



LAWS OF ALASKA

2016

FOURTH SPECIAL SESSION

Source
CCS HB 257

Chapter No.
1

AN ACT

Making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; making supplemental appropriations; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Making appropriations for the operating and capital expenses of the state's integrated
2 comprehensive mental health program; making supplemental appropriations; and providing
3 for an effective date.

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(SECTION 1 OF THIS ACT BEGINS ON PAGE 2)

* **Section 1.** The following appropriation items are for operating expenditures from the general fund or other funds as set out in section 2 of this Act to the agencies named for the purposes expressed for the fiscal year beginning July 1, 2016 and ending June 30, 2017, unless otherwise indicated. A department-wide, agency-wide, or branch-wide unallocated reduction set out in this section may be allocated among the appropriations made in this section to that department, agency, or branch.

	Appropriation	General	Other
	Allocations	Items	Funds
	*****	*****	*****
***** Department of Administration *****			
	*****	*****	
Legal and Advocacy Services		2,310,500	2,101,700
Office of Public Advocacy	1,936,800		
Public Defender Agency	373,700		
	*****	*****	
***** Department of Corrections *****			
	*****	*****	
Health and Rehabilitation Services		8,221,300	7,716,000
Behavioral Health Care	6,609,800		
Substance Abuse Treatment	1,611,500		
Program			
	*****	*****	
***** Department of Education and Early Development *****			
	*****	*****	

A school district may not receive state education aid for K-12 support appropriated under Section 1 of the Act and distributed by the Department of Education and Early Development under AS 14.17 if the school district

(1) Has a policy refusing to allow recruiters for any branch of the United States Military, Reserve Officers' Training Corps, Central Intelligence Agency, or Federal Bureau of Investigation to contact students on a school campus if the school district allows college, vocational school, or other job recruiters on campus to contact students;

	Appropriation	General	Other
	Allocations	Items	Funds
<p>(2) Refuses to allow the Boy Scouts of America to use school facilities for meetings or contact with students if the school makes the facility available to other non-school groups in the community; or</p> <p>(3) Has a policy of refusing to have an in-school Reserve Officers' Training program or a Junior Reserve Officers' Training Corps program.</p>			
Teaching and Learning Support		452,800	377,800
Student and School Achievement	452,800		75,000
<p>The amount allocated for program administration and operations shall not include federal receipts for the ANSWERS program.</p> <p style="text-align: center;">* * * * *</p> <p style="text-align: center;">* * * * * Department of Health and Social Services * * * * *</p> <p style="text-align: center;">* * * * *</p>			
<p>At the discretion of the Commissioner of the Department of Health and Social Services, up to \$25,000,000 of unrestricted general funds may be transferred between all appropriations in the Department of Health and Social Services, except Medicaid Services.</p>			
Alaska Pioneer Homes		15,950,900	15,950,900
<p>It is the intent of the legislature that the Division of Pioneer Homes work to achieve savings through the privatization of food and janitorial services in all the Pioneer Homes as has been accomplished in the Juneau Pioneer Home.</p>			
Alaska Pioneer Homes Management	64,200		
Pioneer Homes	15,886,700		
<p>The amount allocated for Pioneer Homes includes the unexpended and unobligated balance on June 30, 2016, of the Department of Health and Social Services, Pioneer Homes care and support receipts under AS 47.55.030.</p>			
Behavioral Health		84,492,600	82,742,800
Behavioral Health Treatment and Recovery Grants	55,920,200		1,749,800
Alcohol Safety Action Program (ASAP)	1,362,000		

		Appropriation	General	Other
		Allocations	Items	Funds
			Funds	Funds
1				
2				
3	Behavioral Health	5,833,200		
4	Administration			
5	Behavioral Health	6,221,400		
6	Prevention and Early			
7	Intervention Grants			
8	Designated Evaluation and	3,957,700		
9	Treatment			
10	Alaska Psychiatric	6,358,700		
11	Institute			
12	Alaska Mental Health Board	951,300		
13	and Advisory Board on			
14	Alcohol and Drug Abuse			
15	Suicide Prevention Council	650,600		
16	Residential Child Care	3,237,500		
17	Children's Services		2,191,900	2,191,900
18	Children's Services	69,500		
19	Management			
20	Front Line Social Workers	148,500		
21	Family Preservation	726,000		
22	Foster Care Augmented Rate	500,000		
23	Foster Care Special Need	747,900		
24	Health Care Services		128,400	128,400
25	Residential Licensing	128,400		
26	Juvenile Justice		1,523,400	1,249,900
27	McLaughlin Youth Center	732,200		
28	Fairbanks Youth Facility	116,300		
29	Bethel Youth Facility	63,900		
30	Probation Services	611,000		
31	Public Assistance		13,200	13,200
32	Public Assistance	13,200		
33	Administration			

