

SR

4

<target><bill>SR 4</bill><subject>SR
4</subject><comm>SFIN26</comm></target>

SENATE FINANCE COMMITTEE REPORT

DATE: 3/24/10

FURTHER:

DATE TURNED
IN TO OFFICE: _____

Finance Committee considered SENATE BILL NO. 4

SB 4 COASTAL MANAGEMENT PROGRAM

"An Act relating to the Alaska coastal management program; and establishing the Alaska Coastal Policy Board."

and recommends:

- be replaced with SCS or CS SB 4 (FIN)
- adopt previous SCS or CS _____ (____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

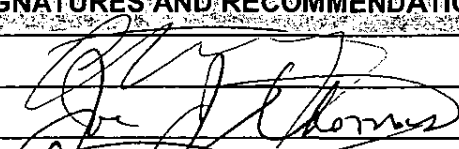





NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DNR	3/30	✓			
DEC	3/29	✓			

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Huggins		<input checked="" type="checkbox"/>		
	Thomas		<input checked="" type="checkbox"/>		
	Ellis		<input checked="" type="checkbox"/>		
	Ellis	<input checked="" type="checkbox"/>			
CO-CHAIR: 	Hoffman	<input checked="" type="checkbox"/>			
CO-CHAIR: 	Stedman			<input checked="" type="checkbox"/>	

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: **SB004**
 () Publish Date: _____

Identifier (file name): **SB004-DNR-DCOM-03-30-10** Dept. Affected: **Natural Resources**
 Title **An Act relating to the Alaska Coastal Management Program.** RDU **Resource Development**
 Component **Coastal and Ocean Management**
 Sponsor **Sen. Olson**
 Requester **Senate Finance Committee** Component Number **2680**

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	82.0	0.0	82.0	82.0	82.0	82.0	82.0	82.0
Contractual	80.0	0.0	30.0	30.0	30.0	30.0	30.0	30.0
Supplies	3.0	0.0	3.0	3.0	3.0	3.0	3.0	3.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	165.0	0.0	115.0	115.0	115.0	115.0	115.0	115.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	165.0	0.0	115.0	115.0	115.0	115.0	115.0	115.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	165.0	0.0	115.0	115.0	115.0	115.0	115.0	115.0

Estimate of any current year (FY2009) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0	0	0
Part-time	0	0	0	0	0	0	0	0
Temporary	0	0	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

SB 4 will have the following fiscal impact:

- Travel - It is expected that the Coastal Policy Board (CPB) will need to meet at least four times annually to fulfill the obligations and provide the services outlined in SB 4. Travel (including air, hotel, and per diem) for appointed members, designated members, and state agency staff is included.
- Contractual - In order to re-write the guiding regulations, DNR must secure contractual services for the promulgation and final Department of Law review of the regulations (FY 2011 only). In addition, contractual services for the CPB meetings must be procured, and will be an annual expense.
- Supplies - The CPB meetings will require some level of supplies for ensuring the members have proper materials.

Prepared by: Randy Bates, Director
 Division: Coastal and Ocean Management
 Approved by: Tom Irwin, Commissioner
Natural Resources

Phone 465-8797
 Date/Time March 30, 2010
 Date March 30, 2010

FISCAL NOTE

**STATE OF ALASKA
2010 LEGISLATIVE SESSION**

BILL NO. SB004 _____

ANALYSIS CONTINUATION

4. Although not contemplated above as an additional expense, it is expected that coastal districts will choose to revise, amend, and seek approval for their coastal district plans. No funding is included in this fiscal note for Coastal District Plan revisions. DNR does not typically set aside any funding for plan revisions. With passage of HB 191 DNR distributed one-time federal grant awards to districts (\$1,166,600) for coastal community improvements, and funds to support the efforts of Alaska Coastal Management Program (ACMP) (\$909,700) and state agencies (\$833,700) in the management and development of Alaska's coastal resources.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: CS SB 4 (CRA)
() Publish Date: _____

Identifier (file name): SB004CS(CRA)-DEC-CO-3-26-10
Title: Coastal management Program
Sponsor: Senator Olson
Requester: Senate Finance Committee
Dept. Affected: Environmental Conservation Administration
RDU: _____
Component: Office of the Commissioner
Component Number: 633

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services	93.1		93.1	93.1	93.1	93.1	93.1	93.1
Travel	7.5		7.5	7.5	7.5	7.5	7.5	7.5
Contractual	11.2		11.2	11.2	11.2	11.2	11.2	11.2
Supplies	0.5		0.5	0.5	0.5	0.5	0.5	0.5
Equipment	6.4							
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	118.7	0.0	112.3	112.3	112.3	112.3	112.3	112.3

CAPITAL EXPENDITURES								
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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 Interagency Receipts	118.7	0.0	112.3	112.3	112.3	112.3	112.3	112.3
TOTAL	118.7	0.0	112.3	112.3	112.3	112.3	112.3	112.3

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This legislation amends Alaska statutes related to the Alaska Coastal Management Program (ACMP). The bill requires that the Department of Environmental Conservation process its permits in accordance with the ACMP coastal consistency review procedures where permits are currently processed independent from those procedures. The fiscal note reflects the personnel and support costs of a new (Range 20) position to serve as DEC's ACMP Program Coordinator. First-year costs include one-time equipment costs that are not reflected in subsequent years.

Prepared by: Marit Carlson-Van Dort
Division: Office of the Commissioner
Approved by: Dan Easton
Deputy Commissioner

Phone 465-5871
Date/Time 3/29/10, 9:45 AM
Date 3/29/2010

CS FOR SENATE BILL NO. 4()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): SENATOR OLSON

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Alaska coastal management program; establishing the Alaska**
2 **Coastal Policy Board; and providing for an effective date by repealing the effective date**
3 **for the repeal of certain provisions relating to the Alaska coastal management**
4 **program."**

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

6 *** Section 1.** AS 46.39 is amended by adding a new section to article 1 to read:

7 **Sec. 46.39.005. Alaska Coastal Policy Board.** (a) The Alaska Coastal Policy
8 Board is created in the Department of Natural Resources. The board consists of

9 (1) five public members appointed by the governor, including one at-
10 large member from any coastal district; one public member shall be appointed from
11 each of the following regions:

