

BILLS 1981 - 1982  
CSHB 174 cont. - HB 180

Law. Finance

1472

1472a

1 (e) An arbitration board is entitled to compensation by the par-  
2 ties for its services as follows:

3 (1) public members shall receive per diem and travel allow-  
4 ances as provided by law for members of state boards and commissions;

5 (2) the professional arbitrator serving as chairperson shall  
6 be compensated on terms that the parties determine to represent fair  
7 value for such professional services.

8 \* Sec. 12. AS 23.40.250(1) is amended to read:

9 (1) "collective bargaining" means the performance of the  
10 mutual obligation of the public employer or his designated representa-  
11 tives and the representative of the employees to meet at reasonable  
12 times, including meetings in advance of the budget making process and  
13 negotiate in good faith with respect to wages, hours and other terms and  
14 conditions of employment, or, for employees who are teachers, to negoti-  
15 ate in good faith with respect to matters pertaining to the employment  
16 and the fulfillment of the professional duties of teachers, or the  
17 negotiation of an agreement, or negotiation of a question arising under  
18 an agreement and the execution of a written contract incorporating an  
19 agreement reached if requested by either party, but these obligations do  
20 not compel either party to agree to a proposal or require the making of  
21 a concession;

22 \* Sec. 13. AS 23.40.250(5) is amended to read:

23 (5) "public employee" means any employee of a public employer,  
24 whether or not in the classified service of the public employer, except  
25 elected or appointed officials or administrative employees of school  
26 boards [TEACHERS] or noncertificated employees of school districts;

27 \* Sec. 14. AS 23.40.250(6) is amended to read:

28 (6) "public employer" means the state or a political sub-  
29 division of the state, including without limitation, a [TOWN,] city,

1 borough, district, board of regents, city, borough, or regional school  
2 board, public and quasi-public corporation, housing authority or other  
3 authority established by law, and a person designated by the public  
4 employer to act in its interest in dealing with public employees;

5 \* Sec. 15. AS 23.40.250 is amended by adding new paragraphs to read:

6 (8) "district" means a district as defined by AS 14.12.010;

7 (9) "teacher" means a person employed by a school board who  
8 serves in a teaching or counseling capacity and is required to be certi-  
9 ficated in order to hold the position.

10 \* Sec. 16. AS 23.40.040 is repealed.

11 \* Sec. 17. (a) A school board, including a regional educational atten-  
12 dance area school board, may not reject having the provisions of the Public  
13 Employment Relations Act apply to its relations with its teachers.

14 (b) The provisions of sec. 4, ch. 113, SLA 1972 do not apply to allow  
15 organized boroughs and other political subdivisions of the state, home rule  
16 or otherwise, to reject having the provisions of the Public Employment Rela-  
17 tions Act apply to its relation with those school employees of the municipal-  
18 ity included under the provisions of that Act.

19 \* Sec. 18. Nothing in this Act terminates or modifies a collective bar-  
20 gaining unit, recognition of exclusive bargaining representative, or col-  
21 lective bargaining agreement if the unit, recognition, or agreement is in  
22 effect on the effective date of this Act.

*F.N. Received after bill passed from committee*

THE LEGISLATURE OF THE STATE OF ALASKA  
 TWELFTH LEGISLATURE  
FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. Senate CS for CS for House Bill No. 174 (Finance)  
 Title "An Act relating to public employees subject to collective bargaining."  
 Requested by Senate Finance Committee Date 4/23/82

II. FISCAL DETAIL  
 Agency Affected Labor  
 Program Category Affected Public Protection  
 BRU, Program, or Subprogram(s) Affected Labor Standards and Safety  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)  
EXPENDITURES (Thousands of Dollars) *Wage & Hour Admin.*

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		87.0	95.7	105.3	115.8	127.4
200 TRAVEL		22.9	25.2	27.7	30.5	33.5
300 CONTRACTUAL		43.0	47.3	52.0	57.2	63.0
400 COMMODITIES		3.5	3.9	4.2	4.7	5.2
500 EQUIPMENT		2.6	0	0	0	0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>0</b>	<b>159.0</b>	<b>172.1</b>	<b>189.2</b>	<b>208.2</b>	<b>229.1</b>

FUNDING (Thousands of Dollars)

GENERAL FUND	0	159.0	172.1	189.2	208.2	229.1
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		2.0	2.0	2.0	2.0	2.0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)  
 Other states which have enacted PERA type laws that cover teachers have advised us that during the first few years the laws were in effect, management or employee representatives of 50% of the affected school districts filed unfair labor practice charges each year which resulted in hearings before the labor relations agency. The average hearing lasted six hours (or one day).  
 Assuming that the contracts of approximately 26 of Alaska's 52 school districts come up for renegotiation each year and that our experience would be comparable to that of other states, we can expect that 13 of the school districts will generate unfair labor practice charges requiring hearing before the labor relations agency.  
 Assumes the Department of Labor is not responsible for conducting elections provided in Section II (AS 23.40.202).

IV. DATE April 23, 1982 PREPARED BY *Nico Bus*  
 AGENCY Labor  
 PHONE 465-2720  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

The Legislature of the State of Alaska  
Twelfth Legislature  
Fiscal Note  
Bill/Resolution No. CS SB 653 (Finance)

### III. Analysis (Continuation)

In addition to the charges associated with the two Wage and Hour Investigators are costs to contract for a hearing officer on 13 occasions (\$9,750) and court reporting services including transcripts (\$5,325), plus printing (\$1,600) and legal costs (\$6,000). A total of \$5,600 has been included in travel for the hearing officer's transportation and per diem (10 trips of 2 days each =  $(400 + 80 [2]) 10 = 5,600$ ).

Assumes an inflation rate of 10% per annum.

Assumes an effective date of July 1, 1982.

1 POSITION TITLE <b>Wage and Hour Investigator II</b>			2 RANGE/STEP <b>18A</b>	3 BARG. UNIT. <b>G</b>	4 LOCATION <b>Anchorage</b>	5 GOV. <b>GOV.</b>	6 APPROV. <b></b>	7 DISAPP. <b></b>
8 TYPE OF POSITION <b>PFT</b>	9 STAFF MONTHS <b>12</b>	10 RP No. <b>CS SB 653</b>	11 PCN No. <b>Not assigned</b>	12 PRIORITY <b></b>	13 FORM 12 <b></b>	14 PAGE/LINE <b></b>	15 LEG. <b></b>	16 DISAPP. <b></b>
3 TYPE OF EXPENDITURE			AMOUNT			JUSTIFICATION: This position will conduct investigations and informal hearings of unfair labor practices complaints filed with this agency. The Investigator will travel extensively throughout the state performing these investigations and hearings.  Personal Services calculations are based on the salary schedule effective 3/16/82.  Travel funds allow for 12 - 4 day trips costing an average of \$400 @ for transportation and per diem of \$320 (4 days X \$80)  Contractual services costs are comprised of telephone charges, equipment rent, word processing costs, management services support of \$3,900, and \$3,200 for space rent.  The equipment costs for a desk, file, recorder, transcriber, partitions, and bookcase are one-time charges.		
4 PERSONAL SERVICES:								
5 SALARY	2838/month	34,056						
6 BENEFITS	1592	5,422						
7 SBS		2,088						
8 FIXED BENEFITS		1,920						
9 TOTAL PERSONAL SERVICES	01	43,486						
10 TRAVEL	02	8,640						
11 CONTRACTUAL	03	10,150						
12 COMMODITIES	04	1,750						
13 EQUIPMENT	05	1,300						
14 OTHER								
15 TOTAL COST		65,326						
16 RECEIPT CODE			17 FUNDING SOURCE					
18			FED RCPTS. 1002					
19			GF MATCH. 1003					
20 100			GEN. FUND 1004			65,326		
21			I-A RCPTS. 1005					
22			PGM RCPTS 1028					
23			OTHER					
24 CONTINUATION						FOR B&M USE ONLY		
25 ADDITION								
26 4A KEY NUMBER			27 COLUMN NO.					

AGENCY Labor PROGRAM Worker Protection

BRU Wage and Hour Administration

COMPONENT Wage and Hour Administration

Page 1 of 2 REVISED DATE \_\_\_\_\_

**13 REQUEST FOR NEW POSITION.**

**FY 83**



1	POSITION TITLE Wage and Hour Investigator II			RANGE/STEP 18A	BRG. UNIT. G	LOCATION Anchorage	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No. CS SB 653	PCN No.	PRIORITY	FORM 12 PAGE/LINE	LEG.		

3	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
4	PERSONAL SERVICES:		
	SALARY	2838/month	34,056
5	BENEFITS	.1592	5,422
5	SBS		2,088
7	FIXED BENEFITS		1,920
8	TOTAL PERSONAL SERVICES	01	43,486
9	TRAVEL	02	8,640
10	CONTRACTUAL	03	10,150
11	COMMODITIES	04	1,750
12	EQUIPMENT	05	1,300
13	OTHER		
14	TOTAL COST		65,326

**JUSTIFICATION:**  
 This position will conduct investigations and informal hearings of unfair labor practices complaints filed with this agency. The Investigator will travel extensively throughout the state performing these investigations and hearings.

Personal Services calculations are based on the salary schedule effective 3/16/82.

Travel funds allow for 12 - 4 day trips costing an average of \$400 @ for transportation and per diem of \$320 (4 days X \$80)

Contractual services costs are comprised of telephone charges, equipment rent, word processing costs, management services support of \$3,900, and \$3,200 for space rent.

The equipment costs for a desk, file, recorder, transcriber, partitions, and bookcase are one-time charges.

	RECEIPT CODE	FUNDING SOURCE	
15		FED RCPTS. 1002	
16		GF MATCH. 1007	
17	100	GEN. FUND 1001	65,326
18		I-A RCPTS 1005	
19		PGM RCPTS 1028	
20		OTHER	

21	CONTINUATION		<b>FOR B&amp;M USE ONLY</b>
22	ADDITION		
4A. KEY NUMBER		COLUMN NO.	

AGENCY Labor PROGRAM Worker Protection

BRU Wage and Hour Administration

COMPONENT Wage and Hour Administration

**13 REQUEST FOR NEW POSITION.**

**FY 83**

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPARTMENT OF LABOR

APR 19 1982

LABOR STANDARDS AND SAFETY DIVISION

P.O. BOX 630  
JUNEAU, ALASKA 99811  
PHONE:

465-4870

April 19, 1982

The Honorable Don Bennett  
Chairman  
Senate Finance  
Pouch V  
Juneau, Alaska 99811

RE: CS for SB 653 (Finance)

Dear Chairman Bennett:

At the conclusion of my testimony today, I agreed to discuss the new language in Section 12 with the Attorney General's office to ascertain whether or not that language in any way changed the fiscal note presented to the committee today. I have just discussed the bill with Deputy Attorney General, Ron Lorensen, and it is still my opinion and that of Mr. Lorensen that the language of Section 12 does not appreciably change the amount of work or the costs to the department. Therefore, the fiscal note presented and dated April 19, 1982 is the department's position on this bill.

If I may be of further service to you in this matter, please advise.

Very truly yours,

*Dale Cheek*

Dale Cheek  
Director  
Labor Standards and Safety

cc: Commissioner Orbeck

Rec'd 5/12/81  
after bill  
was reported  
out of HFC

POSITION PAPER

ON

CS FOR HOUSE BILL NO. 174 (Finance)

"An Act relating to aid to families with dependent children; and providing for an effective date."

CSHB No. 174 is intended to increase payments to families receiving Aid to Families with Dependent Children (AFDC) monthly cash assistance, and to add AFDC coverage for pregnant women with no other qualified children. The bill, as amended in both the House Committees of Referral, has been informally reviewed by Federal AFDC program authorities and appears to them to comply with regulations and case law. However, the amended current wording of Sec. 3, offered before House Finance by the sponsor, may not clearly authorize the payment levels intended by the sponsor. We have asked for a legal interpretation of Sec. 3; pending receipt of that interpretation, we are assuming that the following chart does accurately present the increases intended by the bill. (This chart was presented to the House Finance Committee as part of our position paper on CSHB 174 (HESS). In testimony, the sponsor concurred that the chart accurately presented his intent.)

	Current Payment	Payment after 7/1/81 w/out CSHB 174	Payment if CSHB 174 enacted
First child, with non-needy relative	\$200	\$222	\$247 (+25%)
Second child	\$200	\$223	\$248 (+25%)
Each additional child	\$ 57	\$ 63	\$ 78 (+15%)
One child and needy relative	\$457	\$508	\$551 (+43%)
Second child	\$ 57	\$ 63	\$ 78 (+15%)
Each additional child	\$ 57	\$ 63	\$ 78 (+15%)

This position paper and attached fiscal note assume that CSHB 174, as amended, calls for the increases described above. (We are being particularly careful to state all increases precisely, for AS 47.25.320 is a very complicated statute, and the legislative amendment made to it last year was in fact subject to differing interpretations.)

The current maximum payment levels for children in the home of non-needy relatives (such as living with grandparents or aunts and uncles) are half, or less than half, the payment levels determined by the Department to be necessary to provide for the direct costs of maintaining foster children in licensed private foster homes. Even after the July 1, 1981 cost of living increase, the maximum AFDC payment made to a mother and one child will be

approximately \$83.00 less per month than the federal CSA poverty guideline for an Alaskan non-farm family of two. Maximum payments to a two person family in AFDC are currently \$16 a month less than is paid to a single needy blind, disabled, or elderly adult. By those simple measurements, an AFDC maximum payment increase would seem justified.

Coverage for a needy pregnant woman is optional under federal AFDC regulations; 34 states currently offer this coverage. Until the option was deleted in 1976 as a cost-containment legislative action, Alaska's AFDC program included pregnant eligible women. The 7/1/81 single person AFDC maximum payment, set administratively will be \$286. With the \$20 special needs allowance established by Sec. 2 of CSHB 174, a pregnant woman with no other income would receive a \$306 AFDC payment each month. In addition to these regular monthly payments, each AFDC-eligible woman would be automatically entitled to Medicaid coverage. Mandating this optional coverage would accomplish by a different method the expansion of pregnancy-related health care proposed by Sec. 1 of House Bill No. 330 and by HB 41.