		Appropriation	General	Other
		Allocations	Items	Funds
			Funds	Funds
3	Public Health		1,704,800	1,454,400
4	Health Planning and Systems	802,000		
5	Development			
6	Nursing	98,200		
7	It is the intent of the legislature that, where possible, Public Health Nursing charge for			
8	services provided.			
9	Women, Children and Family	794,600		
10	Health			
11	Chronic Disease Prevention	10,000		
12	and Health Promotion			
13	Senior and Disabilities Services		25,000,500	23,672,900
14	Early Intervention/Infant	7,424,500		
15	Learning Programs			
16	Senior and Disabilities	3,073,800		
17	Services Administration			
18	General Relief/Temporary	740,300		
19	Assisted Living			
20	Senior Community Based	300,000		
21	Grants			
22	Community Developmental	12,516,400		
23	Disabilities Grants			
24	Commission on Aging	147,900		
25	Governor's Council on	797,600		
26	Disabilities and Special			
27	Education			
28	Departmental Support Services		459,800	459,800
29	Commissioner's Office	109,800		
30	HSS State Facilities Rent	350,000		
31	Medicaid Services		62,907,700	62,907,700

32 No money appropriated in this appropriation may be expended for an abortion that is not a
33 mandatory service required under AS 47.07.030(a). The money appropriated for Health and

	Appropriation	General	Other
	Allocations	Items	Funds
	Funds	Funds	Funds
1 Social Services may be expended only for mandatory services required under Title XIX of the			
2 Social Security Act and for optional services offered by the state under the state plan for			
3 medical assistance that has been approved by the United States Department of Health and			
4 Human Services.			
5 No money appropriated in this appropriation may be expended to pay for provider rate			
6 increases that are the result of an annual inflation adjustment. For purposes of this section,			
7 "annual inflation adjustment" means a revision required by regulation to an existing Medicaid			
8 payment rate that results in a new Medicaid payment rate that differs from the existing			
9 Medicaid payment rate by a percentage value or overall average net change value that is either			
10 listed in regulation or listed in the Consumer Price Index for all Urban Consumers, Global			
11 Insight's Healthcare Cost Review, or the Medicare Economic Index. Annual inflation			
12 adjustment does not include a revision required by regulation to a Medicaid payment rate that			
13 is the result of the rebasing of the Medicaid payment rate.			
14 Behavioral Health Medicaid	62,524,600		
15 Services			
16 Children's Medicaid	383,100		
17 Services			
18	*****	*****	
19	*****	*****	
20	*****	*****	
21	*****	*****	
22	*****	*****	
23	Department of Labor and Workforce Development	*****	
24	*****	*****	
25	*****	*****	
26	Vocational Rehabilitation	124,500	124,500
27	Client Services	124,500	
28	*****	*****	
29	*****	*****	
30	*****	*****	
31	Department of Law	*****	
32	*****	*****	
33	*****	*****	
34	Criminal Division	15,000	15,000
35	Third Judicial District:	15,000	
36	Anchorage		
37	Civil Division	98,800	98,800
38	Human Services	98,800	
39	*****	*****	

	Appropriation	General	Other
	Allocations	Items	Funds
	Funds		

***** **Department of Natural Resources** *****

It is the intent of the legislature that the Department of Natural Resources not purchase vehicles unless they are essential to work safety.

Administration & Support Services	4,418,900		4,418,900
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Mental Health Trust Lands	4,418,900		
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Administration

***** **Department of Revenue** *****

Alaska Mental Health Trust Authority	4,736,400	954,200	3,782,200
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Mental Health Trust	4,282,200		
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Operations

Long Term Care Ombudsman	454,200		
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Office

***** **University of Alaska** *****

It is the intent of the legislature that the Board of Regents of the University of Alaska return to the legislature with a specific plan for consolidation that includes specified timelines for anticipated results by the end of the 2016 calendar year; the plan would include, but would not be limited to, the university restructuring to one administrative unit with one accreditation.

It is the intent of the legislature that the University of Alaska prioritize and streamline its Personal Services within the Statewide Services Allocation.

