

ALASKA LEGISLATURE

1952

HOUSE and SENATE FINANCE COMMITTEE FILES, 1999 - 2000

of age unless the department to be

determined by the

ate employee for

ed an employee of 23.40.260 (Public training agreement interfere with the authorized under this

h child support

Alaska temporary state, through the its to accrued and f any individuals upon a determi- chapter. Except rned under the participant in the

ate with the child ing paternity or the payment of laska temporary ishes good cause

istance program ne amount of the port enforcement stance program

ate of chapter ment or transfer 9.38. (§ 7 ch 107

e date of chap- alified entities in stinct part of the tandards for the to be charged to

accordance with d using require- se set out in AS

unicipality. olitical subdivi- es and religious

organizations, and incorporated and unincorporated businesses operating within the state that meet the requirements established by the department in regulation. (§ 7 ch 107 SLA 1996)

Sec. 47.27.055. Agency collaboration. [See effective date of chapter note.]

(a) The department shall coordinate with other state agencies that provide assistance, benefits, or services to applicants that are eligible for and to participants in the Alaska temporary assistance program in order to facilitate the application for and delivery of assistance, benefits, or services to promote family self-sufficiency. Subject to appropriations, state agencies may locate their facilities and operations near each other in order to improve service delivery.

(b) The department may provide information received under this chapter to other state agencies in order to facilitate the delivery of services. Information received from an applicant for or participant in the Alaska temporary assistance program shall be treated as confidential by all state agencies that share the information under this section and is not open to public inspection or copying under AS 09.25.110 — 09.25.125. Misuse of public assistance lists or information is punishable as a violation of AS 47.05.030.

(c) Departments in the executive branch shall cooperate in fulfilling the purposes of this chapter, including, subject to appropriations, the establishment of temporary positions that will provide job opportunities for families participating in the Alaska temporary assistance program. Temporary positions established for this purpose are in the exempt service under AS 39.25.110 but are not subject to AS 39.25.195. An individual participating in the Alaska temporary assistance program who holds a temporary position established for purposes of this subsection is not a public employee for purposes of AS 23.40.070 — 23.40.260. (§ 7 ch 107 SLA 1996)

Sec. 47.27.060. Job development. [See effective date of chapter note.] The department may establish cooperative agreements with the Department of Labor, Department of Community and Regional Affairs, Department of Education, and Department of Commerce and Economic Development, and with other public or private sector organizations for the purpose of developing job, training, and educational opportunities for families eligible for assistance under this chapter. (§ 7 ch 107 SLA 1996)

Sec. 47.27.065. Federal-state cooperation. [See effective date of chapter note.] In the administration of this chapter, the department shall cooperate with the Secretary of the United States Department of Health and Human Services and shall take actions necessary to comply with the requirements of federal law to obtain public assistance block grants or other federal assistance available for the purposes of this chapter. The department shall make reports in the form and containing the information required to the Secretary of the United States Department of Health and Human Services. The department may cooperate with federal agencies charged with the administration of the federal public assistance block grants and other financial assistance. (§ 7 ch 107 SLA 1996)

Sec. 47.27.070. Alaska native organizations' family assistance programs. [See effective date of chapter note.] (a) The department may coordinate only with the following Alaska Native organizations, as designated under federal law, in the development of family assistance programs:

- (1) Arctic Slope Native Association;
- (2) Kawerak, Inc.;
- (3) Maniilaq Association;
- (4) Association of Village Council Presidents;
- (5) Tanana Chiefs Conference;

(6) Cook Inlet Tribal Council;
(7) Bristol Bay Native Association;
(8) Aleutian and Pribilof Island Association;
(9) Chugachmiut;
(10) Tlingit Haida Central Council;
(11) Kodiak Area Native Association;
(12) Copper River Native Association; and
(13) Metlakatla Indian Community of the Annette Islands Reserve; however, the department may cooperate with the Metlakatla Indian Community under this chapter only if the community waives any claim to sovereign immunity with respect to matters involved with the family assistance program.

(b) The department may cooperate with the Alaska Native organizations named in (a) of this section to propose program criteria to the Secretary of the United States Department of Health and Human Services in order to promote programs comparable to the state program in the same area.

(c) Notwithstanding other provisions of this section, the department may coordinate with an Alaskan Native organization under (a) of this section only if, for purposes of this chapter, the Alaska Native organization incorporates a nonprofit entity under state law and the nonprofit entity is active and in good standing, as determined by the Department of Commerce and Economic Development. (§ 7 ch 107 SLA 1996)

Sec. 47.27.075. Emergency account established. [See effective date of chapter note.] There is established within the general fund the Alaska temporary assistance program emergency account. The account consists of appropriations that were made by the legislature from federal money available for assistance under this chapter, including lapsing money that was previously appropriated from federal money for the Alaska temporary assistance program, but that were not expended or obligated in the fiscal year for which they were appropriated. (§ 7 ch 107 SLA 1996)

Sec. 47.27.080. Appeals; dispute resolution. [See effective date of chapter note.] (a) An applicant or participant who receives a determination from the department that denies, limits, or modifies the assistance or services provided under this chapter may request a hearing before the department or a representative of the department appointed for that purpose. If a representative is appointed, the representative shall conduct the hearing under the regulations adopted by the department. The appeal is not subject to AS 44.62.330 — 44.62.630.

(b) The department may require an applicant or participant to participate in an informal dispute resolution process before a formal hearing. The department may adopt regulations establishing the informal dispute resolution process. (§ 7 ch 107 SLA 1996)

Sec. 47.27.085. Sanctions; recovery of costs. [See effective date of chapter note.] (a) The department shall penalize an Alaska temporary assistance program applicant or participant who, without good cause, fails to comply with a condition of the family self-sufficiency plan or who fails to participate in work activities required as a part of the Alaska temporary assistance program by disregarding that person as a member of the family for purposes of determining the amount of assistance given to the family. The period of time during which the department shall disregard the noncomplying person for purposes of determining the amount of the family's assistance is

(1) until the person is in compliance under this subsection if the person has not previously been disregarded under this subsection;

(2) the longer of six months or until the person is in compliance under this subsection if the person has previously been disregarded under (1) of this subsection;

(3) the longer of 12 months or until the person is in compliance under this subsection if the person has previously been disregarded under (2) of this section.

HB

98

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/11/00

REPORTED OUT OF
SFC 4/7/00

FURTHER:

DATE TURNED
IN TO OFFICE: 17 April 00

Finance Committee considered

CS FOR HOUSE BILL NO. 98(HES) am

PUB.ASSISTANCE:PROGRAMS/GRANTS/CONTRACTS

and recommends:

- be replaced with 5 CS CS HB 98 (FIN)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
- same title
 - new title
- House Bill:**
- same title
 - technical title
 - new: SCR# _____

SIGNING, DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Bill Calder</i>	<input checked="" type="checkbox"/>	<i>Bill E. Rye</i>	<input checked="" type="checkbox"/>		
		<i>Frank Miller</i>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
		<i>Robert Hill</i>	<input checked="" type="checkbox"/>		
		<i>Clayton D. Hupew</i>	<input checked="" type="checkbox"/>		
		<i>Gregory L. Hill</i>	<input checked="" type="checkbox"/>		
		<i>Walter Souley</i>	<input checked="" type="checkbox"/>		
Co-Chair: <i>[Signature]</i>	<input checked="" type="checkbox"/>	Co-Chair:			
Co-Chair:		Co-Chair:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

REVENUE	3/23/00	<input checked="" type="checkbox"/>	
H&SS	3/7/00	<input checked="" type="checkbox"/>	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

LEGAL SERVICES

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

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


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

MEMORANDUM

April 18, 2000

SUBJECT: Deficient bill title in SCS CSHB 98(FIN), version "K" (Alaska Native TANF programs)

TO: Senator John Torgerson
Attn: Darwin Peterson

FROM: Terri Lauterbach
Legislative Counsel 

Enclosed is the SCS you requested for HB 98.

The title of the bill does not satisfy the state constitution's requirement that the subject of the bill be expressed in the title because the amendment deleting "interpret" on page 3, line 20, is not reflected in the bill title. Page 3, line 20, relates to the entire ATAP program, not to any of the narrowly-delineated topics currently listed in the bill title.

The bill could be made constitutional by putting "interpret" back into the law on page 3, line 20. Otherwise the entire bill could be subject to challenge in court based on the flawed title.

Please let me know if you want an amendment drafted or if I can be of other assistance.

TML:pl:glc
00-145.plm

Enclosure

FISCAL NOTE

Bill Version: CSHB 98 (HES)
 (H) Publish Date: 3/27/00

STATE OF ALASKA
 2000 LEGISLATIVE SESSION

REPORTED OUT OF
 SFC 4/7/00

Revision Date/Time (Note if correction) _____ Dept. Affecte Department of Revenue
 Title Public Assistance: _____ BRU Child Support Enforcement Division
 Program/Grants/Contracts _____ Component Child Support Enforcement Division
 Sponsor Rules Committee _____
 Requester Finance Committee _____ Component I 111

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

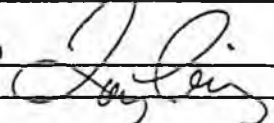
Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 The Child Support Enforcement Division receives incentive funding from the federal government based on the agency's collections in public assistance cases. That incentive funding covers about 15% of the child support agency's annual operating budget, reducing the need for state funds. The original version of this legislation would have resulted in reduced federal incentive funding as public assistance collections were converted to tribal assistance collections -- which are not eligible for incentive funding to the states. However, a new federal funding formula that started phasing in for FY2000 depends less on public assistance collections and more on the child support agency's general performance. Therefore, we expect this legislation will not materially affect incentive funding for FY2001 and 2002.

Prepared by: Barbara Miklos, Director Phone _____
 Division Child Support Enforcement Division Date/Time 3/22/00 2:08 PM

Approved by Commissioner Wilson L. Condon Date 03/23/2000
 Agency Revenue 

FISCAL NOTE

No: 2

STATE OF ALASKA
2000 LEGISLATIVE SESSION

REPORTED OUT OF
SFC 4/17/00

Bill Version: CSHB 98 (HES)
(H) Publish Date: 3/3/00

Revision Date/Time (Note if correction): _____
Title: Native Family Assistance Programs

Dept. Affected: Health and Social Services
BRU: Public Assistance
Component: Tribal Assistance
COMPONENT SERIAL NO. 2336
See also (SN#): _____

Sponsor: Rules Committee
Requestor: House (CRA)

Expenditures/Revenues: (Thousands of Dollars)

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

OPERATING	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGES IN REVENUES ()						
-------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: \$0.0

POSITIONS:

POSITIONS	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Under federal law, 12 Alaska Native regional non-profits and the village of Metlakatla are authorized to receive federal funds for the administration of tribal family assistance programs. This legislation provides appropriations, in addition to the federal funds, for the operation of tribal family assistance programs. Tribal family assistance programs will provide temporary assistance and supportive services to recipients living in regions served by the regional non-profits and the village of Metlakatla. The legislation also provides for the approval of regional public assistance programs, serving both Native and non-Native families, designed to achieve administrative efficiency and cost effectiveness.

Passage of this legislation will have profound impacts both on the delivery of temporary assistance and supportive services to needy Alaskan Natives and others served by regional assistance programs and on general DPA operations. (Continued)

Prepared by: Jim Nordlund *Jim Nordlund* Phone: 465-2680
Division: Public Assistance Date/Time: 2/7/00 2:08 PM
Approved by Commissioner: Karen Perdue, Commissioner Date: 2/7/2000
Agency: Department of Health & Social Services

PREPARED TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

COMMITTEE COPY

Title: Native Family Assistance Programs
Bill No.: CSHB 98 (CRA)
Sponsor: Rules Committee

Analysis Continued

Effects will be felt in various areas of DPA program administration and operation. Fiscal impacts, however, are contingent upon which organizations actually pursue implementation of Native assistance programs and the approval of regional public assistance programs.

