

ALASKA LEGISLATURE

1772

HOUSE and SENATE FINANCE COMMITTEE FILES, () 1997-1998

02-11-98

12:36

RECEIVED FROM: 907 474 6491

P.05

19(b)

NOAA/NMFS's Vision for 2005

Goal: Build Sustainable Fisheries

How: Seven Step Plan

1. Assess the status of U.S. Fishery resources
2. Advance fishery predictions
3. Manage for economic growth and a healthy fishing industry
4. Ensure adequate compliance with fishery regulations
5. Reduce bycatch in the nation's fisheries
6. Accelerate growth of U.S. aquaculture; and
7. Promote global stewardship of fisheries

A modern state-of-the-art research and laboratory facility will support these activities.

NOAA/NMFS Juneau Consolidated Facility

Why is it needed?

- NOAA/NMFS's current situation is one of scattered offices and program activities. This arrangement is not conducive to efficient communication between administrative and laboratory functions associated with statutory and program responsibilities. NOAA/NMFS is spread over three separate sites:
 - Administrative functions are in the Federal Building in downtown Juneau
 - Laboratory functions are at Auke Bay (12 miles from downtown)
 - Major shop and ship support facilities in a NOAA owned facility on the water front in downtown Juneau.
- The administrative functions in the Federal Building are located on a number of separate floors, thus reducing efficiency.
- Increased fishery management capabilities and supporting research programs are needed to assist in the complex and controversial resource management decisions in Alaska.
- Staff separation and inadequate facilities is severely compromising the effectiveness of enforcement and management of the regions fisheries resources.
- Fisheries and their management are changing rapidly. Growth in resource management and enforcement is inevitable.
- Juneau UAF faculty do not have laboratories of their own and must share bench space. UAF graduate students in fisheries have no desks or office space.
- The graduate and research programs in fisheries at Juneau UAF share a building designed for undergraduate instruction at UASE.

2-11-1998 11:40AM

FROM SW BUDGET DEV 907 474 6491

P.5

Who is NOAA/NMFS? Why is UAF Involved?

NOAA/NMFS: National Marine Fisheries Services

- NOAA/ NMFS serves as the steward for America's living marine resources: fish, shellfish, corals, marine mammals, and sea turtles.
- Enforces fishery regulations, maintains the wholesomeness of U.S. seafood products and protects coastal fishery habitats.
- Reviews the possible impacts of planned coastal development projects on the marine environment.
- Helps to restore vital fishery habitats damaged by pollution, development, dredging, or filling.
- Conducts research needed to manage these valuable resources effectively.
- NOAA/NMFS is the leader in protecting and restoring endangered marine species.

UAF: University of Alaska Fairbanks

- UAF School of Fisheries and Ocean Sciences in Juneau was initiated in 1975.
- UAF offers the only graduate fisheries program in Alaska.

The Northwest Association of Schools and Colleges has indicated that upgrades to UAF facilities in Juneau are critical to the ongoing accreditation of UAF
- The tie to NOAA/ NMFS includes:
 - Proximity of NOAA/NMFS Auke Bay Fisheries Lab gives UAF a source of instructors.
 - UAF and NOAA/NMFS collaborate on research and provide student and research support
 - NOAA/ NMFS provides employment opportunities for UAF graduates.

02-11-98

12:37

RECEIVED FROM: 907 474 6491

P.06

19(b)

2-11-1998 11:41AM

FROM SW BUDGET DEV 907 474 6491

P.6



JAN 29 1998
OFFICE OF
ALASKA MANAGEMENT & BUDGET

Alaska Commission on Judicial Conduct

310 "K" Street, Suite 301, Anchorage, Alaska 99501
(907) 272-1033 In Alaska 800-478-1033 FAX (907) 272-9309
E-Mail: 103176.2012@compuserve.com


Marla N. Greenstein
Executive Director
E-Mail: 15471.1003@compuserve.com

January 23, 1998

MEMORANDUM

TO: Sen. Drue Pearce, Co-Chair Senate Finance
Rep. Mark Hanley, Co-Chair House Finance

INFO: Rep. Gene Therriault, Chair House Finance Court System Subcommittee
Sen. Sean Parnell, Chair Senate Finance Court System Subcommittee
Gretcher Mannix, Legislative Finance
Jan McCarty, Office of Management and Budget

FROM: Marla N. Greenstein 
Executive Director

RE: FY 98 Supplemental Budget Request

Attached is a FY 98 supplemental budget request for attorneys fees. One matter concluded in early July, the other matter is ongoing. Please call if I can provide additional information or answer any questions.

ALASKA COMMISSION ON JUDICIAL CONDUCT
FY98 SUPPLEMENTAL FUNDING REQUEST

Matter #96

Total attorney's fees:	38, 131
Paid with FY97 funds:	21, 765
<u>Remaining unpaid balance:</u>	<u>16, 366</u>

Matter #95

Total attorney's fees to date:	62, 277
Paid with FY97 funds:	14, 800
Remaining FY98 balance:	47, 477

Additional fees/costs for Public Hearing (transcripts/ witness fees/ supplies): 5, 370

Total FY98 costs to date Matter #95: 52, 847

In mid-December 1997, the judge involved in Matter #95 filed an opposition to the Commission's recommended sanction pending before the Alaska Supreme Court. The Commission's FY98 Contractual Professional Services appropriation is 37,100. Approximately 3,500 of this amount is needed for regular ongoing Commission activities (mostly temporary secretarial support). The balance of 33,600 will be used to pay costs associated with Matter #95.

Consequently, the Commission requires supplemental funding in the amount of \$55,613 as follows:

Matter #96 FY98 costs:	16, 366
Matter #95 FY98 costs:	52, 847
Matter #95 FY 98 anticipated appellate costs:	20, 000
Subtotal FY98 costs:	<u>89, 213</u>
FY98 Appropriation:	33, 600
<u>Supplemental needed:</u>	<u>55, 613</u>

(Costs in excess of current appropriation for FY98)

SB

83

(File 4)

HFIN

FILE

Senate Bill House Bill 113
FY 97 SUPPLEMENTAL APPROPRIATIONS
(In Thousands)

DEPT.	Gov's Sec #	BRU/ COMPONENT	DESCRIPTION	Governor's Request		
				GF	Other	Total Funds
DOA	1	(a) Leasing	Leasing and facilities costs	1,018.7		1,018.7
DOA	1	(b) Office of Public Advocacy	Operating costs	317.5		317.5
DOA	1	(c) Public Defender	Operating costs	268.9		268.9
DOA	1	(d) EPORS	New retirees	65.6		65.6
DOA	1	(e) Leasing	ABBA, Inc. v. State (Vintage Park settlement payment)	243.3		243.3
DOA	1	(f) Leasing	Claims relating to the DEC laboratory	104.0		104.0
DOC	2	Office of the Commissioner	Capital project - Partial funding to provide additional women's correctional facilities to satisfy fines from FY95 to FY97 levied by the Superior Court in Cleary, et al v. Smith	2,300.0		2,300.0
DMV	3	Disaster Relief Fund	Provides fund balance for potential disasters for the remainder of the fiscal year.	1,000.0		1,000.0
DOC	4	(a) Fairbanks Correctional Center	Capital project - Replace boiler system	632.0		632.0
HSS	4	(b) Family and Youth Services/ Central Office	Capital project - Improved security at McLaughlin Youth Center and Fairbanks Youth Facility	1,247.4		1,247.4
HSS	4	(c) Community Health/EMS Services	Capital project - Emergency communications equipment	200.0		200.0
DMV	4	(d) Disaster Planning & Control	Capital project - Radio equipment	100.0		100.0
DNR	4	(e) Parks Management	Capital project - Emergency repairs to Perseverance Trail	200.0		200.0
HSS	5	(a) Adult Public Assistance	Estimated FY97 costs	939.0		939.0
HSS	5	(b) Medical Assistance/ Indian Health Services (HIS)	increased HIS Medicaid reimbursement rates		10,000.0	10,000.0

Senate Bill House Bill 113
FY 97 SUPPLEMENTAL APPROPRIATIONS
(In Thousands)

DEPT.	Gov's Sec #	BRU/ COMPONENT	DESCRIPTION	Governor's Request		
				GF	Other	Total Funds
HSS	5	(c) Family and Youth Services/ Foster Care	Costs for children in state custody	1,000.0		1,000.0
HSS	5	(d) Family and Youth Services/ McLaughlin Youth Center	Increased costs caused by youth facility population increases	685.0		685.0
LAW	6	(a) Oil & Gas Litigation	Section 26(a), ch. 94, SLA 95. Source of funds: \$3,160.0 State Corporate Receipts, \$16,840.0 CBRF. Retroactive to July 1, 1996. Extend lapse to June 30, 1997.			
LAW	6	(b) Legal Services Operations	Judgments and claims	97.1		97.1
LAW	Revised	Legal Services Operations	Judgments and claims - Total \$251.1 GF \$235.1, PERS \$12.8 & TRS \$3.2.	138.0	16.0	154.0
LAW	6	(c) Civil	Advocating the state's legal position on the sovereign powers of Native tribal governments in the state - with a lapse date extension to June 30, 1998.	485.0		485.0
LAW	6	(c) CSSB 74 (Fin) Am II	contains \$1.0 for this purpose	(485.0)		(485.0)
DMV	7	Disaster Planning & Control	Emergency alert system - with a lapse date extension to June 30, 1998.	220.0		220.0
DOA	8	Admin Services	Misc claims, stale date warrants	27.3		27.3
DOA	Revised	Admin Services	Total misc claims is \$33.4	6.1		6.1
DOC	8	Admin Services	Misc claims, stale date warrants	8.3		8.3
DFG	New	Admin Services	Misc claims, stale date warrants	1.3		1.3
HSS	8	Admin Services	Misc claims, stale date warrants	22.2		22.2
LAW	New	Admin Services	Misc claims, stale date warrants	0.5		0.5
DPS	8	Admin Services	Misc claims, stale date warrants	4.3		4.3
DOT	8	Admin Services	Misc claims, stale date warrants	0.9		0.9
DNR	9	(a) Fire Suppression	Funding for fixed costs and fire suppression activities from January - June 1997.	3,788.3		3,788.3

Senate Bill ouse Bill 113
FY 97 SUPPLEMENTAL APPROPRIATIONS
(In Thousands)

DEPT.	Gov's Sec #	BRU/ COMPONENT	DESCRIPTION	Governor's Request		
				GF	Other	Total Funds
DNR	9	(b) Resource Dev/Land Development	Refunds owed by the veterans' land discount program (AS 38.05.940)	300.0		300.0
DNR	9	(c) Resource Dev/Land Development	Removal of existing buildings and other associated facilities at the Old Eagle School site	100.0		100.0
DPS	10	Village Public Safety Officer/Contracts	Section 30, ch. 117, SLA 96, pg 43, ln 32 and allocated on line 34 (VPSO, Contracts \$4,965.5 GF). Extend lapse to June 30, 1998			
DOA	11	Various	Ratify overexpenditures: \$47.8			
DOL	11	Various	Ratify overexpenditures: \$25.2			
DMV	New	Various	Ratify overexpenditures: \$41.9			
HSS	11	Various	Ratify overexpenditures: \$259.4			
DNR	11	Various	Ratify overexpenditures: \$458.3			
DOR	12	(a) Treasury Management	Investment management fees for the CBRF	31.0		31.0
DOR	12	(b) Treasury Management	Purpose of sec (a) is to pay management fees and intent for FY98 to appropriate GF for new asset allocation.			
DOT	13	Alaska Marine Highway Stabilization	Increased fuel costs	391.4		391.4
CTS	14	Trial Courts	State welfare reform legislation	44.5		44.5
CTS	Revised	Trial Courts	State welfare reform legislation \$32.2	(12.3)		(12.3)
DFG	New	Com Fish Mgmt & Dev/Fisheries Mgmt	Sec. 47, ch. 94, SLA 95, pg 31, ln 20. Extend lapse to June 30, 1997.			
CRA	New	Rural Energy Program - Energy Operations/PCE	Power Cost Equalization (PCE) and rural electric capitalization fund (AS 42.45.100)	1,500.0		1,500.0
Totals				16,990.3	10,016.0	27,006.3

Senate Bill House Bill 113
FY 97 SUPPLEMENTAL APPROPRIATIONS
(In Thousands)

DEPT.	Gov's Sec #	BRU/ COMPONENT	DESCRIPTION	Governor's Request		
				GF	Other	Total Funds
AGENCY SUMMARY				GF	Other	Total Funds
DOA		Administration		2,051.4		2,051.4
CRA		Community and Regional Affairs		1,500.0		1,500.0
DOC		Corrections		2,940.3		2,940.3
DFG		Fish and Game		1.3		1.3
HSS		Health and Social Services		4,093.6	10,000.0	14,093.6
LAW		Law		235.6	16.0	251.6
DMV		Military and Veterans Affairs		1,320.0		1,320.0
DNR		Natural Resources		4,388.3		4,388.3
DPS		Public Safety		4.3		4.3
DOR		Revenue		31.0		31.0
DOT		Transportation and Public Facilities		392.3		392.3
CTS		Courts		32.2		32.2
		Total		<u>16,990.3</u>	<u>10,016.0</u>	<u>27,006.3</u>

Sec 1 (a) - (17)

MEMORANDUM

STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION

RECEIVED

To: Annalæe McConnell
Director
Office of Management and Budget
Office of the Governor

Date: January 22, 1997 JAN 23 1997

File No:

Phone: 465-5655

From: Sharon Barton
Director
Division of Administrative Services

Subject: FY 97 Supplemental Requests

The Department of Administration submits four FY 97 supplemental budget requests as follows:

- Office of Public Advocacy - \$317.5 GF
- Public Defender Agency - \$268.9 GF
- Leasing - \$1,366.0 GF
- EPORS - \$65.6

Although it was generally understood by the legislature as well as the administration that supplementals would be necessary for OPA, PD, and Leasing, the managers of those programs have made every effort to contain or reduce costs.

In the case of EPORS, additional funds are requested for three members who have retired since July 1, 1996, and for increased costs for health insurance which go into effect February 1, 1997.

Additional detail is provided in the attached memos from the program managers. I would be happy to provide any additional information you may need.

cc: Mark Boyer
Alison Elgee
David Koivuniemi
Brant McGee
Barbara Brink
Dugan Petty
Robert Stalnaker

MEMORANDUM

State of Alaska

Department of Administration
Division of General Services

To: Sharon Barton
Director
Division of Administrative Services

Date: January 15, 1997

Telephone No: 465-5689

From: Dugan Petty *Dugan Petty*
Director

Subject: FY 97 Supplemental Request

This is the detailed backup information for the FY 97 Supplemental request for the Leases BRU as requested.

Problem to be Solved

\$1,366.0 in General Funds are requested to provide funding for the Leases BRU obligations.

Background

The leases BRU was underfunded in the FY 97 cycle. Our request was \$417.7 less than our anticipated obligations. As you will recall, we attempted to "manage down" that amount, but understood if we could not, we would request a supplemental authorization to cover any remaining shortfall. Our FY 97 GF authorization was \$23,570.6. That left us with a new shortage of \$1024.7. In addition, despite some savings, unanticipated funding needs have increased the FY 97 obligation by an estimated \$341.3. (See attached fact sheet.)

Our efforts to reduce costs focused primarily on the negotiated lease purchase of the Frontier building. Our aim was to obtain the building under a lease-purchase scenario that would reduce the ongoing operating costs of the lease.

This building is our largest, single, leased presence. A reduction in these lease costs would result in significant savings to the program. We were not successful in obtaining sufficient savings to warrant the lease-purchase of the building and, as a result, unable to achieve planned savings.

Alternatives Considered

1. To bill agencies on a prorated basis dependent on their share of the BRU's GF.
2. To request a supplemental authorization.

3. To do nothing, pay the rents until funds run out, deal with the consequences.

The alternative pursued was to continue to reduce costs wherever possible, work with lessors for their ideas for reductions, and request a supplemental authorization.

Consequences of not Funding

Most savings opportunities have been exhausted. We have gained some cost reductions by re-utilizing vacated, or under utilized space, by new, paying tenants. If the supplemental request is not approved, some lease payments cannot be made.

Lessors whose rent is late, or is not paid, would be within their rights to consider the state in default or breach of contract. At the least, there will likely be monetary penalties, and loss of faith with the vendor community. At worst, there could be claims, eviction and extreme disruption to the state's operations. The curing of any defaults, regardless of whether or not the outcome were litigation, relocation or a need for vendors to increase costs in future, would be more costly than the supplemental requested.

