

BILLS 1981 - 1982
HB 869 cont. - CS HB 876

1580

1580

violent crimes committed in Alaska. The breakdown from the 1981 Uniform Crime Reports for Alaska shows the following percentages of offenders:

| | |
|---------------|-----|
| Relatives | 39% |
| Close Friends | 7 |
| Acquaintances | 31 |
| Strangers | 7 |
| Unsolved | 16 |

The FBI Uniform Crime Reports for 1981 show 23.6% of U.S. homicides committed by relatives, lovers and close friends; 26.9% committed by acquaintances; and 13.3% by strangers. No data is available for 35.8% of the homicides, making it difficult to draw comparisons.

The most recent (1979) National Crime Survey Report by the U.S. Department of Justice provides general statistics on all violent crimes. The report states it is the first to compile national statistics on the relationship between victim and offender for all violent crimes.

This survey report is not entirely suitable for our purposes as it includes robbery without injury, a crime overwhelmingly (80%) committed by strangers. The report also cautions that violence by relatives and close friends is probably underreported, due to a variety of reasons.

The attached table from this report shows medical expenses were reported more frequently by victims who knew their assailant than by those who did not. This is significant because almost all claims for violent crimes compensation are filed by victims who had medical expenses.

The report divides victims into two very general categories--those who knew their assailant and those who did not. Aggravated assaults on females are singled out in these statistics because we believe female victims of this crime would file the majority of the increased claims, should HB 869 become law.

Following are statistics excerpted from this report:

| | |
|---|-------|
| % of cases where victim knew offender (all violent crimes, both sexes) | 35.6% |
| % of cases where victim knew offender (all violent crimes, female victims) | 47.0 |
| % of cases where victim knew offender (aggravated assault, white female victims) | 41.6% |
| % of cases where victim knew offender (aggravated assault, black female victims) | 62.3% |

March 2, 1982

We believe the 1981 Alaska homicide statistics are a good indicator of the current trend in victim-offender relationships for violent crime in this state, and the Canadian 10-year report a strong indicator that this is a long-term trend which will continue. -

Sincerely,



Sue C. Johnson
Acting Administrator

SCJ:ns
Attachments

Table 15.15

RELATIONSHIP OF MURDER SUSPECTS AND VICTIMS(1)
(Percentage distribution by murder incidents)

| | 1964 | 1966 | 1968 | 1970 | 1972 | 1974 |
|--|----------|-------|-------|-------|-------|-------|
| | per cent | | | | | |
| Domestic: | | | | | | |
| Immediate family | 28.6 | 34.0 | 30.1 | 24.0 | 23.5 | 22.6 |
| Kinship | 4.0 | 4.4 | 4.8 | 3.7 | 5.1 | 5.6 |
| Common-law family | 7.5 | 7.3 | 6.5 | 6.5 | 8.0 | 9.0 |
| Lover's quarrel and/or triangle | 6.5 | 5.3 | 5.5 | 4.8 | 5.1 | 2.6 |
| Domestic total | 46.6 | 51.0 | 46.9 | 39.0 | 41.7 | 39.8 |
| Social or business: | | | | | | |
| Close acquaintance | 12.6 | 6.8 | 6.2 | 5.6 | 9.5 | 8.2 |
| Casual acquaintance | 13.6 | 14.1 | 14.0 | 16.4 | 14.8 | 15.3 |
| Business relationship | 2.5 | 4.4 | 1.7 | 3.7 | 2.2 | 1.2 |
| Social or business total | 28.7 | 25.3 | 21.9 | 25.7 | 26.5 | 24.7 |
| During commission of another criminal act | 11.7 | 10.7 | 11.6 | 12.7 | 10.2 | 9.4 |
| No known relationship | 6.5 | 8.2 | 6.2 | 7.1 | 6.8 | 8.6 |
| Unsolved | 6.5 | 4.8 | 13.4 | 15.5 | 14.8 | 17.5 |
| Total | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 |
| Total murder incidents | 199 | 206 | 292 | 354 | 412 | 499 |

(1) Murder incidents counted here are based on the number of original charges of capital murder, non-capital murder, and murder - not specified. In murder incidents involving more than one suspect and/or victim, the incident is scored only once, according to the closest relationship of the accused to the victim(s).

Percent of victimizations in which victims incurred medical expenses, by selected characteristics of victims and type of crime

| Characteristic | Crimes of violence ^a | Robbery | Assault |
|-------------------------------------|---------------------------------|---------|---------|
| Race | | | |
| All races ^b | 6.5 | 6.6 | 6.2 |
| White | 6.2 | 6.3 | 5.8 |
| Black | 8.1 | 8.4 | 7.8 |
| Victim-offender relationship | | | |
| Involving strangers | 5.9 | 6.7 | 5.5 |
| Involving nonstrangers | 7.6 | 6.6 | 7.3 |

NOTE: Data include only those victimizations in which victims knew with certainty that medical expenses were incurred and also knew, or were able to estimate, the amount of such expenses.

^aIncludes data on "other" races, not shown separately.

^bIncludes data on rape, not shown separately.

Table 70. Personal crimes of violence, 1979:

Percent distribution of victimizations in which victims incurred medical expenses, by selected characteristics of victims, type of crime and amount of expenses

| Characteristic and type of crime | Total | Less than \$50 | \$50-\$249 | \$250 or more |
|-------------------------------------|-------|-----------------|------------|---------------|
| Race | | | | |
| All races ^a | | | | |
| Crimes of violence ^b | 100.0 | 24.4 | 40.8 | 30.8 |
| Robbery | 100.0 | ^{12.1} | 39.6 | 48.4 |
| Assault | 100.0 | 32.4 | 40.8 | 26.8 |
| White | | | | |
| Crimes of violence ^b | 100.0 | 24.8 | 42.7 | 28.5 |
| Robbery | 100.0 | ^{12.3} | 51.9 | 35.8 |
| Assault | 100.0 | 32.0 | 40.7 | 27.3 |
| Black | | | | |
| Crimes of violence ^b | 100.0 | 29.7 | 29.6 | 41.8 |
| Robbery | 100.0 | ^{11.6} | 7.5 | 80.9 |
| Assault | 100.0 | 39.1 | 38.4 | 22.4 |
| Victim-offender relationship | | | | |
| Involving strangers | | | | |
| Crimes of violence ^b | 100.0 | 24.6 | 41.3 | 34.1 |
| Robbery | 100.0 | ^{12.2} | 36.7 | 51.1 |
| Assault | 100.0 | 29.1 | 41.6 | 29.3 |
| Involving nonstrangers | | | | |
| Crimes of violence ^b | 100.0 | 33.6 | 40.2 | 26.2 |
| Robbery | 100.0 | ^{11.6} | 51.6 | 36.7 |
| Assault | 100.0 | 36.2 | 39.9 | 24.0 |

NOTE: Data include only those victimizations in which victims knew with certainty that medical expenses were incurred and also knew, or were able to estimate, the amount of such expenses. Detail may not add to total shown because of rounding.

^aIncludes data on "other" races, not shown separately.

^bIncludes data on rape, not shown separately.

^cEstimate, based on about 10 or fewer sample cases, is statistically unreliable.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 869
 Title An Act relating to crime victim compensation; and providing for an effective date
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Department of Public Safety
 Program Category Affected Administration of Justice
 BRU, Program, or Subprogram(s) Affected Violent Crimes Compensation Board
 (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 | 8.7 | 29.1 | 31.7 | 34.6 | 37.7 | 41.1 |
| 200 TRAVEL | 2.6 | 8.5 | 9.3 | 10.1 | 11.0 | 12.0 |
| 300 CONTRACTUAL | 3.5 | 11.7 | 7.1 | 7.7 | 8.4 | 9.2 |
| 400 COMMODITIES | .2 | .5 | .6 | .7 | .8 | .9 |
| 500 EQUIPMENT | 1.5 | - | - | - | - | - |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | 45.0 | 150.0 | 163.5 | 178.2 | 194.2 | 211.7 |
| TOTAL | 61.5 | 199.8 | 212.2 | 231.3 | 252.1 | 274.9 |

FUNDING (Thousands of Dollars)

| | 61.5 | 199.8 | 212.2 | 231.3 | 252.1 | 274.9 |
|-----------------------------|------|-------|-------|-------|-------|-------|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Fund Source) | | | | | | |

POSITIONS

| | 1 | 1 | 1 | 1 | 1 | 1 |
|-----------|---|---|---|---|---|---|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
 The estimated impact for FY82 is based on an effective date of March 15, 1982. (The proposed legislation reads "takes effect immediately.") The FY82 amount is prorated from estimated FY83 costs. Beyond FY83, a 9% inflation factor has been applied.
 If the proposed legislation is enacted, it is anticipated claims would increase 90%. The current staff for the Violent Crimes Compensation Board consists of the program administrator and a clerical position. The anticipated increase in casework will necessitate the addition of an Administrative Assistant (Range 12) and associated costs including equipment.