12 (A) northwest Alaska, including, generally, the area of the
13 North Slope Borough and the Northwest Arctic Borough; and the Bering Strait
14 area, including, generally, the area of the Bering Strait regional educational

1 attendance area;

2 (B) southwest Alaska, including, generally, the area within the
3 Lower Yukon, Lower Kuskokwim, and Southwest regional educational
4 attendance areas and the Lake and Peninsula and Bristol Bay Boroughs; and
5 the Kodiak-Aleutians area, including the Kodiak Island and area of the
6 Aleutians East Boroughs and the area of the Aleutian, Adak, and Pribilof
7 regional educational attendance areas;

8 (C) Upper Cook Inlet area, including the Municipality of
9 Anchorage and the Matanuska-Susitna Borough; the Lower Cook Inlet area,
10 including, generally, the Kenai Peninsula Borough; and the Prince William
11 Sound area, including, generally, the area east of the Kenai Peninsula Borough
12 to 141 West longitude; and

13 (D) Southeast Alaska, generally the area east of 141 West
14 longitude;

15 (2) each of the following:

16 (A) the commissioner of environmental conservation;

17 (B) the commissioner of fish and game;

18 (C) the commissioner of natural resources; and

19 (D) the commissioner of commerce, community, and economic
20 development.

21 (b) Each public member appointed by the governor under (a)(1) of this section
22 serves a term of two years and until a successor is appointed and qualified. A public
23 member may be reappointed.

24 (c) The board shall designate co-chairs, one of whom shall be selected from
25 among the public members appointed under (a)(1) of this section and one from among
26 the members designated in (a)(2) of this section.

27 (d) The governor shall appoint a permanent alternate for each member of the
28 board. If a member of the board is unable to attend, the member shall advise the
29 alternate, who may attend and act in the place of the member. The alternate for a
30 commissioner serving under (a)(2) of this section shall be a deputy commissioner or
31 the director of a division in the commissioner's department. The names of alternates

1 shall be filed with the board.

2 (e) Three public members and two designated members of the board constitute
3 a quorum, but the board may delegate to one or more of its members the power to hold
4 hearings. All decisions of the board shall be by a majority vote of the members present
5 and voting.

6 (f) Members of the board or their alternates are entitled to per diem and travel
7 expenses authorized by law for members of boards and commissions.

8 (g) Administrative support for the board shall be provided by the division in
9 the department responsible for coastal and ocean management. The director of the
10 division in the department responsible for coastal and ocean management, under
11 direction of the co-chair designated by the board from the individuals listed in (a)(2)
12 of this section, may contract with or employ persons as necessary to assist the board in
13 carrying out the board's duties and responsibilities.

14 * Sec. 2. AS 46.39.010(a) is amended to read:

15 (a) The Department of Natural Resources shall render, on behalf of the state,
16 all federal consistency determinations and certifications authorized by 16 U.S.C. 1456
17 (Sec. 307, Coastal Zone Management Act of 1972), and each conclusive state
18 consistency determination when a project requires a permit, lease, or authorization
19 from the department or from two or more state resource agencies.

20 * Sec. 3. AS 46.39.010(b) is amended to read:

21 (b) The department may adopt regulations approved by the board necessary
22 to implement this chapter.

23 * Sec. 4. AS 46.39.030 is amended to read:

24 **Sec. 46.39.030. Powers of the department and board.** (a) The department
25 may

26 (1) with the approval of the board, apply for and accept grants,
27 contributions, and appropriations, including application for and acceptance of federal
28 funds that may become available for coastal planning and management;

29 (2) contract for necessary services; [;]

30 **(b) The board may**

31 **(1) [(3)]** consult and cooperate with

1 (A) persons, organizations, and groups, public or private,
2 interested in, affected by, or concerned with coastal area planning and
3 management;

4 (B) agents and officials of the coastal resource districts of the
5 state, and with [FEDERAL AND] state agencies concerned with or having
6 jurisdiction over coastal planning and management;

7 (2) [(4)] take any reasonable action necessary to carry out the
8 provisions of this chapter or AS 46.40.

9 * Sec. 5. AS 46.39.040 is amended to read:

10 Sec. 46.39.040. **Duties of the board** [DEPARTMENT]. In conformity with
11 16 U.S.C. 1451 - 1464 (Coastal Zone Management Act of 1972), as amended, the
12 **board** [DEPARTMENT] shall

13 (1) **approve** [DEVELOP] statewide standards for the Alaska coastal
14 management program [,] and criteria for the preparation and approval of district
15 coastal management plans **developed by the department** in accordance with
16 AS 46.40;

17 (2) establish continuing coordination among state agencies to facilitate
18 the development and implementation of the Alaska coastal management program; in
19 carrying out its duties under this paragraph, the department shall initiate an
20 interagency program of comprehensive coastal resource planning for each geographic
21 region of the state;

22 (3) **ensure** [ASSURE] continued provision of data and information to
23 coastal resource districts to carry out their planning and management functions under
24 the program.

25 * Sec. 6. AS 46.39.900 is amended to read:

26 Sec. 46.39.900. **Definitions** [DEFINITION]. In this chapter, unless the
27 context requires otherwise,

28 (1) **"board" means the Alaska Coastal Policy Board established in**
29 **AS 46.39.005;**

30 (2) **"department"** means the Department of Natural Resources.

31 * Sec. 7. AS 46.40.010 is amended to read:

1 **Sec. 46.40.010. Development of Alaska coastal management program.** (a)
2 The Alaska Coastal Policy Board [DEPARTMENT] shall approve, in accordance
3 with this chapter, program changes to the Alaska coastal management program.

4 (b) The board [DEPARTMENT] may approve the Alaska coastal
5 management program for a portion or portions of the coastal area before approving the
6 [COMPLETE] program changes under (a) of this section. Portions of the program
7 approved under this subsection shall be incorporated into the Alaska coastal
8 management program.

9 (c) The Alaska coastal management program shall be reviewed by the board
10 [DEPARTMENT] and, when appropriate, revised to

11 (1) add newly approved district coastal management plans [,] or
12 revisions and amendments to the Alaska coastal management program;

13 (2) integrate newly approved district coastal management plans [,] or
14 revisions and amendments of district coastal management plans [,] with existing
15 approved plans and with plans developed by state agencies;

16 (3) add new or revised state statutes, policies, regulations, or other
17 appropriate material;

18 (4) evaluate [REVIEW] the effectiveness [OF IMPLEMENTATION]
19 of district coastal management plans; and

20 (5) consider new information acquired by the state and coastal resource
21 districts.

