

HB 72 /

HB 73

OPERATING

BUDGET

CONFERENCE

COMMITTEE

<TARGET><BILL>HB 72</BILL><SUBJECT>HB 72-HB 73 OPERATING
BUDGET CONFERENCE
COMMITTEE</SUBJECT><COMM>HFIN29</COMM></TARGET>

Received in the House: 4/26/15 1:49 am
(Date/Time)

Received in the Senate: 4/26/2015 1:57 P.M.
(Date/Time)

CONFERENCE COMMITTEE REPORT

Date: 4/25/2015
(Reported from Committee)

MR. SPEAKER: MR. PRESIDENT:

THE CONFERENCE COMMITTEE [] *without limited powers* OR [] *with limited powers* of free conference
CONSIDERING:

•House Version

CS FOR HOUSE BILL NO. 73(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."

HB 73 APPROP: MENTAL HEALTH BUDGET

and

•Senate Version

SENATE CS FOR CS FOR HOUSE BILL NO. 73(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."


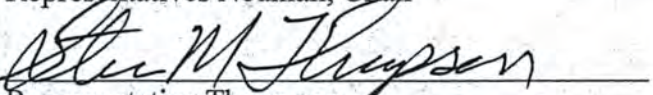
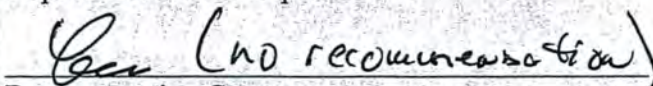
HB 73 APPROP: MENTAL HEALTH BUDGET

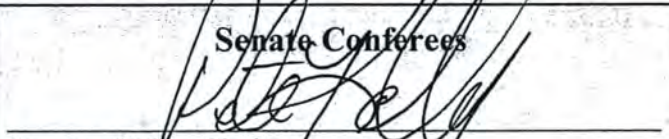
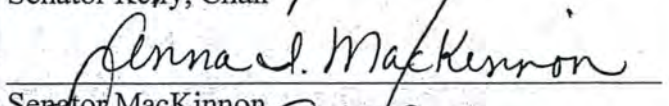

Recommends (*one of the following*):

[] CCS HB73 be adopted. Same Title as: [] House Version [] Senate Version or
[] New Title (tech) or [] New Title: HCR No. _____
SCR No. _____

[] House Version *or* [] Senate Version be adopted.

Attaches: [] Fiscal Note Packet [] _____ Letter of Intent [] Other _____

House Conferees
 Representatives Neuman, Chair
 Representative Thompson
 Representative Gara

Senate Conferees
 Senator Kelly, Chair
 Senator MacKinnon
 Senator Olson

Return Conference Bill and Attachments to the Chief Clerk's Office.

CONFERENCE CS FOR HOUSE BILL NO. 73

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY THE CONFERENCE COMMITTEE

Offered: 4/26/15

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 capital expenses of the state's
2 integrated comprehensive mental health program; and providing for an effective date."

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

4 (SECTION 1 OF THIS ACT BEGINS ON PAGE 2)

1 * **Section 1.** The following appropriation items are for operating expenditures from the
 2 general fund or other funds as set out in section 2 of this Act to the agencies named for the
 3 purposes expressed for the fiscal year beginning July 1, 2015 and ending June 30, 2016,
 4 unless otherwise indicated. A department-wide, agency-wide, or branch-wide unallocated
 5 reduction set out in this section may be allocated among the appropriations made in this
 6 section to that department, agency, or branch.

	Appropriation	General	Other
	Allocations	Items	Funds
	*****	*****	*****
***** Department of Administration *****			
	*****	*****	*****

12 At the discretion of the Commissioner of the Department of Administration, up to \$750,000
 13 may be transferred between appropriations within the Department of Administration.
 14 It is the intent of the legislature that the Department of Administration document the cost
 15 drivers of the services being provided to other departments and establish a method linking
 16 cost drivers to rates charged other departments for Department of Administration services.
 17 The Department shall submit such method with supporting data by December 1, 2015 for use
 18 by the legislature in its deliberations for FY17 and beyond.

19 Legal and Advocacy Services	2,222,100	2,068,300	153,800
20 Office of Public Advocacy	1,905,900		
21 Public Defender Agency	316,200		
22	*****	*****	*****

23 ***** **Department of Corrections** *****
 24 ***** *****

25 Health and Rehabilitation Services	8,134,700	7,632,500	502,200
26 Behavioral Health Care	6,523,200		
27 Substance Abuse Treatment	1,611,500		
28 Program			
29	*****	*****	*****