With the increase in claims and investigation necessary for claims, the Violent Crimes Compensation Board would hold several additional Board meetings at a cost of approximately \$4,500, plus additional hearings for approximately \$4,000.

Public awareness of this major statute change will require TV spots, and radio and newspaper ads. TV and radio spot production will be a one-time expense of \$6500, and public notices in newspapers state-wide \$1,000.

Department of Administration requested \$3,200 space rental be placed in the budget.

IV. DATE 2/22/82 PREPARED BY Sue C. Johnson
 AGENCY Public Safety
 Original: Legislative Finance PHONE 465-3040
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Personal Services

One new position of Administrative Assistant I necessary to handle the increase in claims. Calculated at Range 12B of the present salary schedule, with 9% inflation factor after FY83:

| | | |
|-------------------------------|---|--------------|
| Salary @ \$1814 x 12 months | = | \$21,768 |
| 17.69% benefits (leave, etc.) | = | 3,851 |
| SBS (supplemental benefits) | = | 1,334 |
| Health Insurance | = | <u>2,196</u> |
| TOTAL | | \$29,149 |

Travel

With 9% inflation factor after FY83. FY83 costs are:

| | |
|-------------------------------|--------------|
| 3 Board meetings @ \$1,500 | \$4,500 |
| 5 additional hearings @ \$800 | <u>4,000</u> |
| TOTAL | \$8,500. |

Board meeting costs consist of travel and per diem for three Board members and the Administrator. Board meetings are held alternately in different Alaska cities.

Hearing costs consist of professional fees for the Hearing Officer, and per diem and travel for the Administrator. Hearings are held where the claimant resides, or the location most convenient to him.

Contractual Services

With 9% inflation beyond FY83. FY83 costs are:

| | |
|--|--------------|
| Space rental (required by Dept. of Admin.) | \$3,200 |
| Statewide newspaper advertisements @ approx. \$100 each to announce change | 1,000 |
| Production of TV spots (one-time expense) 30 second spots (rates quoted by DPS Community Services Bureau) | 5,500 |
| Production of Radio spots (one-time expense) 30-second spots (rates quoted by DPS Community Services Bureau) | 500 |
| Miscellaneous added expense (includes telephone calls & public notices) | <u>1,000</u> |
| TOTAL | \$11,700 |

Commodities

With 9% Inflation beyond FY83. FY83 costs are:

| | |
|-----------------|-------|
| Office Supplies | \$500 |
|-----------------|-------|

Grants and Claims

With 9% inflation beyond FY83.

| | |
|-----------------------|-----------|
| 40 awards @ \$3,750 = | \$150,000 |
|-----------------------|-----------|

Calculated as follows:

90% of FY82 projected claims (135) = 122 additional claims. About 1/3 could be expected to be awarded, due to an expected high rate of denials for domestic violence claims. $1/3 \times 122 = 40$. Average award for 7/1/80

Original sponsors: Halford and Clocksin

Offered: 4/5/82
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 869 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to crime victim compensation; and
7 providing for an effective date."

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

9 * Section 1. AS 18.67.080(a) is amended by adding a new paragraph to
10 read:

11 (4) to the provider of a service under AS 18.67.110(b).

12 * Sec. 2. AS 18.67.110 is amended by adding a new subsection to read:

13 (b) The board may order that compensation under (a) of this sec-
14 tion for a service provided as a result of the personal injury or death
15 of the victim be paid directly to the provider of the service.

16 * Sec. 3. AS 18.67.130(a) is amended to read:

17 (a) No order for the payment of compensation may be made under
18 AS 18.67.080 unless

19 (1) the application has been made within two years after the
20 date of the personal injury or death; [, AND]

21 (2) the personal injury or death was the result of an inci-
22 dent or offense listed in AS 18.67.101 which had been reported to the
23 police within five days of its occurrence or, if the incident or offense
24 could not reasonably have been reported within that period, within five
25 days of the time when a report could reasonably have been made; and

26 (3) in the discretion of the board, the applicant has coop-
27 erated with law enforcement and prosecution officials to further prosecu-
28 tion of the offender and avoid further injury by the offender to the
29 applicant and injury to persons in the care of the applicant who are

1 exposed to possible injury by the offender; in determining whether the
2 applicant has cooperated with law enforcement and prosecution officials,
3 the board may consider whether

4 (A) the applicant has refused to provide law enforcement
5 authorities with a signed statement outlining the conduct of the
6 offender that is the basis for the applicant's claim for compensa-
7 tion;

8 (B) the applicant has refused to testify in court con-
9 cerning the conduct of the offender that is the basis of the appli-
10 cant's claim for compensation; and

11 (C) the applicant has initiated the dismissal of criminal
12 charges against the offender for conduct that is the basis for the
13 applicant's claim for compensation.

14 * Sec. 4. AS 18.67.130(c) is amended to read:

15 (c) No compensation may be awarded under this chapter in an amount
16 in excess of \$25,000 per victim per incident. However, in the case of
17 the death of a victim who has more than one dependent eligible for
18 compensation, the total compensation which may be awarded as a result of
19 that death may not exceed \$40,000. The board may prorate the total
20 awarded among those dependents according to relative need. [ALL PAY-
21 MENTS SHALL BE MADE IN A LUMP SUM.]

22 * Sec. 5. AS 18.67 is amended by adding a new section to read:

23 Sec. 18.67.135. INELIGIBILITY FOR SUBSEQUENT COMPENSATION. A
24 person awarded compensation under this chapter is ineligible for subse-
25 quent compensation for additional personal injuries inflicted by the
26 same offender if the offender is a relative or a member of the same
27 household as the victim.

28 * Sec. 6. AS 18.67.130(b)(1) and (2) are repealed.

29 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-

1 070(c).

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1 IN THE HOUSE

BY HALFORD AND CLOCKSIN

2 HOUSE BILL NO. 869

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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10 read:

11 (4) to the provider of a service under AS 18.67.110(b).

12 * Sec. 2. AS 18.67.110 is amended by adding a new subsection to read:

13 (b) The board may order that compensation under (a) of this section
14 for a service provided as a result of the personal injury or death of
15 the victim be paid directly to the provider of the service.

16 * Sec. 3. AS 18.67.130(a) is amended to read:

17 (a) No order for the payment of compensation may be made under
18 AS 18.67.080 unless the application has been made within two years after
19 the date of the personal injury or death, and

20 (1) the personal injury or death was the result of an incident
21 or offense listed in AS 18.67.101 which had been reported to the police
22 within five days of its occurrence or, if the incident or offense could
23 not reasonably have been reported within that period, within five days
24 of the time when a report could reasonably have been made; and

25 (2) the applicant has not initiated the dismissal of criminal
26 charges against the offender for conduct that is the basis for the
27 applicant's claim for compensation.

28 * Sec. 4. AS 18.67.130(b) is amended to read:

29 (b) No compensation may be awarded if the victim

1 [(1) IS A RELATIVE OF THE OFFENDER;]

2 (2) is, at the time of application for compensation [THE
3 PERSONAL INJURY OR AT THE TIME OF THE INJURY WHICH RESULTS IN THE DEATH
4 OF THE VICTIM] living with the offender as a member of the same family
5 or household, or maintaining a sexual relationship, whether illicit or
6 not, with the offender [OR WITH A MEMBER OF THE OFFENDER'S FAMILY];

7 (3) violated a penal law of the state, which violation caused
8 or contributed to his injuries or death; or

9 (4) is injured as a result of the operation of a motor
10 vehicle, boat or airplane unless the vehicle was used as a weapon in a
11 deliberate attempt to injure or kill the victim.

12 * Sec. 5. AS 18.67.130(c) is amended to read:

13 (c) No compensation may be awarded under this chapter in an amount
14 in excess of \$25,000 per victim per incident. However, in the case of
15 the death of a victim who has more than one dependent eligible for
16 compensation, the total compensation which may be awarded as a result of
17 that death may not exceed \$40,000. The board may prorate the total
18 awarded among those dependents according to relative need. [ALL PAYMENTS
19 SHALL BE MADE IN A LUMP SUM.]

20 * Sec. 4. AS 18.67 is amended by adding a new section to read:

21 Sec. 18.67.135. FORFEITURE OF COMPENSATION. A person awarded
22 compensation under this chapter shall repay the compensation to the
23 state and shall be ineligible for future compensation for additional
24 personal injuries inflicted by the same offender, if the person initiates
25 the dismissal of criminal charges against the offender for conduct that
26 is the basis for the person's claim for compensation.

27 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-
28 070(c).