22 (d) All reviews and revisions shall be in accordance with the statewide
23 standards and district plan criteria adopted under AS 46.40.040.

24 * **Sec. 8.** AS 46.40.020 is amended to read:

25 **Sec. 46.40.020. Objectives.** The Alaska coastal management program shall be
26 consistent with the following objectives:

27 (1) the use, management, restoration, and enhancement of the overall
28 quality of the coastal environment;

29 (2) the development of industrial or commercial enterprises that are
30 consistent with the social, cultural, historic, economic, and environmental interests of
31 the people of the state;

1 (3) the orderly, balanced utilization and protection of the resources of
2 the coastal area consistent with sound conservation and sustained yield principles;

3 (4) the management of coastal land and water uses in such a manner
4 that, generally, those uses that [WHICH] are economically or physically dependent on
5 a coastal location are given higher priority when compared to uses that [WHICH] do
6 not economically or physically require a coastal location;

7 (5) the protection and management of significant historic, cultural,
8 natural, subsistence, and aesthetic values and natural systems or processes within the
9 coastal area;

10 (6) the prevention of damage to or degradation of land and water
11 reserved for their natural and subsistence values as a result of inconsistent land or
12 water usages adjacent to that land;

13 (7) the recognition of the need for a continuing supply of energy to
14 meet the requirements of the state and the contribution of a share of the state's
15 resources to meet national energy needs; and

16 (8) the full and fair evaluation of all demands on the land and water in
17 the coastal area.

18 * Sec. 9. AS 46.40.030 is amended to read:

19 **Sec. 46.40.030. Development of district coastal management plans.** (a)
20 Coastal resource districts shall develop and adopt district coastal management plans in
21 accordance with the provisions of this chapter. The plan adopted by a coastal resource
22 district shall be based on [UPON] a municipality's existing comprehensive plan or a
23 new comprehensive resource use plan or comprehensive statement of needs, policies,
24 objectives, and standards governing the use of resources within the coastal area of the
25 district. The plan must meet the [STATEWIDE STANDARDS AND] district plan
26 criteria adopted under AS 46.40.040 and must include

27 (1) a delineation within the district of the boundaries of the coastal area
28 subject to the district coastal management plan;

29 (2) a statement, list, or definition of the land and water uses and
30 activities subject to the district coastal management plan;

31 (3) a statement of policies to be applied to all [THE] land and water

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uses subject to the district coastal management plan as well as policies that apply only to an area that merits special attention; and

(4) [A DESCRIPTION OF THE USES AND ACTIVITIES THAT WILL BE CONSIDERED PROPER AND THE USES AND ACTIVITIES THAT WILL BE CONSIDERED IMPROPER WITH RESPECT TO THE LAND AND WATER WITHIN THE COASTAL AREA; AND

(5)] a designation of an area that merits special attention under [, AND THE POLICIES THAT WILL BE APPLIED TO THE USE OF AREAS WITHIN] the district coastal management plan and enforceable policies that must be applicable within an area that merits special attention [RESOURCE DISTRICT THAT MERIT SPECIAL ATTENTION].

(b) In developing enforceable policies in its coastal management plan under (a) of this section, a coastal resource district shall ensure that the enforceable policies are

(1) clear and concise as to the activities and persons affected by the policies and the requirements of the policies

(2) necessary given local conditions; and

(3) supported by evidence, including scientific or local knowledge, if the policies are more specific than state or federal statutes or regulations [MEET THE REQUIREMENTS OF AS 46.40.070 AND MAY NOT DUPLICATE, RESTATE, OR INCORPORATE BY REFERENCE STATUTES AND ADMINISTRATIVE REGULATIONS ADOPTED BY STATE OR FEDERAL AGENCIES].

* Sec. 10. AS 46.40.040(a) is amended to read:

(a) Except as provided in [(b) OF THIS SECTION AND] AS 41.17, the department shall, by regulations approved by the board,

(1) [BY REGULATION,] adopt under the provisions of AS 44.62 (Administrative Procedure Act) for the use of and application by coastal resource districts and state agencies for carrying out their responsibilities under this chapter, statewide standards and district coastal management plan criteria for

(A) identifying the boundaries of the coastal area subject to the

1 Alaska coastal management program;

2 (B) determining the land and water uses and activities subject
3 to the Alaska coastal management program;

4 (C) developing policies applicable to the land and water uses
5 subject to the Alaska coastal management program;

6 (D) developing regulations applicable to the land and water
7 uses subject to the Alaska coastal management program;

8 (E) developing policies and procedures to determine whether
9 specific proposals for the land and water uses or activities subject to the Alaska
10 coastal management program shall be allowed;

11 (F) designating and developing policies for areas that merit
12 special attention [THE USE OF AREAS OF THE COAST THAT MERIT
13 SPECIAL ATTENTION]; and

14 (G) measuring the progress of a coastal resource district in
15 meeting its responsibilities under this chapter;

16 [(2) DEVELOP AND MAINTAIN A PROGRAM OF TECHNICAL
17 AND FINANCIAL ASSISTANCE TO AID COASTAL RESOURCE DISTRICTS IN
18 THE DEVELOPMENT AND IMPLEMENTATION OF DISTRICT COASTAL
19 MANAGEMENT PLANS;

20 (3) UNDERTAKE REVIEW AND APPROVAL OF DISTRICT
21 COASTAL MANAGEMENT PLANS IN ACCORDANCE WITH THIS CHAPTER;

22 (4) INITIATE A PROCESS FOR IDENTIFYING AND MANAGING
23 USES OF STATE CONCERN WITHIN SPECIFIC AREAS OF THE COAST;

24 (5) DEVELOP PROCEDURES OR GUIDELINES FOR
25 CONSULTATION AND COORDINATION WITH FEDERAL AGENCIES
26 MANAGING LAND OR CONDUCTING ACTIVITIES POTENTIALLY
27 AFFECTING THE COASTAL AREA OF THE STATE;

28 (6) BY REGULATION,] establish a consistency review and
29 determination or certification process that conforms to the requirements of
30 AS 46.40.096.