30 ***** **Department of Education and Early Development** *****
 31 ***** *****

		Appropriation	General	Other
	Allocations	Items	Funds	Funds
3	Teaching and Learning Support	477,800	377,800	100,000
4	Student and School	477,800		
5	Achievement			
6		*****	*****	
7	*****	Department of Health and Social Services		*****
8		*****	*****	
9	Alaska Pioneer Homes	15,791,200	15,791,200	
10	It is the intent of the legislature that reductions to the Juneau Pioneer Home be taken from the			
11	contractual line rather than from the personal services line to ensure that staffing levels for			
12	direct care are sufficient.			
13	Alaska Pioneer Homes	64,200		
14	Management			
15	Pioneer Homes	15,727,000		
16	The amount allocated for Pioneer Homes includes the unexpended and unobligated balance			
17	on June 30, 2015, of the Department of Health and Social Services, Pioneer Homes care and			
18	support receipts under AS 47.55.030.			
19	Behavioral Health	89,099,600	87,360,600	1,739,000
20	Behavioral Health Treatment	62,699,800		
21	and Recovery Grants			
22	Alcohol Safety Action	1,357,100		
23	Program (ASAP)			
24	It is the intent of the legislature that the department draft regulations to maximize the			
25	collection of the cost of the 24/7 program from the participants.			
26	Behavioral Health	5,753,700		
27	Administration			
28	Behavioral Health	4,221,400		
29	Prevention and Early			
30	Intervention Grants			
31	Designated Evaluation and	3,957,700		
32	Treatment			
33	Alaska Psychiatric	6,259,600		

		Appropriation	General	Other
		Allocations	Items	Funds
			Funds	Funds
3	Institute			
4	Alaska Mental Health Board	949,700		
5	and Advisory Board on			
6	Alcohol and Drug Abuse			
7	Suicide Prevention Council	662,500		
8	Residential Child Care	3,238,100		
9	Children's Services		10,105,400	10,065,400
10	Children's Services	69,500		
11	Management			
12	Front Line Social Workers	148,500		
13	Family Preservation	726,000		
14	Foster Care Augmented Rate	500,000		
15	Foster Care Special Need	747,900		
16	Early Childhood Services	7,913,500		
17	Health Care Services		128,400	128,400
18	It is the intent of the legislature that the Division of Health Care Services pursue federal			
19	authority to deny Medicaid travel when services can be provided in local communities.			
20	Residential Licensing	128,400		
21	Juvenile Justice		1,500,400	1,232,000
22	McLaughlin Youth Center	721,200		
23	Fairbanks Youth Facility	114,400		
24	Bethel Youth Facility	63,000		
25	Probation Services	601,800		
26	Public Assistance		13,200	13,200
27	Public Assistance	13,200		
28	Administration			
29	Public Health		1,774,800	1,449,800
30	It is the intent of the legislature that the Division of Public Health evaluate and implement			
31	strategies to maximize collections for billable services where possible.			
32	Health Planning and Systems	801,600		
33	Development			

		Appropriation		General	Other
		Allocations	Items	Funds	Funds
3	Nursing	98,200			
4	Women, Children and Family	865,000			
5	Health				
6	Chronic Disease Prevention	10,000			
7	and Health Promotion				
8	Senior and Disabilities Services		17,926,800	16,208,900	1,717,900
9	Senior and Disabilities	3,371,400			
10	Services Administration				
11	General Relief/Temporary	740,300			
12	Assisted Living				
13	Senior Community Based	4,641,600			
14	Grants				
15	Community Developmental	8,132,300			
16	Disabilities Grants				
17	Commission on Aging	146,400			
18	Governor's Council on	894,800			
19	Disabilities and Special				
20	Education				
21	Departmental Support Services		459,800	459,800	
22	Commissioner's Office	109,800			
23	HSS State Facilities Rent	350,000			
24	Medicaid Services		67,778,400	67,778,400	

25 No money appropriated in this appropriation may be expended for an abortion that is not a
26 mandatory service required under AS 47.07.030(a). The money appropriated for Health and
27 Social Services may be expended only for mandatory services required under Title XIX of the
28 Social Security Act and for optional services offered by the state under the state plan for
29 medical assistance that has been approved by the United States Department of Health and
30 Human Services.

31 No money appropriated in this appropriation may be expended for services to persons who are
32 eligible pursuant to 42 United States Code section 1396a(a)(10)A)(i)(VIII) and whose
33 household modified adjusted gross income is less than or equal to one hundred thirty-three

	Appropriation	General	Other
	Allocations	Funds	Funds
	Items		
1			
2			
3	percent of the federal poverty guidelines.		
4	Behavioral Health Medicaid	67,395,300	
5	Services		
6	Children's Medicaid	383,100	
7	Services		
8	*****	*****	
9	***** Department of Labor and Workforce Development *****		
10	*****	*****	
11	Vocational Rehabilitation	125,000	125,000
12	Special Projects	125,000	
13	*****	*****	
14	***** Department of Law *****		
15	*****	*****	
16	Criminal Division	15,000	15,000
17	Third Judicial District:	15,000	
18	Anchorage		
19	Civil Division	96,800	96,800
20	Human Services	96,800	
21	*****	*****	
22	***** Department of Natural Resources *****		
23	*****	*****	
24	Administration & Support Services	4,321,900	4,321,900
25	Mental Health Trust Lands	4,321,900	
26	Administration		
27	*****	*****	
28	***** Department of Revenue *****		
29	*****	*****	
30	Alaska Mental Health Trust Authority	4,363,600	945,400
31	Mental Health Trust	3,918,200	3,418,200
32	Operations		
33	Long Term Care Ombudsman	445,400	

1		Appropriation		General	Other
2		Allocations	Items	Funds	Funds
3	Office				
4		*****	*****		
5		***** University of Alaska *****			
6		*****	*****		
7	University of Alaska		2,587,700	655,800	1,931,900
8	Anchorage Campus	2,537,700			
9	Fairbanks Campus	50,000			
10		*****	*****		
11		***** Judiciary *****			
12		*****	*****		
13	Alaska Court System		227,000	227,000	
14	Trial Courts	227,000			
15	Therapeutic Courts		3,590,800	2,990,500	600,300
16	Therapeutic Courts	3,590,800			
17		(SECTION 2 OF THIS ACT BEGINS ON THE NEXT PAGE)			

1 * **Sec. 2.** The following sets out the funding by agency for the appropriations made in sec. 1 of
 2 this Act.

