective date of
8 the clean air protection fund established in AS 46.14.260, an amount equal to the fiscal year
9 1997 receipts from air permit fees collected under AS 46.14.240 - 46.14.250, less the amount
10 of those receipts that have been expended or obligated for expenditure, is appropriated to the
11 clean air protection fund.

12 * **Sec. 2.** ALASKA CLEAN WATER FUND. The sum of \$8,815,400 is appropriated to
13 the Alaska clean water fund (AS 46.03.032) for the Alaska clean water loan program from the

1 following sources:

2	General fund	\$1,469,200
3	Federal receipts	7,346,200

4 * **Sec. 3.** ALASKA HOUSING FINANCE CORPORATION. (a) The sum of \$50,000,000
5 from the available unrestricted cash in the general account of the Alaska housing finance
6 revolving fund (AS 18.56.082) is anticipated to be transferred to the general fund during fiscal
7 year 1997 by the direction of the Alaska Housing Finance Corporation board.

8 (b) All unrestricted mortgage loan interest payments, mortgage loan commitment fees,
9 and all other unrestricted receipts, received by or accrued to the Alaska Housing Finance
10 Corporation during fiscal year 1997, and all income earned on assets of the corporation during
11 that period, are appropriated to the Alaska Housing Finance Corporation to hold as corporate
12 receipts for the purposes described in AS 18.56. The corporation shall allocate its corporate
13 receipts among the Alaska housing finance revolving fund (AS 18.56.082), housing assistance
14 loan fund (AS 18.56.420), and senior housing revolving fund (AS 18.56.710) in accordance
15 with procedures adopted by the board of directors.

16 (c) The following amounts are appropriated to the Alaska Housing Finance
17 Corporation from the sources indicated and for the following purposes:

18	PURPOSE	AMOUNT	SOURCE
19	Housing loan programs	\$350,000,000	Corporate receipts
20	that are not subsidized		
21	by Alaska Housing		
22	Finance Corporation		
23	Housing loan programs	50,000,000	Corporate receipts derived
24	and projects that are		from arbitrage earnings
25	subsidized by Alaska		
26	Housing Finance		
27	Corporation		

28 * **Sec. 4.** ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT AUTHORITY. The
29 sum of \$16,700,000 from the available unrestricted cash in the Alaska Industrial Development
30 and Export Authority revolving fund (AS 44.88.060) is anticipated to be transferred by the
31 direction of the Alaska Industrial Development and Export Authority Board to the general

1 fund. The funds shall be deposited to the general fund when received during fiscal year 1997.

2 * **Sec. 5. ALASKA PERMANENT FUND CORPORATION.** (a) The amount authorized
3 for transfer by the Alaska Permanent Fund Corporation under AS 37.13.145(b) is appropriated
4 from the earnings reserve account (AS 37.13.145) to the dividend fund (AS 43.23.045(a)) for
5 the payment of permanent fund dividends and administrative and associated costs.

6 (b) After money is transferred to the dividend fund under (a) of this section, the
7 amount calculated under AS 37.13.145 to offset the effect of inflation on the principal of the
8 Alaska permanent fund is appropriated from the earnings reserve account (AS 37.13.145) to
9 the principal of the Alaska permanent fund.

10 (c) The amount required to be deposited under AS 37.13.010(a)(1) and (2) during
11 fiscal year 1997 is appropriated to the principal of the Alaska permanent fund in satisfaction
12 of that requirement.

13 (d) The interest earned during fiscal year 1997 on revenue from the sources set out
14 in AS 37.13.010 while the revenue is held in trust, escrow, or otherwise before receipt by the
15 state is appropriated to the principal of the Alaska permanent fund.

16 * **Sec. 6. ALASKA PUBLIC UTILITIES COMMISSION.** The balance on June 30, 1996,
17 of the Alaska Public Utilities Commission program receipts account for regulatory cost
18 charges under AS 42.05.254 and AS 42.06.286 for fiscal year 1996 is appropriated to the
19 Alaska Public Utilities Commission for fiscal year 1997 expenditures.