Almost all of the 34 states offering this AFDC coverage pay a pregnant woman a special needs allowance for such items as clothing, diet and vitamins, and/or layette items. The arguments used most often by these states to support offering both this coverage and a special needs allowance tend to be supported by our own experience when Alaska's AFDC program had this coverage: pregnant single women tend to be young and without income. Without financial assistance, this group of women tend to be especially liable to abuse-producing living situations and dependency. Obviously, lack of adequate income can also create health problems caused by stress, poor living conditions and inadequate diet.

The Department does support the concept of increasing AFDC benefit levels, and it does support the concept of improving the availability of pregnancy-related health care to needy Alaskans.

Recommended by Rod Betit  
Rod Betit, Director  
Division of Public  
Assistance

Date: May 18, 1981

Approved by: Helen D. Beirne  
Helen D. Beirne, Commissioner  
Dept. of Health and  
Social Services

Date: 5/18/81

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS House Bill No. 174 (Finance)  
 Title An Act relating to aid to families with dependent children  
 Requested by Clocksie Date 5/18/81

II. FISCAL DETAIL

Agency Affected Health and Social Services  
 Program Category Affected Soc. and Econ. Assistance for the General Pop. etc.  
 BRU, Program, or Subprogram(s) Affected See analysis: 4 BRUs affected  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		29.3				
200 TRAVEL		2.0				
300 CONTRACTUAL		10.0				
400 COMMODITIES		1.5				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		6119.9				
<b>TOTAL</b>		<b>6162.7</b>				

FUNDING (Thousands of Dollars)

GENERAL FUND		3014.5				
FEDERAL FUNDS		3148.2				
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		1				
PART TIME		0				
TEMPORARY		0				

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

(1) Existing Cases

(a) The FY 82 budget request calls for 7078 families to receive an average payment of \$521.22. 25% of these families consist of an average of 1.60 children living with a non-needy relative. Each of these families would experience a \$40 per month payment increase (\$25 for the first child, + .60 x \$25 = \$40). The total FY 82 cost of these families would be 849.6 (\$40 per month per family x 1770 families x 12 months).

IV. DATE 6/18/81 PREPARED BY *Sandra A. [Signature]*  
 AGENCY HS&S DPA  
 PHONE 465-3747  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named) *D. Mason [Signature]* 5/18/81

(b) 75% of the anticipated families, or 5308 families, consist of a needy relative and children, an average 2.80 persons per family. Each of these families would experience \$70 per month payment increase (\$43 for the first person + \$15 for the second + .80 x \$15 = \$70). The total FY 82 cost of these families would be 4,458.7 (\$70 per month per family x 5308 families x 12 months).

(c) The total AFDC BRU cost for payment increases for existing cases would be 5308.2 (2654.1 state, 2654.2 federal).

(2) New cases: Payment Increases

(a) In the AFDC program the statutory maximum payment levels are also the qualifying standards for entry into the program. CSHB 174 would increase some of these standards. For example, the maximum countable income a needy applicant with two children can have and still qualify for AFDC payment is currently \$514. (This also would be the recipient's AFDC payment if he or she had no other countable income.) The effect of CSHB 174 and of the existing cost-of-living provision in statute would establish a new qualifying limit of \$629 for this 3-person family.

It is reasonable to assume that there are Alaskan families who have countable incomes over the current standards but under the higher proposed standards, and to assume that some of these families would choose to apply and would meet all other eligibility factors. However, there is no data, either within the past ten years of AFDC program utilization or from any other source, that indicates whether new families would enter the program, or if they would, in what numbers.

Indeed, the payment increases during the current year were almost the same size as those proposed in CSHB 174. Actual program utilization figures since July 1, 1980, show no growth in number of cases beyond what was anticipated without the payment increases. For this reason, we have no grounds to assume any new cases will enter the program if CSHB 174 were to be enacted.

(3) New Cases: Pregnant Women

Addition of pregnant women to the AFDC program would add new cases. No data exists to provide anything but an "informed guess" estimate of 286 new cases in FY 82. (See fiscal note, HB 330) This new case-load would impact 4 BRUs as follows:

(a) AFDC BRU:

286 new cases per year x \$306 average payment per month x 6 months per case = 525.1 in FY 82 costs (50% federal, 50% state funds). The \$306 payment consists of the \$286 maximum individual payment plus a \$20 special needs allowance for dietary needs. (See Position Paper). We assume the maximum payment to each recipient based on our pre-1976 pregnant woman caseload, in which most recipients had no earned or unearned non-AFDC income.

(b) MEDICAID BRU:

Each of the 286 new cases would receive Medicaid coverage at an average cost per case of \$1500, increasing Medicaid expenditures by 429.0 (214.5 State, 214.5 federal).

(c) General Relief BRU:

Approximately 95 of the 286 cases added to Medicaid would have been covered under the existing General Relief Medical program, which is totally state-funded. Therefore, GRM BRU FY 82 expenditures would decrease by 142.5 (95 x \$1500 = 142.5).

This shift in program coverage would therefore increase federal fund expenditures by 214.5 but state expenditures would increase by only 72.0 (214.5 Medicaid-142.5 GRM = 72.0)

(d) Eligibility Determination BRU"

In addition to adding 286 new AFDC cases, additional work would be involved in providing medical coverage and, for a majority, Food Stamp benefits. This workload would require the addition of one Eligibility Technician II, with related costs to the Eligibility Determination BRU. Total cost will be 42.8 (25.9 state funds, 16.9 federal funds).

4. Summary

Item	State Funds	Federal Funds	Total
(a) AFDC Payment Increase Adult Not Included	424.8	424.8	849.6
(b) AFDC Payment Increase Adult Included	2229.3	2229.4	4458.7
(c) AFDC New cases, Pregnant Women	262.5	1262.6	525.1
(d) Medicaid New cases	214.5	214.5	429.0
(e) General-Relief Medical caseload decrease	(142.5)	0	(142.5)
(f) Eligibility Determination, new Worker	25.9	16.9	42.8
Total	<u>3014.5</u>	<u>3148.2</u>	<u>6162.7</u>

## Position Paper

House Bill No. 174

HB 174

"An Act relating to Aid to Families with Dependent Children, and providing for an effective date."

This act would provide for a \$100 per month increase in the maximum payment paid to some families found eligible for Aid to Families with Dependent Children (AFDC). This increase would apply only to families which consist of a needy caretaker relative and children; it would not apply to families consisting of children who live with a non-needy relative. (The payment maximums specified in AS 47.25.320(a) are also the maximum countable income limits which are used to determine if an applying family is eligible for AFDC assistance.)

However, under sec. (d) of AS 47.25.320, the cost of living increase already applied to the \$400 maximum payment stated in sec. (a) of the statute means that a parent and one child with no other income can now receive a maximum payment of \$457 per month. Under the automatic cost-of-living increase provision added last year, the anticipated maximum AFDC payment for a two-person family will increase July 1, 1981, to \$522. The federal CSA poverty guideline for Alaska for 1981 for a two-person non-farm family is \$582.50 per month. Even this simple measurement would indicate that, at best, AFDC maximum payment levels are barely adequate to fulfill the statutory purposes of the AFDC program.

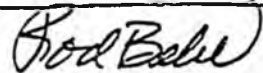
The Department knows of no measurements of AFDC payment adequacy which would indicate that it would be inappropriate to propose payment increases additional to those passed last year. However, HB 174 appears to present two significant problems:

- (1) Actual Increase Amount. As drafted, we do not clearly understand if the intent of the bill is to grant a simple \$100 per month increase to all adult-included cases, effective July 1, 1981, or to grant these cases a \$43 increase, or to apply the provisions of sec. (d) to either of these two amounts (making them either approximately \$114 or \$54). The fiscal note assumes the bill intends a \$100 increase.
- (2) Compliance with Federal Requirements. In last session's work on versions of HB 968, which passed as SCSCSHB 968, 14 ch133 SLA 1980, one version was introduced which proposed the exact amount and type of increase as proposed by HB 167. This version was modified when federal AFDC program authorities presented a written objection, in which they demonstrated to the Department's and to the Legislature's satisfaction that federal law, federal regulations, and case law precedence would not allow them to approve raising only the adult-included families' maximum payments. A copy of that letter is attached.

Thus it is clear to us that passage of HB 174, as it is currently written, would seriously jeopardize all of the 50% federal matching funds in the AFDC program by placing the program out of compliance with federal requirements. This could cost the State over \$22,000,000 in federal matching funds. Apparently, the only way to avoid this very real financial threat would be to increase both the adult-included and adult-not-included statutory maximums by the same dollar amount.

Because HB 174 would not comply with federal AFDC program requirements, and because of its fiscal impact, the Department cannot support passage of this bill. However, the Department does support the concept of increasing AFDC benefits levels.

Recommended by:




Rod Betit, Director

Date:

March 10, 1981

Approved By:



Helen D. Beirne  
Commissioner

Date:

3-11-81

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 174

Title An Act relating to aid to families with dependent children

Requested by CLOCKSIN

Date 2/27/81

II. FISCAL DETAIL

Agency Affected Health & Social Services

Program Category Affected Social and Economic Assistance for the General Public

BRU, Program, or Subprogram(s) Affected Assistance Payments, (AFDC)

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		6370.8	7007.9	7708.7	8479.6	9327.6
<b>TOTAL</b>		<b>6370.8</b>	<b>7007.9</b>	<b>7708.7</b>	<b>8479.6</b>	<b>9327.6</b>

FUNDING (Thousands of Dollars)

GENERAL FUND		3185.4	3504.0	3854.3	4239.8	4663.8
FEDERAL FUNDS		3185.4	3503.9	3854.4	4239.8	4663.8
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

(1) Existing Cases

The FY82 budget request for the AFDC program calls for 7078 families to receive an average monthly payment of \$521.22. Seventy five percent of these families, or 5309 families, consist of both a needy adults and children. HB No. 174 would require an increase of \$100.00 in the average monthly payment for each of these families. Thus the cost of this measure would be 6,370.8 (5309 families x \$100 monthly payment increase, x 12 months). Fifty percent, 3185.4, would be federal matching funds, and 3185.4 would be state matching funds.

IV. DATE 3/10/81

PREPARED BY [Signature]

AGENCY HESS PPA

PHONE 585-1347

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named fi&B Approval [Signature]

Date 3/17/81

(2) New Cases

In the AFDC program the statutory maximum payment levels are also the qualifying standards for entry into the program. HB 174 would increase some of these standards. For example, the maximum countable income a needy applicant with two children can have and still qualify for AFDC assistance is currently \$514. (This would also be the recipient's AFDC payment if he or she had no other countable income.) The provision of HB 174 would establish a new qualifying limit of \$614 for this 3-person family.

It is reasonable to assume that there are Alaskan families who have countable incomes over the current standards but under the higher proposed standards, and to assume that some of these families would choose to apply and would meet all other eligibility factors. However, there is no data, either within the past ten years of AFDC program utilization or from any other source, that indicates whether new families would enter the program, or if they would, in what numbers.

Indeed, the payment increases during the current year were approximately the same size as those proposed in HB 174. Actual program utilization figures since July 1, 1980, show no growth in number of cases beyond what was anticipated without the payment increases. For this reason, we have no grounds to assume any new cases will enter the program if HB 174 were to be enacted. (Note that even the smallest addition of new AFDC cases results in significant new expenditures in 3 BRUs. For example, only 400 additional AFDC cases would add approximately 2,981.9 to AFDC expenditures, 443.5 to Medicaid BRU expenditures, and 90.0 to the Eligibility Determination BRU.)

- (3) Assumptions: (a) FY82 projected costs assume that the annual cost of living increase provided under existing statutes would not apply to the \$100 increase in payment maximums. (b) FY83 and later years' costs assume a 10% annual inflation increase.
- (4) Non Compliance: As noted in the Position Paper on HB 174, federal program authorities will not approve this payment increase. FY82 funding request for AFDC includes 22,135.1 in federal matching funds. This amount would probably be withheld if HB 174 were passed, making the total fiscal impact of this bill 22,320.5. (We cannot predict if the withholding would occur during FY82 or would occur in FY83.)

*S. L. ...*  
3/12/81



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
REGION X  
ARCADE PLAZA BUILDING  
1321 SECOND AVENUE  
SEATTLE, WASHINGTON 98101

MAY 16 1980

SOCIAL SECURITY ADMINISTRATION  
OFFICE OF THE REGIONAL  
COMMISSIONER

SFDX11-2

RECEIVED  
MAY 20 1980  
CENTRAL OFFICE BUREAU

Dr. Helen D. Beirne  
Commissioner  
Department of Health & Social Services  
Pouch H-01  
Juneau, Alaska 99811

Dear Dr. Beirne:

We have analyzed Alaska House Bill 968, dated May 1, 1980 and wish to comment on certain of its provisions which, if enacted, would raise compliance issues with respect to Federal regulations.

Alaska House Bill 968 provides an Aid for Dependent Children (AFDC) benefit payment increase of \$100 for a family household consisting of a caretaker parent and one child under age eighteen. If enacted, this legislation would increase the current payment provided under AS 47.25.320(a)(2)(A) from \$350 to \$450. The Bill would also provide a benefit payment increase of \$25 for each additional child in the home (after the second child) under the age of eighteen. This would increase the current payment provided to those children, under AS 47.25.320(a)(2)(C) from \$50 to \$75.

The increases provided under House Bill 968 do not appear to apply to the category of children living with non-needy, non-legally responsible relatives. This category is described under AS 47.25.320(a)(1). The omission of provision of these benefit increases to the category of recipient children living with non-needy relatives, while provided for the category of recipient children living with needy parents, appears to be based on the assumptions that:

- (1) children who live with non-needy, non-legally responsible relatives are less needy than children who live with needy relatives; and,
- (2) non-legally responsible, non-needy relatives automatically provide some support for the child's(ren) needs; and,
- (3) such child's(ren) needs are reduced by shared costs.

