

CS FOR HOUSE BILL NO. 404(RLS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE

Offered: 5/4/04

Referred: 2nd Supplemental Calendar

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

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Alaska Commission on Postsecondary Education; relating to the**
2 **Alaska Student Loan Corporation; relating to bonds of the corporation; relating to loan**
3 **and grant programs of the commission; relating to an exemption from the State**
4 **Procurement Code regarding certain contracts of the commission or corporation;**
5 **making conforming changes; and providing for an effective date."**

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

7 *** Section 1.** AS 14.42.030(e) is amended to read:

8 (e) The commission may

9 (1) adopt regulations under AS 44.62 (Administrative Procedure Act)

10 to

11 (A) carry out the purposes of

12 (i) AS 14.43.091 - 14.43.750, 14.43.990, AS 14.44, and

13 AS 14.48; and

1 (ii) AS 14.43.910 and 14.43.920 as they relate to the
 2 purposes of AS 14.43.091 - 14.43.750, 14.43.990, AS 14.44, and
 3 AS 14.48; [AND]

4 (B) ensure compliance with the requirements imposed by state
 5 and federal statutes and regulations governing the guaranty, insurance,
 6 purchase, or other dealings in eligible loans by federal agencies,
 7 instrumentalities, or corporations; **and**

8 **(C) establish standards for the**

9 **(i) administration of hearings conducted under**
 10 **AS 14.43.153; and**

11 **(ii) administrative enforcement of collection orders**
 12 **under AS 14.43.151 - 14.43.155;**

13 (2) delegate to the executive director of the commission or a
 14 subcommittee of the commission any duty imposed on or power granted to the
 15 commission by this chapter, AS 14.43, AS 14.44, or AS 14.48, except its power to
 16 adopt regulations and its duty to consider appeals under AS 14.43.100(b) and
 17 AS 14.48.120;

18 (3) establish task forces, committees, or subcommittees, not
 19 necessarily consisting of commission members, to advise and assist the commission in
 20 carrying out its functions;

21 (4) contract with or use existing institutions of postsecondary
 22 education or other individuals or organizations to make studies, conduct surveys,
 23 submit recommendations, or otherwise contribute to the work of the commission;

24 (5) establish fees for the review of an out-of-state institution that

25 (A) requests approval for participation in the programs under
 26 AS 14.43.091 - 14.43.750, 14.43.990, and AS 14.44; and

27 (B) is not accredited by a national or regional accreditation
 28 association recognized by the Council for Higher Education Accreditation; and

29 (6) collect all fees and costs incurred in collection of the amount owed
 30 on a loan or repayment obligation if the loan or repayment obligation becomes
 31 delinquent or in default; in this paragraph, fees and costs include attorney fees, court

1 costs, and collection fees charged by a collection agency.

2 * **Sec. 2.** AS 14.42.210(a) is amended to read:

3 (a) The education loan fund is established in the corporation. The education
4 loan fund is a trust fund to be used to carry out the purposes of AS 14.42.100 -
5 14.42.990, AS 14.43.091 - 14.43.175, 14.43.400 - 14.43.420, 14.43.600 - 14.43.700,
6 14.43.710 - 14.43.750, 14.43.990, and AS 14.44.025. The fund consists of money or
7 assets appropriated or transferred to the corporation for the fund and money or assets
8 deposited in it by the corporation. The corporation may establish separate accounts in
9 the fund.

10 * **Sec. 3.** AS 14.42.210(b) is amended to read:

11 (b) Money and other assets of the education loan fund may be used to

12 (1) secure bonds of the corporation;

13 (2) pay the costs of administration of the fund;

14 (3) invest in education loans and investments under AS 37.10.071;

15 (4) finance programs approved under AS 14.43.091 - 14.43.175,
16 14.43.400 - 14.43.420, 14.43.600 - 14.43.700, 14.43.710 - 14.43.750, or
17 AS 14.44.040; and

18 (5) pay the costs of administering and collecting the loans and
19 repayment obligations under the financial aid programs listed in (4) of this subsection.

20 * **Sec. 4.** AS 14.42.220(a) is amended to read:

21 (a) **The** [SUBJECT TO (f) OF THIS SECTION, THE] corporation may
22 borrow money and may issue bonds, on which the principal and interest are payable
23 from its income and receipts or other assets or a designated part or parts of them. **The**
24 **corporation may use the proceeds of its bonds for any purposes that the**
25 **corporation considers appropriate, including providing money to**

26 **(1) make or purchase education loans;**

27 **(2) finance programs identified in AS 14.42.210;**

28 **(3) finance projects of the state as those projects may be identified**
29 **by law; and**

30 **(4) pay for any other purpose or program of the corporation that**
31 **is authorized in AS 14.42.100 - 14.42.310.**

1 * **Sec. 5.** AS 14.42.220 is amended by adding a new subsection to read:

2 (g) The corporation may not issue bonds to finance projects under (a)(3) of
3 this section in an aggregate amount that exceeds \$200,000,000. The corporation may
4 issue the bonds in a single issuance or in several issuances, without limitation as to the
5 number of issuances or timing, except that bonds may not be issued to finance projects
6 under (a)(3) of this section before January 1, 2005, or after December 31, 2008.