20 * **Sec. 7. ALASKA SEAFOOD MARKETING INSTITUTE.** An amount equal to the fiscal
21 year 1996 general fund receipts from the salmon marketing tax (AS 43.76.110), from the
22 seafood marketing assessment (AS 16.51.120), and from the fisheries resource landing tax
23 (AS 43.77.050), less the amount of those receipts expended or obligated during fiscal year
24 1996, is appropriated from the general fund to the Alaska Seafood Marketing Institute for
25 marketing Alaska seafood products during fiscal year 1997.

26 * **Sec. 8. CONSTITUTIONAL AND STATUTORY BUDGET RESERVE FUNDS.** (a)
27 Amounts equal to the deposits in the budget reserve fund (art. IX, sec. 17, Constitution of the
28 State of Alaska) for fiscal year 1996, that were made by operation of art. IX, sec. 17(d) to
29 repay appropriations from the budget reserve fund are appropriated from the budget reserve
30 fund to the funds and accounts from which they were transferred.

31 (b) If, after the appropriation under (d) of this section is made, the unrestricted state

1 revenue available for appropriation in fiscal year 1997 is insufficient to cover the general fund
2 appropriations made for fiscal year 1997, the amount necessary to balance revenue and general
3 fund appropriations is appropriated to the general fund from the budget reserve fund (art. IX,
4 sec. 17, Constitution of the State of Alaska).

5 (c) The appropriations made by (a) and (b) of this section are made under art. IX,
6 sec. 17(c), Constitution of the State of Alaska.

7 (d) If the unrestricted state revenue available for appropriation in fiscal year 1997 is
8 insufficient to cover the general fund appropriations made for that fiscal year 1997, the
9 amount necessary to balance revenue and general fund appropriations is appropriated to the
10 general fund from the budget reserve fund (AS 37.05.540).

11 * **Sec. 9. MONETARY TERMS OF COLLECTIVE BARGAINING AGREEMENTS.** (a)
12 The monetary terms of each of the collective bargaining agreements listed in (b) of this
13 section are rejected under AS 23.40.215 unless separate legislation is enacted which contains
14 explicit language approving the monetary terms of that agreement. Money appropriated in this
15 Act may not be used to implement the monetary terms of any of the collective bargaining
16 agreements listed in (b) of this section unless separate legislation is enacted which contains
17 explicit language approving the monetary terms of the collective bargaining agreement.

18 (b) This section applies to the collective bargaining agreements negotiated between
19 the state and the following bargaining organizations:

- 20 (1) Alaska State Employees Association, for the General Government Unit;
- 21 (2) Alaska Public Employees Association, for the Supervisory Unit;
- 22 (3) Public Employees Local 71, for the Labor, Trades and Crafts Unit;
- 23 (4) Inland Boatmen's Union of the Pacific, representing the unlicensed marine
24 unit for a contract for the period October 10, 1994, through May 31, 1996;
- 25 (5) Inland Boatmen's Union of the Pacific, representing the unlicensed marine
26 unit for a contract for the period June 1, 1996, through May 31, 1999;
- 27 (6) International Organization of Masters, Mates, and Pilots, Pacific Maritime
28 Region, for the Masters, Mates, and Pilots Unit;
- 29 (7) Public Safety Employees Association, representing state troopers and other
30 commissioned law enforcement personnel;
- 31 (8) Alyeska Centralized School Employees Association, representing teachers

1 at the Alyeska Correspondence School;

2 (9) International Brotherhood of Electrical Workers representing nonjudicial,
3 nonsupervisory, classified employees of the Alaska Court System;

4 (10) the Classified Employees Association, representing University of Alaska
5 employees; and

6 (11) the Alaska Community Colleges' Federation of Teachers, representing
7 faculty members of the University of Alaska.