See 1(b)

MEMORANDUM

STATE OF ALASKA
DEPARTMENT OF ADMINISTRATION
OFFICE OF PUBLIC ADVOCACY
PHONE 274-1684 FAX 274-9916

DATE: January 17, 1997

TO: Sharon Barton
Director
Division of Administrative Services
Department of Administration

FROM: Brant McGee *BGM*
Public Advocate
Office of Public Advocacy
Department of Administration

RE: FY 97 supplemental appropriation request status

The Office of Public Advocacy has recently completed its mid-fiscal year analysis of expenditure and caseload trends. Unfortunately, both the number of new open cases and our monthly expenditures in seven case categories are tracking our FY 97 assumptions.

Our initial projections for FY 97 contractual expenditures were built on caseload and cost per case figures from FY 95 and FY 96. The FY 97 projection took into account the striking reductions we achieved during the previous two years in reducing the average cost per case in seven case categories. The overall cost projection is therefore quite conservative in that it assumes maintenance of all previous cost savings, including restrictions on travel, use of expert witnesses and out-of-town witnesses, and investigation, as well as close scrutiny of professional billings.

The bottom line is that we have no reason to change our current estimated shortfall--and supplemental need--from \$317.5. We will continue to monitor cost and caseload data on a monthly basis and will advise you immediately when we have evidence that the supplemental need estimate requires revision.

BGM/sl

Sec 1(c)

MEMORANDUM
ALASKA PUBLIC DEFENDER AGENCY

TO: Sharon Barton, Director, Division of Administrative Services

FROM: Barbara Brink, Acting Director

RE: FY 97 Supplemental Request

DATE: 1-15-97

SPECIFIC NEEDS/PROBLEM TO BE SOLVED

The Public Defender Agency has a projected shortfall of \$207.2 in its personal services line and a shortfall of \$61.8 in Other Services. This is a function of the 4+% vacancy factor built into the PD budget and increased overhead costs for other services. The Public Defender Agency is requesting a supplemental appropriation of \$268.9.

BACKGROUND

Because 89% of the PD budget is taken up in the personal services line, a 4+% vacancy factor translates into a large shortfall. This vacancy factor is unrealistic, given the rate of staff turnover, the oppressive workload, and the size of the agency staff.

Maintaining Vacancies:

There has been limited opportunity to achieve the designated vacancy factor to date. Where we have had turnover, the demands of the caseload have precluded maintaining positions vacant for any significant period of time. Nevertheless, when and where possible, vacancies have been maintained. Positions in Barrow, Kodiak, Fairbanks, Anchorage, Dillingham, Beuel, Juneau, and Kenai have all been held vacant for as long as feasible.

Anchorage is the only large office in the agency. Nine of the thirteen PD offices state-wide have four attorneys or less. Six offices are only one or two attorney offices. Maintaining vacancies at these locations is virtually impossible, in that one vacancy reduces staff by between 25% to 100%, depending on the office.

Of the eleven smaller offices, eight have only one clerical/secretarial position. Five of these offices have no investigator position. There are only three paralegal positions in the entire state-wide staff. As such, it is difficult to look to support staff in terms of maintaining vacancies.

Workload:

Statistics from the last three fiscal years show the PD processing over 17,000 cases per year, with only 64 attorneys on staff. This is indicative of a very poor attorney-client ratio, based on national caseload standards promulgated by the federal government. Caseloads remain high in all offices. Felonies, the most difficult and time consuming of Public Defender cases, rose 19% from FY95 to FY96 and we expect this increase to continue.

It is important to note that none of the work of the PD is discretionary. Each case is assigned by the court through court order. Cases can't be refused. There is insufficient money to contract out cases when the caseload reaches crisis levels. Finally, lawyers cannot exercise authority over the progress of individual cases in that it is the client who makes the most meaningful decisions about the course of litigation, and the court sets the deadlines and timelines. This situation makes the vacancy factor that much more problematic.

Increased Costs:

Unbudgeted administrative costs passed on to the Public Defender from other state agencies in FY 97 have increased costs by \$50.2. These costs can not be absorbed and still meet basic case costs and operating expenses. Every effort has been and continues to be made to reduce costs and efficiently use resources. However, as long as new cases keep coming in there will be costs associated with them. We can not just stop providing adequate representation to clients.

ALTERNATIVES CONSIDERED

Leave without pay for attorneys

This has been discussed with staff. They were unanimous (and very strident) in their strong objection to this proposal. They convincingly argue that the end-product of LWOP is 1) a reduction in pay, 2) no reduction in workload and 3) less time in which to accomplish the same task. They accurately pointed out that the last time we were forced into this situation almost all the lawyers came into work during the time they were supposed to be off. Their bottom line: it isn't fair; to staff, or to the clients. They say it's especially unfair in that most of the attorney staff currently work six day work weeks to keep up with caseload demands as it is.

Shut down offices when funds run out

This alternative is the most compelling way to get the message to the policy makers. If the PD shuts down, the criminal and family courts will be profoundly affected, as will the prosecutor, the Dept. of Corrections, and other agencies. This also is more equitable for staff in that the court would not be able to refer cases to the PD during this period. Under this scenario the PD makes up its shortfall and the consequences of inadequate funding is made clear for future reference. This is of course an unrealistic alternative that would only damage the Public Defender Agency in the long run.

Delaying cases until the next fiscal year

This also is an unrealistic alternative. The court is not willing to continue case simply because the agency does not have the money to pay for witnesses or other case cost. Clients have a statutory right to a speedy trial which can not be waived because of lack of funds. This does not reduce

expenditures it just pushes them into another fiscal year and results in another request for supplemental funding.

CONSEQUENCES OF NOT FUNDING SUPPLEMENTAL NEEDS

1. Dimunation of quality of services.
2. Morale problems with already overburdened staff.
3. Delays in the processing of cases, leading to frustration of prosecution and police efforts with respect to public safety.
4. Possible increase in ineffective assistance of counsel cases as well as civil suits against PD for malpractice.

ADDITIONAL INFORMATION

PD staff attorneys hold professional licenses and must abide by an ethical code. They face discipline, up to loss of license, if they don't perform competently for their clients. We are obliged to provide working conditions consistent with these ethical requirements.

Related to this, the PD provides a constitutionally-required service. The Alaska Supreme Court has enunciated standards by which lawyers are measured in terms of competent performance in criminal cases. Potential civil liability can attach if the lawyer fails to adequately discharge his/her responsibilities.

Given the constitutional mandate of the PD, our first priority is to manage so as to deliver quality services. Managing "to a number" cannot be substituted for this priority.

MEMORANDUM


State of Alaska

Department of Administration

To: Sharon Barton
Director
Division of Administrative Services

Date: January 16, 1997

Telephone No.: 465-4460

From:  Robert F. Stalnaker
Director
Division of Retirement & Benefits

Subject: FY97 Supplemental Budget Request

Please request an additional \$65.6 in state general funds for the EPORS component in FY97.

EPORS - What is it?

The Elected Public Officers Retirement System (EPORS) became effective with CH 205, SLA 75. It was then submitted by referendum to the voters and rejected. In *State v. Allen*, the supreme court held that all elected officials who were participating in the system at the time of repeal (10/14/76) are entitled to the benefits provided by that system upon retirement. As of January, 1997, this "closed" system has a total of 44 members, 34 are currently eligible or are receiving a monthly benefit. This retirement system is funded on a "pay-as-you-go" basis - a yearly appropriation to pay the liabilities of the retirement system. Funds requested in this component are used to pay the monthly benefits to retired members of the system, their retiree health insurance premium, interest paid to the contribution accounts of active and deferred members, and for administrative expenses associated with serving the EPORS membership.

Recent Funding History

In October, 1995, the Division prepared an FY97 budget increment for EPORS asking for \$54.6. This increment was not included in the Governor's FY97 budget.

Recent Developments Affecting Expenses

- Four eligible members will begin receiving their benefit in FY97. The Division projects funding needs for members when they are eligible for *normal* retirement. An EPORS member can receive a normal benefit at age 60. The Division anticipated the normal retirement of Bradner on 3/1/97. Three retirements could not be projected. Two members, Steve Cowper and Nels Anderson, have elected to receive their benefit early, 10/96 and 1/97 respectively. One member, John Sackett, began receiving a disability benefit 6/96. Normal retirement for these three members was set for 1998, 1999, and 2004, respectively.
- Health insurance premiums for persons under the Retiree plan will increase 4.99% on 2/1/97. This has been included in the projection.

- A 1.4% salary increase, effective 7/1/96, increased the monthly benefit for six members who retired under the "salary of office" provision.

EPORS - Potential Liability

Two eligible EPORS members have been hired by the Knowles Administration, Jay Kerttula and Thelma Buchholdt. As active employees, their EPORS benefit is suspended. These members can retire at any time and begin receiving a monthly EPORS benefit. The cost of their monthly benefit is **not** included in this supplemental request. Including these members would make the supplemental request total \$96.0.

RFS/DFT

MEMORANDUM

Department of Administration
Division of General Services

STATE OF ALASKA

Phone Number: 463-2250
FAX Number: 465-2189
TDD Number: 465-2205

TO: Sharon Barton
Director
Division of Administrative Services

DATE: February 5, 1997

FROM: Dugan Petty *Dugan Petty*
Director
Division of General Services

SUBJECT: FY 97 Supplemental Request,
Additional Information for the
Legislature

You have requested additional information on behalf of the Office of Management and Budget (OMB) related to our FY 97 Supplement Request for the Leasing BRU, specifically the unanticipated FY 97 costs for the Juneau One-Stop settlement and the DEC Lab Claims defense expenses. We understand that OMB has questioned whether it is appropriate to move these costs to the Department of Law's Settlement Bill.

We have no objection to the transfer of these costs to the Department of Law. However, the Juneau One-Stop settlement expenses have already been paid from FY 97 funds. As such, it might be inappropriate to transfer these costs unless they are included in a DOL "Supplemental" Bill. Funds allocated to the DEC Lab Claims defense have not been paid. It may be more appropriate to include the DEC Lab Claims costs in DOL's Settlement Bill for FY 97. I will address each of these costs separately.

JUNEAU ONE-STOP

\$243.3 Total

These unanticipated costs have already been paid from FY 97 funds.

1. Settlement of Lawsuit (New Lease) **\$150.0**

This amount represents costs to settle the Supreme Court and Superior Court cases filed by ABBA, Inc. ABBA was the unsuccessful bidder that protested the lease award to Vintage Business Park. Even though the State defended the procurement process followed as being legal and proper, we settled out of court with ABBA to prevent any additional costs or further delays in implementation of the Juneau One-Stop facility.

2. Settlement Contract Cost for Back Rent **\$52.3**

The Division of General Services negotiated this back contract cost with Vintage Business Park. It represents back rent charges from October 22 through December 31, 1997, five percent interest on the rent owed, and other miscellaneous expenses incurred by Vintage due to our inability to occupy their space.

MEMORANDUM

STATE OF ALASKA

Department of Law - Criminal Division

To: Annalee McConnell
Director
Office of Management & Budget

Date: February 5, 1997

File No:

Tel. No: 465-3428

Subject: Court fines in
Cleary v. Smith

From: Michael J. Stark *mjs*
Assistant Attorney General
Department of Law

I have been requested to let you know the cumulative total of the court fines in the prisoner class action, *Cleary v. Smith*, 3AN-81-5274 Civ. As of January 31, 1997, this amount was \$1,869,300. The fines for the month of December 1996 totaled \$93,600; and for January 1997 totaled \$109,800. Based upon these amounts, as well as the historical trends of the prisoner population, it is estimated that through June 30, 1997 (FY 97), the fines will grow to \$ 2.3 - \$ 2.4 million.

If I can provide any additional information, please let me know.

**MEMORANDUM
DEPARTMENT OF
MILITARY & VETERANS AFFAIRS**

**State of Alaska
ADMINISTRATIVE SERVICES DIVISION**

RECEIVED
JAN 27 1997

Annalee McConnell
Office of Management & Budget
Office of the Governor

DATE: January 24, 1997

FILE:

TELEPHONE: 465-4730

FROM: Carol Garrall
Director

SUBJECT: FY97 Supplemental
DMVA

The Department of Military & Veterans Affairs requests the following FY97 Supplementals

- 1. Emergency Alert System - \$220,000.
- 2. Disaster Relief Fund - \$1,000,000 for the disasters from January - June 1997.

In addition we are working on our ratification request to cleanup some old accounting record, we will be submitting this ratification request to you in the next couple of weeks.

Emergency Alert System (EAS)- \$220,000:

The Emergency Alert System is a federally mandated project to be implemented nationally by January 1, 1997. The concept is co-sponsored by FCC, NWS and FEMA. The system permits an "all hazard" uniform alert and warning system for the entire United States. Equipment is "standard" and all implementation plans must be approved by FCC. This ensures that the system works in every community, county, State, Territory and Protectorate. This system is totally automated. It provides all levels of alert and warning and is engineered to be almost "hands free" once the software and equipment is installed. We have attached some graphics to show the concept, the notification scheme, and a comparison with the National Warning System, as well as a detailed project budget.

Project Support:

This project concept was originally submitted for CIP funding in 1993. It was originally titled, "Advanced Tsunami Warning System". The present EAS would have only specified the encoder/decoder equipment. Since this system will be the single Statewide warning system to alert the citizens of every type of hazard, i.e. fires, tsunamis, floods, chemical spills, etc., its local support remains unchallenged.

Disaster Relief Fund - \$1,000,000:

The past few years we have been using the balances of previously declared disasters as the funding source for new disasters. Our analysis of the Disaster Relief Fund and its appropriations for previously declared Disasters show that no funding is available, hence our request for \$1.0 million to meet the disasters' funding needs for the balance of FY97.

If you have any questions please contact Nico Bus at 465-2406.

Attachments

cc: Roger Schnell, Deputy Commissioner
Bob Heavilin, Director DES
Nico Bus



MEMORANDUM
DEPARTMENT OF NATURAL RESOURCES SUPPORT SERVICES DIVISION

State of Alaska

TO: Tom Maher, Aide
Representative Hanley

DATE: 6 February, 1997

TELEPHONE: 465-2406

FROM: Nico Bus
Chief of Financial Operations

SUBJECT: Fire Suppression and
Disaster Relief

Attached is a summary of the Disaster Relief Fund status as of February 1997, and the status of the FY96 Fire Suppression Supplemental Appropriations with the carry forward into FY97.

If you have any questions please call me at 465-2406

Attachments

cc: Carol Carroll
Joan Brown
Jean Davis
Gretchen Mannix

**DISASTER RELIEF FUND
FY 97 BALANCE
AS OF 2/97**

	General Fund	Federal Funds
Unallocated Balance	(573,070)	5,023,500
SCS CSHB 468(FIN) am s Section 9 (b)		
FY96 Fort Yukon Mitigation Supplemental FY96 Supplemental to Disaster Relief Fund Balance	\$557,300 1,000,000	
CCS HB 412 Sec. 10 Federal Authority DRF		\$9,000,000
CSSB 1005(FIN) am Section 7 costs for declared disasters	4,000,000	
SCS CSHB 1001(FIN) Section 3 costs associated with declared disasters	100,000	
Total Appropriated FY 96 & 97	\$5,657,300	\$9,000,000
DRF Appropriations & Beginning Balance:	5,084,230	14,023,500
FY 96 & 97 Allocations:		
96 Galena Flood Disaster	(76,900)	
96 Millers Reach	(3,350,000)	(11,500,000)
89 Cold Weather Mitigation	(19,830)	
Add'l 96 DES Operations	,141,100)	
97 Alaska State Militia	(26,900)	
97 DES Disaster Operations	(275,500)	
Mat-Su Boro Loan Interest	4,850	
Shaker IV Exercise Closeout	66,975	
96 Pelican/Elfin Cove/Juneau Disaster	(630,000)	
FY98 Reserve (DES Disaster Oper)	(585,200)	
Subtotal	(5,033,605)	(11,500,000)
DRF Current Balance as of 2/1/97	50,625	2,523,500

DNR - FIRE SUPPRESSION APPROPRIATIONS

	FY96 Actuals	FY97 Carryfwd	Total Approps
FSSLA96/CH3 & CH5 (GF)	\$7,837,983	\$2,162,017	\$10,000,000
FSSLA96/CH3 & CH5 (FED)	\$4,658,797	\$5,341,203	\$10,000,000

Sec 4 (a)

Memorandum

State of Alaska
Department of Corrections
Division of Administrative Services
(907) 269-7361 Fax (907) 269-7360
4500 Diplomacy Drive, Anchorage, Alaska 99508

To: Margaret Pugh, Commissioner
Department of Corrections

Date: January 28, 1997

Thru: Robert L. Cole, Director *Wle*
Division of Administrative Services

File:

From: *TRK*
Ted R. Kinney
Facilities Manager II
Facilities Management

Subject: FCC Boiler Replacement Phase II

The Fairbanks Correctional Center (FCC) Boiler System has reached the end of its useful life.