7 * **Sec. 6.** AS 14.43.120(u) is amended to read:

8 (u) The **corporation** [COMMISSION] by regulation shall set a loan
9 origination fee, not to exceed five percent of the total education loan amount, to be
10 assessed upon an education loan that is funded from the education loan fund of the
11 **corporation** [ALASKA STUDENT LOAN CORPORATION]. The loan origination
12 fee shall be deducted **by the commission** at the time the loan is disbursed. **The**
13 [SUBJECT TO APPROPRIATION, THE] loan origination fees shall be deposited into
14 an origination fee account within the education loan fund of the **corporation**
15 [ALASKA STUDENT LOAN CORPORATION], and subsequently used by the
16 corporation to offset losses incurred as a result of death, disability, default, or
17 bankruptcy of the borrower.

18 * **Sec. 7.** AS 14.43.122(a) is amended to read:

19 (a) The commission may offer

20 (1) a borrower who has received more than one **education** loan
21 [UNDER AS 14.43.091 - 14.43.160] the option of consolidating the multiple loans
22 into a single loan; or

23 (2) to consolidate **education** loans made [UNDER AS 14.43.091 -
24 14.43.160] to married borrowers if the married borrowers agree to be jointly and
25 severally liable for repayment of the consolidated loan, regardless of the borrowers'
26 future marital status or the death of one of the borrowers.

27 * **Sec. 8.** AS 14.43.145(a) is amended to read:

28 (a) For the purposes of this chapter, a loan is in default after a loan payment
29 has become 180 or more days past due or, for a loan under AS 14.43.161 - 14.43.168
30 or 14.43.170 - 14.43.175, the default requirements established by the commission have
31 been met. Upon default,

- 1 (1) repayment of the remaining balance is accelerated and due;
- 2 (2) the commission may take the borrower's permanent fund dividend
- 3 under AS 43.23.067;
- 4 (3) the commission may issue an order to withhold and deliver under
- 5 AS 14.43.147;
- 6 (4) the commission may provide notice of the default to a licensing
- 7 entity for nonrenewal of the license under AS 14.43.148; [AND]
- 8 (5) the commission may record the lien created under AS 14.43.149;

9 **and**

10 **(6) the commission may establish an administrative collection**

11 **order under AS 14.43.151 - 14.43.155.**

12 * **Sec. 9.** AS 14.43 is amended by adding new sections to read:

13 **Sec. 14.43.151. Authority and procedure to administratively establish and**

14 **enforce a collection order.** If a judgment in favor of the commission has not been

15 entered by the court regarding a defaulted loan awarded under this chapter, the

16 commission may establish a duty to repay the defaulted loan through a collection order

17 using the procedures prescribed in AS 14.43.152 - 14.43.155 and may enforce the

18 collection order. Action under this section may be undertaken at the commission's

19 discretion if the borrower is in default under AS 14.43.145.

20 **Sec. 14.43.152. Initiation of administrative action to establish a collection**

21 **order; required notice.** (a) An action to establish a collection order authorized under

22 AS 14.43.151 is initiated by the commission's serving on the borrower a notice of

23 establishment of collection order. The notice shall be served by mailing the notice to

24 the borrower at

25 (1) the borrower's most recent address provided to the commission by

26 the borrower; or

27 (2) another address known to the commission.

28 (b) The notice served under (a) of this section must state

29 (1) the amount of the liability for default under AS 14.43.145 for

30 which the borrower is found to be responsible; the amount stated under this paragraph

31 shall include all principal, interest, and collection fees;

1 (2) that a lien may be recorded against the borrower's property as
2 authorized under AS 14.43.145(a)(5);

3 (3) that the borrower may appear at a hearing held by the commission
4 and show cause that a collection order should not be entered because, at the time of the
5 notice,

6 (A) no loan payment was more than 180 days past due or, for a
7 loan under AS 14.43.161 - 14.43.168 or 14.43.170 - 14.43.175, the default
8 requirements established by the commission had not yet been met; or

9 (B) the borrower had entered into, or was in compliance with,
10 an agreement to forbear default with the commission; and

11 (4) that, if the borrower served with the notice does not request a
12 hearing within 30 days after the date of mailing of the notice, a collection order will be
13 entered and the property of the borrower will be subject to a lien under AS 14.43.149
14 in the amount stated in the collection order without further notice or hearing.