These assumptions are in direct conflict with Federal Regulations:

- (a) To treat groups of children differently because of living arrangement based on legal responsibility or not of non-needy caretaker relatives distinguishes the groups on an arbitrary basis thereby creating an unreasonable classification which is expressly prohibited at 45 CFR 233.10(a)(1) which states:

(a) State plan requirements. A State plan under title I, IV-A, X, XIV, or XVI, of the Social Security Act must:

(1) Specify the groups of individuals based on reasonable classifications, that will be included in the program, and all the conditions of eligibility that must be met by the individuals in the groups. The groups selected for inclusion in the plan and the eligibility conditions imposed must not exclude individuals or groups on an arbitrary or unreasonable basis, and must not result in inequitable treatment of individuals or groups in the light of the provisions and purposes of the public assistance titles of the Social Security Act.

- (b) The assumption that non-legally responsible caretaker relatives automatically provide some support for the dependent child(ren) and a grant reduction based on that assumption (in this instance, a different and reduced standard as compared to needy children in other circumstances) is expressly prohibited at 45 CFR 233.20(a)(2)(viii) which states:

" . . . Provided that the money amount of any need item included in the standard will not be prorated or otherwise reduced solely because of the presence in the household of a non-legally responsible individual; and the agency will not assume any contribution from such individual for the support of the assistance unit."

- (c) The assumption that a child's(ren) needs are reduced by shared costs and a grant reduction based on that assumption clearly constitutes proration which is expressly prohibited at 45 CFR 233.90(a) which states in part:

" . . . nor may the State agency prorate or otherwise reduce the money amount for any need item included in the standard on the basis of assumed contributions from non-legally responsible individuals living in the household."

Further, the Supreme Court case of Van Lare v. Hurley (1975) prohibits assumption of income for AFDC children in a household with non-needy individuals. A State may not have a separate and reduced standard of living for a child with non-needy, non-legally liable caretaker relatives than with needy caretakers. A State is required to have a single statewide standard, expressed in money amounts, to be used in determining on an objective and equitable basis the needs of applicants and recipients and the amount of the assistance payment (45 CFR 233.20(a)(1) and (2)). To assign two different values to the same item or items of need (such items collectively constitute the standard) for a child based solely on whether or not the child lives with a non-needy, non-legally liable caretaker relative is arbitrary, bearing no relationship to the needs of the child who is receiving the lesser payment.

A State standard may have different dollar amounts for food or clothing for different reasonably defined age groups since older individuals may generally have more costly needs than younger individuals. Differing shelter amounts may result from a State's election to have shelter differentials but this is permitted only when there is objective evidence that there are actual differences in shelter costs between geographic areas and such differences are appreciable. However, such differences appear reasonably based. But this bears no relation to an assumption of income on the unsubstantiated basis that a non-needy, non-legally liable caretaker relative is contributing income towards the support of the needy child in his care and custody.

These rules prohibiting the assumption of income apply to non-legally liable relatives, and to legally liable relatives

other than spouse for spouse or parent for minor child as specified above. Thus, except for spouse for spouse or parent for minor child, a State may not assume that the income of other legally responsible relatives under State law is available to the child.

Notwithstanding, a grant reduction (not a standard reduction), is permitted in these instances where a documented voluntary contribution is made by the non-needy, non-legally responsible caretaker relative.

The following table illustrates the effect of H.B. 968 without the cost-of-living adjustment on State AFDC standards:

Family Size	Children with Needy Relatives		Children with Non-Needy, Non-Legally Responsible Relatives	
	Current Standard	Proposed Standard Under H.B. 968	Current Standard	Proposed Standard Under H.B. 968
1			\$150	\$150
2	\$350	\$450	\$300	\$300
3	\$400	\$525	\$350	\$350
4	\$450	\$600	\$400	\$400
	Plus \$50/month for each additional child under 18	Plus \$75/month for each additional child under 18	Plus \$50/month for each additional child under 18	Plus \$50/month for each additional child under 18

Note that for the category of children living with needy relatives, there is no identification of the amount of the standard that is attributable to the adult caretaker relative. It merely says that for family size of two, a grant of \$350 is made. For two children living with non-needy, non-legally responsible relatives, a grant of \$300 is made. It may be reckoned that the additional \$50 (\$350-50) provided to the needy relative situation is reasonable due to increased costs of shared standard items for adults (this would not hold true for shelter). This was the rationale for Federal approval of the current standard.

Under the proposed H.B. 968 standard, no standard increment is provided to the category of children with non-needy, non-legally responsible caretaker relatives. A difference of \$150 between the two categories

Dr. Helen D. Beirne - page 5

of recipients is too great to account for an addition based on shared costs that would require an amount of that magnitude for the adult. The Bill did not even address the non-needy, non-legally responsible caretaker relative category. It would appear clear that legislative intent was to increase the needy caretaker relative group, per se.

It must, therefore, be concluded that the new standard results in pro-ration and assumes the availability of income for the non-needy, non-legally responsible caretaker relative category. In no event may income be assumed or shelter costs be prorated.

In summary, should Alaska House Bill 968 be enacted, the State agency, upon implementation, would be out of compliance with Federal regulations as cited herein. In addition, a new or revised State plan submitted to implement such legislation would be unapprovable.

We would be pleased to offer technical assistance including testifying before the legislature on this Bill if so desired.

Sincerely,



Donald C. Sutcliffe  
Regional Commissioner

Enclosures

cc:  
Rod Betit

Original sponsor: Rules/Governor

Offered: 5/1/80  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 968

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to maximum benefits paid as aid to  
7 families with dependent children; and providing for an  
8 effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 \* Section 1. AS 47.25.320(a)(2)(A) is amended to read:

11 (A) for a parent and one child under 18, a maximum of  
12 \$450 [\$350];

13 \* Sec. 2. AS 47.25.320(a)(2)(C) is amended to read:

14 (C) for each additional child under age 18, \$75 [\$50] a  
15 month per child.

16 \* Sec. 3. AS 47.25.320 is amended by adding a new subsection to read:

17 (d) If benefits under Title XVI of the Social Security Act (42  
18 U.S.C. 1381 - 1385) are increased because of an increase in the cost of  
19 living, the department shall increase the monetary maximums in (a) of  
20 this section by a percentage equal to the percentage increase in bene-  
21 fits under Title XVI.

22 \* Sec. 4. AS 47.25.320(c) is repealed.

23 \* Sec. 5. This Act takes effect July 1, 1980.  
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Article 3. Aid to Families with Dependent Children Act.

Section	Section
310. Eligibility for assistance	380. Reconsideration and alteration of assistance
320. Amount of assistance	390. [Repealed]
330. Duties of department	395. Alienation and attachment
340. Application for assistance	400. Purpose
350. Investigation of application	403. Reporting change of status
360. Granting of assistance	405. Obtaining assistance by fraud
365. Retraining of parent or family member	410. Definitions
375. Appeal	420. Short title

Sec. 47.25.310. Eligibility for assistance. The department shall grant assistance to the family of each dependent child it determines is eligible for assistance under AS 47.25.310 — 47.25.320, or to employers under a work incentive program established by AS 23.15.650, and by § 433(c) (1) of the Federal Social Security Act (42 USC 601 et seq.), as amended. (§ 51-2-32 ACLA 1949; am § 2 ch 57 SLA 1949; am § 1 ch 73 SLA 1963; am § 2 ch 134 SLA 1968)

Editor's note. — The federal provision referred to in this section was added by § 204 of the Social Security Amendments of 1967 (PL 90-248; 81 Stat. 821).

A statutory prohibition of welfare benefits to residents of less than a year creates a classification which constitutes an invidious discrimination denying such

residents equal protection of the laws. *Shapiro v. Thompson*, 394 U.S. 618, 89 S. Ct. 1322, 22 L. Ed. 2d 609 (1969).

Cited in *Public Defender Agency v. Superior Court*, Third Judicial Dist., Sup. Ct. Op. No. 1140 (File No. 2071), 534 P.2d 947 (1975).

Sec. 47.25.320. Amount of assistance. (a) The department shall determine the amount of assistance for a dependent child and the relative with whom the dependent child is living, with regard to the resources and necessary expenditures of the family and the condition existing in each case. Assistance is sufficient if, when added to all other income and support available to the child, the child and relative have reasonable subsistence compatible with decency and health. However, the amount of assistance may not exceed the following:

(1) dependent child living with nonneedy relative: for a child under age 18 who is living in the home of a nonneedy relative, \$150, plus an additional \$150 for the second child, and \$50 a child for the third and each additional child;

(2) dependent child living with parent:

(A) for a parent and one child under 18, a maximum of \$350;

(B) (repealed)

(C) for each additional child under age 18, \$50 a month per child.

(b) The monetary maximums in (a) of this section do not apply to payments made under this program for the care of a dependent child in a foster family home. The payment shall conform to foster care rates as provided by the department.

POSITION PAPER

ON

CS House Bill No 174 (HESS)

"An Act relating to aid to families with dependent children; and providing for an effective date."

CSHB No. 174 is intended to increase payments to families receiving Aid to Families with Dependent Children (AFDC) monthly cash assistance, and to add AFDC coverage to pregnant women with no other qualified children. Unfortunately, an error seems to have been made in drafting Sec. 3 of the bill: The current wording of this section would suspend the July 1 cost of living increases required by AS 47.25.320(d) and impose lower payment maximums than recipients would otherwise be entitled to receive, in effect lowering payments made to each family by between \$22 and \$58.

We understand that the sponsor will offer an amendment to the current bill which will clarify that the intent of CSHB No. 174 is to increase payments as shown in this chart:

	Current Payment	Payment after 7/1/81 w/out CSHB 174	Payment if CSHB 174 corrected	
First child, with non-needy relative	\$200	\$229	\$254	(+25)
Second child	\$200	\$229	\$254	(+25)
Each additional child	\$ 57	\$ 65	\$ 80	(+15)
One child and needy relative	\$457	\$522	\$565	(+43)
Second child	\$ 57	\$ 65	\$ 80	(+15)
Each additional child	\$ 57	\$ 65	\$ 80	(+15)

This position paper and attached fiscal note assume that CSHB 174 will be amended to call for the increases described above.

The current maximum payment levels for children in the home of non-needy relatives (such as living with grandparents or aunts and uncles) are half, or less than half, the payment levels determined by the Department to be necessary to provide for the direct costs of maintaining foster children in licensed private foster homes. Even after the July 1, 1981 cost of living increase, the maximum AFDC payment made to a mother and

one child will be \$60.50 less per month than the federal CSA poverty guideline for an Alaskan non-farm family of two. Minimum payments to a two person family in AFDC are currently \$16 a month less than is paid to a single needy blind, disabled, or elderly adult. By those simple measurements, an AFDC maximum payment increase would seem justified.

Coverage for a needy pregnant woman is optional under federal AFDC regulations; 34 states currently offer this coverage. Until the option deleted in 1976 as a cost-containment legislative action, Alaska's AFDC program included pregnant eligible women. The 7/1/81 single person maximum payment level, set administratively, is expected to be \$294. In addition to these regular monthly payments, each AFDC-eligible person is automatically entitled to Medicaid coverage. Mandating this optional coverage would accomplish by a different method the expansion of pregnancy-related health care proposed by Sec. 1 of House Bill No. 330.

However, CSHB 174 Sec. 2(a)3 as currently worded may not comply with federal program requirements. This opinion was informally conveyed by Region X Office of Family Assistance program experts who briefly studied a copy of the current bill. Though their preliminary opinion is open to argument, the Department basically agrees that changing the bill would avoid a major non-compliance question that could actually threaten the entire 50% federal matching funds of the AFDC program.

The issue involves the "reasonable assessment of needs" of eligible persons in the AFDC program. Federal statutes require us to provide AFDC coverage to a single adult whose only child is disabled and receives federal Supplemental Security Income disability assistance payments. The 6 to 10 Alaskan parents in this category receive \$257 per month maximum AFDC payments. This amount is set by the Department; it is derived by subtracting the one child maximum (\$200) from the parent and one child maximum (\$457).

Almost all of the 34 states pay a pregnant woman more than they pay a parent of a disabled child, most by declaring that a pregnant woman has special extra needs for which an extra allowance should be paid, such as clothing, diet and vitamins, and/or layette items. It is hard to argue against the reasonableness of recognizing these legitimate extra needs.

The Department therefore proposes that CSHB 174 be amended by changing line 9 of page 2, Sec. 2(a)(3) to read "department, plus special needs allowance not to exceed \$20 per month." This amendment would add \$34,320 (\$16,160 in state funds) to the total cost of this bill. The attached fiscal note includes the budgetary effect of this suggested amendment.

**POSITION PAPER/Department of Health & Social Services**

The Department does support the concept of increasing AFDC benefit levels, and it does support the concept of improving the availability of pregnancy-related health care to needy Alaskans.

Recommended by:

Rod Betit

Rod Betit, Director  
Division of Public Assistance

Date:

April 10, 1981

Approved by:

Helen D. Beirne

Helen D. Beirne  
Commissioner

Date:

4/13/81

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS House Bill No. 174 (HESS)  
 Title An Act relating to aid to families with dependent children  
 Requested by Clocks in Date 4/2/81

II. FISCAL DETAIL

Agency Affected Health and Social Services  
 Program Category Affected Soc. and Econ. Assistance for the General Pop etc.  
 BRU, Program, or Subprogram(s) Affected See analysis: 4 BRUs affected  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		29.3				
200 TRAVEL		2.0				
300 CONTRACTUAL		10.0				
400 COMMODITIES		1.5				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		6133.6				
<b>TOTAL</b>		<b>6176.4</b>				

FUNDING (Thousands of Dollars)

GENERAL FUND		3021.4				
FEDERAL FUNDS		3155.0				
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		1				
PART TIME		0				
TEMPORARY		0				

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

(1) Existing Cases

(a) The FY82 budget request calls for 7078 families to receive an average payment of \$521.22. 25% of these families consist of an average of 1.60 children living with a non-needly relative. Each of these families would experience a \$40 per month payment increase (\$25 for the first child, + .60 x \$25 = \$40). The total FY82 cost of these families would be 849.6 (\$40 per month per family x 1770 families x 12 months).

