

25th ALASKA STATE LEGISLATURE  
1st SESSION  
CONFERENCE COMMITTEE ON HB 95 and HB 96  
May 15, 2007  
9:40 p.m.

CALL TO ORDER

Representative Chenault called the Conference Committee meeting to order at [9:40:53 PM](#).

MEMBERS PRESENT

Senate:

Senator Lyman Hoffman, Vice-Chair  
Senator Bert Stedman, Member  
Senator Dyson, Member

House:

Representative Mike Chenault, Chair  
Representative Kevin Meyer, Member  
Representative Reggie Joule, Member

ALSO PRESENT

David Teal, Director, Legislative Finance Division; fiscal analysts with the Office of Management and Budget and Legislative Finance Division; and aides to committee members and other members of the Legislature.

SUMMARY

#hb95

#hb96

CSHB 95(FIN)

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska; and providing for an effective date."

CSHB 96(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated

comprehensive mental health program; and providing for an effective date."

And

Senate CS for CSHB 95(FIN) am S

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska; and providing for an effective date."

Senate CS for CSHB 96(FIN)

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

All remaining open items including language sections and fiscal notes

CCHB 95 and CCHB 96 were reported out of Committee.

LANGUAGE SECTIONS

Senator Hoffman MOVED to ADOPT the following language Items:

COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT

Item 15 - Senate (1 & 2)

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

Items 1 & 2 - House [Chair Chenault noted that the motion adopted a quarter of the cost factors ISER study.]

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Item 7 - Senate (one-time funding)

DEPARTMENT OF PUBLIC SAFETY

Item 4 - House

STATEWIDE

Item #2 - House (both)

There being NO OBJECTION, the language sections were adopted as stated.

[9:46:05 PM](#)

OPEN ITEMS

DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT

Senator Hoffman MOVED to ADOPT the following items in the Department of Commerce, Community and Economic Development's budget: Item 3 - Senate -\$250, Item 9 - House -\$1 million, Item 10 (1) - Senate and (2) and (3) - House, Item 16 - Senate. There being NO OBJECTION, it was so ordered.

[9:48:44 PM](#)

Senator Hoffman MOVED to Reopen Item 2 in the Department of Commerce, Community and Economic Development's budget. There being NO OBJECTION, it was so ordered.

Senator Hoffman MOVED to ADOPT Item 2 - Senate -\$30. There being NO OBJECTION, it was so ordered.

Chair Chenault noted that the Department of Commerce, Community and Economic Development's budget was closed.

Chair Chenault explained that the Legislative Finance Division recommended changing the Vehicle Rental Tax from the "Other" Fund group to the "GF" Fund group. Senator Hoffman so MOVED. There being NO OBJECTION, it was so ordered.

9:53:13

DEPARTMENT OF CORRECTIONS

Senator Hoffman MOVED to ADOPT the following items in the Department of Corrections: Item 12 - House, Item 13 - House, Item 14, - HOUSE, and Item 15 - House. Senator Dyson OBJECTED to Item 12. He noted that the House numbers take

\$141.0 from the Governor's request; the Senate did not delete this funding. Item 12 was removed from the motion.

Senator Hoffman restated his Motion and MOVED to ADOPT Item 13 - House, Item 14, - HOUSE, and Item 15 - House. There being NO OBJECTION, it was so ordered.

Senator Hoffman MOVED to ADOPT Item 12 - House. Senator Dyson OBJECTED.

A roll call vote was taken on the motion.

IN FAVOR: Rep. Joule, Rep. Meyer, Rep. Chenault  
Sen. Stedman, Sen. Hoffman

OPPOSED: Sen. Dyson

The MOTION PASSED: Senate 2 yeas, 1 nay  
House 3 yeas

Chair Chenault noted Department of Corrections was closed.

[9:56:18 PM](#)

DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

Senator Hoffman MOVED to ADOPT in the Department of Education and Early Development's budget: Item 5 - Senate minus 100 thousand (onetime only). There being NO OBJECTION, it was so ordered.

Senator Hoffman MOVED to ADOPT Item 6 - Senate language plus 100 thousand, Item 11 - House. There being NO OBJECTION, it was so ordered.

Senator Dyson OBJECTED to Item 5 in support of the Senate number without reduction and MOVED that it be reopen. There being NO OBJECTION, it was so ordered.

Senator Hoffman reiterated the motion to ADOPT Item 5 - Senate minus 100 thousand (onetime only). Senator Dyson OBJECTED and spoke in support of charter school funding. He observed the difficulty of financing schools with fewer than 150 students. The Senate number provides a bridge, which would help keep charter schools in operation.

Chair Chenault maintained that at least one charter school indicated that they do not intend to increase their

enrollment. The intent is to require charter schools to increase enrollment. He indicated that charter school funding would be considered in the future along with the funding formula, but that the motion was the best that they could achieve at that time.

10:04:50 PM

A roll call vote was taken on the motion to adopt Item 5 in the Department of Education and Early Development's budget.