8 * **Sec. 10.** DISASTER RELIEF FUND. (a) The sum of \$9,000,000 is appropriated from
9 federal receipts to the disaster relief fund (AS 26.23.300).

10 (b) It is the intent of the legislature that funding necessary to meet the disaster relief
11 responsibilities of the Department of Military and Veterans' Affairs will continue to be made
12 available through the disaster declaration process. During the 1997 legislative session, the
13 department shall submit a supplemental appropriation request for fiscal year 1997 disaster
14 relief costs.

15 * **Sec. 11.** FEDERAL AND OTHER PROGRAM RECEIPTS. (a) Except for receipts of
16 the fish and game fund (AS 16.05.100), federal or other program receipts as defined in
17 AS 37.05.146 that exceed the amounts appropriated by this Act are appropriated conditioned
18 upon compliance with the program review provisions of AS 37.07.080(h). The amounts
19 appropriated from the fish and game fund in this Act are limited to the amounts stated in this
20 Act.

21 (b) If federal or other program receipts as defined in AS 37.05.146 exceed the
22 estimates appropriated by this Act, the appropriations from state funds for the affected
23 program may be reduced by the excess if the reductions are consistent with applicable federal
24 statutes.

25 (c) Except as provided in (d) of this section, if federal or other program receipts as
26 defined in AS 37.05.146 fall short of the estimates appropriated by this Act, the affected
27 appropriation is reduced by the shortfall in receipts.

28 (d) If the federal receipts under 42 U.S.C. 1397 - 1397f (Title XX of the Social
29 Security Act) fall short of the estimate, the amount of the shortfall, not to exceed \$6,310,800,
30 is appropriated from the general fund.

31 * **Sec. 12.** FOUR DAM POOL TRANSFER FUND. The amount available in the four dam

1 pool transfer fund (AS 42.45.050) during fiscal year 1997 is appropriated to the following
2 funds in the following percentages for the purposes set out in AS 42.45.050:

3	Power cost equalization and rural electric	40 percent
4	capitalization fund (AS 42.45.100)	
5	Southeast energy fund (AS 42.45.040)	40 percent
6	Power project fund (AS 42.45.010)	20 percent

7 * **Sec. 13.** INFORMATION SERVICES FUND. The sum of \$21,661,500 is appropriated
8 to the information services fund (AS 44.21.045) for the Department of Administration,
9 division of information services programs, from the following sources:

10	General fund program receipts	\$ 55,000
11	Inter-agency receipts	21,456,000
12	Inter-agency receipts/oil and hazardous	150,500
13	substance release prevention and response fund	

14 * **Sec. 14.** INSURANCE AND BOND CLAIMS. (a) Amounts necessary to fund the uses
15 of the state insurance catastrophe reserve account described in AS 37.05.289(a) are
16 appropriated from that account to the Department of Administration.

17 (b) Amounts equivalent to the amounts to be received in settlement of insurance
18 claims for losses and the amounts to be received as recovery for losses are appropriated from
19 the general fund to the state insurance catastrophe reserve account established by
20 AS 37.05.289.

21 (c) Amounts equivalent to the amounts to be received in settlement of claims against
22 bonds guaranteeing the reclamation of state land are appropriated from the general fund to the
23 agency secured by the bond. This appropriation is made for the purpose of reclaiming state
24 land affected by a use covered by the bond.

25 (d) The appropriations made by (b) and (c) of this section are contingent upon
26 compliance with the program review provisions of AS 37.07.080(h).

27 * **Sec. 15.** MARINE HIGHWAY SYSTEM FUND. The sum of \$28,284,000 is
28 appropriated from the general fund to the Alaska marine highway system fund (AS 19.65.060).