IV. DATE 4/3/81 PREPARED BY [Signature]  
 AGENCY DESS, DPA  
 PHONE 465-7347  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named) M&B Approval [Signature] Date 4/12/81

(b) 75% of the anticipated families, or 5308 families, consist of a needy relative and children, an average 2.80 persons per family. Each of these families would experience \$70 per month payment increase (\$43 for the first person + \$15 for the second + .80 x \$15 = \$70). The total FY82 cost of these families would be 4,458.7 (\$70 per month per family x 5308 families x 12 months).

(c) The total AFDC BRU cost for payment increases for existing cases would be 5308.2 (2654.1 state, 2654.2 federal).

(2) New cases: Payment Increases

(a) In the AFDC program the statutory maximum payment levels are also the qualifying standards for entry into the program. HB 174 would increase some of these standards. For example, the maximum countable income a needy applicant with two children can have and still qualify for AFDC assistance is currently \$514. (This would also be the recipient's AFDC payment if he or she had no other countable income.) The provision of CSHB 174 and of the existing cost-of-living provision in statute would establish a new qualifying limit of \$725 for this 3-person family.

It is reasonable to assume that there are Alaskan families who have countable incomes over the current standards but under the higher proposed standards, and to assume that some of these families would choose to apply and would meet all other eligibility factors. However, there is no data, either within the past ten years of AFDC program utilization or from any other source, that indicates whether new families would enter the program, or if they would, in what numbers.

Indeed, the payment increases during the current year were almost the same size as those proposed in CSHB 174. Actual program utilization figures since July 1, 1980, show no growth in number of cases beyond what was anticipated without the payment increases. For this reason, we have no grounds to assume any new cases will enter the program if CSHB 174 were to be enacted.

(3) New Cases: Pregnant Women

Addition of pregnant women to the AFDC program would add new cases. No data exists to provide anything but an "informed guess" estimate of 286 new cases in FY82. (See fiscal note, HB 330) This new caseload would impact 4 BRUs as follows:

(a) AFDC BRU:

286 new cases per year x 314 average 538.8 payment per month x 6 months per case = 538.8 in FY82 costs (50% federal, 50% state funds). The \$314 payment consists of the \$294 maximum individual payment plus a \$20 special needs allowance for dietary needs. (See Position Paper). We assume the maximum payment to each recipient based on our pre-1976 pregnant woman caseload, in which most recipients had no earned or unearned non-AFDC income.

(b) MEDICAID BRU:

Each of the 286 new cases would receive Medicaid coverage at an average cost per case of \$1500, increasing Medicaid expenditures by 429.0 (214.5 State, 214.5 federal).

(c) General Relief BRU:

Approximately 95 of the 286 cases added to Medicaid would have been covered under the existing General Relief Medical program, which is totally state-funded. Therefore, GRM BRU FY82 expenditures would decrease by 142.5 ( $95 \times \$1500 = 142.5$ ).

This shift in program coverage would therefore increase federal fund expenditures by 214.5, but state expenditures would increase by only 72.0 ( $214.5 \text{ Medicaid} - 142.5 \text{ GRM} = 72.0$ )

(d) Eligibility Determination BRU:

In addition to adding 286 new AFDC cases, additional work would be involved in providing medical coverage and, for a majority, Food Stamp benefits. This workload would require the addition of one Eligibility Technician II, with related costs to the Eligibility Determination BRU. Total cost will be 42.8 (25.9 state funds, 16.9 federal funds).

4. Summary

Item	State Funds	Federal Funds	Total
(a) AFDC Payment Increase Adult Not Included	424.8	424.8	849.6
(b) AFDC Payment Increase Adult Included	2229.3	2229.4	4458.7
(c) AFDC New cases, Pregnant Women	269.4	269.4	538.8
(d) Medicaid New cases	214.5	214.5	429.0
(e) General-Relief Medical caseload decrease	(142.5)	0	(142.5)
e) Eligibility Determination, new Worker	25.9	16.9	42.8

5. Note: AFDC BRU figures are based on the assumption that the annual cost-of-living increase effective July 1, 1981, will be 14.3%. This percentage is announced by the Social Security Administration in late April or early May. Preliminary COLI estimates by SSA are traditionally quite close to, but slightly lower than, the final percentage. SSA has just announced their preliminary estimate of 11.6%. If the final percentage were 12.0% rather than 14.3%, the total funding for this fiscal note would only decrease by approximately 10.3 (5.1 state, 5.2 federal).

ATDC  
GORDAN  
PFT

Original sponsor: Clocksin

Offered: 3/30/81  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 174 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to aid to families with dependent  
7 children; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 47.25.310 is amended to read:

10 Sec. 47.25.310. ELIGIBILITY FOR ASSISTANCE. The department shall  
11 grant assistance to the family of each dependent child and each pregnant  
12 woman it determines is eligible for assistance under AS 47.25.310 -  
13 47.25.420, or to employers under a work incentive program established  
14 by AS 23.15.650, and by sec. 433(c)(1) of the Federal Social Security  
15 Act (42 USC 601 et seq.), as amended.

16 \* Sec. 2. AS 47.25.320(a) is amended to read:

17 (a) The department shall determine the amount of assistance for a  
18 dependent child and the relative with whom the dependent child is  
19 living, with regard to the resources and necessary expenditures of the  
20 family and the condition existing in each case. Assistance is sufficient  
21 if, when added to all other income and support available to the child,  
22 the child and relative have reasonable subsistence compatible with  
23 decency and health. However, the amount of assistance may not exceed  
24 the following:

25 (1) dependent child living with nonneedy relative: for a  
26 child under age 18 who is living in the home of a nonneedy relative,  
27 \$200 [\$175], plus an additional \$200 [\$175] for the second child, and  
28 \$65 [\$50] a child for the third and each additional child; [.]

29 (2) dependent child living with parent:

1 (A) for a parent and one child under 18, a maximum of  
2 \$500 [\$400];

3 (B) (repealed)

4 (C) for each additional child under age 18, \$65 [\$50] a  
5 month per child;

6 (3) pregnant woman who is otherwise eligible for assistance  
7 under this section: an amount equal to the assistance received by a  
8 single-person household under this section as determined by the  
9 department.

10 \* Sec. 3. Notwithstanding AS 47.25.320(d) the amount of assistance  
11 payable to a recipient under AS 47.25.320 on July 1, 1981, may not exceed  
12 the amounts in AS 47.25.320(a) as amended in sec. 2 of this Act.

13 \* Sec. 4. This Act takes effect July 1, 1981.  
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Original sponsor: Clocksin

Offered: 5/1/81  
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 174 (Finance)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to aid to families with dependent  
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22 the child and relative have reasonable subsistence compatible with  
23 decency and health. However, the amount of assistance may not exceed  
24 the following:

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26 child under age 18 who is living in the home of a nonneedy relative,  
27 \$200 [\$175], plus an additional \$200 [\$175] for the second child, and  
28 \$65 [\$50] a child for the third and each additional child; [.]

29 (2) dependent child living with parent:

1 (A) for a parent and one child under 18, a maximum of  
2 \$500 [\$400];

3 (B) (repealed)

4 (C) for each additional child under age 18, \$65 [\$50] a  
5 month per child;

6 (3) pregnant woman who is otherwise eligible for assistance  
7 under this section: an amount equal to the assistance received by a  
8 single-person household under this section as determined by the depart-  
9 ment plus a special needs allowance not to exceed \$20 a month.

10 \* Sec. 3. The amount of assistance payable to a recipient under AS 47.-  
11 25.320 on July 1, 1981, may not exceed the amounts in AS 47.25.320(a) as  
12 amended in sec. 2 of this Act as increased under AS 47.25.320(d).

13 \* Sec. 4. This Act takes effect July 1, 1981.  
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Original sponsor: Clocksin

Offered: 3/17/81  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 176 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to temporary relief assistance; and  
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 47.25.250 is amended to read:

10 Sec. 47.25.250. TEMPORARY RELIEF. When a needy person is not  
11 entitled to assistance under AS 47.25.120 - 47.25.300 and has no rela-  
12 tives in the state liable for his support under AS 47.25.230 and 47.25.-  
13 240, the needy person may receive temporary assistance in the form and  
14 amount which the department considers necessary. Temporary assistance  
15 for needs other than transportation and medical care may not exceed  
16 \$160 [\$80] per person per month.

17 \* Sec. 2. This Act takes effect July 1, 1981.

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THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. CSHB 176 (HESS)  
 Title An Act relating to general relief assistance  
 Requested by \_\_\_\_\_ Date 4/30/81

II. FISCAL DETAIL  
 Agency Affected Health & Social Services  
 Program Category Affected Social and Economic Assistance for General Population  
 BRU, Program, or Subprogram(s) Affected Assistance Payments, General Relief Assistance  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		600.0				
<b>TOTAL</b>		<b>600.0</b>				

FUNDING (Thousands of Dollars)

GENERAL FUND		600.0				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		0				
PART TIME		0				
TEMPORARY		0				

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE 4/30/81 PREPARED BY Sam Cotten  
 AGENCY House Finance Committee  
 PHONE 465-3757  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

POSITION PAPER

ON

Committee Substitute for HOUSE BILL NO. 176

"An Act relating to General Relief Assistance; and providing for an effective date."

This Act would revise AS 47.25.250, raising the maximum payment made on behalf of eligible persons for subsistence needs from \$80 per month to \$160. The original \$80 maximum payment limit was established over 20 years ago, when the costs of subsistence items were far lower than they are today. (Note that the maximum payment limit is established by statute. It is much lower than the qualifying standard for receiving assistance, which is the maximum income an applicant can have and still receive assistance. These maximum income limits are set administratively and vary by family composition.)

The effect of the current maximum payments and qualifying limits is best illustrated by a typical General Relief case example:

An urban family consisting of two parents and a child applies. They temporarily have no income. They present an eviction notice showing that their rent of \$450 is overdue. The family has no housing alternative. Under the current maximum, a General Relief vendor payment of only \$240 can be made to the landlord (3 persons times \$80 per person). A Department staff member must call the landlord and attempt to "deal", to find if he will allow the family to remain in its apartment with only this partial payment. In some cases, the landlord will not agree. If he does not, there is no point in making any payment to him. The family can only use the alternative of a very short motel stay.

No statistics are kept on how frequently the \$80 maximum falls so short of actual need as to render the program useless to the applicant. However, since over 85% of General Relief Assistance is paid for rent needs, it is obvious that current rental costs are such that increasing the maximum payment per person to \$160 would virtually eliminate the program's occasional inability to meet shelter emergencies.

In addition to the maximum payment issue, the Department wishes to raise the concern that the General Relief statute have not been reviewed for over 20 years. We believe they are too vague and outdated to allow the Department adequate guidance in determining who is eligible and what types of assistance they should receive. It is clear to us that funding limitations over the years, coupled with significant changes in other assistance programs and in the needs of low-income Alaskans, have resulted in a General Relief program that may be significantly different from what was originally intended in the 1953 Session Laws.

We would therefore welcome a comprehensive legislative study of the current General Relief program and any resulting changes in AS 47.25.120-300 that would more specifically define the Legislature's wishes concerning the program.

The Department supports the concept of an increase in the maximum General Relief payment.

Recommended by:

Robert H. Betit for.

Rod Betit, Director  
Division of Public Assistance

Date:

3-18-81

Approved by:

Helen D. Beirne

Helen D. Beirne  
Commissioner

Date:

3-19-81

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill No. 176  
 Title An Act Relating to General Relief Assistance  
 Requested by Clocks in Date 3/18/81

II. FISCAL DETAIL

Agency Affected Health & Social Services  
 Program Category Affected Social and Economic Assistance for the General Population  
 BRU, Program, or Subprogram(s) Affected Assistance Payments, General Relief Assistance  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)  
EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		821.4	903.9	993.9	1093.3	1202.6
<b>TOTAL</b>		821.4	903.9	993.9	1093.3	1202.6

FUNDING (Thousands of Dollars)

GENERAL FUND		821.4	903.9	993.9	10093.3	1202.6
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		0				
PART TIME		0				
TEMPORARY		0				

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

FY82 request calls for 1015 persons per month to receive cash or vendor payments averaging \$67.44 per person, for a total of 821.4 (1015 x \$67.44 x 12 months). Doubling the maximum allowable monthly payment from \$80 to \$160 per person would have no effect on the number of persons found eligible. A "worst case" assumption is that all eligible persons would experience a doubling of their payments, from \$67.44 to \$134.88 per month. This would simply double program expenditures for all items except burials, adding 821.4 in new expenditures.

IV. DATE 3/18/81 PREPARED BY [Signature]  
 AGENCY DHS  
 PHONE 3347  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named) M&B Approval [Signature] Date 3/18/81

However a number of households receiving payments under the current payment maximum have their full emergency need met. The amount of their payments would not therefore increase with an increase in the maximum payment limit. No data is captured to indicate how many households fit in this category or how many households have "unmet needs" under the current maximum. However, based on an informal 1980 survey of actual case situations, a "best case" assumption could be made that only 50% of all recipients would experience a doubling of payments under CSHB No. 176. This would result in an additional cost of only 410.7.

A handwritten signature in black ink, appearing to be 'S. J. ...', located in the upper right quadrant of the page.

POSITION PAPER

ON

Committee Substitute for HOUSE BILL NO. 176

"An Act relating to General Relief Assistance; and providing for an effective date."

This Act would revise AS 47.25.250, raising the maximum payment made on behalf of eligible persons for subsistence needs from \$80 per month to \$160. The original \$80 maximum payment limit was established over 20 years ago, when the costs of subsistence items were far lower than they are today. (Note that the maximum payment limit is established by statute. It is much lower than the qualifying standard for receiving assistance, which is the maximum income an applicant can have and still receive assistance. These maximum income limits are set administratively and vary by family composition.)