The two oil-fired, steam boilers were originally installed as part of the three-wing dormitory addition in 1983. The old boilers were removed at that time. Each of the two replacement boilers were sized to handle 100 percent of the building heating and process steam requirements. Since that time, each boiler has been repaired several times to fix leaks that chronically occur in the lower corners of these boilers (and others of this model) due to thermal stress. At \$20,000 - \$25,000 per fix, this has been a costly process. On January 18, 1996, the State Boiler Inspector in Fairbanks informed FCC that he would not certify further welding of the existing boiler vessels due to safety concerns.

The boilers provide hot water for food service, showers and laundry as well as heating the facility. During past winters we have had one of the boilers fail, but fortunately have never lost both. One boiler will not heat the building and, with the replacement hot water heaters being installed, provide hot water. This is especially important because we are under Cleary mandate to keep the heat at or above 65 degrees. If both boilers failed simultaneously, FCC and DOC would be facing a disaster. Our only alternative would be to release lower custody prisoners into the community and relocate the remaining prisoners to Anchorage. The financial impact would be immense; worse yet, the impact on the Courts and Fairbanks Police / State Troopers would be even greater. Closing the facility is not an acceptable option. The only other recourse would be to airlift a portable boiler either from Anchorage or Seattle, as we have not found any in the Fairbanks area.

We have initiated an RSA to DOT/PF to install a new boiler in the Old Boiler Room area. This unit will support the domestic hot water heating system. The existing boilers cannot carry the additional heating demand of the new/replacement hot water heaters which are currently being installed.

We request that the Phase II project (\$632,000) request will fund the replacement of the two existing steam boilers be submitted to the Legislature for FY-97 Supplemental Budget funding. The project is mandatory to assure continued occupancy of the Fairbanks Correctional Center.

SEC 4(b)

**McLaughlin Youth Center/Fairbanks Youth Facility
Emergency Security Situation**

Both the McLaughlin Youth Center and Fairbanks Youth Facility recently experienced security incidents that are very serious and of great concern. As a result the Department of Health and Social Services is requesting a supplemental budget request of \$1,247,400 in general funds. Shown below is a brief discussion of the security situation.

At McLaughlin Youth Center there was a drive by shooting, which was thought to have been fired by a large caliber bullet. Luckily no one was injured. Another incident that occurred at McLaughlin was that a small explosive device was detonated next to a building. No significant damage occurred.

At Fairbanks Youth Facility there was a recent attempt by youth to break into the building to get friends out. Due to the confidential nature of this, the (DHSS) can not specifically mention what happened nor give more details. Luckily the attempt failed.

As a result of the seriousness of the incidents outlined above, the DHSS hired a professional security consultant to do a thorough investigation and analysis of security weak points for both McLaughlin Youth Center and Fairbanks Youth Facility, and make recommendations for corrective action. The security consultant did find a number of security weak points.¹ The DHSS feels that correcting these security weak points is of an urgent nature and they should be corrected as soon as possible. Shown below are the specific security items that need to be undertaken:

McLaughlin Youth Center	Fairbanks Youth Facility
Key Control	Key Control
Secure Perimeter	Secure Perimeter
Chain Link Security Fence	Change Visitor Access
Badge Control System	Chain Link Security Fence
Secure Staff Entrance	Closed Circuit TV System
Closed Circuit TV System	External Building Lighting
Environmental Barriers	Area Parking Lot Lighting High-Mast
Glazing Replacement	Welded Wire Screens
Road/Public Access	New Entrance
Outside Police Control	Security Sallyport
Security Sallyport	

¹ Due to confidential nature of the security reports completed by the consultant some security incidents were not fully discussed. The DHSS would be available to discuss these in detail upon request.

Project Title: Replace/Enhance Emergency Communications Equipment/System
 Category: Health/Safety
 Project Type: Equipment
 Prog. Priority:
 Agy Priority: 6
 AP/AL: AP
 Location: Statewide
 Election District: 99
 Completion Date (mmyr): 0605

FUNDING	FY98 Capital Request	Annual State Operating / Maintenance	FY98 New State PFT	CAPITAL REQUESTS					Total Req. FY98-FY03
				FY99	FY00	FY01	FY02	FY03	
1002 Federal Receipts									0.0
1003 General Fund Match									0.0
1004 General Fund	200.0	20.0	0	565.0	565.0	565.0	565.0	565.0	3,025.0
1005 GF Program Receipt									0.0
1037 GF/Mental Health									0.0
									0.0
1092 MHTA Auth Receipts									0.0
TOTAL:	200.0	20.0	0	565.0	565.0	565.0	565.0	565.0	3,025.0

BRIEF PROJECT SUMMARY:

Enhance EMS communications systems for volunteer ambulance and first responder services in areas where coverage is inadequate, and replace aging and obsolete equipment, including old two-way radios, in accordance with a comprehensive, statewide EMS communications plan.

DETAIL PROJECT DESCRIPTION AND JUSTIFICATION:

EMS ambulance and first responder personnel need adequate, reliable emergency communications systems to provide effective, life-saving services. Along many of Alaska's rural highways, there is no EMS communications coverage what-so-ever. And, in other areas, two-way radio systems are old and breaking down with increasing frequency. This project will target needs for enhanced EMS communications for volunteer ambulance and first responder services in areas with the greatest documented needs, based on a comprehensive statewide EMS communications plan. Improved systems should help improve response times, increase treatment advice to EMS responders from hospitals and physicians, and help EMS responders alert hospitals of the number, condition and estimated arrival time of patients. Ultimately, improved EMS communications systems can help save lives and reduce long term disabilities among Alaskans and visitors by improving emergency medical response capabilities.

Does capital project:	Yes	No
1) Meet state constitutional or statutory responsibility?	x	
2) Address life, health or safety issue?	x	
3) Reduce state operating costs?	x	
4) Leverage private sector or local funds? (volunteer time)	x	
5) Create ongoing private sector jobs?		x
6) Facilitate transfer of responsibility to local or private sector?	x	

CAPITAL PROJECTS

DESCRIPTION

FORM CP1
Revised 7/9/96

Page 1 of 3

Revised Date: 11/10/97

FY 98 - FY03

AGENCY Department of Health and Social Services

Emergency Medical Services Communications

Emergency Medical Services (EMS) Communications systems include:

- 1) Citizen Access - including 911 systems and highway emergency call boxes to quickly report medical emergencies.
- 2) Emergency Medical Dispatch - trained dispatchers who can quickly assess the emergency situation, dispatch appropriate response resources, and give pre-arrival treatment advice to callers.
- 3) Coordination with other Public Safety Agencies - EMS responders may need assistance from police, fire, or other EMS agencies, depending on the nature of the emergency.
- 4) Medical Direction - EMS responders often need advice from physicians and hospital emergency departments on triage and treatment decisions, and need to provide timely reports on the numbers, condition, and estimated arrival time of patients so emergency department staff are ready when the patients arrive.

Inadequate or non-existent EMS communications systems can jeopardize lives. In many parts of rural Alaska, especially along some well traveled rural highway areas, there is no two-way EMS communications coverage what-so-ever. In other areas, aging and obsolete communications equipment is breaking down with increasing frequency. Two-thirds of the EMS responders in Alaska are volunteers, and the overwhelming majority of EMS responders in rural areas are volunteers. Most volunteer EMS agencies do not have adequate financial resources to purchase EMS communications systems.

In accordance with a comprehensive, statewide EMS communications plan, developed with guidance from: "Planning Emergency Medical Communications; Volume 1 and 2," which was published in 1996 by the National Highway Traffic Safety Administration, funds will be targeted to areas of highest priority need throughout Alaska. EMS communications equipment will be purchased for volunteer ambulance and first responder services along rural highway systems, with special consideration to volume of traffic, numbers of crashes and other medical emergencies, and availability or lack of availability of existing EMS communications systems.

Areas with significant or increasing volumes of traffic where problems and needs have been identified include parts or all of the: Glenn Highway/Tok Cutoff, Richardson Highway; Alaska Highway (aging equipment); Parks Highway (aging equipment); Steese Highway; Taylor Highway; Elliot Highway; Dalton Highway; Denali Highway; and on the Prince of Wales Island. Many of these roads have increasing traffic and vehicle crashes, especially during

**CAPITAL PROJECTS
DESCRIPTION**

FORM CP1
Revised 7/9/96

Page 2 of 3

Revised Date:

FY 98 - FY03

the summer. Since not all of these problem areas can be addressed with the amount of funding requested during the first year, priorities will be established based on cost of purchasing new or replacing old equipment, volume of traffic and number of crashes, and volume of EMS activity in each area.

All equipment purchases will be in accordance with planning guidance from the Division of Information Services, Department of Administration, as well as with guidance from the Emergency Communications subcommittee of the State Telecommunications Information Council (TIC). Equipment purchased will include terrestrial two-way radios and repeater/relay systems, cellular phones, or mobile satellite phones, depending on the most cost-effective solution for each priority area. New equipment will meet applicable FCC requirements, including new mandates for "refarming" (migration to narrow band frequencies), but will also require interoperability with existing systems that may have several more years of useful life.

**CAPITAL PROJECTS
DESCRIPTION**

FORM CP1
Revised 7/9/96

Page 3 of 3

Revised Date:

FY 98 - FY03

MEMORANDUM

DEPARTMENT OF MILITARY & VETERANS AFFAIRS

State of Alaska

ADMINISTRATIVE SERVICES

RECEIVED


SEC 4(d)

TO: Annalee W. Conner
OMB - Budget Review
Office of the Governor

DATE: February 6, 1997

FILE NO: dmvasupp.doc

TELEPHONE NO.: 465-4730

FROM:  Carol Caroll
Director

SUBJECT: Supplemental Request
DMVA - \$100,000
Radios

The Department of Military & Veterans Affairs requests \$100,000 in FY97 Supplemental funding for their Emergency Radio Equipment upgrade project. This project is the first installment of a larger project. This request will address the first part of the project that will deal with the issue of emergency communication concerns, i.e., interoperability of dissimilar communications assets during an emergency response.

Part I resolves some of the major short-term issues identified in the '95 South Central Fall Flood and the '96 Miller's Reach Fire emergencies. It is a "Band-Aid" fix to a major emergency response issue. By funding and implementing this supplemental request we are basically "buying some time" while the state and the federal governments are working through the long-term solution for a Statewide Radio Interoperability concept, supported and mandated by new FCC radio standards.

Part II of this funding initiative is the long-term permanent fix to the current interoperability issue. It requires DES to begin to purchase a minimum number of emergency radio units to support the long-range statewide interoperability concerns.

The equipment purchased in Part I of this appropriation will be used in the transition to the long-term fix in Part II.

PART I:

This portion of the emergency radio upgrade request would purchase only a minimum number of radio base units to support the interface between local, state and federal emergency support agencies. As an example, in the Miller's Reach Fire, the personnel from the Municipality of Anchorage's Fire Department who responded to this fire could not communicate with their fire dispatch or with the on-scene DNR and BLM fire suppression units because of dissimilarities in:

- (a) frequency allocation;
- (b) unique dissimilar equipment features; and,
- (c) range of coverage of their base dispatch units.

This issue is resolved by simply purchasing one 400 MHz (federal government) and one 800 MHz Municipality of Anchorage (MOA) trunking base station components and

electronically connecting these units with existing DES emergency point-to-point radio equipment via portable dispatch console.

Once implemented, Anchorage-based fire suppression personnel will have the ability to remain in continuous radio contact with their primary Anchorage-based dispatchers. This same concept can be used statewide for other types of emergency response and is not specific geographically or to a type of emergency.

The associated costs for Part I implementation are as follows:

800MHz Trunked Radio System, Portable \$58,900

One trunked radio system. Has 5 channels and 1 phone line interconnection. Containerized for field deployment.

800MHz portable radio - 2 each \$2,400

Hand held portable units for DES use when 800MHz trunked radio system is deployed. Also will be programmed with local APD and AFD information for interoperability.

800MHz base station radio -1 each \$2,600

For permanent fixed connection into the state microwave backbone system through the Central Electronics Bank (CEB) located on Camp Denali. Will provide for interoperability between existing radio channels and the local 800MHz trunked system.

400MHz base station with antenna -1 each \$3,500

For a permanent fixed connection into the state microwave backbone system through the CEB. Will provide for interoperability between existing radio channels and the local 400MHz trunked system.

VHF narrow-band base station - 1 each \$2,500

For permanent fixed connection into the state backbone system through the CEB. Will provide for interoperability between existing radio channels and selected VHF narrow-band radio systems.

VHF narrow-band portable radio - 6 each \$6,400

For DES use in emergencies, provides interoperability to those agencies that already are utilizing LMR narrowband technologies.

Central Electronic Bank (CEB) Cards for Radio Interface - 3 each

\$7,200

The CEB provides a radio interface between a radio, the state microwave backbone system, and the dispatch consoles of the AST, DES, and Rescue Coordination Center (RCC). The cards allow for individual radios to be connected on the CEB. Once a radio is present on the CEB it can be cross patched to other radios providing interoperability between all the agencies connected to the CEB.

CyLink system end-to-end terminals - 1 each \$16,500

Provides for voice and data exchange between two points. Extends the capabilities of the CEB to remote statewide locations providing on the spot interoperability between emergency response agencies.

Total cost for FY97 Supplemental = \$100,000*

* All costs are as of 02/97 and reflect vendors' verbal price quotes.

PART II:

This part of the project will be requested in future CIP budgets and is required to support the state's long-range initiative to purchase a minimum number of interoperability radios that conform to the standards required under the FCC actions as outlined in FCC PR Docket Case 92-235. The implementation action for this portion of the CIP is FCC mandated. It is commonly referred to as "Land Mobil Radio(LMR) Migration" or "Refarming".

This portion of the "permanent statewide fix" to the reoccurring problem can only be resolved when the state and federal governments (and selected local governments) collectively migrate to a statewide interoperable system.

Within the next year, the state should resolve this inoperability issue through two standing committees. The State Emergency Communications Task Group under the TIC is actively addressing this issue. This task group represents the concerns of the state departments affected by Refarming. In addition, the state has partnered with the federal government's LMR Migration Group to facilitate a resolution for interoperability standards that collectively affect all statewide radio users.

The costs to support this long-term fix can not be specifically defined because no specific interoperability standard has been agreed to between the state and federal governments. Dependent upon the LMR standard and vendor-specific equipment costs, the cost to DES may be as high as \$1,105,000 over the next five years. It is estimated that the total cost to the state to migrate to this new mandated standard will be as high as \$35,000,000. (Source: Mr. Larry Nakata, DIS, LMR Executive Group Meeting, Nov. 5, 1996).

If funds are appropriated in excess of those funds required to complete Part I of this project or if costs to DES are less than estimated above, DES will not obligate these funds until an LMR Statewide Standard is identified and can be supported by out-year equipment requirements.

If you have any questions regarding this supplemental request, please contact me or Nico Bus at 465-2406.

cc: Bob Heavilin
Jim Harpring
Dianna Alcantra
Carol Carroll
ROGER SCINCELL

MEMORANDUM
DEPARTMENT OF NATURAL RESOURCES

SEC. 41(e)
State of Alaska
SUPPORT SERVICES DIVISION

TO: Joan Brown
OMB - Budget Review
Office of the Governor

DATE: February 5, 1997

FILE NO: pervsupp.doc

TELEPHONE NO.: 465-2406

FROM: Nico Bus
Chief, Financial Services

SUBJECT: Supplemental Request
Perseverance Trail

PERSEVERANCE TRAIL EMERGENCY REPAIRS

Emergency repairs to the severely storm damaged Perseverance Trail in Juneau are required to reopen the trail for public use. Though the trail is closed, use continues under extreme hazardous conditions. Ideally work needs to be done before the summer season, to capture this high use period. Delay to the fall will expose workers to dangerous avalanche and weather conditions will increase project costs by limiting time and access.

Segments of the Perseverance Trail in Juneau were damaged or lost during the Fall '96 storm. The trail is unsafe and closed to the public. Prior to the storm the trail received over 35,000 visitors per year. A growing segment of this use has been commercial tours from tour ships and independent tours. This project would repair and reestablish a safe trail from the trailhead to Granite Creek Trail, a distance of two miles. Mudslides would be removed and the trail treadway, drainage, and bridge approaches would be repaired. The trail would be rerouted and notched a full width into rock in several locations along steep slopes where the trail structure failed. The trail beyond Granite Creek was also destroyed. Parks is not planning to repair that trail segment due to high cost. Because this work must be done immediately, there is no option to generate volunteer work or use existing staff over a longer period of time. Echo Bay Mining Company estimated the cost of their volunteer work on the Perseverance Trail in 1989 for similar work at around \$50,000. The work necessary now is of a larger scope, so the estimate for blasting is high considering overhead costs and increased costs of labor, machinery, and materials.

