

ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE Division of Legislative Finance



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(907) 465-3795
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www.legfin.state.ak.us

MEMORANDUM

DATE: August 12, 2011
TO: Legislative Budget and Audit Committee
FROM: David Teal, Director
SUBJECT: Preparation for the August 19, 2011 LB&A Meeting

OMB submitted the following RPLs for consideration at the August 19, 2011 Legislative Budget and Audit Committee meeting. These RPLs, along with Legislative Finance comments, are posted on our web site at <http://www.legfin.state.ak.us/>. If you have any questions that you want an agency to address at the meeting, please call us so we can help ensure the agency has a response prepared.

RPL#	Agency	Subject	Amount	Fund Source
45-1-1012	University of Alaska	Additional Federal Receipt Authority for University of Alaska, Fairbanks Campus	\$1,000,000	Federal Receipts Operating FY2011
45-1-1013	University of Alaska	Additional Federal Receipt Authority for University of Alaska, Anchorage Campus	\$870,000	Federal Receipts Operating FY2011
02-2-0022	Department of Administration	John R. Justice Student Loan Repayment Program	\$200,000	Federal Receipts Operating FY2012
05-2-0028	Department of Education and Early Development	Exxon Valdez Oil Spill Litigation Archiving	\$109,267	Federal Receipts Operating FY2012
06-2-0088	Department of Health & Social Services	Technical Assistance for Social And Emotional Intervention (TACSEI)	\$258,494	Federal ARRA Operating FY2012
06-2-0089	Department of Health & Social Services	Designated Evaluation and Treatment Expansion	\$268,000	MHTAAR Operating FY2012
06-2-0090	Department of Health & Social Services	Loan Repayment Program (SHARP)	\$344,179	MHTAAR Operating FY2012

cc: Representative Hawker
Representative Doogan

Senator Stedman
Senator Hoffman

Paulyn Swanson
Charles Boyle

Darwin Peterson
Maridon Boario

Representative Neuman
Representative Olson
Representative Thomas
Representative Stoltze
Representative Kawasaki

Senator French
Senator Menard
Senator Wagoner
Senator Meyer

Rex Shattuck
Konrad Jackson
Pete Ecklund
James Armstrong
Mindy ONeall

Kristen Peterson
Michael Rovito
Mary Jackson
Christine Marasigan

**University of Alaska Fairbanks
Fairbanks Campus**

Subject of RPL: Additional Federal Receipt Authority for University of Alaska, Fairbanks Campus	ADN/RPL #: 45-1-1012
Amount requested: \$1,000,000	Appropriation Authority: Sec 1 Ch 41 SLA 2010 pg 45 ln 14
Funding source: Federal Receipts (1002) Operating	Statutory Authority: AS 14.40.40

PURPOSE

The University of Alaska Fairbanks (UAF) is requesting \$1,000,000 federal authority to cover federal awards that have been received through the end of FY2011.

PREVIOUS LEGISLATIVE CONSIDERATION

There has not been previous consideration of this UAF request.

TIMING ISSUES

The University was aware that estimated federal authority would be very close at UAF, but projections indicated that existing levels would be just sufficient. However, the projections did not fully anticipate the great increase in Pell awards and other Federal financial aid to students at UAF that became available in FY2011.

***Legislative Fiscal Analyst Comment:* This RPL is intended to avoid the ratification process due to over-expenditure of federal receipt authority in the University of Alaska Fairbanks appropriation for FY11. Although an RPL for a completed fiscal year is unusual, FY11 books remain open through August. The RPL process appears to be the most efficient means to resolve the issue of a shortage of federal receipt authority for federal Pell Grants and other student financial aid that the University accepts on behalf of enrolled students. These funds have been expended.**

There is precedent for approval of such an RPL. In FY10, a similar situation arose for the University of Alaska Anchorage, for which the LB&A committee approved additional prior year federal receipt authority at the August 2010 meeting.

BUDGETARY ISSUES

Existing federal receipt authority in the UAF appropriation is not sufficient to cover awards received in FY2011 for several reasons, including the previous reduction in the FY2010 budget to “Remove Unrealizable Non General Fund Budget Authority” which removed \$18,063,300 of federal authority from UAF. That reduction, along with the restriction to moving available authority inherent in the multiple appropriation structure imposed on the University, and an increase in the amount of Federal financial aid awarded to students under the Federal Pell Grant Program and other Federal financial aid programs has caused UAF to exceed their authority.

All federal projects are directly aligned with the University of Alaska’s long term plans and missions for the University of Alaska Fairbanks: “The University of Alaska Fairbanks, the nation’s

Agency Contact: Michelle Rizk, (907) 450-8187

Legislative Finance Contact: Danith Watts, (907) 465-5435

northernmost Land, Sea and Space Grant university and international research center, advances and disseminates knowledge through teaching, research and public service with an emphasis on Alaska, the circumpolar North and their diverse peoples. UAF – America's Arctic University – promotes academic excellence, student success and lifelong learning”

No State General Funds will be used, nor is any match required. The federal funds will be expended during the FY2011 period. The additional authority does not create future obligations for services. This request adds an additional \$1,000,000 to the University's existing federal authority contained within Sec 1 Ch 41 SLA 2010.

There are no technical issues with this RPL.

University of Alaska Federal Receipt Authority

Federal Receipts

Appropriation	FY2011 Actuals- as of 7-26-2011	FY2011 Budget	RPL 45-1-1012 and 1013 Additional Authority	Revised FY11 Budget	FY2011 Budget Balance	FY12 Budget- Management Plan	IF FY12Actuals = FY11 Actuals, this would be the Budget Balance
Systemwide Budget Reductions & Additions					-	3,009,200.00	3,009,200.00
Statewide Programs & Services	652,516.00	3,163,000.00		3,163,000.00	2,510,484.00	3,163,000.00	2,510,484.00
University of Alaska Fairbanks	86,399,382.00	85,408,900.00	1,000,000.00	86,408,900.00	9,518.00	85,783,900.00	(615,482.00)
UAF Community Colleges	10,689,502.00	12,281,700.00		12,281,700.00	1,592,198.00	12,281,700.00	1,592,198.00
University of Alaska Anchorage	31,085,974.00	30,232,900.00	870,000.00	31,102,900.00	16,926.00	27,283,700.00	(3,802,274.00)
Small Business Development Center	976,341.00	980,000.00		980,000.00	3,659.00	1,200,000.00	223,659.00
University of Alaska Southeast	4,272,703.00	5,232,200.00		5,232,200.00	959,497.00	5,232,200.00	959,497.00
Total	134,076,418.00	137,298,700.00	1,870,000.00	139,168,700.00	5,092,282.00	134,944,500.00	868,082.00

**University of Alaska Anchorage
Anchorage Campus**

Subject of RPL: Additional Federal Receipt Authority for University of Alaska, Anchorage Campus	ADN/RPL #: 45-1-1013
Amount requested: \$870,000	Appropriation Authority: Sec 1 Ch 41 SLA 2010 pg 44 ln 33
Funding source: Federal Receipts (1002) Operating	Statutory Authority: AS 14.40.40

PURPOSE

The University of Alaska Anchorage (UAA) is requesting \$870,000 federal authority to cover awards that have been received through the end of FY2011.