15 **Sec. 14.43.153. Hearings in administrative action to establish a collection**
16 **order; burden of proof.** (a) A borrower served with a notice of establishment of
17 collection order under AS 14.43.152 is entitled to a hearing before the commission if
18 the request for a hearing is served on the commission by registered mail, return receipt
19 requested, within 30 days after the date the notice is mailed to the borrower.

20 (b) If a request for a hearing in accordance with (a) of this section is made, the
21 issuance of a collection order is automatically stayed pending the decision of the
22 hearing officer for the commission. If a request for a hearing is not made, the
23 collection order is final at the expiration of the 30-day period specified in (a) of this
24 section.

25 (c) A borrower claiming that the notice is incorrect has the burden at hearing
26 to document the existence of one of the conditions described in AS 14.43.152(b)(3)(A)
27 and (B).

28 (d) Within 60 days after the date of the hearing, the hearing officer shall enter
29 a decision determining whether default has occurred and, if default has occurred,
30 specifying the amount of the collection order and declaring that the property of the
31 borrower is subject to a lien under AS 14.43.149 in the amount of the collection order.

1 (e) If the borrower who requested the hearing fails to appear at the hearing, the
2 hearing officer shall enter a decision

3 (1) confirming that a default has occurred;

4 (2) confirming the amount of the collection order;

5 (3) declaring that the property of the borrower is subject to a lien under
6 AS 14.43.149 in the amount stated under (2) of this subsection.

7 (f) The decision of the hearing officer is a final decision that may be appealed
8 to the superior court under the Alaska Rules of Appellate Procedure.

9 **Sec. 14.43.154. Collection orders as judgments.** A collection order is
10 equivalent to a judgment and becomes vested

11 (1) at the expiration of the 30-day period described in AS 14.43.153(b)
12 if a hearing is not requested; or

13 (2) on the date the hearing officer enters a decision in favor of the
14 commission if a hearing was requested by the borrower.

15 **Sec. 14.43.155. Nature of remedies.** AS 14.43.154 provides a remedy in
16 addition to and not as a substitute for any other remedies available to the commission.

17 * **Sec. 10.** AS 14.43.161 is amended to read:

18 **Sec. 14.43.161. Purpose; creation.** There is established the AlaskAdvantage
19 [ALASKA ADVANTAGE] loan program to provide postsecondary educational
20 financial assistance through the federal guaranteed student loan program. The
21 AlaskAdvantage [ALASKA ADVANTAGE] loan program is the primary source for
22 financial aid to eligible borrowers under this chapter.

23 * **Sec. 11.** AS 14.43.166 is amended to read:

24 **Sec. 14.43.166. Repayment of loans.** A borrower's obligation to commence
25 repayment of the principal and interest on a loan under AS 14.43.161 - 14.43.166 and
26 14.43.168 [AS 14.43.161 - 14.43.168] begins six months after the borrower's
27 completion or other termination of the postsecondary education program. The
28 commission may accelerate the repayment of any loan made in error or in reliance
29 upon a false statement made by the borrower. The commission shall determine the
30 period over which loans are repaid; however, the maximum period of repayment of
31 loans may not exceed the maximum period permitted under applicable provisions of

1 the federal guaranteed student loan program.

2 * **Sec. 12.** AS 14.43.168(b) is amended to read:

3 (b) The provisions of AS 14.43.145 - 14.43.155 [AS 14.43.145 - 14.43.150]
4 apply to loans under AS 14.43.161 - 14.43.168 that are in default.

5 * **Sec. 13.** AS 14.43.170 is amended to read:

6 **Sec. 14.43.170. Creation; purpose.** There is created the Alaska supplemental
7 education loan program to provide postsecondary educational supplemental financial
8 assistance. Supplemental financial assistance is available only if the financial aid
9 available through the AlaskAdvantage [ALASKA ADVANTAGE] loan program is
10 insufficient to cover the costs of attendance at a postsecondary institution or if the
11 borrower does not qualify for financial aid under the federal guaranteed student loan
12 program. The commission shall make the public aware of the Alaska supplemental
13 education loan program to facilitate providing loans to as many eligible borrowers as
14 possible.

15 * **Sec. 14.** AS 14.43.171 is amended to read:

16 **Sec. 14.43.171. Applicability of other laws.** The provisions of
17 AS 14.43.120(d)(4), 14.43.122, 14.43.135, 14.43.140, 14.43.145 - 14.43.160,
18 14.43.164, 14.43.166, and 14.43.168 [AND 14.43.166 - 14.43.168] apply to the loans
19 made under AS 14.43.170 - 14.43.175 as if the loans were made under those
20 applicable provisions.