WHY IS THE FUNDING NEEDED? Even though this popular trail is closed it is still being used. This project would repair the trail and eliminate a major safety hazard.

PROJECT SUPPORT: Juneau State Parks Citizens Advisory Board; Trail Mix of Juneau; Juneau Visitors Association; Juneau Chamber of Commerce; City and Borough of Juneau Assembly; Gastineau Guiding Company; all Juneau residents.

PROJECT OPPOSITION: None

PUBLIC BENEFITS:

1. This project would reopen the popular trail and access to the sub-alpine valleys, lakes, waterfalls, the Silverbow Basin historic Glory Hole and historic mining ruins.
2. The trail was destroyed in the fall season when use demand was reduced. However, this spring and summer the use demands will be at a peak. Trail users will be upset that it is closed.
3. When complete, a serious safety hazard will be eliminated.
4. The trail is a major attraction used by Alaskans and visitors alike. Closure of the trail in the summer will adversely affect Juneau's economy.
5. Trail repairs will allow all trail users access regardless of their physical abilities.
6. Guided hiking tours can be resumed.

DESCRIPTION OF WORK TO BE DONE:

Clear mudslides, recut ditches and install culverts, reestablish trail width, repair trail surfacing, reroute trail at selected locations and blasting to construct trail width into rock slopes, repair bridge approaches. Because of the nature and extent of the emergency repairs required it would be accomplished by contract.

ESTIMATE:

Clear Mudslides and Debris	\$15,000
Reestablish Ditches	\$9,000
Install Culverts	\$5,000
Haul and Place Trail Borrow	\$18,000
Trail Grading	\$14,000
Blasting	\$120,000
Trail Surfacing	\$11,000
Bridge Approaches	\$8,000
TOTAL	\$200,000

ECONOMIC DEVELOPMENT: Reopening the trail will help the local and state economy as tourism businesses continue to grow. No action will have a negative impact to the visitor industry.

Perseverance Trail Emergency Repairs

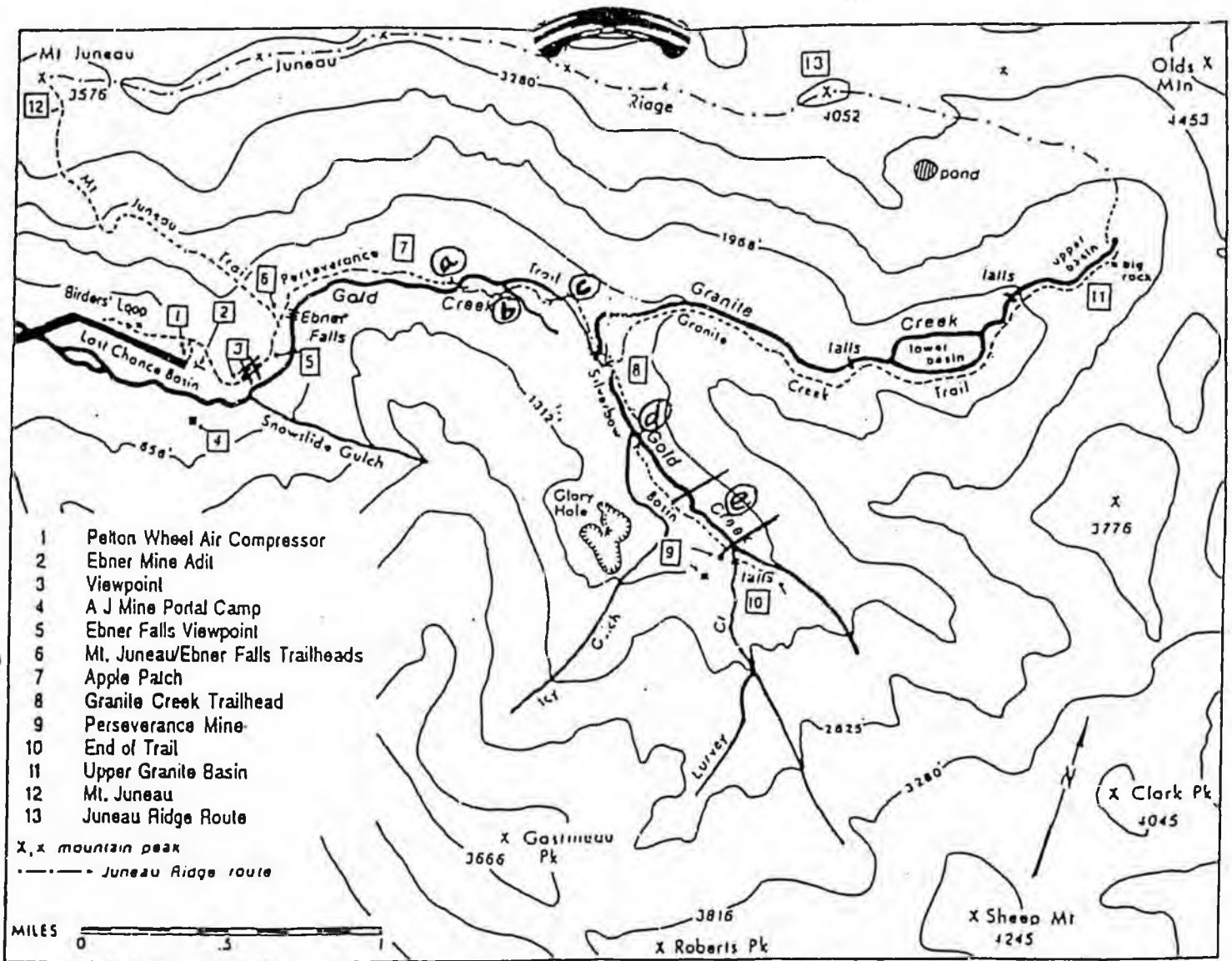
3/5/97
4E

A. \$120,000 Blasting Needed Here

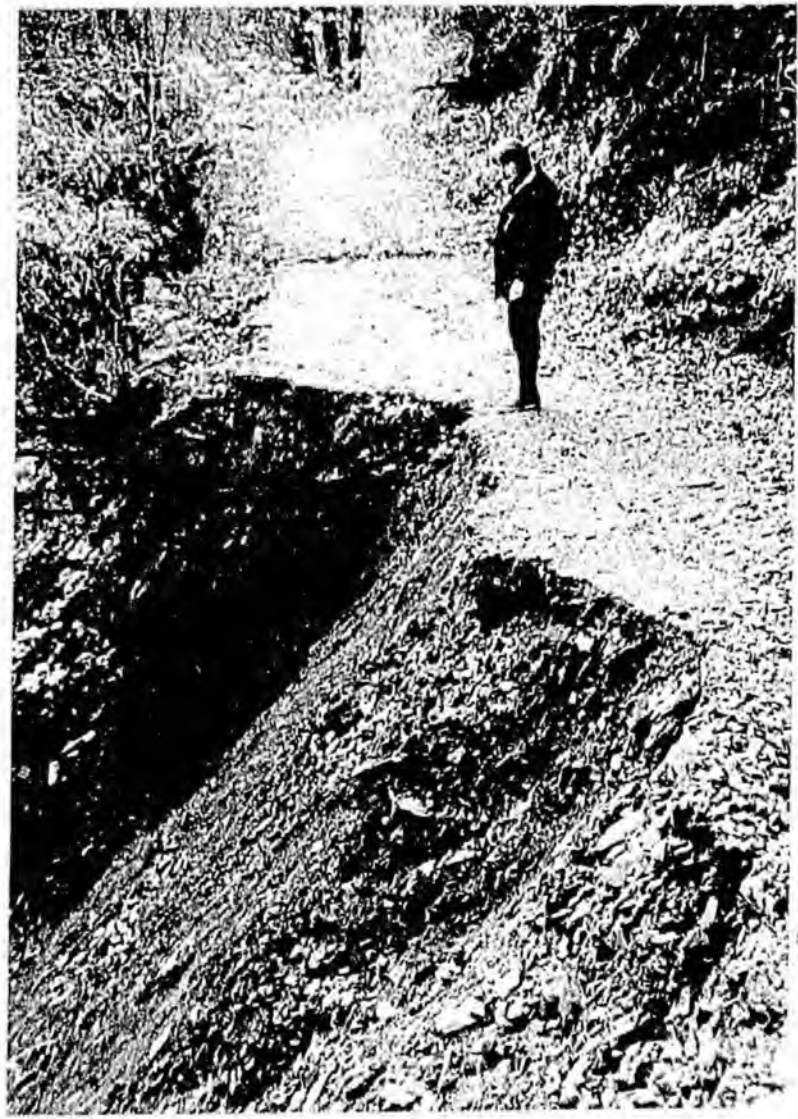
A 1/4 mile section around the "#" contains several rock outcroppings which should be blasted to avoid deteriorating cribbing. Dangerous slide (see photos) at the "#" which closes trail.

B. \$80,000 Bridge Repair and Tread Work Needed From Beginning of Trail to Last Bridge.

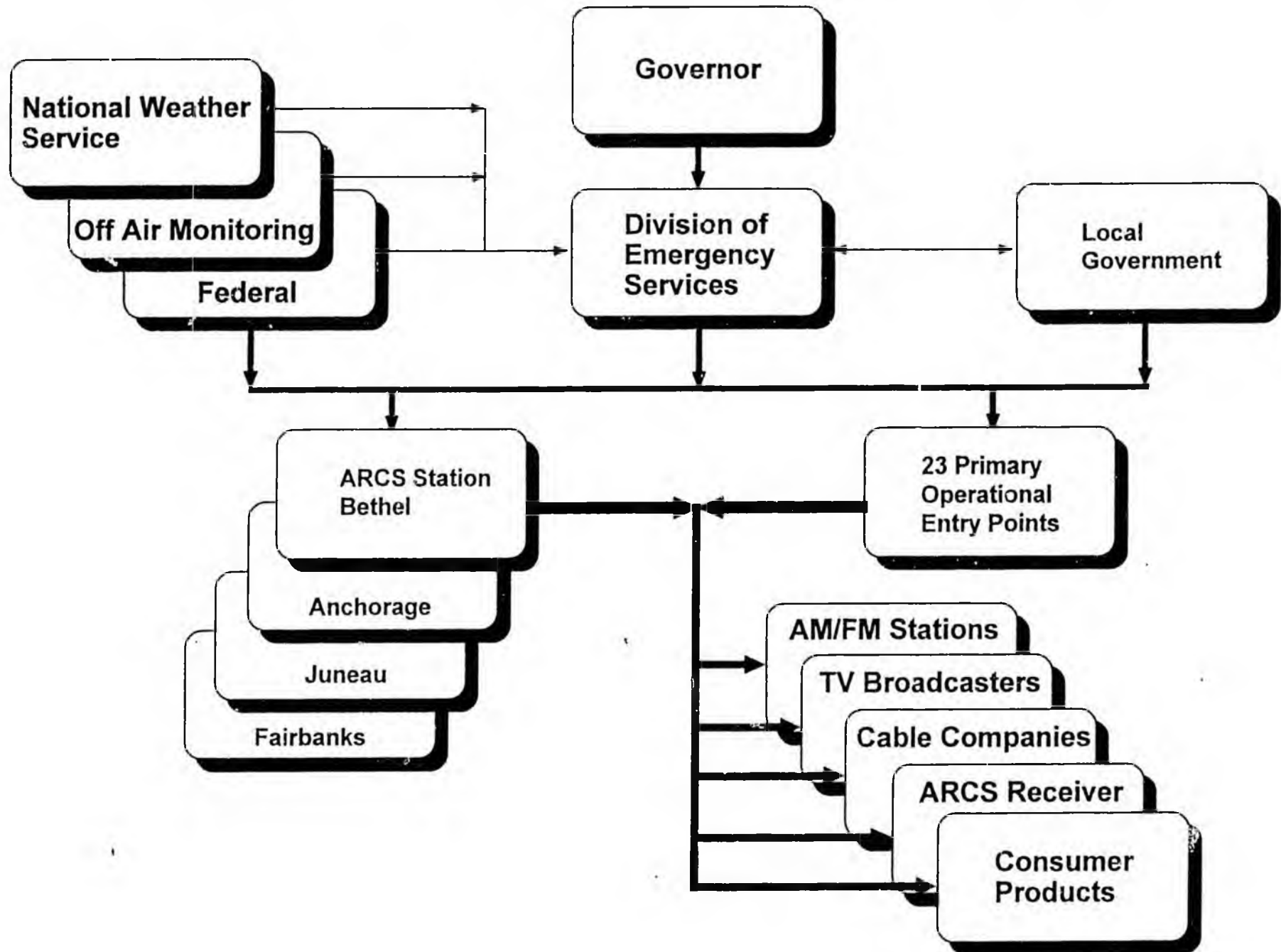
Marked bridges - (a) (b) (c) (d) - need some degree of ramp and abutment repair. Several mud-slides washed over the trail up to the last bridge (d). These need a small excavator to remove, but the slide at "#" prevents access. Area (e) is completely washed out and abandoned.



PERSERVERANCE TRAIL OCTOBER 1996



EAS ACTIVATION CONCEPT



EMERGENCY ALERT SYSTEM NOTIFICATION SCHEME

- — — — — ACTIVATION LINK
- · · · · NOTIFICATION LINK
- · — · — · REMOTE UPLINK



DES TVRO MONITOR

PERSONAL SATELLITE
TERMINAL (PST)
DIVISION of
EMERGENCY
SERVICES

284 ARCS SUBSCRIBER
COMMUNITIES

NWS
WEATHER RADIO

EAGLE RIVER EARTH STATION

PERSONAL SATELLITE
TERMINAL (PST)

UPLINK EARTH STATION
FOR NETWORK TV

BETHEL

FAIRBANKS

JUNEAU

KFQD

PBS RADIO AND TV

NOC ALASCOM

AK TSUNAMI WARNING CENTER

OFFICE OF THE GOVERNOR

NATIONAL WEATHER SERVICE

REMOTE UNIT

Emergency Alert System

Remote Satellite Terminal Concept

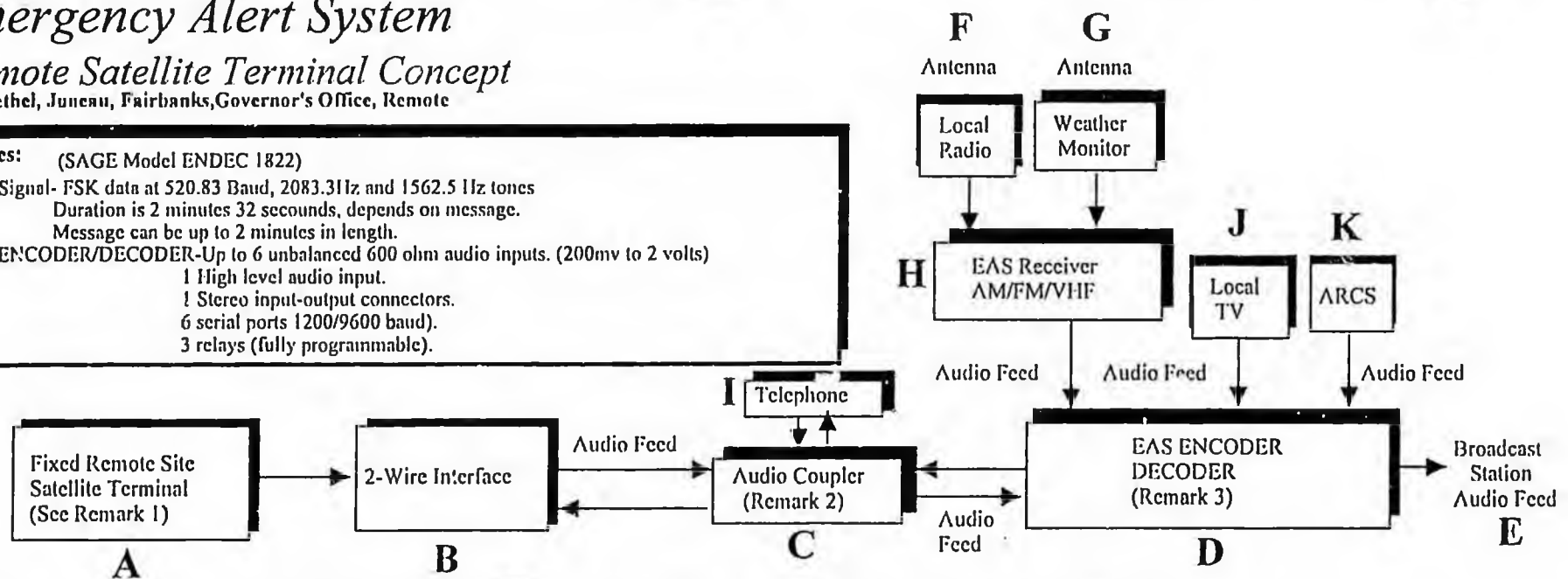
Bethel, Juneau, Fairbanks, Governor's Office, Remote

Notes: (SAGE Model ENDEC 1822)

EAS Signal- FSK data at 520.83 Baud, 2083.31Hz and 1562.5 Hz tones
Duration is 2 minutes 32 seconds, depends on message.
Message can be up to 2 minutes in length.