A new component has been added to the DPA budget that will accommodate the inclusion of Native family assistance programs and regional assistance programs in the agency's planning process. In the future, agency budget requests will reflect the financial impact resulting from the development and implementation of these programs.

TONY KNOWLES
GOVERNOR

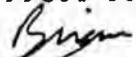


P O Box 11000
Juneau, Alaska 99811-0000
1907 465-3500
Fax 1907 465-3533

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 18, 1998

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


Dear Speaker Porter:

The bill I transmit today continues Alaska's efforts to implement effective and responsible welfare reform, particularly in rural areas. This bill builds on the provision in federal welfare reform law that allows regional non-profit Native corporations to develop and implement independent welfare programs promoting local responsibility for program success by tying program assistance to local economic and social conditions. Under this bill, the Department of Health and Social Services (DHSS) will be able to award grants to regional Native organizations operating tribal family assistance plans that differ from the Alaska Temporary Assistance Program plan because they are designed to meet regional circumstances.

The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 provided that specifically named Alaska Native organizations could propose to operate tribal temporary assistance plans, independent of the state plan, to serve the Alaska Native and Indian populations within a specific geographical region. A state- and federally-approved tribal family assistance plan will receive, directly from the federal government, a portion of Alaska's allocation of the Temporary Assistance for Needy Families block grant money. The federal money, however, is only about half of the money that has historically been appropriated to serve this population. This bill establishes clear statutory standards under which the state would provide grants to Alaska Native organizations with federally-approved tribal plans that differ from the state's plan.

As of October 1, 1998, Tanana Chiefs Conference, Inc. (TCC) received approval from the federal government to operate its own tribal temporary assistance program for needy families. The DHSS developed a plan with TCC to serve tribal program recipients.

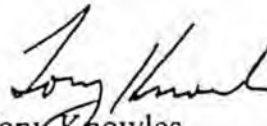
The Honorable Brian Porter
February 18, 1999
Page 2

Under current state law, however, the program must be identical to the state's temporary assistance program. As a consequence, the state loses the opportunity to shape regional programs to meet regional conditions. This bill will make it possible for regional programs to be designed to specifically address local circumstances.

Regional tribal plans are expected to be custom designed to meet the economic conditions and needs of the region. This bill also would allow the DHSS to adopt a regional plan for non-tribal members if such a plan appears more suitable to address regional conditions. Therefore, program standards under a regional plan could differ from some otherwise generally applicable standards of the state's plan, but would always contain specifically identified program elements.

This bill will contribute to making our public assistance programs more effective by considering regional conditions in plan developments. I urge your support of this measure.

Sincerely,


Tony Knowles
Governor

AMENDMENT

Sen Adams

OFFERED IN SENATE FIN

TO: ~~CSHB 98(HES)am~~ HB98 Version I

Page ~~11~~⁵, line ~~21~~³⁰:

Delete "traditions; and"

Insert "traditions;"

Page ~~11~~⁵, line ~~22~~³¹:

Following "(4)"

Insert:

"establish the same maximum number of months of benefits as is established for the state program under AS 47.27.015(a)(1); and (5)"

SENATE FINANCE COMMITTEE

Amendment Number: #/

Bill Number: HB 98

Sponsor: Adams Date: 4/14/00

Logged In By: Jamie

Green COMMITTEE
2000 COMMITTEE ACTION

Bill Number	HB 98		
Amendment	#1		
Motion	adopt		
<u>Motion by</u>	ft		
<u>Objection by</u>	D		
Removed	✓		
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	<u>Vote</u>	N
Senator Lyda Green			
Senator Randy Phillips			
Senator Dave Donley			
Senator Loren Leman			
Senator Al Adams			
Senator Gary Wilken			
Senator Pete Kelly			
Co-Chair Sean Parnell			
Co-Chair John Torgerson			
<u>Tally</u>			
Yea			
Nay			
Absent			
<u>MOTION</u> Pass			

SENATE FINANCE
COMMITTEE #2
Amendment Number: #2
Bill Number: HB98
Sponsor: Jordan Date: 4/17/00
Logged In By: Mindy

AMENDMENT

OFFERED IN SENATE FIN

TO: CSHB 98(HES)am Version "I"

8 3
Page ~~13~~, line ~~27~~:

Delete "a compelling interest"

Insert:
"that special circumstances exist that support the request"

Phillips COMMITTEE
2000 COMMITTEE ACTION

Bill Number	HB 418		
Amendment	#2		
Motion	adpt		
<u>Motion by</u>	G		
<u>Obiection by</u>	none		
<u>Removed</u>			
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	<u>Vote</u>	N
Senator Randy Phillips			
Senator Dave Donley			
Senator Loren Leman			
Senator Al Adams			
Senator Gary Wilken			
Senator Pete Kelly			
Senator Lyda Green			
Co-Chair Sean Parnell			
Co-Chair John Torgerson			
<u>Tally</u>			
Yea			
Nay			
Absent			
<u>MOTION</u>	Pass		

Donley COMMITTEE
2000 COMMITTEE ACTION

Bill Number	HB 98		
Amendment	#3		
Motion	adopt		
<u>Motion by</u>	Leman		
<u>Objection by</u>	none		
Removed			
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	<u>Vote</u>	N
Senator Dave Donley			
Senator Loren Leman			
Senator Al Adams			
Senator Gary Wilken			
Senator Pete Kelly			
Senator Lyda Green			
Senator Randy Phillips			
Co-Chair Sean Parnell			
Co-Chair John Torgerson			
<u>Tally</u>			
Yea			
Nay			
Absent			
<u>MOTION</u> Pass			

Page 3 line 20
delete "interpret"



Alaska State Senate

Senate Finance Committee

Official Business

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

FAX COVER SHEET

DATE: 4/17/00 TIME: 9:20

TO: Legal Services

NUMBER OF PAGES, INCLUDING COVER SHEET: 4

FROM: MINDY ROWLAND
SENATE FINANCE COMMITTEE SECRETARY
PHONE: 465-4935
FAX: 465-2187

NOTES: HB 98 1-GH 1011 I
plus 3 attached amendments

need by 10:00am Tues please

Thx, Mandy

CSHB 98 (HES)

- **Cannot Opt Out of Program** 47.27.071(k): if both a Native family assistance program and a standard state program exist in an area, individual must use the Native program unless a "compelling" interest is demonstrated to use the state program. That is the highest standard and is very difficult to meet.
- Yet the Native assistance program will be comprised of Natives only, probably selected through the regional corporations. Non-Natives will thus be bound by the all-Native program's decisions, but be ineligible to select members of the program. They will have no say in who gets selected, but they will be forced to follow the program's mandates.
- **Native Non-Profits Only** Note that there is no provision for any non-Native non-profits of this sort to be formed. The regional family assistance programs that are allowed must first be approved as an Alaska Native family assistance program [see 47.27.072(c)(1)]. Thus, even an area inhabited primarily by non-Natives will have only Native assistance programs.
- And in an area with an approved regional public assistance program, anyone in that area must use that program, and not the state program [see 47.27.072(f)]
- **Equal Protection Issue** If there is no Equal Protection problem because federal law requires Native programs to be "comparable" to the state TANF program, then isn't the very purpose of the legislation defeated? The stated purpose is to afford more latitude to the local group in awarding benefits, but if they must behave in the same manner as the state program because of Equal Protection, then there can be no special administration of these programs by the Native or regional programs.
- Also note in the federal law that says the programs must be "comparable" that comparability can be waived if the Native program requests it. Thus, the comparability may be eliminated.
- **Should Require Annual Audit** Large amounts of money will flow through these organizations. An annual audit should be required in this legislation. Note the problems with funds tracking at the federal level where annual audits are not required.

- **Who May Qualify to Receive Grants?** In the 'Findings and Intent' section, the bill talks of the new federal welfare law offering "Alaska Native Non-profit organizations" the opportunity to provide public assistance [see Sec. 1, (a)(3)]. But in the text of the bill, the State may award grants to "Alaska Native organizations." [see p.9, line 19]. At least one of the groups qualified to participate has argued for recognition as a federal Indian tribe. Thus, it needs to be clear who is included in the potential universe of grant recipients. Is it Tribes, non-profits, both?
- **Different Due Process Rights** Under the terms of the legislation, Native families may actually be afforded less due process in appealing these program decisions than non-Natives. On page 12, lines 12-14, referring to programs benefiting Native tribal families, the organization need only provide "an impartial appeals process" if a family disagrees with the decision. Yet at page 15, lines 2-11, where regional programs are discussed, and they cover people not already covered by the federally-approved tribal family assistance program, [i.e. non-Natives], the appeals process requires full appealability through the state court system. Thus, they get additional due process protection under a state benefit program.
- **Waiver of Sovereign Immunity** Under AS 47.27.070, which lists the organizations eligible to participate in delivering services, only Metlakatla is required to waive sovereign immunity. At least one other group on the list has a potential claim for tribal status. If immunity is claimed successfully, the state could be prevented from enforcing a contract to deliver the services. Thus, each one should be required to waive any immunity before being authorized to participate.
- **Potential Duplication of Efforts** The legislation leaves the door open for a Native non-profit to qualify and to provide services to Native families, but to decline to serve as a regional public assistance provider. In other words, a group could receive federal grant money to act as the tribal family provider in an area, where it is required to provide services only to Native families. If it declined to act as regional provider, the non-Natives in the region would then have to be served by the normal state system, thus creating the need for duplicate systems to serve both natives and non-Natives.
- **Disclaimer Needed** A disclaimer should be added ensuring that nothing in this legislation shall be construed as the legislature's recognition of these entities as tribes or their sovereign immunity.

Child Support Collections

Public Assistance:

When CSED collects child support in cases where the child's custodian is on public assistance, the state keeps a certain percentage and the remainder is sent to the federal government. The percentage retained by the state is governed by Federal Medical Assistance Percentages and may never exceed 50%. Right now, the federal government retains 54.13% of collections and the State of Alaska retains 45.87% of these collections.

Native Family Assistance Program:

The Division of Public Assistance has reached agreement with tribal organizations that the state shall retain 50% of the child support collections on these cases and the Native Assistance Program shall retain 50%.

The State shall estimate the collections and reduce 50% of that amount from the Native Family Assistance Program. If the collections are more or less than the original estimate, the actual amount will be reconciled at the end of the grant.

LEGAL SERVICES

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

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

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

MEMORANDUM

April 17, 2000

SUBJECT: Alaska Native family assistance programs (CSHB 98(HES)am)

TO: Senator John Torgerson
Attn: Darwin Peterson

FROM: Terri Lauterbach
Legislative Counsel *T. Lauterbach*

You have asked for a short discussion of whether CSHB 98(HES)am must be enacted in order to permit Alaska Natives to get federal approval of their proposed TANF programs or whether the Alaska Natives can contract directly with the federal government without state involvement.

The answer to your question, as I understand the federal law, is that the Alaska Natives can contract directly with the federal government, without state approval, but that would only get them federal dollars. Something like HB 98 is necessary in order to allow DHSS to give state TANF money to Alaska Native TANF programs.

As you know, public assistance programs like TANF normally involve state and federal sharing of the costs of the program. The federal dollars available directly to Alaska Natives to operate TANF programs represents only the federal share, not total program costs. Therefore, to make the federally-approved Alaska Native programs financially feasible, there would need to be some state dollars available to the programs. A law like HB 98 is necessary to authorize this use of state TANF dollars.