PREVIOUS LEGISLATIVE CONSIDERATION

In Ch 1 FSSLA2011, supplemental funding was appropriated in the amount of \$4,500,00 federal receipts to the University of Alaska Anchorage Campus. The projections at that time, did not fully anticipate the increase that has been ultimately realized.

TIMING ISSUES

The University was aware that federal authority would be very close at UAA and requested a supplemental during session, but projections indicated that existing levels plus the supplemental would be just sufficient. However, the projections did not cover the total increase in Pell and other Federal awards to students.

Legislative Fiscal Analyst Comment: This RPL is intended to avoid the ratification process due to over-expenditure of federal receipt authority in the University of Alaska Anchorage appropriation for FY11. Although an RPL for a completed fiscal year is unusual, FY11 books remain open through August. The RPL process appears to be the most efficient means to resolve the issue of a shortage of federal receipt authority for federal Pell Grants and other student financial aid that the University accepts on behalf of enrolled students. Increased enrollment as well as the increase of the Pell Grant award amount from \$5,350 to \$5,550 per student created a projection shortfall. As the University has stated, during the Legislature's supplemental bill review, \$4.5 million in additional federal receipt authority was approved for the University of Alaska Anchorage. As it turns out, however, that request fell short of the total additional need by \$870,000.

There is precedent for approval of such an RPL. In FY10, a similar situation arose for the University of Alaska Anchorage, for which the LB&A committee approved additional prior year federal receipt authority at the August 2010 meeting.

BUDGETARY ISSUES

Existing federal receipt authority in the UAA appropriation is not sufficient to cover awards received in FY2011 for several reasons, including the previous reduction in the FY2010 budget to "Remove Unrealizable Non General Fund Budget Authority" which removed \$4,504,200 of federal

Agency Contact: Michelle Rizk, (907) 450-8187

Legislative Finance Contact: Danith Watts, (907) 465-5435

authority from UAA. That reduction, along with the restriction to moving available authority inherent in the multiple appropriation structure imposed on the University, and an increase in the amount of Federal financial aid awarded to students under the Federal Pell Grant Program and other Federal financial aid programs, has caused UAA to exceed their authority.

All of the federal projects are directly aligned with the University of Alaska's long term plans and mission for the University of Alaska Anchorage: "The mission of the University of Alaska Anchorage is to discover and disseminate knowledge through teaching, research, engagement, and creative expression."

No State General Funds will be used, nor is any match required. The federal funds will be expended during the FY2011 period. The additional authority does not create future obligations for services. This request adds an additional \$870,000 to the University's existing federal authority contained within Sec 1 Ch 41 SLA 2010.

There are no technical issues with this RPL.

University of Alaska Federal Receipt Authority

Federal Receipts

Appropriation	FY2011 Actuals- as of 7-26-2011	FY2011 Budget	RPL 45-1-1012 and 1013 Additional Authority	Revised FY11 Budget	FY2011 Budget Balance	FY12 Budget- Management Plan	IF FY12Actuals = FY11 Actuals, this would be the Budget Balance
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University of Alaska Fairbanks	86,399,382.00	85,408,900.00	1,000,000.00	86,408,900.00	9,518.00	85,783,900.00	(615,482.00)
UAF Community Colleges	10,689,502.00	12,281,700.00		12,281,700.00	1,592,198.00	12,281,700.00	1,592,198.00
University of Alaska Anchorage	31,085,974.00	30,232,900.00	870,000.00	31,102,900.00	16,926.00	27,283,700.00	(3,802,274.00)
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Total	134,076,418.00	137,298,700.00	1,870,000.00	139,168,700.00	5,092,282.00	134,944,500.00	868,082.00

**Department of Administration
Legal and Advocacy Services
Office of Public Advocacy**

Subject of RPL: John R. Justice Student Loan Repayment Program	ADN/RPL #: 02-2-0022
Amount requested: \$200,000	Appropriation Authority: Sec 1 Ch 3 FSSLA 2011 pg 5 ln 12
Funding source: Federal Receipts (1002) Operating	Statutory Authority: AS 44.21.020(3), AS 44.21.410(b)(3), AS 44.21.420(b)

PURPOSE

The John R. Justice (JRJ) Grant Program is designed to encourage qualified attorneys to choose careers as prosecutors and public defenders and to continue in that service for at least three years.

JRJ grant awards will be made by the Office of Public Advocacy (OPA) directly to the financial institutions, on behalf of eligible beneficiaries, which are holding loan obligations of Alaska's public defenders and prosecutors who commit to continued employment as public defenders and prosecutors for at least three years, thereby reducing their outstanding student loan balances. Direct payment of grant award funding to eligible beneficiaries is prohibited.

It is anticipated that we will fully expend the original grant amount of \$100,000 for the grant period of October 1, 2010 – September 30, 2011, prior to December 31, 2011. The grant period for the second award is October 1, 2011 – September 30, 2012. We expect to fully spend this grant in the first quarter of the new federal fiscal year (October 1, 2011 – December 31, 2011) based on the interest in this program. Program funds will be equally distributed between prosecutors and public defenders, \$50,000 for prosecutors and \$50,000 for public defenders from each federal grant awarded for those who are full-time employees of the State of Alaska (Department of Administration's and Department of Law's attorneys) or a unit of a local government (including tribal governments). The amount of funding for each of the four judicial districts in the state will be allocated according to the number of prosecutors and public defenders in each judicial district and based on the percentage of the state's total number of prosecutors and public defenders that are employed within each district. Because the Federal fiscal year runs from October 1 - September 30, two distributions will occur to OPA within the same State of Alaska fiscal year. OPA will receive the first \$100,000 distribution for DOJ prior to September 30, 2011 (for the Federal FY2011 portion of the grant) and a second distribution of \$100,000 on or after October 1, 2011 (for the Federal FY2012 portion of the grant).

Individual applications are submitted to OPA and the formal JRJ Loan Review Committee, and awards are based on a formula that ranks each applicant according to the applicants' "ability to pay" his/her student loans. In order to make the program benefits as widely available as possible, individual awards will be limited to a maximum of \$2,500 in FY2012. In the event that not enough qualified applicants apply statewide, the amount will be adjusted to a higher award amount and additional outreach conducted.

Legislative Fiscal Analyst Comment: An eight-member board has been appointed by the Executive Branch (four each from DOA and the Department of Law) to determine eligibility for receipt of funds which will then be disbursed directly to financial institutions holding qualified student loans.

Agency Contact: Cheri Lowenstein, (907) 465-5655

Legislative Finance Contact: Danith Watts, (907) 465-5435

The average student loan debt incurred by law students is \$60,000 to \$65,000. The salary that can be paid to new prosecutors and public defenders makes it very difficult for an attorney to meet such a debt burden and still enjoy even a modest home and living. Accordingly, young lawyers, even those who would prefer to work as prosecutors or public defenders, are forced at times by financial restraints to seek employment in higher paying private sector jobs. This results in lawyers leaving prosecution and public defender offices at about the time the attorney has enough training and experience to be of real value to the office.