COMMITTEE REPORT

HOUSE

FURTHER:

Date: 4-13-82

Mr. Speaker:

The Committee on FINANCE has had HB 872

"An Act making a special appropriation to the federal budget impact fund; and providing for an effective date."

under consideration and ~~(a majority of the committee)~~ ~~(the committee)~~ reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

CHAIRMAN

Funding Information
General Fund \$20,000,000
Other Funds -0-
\$20,000,000

Introduced: 2/16/82
Referred: Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 HOUSE BILL NO. 872

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the federal
7 budget impact fund; and providing for an effective
8 date."

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

10 * Section 1. The sum of \$20,000,000 is appropriated from the general fund
11 to the federal budget impact fund.

12 * Sec. 2. The unexpended and unobligated portion of the appropriation
13 made by this Act lapses into the general fund June 30, 1983.

14 * Sec. 3. This Act takes effect on the effective date of an Act providing
15 for a federal budget impact fund.

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STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

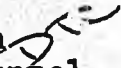
LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 29, 1982

SUBJECT: Constitutionality of committee amendment
 (CSHB 876)

TO: Representative Albert P. Adams
 Chairman, House Finance Committee

FROM: Diane T. Colvin 
 Legislative Counsel

You have asked us to prepared committee substitutes for HB 872 and HB 876. We have prepared the committee substitutes according to your instructions, with minor changes for technical reasons. We must advise you, however, that the amendment you propose to HB 876 is probably unconstitutional, and, if history is a guide, will almost certainly be vetoed or will not be implemented by the governor. If not implemented, it is our opinion that the legislature would almost certainly lose in court if it chose to challenge the governor's action.

The problem with the proposed amendment is one of separation of powers. The amendment gives the Legislative Budget and Audit Committee veto power over expenditures to be made from the Federal Budget Impact Fund created by the bill. The distribution of the money in the fund, however, is an executive function. By not allowing any money to issue from the fund without the approval of the Budget and Audit Committee, the amendment would attempt to authorize the committee to exercise a non-legislative power; i.e., the disbursal of money appropriated.

The separation of powers problem with legislation of this type has been addressed in detail by this office in at least two previous opinions. (See, memorandum of June 10, 1974 by Frances A. Ulmer and memorandum of August 5, 1975 by Stuart C. Hall).

Representative Albert P. Adams
Page 2
March 29, 1982

Even if the proposed amendment could be defended on separation of powers grounds (we do not believe it can be), the proposal would still suffer from a delegation of powers problem. That is, if it could be argued that this was in fact a legislative power and not therefore in violation of the separation of powers doctrine, then that power cannot be delegated by the legislature as a whole to a committee of a few. It would constitute an unconstitutional delegation of powers to 10 members of the legislature.

The legislature has lost at least twice in court on this issue. The adverse superior court decisions are Egan v. Special Legislative Oil-Development Impact Review Committee, C.A. No. 74-236 and Kelley v. Hammond, C.A. No. 77-4. We would be happy to discuss these cases with you in more detail if you wish.

We hope this information will be useful to you in considering the CS for HB 876. Please contact us if you wish further information.

DTC:ljb

COMMITTEE REPORT

HOUSE

FURTHER:

(11)

2/16/82

Date: 3/26/82

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"An Act making a special appropriation to the federal budget impact fund; and providing for an effective date."

under consideration and ~~(a majority of the committee)~~ ~~(the committee)~~ reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
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 new title
- and recommends do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Haugen
RB. Minworth
Paul Jones
Tom Kuras
Jack Fuller
Montgomery
John H. Gode

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Sen. G. H. Morse
Donald H. ...

John H. Gode
 CHAIRMAN

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

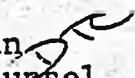
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We hope this information will be useful to you in considering the CS for HB 876. Please contact us if you wish further information.

DTC:ljb

THIS



BILL



RESOLUTION

has been prepared by the staff of the Legal Services Division of the Legislative Affairs Agency in response to the request and at the direction of the sponsor. The staff has attempted to place it in proper legal and clerical form subject to any special limitations or instructions of the sponsor. Requests for bills and resolutions are kept confidential by the staff and any announcement of intent to have a document drafted or introduced is the prerogative and responsibility of the sponsoring member. The agency or its staff may not endorse or comment on policy matters involved in a bill or resolution. The substance and merits of a bill or resolution are the responsibility of the sponsor.

Delivered to sponsor:

3-29-82

Original sponsor: Finance Committee

Funding Information

| | |
|--------------|---------------------|
| General Fund | \$20,000,000 |
| Other Funds | -0- |
| | <u>\$20,000,000</u> |

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 872 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the federal
7 budget impact fund; and providing for an effective
8 date."

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

10 * Section 1. The sum of \$20,000,000 is appropriated from the general fund
11 to the federal budget impact fund.

12 * Sec. 2. The unexpended and unobligated portion of the appropriation
13 made by this Act lapses into the general fund June 30, 1983.

14 * Sec. 3. This Act takes effect on the effective date of a written agree-
15 ment between the governor and a majority of the membership of the Legislative
16 Budget and Audit Committee regarding expenditures to be made from the federal
17 budget impact fund for the continuation of programs affected by reduced
18 federal appropriations.

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Original sponsor: Finance Committee

Funding Information

| | |
|--------------|---------------------|
| General Fund | \$20,000,000 |
| Other Funds | -0- |
| | <u>\$20,000,000</u> |

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4 TWELFTH LEGISLATURE - SECOND SESSION

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17 budget impact fund for the continuation of programs affected by reduced
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Original sponsor: Finance Committee

Funding Information

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|--------------|--------------|
| General Fund | \$20,000,000 |
| Other Funds | -0- |
| | <hr/> |
| | \$20,000,000 |

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 872 (Finance)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

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A BILL

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| Other Funds | -0- |
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CARNEY AMENDMENT

Funding Information

General Fund \$20,000,000
Other Funds -0-
\$20,000,000

Introduced: 2/16/82
Referred: Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 HOUSE BILL NO. 872

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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8 date."

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11 to the federal budget impact fund.

12 * Sec. 2. The unexpended and unobligated portion of the appropriation
13 made by this Act lapses into the general fund June 30, 1983.

14 * ~~Sec. 3. This Act takes effect on the effective date of an Act providing~~
15 ~~for a federal budget impact fund.~~

16 * Sec. 3. This Act takes effect on the effective date of a
17 written agreement between the governor and a majority of the
18 membership of the legislative budget and audit committee
19 regarding the allocation of grants from the federal budget
20 impact fund to state and other agencies for the continuation
21 of programs affected by reductions in federal appropriations
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HB 872
new sec 3

CARNEY AMENDMENT TO THE PROPOSED APPROPRIATION BILL

Change the effective date on the appropriation bill to read:

"This Act takes effect on the effective date of a written agreement between the governor and a majority of the membership of the legislative budget and audit committee regarding the allocation of grants to state and other agencies for the continuation of programs affected by reductions in federal appropriations."

from the federal budget impact fund

1 consultation with the commissioners of affected departments of the executive
2 branch, shall authorize expenditures from the federal budget impact fund for
3 grants to state and other agencies for programs affected by reduced federal
4 appropriations.

5 * Sec. 4. FUND PROCEDURES. State departments shall submit their requests
6 for state financing of programs under this Act to the governor. Non-state
7 agencies and organizations shall submit their requests for state financing of
8 programs under this Act to the Department of Community and Regional Affairs.
9 The Department of Community and Regional Affairs shall compile a list of
10 non-state agencies and organizations that conduct programs that are federally
11 funded and subject to termination or curtailment due to reduced federal
12 appropriations. The Department of Community and Regional Affairs shall
13 submit this list to the governor, along with any other information he
14 requests, for his use in approving expenditures from the federal budget
15 impact fund.

16 * Sec. 5. REPORTS. (a) The governor shall submit proposed expenditures
17 from the federal budget impact fund to the Legislative Budget and Audit
18 Committee and the chairmen of the senate and house finance committees for
19 review.

20 (b) Forty-five days shall elapse before commencement of expenditures
21 from the fund unless the Legislative Budget and Audit Committee recommends by
22 a majority vote that the expenditures be made earlier.

23 (c) If the Legislative Budget and Audit Committee recommends within the
24 45-day period that the expenditures not be made, the governor shall ~~again~~
25 ~~review the expenditures and if he determines to authorize the expenditures,~~
26 ~~he shall provide the Legislative Budget and Audit Committee and the chairmen~~
27 ~~of the senate and house finance committees with a statement of his reasons~~
28 ~~before the expenditures are made.~~ submit the proposed expenditures in the form of a
29 requested supplemental appropriation to the first session of the thirteenth legislature convening in January 1983.

* Sec. 6. This Act terminates June 30, 1983.

Funding Information

General Fund \$20,000,000
Other Funds -0-
\$20,000,000

Introduced: 2/16/82
Referred: Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

HOUSE BILL NO. 872

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act making a special appropriation to the federal
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13 made by this Act lapses into the general fund June 30, 1983.