The effect of the current maximum payments and qualifying limits is best illustrated by a typical General Relief case example:

An urban family consisting of two parents and a child applies. They temporarily have no income. They present an eviction notice showing that their rent of \$450 is overdue. The family has no housing alternative. Under the current maximum, a General Relief vendor payment of only \$240 can be made to the landlord (3 persons times \$80 per person). A Department staff member must call the landlord and attempt to "deal", to find if he will allow the family to remain in its apartment with only this partial payment. In some cases, the landlord will not agree. If he does not, there is no point in making any payment to him. The family can only use the alternative of a very short motel stay.

No statistics are kept on how frequently the \$80 maximum falls so short of actual need as to render the program useless to the applicant. However, since over 85% of General Relief Assistance is paid for rent needs, it is obvious that current rental costs are such that increasing the maximum payment per person to \$160 would virtually eliminate the program's occasional inability to meet shelter emergencies.

In addition to the maximum payment issue, the Department wishes to raise the concern that the General Relief statute have not been reviewed for over 20 years. We believe they are too vague and outdated to allow the Department adequate guidance in determining who is eligible and what types of assistance they should receive. It is clear to us that funding limitations over the years, coupled with significant changes in other assistance programs and in the needs of low-income Alaskans, have resulted in a General Relief program that may be significantly different from what was originally intended in the 1953 Session Laws.

We would therefore welcome a comprehensive legislative study of the current General Relief program and any resulting changes in AS 47.25.120-300 that would more specifically define the Legislature's wishes concerning the program.

The Department supports the concept of an increase in the maximum General Relief payment.

Recommended by:

Robert H. Betit for.

Rod Betit, Director  
Division of Public Assistance

Date:

3-18-81

Approved by:

Helen D. Beirne

Helen D. Beirne  
Commissioner

Date:

3-19-81

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill No. 176  
 Title An Act Relating to General Relief Assistance  
 Requested by Clocks in Date 3/18/81

II. FISCAL DETAIL

Agency Affected Health & Social Services  
 Program Category Affected Social and Economic Assistance for the General Population  
 BRU, Program, or Subprogram(s) Affected Assistance Payments, General Relief Assistance  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		821.4	903.9	993.9	1093.3	1202.6
<b>TOTAL</b>		821.4	903.9	993.9	1093.3	1202.6

FUNDING (Thousands of Dollars)

GENERAL FUND		821.4	903.9	993.9	10093.3	1202.6
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		0				
PART TIME		0				
TEMPORARY		0				

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

FY82 request calls for 1015 persons per month to receive cash or vendor payments averaging \$67.44 per person, for a total of 821.4 (1015 x \$67.44 x 12 months). Doubling the maximum allowable monthly payment from \$80 to \$160 per person would have no effect on the number of persons found eligible. A "worst case" assumption is that all eligible persons would experience a doubling of their payments, from \$67.44 to \$134.88 per month. This would simply double program expenditures for all items except burials, adding 821.4 in new expenditures.

IV. DATE 3/18/81 PREPARED BY [Signature]  
 AGENCY DHS  
 PHONE 3347  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named) M&B Approval [Signature] Date 3/18/81

However a number of households receiving payments under the current payment maximum have their full emergency need met. The amount of their payments would not therefore increase with an increase in the maximum payment limit. No data is captured to indicate how many households fit in this category or how many households have "unmet needs" under the current maximum. However, based on an informal 1980 survey of actual case situations, a "best case" assumption could be made that only 50% of all recipients would experience a doubling of payments under CSHB No. 176. This would result in an additional cost of only 410.7.



Original sponsor: Clocksin

Offered: 3/17/81  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 176 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to temporary relief assistance; and  
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 47.25.250 is amended to read:

10 Sec. 47.25.250. TEMPORARY RELIEF. When a needy person is not  
11 entitled to assistance under AS 47.25.120 - 47.25.300 and has no rela-  
12 tives in the state liable for his support under AS 47.25.230 and 47.25.-  
13 240, the needy person may receive temporary assistance in the form and  
14 amount which the department considers necessary. Temporary assistance  
15 for needs other than transportation and medical care may not exceed  
16 \$160 [\$80] per person per month.

17 \* Sec. 2. This Act takes effect July 1, 1981.  
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Introduced: 2/18/81  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY CLOCKSIN

2 HOUSE BILL NO. 176

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to general relief assistance; and  
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 47.25.130 is amended to read:

10 Sec. 47.25.130. AMOUNT OF ASSISTANCE. The amount of assistance  
11 for a needy person shall be determined by the department with regard to  
12 the resources and needs of the person and the conditions existing in  
13 each case. Where possible, assistance shall be sufficient to provide  
14 the applicant with reasonable subsistence according to standards of  
15 assistance established by the department. However, the amount of assist-  
16 ance for subsistence needs may not exceed \$160 [\$80] a person a calendar  
17 month.

18 \* Sec. 2. This Act takes effect July 1, 1981.  
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Funding Information

General Fund	\$8,000,000	11,305,000
Other Funds	-0-	
	\$8,000,000	11,305,000

Introduced: 2/18/81  
 Referred: Transportation and Finance

*Finance Committee*  
~~BY SMITH, ROGERS, BROWN,  
 BARNES, BETTISWORTH,  
 FANNING AND RANDOLPH~~

*Senate*  
 IN THE ~~HOUSE~~

*SCS* HOUSE BILL NO. 177 am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE - FIRST SESSION

A BILL

*New title (see attached)*

For an Act entitled: ~~"An Act making a special appropriation to the Department of Transportation and Public Facilities for the resurfacing of the highway from the Yukon River to the Arctic Ocean, and providing for an effective date."~~

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

\* Section 1. The sum of \$8,000,000 is appropriated from the general fund to the Department of Transportation and Public Facilities for resurfacing the <sup>*Dalton*</sup> highway from the Yukon River to the Arctic Ocean .

~~\* Sec. 2. The appropriation made by this Act is for a capital project and is subject to AS 37.25.020.~~

\* Sec. <sup>*3*</sup>. This Act takes effect immediately in accordance with AS 01.10.070(c).

Insert new Secs. 2 thru 5 (attached)

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May 19, 1981

SENATE FINANCE COMMITTEE SUBSTITUTE FOR HB 177

New Title - "An Act making appropriations to the Department of Transportation and Public Facilities related to the Dalton Highway and the Petersburg Airport; and providing for an effective date."

Sec. 2. The sum of \$305,000 is appropriated from the general fund to the Department of Transportation and Public Facilities, interior region maintenance and operations, for the purpose of paying costs associated with opening the Dalton highway.

Sec. 3. The sum of \$3,000,000 is appropriated from the general fund to the Department of Transportation and Public Facilities, for runway paving at the Petersburg Airport.

Sec. 4. The appropriations made by Secs. 1 and 3 of this act are for capital projects and subject to AS 37.25.020.

Sec. 5. The unexpended and unobligated part of the appropriation made in Sec. 2 of this Act lapses into the general fund June 30, 1981.

PROPOSED AMENDMENTS TO HOUSE BILL 177am

BY: SENATOR BENNETT

FOR: THE SENATE FINANCE COMMITTEE

Page 1, lines 6 thru 9: Delete all language. Replace with new title:

"An Act making appropriations to the Department of Transportation and Public Facilities related to the Dalton Highway; and providing for an effective date."

Page 1, line 13: Between the words "the" and "highway" insert "Dalton"

Page 1, line 15: Add new Section 2 to read:

"The sum of \$305,000 is appropriated from the general fund to the Department of Transportation and Public Facilities, interior region maintenance and operations, for the purpose of paying costs associated with opening the Dalton highway."

Page 1, line 17: Delete language in Section 3 and replace with:

"The appropriation made by sec. 1 of this Act is for a capital project and is subject to AS 37.25.020."

Add new Section 4 to read:

"The unexpended and unobligated part of the appropriation made in sec. 2 of this Act lapses into the general fund June 30, 1987."

Add new Section 5 to read:

"This Act takes effect immediately in accordance with AS 01.010.070(c)."

PTGAS.

5/19 Senator Eliason's addition

Project Title: Petersburg Runway Paving      Location(s): Petersburg      Election Districts Served: 2-B      Start Date: July 1981      Construction Date: Sept. 1981

AGENCY REQUEST		Operational Cost & No. Personnel Increase -- (Decrease)		First Operating Year 1981	Ultimate Annual Year	GOVERNOR'S REQUEST		
						Approved	Deferred	Disapproved
1001	Federal Receipts					1002	Federal Receipts	
1002	G/F Match					1003	G/F Match	
1004	General Fund	3,000.00				1004	General Fund	3000.0
1005	I/A Receipts					1005	I/A Receipts	
	G.O. Bonds						G.O. Bonds	
Total		3,000.00			82-1	Total		3000.0

**PROJECT DESCRIPTION**

This paving project is proposed to enable Alaska Airlines to serve the community of Petersburg with the Boeing 737-200 type aircraft which they will reportedly have in service in the spring of 1981. Only the northeast 5000' of runway will be paved with 4" of asphaltic concrete in the scope of this project; the remaining 1500', because of subsurface stability problems, will be surface treated with a BST surface preparation. Paving the southwest 1500' is not possible at this time as this portion of the runway is experiencing differential settlement which would cause asphaltic concrete to buckle and heave, and become dangerously broken and unusable in a very short period of time.

Alaska Airlines will be able to serve Petersburg with the Boeing 737-200 if the maximum aircraft takeoff weight is at, or under, 106,000 pounds; this is 10,000 pounds under maximum aircraft takeoff weight. Operating weight restriction due to the 5000' runway length may not be agreeable to Alaska Airlines.

This project will consist of placing 4" of asphaltic concrete on the northeast 5000' of runway; a BST overlay on the southwest 1500' of the existing runway as a paved overrun area; and miscellaneous marking and possible extension of existing runway lights.

CATEGORY Transportation

AGENCY DOT/PF

PROGRAM Aviation

Page 1 of 3  
 Revised 11/28/80

FY 82

00931

35a PROJECT DESCRIPTION -  
 PROPOSED CAPITAL  
 PROJECT

HOUSE JOURNAL

LETTER OF INTENT

HB 177 am

DALTON HIGHWAY

FY '82 REPAIR WORK

It is the intent of the House of Representatives that appropriations for the Dalton Highway for FY 82 be used in conjunction with each other. House Bill 177 am appropriates the sum of \$8,000,000 for FY 82. It is the House's understanding that last year the legislature approved \$2.6 million in General Obligation Bonds for culvert repair along the Dalton Highway (highway from the Yukon River bridge to the Arctic Ocean, AS 19.40). Further, that this money is available for FY 82, and the Governor in his FY 82 budget has requested \$6 million for repairs to the Dalton Highway.

The House of Representatives intends that the \$8 million appropriation to DOT/PF be used for road repairs along the existing highway. This repair work is to include a six-inch lift and crown of crushed base. The worst areas shall be completed first.

If the \$6 million dollar Governor's request is appropriated, the House of Representatives intends it should be spent to complete road repairs from Antigun north along the existing highway. This work shall include a six-inch lift and crown of crushed base. The worst areas shall be completed first.

The House of Representatives recognizes the need for certain culvert repairs and understands that a \$2.6 million General Obligation bond established by Ch 118 SIA 80 to the Department of Transportation and Public Facilities for the Dalton Highway culvert repairs has not yet been spent. It is the intent of the House that the appropriation be used in FY 82 to repair the following culverts:

Milke Creek  
Arthur Creek  
Stout Creek  
Spoiled Creek  
Char Creek  
Climb Creek  
Terry Creek  
Oksrukyik Creek  
Polygon Creek  
Sylvia Creek  
Nina Creek  
Sten Creek

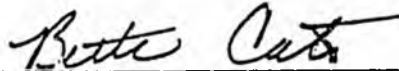
If the \$2.6 million does not meet the cost for all of the above culvert repairs, any additional monies needed shall be drawn from the Governor's requested \$6 million Dalton Highway appropriation if that appropriation is adopted.

# HOUSE JOURNAL

## LETTER OF INTENT

HB 177

The sum of \$8,000,000. is appropriated from the general fund to the Department of Transportation and Public Facilities for resurfacing of the highway from the Arctic Ocean to the Yukon River, beginning at mile 360 (adjacent to the Deadhorse airport) to approximately mile 238 (Antigon River Bridge crossing). The scope of the project shall include the restoration of the highway to the original 28' design width, culvert replacements, and a 6" lift of gravel.



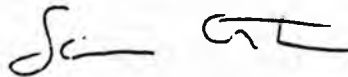
Rep. Bette Cato, Chairman  
House Transportation Committee

HOUSE JOURNAL  
HOUSE FINANCE COMMITTEE

LETTER OF INTENT FOR HB 177

The Department of Transportation and Public Facilities shall begin work on culverts on the North Slope Haul Road at the following locations:

Milke Creek  
Arthur Creek  
Stout Creek  
Spoiled Mary Creek  
Char Creek  
Climb Creek  
Terry Creek  
Oksrukyik Creek  
Polygon Creek  
Sylvia Creek  
Nina Creek  
Sten Creek



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Sam Cotten, Chairman  
House Finance Committee  
April 21, 1981

Original sponsors: Smith, Rogers,  
Brown, et al

Funding Information

General Fund	\$11,305,000
Other Funds	-0-
	<u>\$11,305,000</u>

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 177 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making appropriations to the Department of  
7 Transportation and Public Facilities for costs related  
8 to the James Dalton Highway and for improvements at  
9 the Petersburg Airport; and providing for an effective  
10 date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 \* Section 1. The sum of \$8,000,000 is appropriated from the general fund  
13 to the Department of Transportation and Public Facilities for resurfacing  
14 the James Dalton highway.

15 \* Sec. 2. The sum of \$305,000 is appropriated from the general fund to  
16 the Department of Transportation and Public Facilities, interior region  
17 maintenance and operations, for costs associated with opening the James  
18 Dalton highway.

19 \* Sec. 3. The sum of \$3,000,000 is appropriated from the general fund to  
20 the Department of Transportation and Public Facilities for runway paving at  
21 the Petersburg Airport.

22 \* Sec. 4. The appropriations made by secs. 1 and 3 of this Act are for  
23 capital projects and are subject to AS 37.25.020.