EAS ENCODER/DECODER-Up to 6 unbalanced 600 ohm audio inputs. (200mv to 2 volts)

- 1 High level audio input.
- 1 Stereo input-output connectors.
- 6 serial ports 1200/9600 baud).
- 3 relays (fully programmable).



Components:

- A. Personal satellite terminal technology -Single channel personal satellite telephone system.
- B. 2-Wire Interface Unit- Allows for analog devices (Telephone, FAX and EAS encoder devices) to be connected to a digital satellite terminal.
- C. Audio Coupler- Provides autoanswer and disconnect capabilities for equipment such as the EAS encoder.
- D. EAS Encoder/Decoder- Used to Process EAS signal for transmission or decodes signal during reception.
- E. Audio feed- For retransmission of the EAS signal over a broadcasters station/activation of emergency alert systems.
- F. Antenna- For AM/FM or TV reception. For monitoring of EAS signals from external sources.
- G. Antenna- For National Weather Service reception. For monitoring of EAS signals from external sources.
- H. EAS Receiver- FM/AM/VHIF or UHF receivers depending on optional cards installed. For monitoring of EAS signals from external sources.
- I. Telephone- For initiating a call and for general contact.
- J. Television- Audio feed from local TV sources. For monitoring of EAS signals from external sources. (Optional)
- K. ARCS- Alaska Rural Communications Service audio feed. For monitoring of EAS signals from external sources. (Optional)

Remarks:

- 1. Unit is capable of Auto-answer and disconnect.
- 2) Unit has auto answer and disconnect features. In manual mode the telephone provides for answer and disconnect.
- 3) Unit has programmable relays for activating either radios, local emergency alert systems or other devices.

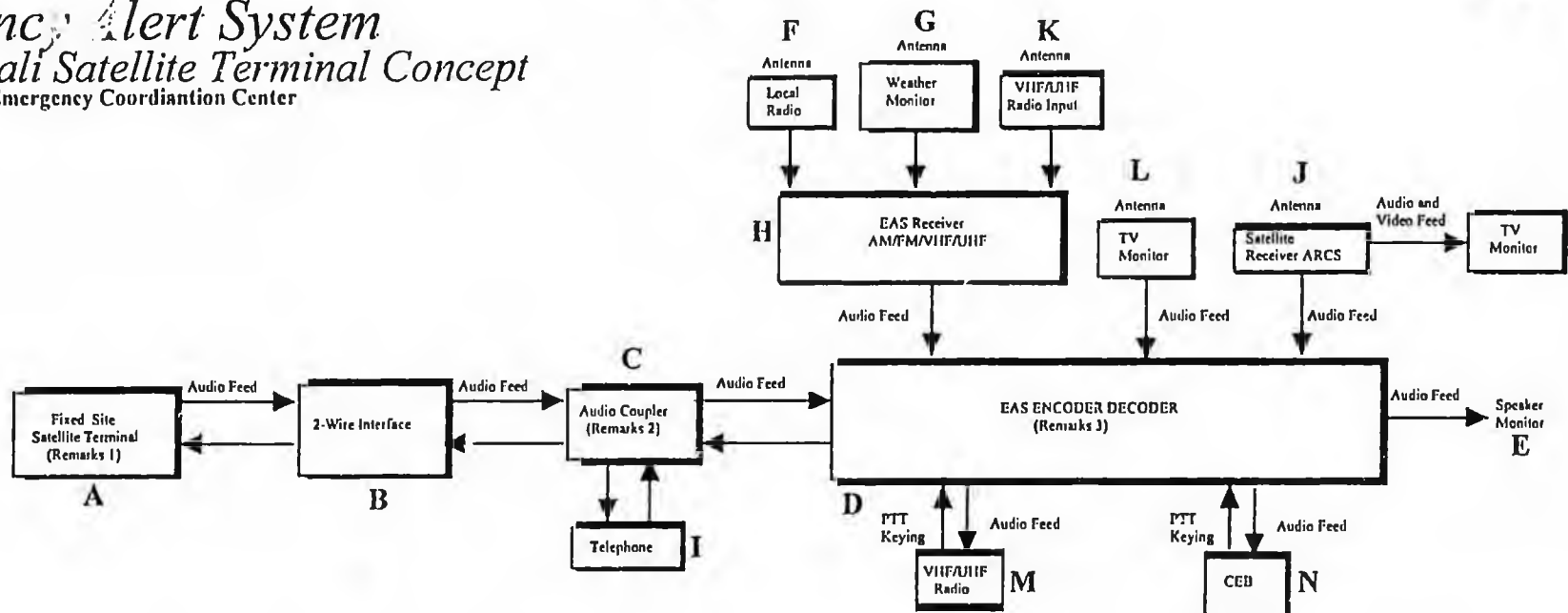
Functionality:

1. Any telephone or like configured satellite terminal is used to manually place a call to the (A) satellite terminal.
2. The (B) 2-wire interface passes the call to the (C) Audio coupler which answers the call for the (D) EAS Encoder or provides a ring to the telephone, depending on (C) Audio coupler setup. The Audio Coupler provides for auto answer and disconnect of calls.
3. The originator of the call activates the EAS signal.
4. The EAS signal is decoded by the (D) EAS encoder/decoder and a previously stored message is sent to the stations (E) audio feed for broadcast or/and a local alarm is activated.
5. For more indepth and custom messages the (A) satellite terminal functions in a normal manner providing non-Alaska based telecommunications capability.
6. The (D) EAS encoder/decoder is also capable of monitoring the (G) National Weather Service and (F) other broadcast sources through the use of (H) the EAS Receiver.

Emergency Alert System

Camp Denali Satellite Terminal Concept

State Emergency Coordination Center



Components:

- A. Personal satellite terminal technology-Single channel personal satellite telephone system.
- B. 2-Wire Interface Unit- Allows for analog devices (Telephone, FAX and EAS encoder devices) to be connected to a digital satellite terminal.
- C. Audio Coupler- Provides auto answer and disconnect capabilities for equipment such as the EAS encoder.
- D. EAS Encoder/Decoder- Used to Process EAS signal for transmission or decodes signal during reception.
- E. Audio feed- For monitoring of the audio portion of the EAS signal.
- F. Antenna- For AM/FM reception. For monitoring of EAS signals from external sources.
- G. Antenna- For National Weather Service reception. For monitoring of EAS signals from external sources.
- H. EAS Receiver- FM/AM/VHIF or UHF receivers depending on optional cards installed. For monitoring of EAS signals from external sources.
- I. Telephone- For initiating a call and for general contact.
- J. Satellite Receiver- For reception of Alaska Rural Communication Service (ARCS). For monitoring of EAS signals from external sources.
- K. VHIF/UHF Receiver- For reception of EAS signal from VHIF/UHF radio sources. (155.295/453.575)
- L. TV Monitor- For monitoring of EAS messages. Also provides TV audio input into the EAS encoder.
- M. VHIF/UHF Radio- For transmission of EAS signal over VHIF/UHF radio. (155.295/453.575)
- N. CEB- The state microwave backbone, one or more selected radio channels.

Components:

Remarks:

1. Unit is capable of auto answer and disconnect.
- 2) Unit has auto answer and disconnect features. In manual mode the telephone provides for answer and disconnect.
- 3) Unit has programmable relays for activating radios, local emergency alert systems or other devices.

Functionality:

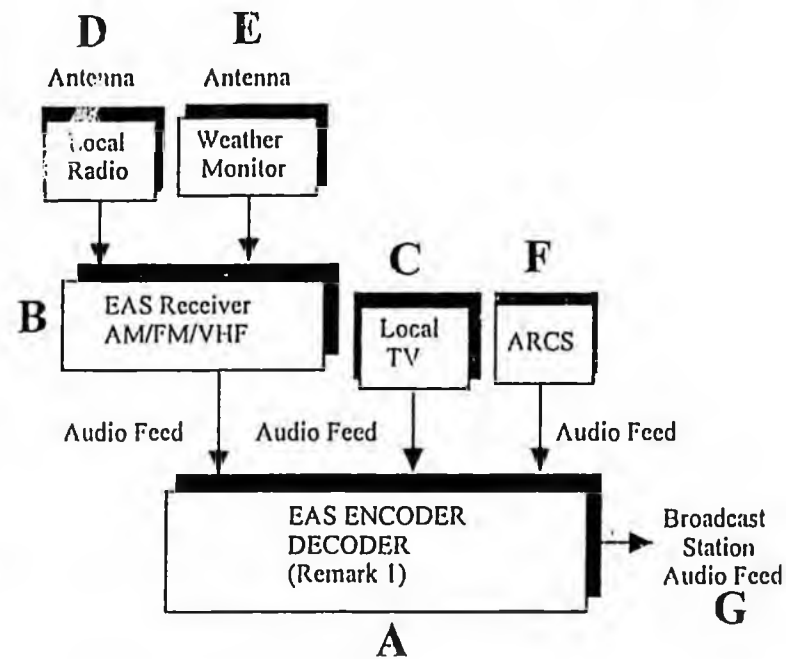
1. A (I) telephone call is placed to one of the remote satellite terminal locations or another EAS encoder that is equipped with a (C) audio coupler.
2. (D) EAS encoder is manually activated. An EAS Signal is simultaneously transmitted over the (M) VHF/UHF radio and (N) state microwave backbone.
3. An EAS Signal may be transmitted over the (M) VHIF/UHF and (N) state microwave backbone radio by simply activating the (D) EAS encoder unit.
4. EAS warnings can be received from Satellite terminal, local radio, TV, National Weather Service, ARCS or VHIF/UHF radio sources.

Emergency Alert System

Remote Radio Terminal Concept

Eagle River Earth Station, Tsunami Warning Center, National Weather Service,
PBS, KFQD, Alascom NOC

Notes: (SAGE Model ENDEC 1822)
 EAS Signal- FSK data at 520.83 Baud, 2083.31Hz and 1562.5 Hz tones
 Duration is 2 minutes 32 seconds, depends on message.
 Message can be up to 2 minutes in length.
 EAS ENCODER/DECODER-Up to 6 unbalanced 600 ohm audio inputs. (200mv to 2 volts)
 1 High level audio input.
 1 Stereo input-output connectors.
 6 serial ports 1200/9600 baud).
 3 relays (fully programmable).



Components:

- A. EAS Encoder/Decoder- Used to Process EAS signal for transmission or decodes signal during reception.
- B. EAS Receiver- FM/AM/VHF or UHF receivers depending on optional cards installed. For monitoring of EAS signals from external sources.
- C. Television- Audio feed from local TV sources. For monitoring of EAS signals from external sources. (Optional)
- D. Antenna- For AM/FM or TV reception. For monitoring of EAS signals from external sources.
- E. Antenna- For National Weather Service reception. For monitoring of EAS signals from external sources.
- F. ARCS- Alaska Rural Communications Service audio feed. For monitoring of EAS signals from external sources. (Optional)
- G. Audio feed- For retransmission of the EAS signal over a broadcasters station/activation of emergency alert systems.

Remarks:

1) Unit has programmable relays for activating either radios, local emergency alert systems or other devices.

Functionality:

1. The EAS signal is activated and received by one of the sources that are monitored by the (A) EAS Encoder.
2. The EAS signal is decoded by the (A) EAS encoder/decoder and a previously stored message is sent to the stations (E) audio feed for broadcast or/and a local alarm is activated.

EMERGENCY ALERT SYSTEM BUDGET

Item	DES	AERU	TVC	NWS	B-ARCS	J-ARCS	F-ARCS	PBS	KFQD	GOV	NOC	REM	TOTALS
Eas Encoder/Decoder	\$2,362.00	\$2,362.00	\$2,362.00	\$2,362.00	\$2,362.00	\$2,362.00	\$2,362.00	\$2,362.00	\$2,362.00	\$2,362.00	\$2,362.00	\$2,362.00	\$28,344.00
EAS AM/FM/VHF Receiver	\$1,761.00	\$1,761.00	\$1,761.00	\$1,761.00	\$1,761.00	\$1,761.00	\$1,761.00	\$1,761.00	\$1,761.00	\$1,761.00	\$1,761.00	\$1,761.00	\$21,132.00
Antenna	\$675.00	\$675.00	\$675.00	\$675.00	\$675.00	\$675.00	\$675.00	\$675.00	\$675.00	\$675.00	\$675.00	\$675.00	\$8,100.00
Cables and Installation	\$480.00	\$480.00	\$480.00	\$480.00	\$480.00	\$480.00	\$480.00	\$480.00	\$480.00	\$480.00	\$480.00	\$480.00	\$5,760.00
Personal Satellite Terminal (PST)	\$4,361.00	\$0.00	\$0.00	\$0.00	\$4,361.00	\$4,361.00	\$4,361.00	\$0.00	\$0.00	\$4,361.00	\$0.00	\$4,361.00	\$16,166.00
Remote Option for PST	\$3,900.00	\$0.00	\$0.00	\$0.00	\$3,900.00	\$3,900.00	\$3,900.00	\$0.00	\$0.00	\$3,900.00	\$0.00	\$3,900.00	\$23,400.00
Accessories	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$6,000.00
Backup Power (UPS)	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$3,000.00
Travel	\$0.00	\$0.00	\$0.00	\$0.00	\$4,000.00	\$3,000.00	\$2,000.00	\$0.00	\$0.00	\$3,000.00	\$0.00	\$0.00	\$12,000.00
Personnel	\$5,700.00	\$5,700.00	\$5,700.00	\$5,700.00	\$5,700.00	\$5,700.00	\$5,700.00	\$5,700.00	\$5,700.00	\$5,700.00	\$5,700.00	\$5,700.00	\$68,400.00
Contractual	\$3,538.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,542.00	\$3,538.00	\$0.00	\$0.00	\$3,542.00	\$0.00	\$3,536.00	\$17,698.00
Totals	\$23,527.00	\$11,728.00	\$11,728.00	\$11,728.00	\$23,989.00	\$26,531.00	\$25,527.00	\$11,728.00	\$11,728.00	\$26,531.00	\$11,728.00	\$23,527.00	\$220,000.00

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC ASSISTANCE

Sec 5 (a)

TONY KNOWLES, GOVERNOR

P. O. BOX 110640
JUNEAU, ALASKA 99811-0640
PHONE: (907) 465-3347

MEMORANDUM

DATE: January 14, 1997

TO: Janet Clarke, Director
Division of Administrative Services

FROM: Jim Nordlund, Director
Division of Public Assistance *Jim Nordlund*

SUBJECT: FY97 Add Supplemental

RECEIVED

JAN 15 REC'D

Div. of Administrative Services
Budget Section

The Division of Public Assistance requests an FY97 add supplemental of \$ 939.0 general funds to fund Adult Public Assistance (APA) component formula caseload and a shortfall in federal revenue.

FY97 Add Supplemental
Adult Public Assistance (APA) AS 47.25.430, 620, 790

	FY97 APA M III	Actual Expend 12/31/91	Jan-June Projected	FY97 APA Total Projected	FY97 APA Supp Need
TOTAL	43658.2	22170.4	22192.8	44363.2	(939.0)
Federal	934.0	370.1	329.9	700.0	234.0
GF	40080.2	21800.3	19218.9	41019.2	(939.0)
I/A	2644.0		2644.0	2644.0	

FY97 Supplemental Request

The Adult Public Assistance (APA) component provides a state legislated level of cash assistance to aged, blind, and disabled persons who meet certain income and resource requirements and are categorically eligible to receive federal Supplemental Security Income (SSI).

APA program funding is dependent on the number of eligible cases and the cash assistance amount issued monthly.

APA Formula Caseload before federal SSI Disability Provision changes

The FY97 C.C. authorization for APA included a reduction from the FY97 agency request of \$ 1,300.0 general fund for "less caseload growth". However, the Division has no discretionary control over program service demand or the number of individuals eligible for APA. This supplemental request restores \$805.0 general fund needed for projected FY97 APA formula caseload growth that exceeds the initial authorized level.

The APA average monthly caseload will be approximately 11,619 or 3% higher than the caseload level funded. This FY97 full formula caseload factor would result in projected general fund deficit of \$805.0.

Federal Revenue from Interim Assistance Reimbursement (IAR)

Under existing law Alaska pays state-funded Interim Assistance to Supplemental Security Income (SSI) applicants while the Social Security Administration is processing their applications. Interim Assistance recipients receive \$280 per month. When an Interim Assistance recipient is determined retroactively eligible for SSI, the client is entitled to retroactive maximum SSI benefits of \$483 per month.