3 Funding Source	Amount
4 Department of Administration	
5 1037 General Fund / Mental Health	2,068,300
6 1092 Mental Health Trust Authority Authorized Receipts	153,800
7 *** Total Agency Funding ***	2,222,100
8 Department of Corrections	
9 1037 General Fund / Mental Health	7,632,500
10 1092 Mental Health Trust Authority Authorized Receipts	502,200
11 *** Total Agency Funding ***	8,134,700
12 Department of Education and Early Development	
13 1037 General Fund / Mental Health	377,800
14 1092 Mental Health Trust Authority Authorized Receipts	100,000
15 *** Total Agency Funding ***	477,800
16 Department of Health and Social Services	
17 1037 General Fund / Mental Health	177,363,200
18 1092 Mental Health Trust Authority Authorized Receipts	4,090,300
19 1180 Alcohol and Other Drug Abuse Treatment & Prevention Fund	23,124,500
20 *** Total Agency Funding ***	204,578,000
21 Department of Labor and Workforce Development	
22 1092 Mental Health Trust Authority Authorized Receipts	125,000
23 *** Total Agency Funding ***	125,000
24 Department of Law	
25 1037 General Fund / Mental Health	96,800
26 1092 Mental Health Trust Authority Authorized Receipts	15,000
27 *** Total Agency Funding ***	111,800
28 Department of Natural Resources	
29 1092 Mental Health Trust Authority Authorized Receipts	4,321,900
30 *** Total Agency Funding ***	4,321,900
31 Department of Revenue	

1	1037	General Fund / Mental Health	945,400
2	1094	Mental Health Trust Administration	3,418,200
3		*** Total Agency Funding ***	4,363,600
4		University of Alaska	
5	1037	General Fund / Mental Health	655,800
6	1092	Mental Health Trust Authority Authorized Receipts	1,931,900
7		*** Total Agency Funding ***	2,587,700
8		Judiciary	
9	1037	General Fund / Mental Health	2,699,500
10	1092	Mental Health Trust Authority Authorized Receipts	600,300
11	1180	Alcohol and Other Drug Abuse Treatment & Prevention Fund	518,000
12		*** Total Agency Funding ***	3,817,800
13		***** Total Budget *****	230,740,400

14 (SECTION 3 OF THIS ACT BEGINS ON THE NEXT PAGE)

1 * **Sec. 3.** The following sets out the statewide funding for the appropriations made in sec. 1 of
2 this Act.

3	Funding Source	Amount
4	Unrestricted General	
5	1037 General Fund / Mental Health	191,839,300
6	*** Total Unrestricted General ***	191,839,300
7	Designated General	
8	1180 Alcohol and Other Drug Abuse Treatment & Prevention Fund	23,642,500
9	*** Total Designated General ***	23,642,500
10	Other Non-Duplicated	
11	1092 Mental Health Trust Authority Authorized Receipts	11,840,400
12	1094 Mental Health Trust Administration	3,418,200
13	*** Total Other Non-Duplicated ***	15,258,600

14 (SECTION 4 OF THIS ACT BEGINS ON THE NEXT PAGE)

1 * **Sec. 5.** The following sets out the funding by agency for the appropriations made in sec. 4 of
2 this Act.

3	Funding Source	Amount
4	Department of Health and Social Services	
5	1004 Unrestricted General Fund Receipts	250,000
6	1037 General Fund / Mental Health	500,000
7	1092 Mental Health Trust Authority Authorized Receipts	300,000
8	*** Total Agency Funding ***	1,050,000
9	Department of Revenue	
10	1004 Unrestricted General Fund Receipts	6,000,000
11	1037 General Fund / Mental Health	2,350,000
12	1092 Mental Health Trust Authority Authorized Receipts	850,000
13	*** Total Agency Funding ***	9,200,000
14	Department of Transportation and Public Facilities	
15	1037 General Fund / Mental Health	1,000,000
16	1092 Mental Health Trust Authority Authorized Receipts	300,000
17	*** Total Agency Funding ***	1,300,000
18	***** Total Budget *****	11,550,000

19 (SECTION 6 OF THIS ACT BEGINS ON THE NEXT PAGE)

1 * **Sec. 6.** The following sets out the statewide funding for the appropriations made in sec. 4 of
2 this Act.

3	Funding Source	Amount
4	Unrestricted General	
5	1004 Unrestricted General Fund Receipts	6,250,000
6	1037 General Fund / Mental Health	3,850,000
7	*** Total Unrestricted General ***	10,100,000
8	Other Non-Duplicated	
9	1092 Mental Health Trust Authority Authorized Receipts	1,450,000
10	*** Total Other Non-Duplicated ***	1,450,000

11 (SECTION 7 OF THIS ACT BEGINS ON THE NEXT PAGE)

1 * **Sec. 7. PURPOSE.** In accordance with AS 37.14.003 and 37.14.005, the appropriations
2 made in this Act are for the state's integrated comprehensive mental health program.