It is the intent of the legislature that the University of Alaska conduct a comprehensive and transparent cost-to-revenue analysis, which does not include student fees or appropriations from the State of Alaska's General Funds as revenue, for all of its intercollegiate athletics programs; furthermore, the university is to report back to the legislature with its findings by the fifteenth day of the 2017 Legislative Session.

It is the intent of the legislature that the University of Alaska better utilize community buildings, school district buildings, and other facilities in close proximity to its existing "brick

* **Sec. 2.** The following appropriation items are for operating expenditures from the general fund or other funds as set out in the fiscal year 2017 budget summary by funding source to the state agencies named and for the purposes set out in the new legislation for the fiscal year beginning July 1, 2016 and ending June 30, 2017, unless otherwise indicated. The appropriations in this section fund legislation assumed to have passed during the second session of the twenty-ninth legislature. If a measure listed in this section fails to pass and its substance is not incorporated in some other measure, or is vetoed by the governor, the appropriation for that measure shall be reduced accordingly.

Appropriation

HB 188 PERSON W/DISABILITY SAVINGS ACCOUNTS

Department of Revenue
 Taxation and Treasury
 Treasury Division
 1092 MHTAAR

60,000

SB 74 MEDICAID REFORM;TELEMEDICINE;DRUG DATAS

Department of Health and Social Services
 Health Care Services
 Medical Assistance Administration
 1092 MHTAAR
 Senior and Disabilities Services
 Senior and Disabilities Services Administration
 1092 MHTAAR
 Medicaid Services
 Behavioral Health Medicaid Services
 1092 MHTAAR
 Health Care Medicaid Services
 1092 MHTAAR

291,000

1,434,300

425,000

7,500

SB 91 OMNIBUS CRIM LAW & PROCEDURE; CORRECTIONS

Department of Corrections
 Population Management
 Community Residential Centers

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

			New	
	Funding Source	Operating	Legislation	Total
5	Department of Administration			
6	1037 General Fund / Mental Health	2,101,700	0	2,101,700
7	1092 Mental Health Trust Authority	208,800	0	208,800
8	Authorized Receipts			
9	*** Total Agency Funding ***	2,310,500	0	2,310,500
10	Department of Corrections			
11	1037 General Fund / Mental Health	7,716,000	0	7,716,000
12	1092 Mental Health Trust Authority	505,300	0	505,300
13	Authorized Receipts			
14	1246 Recidivism Reduction Fund	0	1,000,000	1,000,000
15	*** Total Agency Funding ***	8,221,300	1,000,000	9,221,300
16	Department of Education and Early Development			
17	1037 General Fund / Mental Health	377,800	0	377,800
18	1092 Mental Health Trust Authority	75,000	0	75,000
19	Authorized Receipts			
20	*** Total Agency Funding ***	452,800	0	452,800
21	Department of Health and Social Services			
22	1037 General Fund / Mental Health	167,147,400	0	167,147,400
23	1092 Mental Health Trust Authority	3,601,300	2,157,800	5,759,100
24	Authorized Receipts			
25	1180 Alcohol and Other Drug Abuse	23,624,500	0	23,624,500
26	Treatment & Prevention Fund			
27	1246 Recidivism Reduction Fund	0	1,000,000	1,000,000
28	*** Total Agency Funding ***	194,373,200	3,157,800	197,531,000
29	Department of Labor and Workforce Development			
30	1092 Mental Health Trust Authority	124,500	0	124,500
31	Authorized Receipts			

			New	
		Operating	Legislation	Total
1				
2				
3	*** Total Agency Funding ***	124,500	0	124,500
4	Department of Law			
5	1037 General Fund / Mental Health	98,800	0	98,800
6	1092 Mental Health Trust Authority	15,000	0	15,000
7	Authorized Receipts			
8	*** Total Agency Funding ***	113,800	0	113,800
9	Department of Natural Resources			
10	1092 Mental Health Trust Authority	4,418,900	0	4,418,900
11	Authorized Receipts			
12	*** Total Agency Funding ***	4,418,900	0	4,418,900
13	Department of Public Safety			
14	1246 Recidivism Reduction Fund	0	1,000,000	1,000,000
15	*** Total Agency Funding ***	0	1,000,000	1,000,000
16	Department of Revenue			
17	1037 General Fund / Mental Health	454,200	0	454,200
18	1092 Mental Health Trust Authority	0	60,000	60,000
19	Authorized Receipts			
20	1094 Mental Health Trust	3,782,200	0	3,782,200
21	Administration			
22	1180 Alcohol and Other Drug Abuse	500,000	0	500,000
23	Treatment & Prevention Fund			
24	*** Total Agency Funding ***	4,736,400	60,000	4,796,400
25	University of Alaska			
26	1037 General Fund / Mental Health	655,800	0	655,800
27	1092 Mental Health Trust Authority	2,022,600	0	2,022,600
28	Authorized Receipts			
29	*** Total Agency Funding ***	2,678,400	0	2,678,400
30	Judiciary			
31	1037 General Fund / Mental Health	2,699,500	0	2,699,500
32	1092 Mental Health Trust Authority	475,300	0	475,300
33	Authorized Receipts			