TML:glc
00-187.glc

MEMORANDUM

State of Alaska

Department of Law

TO: Karen Perdue, Commissioner
Dept. of Health and Social Services
Juneau, Alaska

DATE: April 14, 2000

TELEPHONE NO.: 465- 4137

FROM: ^{RJS} Kristen Bomehgen
Assistant Attorney General
Juneau, Alaska

SUBJECT: HB98 – Grants to Alaska
Native TANF Programs

Concerns have been raised about a provision in HB98 that requires families who are eligible to receive benefits under a Temporary Assistance for Needy Families (TANF) program approved by the federal government to be run by an Alaska Native organization to receive TANF program benefits from the Alaska Native organization. You have asked about the likely state response to a possible equal protection challenge based on requiring a family from a region in which both the state and an Alaska Native organization are operating TANF programs to receive services from the Alaska Native organization.

BACKGROUND

The program set out in AS 47.27.071 in HB 98 will allow the state to make grants to Alaska Native organizations (ANOs) that have received federal approval to operate a TANF program and who are receiving TANF funds directly from the federal government to serve the Alaska Native applicants for TANF-based assistance in that region. When an Alaska Native program is approved, the amount of federal funding provided to the ANO is deducted from the federal funds designated for TANF assistance to the State of Alaska and is based on the number of Alaska Native recipients served in the region in FY94. In other words, the federal funds to provide services to these families have been subtracted from the federal TANF grant to the state.

Since the state is operating its TANF program without the federal share of the funds that would otherwise be available to provide services to these families, it would be necessary for the state to supplement its TANF program with state general funds if it were to attempt to continue to serve all families, including those eligible for an Alaska Native TANF program, at a reasonable level. In addition, the ANOs do not receive adequate funding to provide reasonable levels of assistance to all of the families in its region without supplemental state funding. This is because, historically, the federal government provided approximately 50% of the funding for this program, matched by a 50% contribution from the state general fund.

By providing match funds through a grant to the ANOs that have approved TANF plans, the state will be providing funding to serve its Alaska Native residents within that region by a designation of the grantee ANO as the service provider for state purposes for that population. Through this funding method, both programs can provide comparable programs to Alaska residents.

The bill establishes that, in a region that is being served by both an Alaska Native TANF program and a state TANF program (ATAP), families that are eligible for the Alaska Native TANF program must seek TANF-based services from the ANO. This gives rise to a question concern about a possible constitutional challenge based on equal protection grounds.

EQUAL PROTECTION ANALYSIS

The court, in a review of an equal protection challenge, will apply Alaska's sliding scale test in which a greater or lesser burden is placed on the state to justify a classification depending on the importance of the individual right involved.

The court will determine what weight should be afforded the constitutional interest impaired by the challenged legislation, will examine the purposes of the legislation, and then will evaluate the state's interest in the particular means employed to further its goals. *Sonneman v. Knight*, 790 P.2d 702 (Alaska 1990).

Any challenge will likely assert that the state is making an impermissible classification based on the race of the individual. The state's response will be based on analyses in other equal protection cases that concluded that where the distinction is based on a federal act which addresses the federal government's trust relationship and responsibilities to the American Indian and Alaska Native populations, the distinction is one that recognizes a quasi-political classification, based on unique political status, and does not create an impermissible racial classification. (See *Morton v. Mancari*, 417 U.S. 535, 94 S.Ct 2474 (1974); *Alabama-Coushatta Indian Tribe of Texas v. Mattox*, 650 F.Supp. 282 (W.D. Tex. 1986).)

While it most certainly would be impermissible for the state to create this type of distinction on its own, in the absence of federal legislation, when responding to a federal act that has affected the state's ability to provide services equitably to all of its citizens, the state may respond reasonably to the distinction created by the federal government. If the court recognizes this classification as based in a quasi-political distinction, the state's burden in responding to a challenge on equal protection grounds will be lessened.

The court will apply its sliding scale test. The interest involved will be the interest of an individual to choose from which of the two programs offered in the region to seek services. Since services are not being denied outright based on this distinction, the impact on the family is not likely to be significant. Because the services offered under the two programs will be comparable (as they are required to be under state and federal law), it is unlikely that the court will conclude that the interest impaired is important. On the other hand, the interest asserted could be characterized simply as the interest to seek services from the state program. However, because the state is providing funding to the Alaska Native TANF program, in proportion with the funding it provides for all citizens receiving TANF-based assistance in the state, this program can be considered to be the state program for the purposes of serving this segment of its population.

The purposes of this legislation (HB 98) are numerous, but one is to assure that comparable TANF-based programs are available to all state residents, whether they are served under an Alaska Native TANF program or the state's ATAP program. The means employed by this legislation is to provide state grant funding to supplement the base funding provided by the federal government. This is accomplished by providing a realistic and predictable funding base, premised on the number of families that will be participating in the Alaska Native TANF program. This is best accomplished by establishing criteria for directing individuals to a specific program.

Since this criteria might not work effectively in all cases, however, an amendment was made to the legislation in the House. This amendment would allow an individual who was directed to the Alaska Native TANF program to request to be served by the state's ATAP program by demonstrating a compelling interest to receive services from the state program. The standard for this exception is to be established by the department in regulation. This provision assures that the distinction may be reviewed for fairness in circumstances that warrant an exception. However, this exception might be improved by allowing a broader option, such as a showing of special circumstances, to allow a recipient to change to the state program.

KFB:rca

cc: Elmer Lindstrum, Special Assistant
Jim Nordlund, Director, Div. of Public Assistance

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC ASSISTANCE

TONY KNOWLES, GOVERNOR

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

April 17, 2000

The Honorable John Torgerson
Co-Chairman, Senate Finance Committee
State Capitol, Room
Juneau, AK 99801-1182

Dear Senator Torgerson:

The following information is being provided in response to a question raised during the April 14th hearing on House Bill 98 relating to Alaska Native family assistance programs.

➤ *Why is the fiscal note zero if the bill promises to reduce welfare dependency among Alaska Natives and therefore, presumably, reduce the budget?*

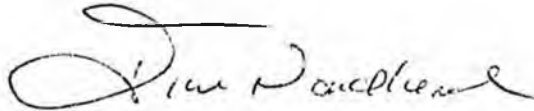
House Bill 98 was introduced with the belief that efforts to reduce welfare dependency are often more successful when programs are managed at the local level, where there is a closer connection to the local economy and other regional and cultural circumstances. In particular, HB98 allows programs to be more attuned to the conditions that cause welfare dependency among Alaska Natives. While the bill holds the promise of reducing welfare dependency and, in turn, reducing the need for state assistance, it is impossible at this juncture to incorporate a savings estimate into a fiscal note. This is true for at least a couple reasons:

1. HB98 simply enables any or all of the thirteen regional Native non-profit organizations to run a TANF program with state funding. At this time only one organization, Tanana Chiefs Conference Inc., is fully prepared to run a program under this new law. While two other Native organizations are planning to run a program, there is no guarantee they will, nor is any way of predicting which of the remaining Native non-profits will successfully begin operating a TANF program.
2. It is inevitable in the early going there will be some operating inefficiencies as the Native organizations become familiar with operating a TANF program. The effectiveness of these programs can be expected in succeeding years as they become more proficient in managing the program. Though it is impossible to predict with certainty, any future caseload decline due to the success of the Native programs it can be expected to reduce the need for state funds. It is important to note that any start-up or development costs are being fully absorbed between the

Department of Health and Social Services and the Native organization. Every dollar that is transferred to the Native organization is a dollar lost to the state operated program. There is no increase to the state budget as a result of HB98.

If you have questions or require additional clarification regarding this information, please contact me at 465-2680.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Nordlund". The signature is fluid and cursive, with a large initial "J" and "N".

Jim Nordlund
Director of Public Assistance

**CSHB 98(HES) am
SECTIONAL ANALYSIS**

Section 1:

Describes legislative findings and intent. The findings address the self-sufficiency goals of welfare reform measures and the need to develop family assistance programs that are designed to meet local conditions, especially in Alaska's rural regions. This section specifies that the purpose of the legislation is to allow the department to award Alaska Native family assistance grants to Alaska Native organizations that have federally approved family assistance plans to provide temporary assistance and supportive services to families living in a specific region. It further intends to allow the approval of regional public assistance plans by the state in order to achieve uniform program administration, cost efficiencies, and regional benefits within a given region.

Sections 2 through 18 amend the Child Support Enforcement Division (CSED) statutes to allow the child support agency to make distributions of child support collected on behalf of recipients of Alaska Native family assistance programs as reimbursements to the Alaska Native program that is providing the assistance. Amendments to a number of sections are necessary to insert a reference to the Alaska Native family assistance program for each step of the child support collection process in which the program would be affected by the statutes. Amendments include references to an Alaska Native family assistance program as follows:

- Sec. 2 amends AS 25.27.045 to establish that CSED may appear in an action to establish or modify a child support order if money is owed to an Alaska Native family assistance program.
- Sec. 3 amends AS 25.27.062 to address the requirement that an Alaska Native family assistance program must repay to the state any overpayments erroneously disbursed to the program under an income withholding order.
- Sec. 4 amends AS 25.27.065 to establish that an agreement between parties to waive child support is not effective during a period in which the obligee is receiving assistance from an Alaska Native family assistance program.
- Sec. 5 amends AS 25.27.080 to authorize CSED to take legal action, as it can for the state, to enforce a child support order on behalf of an Alaska Native family assistance program.
- Secs. 6 through 8 amend AS 25.27.120 to establish that an obligor's child support obligation is owed to the Alaska Native family assistance program in the amount of the assistance provided by the program but not to exceed the amount of support required by the support order, to incorporate the requirement that notice be sent to the obligor within 30 days of the time CSED learns of the identity and address of the obligor, and to prohibit the collection of interest on the obligation if the notice requirement is not met.

- Secs. 9 through 12 amend AS 25.27.130 to extend the state's subrogated right to pursue legal action to collect child support to cases in which the child support obligation is owed to the Alaska Native family assistance program and to address the distributions of the amounts collected when they exceed the amount of benefits paid by the Alaska Native family assistance program or when the family is no longer receiving assistance.
- Sec. 13 amends AS 25.27.140 to establish that CSED may act on its own discretion to establish paternity or a child support obligation and may pursue enforcement under the agency's administrative procedures when an obligation is owed to an Alaska Native family assistance program, just as it can when the obligation is owed to the state. The other changes in this section improve the language without affecting the meaning of the law.
- Secs. 14 and 15 amend AS 25.27.165 to establish that CSED may institute an administrative proceeding to establish paternity upon an application from an Alaska Native family assistance program, just as it can upon an application of a mother, custodian, putative father, legal custodian, or any state, and further establishes that the costs of paternity testing may not be recovered from an Alaska Native family assistance program recipient.
- Sec. 16 amends AS 25.27.170 to include the liability owed to an Alaska Native family assistance program as a factor to be considered in administrative proceedings when determining the amount of periodic payments that will be required from a child support obligor to meet past, present, and future child support liability.
- Sec. 17 amends AS 25.27.180 to establish that, in administrative decisions, a child support obligor's liability to an Alaska Native family assistance program cannot exceed the total child support obligation.
- Sec. 18 amends AS 25.27.255 to establish that CSED may withhold from the obligee the amounts due to the Alaska Native family assistance program when making distributions to the obligor under a withholding order.

Section 19:

Amends state procurement code at AS 36.30.850(b) to exclude contracts with Alaska Native organizations operating an Alaska Native family assistance program from the general provisions of the state procurement code.

Section 20:

Amends AS 47.27.005, governing the duties of the department to include the establishment of regional plans necessary to meet conditions that are influenced by local conditions and vary from region to region. Other changes in this section correct terminology without changing the meaning of the law.