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* Sec. 3. This Act takes effect on the effective date of an Act providing
15 for a federal budget impact fund.

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Original sponsor: Finance Committee

Offered: 3/10/82
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 876 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for a federal budget impact fund; and
7 providing for an effective date."

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

9 * Section 1. LEGISLATIVE FINDINGS. The legislature finds that substantial
10 reductions in federal funding for various programs in the state are proposed
11 for federal fiscal years 1982 and 1983. There exists considerable uncertainty
12 as to the amount and the effect of these reductions in the state because
13 regular appropriation bills for a number of federal programs have not yet
14 been enacted and are subject to a continuing resolution that ends March 31,
15 1982. As a result, it is unlikely that definite information on the total
16 amount of budget reductions for the purpose of assessing the effects on
17 federally funded programs in the state will be available before the end of
18 the Second Session of the Twelfth Legislature. Action will be necessary,
19 therefore, after adjournment of the twelfth legislative session in order to
20 properly address the adverse impact of federal budget reductions on citizens
21 of the state. A federal budget impact fund is established to allow such
22 action to be taken after the legislature adjourns.

23 * Sec. 2. FEDERAL BUDGET IMPACT FUND. There is established in the Office
24 of the Governor a federal budget impact fund. The Department of Revenue is
25 the custodian of the fund. The amount of the fund may not exceed \$20,000,000.
26 From legislative appropriations to the fund, the governor shall make grants
27 to state and other agencies for the continuation of programs affected by
28 reductions in federal appropriations for federal fiscal years 1982 and 1983.

29 * Sec. 3. USE OF FUND. The governor, based on criteria he develops in

1 consultation with the commissioners of affected departments of the executive
2 branch, shall authorize expenditures from the federal budget impact fund for
3 grants to state and other agencies for programs affected by reduced federal
4 appropriations.

5 * Sec. 4. FUND PROCEDURES. State departments shall submit their requests
6 for state financing of programs under this Act to the governor. Non-state
7 agencies and organizations shall submit their requests for state financing of
8 programs under this Act to the Department of Community and Regional Affairs.
9 The Department of Community and Regional Affairs shall compile a list of
10 non-state agencies and organizations that conduct programs that are federally
11 funded and subject to termination or curtailment due to reduced federal
12 appropriations. The Department of Community and Regional Affairs shall
13 submit this list to the governor, along with any other information he
14 requests, for his use in approving expenditures from the federal budget
15 impact fund.

16 * Sec. 5. REPORTS. (a) The governor shall submit proposed expenditures
17 from the federal budget impact fund to the Legislative Budget and Audit
18 Committee and the chairmen of the senate and house finance committees for
19 review.

20 (b) Forty-five days shall elapse before commencement of expenditures
21 from the fund unless the Legislative Budget and Audit Committee recommends by
22 a majority vote that the expenditures be made earlier.

23 (c) If the Legislative Budget and Audit Committee recommends within the
24 45-day period that the expenditures not be made, the governor shall again
25 review the expenditures and if he determines to authorize the expenditures,
26 he shall provide the Legislative Budget and Audit Committee and the chairmen
27 of the senate and house finance committees with a statement of his reasons
28 before the expenditures are made.

29 * Sec. 6. This Act terminates June 30, 1983.

1 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-
2 070(c).
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COMMITTEE REPORT

HOUSE

FURTHER:

(11)

3/10/82

Date: 3/26/82

Mr. Speaker:

The Committee on FINANCE has had HB 876

"An Act providing for a federal budget impact fund; and providing for an effective date."

under consideration and ~~(a majority of the committee)~~ ~~(the committee)~~ reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 876 (Finance) same title
 new title
- and recommends do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Arthur H. Adams
Harold
R. B. Bennett
Harold
Charles L. Carney
Gary J. Fulk
Henry
Montgomery

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Sam Carter no rec
David P. Kelly no rec

Arthur H. Adams
 CHAIRMAN

STATE OF ALASKA THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY


POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

MEMORANDUM

March 29, 1982

SUBJECT: Constitutionality of committee amendment
(CSHB 876)

TO: Representative Albert P. Adams
Chairman, House Finance Committee

FROM: Diane T. Colvin 
Legislative Counsel

You have asked us to prepared committee substitutes for HB 872 and HB 876. We have prepared the committee substitutes according to your instructions, with minor changes for technical reasons. We must advise you, however, that the amendment you propose to HB 876 is probably unconstitutional, and, if history is a guide, will almost certainly be vetoed or will not be implemented by the governor. If not implemented, it is our opinion that the legislature would almost certainly lose in court if it chose to challenge the governor's action.

The problem with the proposed amendment is one of separation of powers. The amendment gives the Legislative Budget and Audit Committee veto power over expenditures to be made from the Federal Budget Impact Fund created by the bill. The distribution of the money in the fund, however, is an executive function. By not allowing any money to issue from the fund without the approval of the Budget and Audit Committee, the amendment would attempt to authorize the committee to exercise a non-legislative power; i.e., the disbursal of money appropriated.

The separation of powers problem with legislation of this type has been addressed in detail by this office in at least two previous opinions. (See, memorandum of June 10, 1974 by Frances A. Ulmer and memorandum of August 5, 1975 by Stuart C. Hall).

Representative Albert P. Adams
Page 2
March 29, 1982

Even if the proposed amendment could be defended on separation of powers grounds (we do not believe it can be), the proposal would still suffer from a delegation of powers problem. That is, if it could be argued that this was in fact a legislative power and not therefore in violation of the separation of powers doctrine, then that power cannot be delegated by the legislature as a whole to a committee of a few. It would constitute an unconstitutional delegation of powers to 10 members of the legislature.

The legislature has lost at least twice in court on this issue. The adverse superior court decisions are Egan v. Special Legislative Oil-Development Impact Review Committee, C.A. No. 74-236 and Kelley v. Hammond, C.A. No. 77-4. We would be happy to discuss these cases with you in more detail if you wish.

We hope this information will be useful to you in considering the CS for HB 876. Please contact us if you wish further information.

DTC:ljb

THIS BILL RESOLUTION

has been prepared by the staff of the Legal Services Division of the Legislative Affairs Agency in response to the request and at the direction of the sponsor. The staff has attempted to place it in proper legal and clerical form subject to any special limitations or instructions of the sponsor. Requests for bills and resolutions are kept confidential by the staff and any announcement of intent to have a document drafted or introduced is the prerogative and responsibility of the sponsoring member. The agency or its staff may not endorse or comment on policy matters involved in a bill or resolution. The substance and merits of a bill or resolution are the responsibility of the sponsor.

Delivered to sponsor: _____

3-29-82.

Original sponsor: Finance Committee

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 876 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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14 been enacted and are subject to a continuing resolution that ends March 31,
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18 the Second Session of the Twelfth Legislature. Action will be necessary,
19 therefore, after adjournment of the twelfth legislative session in order to
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22 action to be taken after the legislature adjourns.

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22 a majority vote that the expenditures be made earlier and executes a written
23 agreement with the governor regarding the expenditures to be made.

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25 45-day period that the expenditures not be made, the governor may not
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27 under this subsection may be submitted to the Thirteenth Legislature, First
28 Session as supplemental appropriation requests.

29 * Sec. 6. This Act terminates June 30, 1983.

1 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-
2 070(c).

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Original sponsor: Finance Committee

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Original sponsor: Finance Committee

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BY THE FINANCE COMMITTEE

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12 as to the amount and the effect of these reductions in the state because
13 regular appropriation bills for a number of federal programs have not yet
14 been enacted and are subject to a continuing resolution that ends March 31,
15 1982. As a result, it is unlikely that definite information on the total
16 amount of budget reductions for the purpose of assessing the effects on
17 federally funded programs in the state will be available before the end of
18 the Second Session of the Twelfth Legislature. Action will be necessary,
19 therefore, after adjournment of the twelfth legislative session in order to
20 properly address the adverse impact of federal budget reductions on citizens
21 of the state. A federal budget impact fund is established to allow such
22 action to be taken after the legislature adjourns.

23 * Sec. 2. FEDERAL BUDGET IMPACT FUND. There is established in the Office
24 of the Governor a federal budget impact fund. The Department of Revenue is
25 the custodian of the fund. The amount of the fund may not exceed \$20,000,000.
26 From legislative appropriations to the fund, the governor shall make grants
27 to state and other agencies for the continuation of programs affected by
28 reductions in federal appropriations for federal fiscal years 1982 and 1983.

29 * Sec. 3. USE OF FUND. The governor, based on criteria he develops in

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2 branch, shall authorize expenditures from the federal budget impact fund for
3 grants to state and other agencies for programs affected by reduced federal
4 appropriations.