PREVIOUS LEGISLATIVE CONSIDERATION

There was no previous legislative consideration for this request.

TIMING ISSUES

In July of 2010, the department submitted an application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the John R. Justice Grant Program, but did not learn of the award until mid-September of 2010, and the request was not submitted for consideration in the FY2012 budget.

The current grant award spans a one-year period, October 1, 2010 - September 30, 2011. In July 2011 OPA submitted an application for the next grant period and we are awaiting confirmation of that additional award. That grant award spans a one-year period, October 1, 2011 - September 30, 2012. OPA will seek federal funds for this program in FY2013 through the Governor's FY2013 budget request to the Legislature as this funding is anticipated to be available annually.

***Legislative Fiscal Analyst Comment:* This RPL is intended to give sufficient FY12 federal receipt authorization to the Office of Public Advocacy allocation to receive and expend \$200,000 in grant awards under the John R. Justice Student Loan Repayment Program spanning two federal fiscal years. Although the initial grant of \$100,000 was approved in September 2010, there was neither a budget amendment nor legislative budget review for FY12 since it had not yet been determined which department (Law or Administration) would accept and disburse funds. Approval of the second \$100,000 federal grant application is expected shortly, allowing for both grants to be secured and disbursed within FY12.**

BUDGETARY ISSUES

The Office of Public Advocacy is seeking federal receipt authority in the grants line (77000) in order to award grant funding to reduce eligible recipients' outstanding student loan balances. Existing state personnel will be used for awarding grant funding under this program. No state general funds are necessary for implementation of the program, nor is any state match or maintenance of effort required.

***Legislative Fiscal Analyst Comment:* The only federal receipt authority included in the OPA allocation (a total of \$97,100 for FY12) is designated for the Court Appointed Special Advocate (CASA) Program.**

There is no future commitment for funds with the approval of this RPL, but it is anticipated that an FY13 request will be proffered in the Governor's budget for similar subsequent grant funding within the Office of Public Advocacy.

There are no technical issues with this RPL.

Agency Contact: Cheri Lowenstein, (907) 465-5655

Legislative Finance Contact: Danith Watts, (907) 465-5435



Department of Justice
Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

September 15, 2010

Mr. Kevin Brooks
Alaska Department of Administration
5900 East Tudor Road
Anchorage, AK 99507-1245

Dear Mr. Brooks:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 10 John R. Justice (JRJ) Grant Program in the amount of \$100,000 for Alaska Department of Administration.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Judy Poston, Program Manager at (202) 616-1283; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Laurie Robinson", is written over a horizontal line.

Laurie Robinson
Assistant Attorney General

Enclosures



Department of Justice
Office of Justice Programs
Office for Civil Rights

Washington, D.C. 20531

September 15, 2010

Mr. Kevin Brooks
Alaska Department of Administration
5900 East Tudor Road
Anchorage, AK 99507-1245

Dear Mr. Brooks:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

Ensuring Access to Federally Assisted Programs

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at <http://www.ojp.usdoj.gov/ocr/etfbo.htm>.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

Enforcing Civil Rights Laws

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

Complying with the Safe Streets Act or Program Requirements

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEO), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

1) Meeting the EEO Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEO reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEO and submit it to OCR for review within 60 days from the date of this letter. For assistance in developing an EEO, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop.htm>. You may also request technical assistance from an EEO specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEO, but it does not have to submit the EEO to OCR for review. Instead, your organization has to maintain the EEO on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEO requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

2) Submitting Findings of Discrimination

In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEO, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at <http://www.ojp.usdoj.gov/ocr/>.

Sincerely,



Michael L. Alston
Director


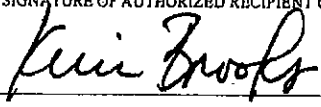
cc: Grant Manager
Financial Analyst



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Grant

PAGE 1 OF 4

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Alaska Department of Administration 5900 East Tudor Road Anchorage, AK 99507-1245		4. AWARD NUMBER: 2010-RJ-BX-0026	
		5. PROJECT PERIOD: FROM 10/01/2010 TO 09/30/2011 BUDGET PERIOD: FROM 10/01/2010 TO 09/30/2011	
1A. GRANTEE IRS/VENDOR NO. 926001187		6. AWARD DATE 09/15/2010	7. ACTION Initial
		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT \$ 0	
3. PROJECT TITLE John R. Justice Student Loan Repayment Program for Alaska		10. AMOUNT OF THIS AWARD \$ 100,000	
		11. TOTAL AWARD \$ 100,000	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY10 (BJA - John R. Justice) 42 USC 3797cc-21			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Laurie Robinson Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Kevin Brooks Deputy Commissioner	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 9.21.10
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X B RJ 80 00 00 100000		21. JRJUGT2909	

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 2 OF 4

PROJECT NUMBER 2010-RJ-BX-0026

AWARD DATE 09/15/2010

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

e-mail: oig.hotline@usdoj.gov

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

6. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
7. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.

pb



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Grant

PAGE 3 OF 4

PROJECT NUMBER 2010-RJ-BX-0026

AWARD DATE 09/15/2010

SPECIAL CONDITIONS

8. The recipient agrees to submit to BJA for review and approval any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) working days prior to the targeted dissemination date. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. 2010-RJ-BX-0026 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the SMART Office, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United States Department of Justice." The current edition of the OJP Financial Guide provides guidance on allowable printing and publication activities.
9. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
10. All contracts under this award should be competitively awarded unless circumstances preclude competition. When a contract amount exceeds \$100,000 and there has been no competition for the award, the recipient must comply with rules governing sole source procurement found in the current edition of the OJP Financial Guide.
11. Approval of this award does not indicate approval of any consultant rate in excess of \$450 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.
12. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
13. The recipient acknowledges that all programs funded through subawards, whether at the state or local levels, must conform to the grant program requirements as stated in BJA program guidance.
14. Recipient understands and agrees that it must submit quarterly Federal Financial Reports (SF-425) and semi-annual performance reports through GMS (<https://grants.ojp.usdoj.gov>), and that it must submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website (www.bjaperformancetools.org). For more detailed information on reporting and other requirements, refer to BJA's website. Failure to submit required reports by established deadlines may result in the freezing of grant funds and High Risk designation.
15. By accepting this award, the recipient agrees to abide by and comport with all requirements, applicable definitions, and conditions of the authorizing statute (42 U.S.C. 3797cc-21) and any related regulations or other guidance promulgated by the Department of Justice.
16. The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.

KB



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Grant

PAGE 4 OF 4

PROJECT NUMBER 2010-RJ-BX-0026

AWARD DATE 09/15/2010

SPECIAL CONDITIONS

17. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

108



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Categorical Exclusion for Alaska Department of Administration

The John R. Justice (JRJ) Grant Program provides loan repayment assistance for local, state, and federal public defenders and local and state prosecutors who commit to continued employment as public defenders and prosecutors for at least three years. None of the following activities will be conducted whether under the Office of Justice Programs federal action or a related third party action:

- (1) New construction.
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species.
- (3) A renovation that will change the basic prior use of a facility or significantly change its size.
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment.
- (5) Implementation of a program involving the use of chemicals.