Section 21:

Amends AS 47.27.005 to allow the department to adopt program standards for regional plans that depart from the standards of the general ATAP program as long as the plan contains specific program elements identified by section 23 of this legislation.

Section 22:

Amends the provision concerning the required assignment of child support rights by recipients of temporary assistance by adding three new sections to establish that the participants of an Alaska Native family assistance program must assign child support rights to the Alaska Native family assistance program. These provisions also require that the participant cooperate with the child support enforcement agency and that the Alaska Native family assistance program must provide timely information to the child support agency to effectuate the assignment.

Section 23:

This section contains the substance of the legislation. It creates two new sections in statute authorizing the department to award Alaska Native family assistance grants and to contract with organizations to administer regional public assistance programs that are based on a federally approved tribal TANF plan. It specifies:

- Only Alaska Native organizations that have received approval of a tribal TANF plan and agree to operate an Alaska Native family assistance program under an approved plan are eligible for grant.
- The Alaska Native family assistance plan approved under this section must be operated on a state fiscal year basis.
- The process the department shall use to review a letter of intent and the subsequent grant proposal submitted by an Alaska Native organization before approving an Alaska Native family assistance grant.
- Guidelines for determining the grant amount for the first fiscal year and providing for specific allocation for Alaska Native family assistance grants by the legislature within the appropriations for public assistance programs in subsequent fiscal years.
- Standards the program must meet for plan approval by the department.
- Provisions for safeguarding confidentiality, record sharing, and data and fiscal record collection and exchange.
- The steps to take in order to terminate an Alaska Native family assistance program.
- Designation of the Alaska Native family assistance program as the program to serve all persons eligible for the program within the region and provision for appeal procedures.
- A provision permitting a person eligible for the Alaska Native family assistance program to make a request to receive the state program.

The second part of this section proposes AS 47.27.072, which establishes the authority of the department to develop and implement regional public assistance programs and authorizes the department to award contracts for the implementation of regional assistance programs. The region to be served in a regional public assistance program under this section may be a part of the region that is served by the Alaska Native family assistance program. Contracts under this section are exempt from competitive bid requirements of the state procurement code. Under this section, the department may only

contract for the implementation of a regional public assistance program within a region if:

- An Alaska Native organization is authorized to operate a federally approved family assistance program that provides services in the area that includes that region.
- The organization has been awarded an Alaska Native family assistance grant.
- The regional plan will serve eligible state residents not covered by the federally approved family assistance program.
- The organization agrees to provide state public assistance identical to that provided by the federally approved family assistance plan.

It also mandates the department's access to the Alaska Native organization's quarterly TANF fiscal reports, requires annual audits by a CPA and addresses safeguarding of confidential records and the development of an appeals process.

Section 24:

Defines "federally approved tribal family assistance plan."

Section 25:

Provides a mechanism for the transition of existing grants with Alaska Native Organizations operating under Alaska temporary assistance program (ATAP) grants to the grants and contracts authorized under this Act.

Section 26:

Provides instructions to the revisor of statutes to retain the language of the amendments made by this bill to the child support enforcement provisions if the repeal provisions established in 1997 and 1998 child support legislation take effect on July 1, 2001.

Section 27:

Establishes an effective date of January 1, 2001.

SENATE FINANCE COMMITTEE

SIGN-IN

HB 98-PUB.ASSISTANCE:PROGRAMS/GRANTS/CONTRACTS

NAME: Tim Nordlund Subject/Bill No: HB98
Co./Dept./Title: Director DPA Phone: x 5835
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: Kosken Bonengen Subject/Bill No: HB98
Co./Dept./Title: Asst Attorney General Phone: x 3600
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

Teleconference - Available if any questions

Off-Net 1

HB98 Diane Wendlandt, Dept. Law

Anc Liu

HB105 Kit Roberts

HB325 Leonard Anderson

Off-Net 2

HB 239

Jerry Kurtz - to testify

H

10

(Fi

B

00

1)

HFIN

FILE

Adopted no/obj

#2a

AMENDMENT

OFFERED IN THE HOUSE

BY: Rep Mulder

TO: CHHB 100, Draft Version "H" dated 3/7/99

Page 3 Line 9

Delete: 316,000 and 316,000

Insert: 331,000 and 331,000

This amendment corrects an error in the draft. The reduction proposed by the department was \$35,000, not \$50,000. This makes the draft consistent with the spreadsheet.

Held #2b
~~Adopted~~
no/obj

AMENDMENT

OFFERED IN THE HOUSE

BY: Rep Mulder

TO: CHHB 100, Draft Version "H" dated 3/7/99

Page 9 Line 30

Delete: 3,102,900 and 2,720,500

Insert: 3,202,600 and 2,820,200

This amendment balances the DOT/PF section to account for the deletion of the former subsection 18(e) which would have authorized an increase of 100,000 in program receipts. This corrects the Draft to reflect the net number intended.

Adopted #3
no/obj

1-GH1023\H.1
Cramer ✓
3/8/99

AUSTELMAN

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 100(FIN), Draft Version "H" dated 3/7/99

- 1 Page 13, following line 9:
- 2 Insert a new bill section to read:
- 3 "* Sec. 24. FISH AND GAME. The sum of \$50,000 is appropriated from general fund
- 4 ^{statutory designated} program receipts to the Department of Fish and Game for the pink salmon pre-emergent fry
- 5 sampling program in the Kodiak Management Area for the fiscal year ending June 30, 1999."

- 6 Renumber the following bill sections accordingly.

Administrative Office
20520 Brown Road
Monroe, Washington 98272
Telephone (425) 486-9872
Fax (425) 487-9122

The Cannery (seasonal)
P.O. Box 38
Larsen Bay, Alaska 99624
Telephone (907) 847-2250
Fax (907) 847-2244



February 25, 1999

Representative Alan Austerman
State of Alaska, House of Representatives
Alaska State Capital
Juneau, Alaska 99801

RE: Funding of Kodiak Island ADF&G pre-emergence studies

Dear Representative Austerman:

This letter serves to confirm the availability of funds in an amount up to \$50,000 to be used specifically for the 1999 pre-emergence studies in the Kodiak Island Salmon Management Area.

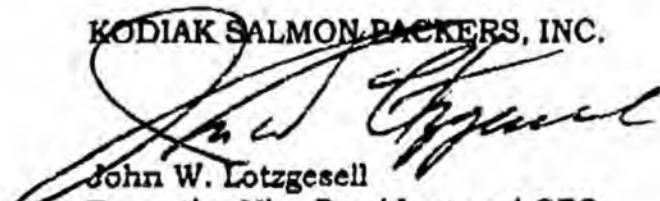
We are acutely aware of the fiscal challenges the State of Alaska is facing. While we hope that private funding of a project that was formerly covered under the State's expenditures does not set a precedent, we feel the information is critical to the local salmon industry - both from a processing and a harvester perspective.

If you have any questions, or are in need of further details, please do not hesitate to contact me at our Monroe offices.

In appreciation of your continued support and cooperation, I remain

Sincerely,

KODIAK SALMON PACKERS, INC.


John W. Lotzgesell
Executive Vice President and CFO

TO: Geron Bruce
Legislative Liaison
Commissioner's Office

DATE: February 25, 1999

Alaska Department of Fish and Game
Juneau

FROM: Peter J. Probasco
Regional Supervisor
Division of Commercial Fisheries
Management and Development
Kodiak

FAX NO: (907) 486-1841
TELEPHONE NO: (907) 486-1801
File: h:Gbruce02251999.doc

Subject: Kodiak management area - Pre-emergent fry sampling.

The Alaska Department of Fish and Game has been contacted by a group of Kodiak processors (letter attached) who are willing to contribute \$50,000 to fund the operation of the Kodiak archipelago pre-emergent fry sampling project this spring. This project's funding was cut for fiscal years FY98 and FY99, in order to meet fiscal year budget reductions.

The purpose of this memo is to provide you with a project description and associated costs. My understanding is this information is needed by Representative Alan Austerman to justify his request for an increase in program receipt authority in FY99 for ADF&G.

Project Description

The pink salmon pre-emergent fry sampling program estimates over-winter stream mortality. These data are used in conjunction with escapement estimates to forecast the future return of pink salmon to the Kodiak Management Area. Pink salmon are very important to the commercial fisheries of Kodiak, providing more fish and poundage than all other salmon species combined. Pink salmon returns are highly variable, dependent on escapement and environmental conditions affecting annual survival. Returns have ranged from approximately 2 million to 55 million adults. Forecasting salmon returns is important for industry planning. Pre-emergent sampling has been conducted on KMA streams since 1966.

Project costs

Line - 100	\$ 11.5
Line - 200	\$ 0.0
Line - 300	\$ 33.0
Line - 400	\$ 5.0
Line - 500	\$ 0.0
Total	\$ 49.5

Actual sampling procedure requires a three-man crew to be transported to specific sites on key index streams by helicopter. A Bell 206L1 "Long Ranger" helicopter is contracted for this work. ADF&G applies for "Special Use Permits" with U.S. Fish & Wildlife Service and the National Park Service to access streams located within these agencies respective boundaries. Salmon fry excavation and enumeration is accomplished by using a water pump to force an air/water mixture through a steel probe at random points within the pre-selected portion of each stream bed. A circular collection frame, approximately two feet in diameter, circumscribes the area excavated and all light material, including eggs and fry, which bubble up out of the gravel are swept into a tapered collection net attached to the downstream side of the collection frame. The contents of the net are emptied into a plastic pan, and fry and eggs are identified and counted. The number of live fry for each stream is used to determine each stream's fry index of relative abundance.

February 25, 1999

Proper management of Kodiak's major commercial pink salmon fisheries are greatly assisted in having an accurate measure (forecast) of potential run strength and distribution. This information greatly assists Kodiak processors and fishermen in preparing for the upcoming salmon season.

Cc: D. Mecum, W. Donaldson, D. Prokopowich

Alaska House of Representatives

#4

Richard Foster
P.O. Box 1630
Nome, Alaska 99762-1630
907-443-5036
Fax 907-443-2162



During Session
State Capitol
Juneau, Alaska 99801-1182
907-465-3789
1-800-478-3789
Fax 907-465-3242

Majority Whip

HOUSE BILL 100
Amendment No. _____

Adopted

OFFERED IN THE HOUSE FINANCE COMMITTEE
BY: REPRESENTATIVE RICHARD FOSTER

Amendment 4
Section 16 page 10, line 10, Maintenance and Operations, Northern Region Highways and Aviation, is amended to add \$ 235,650 increasing the total appropriation to \$37,342,650 and the General Fund to \$36,558,450

The increment is for manually opening the following roads spring of 1999.

Taylor Highway	\$132,000
Boundary Spur	10,500
McCarthy Road	8,700
Nome/Teller Road	35,700
Nome/Council Road	34,700
Glacier Creek/Nome	10,100
Fairbanks Creek Road;	3,950
Tofty Road/Manley;	
Eureka/Rampart	

Kougarok Road/Nome
Dettler By BASS 43,000

Pro Rate to Retain \$ 235,650
or total \$ 37,342,650

03/08/99

Power Cost Equalization

failed

AMENDMENT # 5

By: Rep. Grussendorf

TO: CSHB 100 (FIN)

Page 4, line 6:

Insert new section:

DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS.

The sum of \$1,400,000 is appropriated from the power cost equalization and rural electric capitalization fund (AS 42.45.100) to the Department of Community and Regional Affairs for the power cost equalization program for the fiscal year ending June 30, 1999.

Renumber all sections accordingly.