5 * Sec. 4. FUND PROCEDURES. State departments shall submit their requests
6 for state financing of programs under this Act to the governor. Non-state
7 agencies and organizations shall submit their requests for state financing of
8 programs under this Act to the Department of Community and Regional Affairs.
9 The Department of Community and Regional Affairs shall compile a list of
10 non-state agencies and organizations that conduct programs that are federally
11 funded and subject to termination or curtailment due to reduced federal
12 appropriations. The Department of Community and Regional Affairs shall
13 submit this list to the governor, along with any other information he re-
14 quests, for his use in approving expenditures from the federal budget impact
15 fund.

16 * Sec. 5. REPORTS. (a) The governor shall submit proposed expenditures
17 from the federal budget impact fund to the Legislative Budget and Audit
18 Committee and the chairmen of the senate and house finance committees for
19 review.

20 (b) Forty-five days shall elapse before commencement of expenditures
21 from the fund unless the Legislative Budget and Audit Committee recommends by
22 a majority vote that the expenditures be made earlier and executes a written
23 agreement with the governor regarding the expenditures to be made.

24 (c) If the Legislative Budget and Audit Committee recommends within the
25 45-day period that the expenditures not be made, the governor may not
26 authorize the proposed expenditures. Expenditures proposed but not made
27 under this subsection may be submitted to the Thirteenth Legislature, First
28 Session as supplemental appropriation requests.

29 * Sec. 6. This Act terminates June 30, 1983.

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* Sec. 7. This Act takes effect immediately in accordance with AS GI.10.-
070(c).

Introduced: 2/16/82
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 HOUSE BILL NO. 876

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for a federal budget impact fund; and
7 providing for an effective date."

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

9 * Section 1. LEGISLATIVE FINDINGS. The legislature finds that substantial
10 reductions in federal funding for various programs in the state are proposed
11 for federal fiscal years 1982 and 1983. There exists considerable uncertainty
12 as to the amount and the effect of these reductions in the state because
13 regular appropriation bills for a number of federal programs have not yet
14 been enacted and are subject to a continuing resolution that ends March 31,
15 1982. As a result, it is unlikely that definite information on the total
16 amount of budget reductions for the purpose of assessing the effects on
17 federally funded programs in the state will be available before the end of
18 the Second Session of the Twelfth Legislature. Action will be necessary,
19 therefore, after adjournment of the twelfth legislative session in order to
20 properly address the adverse impact of federal budget reductions on citizens
21 of the state. A federal budget impact fund is established to allow such
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5 * Sec. 4. FUND PROCEDURES. State departments shall submit their requests
6 for state financing of programs under this Act to the Department of Community
7 and Regional Affairs. From these requests, the department shall compile a
8 list of state departments eligible to receive money from the fund. The
9 Department of Community and Regional Affairs shall also compile a list of
10 other agencies that conduct programs that are federally funded and subject to
11 termination or curtailment due to reduced federal appropriations. The
12 Department of Community and Regional Affairs shall submit these lists to the
13 governor, along with any other information he requests, for his use in ap-
14 proving expenditures from the federal budget impact fund.

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16 from the federal budget impact fund to the Legislative Budget and Audit
17 Committee and the chairmen of the senate and house finance committees for
18 review.

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20 from the fund unless the Legislative Budget and Audit Committee recommends by
21 a majority vote that the expenditures be made earlier.

22 (c) If the Legislative Budget and Audit Committee recommends within the
23 45-day period that the expenditures not be made, the governor shall again
24 review the expenditures and if he determines to authorize the expenditures,
25 he shall provide the Legislative Budget and Audit Committee and the chairmen
26 of the senate and house finance committees with a statement of his reasons
27 before the expenditures are made.

28 * Sec. 6. This Act terminates June 30, 1983.

29 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-

1 070(c).

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Original sponsor: Finance Committee

Offered: 3/10/82
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 876 (State Affairs)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act providing for a federal budget impact fund; and

7

providing for an effective date."

8

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

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2 070(c).

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24 45-day period that the expenditures not be made, the governor shall ~~again~~
25 ~~review the expenditures and if he determines to authorize the expenditures,~~
26 ~~he shall provide the Legislative Budget and Audit Committee and the chairmen~~
27 ~~of the senate and house finance committees with a statement of his reasons~~
28 ~~before the expenditures are made.~~ submit the proposed expenditures in the form of a
requested supplemental appropriation to the first

29 * Sec. 6. This Act terminates June 30, 1983, session of the thirteenth legislature
convening in January 1983.



CENTRAL COUNCIL

Tlingit and Haida Indian Tribes of Alaska
One Sealaska Plaza - Suite 200
Juneau, Alaska 99801

March 25, 1982

Honorable Albert P. Adams
Chairman, House Finance Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Chairman Adams:

This letter is to support the Committee Substitute for House Bill 876, the Federal Budget Impact Fund, and to comment on one implementation concern.

The concern we have is that because of Federal and State cutbacks in operational funding within State government for both overall budget and targeted programmatic cutting purposes, there will be a State agency scramble for the monies allocated to the fund. This is to be expected and is not necessarily a negative process.

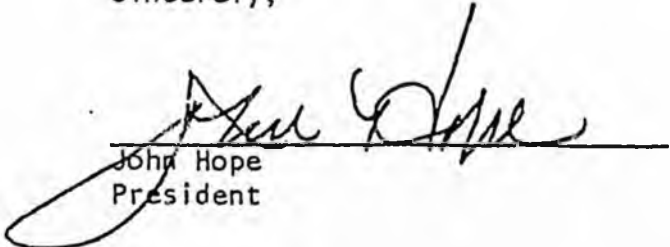
However, the mechanisms proposed to collect State and non-State requests seem to give State agencies both a head start in terms of paperwork--they simply submit their requests to the Governor while non-State entities go through the Department of Community and Regional Affairs (which would probably need some gear-up time to develop forms, etc.)--and in terms of access since State agencies go to the Governor, non-State through DCRA.

Since the demand for these dollars is expected to exceed the appropriation, it is likely that some non-State entities may find Mother Hubbard's Federal Impact cupboard empty because of the more direct access available to State "mice."

We do not have a "proposed solution" to our "proposed problem," and only ask that these concerns be made a part of your legislative history of this bill.

Again, we support the legislation, we know it is needed, we wish the fund were larger, and we applaud the sponsors for their efforts in this difficult area.

Sincerely,


John Hope
President

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 29, 1982

SUBJECT: Constitutionality of committee amendment
 (CSHB 876)

TO: Representative Albert P. Adams
 Chairman, House Finance Committee

FROM: Diane T. Colvin *DC*
 Legislative Counsel

You have asked us to prepared committee substitutes for HB 872 and HB 876. We have prepared the committee substitutes according to your instructions, with minor changes for technical reasons. We must advise you, however, that the amendment you propose to HB 876 is probably unconstitutional, and, if history is a guide, will almost certainly be vetoed or will not be implemented by the governor. If not implemented, it is our opinion that the legislature would almost certainly lose in court if it chose to challenge the governor's action.

The problem with the proposed amendment is one of separation of powers. The amendment gives the Legislative Budget and Audit Committee veto power over expenditures to be made from the Federal Budget Impact Fund created by the bill. The distribution of the money in the fund, however, is an executive function. By not allowing any money to issue from the fund without the approval of the Budget and Audit Committee, the amendment would attempt to authorize the committee to exercise a non-legislative power; i.e., the disbursal of money appropriated.

The separation of powers problem with legislation of this type has been addressed in detail by this office in at least two previous opinions. (See, memorandum of June 10, 1974 by Frances A. Ulmer and memorandum of August 5, 1975 by Stuart C. Hall).

Representative Albert P. Adams
Page 2
March 29, 1982

Even if the proposed amendment could be defended on separation of powers grounds (we do not believe it can be), the proposal would still suffer from a delegation of powers problem. That is, if it could be argued that this was in fact a legislative power and not therefore in violation of the separation of powers doctrine, then that power cannot be delegated by the legislature as a whole to a committee of a few. It would constitute an unconstitutional delegation of powers to 10 members of the legislature.

The legislature has lost at least twice in court on this issue. The adverse superior court decisions are Egan v. Special Legislative Oil-Development Impact Review Committee, C.A. No. 74-236 and Kelley v. Hammond, C.A. No. 77-4. We would be happy to discuss these cases with you in more detail if you wish.

We hope this information will be useful to you in considering the CS for HB 876. Please contact us if you wish further information.

DTC:ljb

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF MANAGEMENT & BUDGET

March 25, 1982

JAY S. HAMMOND, GOVERNOR

*POUCH H-09
JUNEAU, ALASKA 99811*

*PHONE: 465-3331
(JT-3-#4)*

DOCUMENT NO. 114-82


Chairman Al Adams
House Finance Committee
Pouch V
Juneau, AK 99811

Dear Chairman Adams:

As your committee considers House Bill No. 876, providing for a federal budget impact fund, it may be helpful to have the latest estimates we have developed concerning FY 83 federal revenues in the Department of Health and Social Services. In the attached listing the estimates for SFY 83 are based on the President's budget proposals. For that reason, they represent the most conservative estimate of federal funding available. At this time however, the President's budget figures are the only hard numbers that have been developed.