IN FAVOR: Rep. Joule, Rep. Meyer, Rep. Chenault  
Sen. Stedman, Sen. Hoffman

OPPOSED: Sen. Dyson

The MOTION PASSED: Senate 2 yeas, 1 nay  
House 3 yeas

Chair Chenault noted that the Department of Education and Early Development's budget was kept open [at the request of Senator Hoffman.]

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Senator Hoffman MOVED to ADOPT the following items in the Department of Environmental Conservation's budget: Item 1 - House minus \$250.0, Item 2 - House, Item 6 - House plus \$250.0, Item 8 - House (both), Item 9 - Senate -\$1.3 million, and Item 11 - Senate with the deletion of the first sentence and "also" in second sentence.

Senator Dyson OBJECTED to the removal of the language in Item 11.

Senator Hoffman restated his motion without Item 11: MOVED to ADOPT Item 1 - House minus \$250.0, Item 2 - House, Item 6 - House plus \$250.0, Item 8 - House (both), Item 9 - Senate -\$1.3 million.

In response to a question by Senator Dyson, Senator Hoffman explained that Item 9 would leave \$1.2 million in the Ocean Ranger Program. Senator Dyson questioned if there would be sufficient funding for implementation.

Senator Hoffman explained that the Department indicated that the funds were adequate to implement the program.

There being NO OBJECTION, it was so ordered and Items 1, 2, 6, and 9 were adopted as stated above.

Senator Hoffman MOVED to ADOPT Item 11 - Senate with the deletion of the first sentence [It is the intent of the legislature that the Department of Environmental Conservation implement the Ocean Ranger Program enacted by the people of the State of Alaska] and "also" in the second sentence. Senator Dyson spoke in support or retaining the language. Representative Joule noted that the program was funded at \$1.2 million and suggested that the language could be retained.

[10:12:48 PM](#)

A roll call vote was taken on the motion to ADOPT Item 11 - Senate with the deletion of the first sentence [It is the intent of the legislature that the Department of Environmental Conservation implement the Ocean Ranger Program enacted by the people of the State of Alaska] and "also" in the second sentence.

IN FAVOR: Rep. Meyer, Rep. Chenault  
          Sen. Stedman, Sen. Hoffman  
OPPOSED: Rep. Joule  
          Sen. Dyson

The MOTION PASSED: Senate 2 yeas, 1 nay  
                      House 2 yeas, 1 nay

Chair Chenault noted that the Department of Environmental Conservation's budget was closed.

#### DEPARTMENT OF HEALTH AND SOCIAL SERVICES

Senator Hoffman MOVED to ADOPT the following in the Department of Health and Social Services' budget: Item 1 - House, Item 9 - House (both), Item 10 - Senate (both), Item 11 - House, Item 17 - Senate, Item 20 - Senate, Item 22 Senate (both), Item 26 - House, and Item 29 - Senate (both). Senator Hoffman withdrew Item 11.

Senator Dyson OBJECTED to Item 20.

No money appropriated in this appropriation may be expended for an abortion that is not a mandatory service required under AS 47.07.030(a). The money appropriated for Health Care Services may be expended

only for mandatory services required under Title XIX of the Social Security Act and for optional services offered by the state under the state plan for medical assistance that has been approved by the United States Department of Health and Human Services. This is a statement of the purpose of the appropriation for Health Care Services and is neither merely descriptive language nor a statement of legislative intent.

Senator Hoffman WITHDREW Item 20 from the motion. There being NO OBJECTION, Item 1 - House, Item 9 - House (both), Item 10 - Senate (both), Item 11 - House, Item 17 - Senate, Item 22 - Senate (both), Item 26 - House, and Item 29 - Senate (both) were adopted.

Senator Hoffman MOVED to ADOPT Item 20 - Senate language. Senator Dyson spoke in support of the House language.

A roll call vote was taken on the motion.

IN FAVOR: Rep. Joule, Rep. Chenault  
          Sen. Stedman, Sen. Hoffman  
OPPOSED: Rep. Meyer  
          Sen. Dyson

The MOTION PASSED: Senate 2 yeas, 1 nay  
                      House 2 yeas, 1 nay

Representative Joule observed that the action taken on Item 11 would reduce the grants line to Behavior Health Grants by \$1 million.

Chair Chenault noted that the Department of Health and Social Services' budget was closed.

[10:20:30 PM](#)

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

Senator Hoffman MOVED to ADOPT the following items in the Department of Labor and Workforce Development's budget: Item 1 - House, Item 2 - Senate (one time), Item 3 - House, Item 6 - Senate, Item 7 - Senate, and Item 10 - Senate. There being NO OBJECTION, it was so ordered.

Chair Chenault noted the Department of Labor and Workforce Development's budget was closed.

DEPARTMENT OF LAW

Senator Hoffman MOVED to ADOPT the following items in the Department of Law's budget: Item 1 - House, Item 4 - House, and Item 5 - House. There being NO OBJECTION, it was so ordered.

Chair Chenault noted the Department of Law's budget was closed.