FY94 changes in AS 47.25.455 enabled DHSS to recover Interim Assistance benefits from the retroactive SSI benefits of APA applicants who are found eligible for SSI. Effective October 1, 1993, APA applicants were required to agree to have their retroactive SSI benefits paid to DHSS to reimburse the state for the Interim Assistance they received.

The FY97 APA budget included \$934.0 federal funds from projected IAR collections. Based on actual collections year-to-date the FY97 revised IAR amount is projected at \$700.0 federal. This is about the level of IAR federal funds received in FY95 and FY96. An FY97 supplemental of \$234.0 general fund is needed to offset the projected shortfall in restricted federal revenue in the APA component.

Changes in Federal Law will impact FY97 APA

Federal welfare reform provides a number of substantial changes to benefits received by the disabled and elderly. While these new provisions directly impact the federal Supplemental Security Income (SSI) program, they also impact the APA program. The SSI program provides a cash benefit to low-income Alaskans who are blind, severely disabled, chronically ill, or elderly. The APA program is a state funded assistance program designed to supplement benefits provided by SSI. As a supplement to the federal SSI program, the APA program uses the same eligibility criteria as the SSI program. Any changes that affect SSI will also affect the APA program.

The new federal welfare reform legislation reduces SSI assistance for some disabled children and legal aliens. In addition to disabled children and legal aliens, there are changes to SSI and APA benefits for individuals with alcohol or drug addiction as their

primary disability. In March 1996, federal legislation amended the Security Act to exclude these individuals from SSI. Approximately 300 Alaskans with substance abuse disability on SSI may lose program eligibility for SSI and state APA. Loss of SSI for people who experience substance abuse begins to take effect on January 1, 1997. Potential FY97 APA savings from the new SSI disability provision is projected at \$467.0.

FY97 Initial APA supplemental request summary

This initial FY97 supplemental of \$939.0 general fund assumes some, but not all of the projected APA savings from the new SSI law. By the end of March 1997 the actual caseload and financial impact from the federal disability provisions should be substantially known. Based on actual APA expenditure trends through March 1997 the Division will update this supplemental request. If APA expenditures follow the current projected level then this FY97 APA supplemental request amount can be reduced.

	FY97 Supplemental Need
APA Formula Caseload	\$805.0
Federal Revenue Shortfall (IAR)	234.0
New SSI Disability Provision	(100.0)
FY97 APA ADD Supplemental (as of 1/1/97)	\$939.0

APA Payment Levels

Alaska statutory provisions creating the APA financial commitment do not permit the Department to implement a ratable reduction of the APA maximum payment schedule. In order to achieve any required APA program savings in lieu of this supplemental, implementing a ratable reduction would require new legislation that would reduce the payment standards in law.

Date Supplemental is needed

Based on the projected expenditure pattern and assuming a ratable is not imposed, the APA component general fund authorization will be exhausted on or about June 1, 1997.

In order to process and mail all June 1997 monthly APA issuances as scheduled, this supplemental request will have to be approved no later than May 15, 1997.

FY97 APA CASE and EXPENDITURE Projection

FY97 APA Caseload Summary

	FY95 Cases Actual	Percent Change FY95 vs. FY96	FY96 Cases Actual	Percent Change FY97 vs. FY96	Before Changes	Federal Law Change	With Changes
					FY97 Projected Actual 12/96		FY97 Projected Actual 12/96
July	10,000	6.3%	10,630	6.6%	11,327		11,327
Aug	10,010	6.9%	10,697	6.3%	11,372		11,372
Sep	10,106	6.3%	10,747	6.2%	11,416		11,416
Oct	10,149	6.1%	10,766	6.7%	11,489		11,489
Nov	10,123	6.5%	10,784	6.7%	11,503		11,503
Dec	10,172	6.0%	10,779	7.2%	11,550		11,550
Jan	10,218	5.8%	10,813	6.9%	11,559	(30)	11,520
Feb	10,225	5.8%	10,818	6.9%	11,584	(200)	11,475
Mar	10,400	6.0%	11,021	6.9%	11,781	(230)	11,592
Apr	10,426	6.7%	11,126	6.9%	11,894	(250)	11,692
May	10,461	6.9%	11,188	6.9%	11,960	(280)	11,691
Jun	10,540	6.7%	11,241	6.9%	12,017	(300)	11,747
FY AVG	10,236	6.3%	10,884	6.8%	11,619	(88)	11,531
Actual AVG July-Dec	10,093	6.3%	10,734	6.6%	11,443		

FY97 APA Expenditure Summary

	FY95 Expend Actual	Percent Change	FY96 Expend Actual	Percent Change	Before Changes	Federal Law Change	With Changes
					FY97 Projected Actual 12/96		FY97 Projected Actual 12/96
July	\$ 3,230.4	5.6%	\$ 3,412.8	6.1%	\$ 3,622.1		\$ 3,622.1
Aug	3,184.9	8.3%	3,449.8	6.2%	3,664.1		3,664.1
Sep	3,227.9	7.4%	3,467.2	4.9%	3,636.8		3,636.8
Oct	3,265.8	2.5%	3,348.2	11.0%	3,716.8		3,716.8
Nov	3,229.8	7.8%	3,483.3	3.8%	3,617.4		3,617.4
Dec	3,285.6	5.1%	3,454.4	6.9%	3,693.0		3,693.0
Jan	3,255.3	5.3%	3,428.2	6.9%	3,684.7	(10.9)	\$ 3,653.9
Feb	3,268.8	7.7%	3,519.8	6.9%	3,762.7	(72.4)	\$ 3,690.3
Mar	3,378.9	3.3%	3,489.7	6.9%	3,730.5	(83.3)	\$ 3,647.2
Apr	3,274.9	7.5%	3,521.5	6.9%	3,764.5	(90.5)	\$ 3,674.0
May	3,340.4	7.5%	3,590.0	6.9%	3,837.7	(101.4)	\$ 3,736.4
Jun	3,312.5	6.0%	3,510.6	6.9%	3,752.9	(108.8)	\$ 3,644.3
FY \$\$ Tot	\$ 39,253.2	6.2%	\$ 41,675.5	6.7%	\$ 44,483.2	\$ (487.0)	\$ 43,996.2
Actual Expenditure July-Dec	\$ 19,424.4	6.1%	\$ 20,615.7	6.5%	\$ 21,950.2		

Note: FY97 APA projected expenditure range is \$ 44.4 - \$ 43.9 million depending on the actual impact of the Federal law change. Federal legislation passed that amended the Social Security Act to exclude individuals with alcohol or drug abuse as their primary disability. If they are not found disabled under a different condition then they will be denied SSI. Approximately 300 Alaskans with substance abuse disability on SSI may lose program eligibility and cash benefits for SSI and State APA.

Supplemental Request

Assistance Payments

Adult Public Assistance (APA)

Review notes from discussion with Randy Moore, Admin Mgr. for Public Assistance

Projections for other programs indicate that transfers to APA are not reasonable at this point in time.

- AFDC is expected to have some lapsing amount but we don't know how much of it will be GF; information concerning CSED receipts indicates a potential shortfall.
- General Relief is showing signs of increased usage and might exceed authorization by a small amount (which would be handled by transfer from another component as needed).
- ALB-Hold Harmless is expected to exceed current authorization and will be handled by a transfer from another component as needed.

APA federal receipts shortfall is the result of several circumstances.

- Receipt authority was increased in conjunction with growth of the program; however, year to date results do not indicate increased receipts.
- Receipts are also expected to be impacted (reduced) by the Welfare Reform changes related to eligibility; no conjecture as of this date on the actual amount.

The supplemental need has only been reduced by \$100.0 for the impact of the federal law change; adjustments in that amount will be made in April when results of the change will be known (A reduction of up to 467.0 could occur but is not expected).

The percentage caseload growth of 6.9% for the remainder of the year is considered a "safe" growth rate considering the variation experienced historically.

Expectations are that this supplemental request will not be increased and likely will be decreased.

STATE OF ALASKA

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF MEDICAL ASSISTANCE

TONY KNOWLES, GOVERNOR

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FAX: (907) 465-2204

MEMORANDUM

DATE: January 9, 1997

TO: Janet Clarke, Director
Division of Administrative Services

FROM: *BL* Bob Labbe, Director
Division of Medical Assistance

SUBJECT: FY97 Supplemental Federal Funds Authority

RECEIVED
JAN 10 1997

Div. of Administrative Services
Budget Section

The Indian Health Service (IHS) set new medical reimbursement rates for calendar year 1996 (retroactive to January 1, 1996). The new rates were substantially more than the rates for calendar year 1995. For example the inpatient per diem rate increased from \$570 per day to \$930 per day. Nationally, the IHS has been working to put their facilities on a footing similar to private sector. These efforts have included developing the ability of their facilities to submit cost reports and the billing of third party payors for medical services provided in their facilities. These activities are resulting in the very rapidly increasing IHS expenditures for the foreseeable future.

Based on the rate increases, the Division requested and received an increase to the Governor's FY97 Request for the IHS component. At this time, the revised FY97 IHS authority is \$33,851,200. Through the end of December IHS has been paid \$18,685,600. At this rate of expenditure, there is not adequate appropriated FY97 federal authority in the IHS component to complete the fiscal year. Normally by the end of December of each fiscal year, the IHS component has expended 43% of the total expenditures which will occur by the fiscal year end. Dividing the \$18,685,600 expenditure through December by the average through December projects an FY97 total IHS expenditure of \$43,454,774, or \$9,603,683 greater than authorized. The Division will continue to monitor the IHS expenditures monthly and notify you of any changes in the pattern which we have seen this year to date.

The Governor's FY98 request increases the IHS component's expenditure authority by \$15,603,000 over the FY97 authorized to accommodate this rapidly increasing rate of expenditure.

Please request inclusion in the FY97 Supplemental Bill the Medical Assistance BRU, Other Funds category an increase of \$10,000,000 to the Indian Health Services component.

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

TONY KNOWLES, GOVERNOR

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PHONE: (907) 455-3170

DIVISION OF FAMILY AND YOUTH SERVICES

MEMORANDUM

DATE: January 27, 1997
TO: Janet Clark, Director
Division of Administrative Services

FROM: L. Diane Worley, Director



SUBJECT: Supplemental Request for FY97

BRU: Purchased Services AR 22540-97 Component: Foster Care AR 22545-97
BRU: Youth Facilities AR 22565-97 Component: McLaughlin Youth Center AR 22566-97

BRU: Purchased Services AR 22540-97
Component: Foster Care AR 22545-97 \$1,000.0

The Division of Family and Youth Services is requesting a supplemental of \$1,000.0 for FY97 in the Foster Care Component (FC). This supplemental request is necessary due to the increase in service needs of children in the Department's custody who require placement. The projections in support of this request are based on the following assumptions: 1) that AYI costs will be totally expended, 2) that Provider Payments lag one month behind, since the Division does not pay until the service is provided, and 3) other costs for clients lag one month behind. AYI is an RSA with the Division of Mental Health and Developmental Disabilities, the expenses are not showing, but the authorization is obligated. Provider payments is paid according to foster care rates. This is a formula program where the Division has little control over the number of clients who need state protection. Other costs category includes initial clothing allowance, medical care not covered by Medicaid or private insurance, travel for clients and escorts to visit natural parents, and as a means to prevent custody, the Division will pay for Family Centered Services.

In the last two years, the Division has seen an escalation of the number of children who have severe emotional and behavioral needs. These children require a very intensive, high level of services to maintain them either in foster homes, or in many cases, these children require placement in psychiatric hospital settings. When psychiatric hospitalization costs cannot be covered by Medicaid (either the children are ineligible or the children must remain in the hospital longer than is authorized by Medicaid), DFYS must cover the costs of their care.

There are four clients that exemplify these severe needs. Three of these children come from a family where they have experienced severe physical, sexual and emotional abuse. They are so disturbed that they require intensive supervision to avoid harm to themselves or others. Their treatment needs are overwhelming and each must have a

unique plan developed to address their needs. The projected cost for this fiscal year for each of these children is \$300.0. The fourth client is not related but also has extreme emotional and psychological problems resulting from severe emotional, physical and sexual abuse. The Division is working hard to bring down the cost for providing care for these clients through continuing efforts to find safe treatment settings. The costs which will be incurred for these clients is not currently reflected in AKSAS.

For FY97, the Foster Care component expenditures are projected at \$10,821.0, which is \$825.0 more than the current authorization.. Additionally, the FY97 authorization is \$220.0 less than the Governor's request. The average cost per FTE per month, based on the first 6 months of FY97 is \$800.00. In addition there is the need to cover the extraordinary costs for the fiscal year of those clients mentioned above with severe and extreme problems.

In FY96, the Foster Care Component projected a deficit of \$300.0 due to the high cost of providing for the medical needs of a number of children in state custody. These clients were covered by Medicaid as long as possible, however, when the Medicaid funding ran out, this Division had to cover the expense. The Department was able to handle this deficit internally and no supplemental was requested. For FY97, this funding is not available.

For FY98, the Division is collaborating with the Divisions of Medical Assistance (DMA) Mental Health and Developmental Disabilities (DMHDD), Division of Alcohol and Drug Abuse (DADA), and the Alaska Mental Health Trust Authority (AMHTA) to ensure that the treatment necessary for clients of this Division who fit the profile of Severely Emotionally Disturbed (SED) and clients with severe behavioral and emotional can be covered through other sources not presently being utilized. Consideration is being given to revising regulations for DMA to extend coverage to children with severe behavioral and emotional problems, establishing new programming for increased residential group care, and working to better identify and develop the types of services needed by DFYS clients. The Division is working closely with DMA, DMHDD, DADA and the AMHTA to fund these solutions.

BRU: Youth Facilities AR 22565-97

Component: McLaughlin Youth Center AR 22566-97

McLaughlin Youth Center Component (MYC) is requesting a supplemental of \$685.0 for FY97. This supplemental request is due to the overpopulation in MYC. This overpopulation is due to court ordered detention and court ordered treatment. This Division has no control over the population in the youth facilities. All facilities are over capacity. This overpopulation is causing a projected over expenditure in personal services (\$470.0), commodities (\$155.0), and grants (\$60.0).

Personal services line item supplemental for \$470.0 is needed because the Division has an obligation to ensure the safety and security of the residents and staff of the facility. When MYC is not over capacity, some of the posts can be manned during daylight hours and not at night. With the overpopulation, all posts must be manned around the clock for the safety and security of the residents and staff. When permanent full time employees are on leave, on call workers are called in to man the essential posts. MYC has worked to keep costs down by using on call workers instead of overtime, however, the need for a supplemental is still there. As the attached projection shows, higher costs will be incurred during the winter and spring months. Overtime will be higher during the final six months of the fiscal year, due to more holidays, including the Martin Luther King Holiday, which is new for the facilities this fiscal year. Also, the resident population historically has increased in the winter, calling for more staff time than was used during the first six months of FY97.

MYC started out with not being fully funded for FY97. The Governor's budget asked for \$7,449.0 and the amount funded was \$7,348.3, short by \$100.7. In addition, PACS recorded a 2.5% V&T for FY97 for potential savings of \$185.9. The overcrowding and continuous staffing has made this V&T not attainable. The projections, which are attached, shows the projected cost for all personal services for MYC for FY97.