Please note that, except for Emergency Medical Services, the programs that have received no federal funding since FY 81 have been deleted. Thus, total federal revenues for FY 81 are understated by some amount and should not be used for comparison purposes.

Sincerely,



Marsha Hubbard

Attachment

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
COMPARISON OF FEDERAL GRANT REVENUES

| PROGRAM NAME | SFY 81 | SFY 82 Actual & Projected | SFY 83 Governor's Request | SFY 83 Revised Estimate |
|-----------------------------------|---------|---------------------------------|---------------------------------|-------------------------------|
| Special Nutrition (WIC) | 950.4 | 1038.9 | 1146.8 | 750.0 |
| WIN (Work Incentive) | 393.9 | 316.9 | 437.5 | 105.6 |
| State Health Planning | 432.8 | 314.7 | 294.8 | 247.5 |
| Medicare (Cert. & Licensing) | 161.0 | 123.8 | 77.1 | 77.1 |
| Alcoholism Training | 30.0 | 30.0 | - | - |
| Drug Abuse Training | 30.8 | 28.3 | - | - |
| Mental Health Training | 155.7 | 177.8 | 202.4 | - |
| VD Control | 97.4 | 106.4 | 62.9 | 75.0 |
| Immunizations | 105.3 | 111.8 | 72.9 | 105.0 |
| Involuntary Foster Care | - | 120.0 | - | - |
| Title XX (Protective Services) | 5359.4 | 3872.0 | 3376.0 | 2849.1 |
| Low Income Home Energy Asst. | 9623.9 | 7650.0 | 6747.5 | 5500.0 |
| Drug Abuse Prevention | 56.3 | 101.6 | - | (- |
| Drug Abuse Grants - 409 | 209.4 | 48.8 | - | ADMHS (- |
| *Drug Abuse Grants - 410 | 191.0 | 505.1 | - | Block < - |
| *Alcoholism Formula Grant | 199.9 | 199.9 | 1504.4 | (1255.1 |
| *Community Mental Health Grants | - | 155.8 | 265.5 | (206.4 |
| Emergency Medical Services | 600.0 | - | - | - |
| Health Education | 309.2 | 177.7 | 339.9 | 300.0 |
| Improved Pregnancy Outcome | 398.8 | 400.0 | 87.5 | 220.0 |
| Communicative Disorders | 84.4 | 25.2 | 28.0 | (- |
| Child Development Services | 84.3 | 123.5 | 61.0 | (- |
| Maternal & Child Health | 471.8 | 139.8 | 227.1 | MCH < 355.1 |
| Handicapped Children | 227.6 | 229.5 | 190.0 | Block (- |
| Child & Family Health Admin. | 19.3 | 17.8 | 13.3 | (- |
| Field Nursing | 219.4 | 310.8 | 258.3 | (- |
| Food Stamps Eligibility | 1009.0 | 1236.5 | 1393.3 | 1393.3 |
| Medicaid | 24086.2 | 26254.0 | 28874.0 | 28874.0 |
| AFDC | 16072.0 | 18500.0 | 26560.2 | 18000.0 |
| Gov. Council/Handicapped & Gifted | 292.9 | 241.6 | 236.6 | 236.6 |
| TOTAL | 61872.1 | 62558.2 | 72457.0 | 60549.8 |

*1982 Block Grant includes non-state funds

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 876(SA)
 Title An Act providing for a federal budget impact fund.
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected ALASKA HIGHWAY SAFETY PLANNING AGENCY - DEPT. OF PUBLIC SAFETY
 Program Category Affected PUBLIC PROTECTION
 BRU, Program, Or Subprogram(s) Affected HIGHWAY SAFETY PLANNING
 (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 | 398.2 | 387.1 | 421.9 | 459.9 | 501.3 | 546.4 |
| 200 TRAVEL | 85.1 | 60.1 | 65.5 | 71.4 | 77.8 | 84.8 |
| 300 CONTRACTUAL | 118.4 | 40.9 | 44.6 | 48.6 | 53.0 | 57.7 |
| 400 COMMODITIES | 5.7 | 6.2 | 6.8 | 7.4 | 8.0 | 8.8 |
| 500 EQUIPMENT | .9 | Ø | Ø | Ø | Ø | Ø |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | 1121.2 | 1222.1 | 1332.1 | 1452.0 | 1582.7 | 1725.1 |
| TOTAL | 1729.5 | 1716.4 | 1870.9 | 2039.3 | 2222.8 | 2422.8 |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|--------|-------|--------|--------|--------|--------|
| GENERAL FUND | 342.1 | 987.9 | 1076.8 | 1173.8 | 1279.3 | 1394.4 |
| FEDERAL FUNDS | 1338.1 | 691.7 | 754.0 | 821.8 | 895.8 | 976.4 |
| OTHER (Specify Source) | | | | | | |
| GF MATCH | 49.3 | 36.8 | 40.1 | 43.7 | 47.7 | 52.0 |

POSITIONS

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | 9.0 | 9.0 | 9.0 | 9.0 | 9.0 | 9.0 |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)
 The figures in the fiscal detail reflect mainly a change in source of funds from federal funds to state general funds. Under new federal guidelines, not only is there a reduction in federal funds, but federal funds received as of October 1, 1981, may not be used for operating costs, which means that codes 100 through 500 must be funded with state funds if the agency is to continue.

The replacement of grant funds affects mainly the various local governments of the state. Under the new funding guidelines, the bulk of federal grant funds received will go to state agencies for statewide programs. This leaves a gap in the program. In that the majority of the problems and programs to solve these problems must be through grants to local governments for which these state grant funds are being requested.

IV. DATE 03/16/82 PREPARED BY *WNS* CHARLES A. SMITH
 AGENCY HIGHWAY SAFETY PLANNING AGENCY

Original: Legislative Finance PHONE 465-4371 or 465-4372

cc: Budget and Management
 Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

House Bill No. 876

"An Act providing for a Federal budget impact fund; and providing for an effective date."

HB 876 proposes creation of a Governor's Fund of up to \$20 million for grants to State and other agencies for the continuation of programs affected by reductions in Federal appropriations for Federal Fiscal Years 1982 and 1983.

The Department of Health and Social Services supports the bill in principal, with one amendment:

Line 28 of page one of the bill should be revised to read ..."reductions in Federal appropriations during State Fiscal Year 1983."

The suggested amendment would clarify the purpose of the fund to provide emergency continuation funding during the period beginning July 1, 1982 and ending June 30, 1983. It would eliminate questions concerning the portion of State Fiscal Year 1982 that falls during Federal Fiscal Year 1982, thereby avoiding potentially disruptive effects on budget planning in the remaining months of State Fiscal Year 1982.

Recommended by:

John R. Taber

John R. Taber
Block Grant Administrator
Division of Management
and Budget

Date:

3/1/82

Approved by:

Helen D. Beirne

Helen D. Beirne
Commissioner

Date:

3-3-82

THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE

FISCAL NOTE

HB 876

I. REQUEST

Bill/Resolution No. House Bill 876

Title "An Act providing for a federal budget impact fund;"

Requester by Legislative Finance

Date 2/18/82

II. FISCAL DETAIL

Agency Affected Labor

Program Category Affected Social Services, Public Protection

BRU, Program, or Subprogram(s) Affected Employment Security, Administrative Services,*

(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)

* Occupational Safety and Health

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|---------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | 3,000.0 | | | | |

FUNDING (Thousands of Dollars)

| | | | | | | |
|-----------------------------|---|---------|---|---|---|---|
| GENERAL FUND | 0 | 3,000.0 | 0 | 0 | 0 | 0 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Fund Source) | | | | | | |

POSITIONS

| | | | | | | |
|-----------|---|---|---|---|---|---|
| FULL TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

The Employment Security programs (both Employment Service and Unemployment Insurance) experienced massive cutbacks in federal funds in January, 1982. Based upon U.S. Congressional action these are expected to be restored although cutbacks experienced in 1981 are not. Although further cutbacks are not expected in FFY 1983, this is unsure considering the deficit climate at the national level. Currently no further funding reductions are expected in the OSHA program.

Nicolaas W. Bus

IV. DATE 2/18/82

PREPARED BY Nicolaas W. Bus

AGENCY Labor

PHONE 465-2720

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

Introduced: 2/16/82
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 HOUSE BILL NO. 876

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

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21 of the state. A federal budget impact fund is established to allow such
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23 * Sec. 2. FEDERAL BUDGET IMPACT FUND. There is established in the Office
24 of the Governor a federal budget impact fund. The Department of Revenue is
25 the custodian of the fund. The amount of the fund may not exceed \$20,000,000.
26 From legislative appropriations to the fund, the governor shall make grants
27 to state and other agencies for the continuation of programs affected by
28 reductions in federal appropriations for federal fiscal years 1982 and 1983.