Additionally, the proposed action is neither a phase nor a segment of a project that when reviewed in its entirety would not meet the criteria for a categorical exclusion.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**GRANT MANAGER'S MEMORANDUM, PT. I:
PROJECT SUMMARY**

Grant

PROJECT NUMBER
2010-RJ-BX-0026

PAGE 1 OF 1

This project is supported under FY10 (BJA - John R. Justice) 42 USC 3797cc-21

1. STAFF CONTACT (Name & telephone number)

Judy Poston
(202) 616-1283

2. PROJECT DIRECTOR (Name, address & telephone number)

Quinlan Steiner
Director
900 W. Fifth Avenue, Suite 200
Anchorage, AK 99501-2090
(907) 334-4414

3a. TITLE OF THE PROGRAM

BJA FY 10 John R. Justice (JRJ) Grant Program

**3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)**

4. TITLE OF PROJECT

John R. Justice Student Loan Repayment Program for Alaska

5. NAME & ADDRESS OF GRANTEE

Alaska Department of Administration
5900 East Tudor Road
Anchorage, AK 99507-1245

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2010 TO: 09/30/2011

8. BUDGET PERIOD

FROM: 10/01/2010 TO: 09/30/2011

9. AMOUNT OF AWARD

\$ 100,000

10. DATE OF AWARD

09/15/2010

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

Congress enacted the John R. Justice Prosecutors and Defenders Incentive Act (hereinafter referred to as the "Act"), codified at 42 U.S.C. §3797cc-21, and named for the late John Reid Justice of South Carolina, to encourage qualified attorneys to choose careers as prosecutors and public defenders and to continue in that service. The John R. Justice (JRJ) Student Loan Repayment Grant Program provides loan repayment assistance for local, state, and federal public defenders and local and state prosecutors who commit to continued employment as public defenders and prosecutors for at least three years. To administer this program, the Bureau of Justice Assistance (BJA) will award funds to each of the 50 states and the District of Columbia to serve eligible recipients working within the state's or District's jurisdiction.

The Alaska Department of Administration, as the state administering agency for this program, will use the grant funds to establish a statewide JRJ Grant Program consistent with the Act's requirements and programmatic guidance provided by BJA. Once the state has received the grant award, the state administering agency is

responsible for outreach, education, and solicitation of applications from eligible beneficiaries. The state will ensure grant funds for loan repayment are allocated equally between prosecutors and public defenders, with a priority placed on those eligible beneficiaries who have the least ability to repay their loans.

NCA/NCF

**Department of Education and Early Development
Alaska Library and Museums
Archives**

Subject of RPL: Exxon Valdez Oil Spill Litigation Archiving	ADN/RPL #: 05-2-0028
Amount requested: \$109,267	Appropriation Authority: Sec 1 Ch 3 FSSLA 2011 pg 13 ln 6
Funding source: Federal Receipts (1002) Operating	Statutory Authority: AS 14.56.030

PURPOSE

The Exxon Valdez Oil Spill (EVOS) Litigation Files, resulting from the Exxon Valdez oil spill litigation, consist of up to 10,000 boxes of records located in Juneau and Anchorage. Many files were generated during the discovery phase of litigation and are duplicative or not of permanent historical or legal value. Professional time and expertise is required to make the determinations of value and to write content lists and finding aids that describe the contents of the files so that they can be efficiently accessed in meaningful ways for research and educational purposes.

In a letter dated June 13, 2011, the National Historical Publications & Records Commission (NHPRC) offered the Department of Education and Early Development, Division of Libraries, Archives, and Museums a \$109,267 grant to hire a processing archivist that will examine, sort, re-fold and re-box, and list contents of these boxes, in order to reduce the content volume. Discarded materials will be confidentially shredded.

Litigation files are one of the most frequently used type of archival documents. Current bibliographic records for the EVOS boxes provide only general content statements (i.e., Exxon Valdez Oil Spill Records), and listings do not provide specific information about subjects, titles, or box content. Without this information it is impossible to efficiently search the cases. The vast majority of Exxon Valdez Oil Spill Litigation records, totaling more than 1.8 million pages, will be open to researchers and the public when the project is complete.

PREVIOUS LEGISLATIVE CONSIDERATION

There has been no previous consideration for this request.

TIMING ISSUES

Due to the timing of the grant award notification on June 13, 2011, the Finance committees did not consider this funding request during the legislative session.

The grant period is October 1, 2011 through September 30, 2013.

BUDGETARY ISSUES

Federal receipt authority for the Archives component is currently \$40,000. This amount is inadequate to accommodate both the receipt of this grant and other smaller grants that are received annually from the National Archives.

Agency Contact: Anna Kim, (907) 465-2875

Legislative Finance Contact: Danith Watts, (907) 465-5435

The grant funds will be allocated to the personal services line to support a long-term non-permanent position located in Juneau for the duration of the grant. There is no general fund impact and no permanent position will be established.

The estimated spending plan for the \$109,267 in personal services follows:

Year 1, October 2011 through June 2012: \$51,521

Year 2, July 2012 through October 2013: \$57,746

The Department will receive all of the federal receipts in FY2012; however, Year 2 of this grant will carry-forward into FY2013. The Department will request the additional FY2013 federal receipt authorization during the FY2013 budget cycle.

Legislative Fiscal Analyst Comment: Although the total amount of the award over a two-year period is approximately \$109,400, the department's spending plan reflects that \$51,600 of additional federal receipt authority will be used in FY12, with \$57,800 needed for dissemination in FY13. The department maintains that the entire grant authority should be added as an FY12 RPL in order to receive the grant. The attached backup materials do not address payment options; however, the National Historical Publications & Records Commission Grant Administration website states that "we generally do not advance more than two months' worth of anticipated expenses, and we do not advance the full amount of the grant unless it will be expended within the first two months."

Legislative Fiscal Analyst Recommendation: Legislative Finance recommends that this FY12 RPL request be reduced to \$51,600 since the remaining \$57,800 will be disbursed in FY13 and must be approved through the normal legislative review process. Carryforward is not an option for an RPL. Approval of the entire amount at this point would create excess authority in the FY12 budget.

There are no technical issues with this RPL.



National Historical Publications and Records Commission

National Archives and Records Administration

June 13, 2011

700 Pennsylvania Avenue, NW
Washington, DC 20408-0001

www.archives.gov/nhprc/

Lawrence E. Hibpshman

Archivist III

Alaska State Archives

141 Willoughby Avenue, PO Box 110525

Juneau, AK 99811-0525

Dear Mr. Hibpshman:

Upon the recommendation of the National Historical Publications and Records Commission, I am pleased to offer a grant of up to \$109,267 to the Alaska Department of Education and Early Development for its Exxon Valdez Oil Spill Litigation Records Project (NHPRC Application No. RB-50145). This outright grant is for approximately 37 percent of the total project cost. The offer is \$22,329 less than the \$131,596 you requested for the project and reflects the Commission's decision not to provide funding for expenses related to document shredding.