21 * **Sec. 15.** AS 14.43.172(c) is amended to read:

22 (c) In addition to the provisions of (a) of this section, a borrower is eligible for
23 a loan under AS 14.43.170 - 14.43.175 if the borrower

24 (1) is not delinquent in payment [ON AND HAS NEVER BEEN IN
25 DEFAULT] on a loan previously awarded by the commission;

26 (2) at the time of application or loan disbursement, does not have a
27 past due child support obligation established by court order or by the child support
28 enforcement division under AS 25.27.160 - 25.27.220;

29 (3) has not, within the previous five years, had a loan discharged or
30 written off by the commission for any reason;

31 (4) does not have a status, at the time of application for a loan or

1 disbursement of loan money, that would prevent the borrower from repaying the loan
2 as it becomes due;

3 (5) has not, within the previous five years, defaulted on another loan
4 made to the borrower by a lending entity unless the borrower can show good faith
5 efforts to repay the loan and extraordinary circumstances that led to the default;
6 [AND]

7 (6) does not have a credit history, at the time of application for a loan,
8 that demonstrates chronic inability or unwillingness to pay an extension of credit or
9 loan as it becomes due; **and** [.]

10 (7) **has** [AS] complied with the military selective service registration
11 requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if
12 those requirements were applicable to the person.

13 * **Sec. 16.** AS 14.43.172(d) is amended to read:

14 (d) The commission may **not** make a loan to a borrower who has been in
15 default on a loan previously awarded by the commission **unless** [IF

16 (1)] the previously awarded loan has been paid in full [; AND

17 (2) ANOTHER INDIVIDUAL WHO SATISFIES THE
18 REQUIREMENTS OF (c) OF THIS SECTION COSIGNS THE LOAN].

19 * **Sec. 17.** AS 14.43.300(a) is amended to read:

20 (a) An education loan to a recipient under AS 14.43.250(b)(1) - (4) or (6) may
21 not exceed \$2,500 a school year for an undergraduate student or \$5,000 a school year
22 for a graduate student [, EXCLUSIVE OF LOAN GUARANTEE FEES UNDER (g)
23 OF THIS SECTION,] and may not be made to a student for more than six years. An
24 education loan to a recipient under AS 14.43.250(b)(5) may not exceed the cost of
25 tuition and required fees, [LOAN GUARANTEE FEES UNDER (g) OF THIS
26 SECTION,] books and educational supplies, room and board, and transportation for
27 two round trips between the recipient's home and school each year. A loan under
28 AS 14.43.250(b)(5) may not be made for more than five years of undergraduate study,
29 five years of graduate study, or a combined maximum of eight years of study.

30 * **Sec. 18.** AS 14.43.400 is amended to read:

31 **Sec. 14.43.400. Purpose; creation.** There is **created** [ESTABLISHED] the

1 **AlaskAdvantage education** [ALASKA STATE EDUCATIONAL INCENTIVE]
 2 grant program to provide financial assistance to eligible students to enable them to
 3 attend, or continue their attendance at, postsecondary educational institutions. Funds
 4 **designated by the corporation or** appropriated for this program **may** [SHALL] be
 5 used as matching funds for the state's participation in the federal [STATE STUDENT
 6 INCENTIVE] grant program **under 20 U.S.C. 1070c - 1070c-4** [(P.L. 92-318; 20
 7 U.S.C. 1070c - 1070c-3)].

8 * **Sec. 19.** AS 14.43.405(a) is repealed and reenacted to read:

9 (a) The AlaskAdvantage education grant program created under AS 14.43.400
 10 - 14.43.420 shall be administered by the executive director of the commission.

11 * **Sec. 20.** AS 14.43 is amended by adding a new section to read:

12 **Sec. 14.43.406. Applicability of other laws.** (a) To the extent they are not in
 13 conflict with the provisions of AS 14.43.400 - 14.43.420, the provisions of
 14 AS 14.43.162(b), 14.43.910, and 14.43.920 apply to a grant made under AS 14.43.400
 15 - 14.43.420.

16 (b) In determining a student's eligibility for a grant under AS 14.43.400 -
 17 14.43.420, the executive director of the commission shall apply the standards
 18 contained in the definitions of "full-time student," "half-time student," and "school
 19 year" in AS 14.43.160 as if those provisions were applicable to application for the
 20 grant.

21 * **Sec. 21.** AS 14.43.410 is amended to read:

22 **Sec. 14.43.410. Distribution of funds.** The funds [APPROPRIATED] for the
 23 **AlaskAdvantage education** [EDUCATIONAL INCENTIVE] grant program **may**
 24 [SHALL] be allocated to eligible students in accordance with the provisions of the
 25 federal [STATE STUDENT INCENTIVE] grant program **under 20 U.S.C. 1070c -**
 26 **1070c-4** and regulations adopted under AS 14.43.105 and 14.43.405.

27 * **Sec. 22.** AS 14.43.410 is amended by adding a new subsection to read:

28 (b) The commission may set aside a portion of grant awards for otherwise
 29 eligible applicants whose employment prevents them from attending school on a full-
 30 time basis. The commission shall adopt regulations to carry out the purposes of this
 31 subsection.