3 * **Sec. 8. NONGENERAL FUND RECEIPTS.** (a) Alaska Mental Health Trust Authority
4 authorized receipts (AS 37.14.036) or administration receipts (AS 37.14.036) that exceed the
5 amounts appropriated in this Act are appropriated conditioned on compliance with the
6 program review provisions of AS 37.07.080(h).

7 (b) If Alaska Mental Health Trust Authority authorized receipts (AS 37.14.036) or
8 administration receipts (AS 37.14.036) fall short of the estimates used as the basis of the
9 appropriation, the affected appropriation is reduced by the amount of the shortfall in receipts.

10 * **Sec. 9. MONETARY TERMS OF COLLECTIVE BARGAINING AGREEMENTS.** The
11 monetary terms for the fiscal year ending June 30, 2016, of each of the collective bargaining
12 agreements listed in this section are rejected under AS 23.40.215 unless separate legislation is
13 enacted that contains explicit language approving the monetary terms of that agreement.
14 Money appropriated in sec. 1 of this Act may not be used to implement the monetary terms
15 for the fiscal year ending June 30, 2016, of any of the collective bargaining agreements listed
16 in this section unless separate legislation is enacted that contains explicit language approving
17 the monetary terms of the collective bargaining agreement. This section applies to the
18 collective bargaining agreements negotiated between the state and the following bargaining
19 organizations:

20 (1) Alaska Correctional Officers Association, representing the correctional
21 officers unit;

22 (2) Confidential Employees Association, for the confidential unit;

23 (3) Alaska Public Employees Association, for the supervisory unit;

24 (4) Alaska State Employees Association, for the general government unit;

25 (5) Public Safety Employees Association;

26 (6) Alaska Vocational Technical Center Teachers' Association;

27 (7) Inlandboatmen's Union of the Pacific, Alaska Region, for the unlicensed
28 marine unit;

29 (8) Fairbanks Firefighters Union, IAFF Local 1324;

30 (9) United Academics - American Association of University Professors,
31 American Federation of Teachers;

1 (10) United Academic - Adjuncts - American Association of University
2 Professors, American Federation of Teachers;

3 (11) Alaska Higher Education Crafts and Trades Employees, Local 6070;

4 (12) University of Alaska Federation of Teachers (UAFT);

5 (13) International Organization of Masters, Mates, and Pilots, for the masters,
6 mates, and pilots unit;

7 (14) Marine Engineers' Beneficial Association, representing licensed engineers
8 employed by the Alaska marine highway system.

9 * **Sec. 10.** This Act takes effect July 1, 2015.

①

CONFERENCE COMMITTEE ROLL CALL

✓

DATE: 4.25.15

SUBJECT: Amendment 29.G141780 F.A.17

MEMBER	YEA	NAY
Sen. MacKinnon	✓	
Rep. Gara		✓
Sen. Olson		✓
Rep. Thompson	✓	
Sen. Kelly	✓	
Rep. Neuman	✓	

	YEA	NAY
HOUSE	2	1
SENATE	2	1
PASSED:	X	
FAILED:		

Passed
4/2

29-GH1780\F.A.17
Wallace
4/25/15

AMENDMENT

OFFERED IN CONFERENCE

BY REPRESENTATIVE NEUMAN

TO: SCS CSHB 72(FIN) am S

1 Page 77, lines 5 - 10:

2 Delete all material and insert:

3 "(c) The sum of \$157,000,000 is appropriated from the in-state natural gas pipeline
4 fund (AS 31.25.100) to the public education fund (AS 14.17.300).

5 (d) The amount necessary, after the appropriations made in (c) of this section and in
6 sec. 28(c), ch. 16, SLA 2014, as amended by sec. 30 of this Act, when added to the balance of
7 the public education fund (AS 14.17.300) on June 30, 2015, estimated to be \$950,555,700, to
8 fund the total amount for the fiscal year ending June 30, 2016, of state aid calculated under
9 the public school funding formula under AS 14.17.410(b) multiplied by 0.9859, is
10 appropriated from the general fund to the public education fund (AS 14.17.300).

11 (e) If the amount of the appropriation made in (c) of this section is less than
12 \$157,000,000, the appropriation made in (d) of this section shall be reduced on a dollar-for-
13 dollar basis, equal to the amount of the reduction in (c) of this section."