31 * Sec. 11. AS 46.40.040 is amended by adding new subsections to read:

1 (d) Except as provided in AS 41.17, the board shall

2 (1) develop and maintain a program of technical and financial
3 assistance to aid coastal resource districts in the development and implementation of
4 district coastal management plans;

5 (2) undertake review of and, after public hearing, approve district
6 coastal management plans in accordance with this chapter;

7 (3) initiate a process for identifying and managing uses of state
8 concern within specific areas of the coast;

9 (4) develop procedures or guidelines for consultation and coordination
10 with federal agencies managing land or conducting activities potentially affecting the
11 coastal area of the state;

12 (e) Regulations adopted by the department under this section for district plan
13 criteria may not require designation of areas as a precondition for the establishment of
14 a coastal resource district enforceable policy.

15 * **Sec. 12.** AS 46.40.050(b) is amended to read:

16 (b) Within 30 months after certification of the organization of a new coastal
17 resource district, the coastal resource district shall complete and submit to the board
18 [DEPARTMENT] a proposed district coastal management plan. If, after receipt of a
19 written request for extension from the coastal resource district, the board
20 [DEPARTMENT] considers an extension proper, the board [DEPARTMENT] may
21 grant an extension to a date that is within 54 months after certification of the results of
22 the coastal resource district's organization. A request under this subsection must
23 include the reasons for the extension.

24 * **Sec. 13.** AS 46.40.060 is repealed and reenacted to read:

25 **Sec. 46.40.060. Review and approval.** (a) A coastal resource district shall
26 submit its district coastal management plan for review by the department. The division
27 in the department responsible for coastal and ocean management shall attempt to reach
28 a consensus with a coastal resource district concerning any changes required to
29 comply with the district plan criteria approved by the department and the board.

30 (b) If a consensus between the division and the coastal resource district is
31 reached, the division shall forward a recommendation to the commissioner, and the

1 commissioner shall submit the recommendation to the board.

2 (c) If a consensus between the division and the coastal resource district is not
3 reached, the division shall forward a recommendation to the commissioner with an
4 explanation of the reasons for its recommendation and, if applicable, offer
5 recommended changes to the district coastal management plan that would meet the
6 district plan criteria. The coastal resource district may request that the commissioner
7 reconsider the division's recommendation before the commissioner submits the
8 recommendation to the board.

9 (d) If, after receiving the commissioner's recommendation, the board finds that
10 the district coastal management plan meets the provisions of this chapter and the
11 district plan criteria adopted by the department, the board may approve the district
12 coastal management plan or may approve portions of the district coastal management
13 plan that meet those requirements.

14 (e) If the board finds that a district coastal management plan is not approvable
15 or is approvable only in part under (d) of this section, the board shall direct the
16 department to meet with officials of the coastal resource district to resolve differences.
17 If requested by a coastal resource district, the board shall direct that deficiencies in the
18 district coastal management plan submitted by the coastal resource district be resolved
19 through mediation conducted by a neutral third party. During mediation, the board
20 may call for one or more public hearings in the district.

21 (f) If, after mediation, the differences have not been resolved and mutually
22 agreed to by the coastal resource district and the board, the board shall enter findings
23 and, by order, may require

24 (1) that the district coastal management plan be amended to satisfy the
25 provisions of this chapter or meet the statewide standards and district plan criteria
26 approved by the board;

27 (2) that the district coastal management plan be revised to
28 accommodate a use of state concern; or

29 (3) any other action be taken by the coastal resource district, as
30 appropriate.

31 (g) An order of the board entered under (f) of this section is a final

1 administrative order that the coastal resource district may appeal to the superior court
2 under AS 44.62 (Administrative Procedure Act). The attorney general, at the request
3 of the board, may file an action in superior court to enforce an order issued under (f)
4 of this section.

5 * **Sec. 14.** AS 46.40.070 is repealed and reenacted to read:

6 **Sec. 46.40.070. Requirements for board review and approval.** (a) The board
7 shall approve a district coastal management plan submitted for review and approval if
8 the

9 (1) district coastal management plan meets the requirements of this
10 chapter and the district plan criteria adopted by the department; and

11 (2) enforceable policies of the district coastal management plan

12 (A) do not duplicate, restate, or incorporate by reference state
13 or federal statutes or regulations;

14 (B) are not preempted by federal or state law; and

15 (C) do not arbitrarily or unreasonably restrict a use of state
16 concern.

17 (b) In (a)(2)(B) of this section, an enforceable policy of the district coastal
18 management plan is preempted by

19 (1) federal statutes or regulations when the United States Congress
20 expressly declares that local law or regulation is preempted if the United States
21 Congress demonstrates the intent to occupy the field exclusively or if there is an actual
22 conflict between federal and local law or regulation;

23 (2) state law if it is prohibited by express legislative direction or direct
24 conflict with a state statute or regulation, or where a local law or regulation
25 substantially interferes with the effective functioning of a state statute or regulation or
26 the underlying purposes of a state statute or regulation.

27 * **Sec. 15.** AS 46.40.096(a) is amended to read:

28 (a) The department shall, by regulation approved by the board, establish a
29 consistency review and determination process that conforms to the requirements of
30 this section.

31 * **Sec. 16.** AS 46.40.096(d) is amended to read:

1 (d) In preparing a consistency review and determination for a proposed
2 project, the reviewing entity shall

3 (1) request consistency review comments for the proposed project
4 from state resource agencies, affected coastal resource districts, and other interested
5 parties as determined by regulation adopted by the department;

6 (2) prepare proposed consistency determinations;

7 (3) coordinate elevations [SUBSEQUENT REVIEWS] of proposed
8 consistency determinations prepared under (2) of this subsection; an elevation [A
9 SUBSEQUENT REVIEW] of a proposed consistency determination under this
10 paragraph

11 (A) is limited to a review by state resource agencies [THE
12 DEPARTMENT];

13 (B) may occur only if requested by

14 (i) the project applicant;

15 (ii) a state resource agency; or

16 (iii) an affected coastal resource district; and

17 (C) shall be completed by the resource agencies
18 [DEPARTMENT] within 45 days after the initial request for subsequent
19 review under this paragraph;

20 (4) render the final consistency determination and certification.