24 \* Sec. 5. The unexpended and unobligated portion of the appropriation  
25 made by sec. 2 of this Act lapses into the general fund June 30, 1981.

26 \* Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-  
27 070(c).

28

29

HOUSE BILL 177 am

(making a special appropriation to the DOT-PF for the resurfacing of the highway from the Yukon River to the Arctic Ocean)

- 2-18-81 Introduced by Representatives Smith, Rogers, Brown, Barnes, Bettisworth, Fanning and Randolph  
Ref: House Transportation and Finance
- 3-30-81 H. Transportation reported bill back with 4 'do pass' recommendations and 3 'no recs' (Zharoff, Hurlburt and Buchholdt) and attaches a letter of intent (See Attachment A)
- 4-12-81 H. Finance reported bill back with 6 'do pass' recommendation 2 'no recs' (Adams and Carney) and 1 'no rec - put pike trail along haul road' (Buchholdt) and attaches a House Finance letter of intent (See Attachment B)
- 4-27-81 House considered bill. An amendment by Bettisworth was proposed and adopted which deleted the language "necessary to bring up to secondary road standards" from the original bill.  
House passed the bill with amendment - 38-0. Neither the Transportation nor Finance committee letters of intent were adopted. (Transportation letter not moved for adoption... objection on Finance letter of intent and motion to adopt withdrawn)  
Notice of reconsideration served by Rogers. Reconsideration not taken up next day.
- 4-29-81 Ref: Senate Transportation, Finance
- 5-13-81 S. Transportation reported back with 2 'do pass' and 2 'no rec' (Sackett and Gilman) recommendations
- Note: 5-7-81 House Transportation Committee offered Letter of Intent to full House. It was unanimously adopted under Unfinished Business (See Attachment C) and transmitted to Senate.

1861 '0C 42

A

HB 59

The Judiciary Committee has had HOUSE BILL NO. 59 (relating to election law violations) under consideration and reports it back without recommendation. Concurring: Clocksin, O'Connell, Anderson and Phillips. Not concurring: Brown (Chairman), Miller and Chuckwuk recommend do pass.

HB 59 was referred to the Rules Committee for placement on the calendar.

HB 174

The Health, Education & Social Services Committee has had HOUSE BILL NO. 174 (aid to families with dependent children; effective date) under consideration and recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 174 (HESS)(same title) and that it do pass. Concurring: Clocksin (Chairman), Beirne, Duncan, Martin and Cato.

HB 174 was referred to the Finance Committee.

HB 177

The Transportation Committee has had HOUSE BILL NO. 177 (special appropriation to the Department of Transportation and Public Facilities for the resurfacing of the highway from the Yukon River to the Arctic Ocean; effective date) under consideration, recommends it do pass and attaches a letter of intent. Concurring: Cato (Chairman), Hayes, Fanning and Metcalfe. Not concurring: Zharoff, Hurlbert and Buchholdt have no recommendation.

HB 177 was referred to the Finance Committee.

The letter of intent follows:

LETTER OF INTENT

HB 177

The sum of \$8,000,000 is appropriated from the general fund to the Department of Transportation and Public Facilities for resurfacing of the highway from the Arctic Ocean to the Yukon River, beginning at mile 360 (adjacent to the Deadhorse airport) to approximately mile 238 (Antigon River Bridge crossing). The

HB 177 continued

scope of the project shall include the restoration of the highway to the original 28' design width, culvert replacements, and a 6" lift of gravel.

*Bette Cato*  
Rep. Bette Cato, Chairman  
House Transportation Committee

HB 277

The Transportation Committee has had HOUSE BILL NO. 277 (special appropriations to the Department of Transportation and Public Facilities and the Department of Community and Regional Affairs for erosion control and assessment projects; effective date) under consideration and recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 277 (Transportation):

"An Act making special appropriations for erosion control assessment and seawall construction projects; and providing for an effective date."

and that it do pass. Concurring: Cato (Chairman), Hayes, Hurlbert, Buchholdt, Metcalfe and Zharoff. Not concurring: Fanning recommends do not pass.

HB 277 was referred to the Finance Committee.

EO 50

The following report was received from the Judiciary Committee:

HOUSE JUDICIARY  
COMMITTEE REPORT ON EXECUTIVE ORDER 50

March 28, 1981

The Honorable Jim Duncan  
Speaker of the House  
Room 214, Capitol Bldg.

Dear Mr. Speaker:

As you have noted informally, the time has now expired during which the Legislature could have acted to nullify Executive Order 50 by resolution.

B

HB 177

The Finance Committee has had HOUSE BILL NO. 177 (making a special appropriation to the Department of Transportation and Public Facilities for the resurfacing of the highway from the Yukon River to the Arctic Ocean; effective date) under consideration and recommends it do pass and attaches a letter of intent. Concurring: Cotten (Chairman), Freeman, Moss, Rogers, Haugen and Montgomery. Not concurring: Adams and Carney have no recommendation. Buchholdt has no recommendation, "put bike trail along haul road."

HB 177 was referred to the Rules Committee for placement on the calendar.

The letter of intent follows:

HOUSE FINANCE COMMITTEE

LETTER OF INTENT FOR HB 177

The Department of Transportation and Public Facilities shall begin work on culverts on the North Slope Haul Road at the following locations:

- Milke Creek
- Arthur Creek
- Stout Creek
- Spoiled Mary Creek
- Char Creek
- Climb Creek
- Terry Creek
- Oksrukyik Creek
- Polygon Creek
- Sylvia Creek
- Nina Creek
- Sten Creek

*Sam Cotten*

Sam Cotten, Chairman  
House Finance Committee  
April 21, 1981

HB 177am continued

LETTER OF INTENT  
 HB 177am  
 DALTON HIGHWAY  
 FY '82 REPAIR WORK

It is the intent of the House of Representatives that appropriations for the Dalton Highway for FY 82 be used in conjunction with each other. House Bill 177 am appropriates the sum of \$8,000,000 for FY 82. It is the House's understanding that last year the legislature approved \$2.6 million in General Obligation Bonds for culvert repair along the Dalton Highway (highway from the Yukon River bridge to the Arctic Ocean, AS 19.40). Further, that this money is available for FY 82, and the Governor in his FY 82 budget has requested \$6 million for repairs to the Dalton Highway.

The House of Representatives intends that the \$8 million appropriation to DOT/FF be used for road repairs along the existing highway. This repair work is to include a six-inch lift and crown of crushed base. The worst areas shall be completed first.

If the \$6 million dollar Governor's request is appropriated, the House of Representatives intends it should be spent to complete road repairs from Antigon north along the existing highway. This work shall include a six-inch lift and crown of crushed base. The worst areas shall be completed first.

The House of Representatives recognizes the need for certain culvert repairs and understands that a \$2.6 million General Obligation bond established by Ch 118 SIA 80 to the Department of Transportation and Public Facilities for the Dalton Highway culvert repairs has not yet been spent. It is the intent of the House that the appropriation be used in FY 82 to repair the following culverts:

Milke Creek  
 Arthur Creek  
 Stout Creek  
 Spoiled Creek  
 Char Creek  
 Climb Creek  
 Terry Creek  
 Oksrukyik Creek  
 Polygon Creek  
 Sylvia Creek  
 Nina Creek  
 Sten Creek

If the \$2.6 million does not meet the cost for all of the above culvert repairs, any additional monies needed shall be drawn from the Governor's requested \$6 million Dalton Highway appropriation if that appropriation is adopted.

*Bette Cato*  
 Chairman, Transportation Committee

FISCAL NOTE

I. REQUEST

Bill/Resolution No. H.B. 177  
 Title Special Adroc. to DOT/PF for resurfacing Highway, Yukon River to Arctic Ocean  
 Requested by Rep. Smith, et al Date 2/20/81

II. FISCAL DETAIL

Agency Affected DOT/PF  
 Program Category Affected Highway Design & Construction  
 BRU, Program, or Subprogram(s) Affected \_\_\_\_\_

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						

TOTAL

FUNDING (Thousands of Dollars)

GENERAL FUND		8,000,000				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE 2/26/81 PREPARED BY Dave Truax  
 AGENCY Planning & Programming, DOT/PF, Interior Region  
 PHONE 479-4281  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

Funding Information  
General Fund \$8,000,000  
Other Funds -0-  
\$8,000,000

Introduced: 2/18/81  
Referred: Transportation and  
Finance

BY SMITH, ROGERS, BROWN,  
BARNES, BETTISWORTH,  
FANNING AND RANDOLPH

1 IN THE HOUSE

2 HOUSE BILL NO. 177 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-  
7 ment of Transportation and Public Facilities for the  
8 resurfacing of the highway from the Yukon River to the  
9 Arctic Ocean; and providing for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 \* Section 1. The sum of \$8,000,000 is appropriated from the general fund  
12 to the Department of Transportation and Public Facilities for resurfacing  
13 the highway from the Yukon River to the Arctic Ocean .

14 \* Sec. 2. The appropriation made by this Act is for a capital project  
15 and is subject to AS 37.25.020.

16 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-  
17 070(c).

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Funding Information  
General Fund \$8,000,000  
Other Funds -0-  
\$8,000,000

Introduced: 2/18/81  
Referred: Transportation and  
Finance

BY SMITH, ROGERS, BROWN,  
BARNES, BETTISWORTH,  
FANNING AND RANDOLPH

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2 HOUSE BILL NO. 177

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

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9 Arctic Ocean; and providing for an effective date.

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11 \* Section 1. The sum of \$8,000,000 is appropriated from the general fund  
12 to the Department of Transportation and Public Facilities for resurfacing  
13 necessary to bring the highway from the Yukon River to the Arctic Ocean up  
14 to secondary road standards.

15 \* Sec. 2. The appropriation made by this Act is for a capital project  
16 and is subject to AS 37.25.020.

17 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-  
18 070(c).

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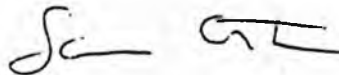
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HOUSE JOURNAL  
HOUSE FINANCE COMMITTEE  
LETTER OF INTENT FOR HB 177

The Department of Transportation and Public Facilities shall begin work on culverts on the North Slope Haul Road at the following locations:

Milke Creek  
Arthur Creek  
Stout Creek  
Spoiled Mary Creek  
Char Creek  
Climb Creek  
Terry Creek  
Oksrukyik Creek  
Polygon Creek  
Sylvia Creek  
Nina Creek  
Sten Creek



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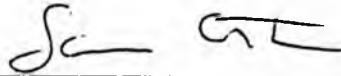
Sam Cotten, Chairman  
House Finance Committee  
April 21, 1981

HOUSE JOURNAL  
HOUSE FINANCE COMMITTEE

LETTER OF INTENT FOR HB 177

The Department of Transportation and Public Facilities shall begin work on culverts on the North Slope Haul Road at the following locations:

Milke Creek  
Arthur Creek  
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Climb Creek  
Terry Creek  
Oksrukyik Creek  
Polygon Creek  
Sylvia Creek  
Nina Creek  
Sten Creek



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Sam Cotten, Chairman  
House Finance Committee  
April 21, 1981

A M E N D M E N T

OFFERED IN THE HOUSE:

By: Adams

To: \_\_\_\_\_ HOUSE BILL No. 177

SENATE BILL No. \_\_\_\_\_

PAGE: \_\_\_\_\_

LINE: \_\_\_\_\_

The sum of \$2,707,000. is appropriated from the general fund to the Department of Transportation and Public Facilities for culvert repairs on the North Slope Haul Road.

The sum of \$1,090,000 is appropriated from the general fund to the North Slope Borough for planning, management, and an environmental protection program for the section of the Haul Road from Disaster Creek to the Arctic Ocean.

April 20, 1981

TO: REP. ADAMS

FROM: MARLA

RE: CULVERTS ALONG THE NORTH SLOPE HAUL ROAD WITHIN THE  
NORTH SLOPE BOROUGH NEEDING REMEDIAL ACTION

I got these cost estimates from Larry Sodin, DOT/PF Fairbanks.  
He said these estimates were based on current work being done  
on culverts this past year. No work has been done on these areas:

*on the North Slope Haul Rd.*

(17) Milke Creek	220.
Arthur Creek	254.
Stout Creek	581.
Spoiled Mary Creek	4.
Char Creek	145.
Climb Creek	364.
Terry Creek	218.
Oksrukuyik Creek	254.
Polygon Creek	254.
Sylvia Creek	109.
Nina Creek	181.
Sten Creek	123.
	<hr/>
Total	2,707.

Funding Information  
General Fund \$8,000,000  
Other Funds -0-  
\$8,000,000

Introduced: 2/18/81  
Referred: Transportation and  
Finance

BY SMITH, ROGERS, BROWN,  
BARNES, BETTISWORTH,  
FANNING AND RANDOLPH

1 IN THE HOUSE

2 HOUSE BILL NO. 177

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Depart-  
7 ment of Transportation and Public Facilities for the  
8 resurfacing of the highway from the Yukon River to the  
9 Arctic Ocean; and providing for an effective date.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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12 to the Department of Transportation and Public Facilities for resurfacing  
13 necessary to bring the highway from the Yukon River to the Arctic Ocean up  
14 to secondary road standards.

15 \* Sec. 2. The appropriation made by this Act is for a capital project  
16 and is subject to AS 37.25.020.

17 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-  
18 070(c).

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NORTH SLOPE BOROUGH

P. O. BOX 69

BARROW, ALASKA 99723

TELEPHONE (907) 852-2611

April 16, 1981

The Honorable Al Adams  
House of Representatives  
Pouch V  
Juneau, Alaska 99811

Dear Sir:

Detailed below is a schedule of estimated costs involved in the Borough's monitoring, planning, management and environmental protection program for the Haul Road. Please note that we have differentiated between basic administrative work and emergency support (i.e., medical services and public safety) but this in no way implies that the emergency support receives lesser priority.