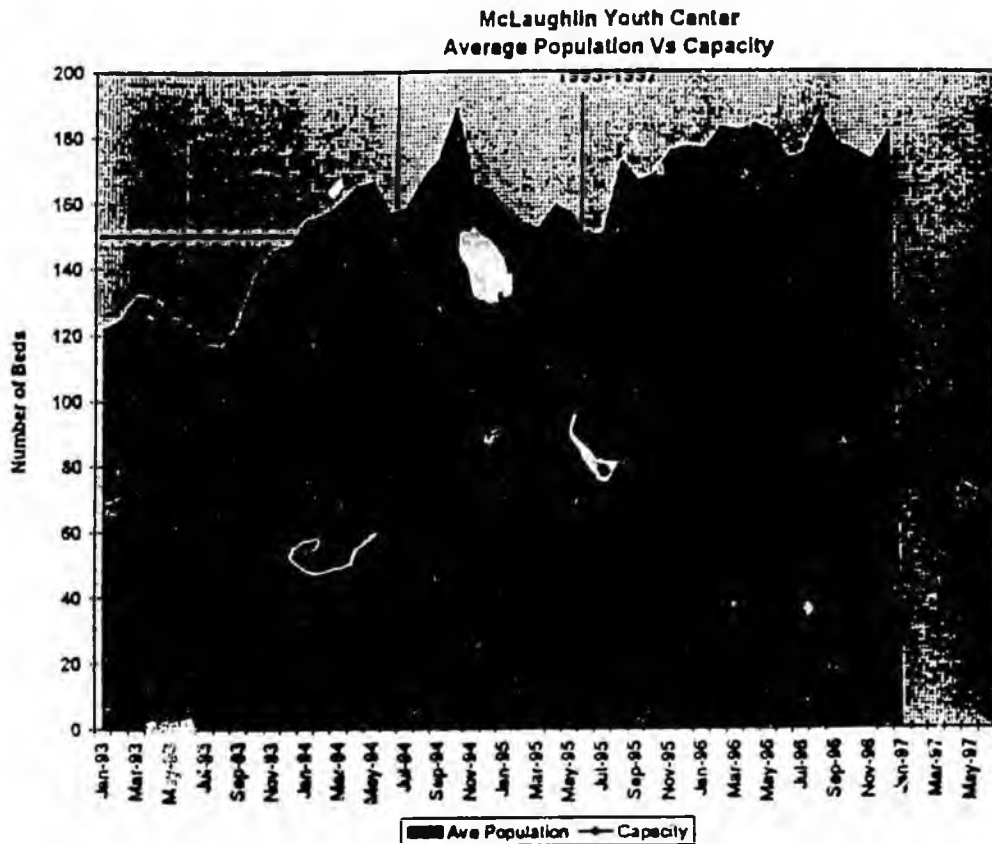
Commodities line item supplemental for \$155.0 is needed to purchase more food for the residents. With the increase in population, food purchases also increases. Commodities line item expenditures for the first 5.5 months

were \$308.2. The projections are based on actual expenditures for six months. This is a straight line projection with a half month lag built in for invoices not received or yet paid through AKSAS. Projected to the end of FY97, total expenditures for commodities will be \$671.0, with a line item budget of \$516.0, this leaves a projected deficit of \$155.0.

Grants line item supplemental for \$60.0 is needed to provide more medical care for the residents. With the increase in population, the medical, dental and vision services, transportation for residents and escorts, and pre-release clothing expenses also increases. Based on the first quarter expenditures for pharmaceuticals in particular, MYC will need \$80.0 for medical supplies alone. Projected to the end of FY97, total expenditures for grants will be \$284.4. With a line item budget of \$224., this leaves a projected deficit of \$60.0.

The Division is planning and has asked for funding to build a treatment unit at Johnson Youth Center (JYC). When this treatment unit is built, the over capacity at the other youth facilities is projected to decrease significantly. An additional planned benefit of the treatment unit at JYC is the reduction in travel costs for youth now being sent to MYC from Southeast Alaska.

The following graph shows the increase in population for MYC from January, 1993 to December, 1996.



Divis . Of Family & Youth Services
 FY97 Foster Care Projection
 12/31/96

	Adjusted Authorization	Expenditure Todate	Proj Exp Remaining Months	Total FY97 Proj Exp	Balance (Deficit)
Provider Payments/\$6,835,699.					\$0
SCRO	\$3,429,335	\$1,939,815	\$2,780,469	\$4,720,284	(\$1,290,949)
NRO	\$2,372,689	\$700,809	\$1,339,442	\$2,040,251	\$332,438
SERO	\$1,033,675	\$297,078	\$892,698	\$1,189,776	(\$156,101)
Total	\$6,835,699	\$2,937,703	\$5,012,608	\$7,950,311	(\$1,114,612)
Other Costs/\$1,221,872.					\$0
SCRO	\$128,330	\$128,330	\$254,724	\$383,054	(\$254,724)
ANCHORAGE	\$454,288	\$130,793	\$222,117	\$352,910	\$101,378
NRO	\$296,586	\$171,609	\$305,120	\$476,729	(\$180,143)
SERO	\$302,974	\$73,322	\$135,248	\$208,571	\$94,403
Total	\$1,182,178	\$504,054	\$917,210	\$1,421,264	(\$239,086)
AYI/\$876,000.					
SCRO	\$420,000	\$0	\$420,000	\$420,000	\$0
NRO	\$252,000	\$0	\$252,000	\$252,000	\$0
SERO	\$204,000	\$0	\$204,000	\$204,000	\$0
Total	\$876,000	\$0	\$876,000	\$876,000	\$0
Grants/06213656/06213641					
06213603/06213655/6213686	\$308,200	\$20,264	\$20,421	\$40,685	\$267,515
Total	\$9,307,800	\$3,462,021	\$6,826,239	\$10,288,260	(\$980,460)
Contracts/06213654	\$691,800	\$241,538	\$291,246	\$532,784	\$159,016
Total Foster Care	\$9,999,600	\$3,703,560	\$7,117,485	\$10,821,044	(\$821,444)

Mclaughlin Youth Center

	A	F	G	H	I	J	K	L	O	P	Q
1											FILE #: 200.6
2	MCLAUGHLIN YOUTH CENTER										
3	FY 97										
4	RECAP										
6											
8		Link	Link						Link	Link	Link
7						Avg Mo Exp	Avg Mo Exp		Total	Total	
8	BUDGET PROJECTION				On Going	(On Going Exp/	x	Fixed Costs	Projected	Expended +	Projected
8	DEC 96	Adjusted	YTD	Fixed Costs	Expenditures	Lapsed Months)	Mos left in FY	Outstanding	Expenditures	Total	Balance/
10	NOTE: AMTS IN THOUSANDS OF \$	Authorization	Expenditures	Pd To Date	(Variable Costs)	5.5	8.5		for mos left in	Proj Exp	(Deficit)
11	100 Personal Services	\$7,248.3	\$3,436.8						\$4,278.7	\$7,716.6	(\$467.2)
12	200 Travel	\$3.4	\$2.2						\$1.2	\$3.4	(\$0.0)
13	300 Contractual	\$679.4	\$239.2	\$208.1	\$31.1	\$5.7	\$38.8	\$341.7	\$378.5	\$617.7	\$61.7
14	400 Supplies	\$616.0	\$308.2	\$131.4	\$176.8	\$32.1	\$208.9	\$152.9	\$361.8	\$670.0	(\$164.0)
16	500 Equipment	\$0.0	\$0.0		\$0.0				\$0.0	\$0.0	\$0.0
16	700 Grants	\$224.4	\$98.7	\$38.5	\$60.2	\$10.9	\$71.1	\$114.8	\$186.7	\$284.4	(\$60.0)
17	Unallocated Restriction	\$0.0			\$0.0						
18	TOTAL	\$8,671.6	\$4,086.1	\$378.0	\$268.1	\$48.7	\$316.8	\$609.2	\$6,206.9	\$9,291.0	(\$619.6)

(P) 5

MEMORANDUM

State of Alaska

Department of Law


TO: Annalee McConnell, Director
Office of Management & Budget

DATE: September 10, 1996

FILE NO.:

TEL. NO.: 465-3600

SUBJECT: Oil and Gas Litigation
Carry Forward


FROM: Bruce M. Botelho
Attorney General

I am writing to bring you up to date on the status of carry forward funds from the FY96 Oil and Gas Litigation appropriation and to request your assistance in obtaining extended lapse date language during the upcoming legislative session.

In July, we estimated the FY96 carry forward amount at no more than \$8 million. Now that the reappropriation period is ended, we can more accurately predict what the final carry forward amount will be. We believe that most outstanding FY96 bills have been submitted, and have encumbered approximately \$7,158,642 in two contracts representing our major, on-going litigation: \$1.96 million to continue the Imprudent Management tariff case before the FERC, and \$5.2 million to continue prosecution of a major tax case. The department has lapsed \$1 million in FY96 Permanent Fund Corporate Receipts, \$900,413 in FY96 CBR funds, and \$1,016,113 of the \$9.8 million in general funds carried forward from FY95.

Although AS 37.25.020 appears to authorize carry forward of obligated one year appropriations, I appreciate the legislature's concern about the carry forward of prior year funds. Consequently, I am requesting your assistance in asking the legislature to extend the lapse date through FY97 for unspent funds from the FY96 Oil and Gas Litigation appropriation in the same manner that the FY95 appropriation was extended in Sec. 35 of SB 136. This action is necessary to insure that two of the state's major oil and gas efforts will continue without interruption. I do believe that such language will be unnecessary for FY97, because I expect that little, if any unspent funds will remain at the end of the fiscal year given the current litigation schedule.

**OFFICE OF
MANAGEMENT & BUDGET**

SEP 11 1996

STATE OF ALASKA

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET

602 3/5/97
TONY KNOWLES, GOVERNOR

P.O. BOX 110020
JUNEAU, ALASKA 99811-0020
PHONE: (907) 465-4660
FAX: (907) 465-3008

March 5, 1997

The Honorable Drue Pearce
The Honorable Bert Sharp
The Honorable Mark Hanley
The Honorable Gene Therriault
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Finance Committee Co-Chairs:

As you continue your review of the Governor's supplemental appropriations bill please consider the following amendments.

Add a new section to read as follows:

Sec. __. DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT The sum of \$60,000 is appropriated from the general fund to the Department of Commerce and Economic Development to implement the coordinated response to the Southeast Alaska pulp mill closure for the fiscal year ending June 30, 1997.

Amend section 6 (DEPARTMENT OF LAW) as follows:

Delete sec. 6(a) and renumber the subsections accordingly. The subsection was originally submitted to inform the legislature that funds from this appropriation had been administratively encumbered. Most of the bills relating to the encumbrances have been paid and the legislature is now aware of the encumbrance, so the language can be deleted.

Add to section 6 the following three subsections:

(c) The amendments in (d) and (e) of this section will reduce general fund program receipts and instead make general fund match available for the Medicaid/Provider Fraud appropriation made in sec. 30, ch. 117, SLA 1996 at page 37, line 56 (Civil Division) and allocated at page 38, line 4.

(d) The funding source for the fiscal year 1997 appropriation to the Department of Law set out in sec. 32, ch. 117, SLA 1996, page 67 at line 8 is amended to read:

March 5, 1997

General Fund Match

[97,500] 126,800

(e) The funding source for the fiscal year 1997 appropriation to the Department of Law set out in sec. 32, ch. 117, SLA 1996, page 67 at line 10 is amended to read:

General Fund Program Receipts

[596,600] 567,300

Sec. 7. (DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS) Make the current appropriation subsection (a) and add a new subsection as follows:

(b) The sum of \$17,200 is appropriated from general fund program receipts to the disaster relief fund (AS 26.23.300) to allow for the receipt of flood insurance premiums from Southcentral flood victims and subsequent payment of those premiums to the federal emergency management agency under the terms of a national flood insurance pilot program authorized specifically for victims of the Southcentral flood.

Sec. 13. (DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES) Make the current appropriation subsection (a) and add a new capital appropriation subsection as follows:

(b) The sum of \$444,500 is appropriated from the general fund to the Department of Transportation and Public Facilities to implement the Copper River Highway Consent Decree (case No. A92-245 CIV (JKS) (Consolidated)).

Sec. 15. Amend the references to CAPITALIZATION OF FUNDS to include the new subsection 7(b) described above.

Sec. 16. Amend the references to CAPITAL PROJECTS to include the new subsection 13(b) described above.

Back-up materials for these amendments are attached. If you have any questions, please call me or our chief budget analyst, Dan Spencer.

Sincerely,



Annalee McConnell
Director

Attachments

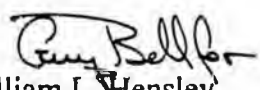
cc: Mike Greany, Legislative Finance

MEMORANDUM

State of Alaska

TO: Annalee McConnell, Director
Office of Management and Budget

DATE: March 5, 1997


FROM: William L. Hensley
Commissioner
Department of Commerce and
Economic Development

TELEPHONE NO: 465-2500

SUBJECT: Supplemental Budget
Request

The Department of Commerce and Economic Development, Office of the Commissioner, requests a supplemental appropriation in the amount of \$60,000 to implement the coordinated response to the Southeast Alaska pulp mill closure during fiscal year 97.

When the closure of the Ketchikan Pulp Mill was announced in October 1996, Governor Knowles took immediate action by establishing a state coordinated response partnership team. The team was charged with developing a comprehensive plan of action to mitigate the impacts of the closure on the affected communities' economies. DCED's special assistant, Veronica Slajer, was assigned to be the coordinator of the State's response.

In November, the department hired a community liaison position on a temporary basis to establish an office and referral point in Ketchikan. This was initially intended to be a three-month temporary position, and was funded with a \$10,000 RSA from the Office of the Governor. Since this position was established, it has become evident that it must be retained for longer than we originally intended. In this supplemental request, we are asking for sufficient funding to cover the cost of this position through the end of this fiscal year.

Other costs to the department of the coordinated response partnership include travel, meeting costs, telephone charges, etc. This supplemental request would provide the department sufficient money to cover these expenses through end of the fiscal year.

Finally, we have included a request for \$15,000 to contract for targeted technical assistance to small timber businesses in the impacted communities. With this contractual funding, the department hopes to jump start their expansion efforts, thereby stimulating job creation.

The Governor's FY 98 capital budget includes a \$120,000 request by the Department of Community and Regional Affairs which complements this supplemental budget request. The Governor is working with the federal government to establish a Community Economic Revitalization Team (CERT), of which the Commissioner of DCED will be a member. The Department of Community and Regional Affairs will be providing the administrative support for the CERT effort once it is established later in this fiscal year, and will use the money in the capital budget to do so. The CERT will be the long term group addressing the Southeast mill closure. Once it is established, the rapid response coordinated response partnership effort will come to closure.

A budget detail page is attached.

Southern Southeast Economic Revitalization Initiative

Supplemental Budget Request for FY 97

Item	Estimate	
<u>Personnel</u>		
Community Liaison	25.0	Based in the impact area, provide outreach and local-region response support
<u>Travel</u>		
	10.0	Primarily travel among communities southern SE, travel to regional CERT meetings and participate in federal-level activities
<u>Contractual Services</u>		
<i>Economic Development</i>	15.0	<i>Facilitate project development for small timber businesses</i>
Community technical support	2.5	Provide local planning, technical assistance support (e.g. project scoping workshops), and project scoping training
Phone	3.0	Long distance, including teleconf. with the region, video teleconferences
Supplies and other costs	2.0	Public meeting announcements, printing project scoping and preapplications
Equipment	2.5	Printer/fax for Ketchikan Office
Rent and utilities	0.0	In-kind from other state agencies
Total Cost	60.0	

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

Sec 13 (b)

MEMORANDUM

State of Alaska

Department of Transportation & Public Facilities
Administrative Services Division

FEB 5 1997

TO: Annalee McConnell
Director
Office of Management and Budget

DATE: February 1, 1997

TEXT NO: (907) 465-3652
FAX NO: (907) 586-8365
TELEPHONE NO: (907) 465-3900

FROM: *Joseph L. Perkins*
Joseph L. Perkins, P.E.
Commissioner

SUBJECT: Copper River Highway

As was requested during last session, the Department of Transportation and Public Facilities requires additional funding to implement the Copper River Highway Consent Decree (case No. A92-245 CIV (JKS) (Consolidated)). The agreement related to Clean Water Act violations was signed with an effective date of March 27, 1996. This agreement requires the parties to conduct coordination, training, planning and restoration by certain specific dates.

I am requesting the following amounts to meet our legal commitment:

Activity Description	Date Action Needed	Funding Required
Restoration plan development Coordinated planning for historic structures and riverbank protection, structural assessment of existing trestles, and implementation plan to perform reinforcement work on these structures.	4/1/97	\$43,500
Restoration project Riverbank protection and drainage improvements at six sites including culvert installation, removal of trees and woody material from wetland areas, revegetation and placement of boulders for erosion prevention.	End of 1997 construction season	\$170,000
Historic Issues Develop master plan and rehabilitation or stabilization of four line shacks and Uranatina River workshop located on the Copper River Highway.	12/31/99	\$201,000
Training Training of all field maintenance and operations personnel on the requirements of the Clean Water Act, section 404, program, applicable laws and state policies that protect historical and cultural resources.	10/1/97 (annual requirement)	\$30,000

The restoration plans must be completed by April 1, 1997, and a meeting with the Corp of Engineers is required by May 1, 1997. A supplemental appropriation is necessary for this portion.

We would appreciate your approval of this request.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of Inspector General

FEB 22 1996

Washington, D.C. 20201
AI-15-1-5-AR

Peter Gamache
Director, Medicaid Fraud Control Unit
Department of Law
1031 West 4th Avenue, Suite 200
Anchorage, Alaska 99501-1994

RECEIVED

FEB 26 1996

Department of Law
Medicaid Provider Fraud

Dear Mr. Gamache:

As part of the annual recertification process, we have reviewed documentation submitted by your office, including the Unit Annual Report, quarterly statistical reports, and the Unit response to our questionnaire. Also reviewed were responses to questionnaires submitted to the Office of Inspector General, San Francisco Field Office, and the Alaska Department of Health and Social Services.