ROLL CALL: HOUSE FINANCE COMMITTEE

Date 3/9/99

Subject: Am 5

Member	YES	NO
J. DAVIES	✓	
G. DAVIS		✓
FOSTER	✓	
GRUSSENDORF	✓	
KOHRING		✓
MOSES	✓	
WILLIAMS	✓	
AUSTERMAN		✓
BUNDE		✓
MULDER		✓
THERRIAULT		✓

TOTAL

--	--

PASSED _____

FAILED 5-6

03/08/99

Perseverance Trail Repairs

failed

AMENDMENT # *6*

By: **Rep. Grussendorf**

TO: **CSHB 100 (FIN)**

Page 1, lines 10-13:

* **Sec. 2. DISASTER RELIEF FUND.** The sum of \$12,131,500 [\$11,997,000] is appropriated to the disaster relief fund (AS 26.23.300) for costs associated with declared disasters from the following sources:

General Fund	<u>\$9,731,500</u>	[\$9,597,000]
--------------	--------------------	---------------

ROLL CALL: HOUSE FINANCE COMMITTEE

Date 3/8/99

Subject: 6 HB 100

Member	YES	NO
G. DAVIS		✓
FOSTER	✓	
GRUSSENDORF	✓	
KOHRING		✓
MOSES	✓	
WILLIAMS		✓
AUSTERMAN	✓	
BUNDE		✓
J. DAVIES	✓	
TERRIAULT		✓
MULDER		✓

TOTAL

--	--

PASSED _____

FAILED _____

W/D

Amendment

7

Offered in House Finance
To: CSHB 100 (FIN)

BY REPRESENTATIVE JOHN DAVIES

- 1. Page 10, Sec 16, line 10,
- 2. Amended to read "Northern Region Highways and 37,381,800 36,597,600"

The intent of this amendment is to restore funds to manually open the following highways / roads as described in the March 5, 1999 letter from Commissioner Joe Perkins to Representative Eldon Mulder.

1.	The Taylor Highway	
	a. Taylor Highway /Eagle	\$132,000
	b. Boundary Spur	\$10,500
3.	Nome - Teller	\$35,700
5.	Nome / Council	\$37,700
6.	Glacier Creek /Nome	\$10,100
9.	Fairbanks Creek Road	\$3,950
	Tofty Road / Manley	
	Eureka / Rampart	
10.	U.S. Creek	\$1,850
11.	Kougarok Road /Nome	\$43,000
	Dexter Bypass	
	Total	\$274,800

#1

AMENDMENT

A dopted no/obj

OFFERED IN THE HOUSE

TO: CHHB 100, Draft Version "H" dated 3/7/99

Page 7 Line 23

Delete: 13,264,600 and 15,132,200

Insert: 13,921,500 and 14,475,300

This amendment will limit the transfer of funds to the specific amount needed to fund the short fall in CAMA for FY 99

Failed

AMENDMENT 8

BY: Rep.

House Finance Committee
FY'99 Supplemental Budget

To: CSHB 100 (HFC work draft 3/7/99)

Page 1, Section 2. Disaster Relief Fund.

Page 1, line 10

Delete "\$11,997,000"

Insert "\$13,673,600"

Page 1, line 13

Delete "\$9,597,000"

Insert "\$11,273,600"

This provides full funding for Western Alaska Fisheries Disaster.

ROLL CALL: HOUSE FINANCE COMMITTEE

Date _____

Subject: Am 8

Member	YES	NO
FOSTER	✓	
GRUSSENDORF	✓	
KOHRING		✓
MOSES	✓	
WILLIAMS		✓
AUSTERMAN		✓
BUNDE		✓
J. DAVIES	✓	
G. DAVIS		✓
MULDER		✓
TERRIAULT		✓

TOTAL

4	3
---	---

PASSED _____

FAILED _____

failed
3-7

AMENDMENT 9

BY: Rep. Davies

House Finance Committee
FY'99 Supplemental Budget

To: CSHB 100 (HFC work draft 3/8/99)

page 3 after line 10

Sec. 5 Department of Corrections: Cleary.

Add new subsection.

(i) "The sum of \$170,000 is appropriated from the general fund to the Department of Corrections, division of institutions, for staffing related costs at the Cook Inlet Correctional Center for the fiscal year ending June 30, 1999."

ROLL CALL: HOUSE FINANCE COMMITTEE

Date _____

Subject: Am 9

Member	YES	NO
GRUSSENDORF	✓	
KOHRING		✓
MOSES	✓	
WILLIAMS		✓
AUSTERMAN		✓
BUNDE	—	
J. DAVIES	✓	
G. DAVIS		✓
FOSTER		✓
TERRIAULT		✓
MULDER		✓

TOTAL

3	1
---	---

PASSED _____

FAILED ✓

Failed

AMENDMENT 10

BY: Rep. Davies

House Finance Committee
FY'99 Supplemental Budget

To: CSHB 100 (HFC work draft 3/7/99)

Sec. 5 Department of Corrections: Cleary.
Page 2

(c) The sum of "\$3,130,000" [\$3,050,000] is appropriated from the general fund to the Department of Corrections, division of institutions, for increased costs associated with out-of-state contract beds for the fiscal year ending June 30, 1999.

ROLL CALL: HOUSE FINANCE COMMITTEE

Date _____

Subject: Am 10

Member	YES	NO
KOHRING		✓
MOSES	✓	
WILLIAMS		✓
AUSTERMAN		✓
BUNDE		—
J. DAVIES	✓	
G. DAVIS		✓
FOSTER		✓
GRUSSENDORF	✓	
MULDER		✓
THERRIAULT		✓

TOTAL

3	7
---	---

PASSED _____

FAILED _____

Failed

2-7

AMENDMENT 11

BY: Rep.

House Finance Committee
FY'99 Supplemental Budget

To: CSHB 100 (HFC work draft 3/7/99)

Page 13, Lines 10-11

Delete Section 24 (VPSO Parole Supervision Pilot Program)

ROLL CALL: HOUSE FINANCE COMMITTEE

Date _____

Subject: Am 11

Member	YES	NO
MOSES		
WILLIAMS		✓
AUSTERMAN		✓
BUNDE		
J. DAVIES	✓	
G. DAVIS		✓
FOSTER		✓
GRUSSENDORF	✓	
KOHRING		✓
THERRIAULT		✓
MULDER		✓

TOTAL

2	7
---	---

PASSED _____

FAILED _____

Amended

Adopted
w/obj

Amendment 12

Offered in House Finance
To: CSHB 100 (FIN)

BY REPRESENTATIVE JOHN DAVIES

1. Page 8, Sec 12, line 12,
2. Amended to read "**Sec 12. Department of Natural Resources. The sum of ~~\$78,270 is~~'

\$92,0

This amendment is to fund a Program Service Aides in the Fairbanks and Anchorage
Recorders office.

w/D

AMENDMENT 13

BY: Rep.

House Finance Committee
FY'99 Supplemental Budget

To: CSHB 100 (HFC work draft 3/7/99)

Page 1, Section 2. Disaster Relief Fund.

Page 1, line 10

Delete "\$11,997,000"
Insert "\$13,331,500"

Page 1, line 13

Delete "\$9,597,000"
Insert "\$10,931,500"

This provides full funding for Southeast rain/wind disaster.

adopted

#14

This proposed amendment is based on the amended version of CSHB 100 (FIN)

Section 9 (l) of CSHB 100 (FIN) should be amended to read:

	ALLOCATIONS	APPROPRIATION ITEMS	GENERAL ITEMS	OTHER FUNDS
Public Assistance Admin		<u>66,581,100</u> [65,466,100]	<u>25,491,000</u> [25,521,000]	<u>41,090,100</u> [39,945,100]
Public Assistance Administration		<u>1,653,100</u> [1,683,100]		
Quality Control		988,100		
Public Assistance Field Services		22,581,700		
Fraud Investigation		1,156,400		
Public Assistance Data Processing		4,919,900		
Alaska Work Program		10,424,100		
Child Care Benefits		<u>24,857,800</u> [23,712,800]		

Adopted
AMENDMENT

15

7-2

M. J. ...

OFFERED IN THE HOUSE

TO: CHHB 100, Draft Version "H" dated 3/7/99

Page 13 Line ~~7~~ 2 f. 3

Delete: [, NOT TO EXCEED \$700,000,001,]

Insert: Insert ", not to exceed 900,000,001,"

ROLL CALL: HOUSE FINANCE COMMITTEE

Date _____

Subject: 15

Member	YES	NO
WILLIAMS	✓	
AUSTERMAN	✓	
BUNDE		
J. DAVIES		✓
G. DAVIS	✓	
FOSTER	✓	
GRUSSENDORF		✓
KOHRING	✓	
MOSES		
MULDER	✓	
TERRIAULT	✓	

TOTAL

--	--

PASSED _____

FAILED _____

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: February 19, 1999

FURTHER REFERRALS:

Date of Committee Action: 3/9/99

The FINANCE Committee considered:

HB 100

HOUSE BILL NO. 100

SUPPLEMENTAL/CAPITAL APPROPS

"An Act making and amending capital, supplemental, and other appropriations, and appropriations to capitalize funds; ratifying certain expenditures; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 100 (FIN) the same title
 a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(s):	(Dept)	APPROVES PREVIOUS:	(Dept/Date)
<input type="checkbox"/> fiscal note(s) _____		<input type="checkbox"/> fiscal note(s) _____	
<input type="checkbox"/> zero fiscal note(s) _____		<input type="checkbox"/> zero fiscal note(s) _____	

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Gene Thurnau</i> Thurnau	X			
<i>Ed Mulder</i> Mulder	X			
<i>Mike Kohring</i> Kohring				X
<i>Allen Austerman</i> Austerman			X	
<i>John J. Davies</i> J. Davies				X
<i>Alan Grussendorf</i> Grussendorf				X
<i>John G. Davis</i> G. Davis			X	
<i>William Williams</i> Williams			X	
<i>John Foster</i> Foster	X			
<i>Ed Moses</i> MOSES			X	

CO CHAIR'S SIGNATURE

Thurnau
Mulder

AMENDMENT

#16
NO OBJ

OFFERED IN THE HOUSE

TO: CHHB 100, Draft Version "H" dated 3/7/99

BY: Rep. Mulder

Page 3 Line 22

Delete: 227,000
Insert: 297,000

This amendment restores the funding for remodeling newly acquired space in the same building now occupied by the Public Defender, thereby saving additional costs of establishing a full support system for offices separate from the current office.

NO OBJ

Amendment

By: Williams

17

Offered in House Finance
To: CS for HB100

Page 10, line 12
Add the following subsection:

(h) Section 31, ch. 137, SLA 1998, page 60, lines 17-20, is amended to read:

	ALLOCATIONS	APPROPRIATION ITEMS	GENERAL FUND	OTHER FUNDS
Statewide Design and Engineering Services		<u>31,215,500</u>	<u>1,936,200</u>	29,279,300
Headquarters	<u>5,959,200</u>	[31,145,500]	[1,866,200]	
Design and Engineering Services	[5,889,200]			

This amendment adds \$70.0 in general fund program receipts to the Department of Transportation & Public Facilities, Division of Design and Engineering Services for utility permit issuance.

w/d

#18

AMENDMENT

OFFERED IN THE HOUSE

BY: Rep. Bunde

TO: CHHB 100, Draft Version "H" dated 3/7/99

Page 3 Line 7

Delete:	\$880,000
Insert:	\$852189

The Department of Administration Information Technology Group has reevaluated their charge back to CSED. Therefore CSED will not have to pay \$27811 to DOA. The amount of \$852189 is the difference.