29 * **Sec. 16.** MOTOR FUEL TAX. The following amounts from the unreserved special
30 accounts in the general fund are included within the general fund amounts appropriated by this
31 Act:

1 Highway fuel tax account (AS 43.40.010(g)) \$22,500,000
2 Aviation fuel tax account (AS 43.40.010(e)) 7,500,000

3 * **Sec. 17.** OCCUPATIONAL LICENSING. The unexpended and unobligated balance on
4 June 30, 1996, of the Department of Commerce and Economic Development, division of
5 occupational licensing, general fund program receipts from occupational licensing fees under
6 AS 08.01.065 is appropriated to the division of occupational licensing for operating costs for
7 the fiscal year ending June 30, 1997.

8 * **Sec. 18.** OIL AND HAZARDOUS SUBSTANCE RELEASE PREVENTION
9 ACCOUNT. (a) The following amounts are appropriated to the oil and hazardous substance
10 release prevention account (AS 46.08.010(a)(1)) in the oil and hazardous substance release
11 prevention and response fund (AS 46.08.010) from the sources indicated:

12 (1) the balance of the oil and hazardous substance release prevention mitigation
13 account (AS 46.08.020(b)) in the general fund on July 1, 1996, not otherwise appropriated by
14 this Act;

15 (2) the amount of \$13,600,000, derived from the surcharge collected under
16 AS 43.55.300 during fiscal year 1996.

17 (b) The appropriation made by (a)(2) of this section is based on revenue estimates.
18 If the amount in the general fund that is derived from the surcharge collected under
19 AS 43.55.300 during fiscal year 1996 is greater than the appropriation made by (a)(2) of this
20 section, that appropriation is increased to that greater amount.

21 * **Sec. 19.** OIL AND HAZARDOUS SUBSTANCE RELEASE RESPONSE ACCOUNT.
22 The following amounts are appropriated to the oil and hazardous substance release response
23 account (AS 46.08.010(a)(2)) in the oil and hazardous substance release prevention and
24 response fund (AS 46.08.010) from the following sources:

25 (1) the balance of the oil and hazardous substance release response mitigation
26 account (AS 46.08.025(b)) in the general fund on July 1, 1996, not otherwise appropriated by
27 this Act;

28 (2) the amount derived from the surcharge collected under AS 43.55.201
29 during fiscal year 1996.

30 * **Sec. 20.** RETAINED FEES. An amount not to exceed the amount retained as fees by
31 a collector of fees, licenses, taxes, or other money belonging to the state is appropriated from

1 the fees, licenses, taxes, or other money belonging to the state that are collected during fiscal
2 year 1997 to the agency authorized by law to generate the revenue for the purpose of
3 compensating the collector for services rendered for the fiscal year ending June 30, 1997.

4 * **Sec. 21.** SAFETY ADVISORY COUNCIL. The amount appropriated for the 1996
5 annual governor's safety conference (sec. 28, ch. 94, SLA 1995), plus the fiscal year 1996
6 program receipts of the Safety Advisory Council (AS 18.60.830), less the amount expended
7 or obligated for the 1996 annual governor's safety conference, is appropriated from the general
8 fund to the Safety Advisory Council for costs of the 1997 annual governor's safety conference.

9 * **Sec. 22.** SALMON ENHANCEMENT TAX. The salmon enhancement tax collected
10 under AS 43.76.010 - 43.76.030 in calendar year 1995 and deposited in the general fund under
11 AS 43.76.025(c) is appropriated from the general fund to the Department of Commerce and
12 Economic Development for payment in fiscal year 1997 to qualified regional associations
13 operating within a region designated under AS 16.10.375.

14 * **Sec. 23.** SHARED TAXES AND FEES. The amounts necessary to refund to local
15 governments their share of taxes and fees collected in the listed fiscal years under the
16 following programs are appropriated to the Department of Revenue from the general fund for
17 payment in fiscal year 1997:

18	REVENUE SOURCE	FISCAL YEAR COLLECTED
19	fisheries tax (AS 43.75)	1996
20	fishery resource landing tax (AS 43.77)	1996
21	amusement and gaming tax (AS 43.35)	1997
22	aviation fuel tax (AS 43.40.010)	1997
23	electric and telephone	
24	cooperative tax (AS 10.25.570)	1997
25	liquor license fee (AS 04.11)	1997

26 * **Sec. 24.** STATE OBLIGATIONS. (a) The amount required to pay interest on revenue
27 anticipation notes issued by the commissioner of revenue under AS 43.08 is appropriated from
28 the general fund to the Department of Revenue for payment of the interest on those notes.