21 * Sec. 17. AS 46.40.096(g) is amended to read:

22 (g) The reviewing entity shall exclude from the consistency review and
23 determination process for a project

24 (1) an aspect of an activity that

25 [(A)] is specifically authorized under a general or nationwide
26 permit that has previously been determined to be consistent with the Alaska
27 coastal management program; [OR

28 (B) IS SUBJECT TO AUTHORIZATION BY THE
29 DEPARTMENT OF ENVIRONMENTAL CONSERVATION UNDER THE
30 REQUIREMENTS DESCRIBED IN AS 46.40.040(b);]

31 (2) activities excluded from a consistency review under AS 41.17; and

1 (3) the issuance of an authorization or permit issued by the Alaska Oil
2 and Gas Conservation Commission.

3 * **Sec. 18.** AS 46.40.096(k) is amended to read:

4 (k) Except as provided in (g) of this section, AS 41.17, [AS 46.40.040(b),] and
5 AS 46.40.094, the scope of a consistency review of a project, once triggered under (j)
6 of this section, is limited to activities that are located within the areas described in (l)
7 of this section and that either are subject to a state resource agency permit, lease,
8 authorization, approval, or certification or are the subject of a coastal resource district
9 enforceable policy approved by the board [DEPARTMENT] under this chapter. The
10 scope of a consistency review subject to 16 U.S.C. 1456 is determined under 16
11 U.S.C. 1456 and 15 C.F.R. Part 930.

12 * **Sec. 19.** AS 46.40.096(l) is amended to read:

13 (l) The regulations adopted under (a) of this section apply, as authorized by 16
14 U.S.C. 1456(c), to

15 (1) activities within the coastal zone; and

16 (2) activities on federal land, including the federal outer continental
17 shelf, that would affect any land or water use or natural resource of the state's coastal
18 zone; for purposes of this paragraph, those activities consist of any activity on the
19 federal outer continental shelf, including seismic survey activity, and any activity on
20 federal land that are within the geographic boundaries of the state's coastal zone
21 notwithstanding the exclusion of federal land in 16 U.S.C. 1453(1).

22 * **Sec. 20.** AS 46.40.096(m) is amended to read:

23 (m) As part of the regulations adopted under (a) of this section, the department
24 shall establish a list of permits, certifications, leases, approvals, and authorizations
25 issued by a state resource or federal agency that will trigger a consistency review
26 under (j) of this section. In addition, the department shall establish in regulation
27 categories and descriptions of uses and activities that, for purposes of evaluating
28 consistency with the Alaska coastal management program, are determined to be
29 categorically consistent or generally consistent after the inclusion of standard
30 alternative measures. These categories of uses and activities must be as broad as
31 possible so as to minimize the number of routine projects that must undergo an

1 individualized consistency review under this section.

2 * **Sec. 21.** AS 46.40.096(o) is amended to read:

3 (o) The time limitations in (n) of this section

4 (1) do not apply to a consistency review involving

5 **(A) the disposal of an interest in state land or resources;**

6 **(B) an activity proposed by a federal agency; or**

7 **(C) an activity permitted by a federal agency;**

8 (2) are suspended

9 (A) from the time **a review schedule is modified in response**
10 **to [THE REVIEWING ENTITY DETERMINES THAT THE APPLICANT**
11 **HAS NOT ADEQUATELY RESPONDED IN WRITING WITHIN 14 DAYS**
12 **AFTER THE RECEIPT OF]** a written request from the reviewing entity for
13 additional information, until the time the reviewing entity determines that the
14 applicant has provided an adequate written response;

15 (B) during a period of time requested by the applicant;

16 (C) during the period of time a consistency review is
17 undergoing a subsequent review under (d)(3) of this section;

18 **(D) for 30 days if requested by an affected coastal resource**
19 **district exercising authority under AS 29 to accommodate the**
20 **adjudication process of an authorization issued by a coastal resource**
21 **district pending the results of the adjudication.**

22 * **Sec. 22.** AS 46.40.096(q)(1) is amended to read:

23 (1) "affected coastal resource district" means a coastal resource district
24 **with a publicly reviewed draft or approved plan** in which a project is proposed to
25 be located or **that** [WHICH] may experience a direct and significant impact from a
26 proposed project;

27 * **Sec. 23.** AS 46.40.096 is amended by adding new subsections to read:

28 (r) Notwithstanding any provision of this section, for federal agency activities
29 defined in 15 C.F.R. 930.31, including Outer Continental Shelf lease sales and
30 development projects, the department shall conduct a full consistency review and
31 provide its consistency response with respect to proposed uses or activities involved in

1 the project regardless of whether an earlier consistency review for a similar project has
2 been completed.

3 (s) Regulations adopted by the department under this section may not require
4 that a draft permit be prepared before the initiation of the consistency review.

5 * Sec. 24. AS 46.40.100(b) is amended to read:

6 (b) A party that is authorized under (g) of this section may file a petition
7 showing that a district coastal management plan is not being implemented. A petition
8 filed under this subsection may not seek review of a proposed or final consistency
9 determination regarding a specific project. On receipt of a petition, the **board**
10 [DEPARTMENT], after giving public notice in the manner required by (f) of this
11 section, shall convene a hearing to consider the matter. A hearing called under this
12 subsection shall be held in accordance with regulations adopted under this chapter.
13 After the hearing, the **board** [DEPARTMENT] may order that the coastal resource
14 district or a state resource agency take any action with respect to future
15 implementation of the district coastal management plan that the **board**
16 [DEPARTMENT] considers necessary, except that the **board** [DEPARTMENT] may
17 not order that the coastal resource district or a state agency take any action with
18 respect to a proposed or final consistency determination that has been issued.

19 * Sec. 25. AS 46.40.100(c) is amended to read:

20 (c) In determining whether an approved district coastal management plan is
21 being implemented by a coastal resource district that exercises zoning authority or
22 controls on the use of resources within the coastal area or by a state resource agency,
23 the **board** [DEPARTMENT] shall find in favor of the district or the state resource
24 agency, unless the **board** [DEPARTMENT] finds a pattern of nonimplementation.

25 * Sec. 26. AS 46.40.100(e) is amended to read:

26 (e) The superior courts of the state have jurisdiction to enforce lawful orders
27 of the **board and the** department under this chapter.