Replaced
~~19~~

AMENDMENT

OFFERED IN THE HOUSE

BY: Rep. Bunde

TO: CHHB 100, Draft Version "H" dated 3/7/99

Page 9 Line 7

Delete:	\$830,000
Insert:	\$421,889

Reappropriate \$430,300 in Federal indirect receipts that may be used as state funds for the CSED shortfall. This use of federal receipts has been verified with the federal Region X auditor as an appropriate use of federal indirect funds as long as a specific appropriation is made by the legislature identifying the source of funds.

The Department of Administration Information Technology Group has reevaluated their charge back to CSED. Therefore CSED will not have to pay \$27,811 to DOA.

adopted
NO OBJ.

New #19

AMENDMENT

OFFERED IN THE HOUSE

BY: Rep. Bunde

TO: CHHB 100, Draft Version "H" dated 3/7/99

Page 9 Line 7

Delete:	\$880,000	GF
Insert:	\$421,889	GF
Insert:	<u>\$430,300</u>	Fed Rcpts
Total:	\$852,189	

Reappropriate \$430,300 in Federal indirect receipts that may be used as state funds for the CSED shortfall. This use of federal receipts has been verified with the federal Region X auditor as an appropriate use of federal indirect funds as long as a specific appropriation is made by the legislature identifying the source of funds.

The Department of Administration Information Technology Group has reevaluated their charge back to CSED. Therefore CSED will not have to pay \$27,811 to DOA.

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: February 19, 1999

FURTHER REFERRALS:

Date of Committee Action: 3/9/99

The FINANCE Committee considered:

HB 100

HOUSE BILL NO. 100

SUPPLEMENTAL/CAPITAL APPROPS

"An Act making and amending capital, supplemental, and other appropriations, and appropriations to capitalize funds; ratifying certain expenditures; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 100 (FIN) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) _____ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Gene Thomaault</i>	Thomaault	X			
<i>Ed Mulder</i>	Mulder	X			
<i>Eric Kohring</i>	Kohring				X
<i>Allen Austerman</i>	Austerman			X	
<i>John J. Davies</i>	J. Davies				X
<i>Alan Grussendorf</i>	Grussendorf				X
<i>Gene Davis</i>	G. Davis			X	
<i>William Williams</i>	Williams			X	
<i>John Foster</i>	Foster	X			
<i>Ed Moses</i>	MOSES			X	

CO CHAIR'S SIGNATURE *Gene Thomaault* *Ed Mulder*
Thomaault mulder

HOUSE FINANCE COMMITTEE CS for HB 100
FY 1999 Supplemental Appropriation

GOV #	HCS #	Department	Component	Supplemental Purpose	Gov.'s Proposed		Gov.'s Amended		House		Notes	
					GF	Non-GF	GF	Non-GF	GF	Non-GF		
3	1	1	Comm & Reg Aff								Extended lapse date is needed to allow sufficient time for communities to complete current projects, and allow for the award and completion of new grants Fed grant ends 2/28/01.	
4	2	2	Military & Vet Affairs			2,730.0	2,400.0	2,730.0		1,395.5	Delete 1,200 for DOT/PF that will be recovered from Feds, Eliminate Perseverance Trail funding 134.5	
5	2	2	Military & Vet Affairs			278.1		278.1		278.1	Total cost of 740.0 reduced by existing Disaster Relief Fund Authorization	
6	2	2	Military & Vet Affairs			9,600.0		9,600.0	2,400.0	7,923.4	2,400.0	1,878.6 will be made available in FY00 matching grant funds
7	3	3	Natural Resources			7,000.0		7,000.0		7,000.0		FY 1999 year to date
8	4	4	Law			2,094.9	15.3	1,868.0	15.3	1,868.0	15.3	GF and PERS Fund
9						21,703.0	2,415.3	21,476.1	2,415.3	18,465.0	2,415.3	
11	5a	out	Corrections	Cook Inlet	Cook Inlet staffing to increase maximum bed capacity	350.0		170.0		0.0		CLEARY - Reduce vacancy to allow for an increase in available beds from 403 to 460. Cleary allows a facility to exceed its emergency capacity if certain staffing/prisoner ratios.
12	5b	5a	Corrections	Inmate health Care	Inmate Health Care	500.0		500.0		500.0		Prisoners are being sent to Arizona, hold instate facilities staff constant increased cost for medical care services resulting primarily from increases in medical supplies and laboratory expenditures
13	5c	5b	Corrections	Institution Director's	Tents for May and June	300.0		100.0		100.0		Operational costs for housing prisoners in tents at Fairbanks in the months of May and June 1999
14	5d	5c	Corrections	Out-of-State contracts	Out -of -state beds contract price adjustment per agreement in May to budget beds at \$45 while RFP was on the street.	4,288.1		3,130.0		3,050.0		CLEARY-Decision made in May to budget at \$45/day since contract was out for RFP. Final contract \$53.00p/day This contract was out for RFP. Final contract \$53.00p/day. This funding will pay for 874 beds.
15	5e	5d	Corrections	Transportation & Class	Prisoner Transport	365.0		365.0		365.0		Eliminate additional PO, ask transportation be more efficient, considering funding of transportation request CLEARY - Increased number and costs of prisoners being transported both instate and to out-of-state facilities
16	5f-h	5e-h	Corrections	Various	Community Residential Centers reductions due to timing changes	(525.0)		(615.0)		(625.0)		CRC funding reductions due to timing changes: Nome -490; Bethel -50; Existing CRCs -50.0, CRC Offender Sup. -35.0
new		21	Corrections	Admin & Ops	Allows expenditure of secured Federal Funds for updating computer systems (OBSCIS & HOFA)						574.0	Allows expenditure of federal funds secured in excess of FY 98 authorization
new		24	Corrections	VPSO Parole Supervision Pilot Program						(115.0)		Contract not signed, not a time to begin new programs that are not mission critical. Currently being done with POs
17					CLEARY	5,278.1		3,650.0		3,275.0		
18	6a	6a	Administration	Finance	Travel savings analysis		35.0		35.0		35.0	Statutory Designated Program Receipts

HOUSE FINANCE COMMITTEE CS for HB 100
FY 1999 Supplemental Appropriation

GOV Sec #	HCS Sec #	Department	Component	Supplemental Purpose	Gov.'s Proposed		Gov.'s Amended		House		Notes	
					GF	Non-GF	GF	Non-GF	GF	Non-GF		
19	6b	6b	Administration	General Services	Federal surplus property fund		100.0		100.0	100.0	Environmental Assessment of fuel which spilled at the BIA administrative site in Bethel. The fuel had been transferred to the State's surplus property	
20	6c	6c	Administration	Leasing	Underfunding	678.4		678.4	678.4		Includes settlement costs of 40.0 GF. Down from earlier estimate of 1,096.6.	
21	6d	6d		Office of Public Advocacy	Underfunding	563.0		563.0	563.0		Based on caseload projections	
22	6e	6e		Public Defender	Underfunding	297.0		297.0	297.0		Had to fill positions in Barrow, Nome, Dillingham, Kotzebue, & Bethel due to caseload. Eliminate remodeling. Not critical can be addressed in FY 00	
23	6g	6g	Administration	Pioneers Home	Pioneers Home boiler replacement in Fairbanks (Pioneers' Home Receipts are GF)	500.0	537.0	500.0	537.0	500.0	537.0	500.0 excess Housing Receipts and 537.0 AHFC. Total project cost is 1,307.0
24	6h	6h	Administration	Pioneers Home	Certified nurse aides for Pioneers Homes with critical (Pioneers' Home Receipts are GF)	500.0		500.0		500.0		Excess housing Receipts for 5 Certified Nurse Aides for homes with critical staff shortages.
25	7	out	Comm & Reg Affairs		Power Cost Equalization program from PCE fund		1,700.0		1,400.0		0.0	Supplemental is needed in order to maintain the funding level at 85% of program need through the end of FY99. Statute required pro-ration to level of funding. Supplemental request ignores statute. Funding will reduce PCE funds available for FY 00
26	8	7	Corrections	Correctional Industries	Pay vendors for supplies & materials		750.0		750.0		750.0	Additional correctional industry production receipts from increased sales
27	9	out	Debt Service		FY 99 debt payments switch to AHFC	(1,143.0)		(1,143.0)		0.0		Reduce GF into Debt Retirement Fund in CH 137 SLA 99 due to lower than projected AHFC payments for FY99 capital
28	10a	8a	Education	AVTEC	Marine Simulator receipts		2,500.0		2,500.0		2,500.0	Fund source change to reduce appearance of GF. Can be discussed in FY00
29	10b	8b	Education	Foundation	Foundation formula reduction - Alyeska Central School summer school	(1,500.0)		(4,000.0)		(4,000.0)		Federal receipts not previously anticipated for Marine Simulator program at AVTEC-funds needed now so program can be ready for Fall 99
30	10c	8c	Education	Voc Rehabilitation	Change funding source from Statutory Designated PR to the Vocational Rehabilitation Small Business							Due to lower completion rate in Alyeska Central School summer session and reduced ADM in Foundation Formula
31	11e	9a	Health & Social Services	Chronic and Acute Medical Assistance	(Formerly General Relief Medical - GRM) Underfunded for anticipated caseload	1,200.0		1,145.0		1,145.0		Net zero, non-GF funding switch. This adjustment is in the FY 2000 budget request.
		9l	Health & Social Services	Public Assistance Administration	Authorize use of federal funds to offset child assistance funds moved to CAMA. Also GF savings in Pub Ast Adm	(30.0)		(30.0)		(30.0)	1,145.0	(Partially offset by reductions elsewhere within the department)
32	11o	out	Health & Social Services		Prior year medical claims	21.0		withdrawn		0.0		Dept of H & SS will move funds and exchange GF with C&RA. Effect is greater use of Fed funds
33	11m	0m	Health & Social Services	Subsidized Adoptions	Caseload growth	656.9	164.3	656.9	164.3	656.9	164.3	Withdrawn
												Partially offset by reductions elsewhere within the department