[10:23:23 PM](#)

MILITARY AND VETERANS AFFAIRS

Senator Hoffman MOVED to ADOPT the following items in the Military and Veterans Affairs' budget: Item 1 House (both), and Item 2 - House (both). There being NO OBJECTION, it was so ordered.

Chair Chenault noted the Military and Veterans Affairs' budget was closed.

DEPARTMENT OF NATURAL RESOURCES

Senator Hoffman MOVED to ADOPT the following items in the Department of Natural Resources' budget: Item 4 - Senate, Item 8 - Senate, Item 9 - Senate (both), Item 12 - Senate (both), and Item 13 - Senate (both). There being NO OBJECTION, it was so ordered.

Senator Hoffman MOVED to Reopen Item 3. There being NO OBJECTION, it was so ordered. Senator Hoffman MOVED to ADOPT Item 3 - Senate (both). There being NO OBJECTION, it was so ordered.

Senator Hoffman MOVED to Reopen Item 7. There being NO OBJECTION, it was so ordered. Senator Hoffman MOVED to ADOPT Item 7 - Senate. There being NO OBJECTION, it was so ordered.

Chair Chenault observed that the Department of Natural Resources' budget was closed.

[10:26:51 PM](#)

DEPARTMENT OF PUBLIC SAFETY

Senator Hoffman MOVED to ADOPT the following items in the Department of Public Safety's budget: Item 5 - House, Item 7 - House , Item 9 - House, Item 12 - Senate, Item 13 - House, and Item 5 - House, There being NO OBJECTION, it was so ordered.

Chair Chenault noted that the Department of Public Safety's budget was closed.

#### DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

Senator Hoffman MOVED to ADOPT the following items in the Department of Transportation and Public Facilities' budget: Item 1 - Senate, Item 2 - Senate, Item 3 - Senate, Item 4 - Senate, Item 5 - House plus \$150.0, Item 6 - Senate (onetime), Item 7 - House plus \$200.0, Item 8 - House, Item 9 - House (both), Item 10 - House, Item 11 - House (both), Item 12 - House (both), Item 13 (1) - Senate -\$250, (2) - Senate, and Item 14 - Senate with a change from \$1.75 to \$1.5 million. There being NO OBJECTION, it was so ordered.

Chair Chenault noted that Department of Transportation and Public Facilities' budget was closed.

[10:30:58 PM](#)

#### ALASKA COURT SYSTEM

Senator Hoffman MOVED to ADOPT the following items in the Alaska Court System's budget: Item 2 - House, and Item 7 - Senate. There being NO OBJECTION, it was so ordered.

#### LEGISLATURE

Senator Hoffman MOVED to ADOPT Item 4 - House. Senator Dyson OBJECTED. Senator Hoffman stressed that the adoption of the House number is an attempt to take control of growth in government by denying a new position in the Anchorage Ombudsman's Office. Senator Dyson spoke in behalf of the position and emphasized the service to the people and the excess workload. Senator Hoffman stressed that it was not a decrease, but a denial of an increase.

A roll call vote was taken on the motion.

IN FAVOR: Rep. Meyer, Rep. Chenault  
Sen. Stedman, Sen. Hoffman

OPPOSED: Rep. Joule  
Sen. Dyson

The MOTION PASSED: Senate 2 yeas, 1 nay  
House 2 yeas, 1 nay

Chair Chenault observed that the Legislature's budget was closed.

#### STATEWIDE

Chair Chenault observed that the statewide portion of the budget was closed.

RECESSED at [10:34:36 PM](#)  
RECONVENED at [10:42:46 PM](#)

#### FISCAL NOTES

Senator Hoffman MOVED that the Committee ADOPT the fiscal notes in the attached Legislative Finance report dated 5/15/07 as amended: delete funding for SB 27 and SB 125 [SB 125 was not expected to pass], and add \$45.0 for SJR 7 [which was expected to pass]. A spreadsheet was provided, which summarized the detail contained in the report (copy on file.) The report contains funding for legislation that is assumed to pass this session and are considered part of the agency operating budget. He explained that should a measure listed in this section either fail to pass, its substance fail to be incorporated in some other measure, or be vetoed by the governor, the appropriation shall lapse. There being NO OBJECTION, it was so ordered.

In response to a question by Representative Meyer, Senator Hoffman explained that fiscal notes for SB 27 contained both general and federal funds.

There being NO OBJECTION, fiscal notes were adopted as outlined above.

[10:50:38 PM](#)

#### DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

There being no objection, Chair Chenault noted that Department of Education and Early Development was closed.

#### AUTHORIZATION LANGUAGE

Senator Hoffman MOVED to that the Committee give authorization to the Legislative Finance Division and the Legislative Affairs, Legal Services to make any necessary technical and conforming amendments on HB 95 and 96 and that further action be closed.

Senator Hoffman MOVED to report CCHB 95 and CCHB 96 out of Committee. There being NO OBJECTION, it was so ordered.

CCHB 95 and CCHB 96 were reported out of Committee.

ADJOURNMENT

The meeting was adjourned at 10:52 PM  
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