29 (b) The amount required to be paid by the state for principal and interest on all issued
30 and outstanding state-guaranteed bonds is appropriated from the general fund to the state bond
31 committee for payment of principal and interest on those bonds.

1 (c) The sum of \$94,741,184 is appropriated from the general fund to the Alaska debt
2 retirement fund (AS 37.15.011).

3 (d) The sum of \$9,595,925 is appropriated from the Alaska debt retirement fund
4 (AS 37.15.011) to the state bond committee for lease payments to the City of Seward, City
5 of Kenai, Department of Natural Resources, and the Alaska Court System.

6 (e) The sum of \$16,528,682 is appropriated from the Alaska debt retirement fund
7 (AS 37.15.011) to the state bond committee for payment of debt service and trustee fees on
8 state general obligation bonds.

9 (f) The sum of \$5,805,963 is appropriated from the international airports revenue fund
10 (AS 37.15.430) to the state bond committee for payment of debt service and trustee fees on
11 outstanding international airports revenue bonds.

12 (g) The sum of \$68,616,577 is appropriated from the Alaska debt retirement fund
13 (AS 37.15.011) to the Department of Education for state aid for costs of school construction
14 under AS 14.11.100.

15 * **Sec. 25.** STATE TRAINING AND EMPLOYMENT PROGRAM. The lapsing balance
16 of the employment assistance and training program fund (sec. 3, ch. 95, SLA 1989, as
17 amended by sec. 33, ch. 2, FSSLA 1992) on June 30, 1996, is appropriated to the
18 unemployment compensation fund (AS 23.20.130).

19 * **Sec. 26.** STORAGE TANK REGISTRATION FEES. (a) The fiscal year 1997 general
20 fund receipts of the tank registration fee program under AS 46.03.385 are appropriated to the
21 storage tank assistance fund (AS 46.03.410).

22 (b) The sum of \$2,853,800 is appropriated from the oil and hazardous substance
23 release prevention account (AS 46.08.010(a)(1)) to the storage tank assistance fund
24 (AS 46.03.410) for the fiscal year ending June 30, 1997.

25 * **Sec. 27.** STUDENT LOAN PROGRAM. The amount assessed for loan guarantee fees
26 during prior fiscal years and the amount assessed for loan origination fees from student loan
27 borrowers of the Alaska Commission on Postsecondary Education is appropriated to the
28 origination fee account (AS 14.43.120(u)) within the student loan fund of the Alaska Student
29 Loan Corporation for the purposes specified in AS 14.43.120(u).

30 * **Sec. 28.** UNIVERSITY OF ALASKA. The proceeds from the sale of special request
31 university plates under AS 28.10.421 are appropriated from the general fund to the University

1 of Alaska for the fiscal year ending June 30, 1997, for support of the alumni associations at
2 the campuses listed and in the amounts set out:

3	CAMPUS	APPROPRIATION AMOUNT
4	University of Alaska, Fairbanks	\$ 18,109.09
5	University of Alaska, Anchorage	2,359.09
6	Prince William Sound Community College	245.46

7 * **Sec. 29.** NONLAPSE OF APPROPRIATIONS. The appropriations made by secs. 1, 2,
8 3, 10, 12, 13, 14(b), 15, 18, 19, 25, 26(a), and 27 of this Act are for the capitalization of funds
9 and do not lapse under AS 37.25.010.

10 (SECTION 30 OF THIS ACT BEGINS ON PAGE 13)