14

15 Reletter the following subsections accordingly.

16

17 Page 80, line 29, following "Sec. 30.":

18 Insert "PUBLIC EDUCATION FUND."

19

20 Page 80, line 30:

21 Delete "\$1,002,568,100"

22 Insert "\$77,008,600"

23

1 Page 81, line 9:

2 Delete all material.

3

4 Renumber the following bill section accordingly.

5

6 Page 81, line 10:

7 Delete "secs. 33 and 34"

8 Insert "sec. 33"

Public Education Fund Cash Flow			
		Motion	
1	Projected FY15 EoY Balance Before Supplementals	1,249,011.4	
2	Delete FY15 PEF Deposit (sec 28(c) Ch 16, SLA 2014)	(1,202,568.1)	Language 11
3	Insert FY15 PEF Deposit (sec 28(c) Ch 16, SLA 2014)	77,008.6	Language 11
4	BoY FY16 Balance	123,451.9	
5a	<i>Full FY16 Foundation Formula</i>	<i>(1,168,239.5)</i>	
5b	<i>proration</i>	<i>0.98590</i>	
5c	<i>Amount of Reduction</i>	<i>(16,472.2)</i>	
5d	Withdraw for FY16 Foundation Formula	(1,151,767.3)	
6	Withdraw for FY16 Pupil Transportation	(79,240.3)	
7	Total FY16 Expenditure	(1,231,007.6)	
8	Balance before FY 16 Deposit (line 4 - line 7)	(1,107,555.7)	
9	from ASAP (fund code 1229)	157,000.0	Language 6
10	from GF (fund code 1004)	950,555.7	Language 6
11	EoY FY16 Balance	-	

Reducing the FY15 deposit to the Public Education Fund can eliminate the FY15 deficit.
The FY16 deposits on lines 9 and 10 fund K-12 at 98.59% of the full foundation formula in FY16.
End of FY16 balance (line 11) is zero--ends forward funding of K-12 formulas.
The effective date of the FY16 deposit changes from Dec 1 to July 1.

Motion
Language 11
Language 6
Language 6

CONFERENCE COMMITTEE ROLL CALL

2

DATE: 04.25.2015

SUBJECT: Amendment 29-GH1780\F.A.2.

MEMBER	YEA	NAY
Rep. Thompson	✓	
Sen. MacKinnon	✓	
Rep. Gara		✓
Sen. Olson	✓	
Rep. Neuman	✓	
Sen. Kelly	✓	

	YEA	NAY
HOUSE	2	1
SENATE	3	
PASSED:	X	
FAILED:		

Passed
5/1

29-GH1780\F.A.2
Wallace
4/16/15

AMENDMENT

OFFERED IN CONFERENCE

BY REPRESENTATIVE NEUMAN

TO: SCS CSHB 72(FIN) am S

1 Page 1, line 2, following "**appropriations**";:

2 Insert "**making appropriations under art. IX, sec. 17(c), Constitution of the State**
3 **of Alaska, from the constitutional budget reserve fund**;"

4

5 Page 80, following line 31:

6 Insert new bill sections to read:

7 "*** Sec. 31. CONSTITUTIONAL BUDGET RESERVE FUND.** (a) If the unrestricted state
8 revenue available for appropriation in fiscal year 2015 is insufficient to cover the general fund
9 appropriations that take effect in fiscal year 2015, the amount necessary to balance revenue
10 and general fund appropriations is appropriated to the general fund from the budget reserve
11 fund (art. IX, sec. 17, Constitution of the State of Alaska).

12 (b) If the unrestricted state revenue available for appropriation in fiscal year 2016 is
13 insufficient to cover the general fund appropriations that take effect in fiscal year 2016, the
14 amount necessary to balance revenue and general fund appropriations is appropriated to the
15 general fund from the budget reserve fund (art. IX, sec. 17, Constitution of the State of
16 Alaska).

17 (c) The unrestricted interest earned on investment of general fund balances for the
18 fiscal years ending June 30, 2015, and June 30, 2016, is appropriated to the budget reserve
19 fund (art. IX, sec. 17, Constitution of the State of Alaska). The appropriation made in this
20 subsection is intended to compensate the budget reserve fund (art. IX, sec. 17, Constitution of
21 the State of Alaska) for any lost earnings caused by use of the fund's balance to permit
22 expenditure of operating and capital appropriations in the fiscal years ending June 30, 2015,
23 and June 30, 2016, in anticipation of receiving unrestricted general fund revenue.

1 (d) The appropriations made in (a) and (b) of this section are made under art. IX, sec.
2 17(c), Constitution of the State of Alaska.

3 * **Sec. 32.** HIGHER EDUCATION INVESTMENT FUND. If, and only if, the appropriation
4 made in sec. 31(a) of this Act fails to pass upon an affirmative vote of three-fourths of the
5 members of each house of the legislature and the unrestricted state revenue available for
6 appropriation in fiscal year 2015 is insufficient to cover the general fund appropriations that
7 take effect in fiscal year 2015, the amount necessary to balance revenue and general fund
8 appropriations is appropriated from the Alaska higher education investment fund
9 (AS 37.14.750) to the general fund."

10
11 Renumber the following bill sections accordingly.

12
13 Page 81, following line 7:

14 Insert a new bill section to read:

15 "* **Sec. 35.** CONTINGENCY. The appropriation from the Alaska higher education
16 investment fund (AS 37.14.750) made in sec. 32 of this Act is contingent on the failure of the
17 appropriation made in sec. 31(a) of this Act to pass upon an affirmative vote of three-fourths
18 of the members of each house of the legislature."

19
20 Renumber the following bill sections accordingly.