HOUSE FINANCE COMMITTEE CS for HB 100
FY 1999 Supplemental Appropriation

GOV Sec #	HCS Sec #	Department	Component	Supplemental Purpose	Gov.'s Proposed		Gov.'s Amended		House		Notes	
					GF	Non-GF	GF	Non-GF	GF	Non-GF		
34	11	9	Health & Social Services		Various deletions to offset formula and cost increases	(1,021.5)		(1,021.5)		(1,021.5)		Reductions to various programs from cost savings measures to partially offset needed supplemental funding (above) Other shortfalls in other programs were covered within existing appropriations, e.g. ATAP covered Adult Public Assistance and Longevity Bonus Dept of H & SS will move funds and exchange GF with C&RA . Effect is greater use of Fed funds
new		9o	Health & Social Services	Child Assistance Funds	Replace GF with available Federal Funds					(1,145.0)	1,145.0	
35	13	11	Law	Oil & Gas Litigation	Oil & Gas Litigation reduction	(100.0)		(100.0)		(182.0)		Reduction to help offset cost of supplemental More aggressive billing and management will save additional 150.0
36	12	10	Natural Resources		Insert performance bond language							Net zero appropriation to use proceeds from bonds guaranteeing the reclamation of state land
37	14	12	Natural Resources	Recorder's Office	Increased workload	92.0		92.0		92.0		Recording activity increased due to refinancing and increased mining activity
38	15a,b	12a,b	Public Safety	Alaska State Troopers	Net zero 200.0 transfer from AST to AST Detachments							Technical adjustment
39	15c	12d	Public Safety	AST Detachments	Unanticipated costs	312.7		312.7		249.6		Unexpected cost increases for Employee moves (63.1); academy cost (103.5); aircraft & Helo repairs (112.0); Communication costs (34.1)
40	16	14	Public Safety	Fish & Wildlife Protection	Lapse date extension to allow for replacement of vessels							Eliminate moving costs.
41	17	15	Revenue	Child Support enforcement	Replace federal funds lost due to lower ATAP collections	880.0		880.0		421.9	430.3	Technical change: original appropriation should have been a capital item
new		23	Revenue	Treasury	Fund CBR investment management costs	460.0		460.0		460.0		Reduction in charge backs from Admin and recalculation of indirect cost fund match
42	18a-c	16ab	Transportation	International Airports	Add/delete capital supplemental for Fed aviation program							Failed CBR vote in 1998
43	18g,h,i	16a-h	Transportation	Various	Delete GF/PR where receipt shortfalls are forecast in FY 99	(307.9)		(307.9)		(307.9)		Fund source change (IARF to Fed Rcpts) and scope change
		16g	Transportation	Northern Region	Plow roads					235.7		Open roads that were planned to be plowed open in FY 99 budget to allow those who planned on opening to fulfill commitments based on open roads
44	18d	new	Transportation	Measurement Standards	Transfer unused GF/PR to Design & Engineering	100.0		100.0		70.0		Delete, can deal with this in FY 00 Budget
45	18e	16d	Transportation		Harborview facility maintenance	235.0		235.0		235.0		
46	19a	17	University	UAF	Arctic Research Center, non-GF				7,000.0		7,000.0	Approve now grant authorization for International Arctic Research Center (IARC) Receipts. Other subsections unnecessary
47	20	18	Various Agencies		Miscellaneous claims & state-dated warrants	69.0		81.2		81.2		Misc claims are prior year bills which cannot be paid from existing appropriations per AS 37.25 010(b) State-dated warrants are those warrants presented to the state for payment which are more than 2 years old
		24	Fish & Game	Com Fish	Receive designated grant						50.0	Private funding for 1999 pre-emergent Salmon fry sampling
48					SUBTOTAL - DELETE/ADD SUPPLEMENTALS	2,461.7	5,766.3	(102.1)	12,486.3	(500.8)	13,856.6	
49												
50	21	19	All departments		Governor's unallocated reductions	(6,251.0)		(6,251.0)		(6,251.0)		Belt-tightening announced 2/4

HOUSE FINANCE COMMITTEE CS for HB 100
FY 1999 Supplemental Appropriation

GOV Sec #	HCS Sec #	Department	Component	Supplemental Purpose	Gov.'s Proposed		Gov.'s Amended		House		Notes
					GF	Non-GF	GF	Non-GF	GF	Non-GF	
52				TOTAL DELETE/ADD SUPPLEMENTALS	(3,789.3)	5,786.3	(8,353.1)	12,455.3	(8,751.8)	13,856.6	
				TOTAL SUPPLEMENTAL	23,191.8	8,201.8	18,773.0	14,901.6	14,988.2	16,271.9	
				FY 99 spending plan supplemental target	16,500.0		16,500.0		16,500.0		
				Total above (below) spending target	6,691.8		2,273.0		(1,511.8)		
RATIFICATIONS											
54	22	20	Administration	Central Duplication	Ratification: FY98 shutdown costs (193.8)						
55	22	20	Education	District Support	Ratification: Adak school district close-out (FY97 & FY98) (136.2)						
56	22	20	Natural Resources	Fire Suppression	Ratification: FY98 fire (disaster) costs (5,391.0)						
57	22	20	Revenue	CSED	Ratification: FY98 costs (43.3)						
CBR Draw											
58	22			Increase cap on CBR draw to 900,000,001 for FY 1999							

1-GH1023\H

Cramer

3/7/99

Adopted
no lobby
3/8/99

CS FOR HOUSE BILL NO. 100(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

**"An Act making and amending capital, supplemental, and other appropriations;
2 making and amending appropriations to capitalize funds; ratifying certain
3 expenditures; making and amending appropriations under art. IX, sec. 17(c),
4 Constitution of the State of Alaska, from the constitutional budget reserve fund;
5 and providing for an effective date."**

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

**7 * Section 1. ECONOMIC DISASTER RELIEF. Section 4, ch. 34, SLA 1998, is amended
8 to read:**

9 Sec. 4. The appropriations made by this Act lapse June 30, 2001 [1999].

**10 * Sec. 2. DISASTER RELIEF FUND. The sum of \$11,997,000 is appropriated to the
11 disaster relief fund (AS 26.23.300) for costs associated with declared disasters from the
12 following sources:**

13 General fund \$9,597,000

1 Federal receipts 2,400,000

2 * Sec. 3. FIRE SUPPRESSION. The sum of \$7,000,000 is appropriated from the general
3 fund to the Department of Natural Resources for fire suppression activities for the fiscal year
4 ending June 30, 1999.

5 * Sec. 4. JUDGMENTS AND CLAIMS. The sum of \$1,883,300 is appropriated to the
6 Department of Law to pay judgments and claims against the state for the fiscal year ending
7 June 30, 1999, from the following sources:

8 General fund \$1,868,000

9 Public employees retirement trust fund 15,300

10 * Sec. 5. DEPARTMENT OF CORRECTIONS: CLEARY. (a) The sum of \$500,000 is
11 appropriated from the general fund to the Department of Corrections, division of institutions,
12 for increased prisoner health care costs for the fiscal year ending June 30, 1999.

13 (b) The sum of \$100,000 is appropriated from the general fund to the Department of
14 Corrections, division of institutions, for alternative-housing-related costs for the fiscal year
15 ending June 30, 1999.

16 (c) The sum of \$3,050,000 is appropriated from the general fund to the Department
17 of Corrections, division of institutions, for increased costs associated with out-of-state contract
18 beds for the fiscal year ending June 30, 1999.

19 (d) The sum of \$365,000 is appropriated from the general fund to the Department of
20 Corrections, division of institutions, for routine prisoner transportation costs for the fiscal year
21 ending June 30, 1999.

22 (e) Section 31, ch. 137, SLA 1998, page 25, lines 12 - 13, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
25 Existing Community	<u>13,489,500</u>	<u>11,404,600</u>	2,084,900
26 Residential Centers	[13,539,500]	[11,454,600]	

27 (f) Section 31, ch. 137, SLA 1998, page 25, line 14, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
30 Nome Culturally Relevant	<u>276,500</u>	<u>200</u>	276,300
31 CRC	[766,500]	[490,200]	

1 (g) Section 31, ch. 137, SLA 1998, page 25, line 15, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
4 Bethel Culturally Relevant	<u>94,800</u>	<u>42,600</u>	52,200
5 CRC	[144,800]	[92,600]	

6 (h) Section 31, ch. 137, SLA 1998, page 25, lines 27 - 28, is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
9 Community Residential Center		<u>316,000</u>
10 Offender Supervision		[366,000]

11 * Sec. 6. DEPARTMENT OF ADMINISTRATION. (a) The sum of \$35,000 is
 12 appropriated from statutory designated program receipts to the Department of Administration,
 13 division of finance, for additional operating costs for the fiscal year ending June 30, 1999.

14 (b) The sum of \$100,000 is appropriated from the surplus property special revolving
 15 fund (AS 44.68.130(c)) to the Department of Administration for the property management
 16 program for additional operating costs for the fiscal year ending June 30, 1999.

17 (c) The sum of \$678,400 is appropriated from the general fund to the Department of
 18 Administration for the leasing program for the fiscal year ending June 30, 1999.

19 (d) The sum of \$563,000 is appropriated from the general fund to the office of public
 20 advocacy, Department of Administration, for operating costs for the fiscal year ending June 30,
 21 1999.

22 (e) The sum of \$227,000 is appropriated from the general fund to the Public Defender
 23 Agency, Department of Administration, for operating costs for the fiscal year ending June 30,
 24 1999.

25 (f) The sum of \$500,000 is appropriated from Pioneers' Home receipts to the Pioneers'
 26 Homes, Department of Administration, for increased operating costs for the fiscal year ending
 27 June 30, 1999.

28 (g) The sum of \$500,000 is appropriated from Pioneers' Home receipts to the
 29 Department of Administration for boiler system replacement at the Fairbanks Pioneers' Home.

30 (h) The unexpended and unobligated corporate receipts balances of the appropriations
 31 made in sec. 10, ch. 4, FSSLA 1994, page 7, lines 30 - 31 (federal competitive grants/public

1 housing - \$7,076,000) and sec. 10, ch. 4, FSSLA 1994, page 7, line 32 (federal competitive
 2 grants - \$4,953,000), and the unexpended and unobligated corporate receipts balance, not to
 3 exceed \$176,834, of the appropriation made in sec. 10, ch. 4, FSSLA 1994, page 7, line 34
 4 (other competitive grants - \$1,300,000) are reappropriated to the Department of Administration
 5 for boiler system replacement at the Fairbanks Pioneers' Home.

6 * Sec. 7. DEPARTMENT OF CORRECTIONS. The sum of \$750,000 is appropriated from
 7 the correctional industries fund (AS 33.32.020(a)) to the Department of Corrections, for
 8 administrative and operational costs associated with the correctional industries program for the
 9 fiscal year ending June 30, 1999.

10 * Sec. 8. DEPARTMENT OF EDUCATION. (a) The sum of \$2,500,000 is appropriated
 11 from federal receipts to the Department of Education, Alaska vocational technical center, for
 12 a marine vessel simulator.

13 (b) Section 31, ch. 137, SLA 1998, page 26, lines 6 - 7, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ALLOCATIONS	ITEMS	FUNDS
16 K-12 Support	<u>726,760,700</u>	<u>672,851,000</u>	53,909,700
	[730,760,700]	[676,851,000]	
18 Foundation Program	<u>656,931,300</u>		
	[660,931,300]		

20 (c) Section 33, ch. 137, SLA 1998, page 74, line 8, is amended to read:

21 Statutory Designated Program Receipts	<u>881,600</u>
22 <u>Vocational Rehabilitation Small Business</u>	<u>165,000</u>
23 <u>Enterprise Fund</u>	[1,046,600]

24 * Sec. 9. DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (a) Section 131, ch.
 25 139, SLA 1998, page 51, lines 11 - 12, is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND
28 Emergency Medical Services	<u>311,600</u>	<u>311,600</u>
29 Communications Equipment (ED 99)	[341,600]	[341,600]

30 (b) Section 131, ch. 139, SLA 1998, page 51, lines 16 - 17, is amended to read:

	APPROPRIATION	GENERAL
--	---------------	---------

1		ITEMS	FUND
2	Vital Statistics Archive Imaging	<u>320,000</u>	<u>320,000</u>
3	and System Replacement (ED 3-4)	[340,000]	[340,000]

4 (c) Section 131, ch. 139, SLA 1998, page 51, lines 18 - 20, is amended to read:

5		APPROPRIATION	GENERAL	OTHER
6		ITEMS	FUND	FUNDS
7	Welfare Reform Information	<u>2,217,200</u>	<u>758,600</u>	1,458,600
8	System and Office	[2,417,200]	[958,600]	
9	Automation (ED 99)			

10 (d) Section 6, ch. 138, SLA 1998, page 14, lines 24 - 25, is amended to read:

11		APPROPRIATION	GENERAL	OTHER
12		ITEMS	FUND	FUNDS
13	Client Data Integration	<u>375,000</u>	<u>75,000</u>	300,000
14	Project (ED 99)	[400,000]	[100,000]	

15 (e) The sum of \$1,145,000 is appropriated from the general fund to the Department
 16 of Health and Social Services for catastrophic and chronic illness assistance for the fiscal year
 17 ending June 30, 1999.