1			New	
2		Operating	Legislation	Total
3	1180 Alcohol and Other Drug Abuse	518,000	0	518,000
4	Treatment & Prevention Fund			
5	*** Total Agency Funding ***	3,692,800	0	3,692,800
6	***** Total Budget *****	221,122,600	5,217,800	226,340,400
7	(SECTION 4 OF THIS ACT BEGINS ON THE NEXT PAGE)			

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

			New	
	Funding Source	Operating	Legislation	Total
5	Unrestricted General			
6	1037 General Fund / Mental Health	181,251,200	0	181,251,200
7	*** Total Unrestricted General ***	181,251,200	0	181,251,200
8	Designated General			
9	1180 Alcohol and Other Drug Abuse	24,642,500	0	24,642,500
10	Treatment & Prevention Fund			
11	1246 Recidivism Reduction Fund	0	3,000,000	3,000,000
12	*** Total Designated General ***	24,642,500	3,000,000	27,642,500
13	Other Non-Duplicated			
14	1092 Mental Health Trust Authority	11,446,700	2,217,800	13,664,500
15	Authorized Receipts			
16	1094 Mental Health Trust	3,782,200	0	3,782,200
17	Administration			
18	*** Total Other Non-Duplicated ***	15,228,900	2,217,800	17,446,700

19 (SECTION 5 OF THIS ACT BEGINS ON THE NEXT PAGE)

1 * **Sec. 5.** The following appropriation items are for capital projects and grants from the
 2 general fund or other funds as set out in section 6 of this Act by funding source to the
 3 agencies named for the purposes expressed and lapse under AS 37.25.020, unless otherwise
 4 noted.

	Appropriation	General	Other
	Allocations	Items	Funds
	*****	*****	
	***** Department of Health and Social Services *****		
	*****	*****	
10	MH Essential Program Equipment (HD 1-	500,000	250,000
11	40)		250,000
12	MH Home Modification and Upgrades to	1,050,000	750,000
13	Retain Housing (HD 1-40)		300,000
14	*****	*****	
15	***** Department of Revenue *****		
16	*****	*****	
17	Alaska Housing Finance Corporation		
18	MH: AHFC Beneficiary and Special Needs	1,500,000	1,500,000
19	Housing (HD 1-40)		
20	MH: AHFC Homeless Assistance Program	7,700,000	6,850,000
21	(HD 1-40)		850,000
22	*****	*****	
23	***** Department of Transportation and Public Facilities *****		
24	*****	*****	
25	MH Coordinated Transportation and	1,050,000	800,000
26	Vehicles (HD 1-40)		250,000

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

1 * **Sec. 6.** The following sets out the funding by agency for the appropriations made in sec. 5 of
2 this Act.

3	Funding Source	Amount
4	Department of Health and Social Services	
5	1004 Unrestricted General Fund Receipts	250,000
6	1037 General Fund / Mental Health	750,000
7	1092 Mental Health Trust Authority Authorized Receipts	550,000
8	*** Total Agency Funding ***	1,550,000
9	Department of Revenue	
10	1004 Unrestricted General Fund Receipts	1,603,371
11	1037 General Fund / Mental Health	850,000
12	1092 Mental Health Trust Authority Authorized Receipts	850,000
13	1139 Alaska Housing Finance Corporation Dividend	5,896,629
14	*** Total Agency Funding ***	9,200,000
15	Department of Transportation and Public Facilities	
16	1037 General Fund / Mental Health	800,000
17	1092 Mental Health Trust Authority Authorized Receipts	250,000
18	*** Total Agency Funding ***	1,050,000
19	* * * * * Total Budget * * * * *	11,800,000

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

1 * **Sec. 7.** The following sets out the statewide funding for the appropriations made in sec. 5 of
2 this Act.