1 * **Sec. 23.** AS 14.43.415 is repealed and reenacted to read:

2 **Sec. 14.43.415. Eligibility; priority.** (a) For an applicant to be eligible for a
3 grant under AS 14.43.400 - 14.43.420, the applicant must be

4 (1) a resident of this state;

5 (2) enrolled or about to be enrolled

6 (A) at an institution approved to participate in federal financial
7 aid programs under 20 U.S.C. 1070 - 1099c-2, as amended, located in this
8 state; and

9 (B) on at least a half-time basis; and

10 (3) able to demonstrate financial need in accordance with standards for
11 determining financial need established by the commission under 20 U.S.C. 1070c-2, as
12 amended.

13 (b) The commission shall give an applicant eligible under (a) of this section
14 priority for a grant award if that applicant is, or is about to be, enrolled in a program of
15 study that is preparatory for employment in an occupation or profession for which the
16 Department of Labor and Workforce Development, or another workforce data source
17 selected as reliable by the commission, indicates there is a severe shortage of trained
18 individuals in this state. Additionally, the commission may give an applicant priority
19 for a grant award if that applicant has participated in a secondary education program
20 of study that can be demonstrated to the commission to be a predictor for success at
21 the postsecondary education level for a program of study described in this subsection.
22 For purposes of this subsection,

23 (1) "occupation or profession" means a job for which specific
24 postsecondary certification is a prerequisite for entry-level placement;

25 (2) "severe shortage" means a current or recurring job vacancy rate of
26 15 percent or greater, as determined by the Department of Labor and Workforce
27 Development or by another workforce data source determined reliable by the
28 commission.

29 (c) The commission shall adopt regulations to establish a prioritization process
30 for awarding grants under AS 14.43.400 - 14.43.420.

31 * **Sec. 24.** AS 14.43.420(a) is amended to read:

1 (a) A grant made under AS 14.43.400 - 14.43.420 [AS 14.43.400 - 14.43.500]
 2 may not be in an amount less than \$500 [\$100] nor more than \$2,000 [\$1,500] for
 3 each school [ACADEMIC] year.

4 * **Sec. 25.** AS 14.43.420 is amended by adding a new subsection to read:

5 (c) A student may receive not more than a total of \$8,000 in grants awarded
 6 under AS 14.43.400 - 14.43.420.

7 * **Sec. 26.** AS 14.43.740(a) is amended to read:

8 (a) The provisions of AS 14.43.100, 14.43.120(a) - (c), (m), and (r) - (u),
 9 14.43.122 [14.43.110, 14.43.120(a) - (d), (m), AND (r) - (u)], 14.43.135, 14.43.145 -
 10 14.43.155 [14.43.145 - 14.43.150], and 14.43.910 - 14.43.990 apply to a loan made
 11 under AS 14.43.710 - 14.43.750.

12 * **Sec. 27.** AS 14.43.740 is amended by adding a new subsection to read:

13 (g) The commission may, by regulation, set loan limits for loans made under
 14 AS 14.43.710 - 14.43.750.

15 * **Sec. 28.** AS 14.43.990 is amended by adding new paragraphs to read:

16 (5) "AlaskAdvantage" means the service mark registered by the
 17 commission under 15 U.S.C. 1051 (Trademark Act) that is used to describe financial
 18 aid and higher education outreach programs and services provided by the commission;

19 (6) "education loan" means a loan made to finance the cost of
 20 attendance in a postsecondary education program that is made by the commission or is
 21 a loan received through the federal guaranteed student loan program.

22 * **Sec. 29.** AS 14.44.040(c) is amended to read:

23 (c) If a program participant defaults on the repayment obligation, the
 24 provisions of AS 14.43.145 - 14.43.155 [AS 14.43.145 - 14.43.150] apply to collect
 25 on the obligation as if it were a defaulted loan under AS 14.43.

26 * **Sec. 30.** AS 36.30.850(b) is amended by adding a new paragraph to read:

27 (44) contracts of the Alaska Commission on Postsecondary Education
 28 or the Alaska Student Loan Corporation for the guarantee and disbursing of financial
 29 aid money to institutions of postsecondary education under the financial aid programs
 30 under AS 14.43.091 - 14.43.750 and AS 14.44.025.

31 * **Sec. 31.** AS 14.42.110, 14.42.220(f); AS 14.43.122(b), 14.43.300(g), 14.43.405(b),

1 14.43.420(b), and 14.43.500 are repealed.

2 * **Sec. 32.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 TRANSITION: REGULATIONS. The Alaska Student Loan Corporation may
5 proceed to adopt regulations to implement the changes made by sec. 6 of this Act. The
6 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the
7 effective date of sec. 6 of this Act.

8 * **Sec. 33.** The uncodified law of the State of Alaska is amended by adding a new section to
9 read:

10 REVISOR OF STATUTES INSTRUCTIONS. (a) The revisor of statutes is
11 instructed to change the heading of Article 5 of AS 14.43 from "Article 5. Alaska Advantage
12 Loan Program." to "Article 5. AlaskAdvantage Loan Program."