18 (f) Section 3, ch. 138, SLA 1998, page 9, lines 17 - 22, is amended to read:

19		APPROPRIATION	GENERAL	OTHER	
20		ALLOCATIONS	ITEMS	FUND	FUNDS
21	Alcohol and Drug		<u>12,724,600</u>	<u>11,221,500</u>	1,503,100
22	Abuse Services		[12,808,600]	[11,305,500]	
23	Administration	1,103,500			
24	Alcohol and Drug				
25	Abuse Grants	9,067,700			
26	Correctional ADA				
27	Grant Services	281,800			
28	Rural Services	<u>2,271,600</u>			
29	Grants	[2,355,600]			

30 (g) Section 3, ch. 138, SLA 1998, page 9, line 23, is amended to read:

31		APPROPRIATION	GENERAL	OTHER
----	--	---------------	---------	-------

		ITEMS	FUND	FUNDS
1				
2	Community Mental Health	<u>26,061,600</u>	<u>24,621,700</u>	1,439,900
3	Grants	[26,286,200]	[24,846,300]	

4 (h) Section 3, ch. 138, SLA 1998, page 10, lines 10 - 16, is amended to read:

5 ALLOCATIONS

6	Psychiatric	<u>6,950,400</u>		
7	Emergency	[7,005,400]		
8	Services			
9	Services to the	<u>10,701,400</u>		
10	Chronically	[10,801,400]		
11	Mentally Ill			
12	Designated	1,046,300		
13	Evaluation and			
14	Treatment			
15	Services for	<u>6,349,800</u>		
16	Seriously	[6,419,400]		
17	Emotionally			
18	Disturbed Youth			

19 (i) Section 31, ch. 137, SLA 1998, page 41, lines 3 - 4, is amended to read:

	ALLOCATIONS	ITEMS	GENERAL FUND	OTHER FUNDS
20				
21				
22	State Health Services	<u>68,575,200</u>	<u>22,799,500</u>	45,775,700
23		[68,626,100]	[22,850,400]	

24	Nursing	<u>13,514,900</u>		
25		[13,524,900]		

26 (j) Section 31, ch. 137, SLA 1998, page 41, line 10, is amended to read:

27 ALLOCATIONS

28	Healthy Families	<u>1,175,200</u>		
29		[1,195,200]		

30 (k) Section 31, ch. 137, SLA 1998, page 41, line 25, is amended to read:

31 ALLOCATIONS

1 Community Health 1,575,200

2 Grants [1,596,100]

3 (l) Section 31, ch. 137, SLA 1998, page 36, lines 27 - 29, is amended to read:

4		APPROPRIATION	GENERAL	OTHER
5		ALLOCATIONS	FUND	FUNDS

6	Public Assistance	<u>65,436,100</u>	<u>25,491,000</u>	39,945,100
---	-------------------	-------------------	-------------------	------------

7	Administration	[65,466,100]	[25,521,000]	
---	----------------	--------------	--------------	--

8 Public Assistance 1,653,100

9 Administration [1,683,100]

10 (m) The sum of \$821,200 is appropriated to the Department of Health and Social
 11 Services for subsidized adoption and guardianship costs for the fiscal year ending June 30,
 12 1999, from the following sources:

13	General fund	\$656,900
----	--------------	-----------

14	Federal receipts	164,300
----	------------------	---------

15 (n) Section 3, ch. 138, SLA 1998, page 10, lines 17 - 18, is amended to read:

16		APPROPRIATION	GENERAL	OTHER
17		ITEMS	FUND	FUNDS

18	Community Developmental	<u>18,316,900</u>	<u>18,146,900</u>	170,000
----	-------------------------	-------------------	-------------------	---------

19	Disabilities Grants	[13,703,900]	[18,533,900]	
----	---------------------	--------------	--------------	--

20 (o) Section 31, ch. 137, SLA 1998, page 21, line 6, is amended to read:

21		APPROPRIATION	GENERAL	OTHER
22		ITEMS	FUND	FUNDS

23	Child Assistance	28,396,800	<u>13,264,600</u>	<u>15,132,200</u>
----	------------------	------------	-------------------	-------------------

24			[15,066,500]	[13,330,300]
----	--	--	--------------	--------------

25 * Sec. 10. INSURANCE AND BOND CLAIMS. Section 12, ch. 137, SLA 1998, is
 26 amended to read:

27 Sec. 12. INSURANCE AND BOND CLAIMS. (a) The amount necessary to
 28 fund the uses of the state insurance catastrophe reserve account described in
 29 AS 37.05.289(a) is appropriated from that account to the Department of Administration
 30 for those uses.

31 (b) Amounts equivalent to the amounts to be received in settlement of

1 claims against bonds guaranteeing the reclamation of state land are appropriated
 2 from the general fund to the agency secured by the bond for the purpose of
 3 reclaiming state land affected by a use covered by the bond.

4 * Sec. 11. DEPARTMENT OF LAW. Section 31, ch. 137, SLA 1998, page 45, lines 9 -
 5 11, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ALLOCATIONS	FUND	FUNDS
	ITEMS		
8 Oil and Gas Litigation	<u>6,184,100</u>	<u>5,690,600</u>	493,500
9 and Legal Services	[6,366,100]	[5,872,600]	
10 Oil & Gas Litigation	<u>5,808,400</u>		
11	[5,990,400]		

12 * Sec. 12. DEPARTMENT OF NATURAL RESOURCES. The sum of \$62,700 is
 13 appropriated from general fund program receipts to the Department of Natural Resources for
 14 workload increases at the state recorder's office for the fiscal year ending June 30, 1999.

15 * Sec. 13. DEPARTMENT OF PUBLIC SAFETY. (a) Section 31, ch. 137, SLA 1998,
 16 page 53, line 32, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
19 Alaska State Troopers	<u>12,418,000</u>	<u>8,231,900</u>	4,186,100
20	[12,618,000]	[8,431,900]	

21 (b) Section 31, ch. 137, SLA 1998, page 54, line 4, is amended to read:

	ALLOCATIONS
23 Criminal Investigations	<u>3,003,000</u>
24	[3,203,000]

25 (c) Section 31, ch. 137, SLA 1998, page 55, line 13, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
28 Alaska State Trooper	<u>33,164,400</u>	<u>31,648,600</u>	1,515,800
29 Detachments	[32,964,400]	[31,448,600]	

30 (d) The sum of \$249,600 is appropriated from the general fund to the Department of
 31 Public Safety, Alaska state trooper detachments, for program support costs for the fiscal year

1 ending June 30, 1999.

2 * Sec. 14. DEPARTMENT OF PUBLIC SAFETY: CAPITAL LAPSE PROVISION.

3 Section 127(b), ch. 139, SLA 1998, is amended to read:

4 (b) The appropriations made by secs. 3(a), 5, 6, 11, 12(d), 35(a)(2) - (6), 36,
5 45, 46, 62, 64, 65, 111, 115(b), 116, 119, 120, and 121(b)(2) - (10) of this Act are for
6 capital projects and lapse under AS 37.25.020.

7 * Sec. 15. DEPARTMENT OF REVENUE. The sum of \$880,000 is appropriated from the
8 general fund to the Department of Revenue, child support enforcement agency, to offset the
9 anticipated reduction in federal incentive payments for the fiscal year ending June 30, 1999.

10 * Sec. 16. DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES. (a)
11 Section 101, ch. 123, SLA 1996, page 88, line 18, is amended to read:

12 Federal Receipts 294,679,000
13 [293,627,900]

14 (b) Section 101, ch. 123, SLA 1996, page 88, line 22, is amended to read:

15 International Airport 19,490,900
16 Revenue Fund [20,542,000]

17 (c) Section 31, ch. 137, SLA 1998, page 61, lines 3 - 4, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
20 Statewide Facility	<u>18,021,600</u>	<u>15,632,400</u>	2,389,200
21 Maintenance and	[17,786,600]	[15,397,400]	
22 Operations			

23 (d) Section 31, ch. 137, SLA 1998, page 61, line 7, is amended to read:

24 ALLOCATIONS

25 Northern Region 7,657,100
26 Facilities [7,422,100]

27 (e) Section 31, ch. 137, SLA 1998, page 61, lines 24 - 25, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
30 Measurement Standards &	<u>3,102,900</u>	<u>2,720,500</u>	382,400
31 Commercial Vehicle	[3,466,900]	[3,084,500]	

1 Enforcement

2 (f) Section 31, ch. 137, SLA 1998, page 61, lines 26 - 27, is amended to read:

3	APPROPRIATION	GENERAL	OTHER
4	ITEMS	FUND	FUNDS
5	Central Region Highways and	<u>27,930.300</u>	<u>26,931,900</u>
6	Aviation	[27,952,100]	[26,953,700]

7 (g) Section 31, ch. 137, SLA 1998, page 62, lines 3 - 4, is amended to read:

8	APPROPRIATION	GENERAL	OTHER
9	ITEMS	FUND	FUNDS
10	Northern Region Highways and	<u>37,107,000</u>	<u>36,322,800</u>
11	Aviation	[37,128,800]	[36,344,600]

12 * Sec. 17. UNIVERSITY OF ALASKA. The sum of \$7,000,000 is appropriated from
13 university receipts to the University of Alaska, Fairbanks organized research, for new
14 international Arctic research projects for the fiscal year ending June 30, 1999.

15 * Sec. 18. MISCELLANEOUS CLAIMS. The following amounts are appropriated from
16 the general fund to the following agencies to pay miscellaneous claims and stale-dated
17 warrants for the fiscal year ending June 30, 1999:

18	DEPARTMENT	APPROPRIATION
19	Administration	\$27,415.62
20	Corrections	12,488.30
21	Education	2,976.81
22	Fish and Game	1,600.40
23	Health and Social Services	16,612.00
24	Law	300.00
25	Public Safety	793.00
26	Alaska Court System	18,973.24

27 * Sec. 19. FISCAL YEAR 1999 AUSTERITY PROGRAM. (a) Because general fund
28 revenue realized by the state treasury is less than revenue estimates used by the Twentieth
29 Alaska State Legislature in making appropriations from those funding sources for the fiscal
30 year ending June 30, 1999, the sum of \$6,251,000, appropriated from general fund sources in
31 secs. 31 and 32, ch. 137, SLA 1998, and secs. 3 and 4, ch. 138, SLA 1998, is repealed.

1 (b) The amount revealed in (a) of this section is allocated to the following executive
2 branch agencies in the following amounts:

3	Administration	\$ 636,200
4	Commerce and Economic Development	457,100
5	Community and Regional Affairs	111,400
6	Corrections	331,700
7	Education	309,000
8	Environmental Conservation	213,000
9	Fish and Game	548,100
10	Office of the Governor	297,000
11	Health and Social Services	1,012,400
12	Labor	124,100
13	Law	435,000
14	Military and Veterans' Affairs	125,700
15	Natural Resources	53,200
16	Public Safety	106,000
17	Revenue	108,600
18	Transportation and Public Facilities	900,500

19 (c) The Office of the Governor, office of management and budget, shall designate the
20 appropriations and specific general fund funding sources that will be reduced as necessary to
21 comply with (a) and (b) of this section.

22 (d) The reductions allocated in (b) of this section shall be achieved by implementing
23 the austerity program announced by the governor on February 4, 1999, for

- 24 (1) a hiring freeze;
25 (2) restrictions on nonessential travel; and
26 (3) reductions in state purchasing and contracting.

27 * **Sec. 20. RATIFICATIONS.** (a) The following departmental expenditures made in fiscal
28 years 1995, 1996, 1997, and 1998 are ratified to reverse the negative account balances in the
29 Alaska state accounting system in the amounts listed for each AR number. The appropriations
30 from which these expenditures were actually paid are amended by increasing them by the
31 amount listed as follows: