

# LEGAL SERVICES

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## MEMORANDUM

March 13, 2017

**SUBJECT:** Sectional summary for CSSB 18 ( )  
(Work Order No. 30-LS0252U)

**TO:** Senator Lyman Hoffman  
Attn: Maridon Boario

**FROM:** Susie Shutts   
Legislative Counsel

You requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill, and the bill itself is the best statement of its contents.

**Section 1.** Amends AS 14.08.011(a), which states that it is the purpose of AS 14.08 to provide for public education in the unorganized borough and the military reservations in the state. Adds energy boroughs as a place where AS 14.08 aims to provide public education.

**Sections 2 - 4.** Amends AS 14.08.031 and AS 14.08.071, which describe how the unorganized borough is divided into educational service areas, (regional educational attendance areas with elected regional school boards) to provide that the area comprising the unorganized borough and energy boroughs will be divided into educational service areas.

**Section 5.** Amends AS 14.12.010, which currently states, in part, that each organized borough is a borough school district. This amendment in paragraph 2 precludes an energy borough from being a borough school district. The amendment in paragraph 1 allows a home rule and first class city in an energy borough to be a city school district. The amendment in paragraph 3 provides that the area outside first class, second class, third class, or home rule boroughs and outside home rule and first class cities is divided into regional educational attendance areas.

**Section 6 - 7.** Amends the definition of "regional educational attendance area" to include the area comprising energy boroughs in AS 14.60.010(7), for the purpose of Title 14, and in AS 23.40.250(8), for the purpose of AS 23.40.070 - 23.40.260.

**Section 8.** Amends AS 29.04.030 to add energy boroughs to the classes of general law municipalities.

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**Section 9.** Amends AS 29.05.031(a), which authorizes an area that meets certain requirements to incorporate as a home rule, first class, or second class borough or unified municipality, to add that an area that meets those requirements may incorporate as an energy borough.

**Section 10.** Amends AS 29.35.160, which currently provides that each borough is a borough school district, to exclude energy boroughs.

**Section 11.** Adds a new section to AS 29.35, sec. 29.35.230, which sets forth the limited powers of an energy borough, which are notwithstanding any other provision of law.

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