21
22 Page 81, line 8:

23 Delete "Sections 30 and 32"

24 Insert "Sections 30, 31(a), 31(c), and 34"

25
26 Page 81, line 10:

27 Delete "secs. 33 and 34"

28 Insert "secs. 36 and 37"

3

Passed
NO OBJECTION

29-GH1780F.A.7
Wallace
4/16/15

AMENDMENT

OFFERED IN CONFERENCE

BY REPRESENTATIVE NEUMAN

TO: SCS CSHB 72(FIN) am S

1 Page 80, following line 23:

2 Insert new subsections to read:

3 "(c) The amount necessary to pay the first seven ports of call their share of the tax
4 collected under AS 43.52.220 in calendar year 2015 according to AS 43.52.230(b), estimated
5 to be \$15,500,000, is appropriated from the commercial vessel passenger tax account
6 (AS 43.52.230(a)) to the Department of Revenue for payment to the ports of call for the fiscal
7 year ending June 30, 2016.

8 (d) If the amount available for appropriation under (c) of this section is less than
9 \$15,500,000, then the appropriation made in (c) of this section shall be reduced in proportion
10 to the amount of the shortfall."

CONFERENCE COMMITTEE ROLL CALL

DATE: 4.25.2015

SUBJECT: #5 - ~~WEEKS~~ LANGUAGE

MEMBER	YEA	NAY
Sen. Olson		✓
Rep. Thompson	✓	
Sen. MacKinnon	✓	
Rep. Gara		✓
Sen. Kelly	✓	
Rep. Neuman	✓	

	YEA	NAY
HOUSE	2	1
SENATE	2	1

PASSED: X

FAILED: _____

CONFERENCE COMMITTEE ROLL CALL

DATE: 04.25.2015
 SUBJECT: HSS Budget Items

MEMBER	YEA	NAY
Rep. Gara		✓
Sen. Olson		✓
Rep. Thompson	✓	
Sen. MacKinnon	✓	
Rep. Neuman	✓	
Sen. Kelly	✓	

	YEA	NAY
HOUSE	2	1
SENATE	2	1
PASSED:	<u>X</u>	
FAILED:	_____	

CONFERENCE COMMITTEE ROLL CALL

DATE: 4/14/15

SUBJECT: Item 3 (DOA)

MEMBER	YEA	NAY
Rep. Gara		✓
Sen. Olson		✓
Rep. Thompson	✓	
Sen. MacKinnon	✓	
Rep. Neuman	✓	
Sen. Kelly	✓	

	YEA	NAY
HOUSE	2	1
SENATE	2	1
PASSED:	4	✓
FAILED:	2	

CONFERENCE COMMITTEE ROLL CALL

DATE: 4/13/15

SUBJECT: Motion to replace Hem \$ DPS

MEMBER	YEA	NAY
Sen. MacKinnon	✓	
Rep. Gara		✓
Sen. Olson		✓
Rep. Thompson	✓	
Sen. Kelly	✓	
Rep. Neuman	✓	

	YEA	NAY
HOUSE	2	1
SENATE	2	1
PASSED:	4 ✓	
FAILED:	2	

CONFERENCE COMMITTEE ROLL CALL

DATE: 4/14/15
 SUBJECT: DNR item 6

MEMBER	YEA	NAY
Sen. Olson		✓
Rep. Thompson	✓	
Sen. MacKinnon	✓	
Rep. Gara		✓
Sen. Kelly	✓	
Rep. Neuman	✓	

	YEA	NAY
HOUSE	2	1
SENATE	2	1
PASSED:	✓	
FAILED:	_____	

CONFERENCE COMMITTEE ROLL CALL

DATE:

4/14/15

SUBJECT:

Items 13 14 15 16 17 18

MEMBER

YEA

NAY

Rep. Thompson	✓	
Sen. MacKinnon	✓	
Rep. Gara		✓
Sen. Olson		✓
Rep. Neuman	✓	
Sen. Kelly	✓	

YEA

NAY

HOUSE

2

1

SENATE

2

1

PASSED:

✓

FAILED:

CONFERENCE COMMITTEE ROLL CALL

DATE: 4/23/15
 SUBJECT: statewide salary decrement budget
Senate numbers plus \$360,000

MEMBER	YEA	NAY
Sen. MacKinnon	✓	
Rep. Gara		✓
Sen. Olson		✓
Rep. Thompson	✓	
Sen. Kelly	✓	
Rep. Neuman	✓	

	YEA	NAY
HOUSE	2	1
SENATE	2	1

PASSED: 4

FAILED: 2



Official Business

Alaska State Legislature

Conference Committee

DRAFT

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

April __, 2015

The Honorable Kevin Meyer
President
Alaska State Senate
Juneau, Alaska

The Honorable Mike Chenault
Speaker
Alaska House of Representatives
Juneau, Alaska

Dear Mr. President and Mr. Speaker:

The Conference Committee considering:

CSHB 72(FIN)

“An Act making appropriations for the operating and loan program expenses of state government and for certain programs and capitalizing funds; and providing for an effective date.”

CSHB 73(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 72(FIN) am S

“An Act making appropriations for the operating and loan program expenses of state government and for certain programs and capitalizing funds; amending appropriations; and providing for an effective date.”

Senate CS for CSHB 73(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.”

respectfully requests limited powers of free conference on the appropriations and language that are not identical in House and Senate versions of HB 72 and in House and Senate versions of HB 73.

DRAFT

HOUSE MEMBERS:

Rep. Mark Neuman

Rep. Steve Thompson

Rep. Les Gara

SENATE MEMBERS:

Sen. Pete Kelly

Sen. Anna MacKinnon

Sen. Donald Olson

UNIFORM RULES

RULE 42. CONFERENCE AND FREE CONFERENCE COMMITTEES.