13 (b) The revisor of statutes is instructed to change the heading of Article 8 of AS 14.43
14 from "Article 8. Educational Incentive Grant Program." to "Article 8. AlaskAdvantage
15 Education Grant Program."

16 * **Sec. 34.** The uncodified law of the State of Alaska is amended by adding a new section to
17 read:

18 REGULATIONS ATTORNEY INSTRUCTIONS. Wherever in the Alaska
19 Administrative Code the term "Alaska advantage" is used, it shall be read as
20 "AlaskAdvantage" when to do so would be consistent with the changes in this Act. Under
21 AS 44.62.125(b)(6), the regulations attorney is instructed to make changes in the Alaska
22 Administrative Code consistent with this section.

23 * **Sec. 35.** The uncodified law of the State of Alaska is amended by adding a new section to
24 read:

25 LEGISLATIVE IDENTIFICATION OF PROJECTS FOR FINANCING. (a) The
26 amount of \$7,000,000 may be appropriated from the proceeds of bonds issued under
27 AS 14.42.220(a)(3) to the Department of Community and Economic Development to be
28 awarded as a grant of \$5,000,000 under AS 37.05.315 to the Municipality of Anchorage for
29 renovation of the Anchorage Museum of History and Art and as a grant of \$2,000,000 under
30 AS 37.05.315 to the City of Ketchikan for library design, site acquisition, and construction.

31 (b) The amount of \$82,504,694 may be appropriated from the proceeds of bonds

1 issued under AS 14.42.220(a)(3) to the Department of Education and Early Development to
 2 be awarded as grants for design, construction, and major maintenance for public schools,
 3 subject to reallocation between projects in accordance with AS 37.07.080(e), for the following
 4 projects:

5		MUNICIPALITY OR	
6	PROJECT	REAA LOCATION	AMOUNT
7	(1) Blackwell School new well, Anvik	Iditarod Area	\$ 92,019
8	(2) Glennallen Elementary School	Copper River	2,095,501
9	exterior upgrade		
10	(3) Nulato structural roof repair	Yukon-Koyukuk	829,439
11	(4) Nenana boiler replacement/heating	Nenana City	393,407
12	system upgrade		
13	(5) Tetlin School site civil	Alaska Gateway	222,239
14	improvements		
15	(6) Allakaket renovate water/sewer	Yukon-Koyukuk	303,924
16	facility		
17	(7) Elicavicuar Elementary exterior	Saint Mary's	459,757
18	upgrades		
19	(8) Kake Elementary ventilation	Kake City	394,029
20	system upgrade		
21	(9) Tetlin School building	Alaska Gateway	873,306
22	improvements		
23	(10) David Louis Memorial School	Iditarod Area	180,128
24	emergency repairs and boiler		
25	relocation, Grayling		
26	(11) Top of the Kuskokwim School	Iditarod Area	173,500
27	boiler replacement, Nikolai		
28	(12) Innoko River School tank farm	Iditarod Area	247,032
29	pipeline and remediation,		
30	Shageluk		
31	(13) Holy Cross School vocational	Iditarod Area	177,760

1	education shop upgrade		
2	(14) Allakaket restroom renovation	Yukon-Koyukuk	311,862
3	(15) Andreafski High School code	Saint Mary's	179,906
4	upgrades		
5	(16) Annette Island schools	Annette Island	1,090,863
6	security/safety and major		
7	maintenance upgrades		
8	(17) Dot Lake School mechanical	Alaska Gateway	782,034
9	upgrade		
10	(18) Minto restroom renovation	Yukon-Koyukuk	179,150
11	(19) Thorne Bay House access ramp	Southeast Island	139,045
12	(20) Kaltag exterior siding	Yukon-Koyukuk	351,245
13	replacement		
14	(21) Iditarod fire alarm upgrades	Iditarod Area	192,994
15	(22) Kilbuck Elementary School	Lower Kuskokwim	5,401,968
16	deferred maintenance, Bethel		
17	(23) Mikelnguut Elitnaurviat	Lower Kuskokwim	2,331,937
18	Elementary School deferred		
19	maintenance, Bethel		
20	(24) W. Miller Memorial K-12	Lower Kuskokwim	2,598,517
21	deferred maintenance, Napaskiak		
22	(25) Eek K-12 deferred maintenance	Lower Kuskokwim	1,094,677
23	(26) Nuniwaarmiut K-12 deferred	Lower Kuskokwim	1,110,915
24	maintenance, Mekoryuk		
25	(27) Rocky Mountain K-12 deferred	Lower Kuskokwim	1,376,841
26	maintenance, Goodnews Bay		
27	(28) Nunam Iqua K - 12	Lower Yukon	10,667,574
28	new school construction,		
29	Sheldon Point		
30	(29) Howard Valentine K - 12	Southeast Island	3,748,143
31	new school construction,		

1	Coffman Cove		
2	(30) Dillingham High School heating	Dillingham	218,000
3	controls		
4	(31) Yakutat Grade School	Yakutat	1,000,000
5	renovation		
6	(32) Mt. Eccles construction	Cordova	350,000
7	reimbursement		
8	(33) Noatak School construction	Noatak	3,100,000
9	match		
10	(34) College Gate lighting	Anchorage	50,000
11	multi-purpose room		
12	(35) College Gate ceiling tile	Anchorage	30,000
13	replacement		
14	(36) District-wide radio repeater	Anchorage	2,100,000
15	system		
16	(37) District-wide security system	Anchorage	900,000
17	replacement		
18	(38) District-wide fire alarm system	Anchorage	1,200,000
19	replacement		
20	(39) District-wide intercom/	Anchorage	333,000
21	clock system replacement		
22	(40) Rabbit Creek install heat	Anchorage	140,000
23	tape and roof drains		
24	(41) Turnagain replace site lighting	Anchorage	100,000
25	(42) Operations Building electrical	Anchorage	60,000
26	service upgrade		
27	(43) Service High School bleacher	Anchorage	100,000
28	repair/upgrade		
29	(44) Mears bleacher repair/upgrade	Anchorage	80,000
30	(45) West High School bleacher	Anchorage	150,000
31	repair/upgrade		

1	(46) Romig kitchen electrical panels	Anchorage	30,000
2	upgrade		
3	(47) Turnagain sewer heat tape	Anchorage	30,000
4	(48) Central kitchen lights	Anchorage	20,000
5	replacement		
6	(49) Romig lights locker	Anchorage	60,000
7	room replacement		
8	(50) Lake Otis electrical	Anchorage	30,000
9	distribution upgrade		
10	(51) West High School library	Anchorage	900,000
11	reroof		
12	(52) Mount Iliamna reroof building	Anchorage	735,000
13	(53) Willow Crest replace	Anchorage	150,000
14	classroom carpet		
15	(54) Tudor replace vinyl asbestos	Anchorage	630,000
16	tile		
17	(55) Ocean View reroof section H	Anchorage	40,000
18	(56) Ptarmigan reroof section C	Anchorage	210,000
19	(57) Rabbit Creek reroof	Anchorage	40,000
20	sections C and I		
21	(58) Wonder Park reroof section I	Anchorage	75,000
22	(59) Susitna reroof section C	Anchorage	15,000
23	(60) Hanshew ADA entry	Anchorage	50,000
24	door upgrade		
25	(61) Susitna replace classroom	Anchorage	150,000
26	and office carpet		
27	(62) Willow Crest replace domestic	Anchorage	450,000
28	water piping		
29	(63) Inlet View heating/ventilation/	Anchorage	800,000
30	air conditioning/direct digital		
31	control upgrade		

1	(64) Inlet View repair drinking	Anchorage	45,000
2	water main		
3	(65) Career Center replace	Anchorage	800,000
4	heating water piping		
5	(66) Chester Valley heating/	Anchorage	500,000
6	ventilation/air conditioning/		
7	direct digital control upgrade		
8	(67) Hanshew replace variable air	Anchorage	500,000
9	volume boxes		
10	(68) Rabbit Creek heating/	Anchorage	500,000
11	ventilation/air conditioning/		
12	direct digital control upgrade		
13	(69) West High School library	Anchorage	300,000
14	replace victaulic fittings		
15	(70) Campbell replace pumps/	Anchorage	200,000
16	domestic hot water heater		
17	(71) Campbell replace heating	Anchorage	300,000
18	water piping		
19	(72) Orion replace fan unit	Anchorage	100,000
20	(73) Music Department heating/	Anchorage	300,000
21	ventilation/air conditioning/		
22	direct digital control upgrade		
23	(74) Gladys Wood heating/	Anchorage	700,000
24	ventilation/air conditioning/		
25	direct digital control upgrade		
26	(75) Data Processing heating/	Anchorage	500,000
27	ventilation/air conditioning/		
28	direct digital control upgrade		
29	(76) O'Malley replace drinking	Anchorage	100,000
30	water tank		
31	(77) Mears replace hot water heater	Anchorage	125,000

1	(78) Iditarod Elementary School	Matanuska-Susitna	15,000
2	fencing		
3	(79) Butte Elementary School	Matanuska-Susitna	81,000
4	ADA ramp		
5	(80) Talkeetna Elementary School	Matanuska-Susitna	10,000
6	fencing		
7	(81) Houston Middle School roof	Matanuska-Susitna	650,000
8	repair		
9	(82) Administration concession	Matanuska-Susitna	15,000
10	kitchen		
11	(83) Administration roofing	Matanuska-Susitna	550,000
12	(84) Snowshoe roofing	Matanuska-Susitna	400,000
13	(85) Burchell High School clock/	Matanuska-Susitna	30,000
14	intercom system		
15	(86) Susitna Valley High	Matanuska-Susitna	850,000
16	School roof repair		
17	(87) Colony High School running	Matanuska-Susitna	130,000
18	track upgrade		
19	(88) Wasilla High School running	Matanuska-Susitna	130,000
20	track upgrade		
21	(89) Palmer High School running	Matanuska-Susitna	65,000
22	track repair		
23	(90) Palmer High School visitor	Matanuska-Susitna	50,000
24	bleachers Mchetanz Field		
25	(91) Wasilla Middle School	Matanuska-Susitna	40,000
26	resurface gym floors		
27	(92) Delta Elementary School	Delta	859,000
28	construction		
29	(93) Nikiski/North Star	Kenai	350,000
30	consolidation construction		
31	and rehabilitation		

1	(94) Nanwalek and Port Graham	Kenai	700,000
2	teacher housing upgrade		
3	(95) Seward schools fiber optic	Kenai	100,000
4	installation		
5	(96) District-wide arsenic	Kenai	1,100,000
6	remediation		
7	(97) Homer and Kenai track repair	Kenai	1,500,000
8	(98) District-wide asphalt repair	Kenai	1,000,000
9	(99) District-wide carpeting and	Kenai	150,000
10	floor repair		
11	(100) District-wide locker	Kenai	100,000
12	replacement		
13	(101) District central kitchen	Fairbanks	6,000,000
14	upgrade/relocation		
15	(102) Downtown schools upgrades	Fairbanks	2,000,000
16	(103) Nome High School gym	Nome	500,000
17	renovation		
18	(104) Nome High School heating/	Nome	500,000
19	ventilation/air conditioning/		
20	changes and abatement		
21	work		
22	(105) Nome NACTEC renovation	Nome	800,000
23	and upgrades		
24	(106) Juneau elementary schools	Juneau	3,000,000
25	maintenance and ADA		
26	improvements		
27	(107) Alaska State Archives	Juneau	1,300,000
28	Building, relocation, design		
29	and site development		
30	(108) Ketchikan High School,	Ketchikan	232,000
31	repair humanities		

1	building roof		
2	(109) Ketchikan High School,	Ketchikan	65,000
3	repair curtain wall		
4	(110) Valley Park, Houghtaling,	Ketchikan	385,000
5	Point Higgins schools,		
6	replace playground equipment		
7	(111) Kodiak Island Borough	Kodiak	237,000
8	KMS, concrete repair		
9	(112) Port Alsworth library,	Port Alsworth	363,000
10	renovation and		
11	reconfiguration		
12	(113) Cantwell School roof	Cantwell	343,905
13	replacement and electrical		
14	code upgrade		
15	(114) Cantwell School sprinkler	Cantwell	608,077
16	installation, fire alarm		
17	upgrade, new well		

18 (c) The amount of \$53,584,000 may be appropriated from the proceeds of bonds
 19 issued under AS 14.42.220(a)(3) to the University of Alaska for the following projects in the
 20 amounts listed, subject to reallocation between projects in accordance with AS 37.07.080(e):

21	PROJECT	LOCATION	AMOUNT
22	(1) Integrated Science Facility	Anchorage	\$21,600,000
23	construction		
24	(2) School of Fisheries and	Juneau	7,000,000
25	Ocean Science research		
26	facility design and		
27	construction		
28	(3) Bioinformational and	Fairbanks	10,000,000
29	Computer Science		
30	research facility		
31	construction		

1	(4) Safety code and Americans	Statewide	5,974,000
2	with Disabilities Act		
3	improvements		
4	(5) Lucy Cuddy Center upgrade	Anchorage	1,000,000
5	and renewal		
6	(6) Bristol Bay classroom	Dillingham	1,000,000
7	expansion construction		
8	(7) Paul/Ziegler classroom	Ketchikan	1,000,000
9	renovation and campus		
10	improvements		
11	(8) Sitka campus improvements	Sitka	250,000
12	(9) Tanana Valley campus	Fairbanks	1,000,000
13	classroom expansion		
14	and renovation		
15	(10) Hendrickson Building	Juneau	1,213,000
16	renovations		
17	(11) Homer campus new facility	Homer	1,375,000
18	classroom construction		
19	(12) Prince William Sound	Valdez	1,000,000
20	facilities classroom		
21	construction		
22	(13) Fishery Industrial	Kodiak	510,000
23	Technology Center		
24	renovations and		
25	improvements		
26	(14) Benny Benson Building	Kodiak	662,000
27	learning center expansion		

28 * **Sec. 36.** Section 6 of this Act takes effect January 1, 2005.

29 * **Sec. 37.** Except as provided in sec. 36 of this Act, this Act takes effect immediately under
30 AS 01.10.070(c).