The information provided reflects that the Unit's activities have been directed towards fraud against the Medicaid program. This fulfills the statutory requirements of sections 1903 (a) (6); 1903 (b) (3); and 1903 (1) of the Social Security Act, as amended by the Medicare/Medicaid Anti-fraud and Abuse Amendments (P. L. 94-142) and section 3367 of the Omnibus Budget Reconciliation Act of 1980, P. L. 96-499.

The Alaska Unit is certified as meeting the Federal requirements applicable to the operation of a State Medicaid Fraud Control Unit (42 CFR, Subpart C). Regarding State funding for the Unit, we again maintain that we do not consider the dependence by the Unit on self-generated funding for the required State match as conducive to the proper and professional role of a Federal law enforcement grantee. The State should appropriate adequate matching funds to ensure an effective and efficient Unit.

This certification covers a period of 1-year ending December 31, 1996. For Federal financial participation to continue after that date, application for recertification, including a budget request and annual report, must be made to the State Medicaid Oversight and Policy Staff no later than November 1, 1995.

If you have any questions concerning this certification, please contact John Wright at (202) 619-3557.

Sincerely yours,

Paul F. Conroy
Assistant Inspector General for
Investigations Policy and Oversight

Department of Law

HB113

6b

FY97 Judgments - General Funds

Item #	Case Name	Description	Date	Amount	Interest	Total	Cumulative Total
1	Pope & Katcher Cowper v. Knowles	CBRF litigation	9/19/96	\$4,331.25	\$358.78	\$4,690.03	
2	Kenai Peninsula Borough School District v. State of Alaska	Unemployment Insurance eligibility re: former KPFB employee	10/3/96	\$1,230.60	\$96.91	\$1,327.51	
3	Gruenberg & Clover - O Callaghan v. Coghill	Election case concerning form of state primary	5/29/96	\$28,248.66	\$3,271.00	\$31,519.66	
4	Alaska Legal Services Corp. Venetie v. State	Recognition of tribal court adoption decrees	6/6/96	\$11,773.32	\$1,335.80	\$13,109.12	
5	Robinson, Beiswenger, & Ehrhardt Fullen & United Fishermen v. Ulmer & Fairness in Salmon Harvest, Inc.	Challenging the Lt. Gov's certification of the F.I.S.H. Initiative for placement on 11/96 general election ballot	8/26/96	\$1,239.02	\$111.31	\$1,350.33	
6	Valerie Therrien McCosker for T.H. v. State, DOR	Appeal of PFD	10/17/96	\$1,313.43	\$98.07	\$1,411.50	
7	Jermain, Dunnagen & Owens Alaska Public Employees Assoc, Dan Lawn v. State	Re: pipeline oversight position	12/27/96	\$1,000.00	\$53.96	\$1,053.96	
8	Pope & Katcher Capital Info Group v. State	Deliberative Process/Exec Privilege re: certain proposals & memoranda	10/4/96	\$20,000.00	\$1,569.18	\$21,569.18	
9	Chrissitan Bataille, Esq. Arthur Caissie v. State	Age discrimination complaints	12/31/96	\$2,000.00	\$105.58	\$2,105.58	
10	Trust account of Fortier & Mikko, P.C. Eckhart v. CFEC	Eligibility for a commercial fisheries entry permit - attorney's fees	12/6/96	\$3,818.10	\$229.41	\$4,047.51	
11	Kenneth Kirk, Esq. Michael S. Brown v. State	Child support enforcement	10/15/96	\$2,002.55	\$150.69	\$2,153.24	
12	Wayne Anthony Ross Alaska Gun Collectors Assoc v. State	Sale or destruction of firearms by State	8/7/96	\$3,000.00	\$286.13	\$3,286.13	
13	Loren Domke Carlson v. State, CFEC	Non-resident commercial fish fees	6/21/96	\$1,357.67	\$148.10	\$1,505.77	
14	Trust account of Fortier & Mikko, P.C. Eckhart v. CFEC	Eligibility for a commercial fisheries entry permit - cost recovery	12/22/97	\$1,089.65	\$60.39	\$1,150.04	
15	Wevley V. Shea Dansereau v. Ulmer	Alleged irregularities in 94 gubernatorial election	9/4/96	\$22,784.67	\$1,987.04	\$24,771.71	

Department of Law

FY97 Judgments - General Funds

Item #	Case Name	Description	Date	Amount	Interest	Total	Cumulative Total
16	Hedland, Brenna, Heideman Winter Telecom v. Snowden/Alaska Court System	Bid Dispute re: supply and installatin of Nesbett Court House phone system	8/15/96	\$18,186.59	\$1,692.13	\$19,878.72	\$134,929.98

Department of Law

FY97 Judgments - Other Fund Sources

Item #	Case Name	Description	Date	Amount	Interest	Total	Fund Source
1	Don Clocksin Nat'l Education Ass'n -Alaska v. Boyer	Class action against TRS & PERS re medical insurance & COL increases	12/10/96	\$3,000.00 \$4,500.00	\$177.15 \$265.73	\$3,177.15 \$4,765.73	TRS PERS
2	Lee Holen Law Office Eddy v. Admin PERS	Denial of Occupational Benefits	2/3/97	\$8,000.00	\$0.00	\$8,000.00	PERS

FY97 Judgments

Case Name	Description	Date	Amount	Interest	Total	Cumulative Total
Pope & Katcher Cowper v. Knowles	CBRF litigation	9/19/96	\$4,331.25	\$358.78	\$4,690.03	
Kenai Peninsula Borough School District v. State of Alaska	Unemployment Insurance eligibility re: former KPB employee	10/3/96	\$1,230.60	\$96.91	\$1,327.51	
O Callaghan v. Coghull	Election case concerning form of state primary	5/29/96	\$28,248.66	\$3,271.00	\$31,519.66	
Venetie v. State	Recognition of tribal court adoption decrees	6/6/96	\$11,773.32	\$1,335.80	\$13,109.12	
Pullen & United Fishermen v. Ulmer & Fairness in Salmon Harvest, Inc.	Challenging the Lt. Gov's certification of the F.I.S.H. Initiative for placement on 11/996 general election ballot	8/26/96	\$1,239.02	\$111.31	\$1,350.33	
4 McCosker for T.H. v. State, DOR	Appeal of PFD	10/17/96	\$1,313.43	\$98.07	\$1,411.50	
Alaska Public Employees Assoc, Dan Lawn v. State	Re: pipeline oversight position	12/27/96	\$1,000.00	\$53.96	\$1,053.96	
Nat'l Education Ass'n - Alaska v. Boyer	Class action against TRS & PERS re medical insurance & COL increases	12/10/96	\$7,500.00	\$41.88	\$7,541.88	
Capital Info Group v. State	Deliberative Process/Exec Privilege re: certain proposals & memoranda	10/4/96	\$20,000.00	\$1,569.18	\$21,569.18	
Arthur Caissie v. State	Age discrimination complaints	12/31/96	\$2,000.00	\$105.58	\$2,105.58	
Eckhart v. CFEC	Eligibility for a commercial fisheries entry permit	12/6/96	\$3,818.10	\$229.41	\$4,047.51	
Michael S. Brown v. State	Child support enforcement	10/15/96	\$2,002.55	\$150.69	\$2,153.24	
Wayne Anthony Ross Alaska Gun Collectors Assoc v. State	Sale or destruction of firearms by State	8/7/96	\$3,000.00	\$286.13	\$3,286.13	
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Judgment Award Questionnaire

The following information needs to be provided on all judgment awards made against the state. This information is used to respond to legislative questions concerning the annual supplemental request. (Use additional pages if necessary)

Case Name: Carlson v. State, CFEC

Case No.: Supreme Court S-6590; AGO File #223-84-0302

1. Describe the circumstances or events resulting in this case and ultimately this judgment against the state. In 1984, nonresident commercial fishers sued State claiming that its 3:1 ratio for nonresident-resident fees violates the U.S. Constitution. The State won twice at the lower court. For the second time, the Alaska Supreme Court remanded the case for a determination of the appropriate fee differential under
CONTINUED ON SEPARATE SHEET.

2. Describe issues of state policy or law involved in this case, if they are relevant to and resulted in substantial effort and expense for the department to bring or defend this case. At issue is the State's practice of charging nonresidents higher user fees than residents. In this case, appellants challenged the State's 3:1 ratio between nonresident and resident fees for commercial fishing licenses and permits.

3. Did the state prevail on any issues, if so, describe those. The State prevailed on the issue of whether the Commerce Clause of the U.S. Constitution applies to the resident-nonresident fee differential. It does not.

4. Did we challenge plaintiffs' request for costs and fees or in other ways seek to reduce the costs to the state: If so, describe to what extent we were successful.

No

5. Any recommendations concerning cases of this type in the future?

NO

Attorney completing form: Stephen M. White

DATE: Aug 5, 1996

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

Department of Law

FY97 Judgments

Case Name	Description	Date	Amount	Interest	Total	Cumulative Total
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Loren Domke Carlson v. State, CFEC	Non-resident commercial fish fees	6/21/96	\$1,357.67	\$148.10	\$1,505.77	\$97,071.4

Department of Law

JUDGMENTS/CLAIMS FOR PAYMENT

1. **Case Name:** Carlson v. State, CFEC
2. **Case Number:** Supreme Court S-6590; AGO File #223-84-0302
3. **Date Judgment entered:** June 21, 1996
4. **Amount to be paid:** \$1,357.67 (\$1,000 in attorney's fees, \$357.67 in court costs).
5. **Interest Rate:** 10.5% **Effective Date:** June 21, 1996 or fees; July 9, 1996 cos
6. **Payable to:** Loren Domke
7. **EIN:** 9200-90-117 or **SSN:**
8. **Send check to:** X above address **Departmental contact:**

Departmental contact

Stephen M. White
Name

(907) 465-3600
Telephone Number

Departmental Approval


Deputy Attorney General

8/9/96
Date

****This form will be used for the purpose of standardizing the submission of claims and will expedite the payments to the claimants, thereby reducing the amount of lost interest to the state. If any of the information changes, please advise the Deputy Director, Administrative Services Division, P.O. Box 110300, Juneau, AK 99811, or call (907) 465-3672 as soon as any changes are known.**

Judgment Award Questionnaire

The following information needs to be provided on all judgment awards made against the state. This information is used to respond to legislative questions concerning the annual supplemental request. (Use additional pages if necessary)

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Case No.: Supreme Court S-6590; AGO File #223-84-0302

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3. Did the state prevail on any issues, if so, describe those. The State prevailed on the issue of whether the Commerce Clause of the U.S. Constitution applies to the resident-nonresident fee differential. It does not.

4. Did we challenge plaintiffs' request for costs and fees or in other ways seek to reduce the costs to the state: If so, describe to what extent we were successful.

No

5. Any recommendations concerning cases of this type in the future?

No

Attorney completing form: Stephen M. White DATE: Aug 5, 1996

JUDGMENT AWARD QUESTIONNAIRE

1. Describe the circumstances or events resulting in this case and ultimately this judgment against the state. CONTINUED FROM FIRST PAGE.

the Privileges and Immunities Clause. This award is for appellate fees and costs.

THE SUPREME COURT OF THE STATE OF ALASKA

DONALD H. CARLSON, WARREN.)
 HART, GERARD HASKINS,)
 STEPHEN R. LIBBY, EARL WEESE,)
 and LYLA C. WEESE, Individually and,)
 as Class Representatives on behalf of)
 All Persons Similarly Situated,)

Appellants,) Supreme Court No. S-6590

v.) Superior Court No.
) 3AN-84-5790 CI

STATE OF ALASKA, COMMERCIAL)
 FISHERIES ENTRY COMMISSION,)
)
 Appellee.)

VERIFIED BILL OF COSTS

COME NOW Appellants, by and through counsel, pursuant to the Court's Order awarding fees and costs dated June 21, 1996 and in compliance with Appellate Rule 508(d) submit the following bill of costs.

Statement of Costs

Date	Description	Amount
8/26/94	Supreme Court filing fee	\$100.00
1/11/95	Copying charges for 15 copies of Appellants' Brief and 10 copies of Appellants' Excerpt of Record	194.8
4/20/95	Printing charge for Reply Brief of Appellants	56.7
4/21/95	Postage to mail 10 copies of Reply Brief of Appellants to Appellate Court in Anchorage	<u>6.0</u>
TOTAL		\$357.50

LOREN DOMKE, P.C.
 ATTORNEY AT LAW
 2301 NORTH JORDAN AVENUE
 JUNEAU, ALASKA 99801
 TELEPHONE: (907) 796-1844
 FAX: (907) 796-1845

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***** O R D E R *****

07/09/96

IT IS ORDERED: Under AR 508(a), Appellants are awarded a total of \$397.67 for costs on appeal according to the itemized cost bill submitted on June 27, 1996. By direction of the Appellate Courts Clerk under AR 508(f) on July 9, 1996.

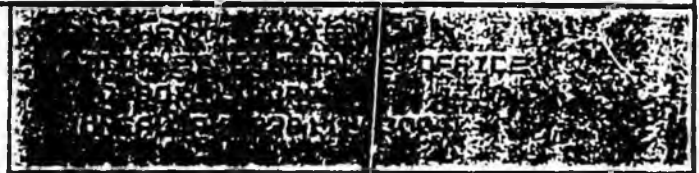
RECEIVED

Common Appeals Division JAN-84-57902 ca

JUL 12 1996 Clerk of The Appellate Courts

Attorney General's Office

Juneau



[Faint, mostly illegible text, possibly a transcript or notes, covering the lower half of the page.]

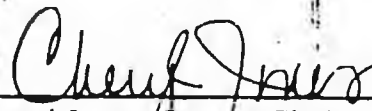
ORDER REGARDING FEES AND COSTS

Carlson, et al v. State, et al
File No. S-6590

Under Appellate Rules 508(e) and (f)(1), attorney's fees of \$1,000.00 are awarded to the Appellants. On or before July 1, 1996, the Appellants shall serve and file with this court an itemized and verified bill of costs.

Entered at the direction of Justice Compton on June 21, 1996.

CLERK OF THE SUPREME COURT



Cheryl Jones, Deputy Clerk

cc: Authoring Justice
Trial Court Appeals Clerk/Anchorage

TONY KNOWLES
GOVERNOR

Sec 6 (c)

P.O. BOX 1000
JUNEAU, ALASKA 99801-1000
PHONE 907-586-3500
FAX 907-586-3532STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 29, 1997

The Honorable Mike Miller
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

The Honorable Gail Phillips
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Gail
Dear President Miller and Speaker Phillips:

I want to thank you for your repeated expressions of support for our efforts to seek Supreme Court review of the Ninth Circuit's decision in the *Venetie* case.

We are making progress on our strategy. John Roberts and his team of appellate lawyers have begun to work on the petition, and we are actively searching for our Indian law specialist. I am including a request for funding for this appeal work in the supplemental bill I will be introducing this week. This bill addresses underfunded items acknowledged in last session's budget process and critically needed items that have since arisen such as the *Venetie* case.

I look forward to continuing to work with you on this vital issue and will keep you informed of all developments.

Sincerely,

Tony Knowles
Tony Knowles
Governor

**MEMORANDUM
DEPARTMENT OF
MILITARY & VETERANS AFFAIRS**

**State of Alaska
ADMINISTRATIVE SERVICES DIVISION**

RECEIVED
JAN 24 1997

Annalee McInnell
Office of Management & Budget
Office of the Governor

DATE: January 24, 1997

FILE:

TELEPHONE: 465-4730

FROM: Carol Carroll
Director

SUBJECT: FY97 Supplemental
DMVA

The Department of Military & Veterans Affairs requests the following FY97 Supplementals

1. Emergency Alert System - \$220,000.
2. Disaster Relief Fund - \$1,000,000 for the disasters from January - June 1997.

In addition we are working on our ratification request to cleanup some old accounting record, we will be submitting this ratification request to you in the next couple of weeks.

Emergency Alert System (EAS)- \$220,000:

The Emergency Alert System is a federally mandated project to be implemented nationally by January 1, 1997. The concept is co-sponsored by FCC, NWS and FEMA. The system permits an "all hazard" uniform alert and warning system for the entire United States. Equipment is "standard" and all implementation plans must be approved by FCC. This ensures that the system works in every community, county, State, Territory and Protectorate. This system is totally automated. It provides all levels of alert and warning and is engineered to be almost "hands free" once the software and equipment is installed. We have attached some graphics to show the concept, the notification scheme, and a comparison with the National Warning System, as well as a detailed project budget.

Project Support:

This project concept was originally submitted for CIP funding in 1993. It was originally titled, "Advanced Tsunami Warning System". The present EAS would have only specified the encoder/decoder equipment. Since this system will be the single Statewide warning system to alert the citizens of every type of hazard, i.e. fires, tsunamis, floods, chemical spills, etc., its local support remains unchallenged.