To formally accept this offer you must:

- Return the attached acknowledgement, signed by you and your Authorized Representative, agreeing to comply with all applicable Federal grants management and NHPRC rules and regulations. These are specified on our web site at <http://www.archives.gov/nhprc/>; and in the Code of Federal Regulations (36 CFR 1206-1212).
- Finalize your project's performance objectives and budget with your program officer. This includes acknowledgement that you will pay your share of total project costs.
- Verify your organization's current registration in the Central Contractor Registration. Verification, including updating information for your current financial institution, must be completed before NHPRC can initiate your grant. For further information and instructions, please see our web page at <http://www.archives.gov/nhprc/administer/payment-instructions.html>.

Staff will issue formal grant awards only upon acceptance of this offer, acknowledged by the appropriate signatures on the enclosed form, by our receipt of an acceptable revised budget, and by our mutual agreement to the project's performance objectives. You must accept this offer no later than July 8, 2011, or the Commission may withdraw the offer.

Congratulations on your successful application to the Commission. If you have any questions, please contact Daniel Stokes by phone at (202) 357-5487 or by email at daniel.stokes@nara.gov.

Sincerely,

Kathleen Williams

Executive Director

National Historical Publications and Records Commission

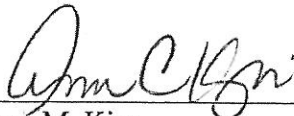
cc: Anna M. Kim, Dean Dawson

NHPRC Application No. RB-50145

On behalf of the Alaska Department of Education and Early Development and its Exxon Valdez Oil Spill Litigation Records Project, we accept this offer of a grant from the NHPRC and agree to comply with all applicable Federal grants management and NHPRC rules and regulations.

Please indicate with a yes or no that the Alaska Department of Education and Early Development currently uses:


1. Accounting systems that meet Federal requirements: yes
2. Timekeeping procedures for project personnel that meet Federal requirements: yes
3. Written procedures for salaries, travel, and procurement that meet Federal requirements: yes



Anna M. Kim,
Authorized Representative

6/21/2011

Date



Lawrence E. Hibpshman,
Project Director

6/20/2011

Date

Please complete this form and return it to the NHPRC no later than July 08, 2011 via fax or email only:

Fax: 202-357-5914

OR

Email: Christine Dunham, Christine.Dunham@nara.gov

**Department of Health and Social Services
Office of Children's Services, Infant Learning Program**

Subject of RPL: Technical Assistance Center for Social and Emotional Intervention (TACSEI)	ADN/RPL #: 06-2-0088
Amount requested: \$258,494	Appropriation Authority: Sec 33 Ch 3 FSSLA 2011 pg 92 ln 8 (Sec 1 Ch 17 SLA 2009 pg 3 ln 8)
Funding source: Federal ARRA (1212) FY12 Operating	Statutory Authority: AS 47.20

PURPOSE

Request authorization for the remaining Part C American Recovery and Reinvestment Act (ARRA) funds for the Office of Special Education Programs (OSEP) grant award to the Office of Children Services, Infant Learning/Early Intervention unit. These funds will be used to complete implementation of planned infrastructure improvements specific to two projects:

These funds support ten sites (across Bristol Bay, Fairbanks, and Anchorage) to finalize the implementation of the Technical Assistance Center for Social and Emotional Intervention (TACSEI) model, in order to improve the social and emotional outcomes and school readiness for very young children at risk, through better intervention techniques and training. We are now $\frac{3}{4}$ of the way completed with this project. Through this project children's behaviors and teachers' skills have been dramatically improved. These funds will be used to finalize and carry out the final step of implementation to ensure sustainability.

These funds also support wrap around services for children, from birth to age three with substantiated reports of abuse or neglect or children who have experienced other forms of domestic violence. Under the auspices of the Child Abuse Prevention and Treatment Act (CAPTA), child protection is required to refer all children birth to age three with a substantiated report of neglect or abuse in the home to the state Part C program, known as the Infant Learning Program in Alaska. These funds will be used to deliver training and support to program staff working with this specific population. Part C refers to the section of the Individuals with Disabilities Education Improvement Act (IDEIA) specific to infants, toddlers, and their families.

PREVIOUS LEGISLATIVE CONSIDERATION

During the 2009 legislative session, \$2,139,800 was appropriated to the Office of Children's Services, Infant Learning program based on an estimated amount Alaska expected to receive.

TIMING ISSUES

ARRA funds have been available to the Alaska Infant Learning Program since February 2009, must be fully obligated by September 30, 2011, and fully liquidated by December 31, 2011. This request is for the authority to expend the final balance of the grant award in FY2012. Approval is needed now because these funds were multi-year funds and the division did not request the full authority in time for the FY2012 Governor's budget. If not approved, federal funds will lapse and be returned to OSEP and redistributed to other state Part C systems. These funds operate under the cycle set forth under ARRA guidelines for OSEP Part C funds.

Legislative Fiscal Analyst Comment: Notice of the final grant amount has been known for over a year. However, due to agency oversight, expenditure authority was not requested last session.

BUDGETARY ISSUES

These funds will be used to further improve the infrastructure of the Part C system in order to achieve the highest outcomes for our enrolled families. Because these are infrastructure funds, there is no projected impact to future GF dollars. Funding for these projects will not be included in the next fiscal year's budget. These funds will be fully expended between July 1, 2011 and November 30, 2011. The line item distribution of funds will be in travel, contracts, grants and personal services lines to accomplish time limited tasks and activities.

Legislative Fiscal Analyst Comment: The total grant awarded to the Office of Children's Services was \$2,398,294 and the legislature appropriated \$2,139,800 Federal ARRA funds for the award. This RPL will authorize the remaining \$258,494 Federal ARRA funds. There are no technical issues with this RPL.



U.S. Department of Education
Washington, D.C. 20202

GRANT AWARD NOTIFICATION

1 RECIPIENT NAME: AK. DEPT. OF HEALTH & SOC. SVCS. OFFICE OF CHILDREN SERVICES 323 EAST 4TH AVENUE ANCHORAGE, AK 99501	5 AWARD INFORMATION PR/AWARD NUMBER E393A090016A ACTION NUMBER 02 ACTION TYPE Revision AWARD TYPE Formula																				
2 PROJECT DESCRIPTION 84.393A INFANTS AND FAMILIES WITH DISABILITIES	6 AWARD PERIODS FEDERAL FUNDING PERIOD 02/17/2009 - 09/30/2010																				
3 EDUCATION STAFF RECIPIENT STATE DIRECTOR ERIN KINAVEY (907) 269 - 3423 EDUCATION PROGRAM CONTACT Ruth E. Ryder (202) 245 - 7629 EDUCATION PAYMENT CONTACT GAPS PAYEE HOTLINE (888) 336 - 8930	7 AUTHORIZED FUNDING CURRENT AWARD AMOUNT \$1,328,372.00 PREVIOUS CUMULATIVE AMOUNT \$1,069,922.00 CUMULATIVE AMOUNT \$2,398,294.00																				
4 KEY PERSONNEL N/A	8 ADMINISTRATIVE INFORMATION DUNS/SSN 809386543 REGULATIONS CFR PART 303 EDGAR AS APPLICABLE ATTACHMENTS N/A																				
9 LEGISLATIVE AND FISCAL DATA AUTHORITY: PL 105-17/111-5 INDIVIDUALS WITH DISABILITIES EDUCATION ACT/AMERICAN RECOVERY & REINVEST PROGRAM TITLE: SPECIAL EDUCATION - GRANTS FOR INFANTS AND FAMILIES "RECOVERY FUNDS" CFDA/SUBPROGRAM NO: 84.393A <table border="1"> <thead> <tr> <th>FUND CODE</th> <th>FUNDING YEAR</th> <th>AWARD YEAR</th> <th>ORG. CODE</th> <th>CATEGORY</th> <th>LIMITATION</th> <th>ACTIVITY</th> <th>CFDA</th> <th>OBJECT CLASS</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>0299M</td> <td>2009</td> <td>2009</td> <td>PH000000</td> <td>B</td> <td>KP3</td> <td>000</td> <td>393</td> <td>4101A</td> <td>\$1,328,372.00</td> </tr> </tbody> </table>		FUND CODE	FUNDING YEAR	AWARD YEAR	ORG. CODE	CATEGORY	LIMITATION	ACTIVITY	CFDA	OBJECT CLASS	AMOUNT	0299M	2009	2009	PH000000	B	KP3	000	393	4101A	\$1,328,372.00
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0299M	2009	2009	PH000000	B	KP3	000	393	4101A	\$1,328,372.00												

		Appropriation	General	Other
		Allocations	Funds	Funds
3	*****		*****	
4	***** Department of Health and Social Services *****			
5	*****		*****	
* 6	Children's Services	2,139,800		2,139,800
7	Infant Learning Program	2,139,800		
8	Grants /			
9	Health Care Services	2,040,000	40,000	2,000,000
10	Medical Assistance	2,040,000		
11	Administration			
12	Public Assistance	5,275,700		5,275,700
13	Child Care Benefits	4,036,000		
14	Public Assistance	462,000		
15	Administration			
16	Women, Infants and	777,700		
17	Children			
18	Public Health	2,000,000		2,000,000
19	Chronic Disease Prevention	2,000,000		
20	and Health Promotion			
21	Senior and Disabilities	485,000		485,000
22	Services			
23	Senior Community Based	485,000		
24	Grants			
25	*****		*****	
26	***** Department of Labor and Workforce Development *****			
27	*****		*****	
28	Workforce Development	15,439,600		15,439,600
29	Employment and Training	5,162,000		
30	Services			
31	Unemployment Insurance	1,115,700		
32	Business Services	9,161,900		
33	Vocational Rehabilitation	2,046,200		2,046,200

1 the administration and operation of departmental programs, for the fiscal year ending June 30,
2 2012.

3 (c) The unexpended and unobligated balance on June 30, 2011, of federal funding
4 available under P.L. 111-5 (American Recovery and Reinvestment Act of 2009) and
5 appropriated to the Department of Education and Early Development is reappropriated to the
6 Department of Education and Early Development for the administration and operation of
7 departmental programs, for the fiscal year ending June 30, 2012.

8 (d) The unexpended and unobligated balance on June 30, 2011, of federal funding
9 available under P.L. 111-5 (American Recovery and Reinvestment Act of 2009) and
10 appropriated to the Department of Health and Social Services is reappropriated to the
11 Department of Health and Social Services for the administration and operation of
12 departmental programs, for the fiscal year ending June 30, 2012.

13 (e) The unexpended and unobligated balance on June 30, 2011, of federal funding
14 available under P.L. 111-5 (American Recovery and Reinvestment Act of 2009) and
15 appropriated to the Department of Labor and Workforce Development is reappropriated to the
16 Department of Labor and Workforce Development for the administration and operation of
17 departmental programs, for the fiscal year ending June 30, 2012.

18 (f) The unexpended and unobligated balance on June 30, 2011, of federal funding
19 available under P.L. 111-5 (American Recovery and Reinvestment Act of 2009) and
20 appropriated to the Department of Public Safety is reappropriated to the Department of Public
21 Safety for the administration and operation of departmental programs, for the fiscal year
22 ending June 30, 2012.

23 (g) The unexpended and unobligated balance on June 30, 2011, of federal funding
24 available under P.L. 111-5 (American Recovery and Reinvestment Act of 2009) and
25 appropriated to the Office of the Governor is reappropriated to the Office of the Governor for
26 the administration and operation of departmental programs, for the fiscal year ending June 30,
27 2012.

28 * Sec. 34. RATIFICATIONS OF SMALL AMOUNTS IN STATE ACCOUNTING
29 SYSTEM. The appropriation to each department under this Act for the fiscal year ending
30 June 30, 2012, is reduced to reverse negative account balances for the department in the state
31 accounting system in amounts of \$1,000 or less for each prior fiscal year in which a negative

**Department of Health and Social Services
Division of Behavioral Health, Psychiatric Emergency Services**

Subject of RPL: MH Trust: AMHB/ABADA – Grant 2464.01 Designated Evaluation and Treatment Expansion	ADN/RPL #: 06-2-0089
Amount requested: \$268,000	Appropriation Authority: Sec 1 Ch 4 FSSLA 2011 pg 4 ln 14
Funding source: MHTAAR (1092) FY12 Operating	Statutory Authority: AS 47.30.011-061;AS 47.30.520-620; AS 47.30.655-915; AS 37.07.080(h)

PURPOSE

The Department of Health and Social Services (DHSS) is requesting approval to carryover and expend \$268,000 of Mental Health Trust Authority Authorized Receipts (MHTAAR) in FY2012. This funding will allow the Division of Behavioral Health to maintain and support the existing system of designated evaluation and stabilization or treatment (DES/DET) services within the state, with a primary focus of preventing further erosion of existing services by addressing the shortage of DES/DET access. Over the course of this past year and in preparation to expend these funds, the division has learned that the challenges and expansion of DES/DET must be addressed in a broader emergency services context that takes into account the entire psychiatric system. Along with DES/DET, the strategy for this project has expanded to include identification of various pressures across the service system which results in a higher census at our state psychiatric hospital, API.

This project and funding are aligned with the Department's goal to manage an integrated and comprehensive behavioral health system based on sound policy, effective practices, and open partnerships. The funding will enable the department and division's contribution to the goals of the Alaska Mental Health Trust Authority.

PREVIOUS LEGISLATIVE CONSIDERATION

The approved FY2011 budget for DHSS Division of Behavioral Health included \$300,000 in MHTAAR funding for this project. The FY2011 funds will not be fully spent and the Trust has approved the carry-over of the \$268,000 balance. Previous RPLs for this project have not been considered.

TIMING ISSUES

These funds will be restricted from FY2011 for budgetary and lapsing purposes. The FY2012 funds will lapse on June 30, 2012.

BUDGETARY ISSUES

There was delay in hiring an emergency services coordinator to oversee this initiative which in turn resulted in a delay in expenditure of funds. DBH and Trust staff is in agreement that the funds should be carried over with intent to expend in FY2012. A more thorough plan will be developed in partnership with the Trust and other stakeholders and will generally include strategies to help stabilize DES/DET sites through procedure development/training, expansion of DES/DET where

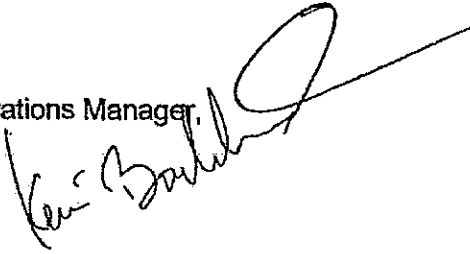
possible, improving a statewide transportation model for mental health emergencies and evaluation of emergency services data to help inform coordinated action.