29 * Sec. 3. USE OF FUND. The governor, based on criteria he develops in

1 consultation with the commissioners of affected departments of the executive
2 branch, shall authorize expenditures from the federal budget impact fund for
3 grants to state and other agencies for programs affected by reduced federal
4 appropriations.

5 * Sec. 4. FUND PROCEDURES. State departments shall submit their requests
6 for state financing of programs under this Act to the Department of Community
7 and Regional Affairs. From these requests, the department shall compile a
8 list of state departments eligible to receive money from the fund. The
9 Department of Community and Regional Affairs shall also compile a list of
10 other agencies that conduct programs that are federally funded and subject to
11 termination or curtailment due to reduced federal appropriations. The
12 Department of Community and Regional Affairs shall submit these lists to the
13 governor, along with any other information he requests, for his use in ap-
14 proving expenditures from the federal budget impact fund.

15 * Sec. 5. REPORTS. (a) The governor shall submit proposed expenditures
16 from the federal budget impact fund to the Legislative Budget and Audit
17 Committee and the chairmen of the senate and house finance committees for
18 review.

19 (b) Forcy-five days shall elapse before commencement of expenditures
20 from the fund unless the Legislative Budget and Audit Committee recommends by
21 a majority vote that the expenditures be made earlier.

22 (c) If the Legislative Budget and Audit Committee recommends within the
23 45-day period that the expenditures not be made, the governor shall again
24 review the expenditures and if he determines to authorize the expenditures,
25 he shall provide the Legislative Budget and Audit Committee and the chairmen
26 of the senate and house finance committees with a statement of his reasons
27 before the expenditures are made.

28 * Sec. 6. This Act terminates June 30, 1983.

29 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-

1 070(c).

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COMMITTEE REPORT
SENATE

4/29/82

FURTHER: None

Date: 5/14/82

Mr. President:

FINANCE

The Committee on _____ has had _____ CSBB 876(SA) *am*
providing for a federal budget impact fund

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with ^SCS for CS HB 376 (fin) same title
 new title
and recommends DO PASS
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

Original sponsor: Finance Committee

Offered: 3/10/82
Referred: Finance

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 876 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for a federal budget impact fund; and
7 providing for an effective date."

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

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11 proposed for federal fiscal years 1982 and 1983. There exists considerable
12 uncertainty as to the amount and the effect of these reductions in the state
13 because regular appropriation bills for a number of federal programs have not
14 yet been enacted and are subject to a continuing resolution that ends March
15 31, 1982. As a result, it is unlikely that definite information on the total
16 amount of budget reductions for the purpose of assessing the effects on fed-
17 erally funded programs in the state will be available before the end of the
18 Second Session of the Twelfth Legislature. Action will be necessary, there-
19 fore, after adjournment of the twelfth legislative session in order to prop-
20 erly address the adverse impact of federal budget reductions on citizens of
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2 grants to state and other agencies.

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4 submit their requests for state financing of programs under this Act to the
5 governor.

6 * Sec. 5. REPORTS. Within the first ten days of the first session of the
7 Thirteenth Legislature, the Governor shall submit a detailed report outlining
8 all expenditures from the federal budget impact fund.

9 * Sec. 6. DEFINITIONS. "other agencies" means municipalities, non-profit
10 corporations and unincorporated communities. *as provided by AS 37.05.317*

11 * Sec. 7. This Act terminates June 30, 1983.

12 * Sec. 8. This takes effect immediately in accordance with AS 01.10.-
13 070(c).

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SCS for CS for HB 876 (Finance)
 Title Act providing for a federal budget impact fund
 Requested by Senate Finance Committee Date May 14, 1982

II. FISCAL DETAIL

Agency Affected Office of the Governor
 Program Category Affected _____
 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 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|---------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | 20000.0 | | | | |
| TOTAL | | 20000.0 | | | | |


FUNDING (Thousands of Dollars)

| | | | | | | |
|------------------------|--|---------|--|--|--|--|
| GENERAL FUND | | 20000.0 | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| | | | | | | |

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

IV. DATE May 14, 1982 PREPARED BY 
 AGENCY Don Bennett, Co-chairman
 Original: Legislative Finance PHONE Senate Finance Committee
 cc: Budget and Management 3714
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

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EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|---------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | 20000.0 | | | | |
| TOTAL | | 20000.0 | | | | |

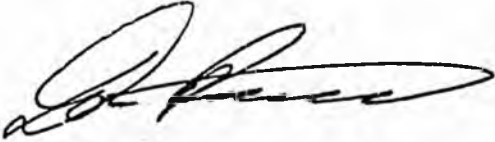
FUNDING (Thousands of Dollars)

| | | | | | | |
|------------------------|--|---------|--|--|--|--|
| GENERAL FUND | | 20000.0 | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| | | | | | | |

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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 Original: Legislative Finance PHONE Senate Finance Committee
 cc: Budget and Management 3714
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Original sponsor: Finance Committee

Offered: 3/10/82
Referred: Finance

1 IN THE HOUSE

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3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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10 corporations and unincorporated communities.

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13 070(c).

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CSHB 876(SA)
 Title An Act providing for a federal budget impact fund.
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected ALASKA HIGHWAY SAFETY PLANNING AGENCY - DEPT. OF PUBLIC SAFETY
 Program Category Affected PUBLIC PROTECTION
 BRU, Program, Or Subprogram(s) Affected HIGHWAY SAFETY PLANNING
 (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 | 398.2 | 387.1 | 421.9 | 459.9 | 501.3 | 546.4 |
| 200 TRAVEL | 85.1 | 60.1 | 65.5 | 71.4 | 77.8 | 84.8 |
| 300 CONTRACTUAL | 118.4 | 40.9 | 44.6 | 48.6 | 53.0 | 57.7 |
| 400 COMMODITIES | 5.7 | 6.2 | 6.8 | 7.4 | 8.0 | 8.8 |
| 500 EQUIPMENT | .9 | Ø | Ø | Ø | Ø | Ø |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | 1121.2 | 1222.1 | 1332.1 | 1452.0 | 1582.7 | 1725.1 |
| TOTAL | 1729.5 | 1716.4 | 1870.9 | 2039.3 | 2222.8 | 2422.8 |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|--------|-------|--------|--------|--------|--------|
| GENERAL FUND | 342.1 | 987.9 | 1076.8 | 1173.8 | 1279.3 | 1394.4 |
| FEDERAL FUNDS | 1338.1 | 691.7 | 754.0 | 821.8 | 895.8 | 976.4 |
| OTHER (Specify Source) | | | | | | |
| GF MATCH | 49.3 | 36.8 | 40.1 | 43.7 | 47.7 | 52.0 |

POSITIONS

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | 9.0 | 9.0 | 9.0 | 9.0 | 9.0 | 9.0 |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)
 The figures in the fiscal detail reflect mainly a change in source of funds from federal funds to state general funds. Under new federal guidelines, not only is there a reduction in federal funds, but federal funds received as of October 1, 1981, may not be used for operating costs, which means that codes 100 through 500 must be funded with state funds if the agency is to continue.

The replacement of grant funds affects mainly the various local governments of the state. Under the new funding guidelines, the bulk of federal grant funds received will go to state agencies for statewide programs. This leaves a gap in the program. In that the majority of the problems and programs to solve these problems must be through grants to local governments for which these state grant funds are being requested.

IV. DATE 03/16/82 PREPARED BY CHARLES A. SMITH
AGENCY HIGHWAY SAFETY PLANNING AGENCY
 Original: Legislative Finance PHONE 465-4371 or 465-4372
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Original sponsor: Finance Committee

Offered: 3/10/82
Referred: Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 876 (State Affairs) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

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13 regular appropriation bills for a number of federal programs have not yet
14 been enacted and are subject to a continuing resolution that ends March 31,
15 1982. As a result, it is unlikely that definite information on the total
16 amount of budget reductions for the purpose of assessing the effects on
17 federally funded programs in the state will be available before the end of
18 the Second Session of the Twelfth Legislature. Action will be necessary,
19 therefore, after adjournment of the twelfth legislative session in order to
20 properly address the adverse impact of federal budget reductions on citizens
21 of the state. A federal budget impact fund is established to allow such
22 action to be taken after the legislature adjourns.

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24 of the Governor a federal budget impact fund. The Department of Revenue is
25 the custodian of the fund. The amount of the fund may not exceed \$20,000,000.
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7 agencies and organizations shall submit their requests for state financing of
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9 The Department of Community and Regional Affairs shall compile a list of
10 non-state agencies and organizations that conduct programs that are federally
11 funded and subject to termination or curtailment due to reduced federal
12 appropriations. The Department of Community and Regional Affairs shall
13 submit this list to the governor, along with any other information he
14 requests, for his use in approving expenditures from the federal budget
15 impact fund.