STAFF AND RESPONSIBILITIES

SALARY

- |   |          |
|---|----------|
| 1 PLANNER - Update comprehensive plan, zoning, historic analysis  | \$65,000 |
| 1 EPO OFFICER - Monitor spills, streams, culverts, camp clean-up and operation, and gravel use  | 60,000   |
| 2 SUBSISTENCE & WILDLIFE OFFICERS - Analyze caribou migration patterns and impact of road and corridor use on all subsistence species and habitat | 120,000  |
| 1 VILLAGE LIAISON - Establish and maintain 2-way communications on haul road uses with villages of Anaktuvuk Pass, Nuiqsut and Kaktovik           | 50,000   |

SUBTOTAL: \$295,000

TRAVEL - Per diem, etc. 50,000

VEHICLES, FIELD EQUIPMENT, ETC. 75,000

SUBTOTAL: \$420,000

Representative Al Adams

-2-

April 16, 1981

CONTRACT WORK

CONTRACT COSTS

1. Finish nomination of at least 10-20 cultural sites for the National Register of Historic Places \$100,000
  2. Establish base-line data on environment, pollution, subsistence, user patterns and impact, etc. with literature research, limited field work, analysis of records, and interviews. Use various combinations of written and audio-visual material to communicate the results and findings. 180,000
- SUBTOTAL: \$280,000

PUBLIC SAFETY & EMERGENCY MEDICAL SERVICES

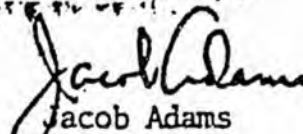
SUPPORT COSTS

- 4 PUBLIC SAFETY/EMS OFFICERS - Provide emergency and medical support as needed 200,000
- TRAVEL - Per diem, etc. 50,000  
VEHICLES, FIELD EQUIPMENT, ETC. 75,000  
SUBSISTENCE AND SUPPORT SERVICES 65,000
- SUBTOTAL: \$390,000

To provide the staff, complete the contract work, and provide emergency and public safety services, the grand total will be \$1,090,000.

If you need additional information, please call me at your earliest possible convenience.

Yours truly,

  
Jacob Adams  
Mayor

cc: Conrad Bagne  
Borough Attorney

JA:eap

(CONFIRMATION COPY: TELECOPIED ON 4/16/81)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

HB 177

FISCAL NOTE

I. REQUEST

Bill/Resolution No. H.B. 177  
 Title Special Appro. to DOT/PF for resurfacing Highway, Yukon River to Arctic Ocean  
 Requested by Rep. Smith, et al Date 2/20/81

II. FISCAL DETAIL

Agency Affected DOT/PF  
 Program Category Affected Highway Design & Construction  
 BRU, Program, or Subprogram(s) Affected \_\_\_\_\_

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>						

FUNDING (Thousands of Dollars)

GENERAL FUND		8,000,000				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE 2/26/81 PREPARED BY Dave Truax  
 AGENCY Planning & Programming, DOT/PF, Interior Region  
 PHONE 479-4281  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

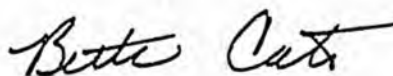
*esl*

# HOUSE JOURNAL

## LETTER OF INTENT

HB 177 ' 4

The sum of \$8,000,000. is appropriated from the general fund to the Department of Transportation and Public Facilities for resurfacing of the highway from the Arctic Ocean to the Yukon River, beginning at mile 360 (adjacent to the Deadhorse airport) to approximately mile 238 (Antigun River Bridge crossing). The scope of the project shall include the restoration of the highway to the original 28' design width, culvert replacements, and a 6" lift of gravel.



Rep. Bette Cato, Chairman  
House Transportation Committee

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

Rec'd 2/23/82 AFTER BILL  
Reported out of House  
Finance - Page 2 did not  
accompany note of

FISCAL NOTE Amended 2/18/82

I. REQUEST  
Bill/Resolution No. HB 180  
Title An Act Revising the Drug Laws  
Requested by House Judiciary Date 2/18/82

II. FISCAL DETAIL  
Agency Affected Alaska Court System  
Program Category Affected Administration of Justice  
BRU, Program, Or Subprogram(s) Affected Trial Courts  
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		97.8	106.0	116.0	127.0	139.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT		6.7				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		104.5	106.0	116.0	127.0	139.0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		104.5	106.0	116.0	127.0	139.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		4	4	4	4	4
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

The original fiscal note for HB 180 stated that there is no apparent fiscal impact on the Court System from revising the drug laws.

However, in discussing this bill with the Anchorage Police Department, we have been informed that they are adding 9 new officers and asking for 16 additional officers, largely in response to the drug bill. This will lead to a greater number of arrests, particularly on misdemeanor possession charges. We have also learned that the District Attorney expects to prosecute more cases under the new law than in the past. The impact of these increased prosecutions will be primarily in the metropolitan locations. While the number of additional cases are not expected to be sufficient to support additional judicial resources, the increase in filings and trials will create additional paperwork, files, and clerical support requirements.

Therefore, it is estimated that the Anchorage court will need two additional clerk I's and one additional clerk II, and that the Fairbanks court will need an additional clerk I. The cost of these positions is broken out below.

(Continued)

Page 1 of 2

IV. DATE 2/18/82 PREPARED BY Richard P. Barrier  
AGENCY Alaska Court System  
Original: Legislative Finance PHONE 264-0545  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)  
33-001 (Rev. 12/81)

→  
no.  
Page 2  
not  
provided



THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
Bill/Resolution No. House Bill 180  
Title "An Act revising the drug laws and making amendments to the criminal laws of  
Requested by Representative Barnes Date 1/8/82 the State

II. FISCAL DETAIL  
Agency Affected Department of Health & Social Services, Division of Adult Corrs.  
Program Category Affected Offender Confinement, Reformation and Supervision  
BRU, Program, Or Subprogram(s) Affected Adult Confinement; Probation & Community  
(Note: If more than one budget component is affected, separate line-item Programs amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		112.5	737.2	788.3	844.1	903.1
200 TRAVEL		2.6	8.4	12.6	18.4	20.1
300 CONTRACTUAL		18.7	122.7	171.9	204.9	242.2
400 COMMODITIES		23.9	111.9	122.0	132.9	144.9
500 EQUIPMENT		4.0	12.0			
600 LAND & STRUCTURES		6026.7				
700 GRANTS, CLAIMS, ETC.						
TOTAL		6188.2	992.2	1,095.3	1,200.3	1,310.3

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	-0-		992.2	1,095.3	1,200.3	1,310.3
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	-0-	3	19	19	19	19
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

A. Program Impact

It is predicted that enactment of this proposed legislation would have a significant fiscal impact on the Division of Adult Corrections. It is impossible to estimate the fiscal impact from historical data alone. This fiscal note was developed by using Department of Law estimates for projected rates of arrest and conviction and by analysis of the limited data of the Division of Adult Corrections. The current building program is capable of housing inmates projected under current statutes and policies. In-state facilities are currently operating at close to emergency levels and beds made available by the Federal Bureau of Prisons are essentially full, therefore new beds and staff would be required in order to care for the predicted additional inmates.

IV. DATE January 19, 1982 PREPARED BY Roger C. Lange  
AGENCY Division of Adult Corrections  
PHONE 465-3376

Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)  
33-001 (Rev. 12/81)

required. Institutional staffing requirements will be 11 Correctional Officers II, 1 Correctional Officer III, 2 Psychological Counselors II and 2 Clerk III's. Two additional Probation Officer II positions would be required to assume the workload increase of pre-sentence reports and street supervision of probationers and parolees, with one Clerk Typist III for necessary clerical support. The projected impact is in three program areas: increased sentenced felons; increased bookings and sentenced misdemeanants; and increased probation/parole workloads.

#### INCREASED SENTENCED FELONS:

Attachment 1 is a matrix displaying a representative assessment of felony drug offenders as affected by current law, and as impacted by provisions of H.B. 180. This comparison projects need for 86 additional beds (man years) if H.B. 180 is enacted.

It is noted that the first year impact is predicted to be 16; second year impact raises the total to 55; fourth year to 80, and long term impact a total of 86. See graph attachment 2. Planning and fiscal realities indicate need for all 86 beds to be funded in the first fiscal year. Considering the approximate three year planning-construction cycle, the impracticality of adding a small number of cells at a time, and considering the overall inflationary impact, all beds should be funded at one time.

#### INCREASED BOOKINGS AND MISDEMEANANTS:

The equivalent of two beds (man years) would be necessitated in order to house those additional numbers of persons booked for drug offenses and for those who would now be sentenced to misdemeanor offenses as a result of this proposed legislation. This two bed increase (full time equivalent of two offenders) would accommodate the expected increase of up to 250 arrestees per year, and up to 100 misdemeanants serving an average of five days each.

#### INCREASED PROBATION/PAROLE WORKLOADS:

Probation/parole workloads would be impacted. It is assumed that two additional probation officers would be required to complete the 86 additional pre-sentence reports, plus additional caseload supervision, related reports and other activities.

### B. Fiscal Impact

#### 1. Capital Costs

Construction of 88 additional beds. The fiscal note has been developed with the assumption that the 88 beds would be added to the 300 bed facility in the Division's FY 1983 capital budget. By adding the beds to an existing project, the cost per bed is estimated to be \$70,900 rather than the estimated \$136,600 per bed when all core facilities (heating plant, kitchen, administration, recreation, etc.) are included in a totally new institution. Therefore, the estimated capital costs would be \$6,239,200.

#### 2. Operating Costs

##### a. Personnel

- 1 - Correctional Officer III
- 11 - Correctional Officer II
- 2 - Psychological Counselor II
- 2 - Probation Officer II
- 2 - Clerk III
- 1 - Clerk Typist III

Personal Services costs are based on the FY 1982 salary schedule, with an annual inflation rate of 7%. The staff for probation/parole activities would be required in FY 1983. The institutional staff would be hired upon completion of the new beds, estimated to be in FY 1984.

- b. Other costs included are those related directly to the physical and health needs of the additional inmate caseload. These costs reflect the increase in the inmate population over the period covered by this fiscal note. An inflation factor of 9% was used for costs included in the categories of travel, contractual services, commodities and grants.

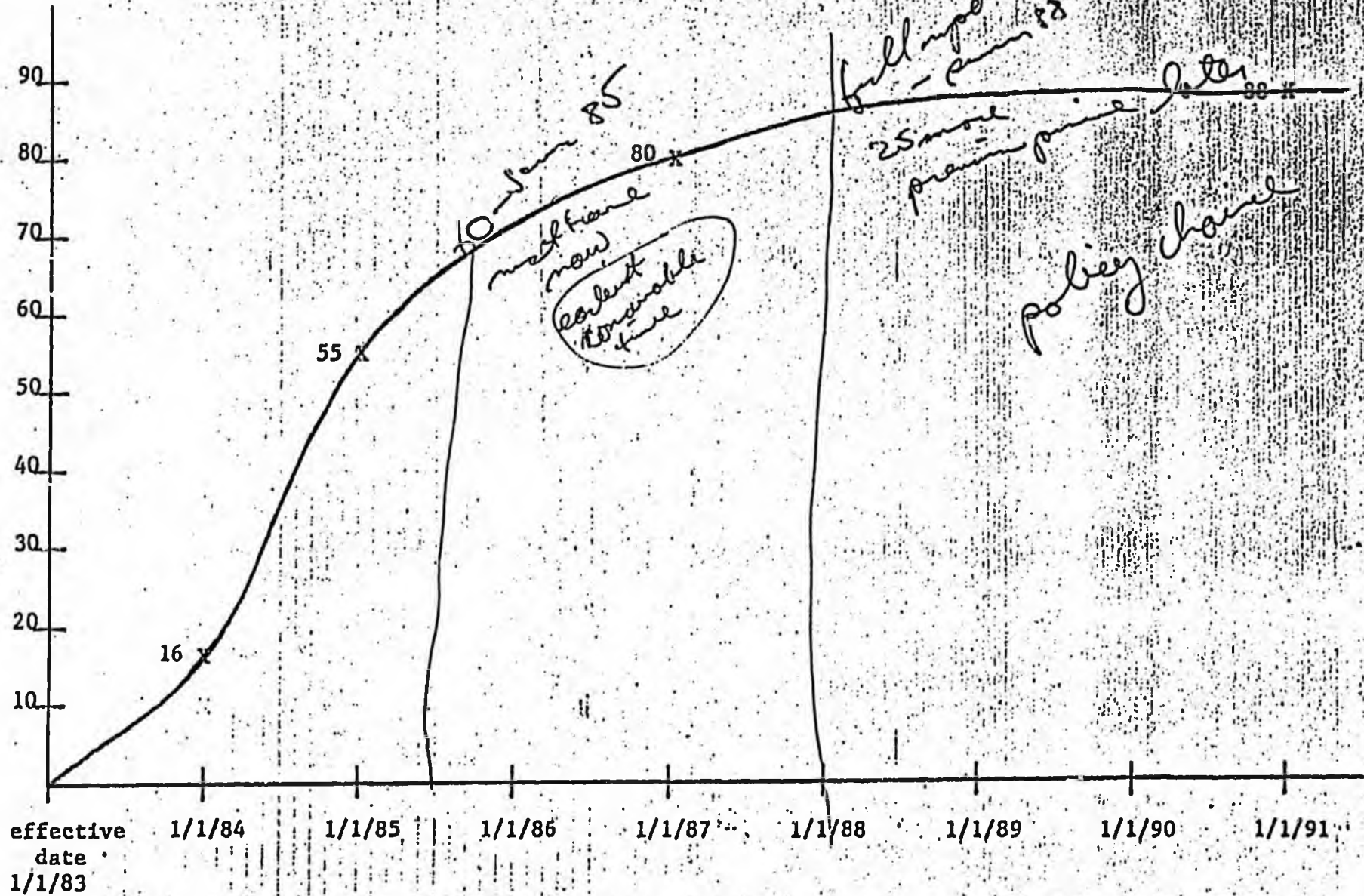
- C. Caution should be taken when considering the fiscal impact identified in this fiscal note. It is impossible to predict with any certainty the course of each of the variables resulting from this proposed legislation. Any changes in the variables or the assumptions could significantly change the fiscal impact of H.B. 180.