(a) If one house refuses to concur in the amendments of the other it so notifies the amending house and requests that it recede from its amendments. The vote on receding from amendments is taken by the calling of the roll and the recording of the yeas and nays in the journal. A house recedes from its amendments only by a majority vote of the full membership of the house. If the house refuses to recede, the presiding officer of each house appoints three members to sit as a Conference Committee. The committee meets when mutually agreeable to its members. If the committee reaches agreement on previously adopted amendments to a bill adopted by either house, the committee then submits an identical report to each house. The report is not subject to amendment in either house. If the report is adopted by each house the bill is enrolled, signed, and transmitted to the governor. If the members of the Conference Committee cannot agree on amendments, or if on or both houses refuses to adopt the committee report, the Conference Committee submits an identical written report to each house listing the specific points of disagreement for which the committee requests powers of free conference. The presiding officer of each house may then give limited powers of free conference only on the specific points listed. If the members of a Conference Committee with limited powers of free conference cannot agree on amendments, or one or both houses refuses to adopt the committee report, it is then in order to appoint a Free Conference Committee. A member who served on a Conference Committee or a Conference Committee with limited powers of free conference may not be appointed to a subsequent Conference Committee or Free Conference Committee concerning the same measure. The vote on adoption of a conference committee report is taken by the calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a majority vote of the full membership of each house.

(b) A Free Conference Committee is appointed in the same manner as a Conference Committee and may suggest in its report any new amendments clearly germane to the question. When a majority of the membership of the committee from each house agrees on amendments, the amendments are attached to the bill and reported back to each house in an identical report. The report is not subject to amendment in either house. If the report is adopted in each house, the bill is then ordered enrolled by its house of origin. If the members of a Free Conference Committee fail to agree on amendments or one or both houses refuses to adopt the free conference report, a second Free Conference Committee may be appointed, but no member of the first committee may be reappointed. A free conference report on a measure other than an appropriation bill may not be voted on by the house until at least 24 hours after the report is duplicated and delivered to the chief clerk or secretary of the house for distribution to each member. The chief clerk or secretary shall certify the time of delivery of the report for recording in the journal. The vote on adoption of a free conference committee report is taken by the calling of the roll and the recording of the yeas and nays in the journal. Adoption requires a majority vote of the full membership of each house.

(c) A Conference Committee with limited powers of free conference or a Free Conference Committee may not include in its report on an appropriation bill an item which was not included in a version of that appropriation bill adopted in third reading by a house and the amount appropriated by an item may not exceed the higher amount appropriated by that item in a version of the bill adopted in third reading by a house. An item in an appropriation bill includes a line item, an allocation, and an appropriation. The report on an appropriation bill of a Conference Committee, a Conference Committee with limited powers of free conference, or a Free Conference Committee may not be voted on by the house until at least 24 hours after the report is duplicated and delivered to the chief clerk or secretary of the house for distribution to each member. The chief clerk or secretary shall certify the time of delivery of the report for recording in the journal.

(d) Notwithstanding the provisions of (c) of this rule, a Free Conference Committee may consider and include in its report on an appropriation bill appropriations as requested by attached fiscal notes on new legislation and resolutions that have been passed by both houses.

(e) A Conference Committee, a Conference Committee with limited powers of free conference, or a Free Conference Committee may not adopt a report that requires a change in the title of a bill other than a clerical or technical change.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

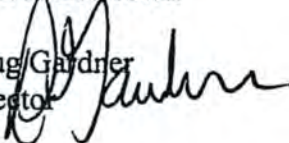
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 26, 2015

SUBJECT: Notice for Conference Committee Meetings and Notice for Vote on Conference Committee Report

TO: Representative Mark Neuman
Co-Chair of the House Finance Committee
Attn: Joan Brown

FROM: Doug Gardner
Director 

Ms. Brown of your office requested that I provide an updated memorandum on notice requirements for meetings of conference committees, and the requirements for a concurrence vote on a conference committee report under Uniform Rule 42(c).

Notice Requirements Applicable to Meetings of Conference Committees

The notice requirements of Uniform Rule 23 apply to standing, special, and joint committees. It appears that the Rule is intended to apply to special and joint committees of the types formed under Uniform Rule 21 rather than to conference committees which are actually separate committees that meet jointly. *Mason's Manual of Legislative Procedure*, sec. 770(2)(2010 ed.).

There is no provision in the Uniform Rules that addresses a notice requirement applicable to conference committees. Nonetheless, the open meetings guidelines set in the Legislative Ethics Act apply to conference committees, so meetings of conference committees are subject to open meetings requirements, including some form of notice. See, AS 24.60.037(g)(2)(A)(iv). This office has consistently interpreted the notice provisions for conference committees to require, consistent with the Legislative Ethics Act, and consistent with the notice provisions for subcommittees in Uniform Rule 23(g), "reasonable notice under the circumstances." This is the notice requirement that the legislature has applied to meetings of conference committees for many years, so, as a matter of past practice, it is reasonable to assume this is the notice requirement that continues to apply to conference committee meetings.

Obviously, what is reasonable notice will depend upon the circumstances under which a conference committee is meeting. If there is ample time remaining in a legislative session, it may be reasonable to provide several days' notice. On the other hand, in the face of an imminent adjournment, a notice provided only a few hours, or even minutes, in advance of a conference committee meeting may constitute reasonable notice.