3	Funding Source	Amount
4	Unrestricted General	
5	1004 Unrestricted General Fund Receipts	1,853,371
6	1037 General Fund / Mental Health	2,400,000
7	1139 Alaska Housing Finance Corporation Dividend	5,896,629
8	*** Total Unrestricted General ***	10,150,000
9	Other Non-Duplicated	
10	1092 Mental Health Trust Authority Authorized Receipts	1,650,000
11	*** Total Other Non-Duplicated ***	1,650,000

12 (SECTION 8 OF THIS ACT BEGINS ON THE NEXT PAGE)

1 * **Sec. 8.** PURPOSE. In accordance with AS 37.14.003 and 37.14.005, the appropriations
2 made in this Act are for the state's integrated comprehensive mental health program.

3 * **Sec. 9.** DEPARTMENT OF HEALTH AND SOCIAL SERVICES. The sum of
4 ~~\$11,000,000~~ ^{\$6,000,000} is appropriated from the general fund to the Department of Health and Social
5 Services, behavioral health, behavioral health treatment and recovery grants, for a pilot
6 program to develop additional substance use disorder services for the fiscal years ending
7 June 30, 2016, June 30, 2017, June 30, 2018, and June 30, 2019.

8 * **Sec. 10.** NONGENERAL FUND RECEIPTS. (a) Alaska Mental Health Trust Authority
9 authorized receipts (AS 37.14.036) or administration receipts (AS 37.14.036) that exceed the
10 amounts appropriated in this Act are appropriated conditioned upon compliance with the
11 program review provisions of AS 37.07.080(h).

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

15 * **Sec. 11.** SALARY AND BENEFIT ADJUSTMENTS. (a) The appropriations made in sec.
16 1 of this Act include amounts for salary and benefit adjustments for public officials, officers,
17 and employees of the executive branch, Alaska Court System employees, employees of the
18 legislature, and legislators and to implement the terms for the fiscal year ending June 30,
19 2017, of the following ongoing collective bargaining agreements:

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

22 (2) Public Safety Employees Association;

23 (3) Alaska Vocational Technical Center Teachers' Association;

24 (4) Inlandboatmen's Union of the Pacific, Alaska Region, for the unlicensed
25 marine unit;

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

28 (6) Alaska State Employees Association, for the general government unit;

29 (7) Confidential Employees Association, for the confidential unit;

30 (8) Marine Engineers' Beneficial Association, for licensed engineers employed
31 by the Alaska marine highway system;

1 (9) Public Employees Local 71, for the labor, trades, and crafts unit;

2 (10) Teachers' Education Association of Mt. Edgecumbe.

3 (b) The appropriations made to the University of Alaska in sec. 1 of this Act include
4 amounts for salary and benefit adjustments for the fiscal year ending June 30, 2017, for
5 university employees who are not members of a collective bargaining unit and to implement
6 the terms for the fiscal year ending June 30, 2017, of the following collective bargaining
7 agreements:

8 (1) United Academics - American Association of University Professors,
9 American Federation of Teachers;

10 (2) University of Alaska Federation of Teachers (UAFT);

11 (3) United Academic - Adjuncts - American Association of University
12 Professors, American Federation of Teachers;

13 (4) Alaska Higher Education Crafts and Trades Employees, Local 6070.

14 (c) If a collective bargaining agreement listed in (a) of this section is not ratified by
15 the membership of the respective collective bargaining unit, the appropriations made in this
16 Act applicable to the collective bargaining unit's agreement are reduced proportionately by the
17 amount for that collective bargaining agreement, and the corresponding funding source
18 amounts are reduced accordingly.

19 (d) If a collective bargaining agreement listed in (b) of this section is not ratified by
20 the membership of the respective collective bargaining unit and approved by the Board of
21 Regents of the University of Alaska, the appropriations made in this Act applicable to the
22 collective bargaining unit's agreement are reduced proportionately by the amount for that
23 collective bargaining agreement, and the corresponding funding source amounts are reduced
24 accordingly.

25 (e) Appropriations made in sec. 1 of this Act for salary and benefit adjustments as
26 described in (a) and (b) of this section are for the benefit of the state's integrated
27 comprehensive mental health program only and do not necessarily affect every group of
28 noncovered employees or every collective bargaining unit listed in (a) and (b) of this section.

29 * **Sec. 12. RETROACTIVITY.** If the appropriation made in sec. 9 of this Act takes effect
30 after April 17, 2016, sec. 9 of this Act is retroactive to April 17, 2016.

31 * **Sec. 13.** Sections 9 and 12 of this Act take effect immediately under AS 01.10.070(c).

1 * **Sec. 14.** Except as provided in sec. 13 of this Act, this Act takes effect July 1, 2016.