28 * Sec. 27. AS 46.40.100(f) is amended to read:

29 (f) Upon receipt of a petition under (b) of this section, the **board**
30 [DEPARTMENT] shall give notice of the hearing at least 10 days before the
31 scheduled date of the hearing. The notice must

1 (1) contain sufficient information in commonly understood terms to
2 inform the public of the nature of the petition; and

3 (2) indicate the manner in which the public may comment on the
4 petition.

5 * Sec. 28. AS 46.40.100(h) is amended to read:

6 (h) If the board [DEPARTMENT] finds a pattern of nonimplementation
7 under (c) of this section, the board [DEPARTMENT] may order a coastal resource
8 district or a state resource agency to take action with respect to future implementation
9 of the district coastal management plan that the board [DEPARTMENT] considers
10 necessary to implement the district coastal management plan. The board's
11 [DEPARTMENT'S] determination under (c) of this section and any order issued under
12 this subsection shall be considered a final administrative order for purposes of judicial
13 review under AS 44.62.560.

14 * Sec. 29. AS 46.40.180(b) is amended to read:

15 (b) If a city or village within a coastal resource service area fails to approve a
16 portion of the district coastal management plan prepared and submitted for approval
17 under (a) of this section, the governing body shall advise the coastal resource service
18 area board of its objections to the proposed plan and suggest alternative elements or
19 components for inclusion in the district coastal management plan. New matter
20 submitted by a city or village that meets the [STATEWIDE STANDARDS AND]
21 district plan criteria adopted under this chapter may [SHALL] be accepted by the
22 district and the district coastal management plan modified accordingly. If a city or
23 village fails to provide objections and suggested alternatives within the time limits
24 established in this section, the coastal resource service area board may adopt the
25 district coastal management plan as initially offered.

26 * Sec. 30. AS 46.40.190(b) is amended to read:

27 (b) This chapter does not restrict or prohibit cooperative or joint
28 administration of functions between a municipality and a coastal resource service area
29 organized under the provisions of this chapter upon initiation of a mutual agreement
30 for the purpose. [A CITY THAT ELECTS TO BE EXCLUDED FROM AN
31 ADJACENT COASTAL RESOURCE SERVICE AREA UNDER (a) OF THIS

1 SECTION SHALL ENTER INTO A MUTUAL AGREEMENT FOR
 2 COOPERATIVE OR JOINT ADMINISTRATION OF FUNCTIONS WITH THE
 3 COASTAL RESOURCE SERVICE AREA BOARD FROM THE ADJACENT
 4 COASTAL RESOURCE SERVICE AREA.]

5 * Sec. 31. AS 46.40.210(2) is amended to read:

6 (2) "coastal resource district" means each of the following that
 7 contains a portion of the coastal area of the state:

8 (A) unified municipalities;

9 (B) organized boroughs of any class that exercise planning and
 10 zoning authority;

11 (C) home rule and first class cities of the unorganized borough
 12 [OR WITHIN BOROUGHES THAT DO NOT EXERCISE PLANNING AND
 13 ZONING AUTHORITY];

14 (D) second class cities of the unorganized borough [, OR
 15 WITHIN BOROUGHES THAT DO NOT EXERCISE PLANNING AND
 16 ZONING AUTHORITY,] that have established a planning commission, and
 17 that, in the opinion of the commissioner of commerce, community, and
 18 economic development, have the capability of preparing and implementing a
 19 comprehensive district coastal management plan under AS 46.40.030;

20 (E) coastal resource service areas established and organized
 21 under AS 29.03.020 and AS 46.40.110 - 46.40.180;

22 * Sec. 32. AS 46.40.210(4) is amended to read:

23 (4) "coastal zone" means the coastal water including land within and
 24 under that water, and adjacent shoreland, including the water within and under that
 25 shoreland, within the boundaries approved by the former Alaska Coastal Policy
 26 Council and by the United States Secretary of Commerce under 16 U.S.C. 1451 - 1465
 27 (Coastal Zone Management Act of 1972, as amended); "coastal zone" includes areas
 28 added as a result of any boundary changes approved by the board [DEPARTMENT]
 29 and by the United States Secretary of Commerce under 16 U.S.C. 1451 - 1465;
 30 "coastal zone" does not include

31 (A) those lands excluded under 16 U.S.C. 1453(1); or

1 (B) areas deleted as a result of any boundary changes by the
2 **board** [DEPARTMENT] in conformance with 16 U.S.C. 1451 - 1465;

3 * Sec. 33. AS 46.40.210(7) is amended to read:

4 (7) "district coastal management plan" means a plan developed by a
5 coastal resource district, including enforceable policies of that plan, setting out
6 policies and standards to guide public and private uses of land and water within that
7 district and approved by the **board** [DEPARTMENT] as meeting the requirements of
8 this chapter and the regulations adopted under this chapter;

9 * Sec. 34. AS 46.40.210(8) is amended to read:

10 (8) "enforceable policy" means a policy established by this chapter or
11 approved by the **board** [DEPARTMENT] as a legally binding policy of the Alaska
12 coastal management program applicable to public and private activities;

13 * Sec. 35. AS 46.40.210(9) is amended to read:

14 (9) "project" means all activities that will be part of a proposed
15 development **and includes all federal agency activities as defined in 15 C.F.R.**
16 **930.31, including lease sales and development projects affecting a coastal use or**
17 **resource, and proposed rules that alter uses of the coastal zone;**

18 * Sec. 36. AS 46.40.210 is amended by adding a new paragraph to read:

19 (13) "board" has the meaning given in AS 46.39.900;

20 * Sec. 37. AS 46.40.040(b), 46.40.040(c), 46.40.050(a), 46.40.096(i), and 46.40.205 are
21 repealed.

22 * Sec. 38. Sections 1 - 13 and 18, ch. 31, SLA 2005, are repealed.

23 * Sec. 39. Section 22, ch. 31, SLA 2005, is repealed.