***Legislative Fiscal Analyst Comment:* Approval of this RPL will authorize \$268,000 MHTAAR funds to the Division of Behavioral Health, Psychiatric Emergency Services for FY12. The term "carryover" typically refers to extending expenditure authority from one year to another. Because an RPL cannot extend the lapse date of an appropriation, it is more accurate to consider this RPL as a request for new FY12 authorization. The Mental Health Trust Authority has approved use of the unexpended MHTAAR funding previously appropriated in FY11. There are no technical issues with this RPL.**

3745 Community Park Loop
Suite #200
Anchorage, AK 99508
Phone: (907) 269-7960
Fax: (907) 269-7966



Memo

To: Nancy Cooperrider, DHSS Admin Operations Manager,
Jocelyn Yadao, DHSS Budget Analyst
From: Kevin Buckland, Chief Financial Officer 
Date: May 23, 2011
Re: FY11-FY12 MHTAAR Carryover – Psychiatric Emergency Services
DES/DET Expansion

I am pleased to inform you that Trustees approved an FY11-FY12 carryover of \$268,000 in MHTAAR funds for Designated Evaluation and Treatment Expansion. According to our records, DHSS has accounted for this project under AR 23046 / CC 6338113-11.

The carryover estimate was reached through The Trust consultation with DHSS staff. In the event the final unexpended/unobligated balance at the close of the FY11 reappropriation period is actually lower than \$268,000 then the lower actual amount should be used as Trustees have not authorized additional expenditures.

Please restrict \$268,000 in unexpended/unobligated MHTAAR authority (OMB Fund Code 1092) from FY11 for budgetary and lapsing purposes.

Please feel free to use this memo as backup to your request to the Legislative Budget & Audit Committee as DHSS will require their approval for you to receive and expend the unplanned MHTAAR funding.

If you have any questions please contact myself or the appropriate associate here at The Trust. Thank you.

cc: Delisa Culpepper, Katie Baldwin-Johnson, Marilyn McMillan

3745 Community Park Loop
Suite #200
Anchorage, AK 99508
Phone: (907) 269-7960
Fax: (907) 269-7966



Memo

To: Laraine Derr, Finance Committee Chair
From: **Katie Johnson, Trust Program Officer**
Date: May 9, 2011
Re: **Change of Intent – FY11 \$299,942 MHTAAR – Psychiatric
Emergency Services DES/DET Expansion- FY12 Carry Over**

Motion

Approve the carryover of \$299,942 FY11 MHTAAR to FY12 for the DBH Psychiatric Emergency Services Project.

Request

This request is for approval to authorize the Department of Health and Social Services – Division of Behavioral Health (DHSS-DBH) to carry over \$299,942 of \$300.0 FY11 MHTAAR designated for Psychiatric Emergency Services (DES/DET) expansion into fiscal year 2012.

History

In FY10 Trustees approved \$300.0 of FY 11 MHTAAR funding to DHSS-DBH to maintain and support the existing system of designated evaluation and stabilization or treatment (DES/DET) services within the state, with a primary focus of preventing further erosion of existing services by addressing the shortage of DES/DET access. Over the course of this past year and in preparation to expend these funds, the division has learned that the challenges and expansion of DES/DET must be addressed in a broader emergency services context that takes into account the entire psychiatric system. Along with DES/DET, the strategy for this project has expanded

to include identification of various pressures across the service system which results in a higher census at our state psychiatric hospital, API.

There was delay in hiring an emergency services coordinator to oversee this initiative which in turn resulted in a delay in expenditure of funds. DBH and Trust staff is in agreement that the funds should be carried over with intent to expend in FY12. A more thorough plan will be developed in partnership with the Trust and other stakeholders and will generally include strategies to help stabilize DES/DET sites through procedure development/training, expansion of DES/DET where possible, improving a statewide transportation model for mental health emergencies and evaluation of emergency services data to help inform coordinated action.

		Appropriation	General	Other
		Allocations	Funds	Funds
1				
2				
3	Program			
4	Alcohol Safety Action	994,400		
5	Program (ASAP)			
6	Behavioral Health Grants	24,497,500		
7	Behavioral Health	5,916,400		
8	Administration			
9	Community Action	1,547,200		
10	Prevention & Intervention			
11	Grants			
12	Rural Services and Suicide	2,335,700		
13	Prevention			
14	Psychiatric Emergency	6,444,100		
15	Services			
16	Services to the Seriously	14,975,300		
17	Mentally Ill			
18	Designated Evaluation and	3,156,400		
19	Treatment			
20	Services for Severely	14,212,600		
21	Emotionally Disturbed			
22	Youth			
23	Alaska Psychiatric	6,406,200		
24	Institute			
25	Alaska Mental Health Board	939,700		
26	and Advisory Board on			
27	Alcohol and Drug Abuse			
28	Suicide Prevention Council	130,900		
29	Children's Services	10,908,500	10,590,500	318,000
30	Children's Services	69,500		
31	Management			
32	Front Line Social Workers	148,500		
33	Family Preservation	726,000		

**Department of Health and Social Services
Public Health, Health Planning Systems Development**

Subject of RPL: SHARP-Loan Repayment	ADN/RPL #: 06-2-0090
Amount requested: \$344,179	Appropriation Authority: Sec 1 Ch 4 FSSLA 2011 pg 5 ln 19
Funding source: MHTAAR (1092) FY12 Operating	Statutory Authority: AS 18.05.010(b)(8)

PURPOSE

The purpose of this RPL is to request remaining FY2011 MHTAAR funds in the Health Planning and Systems Development component, in the amount of \$344,179, be carried forward to FY2012 for the Supporting Healthcare Access through Loan Repayment (SHARP) program. The funds are necessary as a required match to a federal grant.

SHARP focuses on the recruitment and retention of licensed primary health care professionals in federally designated health professional shortage areas in exchange for the repayment of qualifying educational loans. Selected primary care practitioners sign a two-year memorandum of agreement, and commit to serve in an identified high-needs area and clinic. Occupations eligible for the program at the Tier 1 level, making them eligible for up to a \$35,000 annual benefit, include Allopathic M.D.s, Osteopathic doctors (D.O.s), and general practice dentists. Tier 2 practitioners, eligible for up to a \$20,000 annual benefit, include nurse practitioners, physician assistants, dental hygienists, psychologists, social workers, psychiatric nurse specialists, counselors, marriage and family therapists, and other Alaska-licensed primary care professionals. Nationally, this workforce “support-for-service” strategy has proven successful in increasing practitioner recruitment and retention.