16 * Sec. 5. REPORTS. (a) The governor shall submit all requests for state
17 financing of programs eligible for funding from the federal budget impact
18 fund that he receives to the Legislative Budget and Audit Committee and the
19 chairmen of the senate and house finance committees for review.

20 (b) The Legislative Budget and Audit Committee shall review the
21 requests for state financing of programs that it receives from the governor
22 and within 45 days of receipt submit to the governor a list of recommended
23 expenditures from the federal budget impact fund approved by a majority vote
24 of the committee.

25 (c) The governor shall, within 15 days of receipt of the list of
26 recommendations from the Legislative Budget and Audit Committee, authorize
27 the expenditures recommended by the committee. If the governor does not
28 concur in the recommendations, he may authorize other expenditures from the
29 requests submitted to the committee, but shall submit to the committee a

1 statement of his reasons before the expenditures are made.

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3 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-
4 070(c).

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DEPARTMENT OF HEALTH AND SOCIAL SERVICES
COMPARISON OF FEDERAL GRANT REVENUES

| PROGRAM NAME | SFY 81 | SFY 82 Actual & Projected | SFY 83 Governor's Request | SFY 83 Revised Estimate |
|-----------------------------------|---------|---------------------------------|---------------------------------|-------------------------------|
| Special Nutrition (WIC) | 950.4 | 1038.9 | 1146.8 | 750.0 |
| WIN (Work Incentive) | 393.9 | 316.9 | 437.5 | 105.6 |
| State Health Planning | 432.8 | 314.7 | 294.8 | 247.5 |
| Medicare (Cert. & Licensing) | 161.0 | 123.8 | 77.1 | 77.1 |
| Alcoholism Training | 30.0 | 30.0 | - | - |
| Drug Abuse Training | 30.8 | 28.3 | - | - |
| Mental Health Training | 155.7 | 177.8 | 202.4 | - |
| VD Control | 97.4 | 106.4 | 62.9 | 75.0 |
| Immunizations | 105.3 | 111.8 | 72.9 | 105.0 |
| Involuntary Foster Care | - | 120.0 | - | - |
| Title XX (Protective Services) | 5359.4 | 3872.0 | 3376.0 | 2849.1 |
| Low Income Home Energy Asst. | 9623.9 | 7650.0 | 6747.5 | 5500.0 |
| Drug Abuse Prevention | 56.3 | 101.6 | - | (- |
| Drug Abuse Grants - 409 | 209.4 | 48.8 | - | ADMHS (- |
| *Drug Abuse Grants - 410 | 191.0 | 505.1 | - | Block < - |
| *Alcoholism Formula Grant | 199.9 | 199.9 | 1504.4 | (1255.1 |
| *Community Mental Health Grants | - | 155.8 | 265.5 | (206.4 |
| Emergency Medical Services | 600.0 | - | - | - |
| Health Education | 309.2 | 177.7 | 339.9 | 300.0 |
| Improved Pregnancy Outcome | 398.8 | 400.0 | 87.5 | 220.0 |
| Communicative Disorders | 84.4 | 25.2 | 28.0 | (- |
| Child Development Services | 84.3 | 123.5 | 61.0 | (- |
| Maternal & Child Health | 471.8 | 139.8 | 227.1 | MCH < 355.1 |
| Handicapped Children | 227.5 | 229.5 | 190.0 | Block (- |
| Child & Family Health Admin. | 19.3 | 17.8 | 13.3 | (- |
| Field Nursing | 219.4 | 310.8 | 258.3 | (- |
| Food Stamps Eligibility | 1009.0 | 1236.5 | 1393.3 | 1393.3 |
| Medicaid | 24086.2 | 26254.0 | 28874.0 | 28874.0 |
| AFDC | 16072.0 | 18500.0 | 26560.2 | 18000.0 |
| Gov. Council/Handicapped & Gifted | 292.9 | 241.6 | 236.6 | 236.6 |
| TOTAL | 61872.1 | 62558.2 | 72457.0 | 60549.8 |

*1982 Block Grant includes non-state funds

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF MANAGEMENT & BUDGET

JAY S. HAMMOND, GOVERNOR

*POUCH H-09
JUNEAU, ALASKA 99811*

*PHONE: 465-3331
(JT-3-#4)*

March 25, 1982

DOCUMENT NO. 114-82

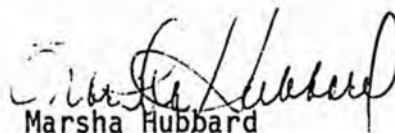
Chairman Al Adams
House Finance Committee
Pouch V
Juneau, AK 99811

Dear Chairman Adams:

As your committee considers House Bill No. 876, providing for a federal budget impact fund, it may be helpful to have the latest estimates we have developed concerning FY 83 federal revenues in the Department of Health and Social Services. In the attached listing the estimates for SFY 83 are based on the President's budget proposals. For that reason, they represent the most conservative estimate of federal funding available. At this time however, the President's budget figures are the only hard numbers that have been developed.

Please note that, except for Emergency Medical Services, the programs that have received no federal funding since FY 81 have been deleted. Thus, total federal revenues for FY 81 are understated by some amount and should not be used for comparison purposes.

Sincerely,


Marsha Hubbard

Attachment



CENTRAL COUNCIL

Tlingit and Haida Indian Tribes of Alaska
One Sealaska Plaza - Suite 200
Juneau, Alaska 99801

March 25, 1982

Honorable Albert P. Adams
Chairman, House Finance Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Chairman Adams:

This letter is to support the Committee Substitute for House Bill 876, the Federal Budget Impact Fund, and to comment on one implementation concern.

The concern we have is that because of Federal and State cutbacks in operational funding within State government for both overall budget and targeted programmatic cutting purposes, there will be a State agency scramble for the monies allocated to the fund. This is to be expected and is not necessarily a negative process.

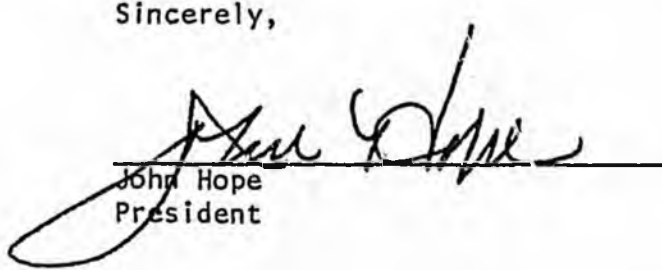
However, the mechanisms proposed to collect State and non-State requests seem to give State agencies both a head start in terms of paperwork--they simply submit their requests to the Governor while non-State entities go through the Department of Community and Regional Affairs (which would probably need some gear-up time to develop forms, etc.)--and in terms of access since State agencies go to the Governor, non-State through DCRA.

Since the demand for these dollars is expected to exceed the appropriation, it is likely that some non-State entities may find Mother Hubbard's Federal Impact cupboard empty because of the more direct access available to State "mice."

We do not have a "proposed solution" to our "proposed problem," and only ask that these concerns be made a part of your legislative history of this bill.

Again, we support the legislation, we know it is needed, we wish the fund were larger, and we applaud the sponsors for their efforts in this difficult area.

Sincerely,



John Hope
President

Original sponsor: Finance Committee

Offered: 3/10/82
Referred: Finance

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6 for state financing of programs under this Act to the governor. Non-state
7 agencies and organizations shall submit their requests for state financing of
8 programs under this Act to the Department of Community and Regional Affairs.
9 The Department of Community and Regional Affairs shall compile a list of
10 non-state agencies and organizations that conduct programs that are federally
11 funded and subject to termination or curtailment due to reduced federal
12 appropriations. The Department of Community and Regional Affairs shall
13 submit this list to the governor, along with any other information he
14 requests, for his use in approving expenditures from the federal budget
15 impact fund.

16 * Sec. 5. REPORTS. (a) The governor shall submit all requests for state
17 financing of programs eligible for funding from the federal budget impact
18 fund that he receives to the Legislative Budget and Audit Committee and the
19 chairmen of the senate and house finance committees for review.

20 (b) The Legislative Budget and Audit Committee shall review the
21 requests for state financing of programs that it receives from the governor
22 and within 45 days of receipt submit to the governor a list of recommended
23 expenditures from the federal budget impact fund approved by a majority vote
24 of the committee.

25 (c) The governor shall, within 15 days of receipt of the list of
26 recommendations from the Legislative Budget and Audit Committee, authorize
27 the expenditures recommended by the committee. If the governor does not
28 concur in the recommendations, he may authorize other expenditures from the
29 requests submitted to the committee, but shall submit to the committee a

1 statement of his reasons before the expenditures are made.

2 * Sec. 6. This Act terminates June 30, 1983.

3 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-
4 070(c).

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