SENATE FINANCE COMMITTEE REPORT First Committee of Referral

DATE: 2/2/09

FURTHER:

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 2/3/09

Finance Committee considered SENATE RESOLUTION NO. 4

SR 4 FEDERAL ECONOMIC STIMULUS PACKAGE

Relating to the federal stimulus package.

and recommends:

- be replaced with SCS or CS SR4 (FIN)
- adopt previous SCS or CS _____ (____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input checked="" type="checkbox"/> Same Title	
<input type="checkbox"/> New Title	
<hr/>	
HOUSE BILL:	
<input type="checkbox"/> Same Title	
<input type="checkbox"/> Technical Title Change	
<input type="checkbox"/> New Title w/ SCR # _____	

NEW FISCAL NOTE(S):

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet	Zero	FN#
SFIN-all	2/2/09			✓	

Department	Date	Fiscal	Indet	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Elton	✓			
	Nuggetus	X			
	Thomas	✓			
	O'CONNOR			✓	
	ELLIS	✓			
CO-CHAIR:	STEPMAN	✓			

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SR4
 () Publish Date: _____

Title: SR 4-FEDERAL ECONOMIC STIMULUS PACKAGE
 Dept. Affected: All Departments
 RDU: _____
 Component: _____
 Sponsor: Senate Finance Committee
 Requester: Senate Finance Committee Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES							
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 Interagency Receipts							
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Senate Finance Committee Date/Time 2/2/2009
 Approved by: Senator Bert Stedman, Co-Chair Phone 465-3873
Senator Lyman Hoffman, Co-Chair Phone 465-4453

Adopted

2/3/09

26-LS0480E
Bannister
2/2/09

CS FOR SENATE RESOLUTION NO. 4(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): SENATE FINANCE COMMITTEE

A RESOLUTION

1 **Relating to the federal stimulus package.**

2 **BE IT RESOLVED BY THE SENATE:**

3 **WHEREAS** the economy of the United States is experiencing a recession that is
4 causing significant loss of employment and income for many American families; and

5 **WHEREAS** significant financial hardship is also occurring in Alaska and is
6 exacerbated by the current price of oil and the continuing high cost of other types of energy;
7 and

8 **WHEREAS** the loss of income in the state has made it difficult for many families in
9 the state to afford the necessities of life, including fuel, food, and health care; and

10 **WHEREAS** the federal government is considering a stimulus package to alleviate the
11 dire consequences of the nation's economic downturn; and

12 **WHEREAS** the proposed federal stimulus package emphasizes the need for each state
13 to boost its local economies through the initiation of a wide range of projects, including
14 projects involving transportation facilities, school construction, health care services, and
15 energy resources, and these projects will temporarily provide employment to workers to help
16 them and their families weather the current economic hardships; and

1 **WHEREAS** to accomplish that purpose, the United States Congress is relying on
2 existing formulas and grant programs to allocate funds to the states, and President Obama and
3 the leadership of both parties in the United States Congress have indicated that specific
4 projects will not be included in the economic stimulus package;

5 **BE IT RESOLVED** that the Senate desires a comprehensive federal stimulus package
6 that allocates to Alaska the state's fair share of funding so that the citizens of all regions of the
7 state will benefit and that includes a provision entitling Alaska to receive an outer continental
8 shelf revenue share that is commensurate with the share provided for the gulf-producing
9 states; and be it

10 **FURTHER RESOLVED** by the Senate that Alaska's participation in the federal
11 stimulus package should recognize the breadth of the state's economy by stimulating a variety
12 of the segments of the state's economy, including transportation, energy, education, health
13 care, nutrition, the environment, information technology, and other areas.

14 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
15 the United States; and the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S.
16 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
17 delegation in Congress.

2/3/09



Sharing capitol ideas.

The Council of State Governments

President: Governor Joe Manchin III, W.Va.
Chairman: Senator Bart Davis, Idaho
Executive Director: CEO David Adkins

January 26, 2009

The Honorable Harry M. Reid
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, D.C. 20510

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable John Boehner
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Senator Reid, Senator McConnell, Speaker Pelosi and Representative Boehner:

The Council of State Governments (CSG), the only national association representing all three branches of state government, urges Congress and the Administration to engage state leaders in the development and implementation of a national economic recovery plan. CSG believes that any recovery package should include investments in programs critical to state economies, including infrastructure, education, and a temporary increase in the federal matching rate for Medicaid, while promoting state flexibility in program implementation.

While there remain differences of opinion among state leaders over the ideal scale and scope of an economic recovery package, CSG believes these investments are essential for meeting immediate economic needs while also addressing a mounting crisis in state finances that, if left unchecked, could lead to substantial reductions in critical state services. CSG also urges Congress and the Administration to avoid including restrictive provisions, such as strict maintenance of effort requirements, which limit the ability of state leaders to act quickly to meet individual states' economic conditions and to meet each state's unique needs.

In addition, CSG encourages Congress and the Administration to quickly reauthorize the State Children's Health Insurance Program (SCHIP). Improving health care access for our neediest citizens is a vital complement to any bipartisan recovery package. State flexibility has always been a hallmark of SCHIP and has contributed to its broad support. Flexibility to meet individual state circumstances should be maintained.

The Council of State Governments

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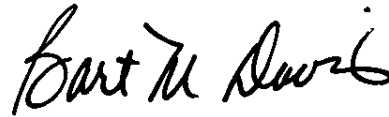
CSG Economic Recovery Letter
January 26, 2009
Page 2 of 2

We look forward to working with you to address these critical policy priorities.