Loan repayment agreements and awards have been made to a total of 24 participants: 12 behavioral health clinicians, 3 dentists, and 9 medical clinicians based in Anchorage, Bethel, Dillingham, Fairbanks, Healy, Homer, Kenai, Petersburg, Skagway, Talkeetna, Tok, Wrangell, & Interior villages. Under the current funding scenario, the program expects to provide awards to this current group and one additional group of practitioners through FY2013.

PREVIOUS LEGISLATIVE CONSIDERATION

The authority to collect the federal revenue for this program was first appropriated in FY2009 and is authorized for the FY2011 and FY2012 budgets. RPL 06-1-0173 was approved in August 2010 adding matching MHTAAR authority to this program.

TIMING ISSUES

Approval of this FY2012 MHTAAR authorization for the FY2011 carryover needs to occur by September 30, 2011 to match the FFY2011 federal grant in order to assure use of the federal funds to continue awarding loan payments to the program’s participants for FY2012 beginning July 1. The program was founded in the fall of 2009, when the state was awarded a federal healthcare loan repayment grant; however, FY2011 was the first year of implementation. The MHTAAR, which is appropriated on a state fiscal year, was intended to match a federal grant, which is awarded on a federal fiscal year cycle. Payments are made on a quarterly basis. As many as eight payments up to the maximum annual benefit allowed can be made to a practitioner. No more than one-half of the program participant’s eligible loan debt will be paid each year. The consequences of delay or

Agency Contact: Nancy Rolfzen, Acting DHSS Assistant Commissioner, (907) 465-1630
Legislative Finance Contact: Amanda Ryder, (907) 465-5411

disapproval are that DHSS would have to use the FY2012 MHTAAR as match for FFY2011, leaving the program short of matching dollars for the FFY2012 grant cycle. DHSS would not be able to provide the agreed upon loan repayment assistance per the contracts. If funds cease to become available to the State of Alaska for operation of the SHARP program, then agreements will be void upon 30-days written notice.

BUDGETARY ISSUES

The SHARP program fits within the Department of Health and Social Service's priorities concerning healthcare access and delivery. SHARP is funded through a grant from the federal Health Resources and Services Administration, which is part of the U.S. Department of Health and Human Services. The grant requires a one to one match of state/local funds to the federal funds. FY2011 expenditures fell well below estimates due to the slow implementation of the program. FY2012 expenditures are expected to be much closer to current projections. In considering the required match and the complexities of the state FY and federal FY overlapping, the program expects to require future non-federal match from MHTAAR funds along with the \$200.0 GF match appropriated in Chapter 3, SLA2011.

Legislative Fiscal Analyst Comment: In FY09 the department received a one-time federal grant totaling \$600,000 for the SHARP program. The funding requires a one-to-one state match. The first year of implementation for the program was in FY11 and \$560,000 of MHTAAR was authorized for the match. Only a portion of the funding was expended, leaving a balance of \$344,179 MHTAAR and \$400,000 Federal funds to carry over into FY12 (see table).

	FEDERAL	MHTAAR/ Match	NOTES
	595.0		In FY09 the dept was awarded a grant totaling \$600.0 At the start of FY11 approx \$595.0 of the grant was still available
		200.0	IncOTI - MH Trust: Workforce Dev Grant Loan Repayment
		150.0	IncOTI (Amendment) - MH Trust: Workforce Dev Grant Loan Repayment
		210.9	RPL 06-1-0173
FY11 BoY Balance	595.0	560.9	
FY11 Expenditures	195.0	216.7	Estimate
FY11 EoY Balance	400.0	344.2	
FY12 Current Auth	400.0	0.0	
FY12 Requested RPL		344.2	Current RPL is requesting authority to expend the \$344.2 in FY12
FY12 TOTAL	400.0	344.2	

Approval of this RPL will authorize \$344,179 MHTAAR funds to Public Health, Health Planning Systems Development for FY12. The term "carryover" typically refers to extending expenditure authority from one year to another. Because an RPL cannot extend the lapse date of an appropriation, it is more accurate to consider this RPL as a request for new FY12 authorization. The Mental Health Trust Authority has approved use of the unexpended MHTAAR funding previously appropriated in FY11.

In addition, the department received two increments during the 2011 Legislative Session to implement a second group of loan repayment agreements and awards beyond the federal grant. The legislature appropriated \$200.0 MHTAAR and \$200.0 GFM for the program.

There are no technical issues with this RPL.

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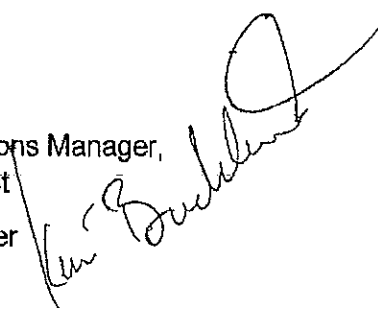
Memo

To: Sherrie Stears, DHSS Admin Operations Manager,
Jocelyn Yadao, DHSS Budget Analyst

From: Kevin Buckland, Chief Financial Officer

Date: May 25, 2011

Re: FY11-FY12 MHTAAR Carryover – SHARP Loan Repayment



I am pleased to inform you that Trustees approved an FY11-FY12 carryover of \$352,453 in MHTAAR funds for SHARP Loan Repayment funds. According to our records, DHSS has budgeted for this project under Health Planning and Systems Development, Health Care Services; AKSAS AR 24201 / CC 6214079-11.

Please feel free to use this memo as backup to your request to the Legislative Budget & Audit Committee as DHSS will require their approval for you to receive and expend the unbudgeted MHTAAR funding.

The carryover estimate was reached through Trust consultation with DHSS staff. We would appreciate DHSS processing a restriction for \$352,453 in FY11 MHTAAR authority (OMB Fund Code 1092) for budgetary and lapsing purposes. If in the event circumstances dictate that the final unexpended/unobligated balance at the close of the FY11 reappropriation period is actually lower than \$352,453 then the lower actual amount should be used.

If you have any questions please contact myself or the appropriate associate here at The Trust. Thank you.

cc: Delisa Culpepper, Marilyn McMillan

		Appropriation		General	Other
		Allocations	Items	Funds	Funds
3	Foster Care Augmented Rate	500,000			
4	Foster Care Special Need	747,900			
5	Residential Child Care	3,238,100			
6	Infant Learning Program	5,478,500			
7	Grants				
8	Health Care Services		126,200	126,200	
9	Certification and Licensing	126,200			
10	Juvenile Justice		1,228,900	1,110,800	118,100
11	McLaughlin Youth Center	700,500			
12	Fairbanks Youth Facility	109,700			
13	Bethel Youth Facility	58,700			
14	Probation Services	360,000			
15	Public Assistance		13,200	13,200	
16	Public Assistance	13,200			
17	Administration				
18	Public Health		1,641,600	1,240,800	400,800
19	Health Planning and	697,200			
20	Systems Development				
21	Nursing	98,200			
22	Women, Children and Family	846,200			
23	Health				
24	Senior and Disabilities		15,537,400	14,567,600	969,800
25	Services				
26	General Relief/Temporary	740,300			
27	Assisted Living				
28	Senior and Disabilities	3,401,700			
29	Services Administration				
30	Senior Community Based	2,809,100			
31	Grants				
32	Community Developmental	7,924,800			
33	Disabilities Grants				