Representative Mark Neuman

March 26, 2015

Page 2

Notice Requirements for Concurrence Vote on Conference Committee Report

Under Uniform Rule 42(b), a free conference committee report may not be voted on until at least 24 hours after the report is duplicated and delivered to the chief clerk or secretary for distribution to each member. Under Rule 42(c), a report on an appropriation bill from a Conference Committee, with or without limited powers of free conference, or from a Free Conference Committee may not be voted on until at least 24 hours after the report is duplicated and delivered for distribution to the chief clerk or secretary. Note that the chief clerk and secretary are required to certify the time of delivery of a report and record that time in the journals. There is no provision for waiving the 24-hour rules imposed under Uniform Rule 42, although those requirements could be suspended under Rule 54 by concurrent resolution concurred in by two-thirds vote of the full membership of each house. Nonetheless, I have noted one instance when the 24-hour requirement of Rule 42(c) was unanimously suspended upon a motion to do so made in the Senate. Senate Journal, page 568, March 16, 1999.

DDG:dla

15-220.dla

VOID

29-GH1780\F.A.12
Wallace
4/17/15

AMENDMENT

OFFERED IN CONFERENCE

BY REPRESENTATIVE NEUMAN

TO: SCS CSHB 72(FIN) am S

1 Page 77, lines 5 - 10:

2 Delete all material and insert:

3 "(c) The sum of \$977,027,900 is appropriated from the general fund to the public
4 education fund (AS 14.17.300).

5 (d) The sum of \$157,000,000 is appropriated from the in-state natural gas pipeline
6 fund (AS 31.25.100) to the public education fund (AS 14.17.300)."

7

8 Reletter the following subsections accordingly.

9

10 Page 80, line 29, following "Sec. 30.":

11 Insert "PUBLIC EDUCATION FUND."

12

13 Page 80, line 30:

14 Delete "\$1,002,568,100"

15 Insert "\$77,008,600"

16

17 Page 81, line 9:

18 Delete all material.

19

20 Renumber the following bill section accordingly.

21

22 Page 81, line 10:

23 Delete "secs. 33 and 34"

24 Insert "sec. 33"

Public Education Fund Cash Flow

		Motion
1	Projected FY15 EoY Balance Before Supplementals	1,249,011.4
2	Delete FY15 PEF Deposit (sec 28(c) Ch 16, SLA 2014)	(1,202,568.1)
3	Insert FY15 PEF Deposit (sec 28(c) Ch 16, SLA 2014)	77,008.6
4	BoY FY16 Balance	123,451.9
5	Withdraw for FY16 Foundation Formula	(1,168,239.5)
6	Withdraw for FY16 Pupil Transportation	(79,240.3)
7	Total FY16 Expenditure	(1,247,479.8)
8	Balance before FY 16 Deposit (line 4 - line 12)	(1,124,027.9)
9	from ASAP	157,000.0
10	from GF	977,027.9
11	EoY FY16 Balance	10,000.0

Motion
Language 11
Language 13
Language 13
Language 6
Language 6

Reducing the FY15 deposit to the Public Education Fund can eliminate the FY15 deficit.

First back-stop is the CBRF.

Second back-stop is the Higher Education Fund.

The FY16 deposits on lines 9 and 10 fully fund K-12 in FY16.

End of FY16 balance (line 11) is low--ends forward funding of K-12 formulas.

The effective date of the FY16 deposit changes from Dec 1 to July 1.

Maximum Appropriation to PEF under rule 42

Sum of lines 9 and 10

Overappropriation

1,134,027.9	Language 6
1,134,027.9	Language 6
0.0	

EXAMPLE

CONFERENCE COMMITTEE REPORT

Received in the House: _____
(Date/Time)

Received in the Senate: _____
(Date/Time)

CONFERENCE COMMITTEE REPORT

Date: 4/13/2013
(Reported from Committee)

MR. SPEAKER: MR. PRESIDENT:

The CONFERENCE COMMITTEE [] without limited powers OR [] with limited powers of free conference considering:

•House Version

CS FOR HOUSE BILL NO. 65(FIN)

"An Act making appropriations for the operating and loan program expenses of state government and for certain programs, capitalizing funds, and making reappropriations; and providing for an effective date."

HB 65 APPROP: OPERATING BUDGET/LOANS/FUNDS

and

•Senate Version

SENATE CS FOR CS FOR HOUSE BILL NO. 65(FIN)

"An Act making appropriations for the operating and loan program expenses of state government and for certain programs, capitalizing funds, and making reappropriations; and providing for an effective date."

HB 65 APPROP: OPERATING BUDGET/LOANS/FUNDS

Recommends (one of the following):

CCS HB 65 be adopted. Same Title as: House Version Senate Version or
[] New Title (tech) or [] New Title/HCR No. _____

[] House Version or [] Senate Version be adopted.

Attaches: Fiscal Note Packet [] _____ Letter of Intent [] Other _____

House Conferees	
	Representatives Austerman, Chair
	Representative Stoltze
	Representative Gara

Senate Conferees	
	Senator Kelly, Chair
	Senator Meyer
	Senator Hoffman

Return Conference Bill and Attachments to the Chief Clerk's Office.