Sincerely,



Governor Joe Manchin III
CSG President



Senator Bart Davis
CSG Chair



Governor M. Michael Rounds
CSG President-Elect



Senate President David Williams
CSG Chair-Elect

2/13/09

Estimated Federal Fiscal Assistance Provided to States Through a Temporary Increase in the Federal Medicaid Matching Rate under House and Senate Proposals (In \$ Thousands)		
State	House Plan	Senate Plan
NATION	\$82,517,022	\$79,446,742
Alabama	\$783,265	\$759,277
Alaska	\$246,321	\$242,129
Arizona	\$1,879,792	\$1,795,617
Arkansas	\$614,862	\$618,604
California	\$11,069,212	\$10,578,074
Colorado	\$855,635	\$819,076
Connecticut	\$1,207,187	\$1,146,290
Delaware	\$314,145	\$298,299
Dist. Of Col.	\$288,235	\$278,817
Florida	\$4,255,079	\$4,099,915
Georgia	\$1,637,428	\$1,562,483
Hawaii	\$340,182	\$328,089
Idaho	\$276,859	\$265,741
Illinois	\$2,879,048	\$2,732,969
Indiana	\$1,201,609	\$1,161,650
Iowa	\$441,529	\$472,221
Kansas	\$388,522	\$385,726
Kentucky	\$922,150	\$898,938
Louisiana	\$1,552,118	\$1,522,311
Maine	\$434,414	\$421,977
Maryland	\$1,406,488	\$1,329,554
Massachusetts	\$2,636,552	\$2,562,712
Michigan	\$2,229,262	\$2,127,367
Minnesota	\$1,892,174	\$1,811,245
Mississippi	\$697,470	\$695,609
Missouri	\$1,494,639	\$1,439,714
Montana	\$174,078	\$170,084
Nebraska	\$243,783	\$252,804
Nevada	\$440,910	\$425,201
New Hampshire	\$231,664	\$224,197
New Jersey	\$2,135,147	\$2,036,014
New Mexico	\$528,486	\$539,927
New York	\$12,451,995	\$11,919,728
North Carolina	\$2,267,040	\$2,168,788
North Dakota	\$90,469	\$94,809
Ohio	\$2,826,874	\$2,720,651
Oklahoma	\$860,029	\$849,012
Oregon	\$802,571	\$764,437
Pennsylvania	\$3,974,892	\$3,801,981
Rhode Island	\$454,129	\$434,368
South Carolina	\$732,477	\$710,197
South Dakota	\$96,661	\$100,628
Tennessee	\$1,480,539	\$1,431,390
Texas	\$5,115,199	\$5,009,514
Utah	\$293,457	\$292,389
Vermont	\$254,147	\$245,275
Virginia	\$1,423,220	\$1,366,312
Washington	\$1,985,585	\$1,903,365
West Virginia	\$382,299	\$394,903
Wisconsin	\$1,093,433	\$1,059,561
Wyoming	\$102,277	\$99,758
American Samoa	\$2,648	\$2,269
Guam	\$4,574	\$3,336
N. Mariana Islands	\$1,622	\$1,244
Puerto Rico	\$120,035	\$67,220
Virgin Islands	\$2,603	\$2,975

Estimates by the Center on Budget and Policy Priorities, based on Medicaid spending estimates for FY 2009 and FY 2010 as reported by states in November 2008; Bureau of Labor Statistics Local Area Unemployment Statistics; and state unemployment rate forecasts by Moody's Economy.com assuming enactment of economic recovery package. Estimates differ from the CBO estimate of aggregate spending because they do not include the effects of applying the FMAP increase to IV-E payments and may use differing projections of state unemployment. The amount of federal Medicaid funding increases provided to states may differ based on actual unemployment rate increases in individual states over time.

CR 4: Distributed by Senator Stedman's office

2/3/09

Estimated State Allocations of Selected Proposed House Stimulus Funds

(\$ in thousands)

State	Fiscal Suballocations*	Title I Education	Special Education	Construction**	5-12	Child Care	Byrne	WIA-Adult	WIA-Youth	Dislocated Workers	Highways	Chase	Drinking Water	Wastewater	Energy	Medicaid FMAP	Medicaid FMAP -4.9% FMAP**	Total		
Alabama	952,667	\$20,633	\$20,119	\$15,587	\$18,745	\$41,937	\$7,719	\$13,772	\$7,719	\$13,772	\$15,974	\$67,943	\$20,000	\$83,633	\$33,297	\$0	\$186,519	\$200,831	\$2,984,763	
Alaska	149,887	25,215	41,129	4,854	3,890	15,177	1,853	4,485	5,274	23,357	36,365	34,517	20,000	34,517	54,886	0	0	56,680	799,415	3,930,680
Arizona	1,327,273	257,215	207,417	19,766	276,882	51,500	57,539	8,549	20,218	8,549	586,639	41,039	56,700	57,735	49,076	400,162	0	39,216	430,282	2,000,433
Arkansas	584,193	135,304	177,879	145,649	13,900	35,228	5,694	13,749	11,385	370,356	39,747	25,114	60,894	41,617	175,630	0	6,163	186,802	2,000,433	
California	7,850,720	1,596,790	1,398,073	1,231,984	1,721,026	236,251	91,163	251,357	173,525	141,703	2,727,575	434,559	163,085	215,380	227,700	0	9,007,018	2,050,055	21,331,714	
Colorado	715,378	109,428	151,583	8,448	118,225	13,507	12,321	31,908	9,786	7,664	391,410	74,656	36,000	78,265	50,450	0	0	218,626	245,773	2,271,206
Connecticut	172,253	36,160	30,620	2,781	38,924	4,241	18,213	1,247	2,993	1,564	120,871	29,629	20,000	16,031	25,194	0	6,227	66,993	663,827	
DC	3,558,708	610,880	712,871	46,988	657,252	112,022	185,312	151,112	33,833	26,457	1,461,894	203,100	90,332	138,144	117,096	0	232,114	693,090	747,222	9,884,220
Delaware	2,024,940	420,633	364,626	32,358	452,817	80,867	27,699	11,004	36,664	20,192	1,046,033	102,233	35,180	121,227	35,479	0	357,609	384,322	5,092,061	
Florida	322,444	44,079	61,882	3,371	41,449	4,976	18,185	1,247	3,020	1,698	216,605	29,829	20,000	41,788	26,894	0	6,433	62,312	66,985	995,109
Illinois	2,709,681	516,906	577,689	42,993	601,641	74,998	48,291	119,719	22,122	54,382	1,001,320	274,801	81,577	342,726	142,910	0	17,866	525,774	564,670	7,799,232
Indiana	1,326,536	231,425	297,548	17,802	242,720	15,883	21,234	10,544	26,981	19,806	1,664,433	216,447	22,000	163,409	82,154	0	0	298,168	330,330	4,068,266
Iowa	623,296	68,968	139,184	5,205	62,422	18,229	4,967	3,595	4,967	3,595	351,066	82,235	24,915	116,100	45,487	0	14,982	135,813	1,906,262	
Kansas	598,778	69,956	121,620	6,818	87,863	12,766	30,329	2,033	18,715	22,663	420,419	74,135	20,000	20,000	126,443	0	12,600	126,443	1,714,821	
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746	12,746	132,546	15,244	18,334	18,334	18,334	18,334	457,275	74,135	20,000	20,000	126,443	0	0	221,886	261,886	3,142,511
Kentucky	823,260	126,546	172,746																	