Class of Felony	Present Law # Convicted	% To Jail	# To Jail	Avg. Sent. Length	Avg. Sent. Served	H.B. 180 # Convicted	% To Jail	# To Jail	Avg. Sent. Length	Avg. Sent. Served	Present	H.B. 180
Classified	1	100%	1	10	7	2	100%	2	10	7	7	14
A	7	70%	5	3	2	10	90%	9	6	4	10	36
B	74	25%	19	2	1	82	40%	33	3	1.75	19	58
C	43	15%	6	1	.5	66	25%	17	1.5	1.0	3	17
	<u>125</u>					<u>160</u>					<u>39</u>	<u>125</u>

86 Additional  
Beds Needed

HB 180  
PHASED-IN PRISON POPULATION INCREASE

INCREASE  
IN  
PRISON  
POPULATION



THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 180

Title An Act Revising the Drug Laws and Making Amendments to the Criminal Laws of  
Requested by House Judiciary Committee Date 1/18/82 the state

II. FISCAL DETAIL

Agency Affected Department of Law

Program Category Affected Administration of Justice

BRU, Program, Or Subprogram(s) Affected Prosecution

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		137.5	178.2	192.5	207.9	224.5
200 TRAVEL		46.2	27.8	30.0	32.4	35.0
300 CONTRACTUAL		59.7	47.2	51.0	55.1	59.5
400 COMMODITIES		11.3	3.7	4.0	4.3	4.6
500 EQUIPMENT		15.7	0	0	0	0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>270.4</b>	<b>256.9</b>	<b>277.5</b>	<b>299.7</b>	<b>323.6</b>

FUNDING (Thousands of Dollars)

GENERAL FUND		270.4	256.9	277.5	299.7	323.6
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

PULL TIME		4.0	4.0	4.0	4.0	4.0
PART TIME		1.0	1.0	1.0	1.0	1.0
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Three distinct fiscal impacts will occur as a result of passage of this bill, and are reflected in this fiscal note.

First, because the bill constitutes a complete and comprehensive revision of existing drug laws, it will be necessary to conduct a statewide training program for law enforcement officers, prosecutors and other effected members of the criminal justice system prior to the effective date of the bill. The training program for law enforcement officers will include an updated review of the law of search and seizure in addition to the substantive changes in the criminal law made by this bill. A similar program was conducted by the criminal division of the department prior to the effective

IV. DATE January 18, 1982

PREPARED BY Daniel W. Hickey, Chief Prosecutor

AGENCY Department of Law

Original: Legislative Finance

PHONE 465-3428

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

Bill/Resolution No. House Bill 180

Title: An Act Revising the Drug Laws and Making Amendments to the Criminal Laws of the State

Requested by: House Judiciary Committee

Date: January 18, 1982

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ANALYSIS (continued)

date of the revised criminal code. This program involved 3 day training sessions for in excess of 1300 police officers throughout the state. In addition, separate training sessions were conducted for judges, prosecuting attorneys, probation officers and members of the Alaska Bar Association. The program was very successful and resulted in fully preparing persons involved in the criminal justice system for the many wide-ranging changes which were made by the code.

The training program envisioned under this bill will not be as complex nor require as many sessions as that required for the revised criminal code. Sessions will be restricted to between eight and twelve principal locations in the state and it is assumed that both state and municipal agencies will provide whatever funds are necessary to send personnel to one of the sessions. Direct training costs include travel expenses for instructors for the sessions, the preparation of materials and those costs associated with conducting the sessions themselves. Those costs are as follows:

100	Personal Services	-0-
200	Travel	20.5
300	Contractual	16.0
400	Commodities	4.0
500	Equipment	-0-
		<u>40.5</u>

Second, the department has requested two additional support positions to assist in its efforts to vigorously prosecute offenses involving the unlawful trafficking in controlled substances. Last legislative session, as a consequence of increased funding recommended by the House Task Force on Violent Crime, the department was able to fund an attorney position whose primary emphasis and expertise is in the area of prosecuting complex drug offenses. In addition for the ongoing prosecution of major drug cases, the position provides assistance to law enforcement agencies throughout the state during the course of complex drug investigations and assists in developing ongoing training programs and investigative procedures.

This fiscal note includes funding for a paralegal and secretarial position assigned to the drug attorney position. The paralegal will be responsible for assisting the attorney in case preparation and appellate research, for presenting public education programs on controlled substance offenses and abuse upon request by interested civic groups and schools, and for assisting in the effort to provide continuing legal education programs for police officers on drug offenses, particularly in rural Alaska. The secretarial position will provide support services for the attorney and paralegal and will be responsible for preparing complex legal briefs for the appellate courts.

The department has not requested any additional attorney positions to handle the increase in prosecution that is likely to result from enactment of this bill. This increase will result primarily from the fact that cases that had previously been viewed as not prosecutable because of defects in current law can be prosecuted under this bill. We will closely monitor the actual effect of the bill on our caseload during the initial two year period it is effective, and should our caseload increase significantly it may become necessary to request additional positions in future years.

Bill/Resolution No. House Bill 180

Title: An Act Revising the Drug Laws and Making Amendments to the Criminal Laws of the State

Requested by: House Judiciary Committee

Date: January 18, 1982

ANALYSIS (Continued)

It also should be noted that no new positions have been requested to handle pre-trial diversion of appropriate cases under this bill. Existing positions in the pre-trial diversion component will be adequate to handle any increase in workload attributable to this legislation.

Costs for the positions are:

	<u>Paralegal Asst.</u>	<u>Legal Secretary I</u>
100 Personal Services	28.9	22.8
200 Travel	6.0	3.6
300 Contractual	11.0	.6
400 Commodities	2.5	2.7
500 Equipment	1.2	12.9
TOTALS:	<u>49.6</u>	<u>42.6</u>

Included in the foregoing are single-time new position purchases of \$14.1 in equipment and \$2.4 in commodities. The largest expense is 12.2 for an IBM word processor.

The final area of fiscal impact under the bill relates to the work of the Controlled Substances Advisory Committee under proposed Secs. 11.71.100, 11.71.110 and 11.71.120. Under the bill, the committee is charged with the responsibility of providing policy coordination for all activities relating to drug use and abuse. At present, these activities are not coordinated and law enforcement programs, treatment programs and legitimate industry enforcement efforts are often pursuing competing goals and objectives.

Minimal staff resources will be required to support the work of the committee concerning the classification of controlled substances and the development of policy and program coordination in the area of drug abuse. A Criminal Justice Planner (PFT), a Research Analyst II (PFT), and a parttime Clerk Typist III would provide the necessary staff to the committee in meeting the statutory duties specified in AS 11.70.110.

The Committee would meet quarterly alternating between Anchorage and Juneau.

Costs for the positions and the Committee would be reflected as additions to the Office of Justice Assistance's FY 83 Budget.

	<u>Committee</u>	<u>Staff</u>
100 Personal Services	-0-	85.8
200 Travel	11.1	5.0
300 Contractual	-0-	32.1
400 Commodities	-0-	2.1
500 Equipment	-0-	1.2
TOTAL:	<u>11.1</u>	<u>126.2</u>

Included in the foregoing are single-time new position costs of 1.2 for equipment and 1.5 for commodities.

FY 83 new position costs have been calculated on the basis of 10 month funding. Consequently, cost projections for FY 84 and beyond have been calculated on the basis of full year funding and through our annual inflation adjustment of 8%, after removing single-time non-salary new position costs and single-time training expenses.

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE - UPDATE

I. REQUEST

Bill/Resolution No. CSHB 180 "An Act revising the drug laws and making  
Title amendments to the criminal laws of the State: and providing for an effective  
Requested by House Finance Committee Date 2-2-82 date."

II. FISCAL DETAIL

Agency Affected Department of Commerce & Economic Development  
Program Category Affected Public Protection  
BRU, Program, Or Subprogram(s) Affected Regulation & licensing of professions; adm  
(Note: If more than one budget component is affected, separate line-item boards &  
amounts and funding for each component in the analysis section.) investigatio

EXPENDITURES (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES	115.9	115.9	80.7	80.7	80.7	80.7
200 TRAVEL	17.4	19.1	18.4	20.2	22.2	24.4
300 CONTRACTUAL	12.7	13.8	15.0	16.4	17.9	18.5
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	5.9	0	0	0	0	0
600 LAND & STRUCTURES	3.7	3.7	2.4	2.4	2.4	2.4
700 GRANTS, CLAIMS, ETC.						
TOTAL	155.6	152.5	116.5	119.7	123.2	126.0

FUNDING (Thousands of Dollars)

	155.6	152.5	116.5	119.7	123.2	126.0
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	3	3	2	2	2	2
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

PERSONAL SERVICES - FY'82 salary schedule. (according to budget directions, no inflation factor to be projected)

2 Investigators, (1 in Anch, 1 in Southeast), range 18, 12 mos.  
gen. govt. (costs are if investigators are hired by Dept. of Commerce,  
rather than if hired by Public Safety). \$ 80,969.00  
1 Regulations Specialist, range 16, 12 mos. gen. govt. (FY'82 - FY'83  
only, as needed to research and formulate necessary regulations with  
the Board of Pharmacy) 35,252.00  
Total \$ 115,948.00

TRAVEL - 10% inflation factor projected.

Patient Qualification Review Committee, to be appointed by Board of  
Pharmacy. 4 members (2-Anch, 1-Fbks, 1-Southeast), 3 meetings per yr.,  
(1 ea. in Anch, Fbks, & SE), 3 days ea., travel costs plus per diem \$ 4,188.00  
@ \$80/day

IV. DATE 2-2-82

PREPARED BY Margorie Odland

AGENCY Division of Occupational Licensing  
PHONE 465-2535

Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)  
33-001 (Rev. 12/81)

(Cont..)

Board of Pharmacy, 7 members, travel costs and per diem @ \$80/day for 2 licensing/disciplinary hearings in Anchorage (this is in addition to appropriated funds budgeted for regular board meetings and hearings in FY'82 detail budget)	3,022.00
Investigators - travel costs and per diem @ \$80/day to attend Board of Pharmacy meetings and licensing/disciplinary hearings as necessary due to additional regulatory and enforcement activities of the Board of Pharmacy as mandated by CSHB 180. Estimate 3 trips per year for each investigator, 1 day ea.	2,486.00
Investigators - travel costs and per diem @ \$80/day to perform inspections throughout the State (approx. 90 facilities)	7,000.00
Regulations Specialist - travel costs and per diem @ \$80/day, to attend Board of Pharmacy meetings and proposed regulation hearings as necessary due to additional regulatory and enforcement activities of the board. Estimate 3 trips per year in FY'82-FY'83, 1day each (Anch, Fbks, and Southeast)	700.00
Total	\$17,396.00

CONTRACTUAL - 9% inflation factor projected.

Duplication and mailing costs of new registration forms and regulations; publication costs for proposed regulations and hearings, and general operating and computer costs to implement new registration process. \$ 7,000.00

Licensing/Disciplinary Hearings - Costs estimated from past Guide Board hearings held in December 1981. Anticipate 3 hearings per year. In estimating one day hearings, the following costs are considered:

*Average 6 hour days.	
Hearing Officer @\$75/hour	450.00
Court Reporter @ \$25/hour	150.00
10 exhibits, .45 ea	4.50
3 witnesses, 1/2 day ea., @12.50	37.50
1 expert witness, 2 hours@\$150/hr	300.00
Transcript, avg. 210 pages @ 4.50/page	945.00
	<hr/>
	1,887.00

\*\* Other costs such as transportation of witnesses, taking of depositions and other special handling can increase cost. \$ 5,661.00

EQUIPMENT - one time expense in FY'82

3 desks, double pedestal (60x30)	\$ 1,280.76
3 chairs, exec., swivel with arms	706.62
2 typewriters, correcting selectric, dual pitch	2,057.62
2 file cabinets, 5 drawer, legal with lock	617.66
1 file cabinet, 4 drawer, legal without lock	252.60
2 typewriter tables	203.84
3 chairs, side without arms (contour)	285.48
3 calculators, desk, printing 10-digit	534.78
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\*\* Initial equipment needed for 3 Positions. Total \$ 5,939.40

LAND & STRUCTURES

3 positions, FY'82-FY'83, 60 sq.ft @ \$1.70/mo. X 3 positions, 12 mos. \$ 3,672.00

2 positions, FY'84-FY'87, 60 sq.ft @ \$1.70/mo. X 2 positions, 12 mos. \$ 2,448.00

FISCAL NOTE

REQUEST

Bill/Resolution No. HOUSE BILL #180 (No. 1)

Title Revising the Drug Laws and making amendments to criminal laws

Requested by Bill Cook Legislative Counsel

Date Jan. 8, 1982

I. FISCAL DETAIL

Agency Affected Department of Public Safety

Program Category Affected State Troopers

BRU, Program, or Subprogram(s) Affected Narcotics Unit

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
00 PERSONAL SERVICES			0	0		
00 TRAVEL			0	0		
00 CONTRACTUAL			0	0		
00 COMMODITIES			0	0		
00 EQUIPMENT			0	0		
00 LAND & STRUCTURES			0	0		
00 GRANTS, CLAIMS, ETC.			0	0		
TOTAL			0	0		

FUNDING (Thousands of Dollars)

GENERAL FUND			0	0		
FEDERAL FUNDS			0	0		
OTHER (Specify Fund Source)			0	0		

POSITIONS

FULL TIME			0	0		
PART TIME			0	0		
TEMPORARY			0	0		

ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Basically this Bill consolidates and revises the Alaska Drug Laws and patterns them after the Uniform Controlled Substances Act and the Federal Controlled Substances Act of 1970. It also enacts uniform penalties to conform with the 1978 Revision of Alaskas Criminal Code. Passage of this Bill will not impact the Department of Public Safety fiscally.

DATE January 12, 1982

PREPARED BY

*Lowell Parker*  
Captain Lowell Parker

Agency: Legislative Finance

Budget and Management

Prime Sponsor (First Legislator Named)

AGENCY

Alaska State Troopers *D.P.S.*

PHONE

269-5620

*Reid January 20, 1982*  
*WDF*