

HOUSE CS FOR CS FOR SENATE BILL NO. 84(FIN) am H

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SPECIAL SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 4/17/11

Offered: 4/15/11

Sponsor(s): SENATE EDUCATION COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act amending the funding for statewide residential educational programs; relating**
2 **to funding for high school vocational and technical instruction as a component of**
3 **funding for public schools; relating to education tax credits; creating a pilot project in**
4 **the Iditarod Area School District; providing for an effective date by amending the**
5 **effective date in sec. 57, ch. 92, SLA 2010; and providing for an effective date."**

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

7 *** Section 1.** AS 14.16.200 is amended by adding a new subsection to read:

8 (c) In addition to the programs eligible for reimbursement of costs under (a) of
9 this section, the department may approve three district-operated statewide residential
10 educational programs that began operating after January 1, 2005, for reimbursement of
11 costs incurred by the district in operating the program under regulations adopted by
12 the department.

13 *** Sec. 2.** AS 14.17.410(b) is amended to read:

1 (b) Public school funding consists of state aid, a required local contribution,
2 and eligible federal impact aid determined as follows:

3 (1) state aid equals basic need minus a required local contribution and
4 90 percent of eligible federal impact aid for that fiscal year; basic need equals the sum
5 obtained under (D) of this paragraph, multiplied by the base student allocation set out
6 in AS 14.17.470; district adjusted ADM is calculated as follows:

7 (A) the ADM of each school in the district is calculated by
8 applying the school size factor to the student count as set out in AS 14.17.450;

9 (B) the number obtained under (A) of this paragraph is
10 multiplied by the district cost factor described in AS 14.17.460;

11 (C) the ADMs of each school in a district, as adjusted
12 according to (A) and (B) of this paragraph, are added; the sum is then
13 multiplied by the special needs factor set out in AS 14.17.420(a)(1) **and the**
14 **high school vocational education factor set out in AS 14.17.420(a)(3);**

15 (D) the number obtained for intensive services under
16 AS 14.17.420(a)(2) and the number obtained for correspondence study under
17 AS 14.17.430 are added to the number obtained under (C) of this paragraph;

18 (E) notwithstanding (A) - (C) of this paragraph, if a school
19 district's ADM adjusted for school size under (A) of this paragraph decreases
20 by five percent or more from one fiscal year to the next fiscal year, the school
21 district may use the last fiscal year before the decrease as a base fiscal year to
22 offset the decrease, according to the following method:

23 (i) for the first fiscal year after the base fiscal year
24 determined under this subparagraph, the school district's ADM adjusted
25 for school size determined under (A) of this paragraph is calculated as
26 the district's ADM adjusted for school size, plus 75 percent of the
27 difference in the district's ADM adjusted for school size between the
28 base fiscal year and the first fiscal year after the base fiscal year;

29 (ii) for the second fiscal year after the base fiscal year
30 determined under this subparagraph, the school district's ADM adjusted
31 for school size determined under (A) of this paragraph is calculated as

1 the district's ADM adjusted for school size, plus 50 percent of the
 2 difference in the district's ADM adjusted for school size between the
 3 base fiscal year and the second fiscal year after the base fiscal year;

4 (iii) for the third fiscal year after the base fiscal year
 5 determined under this subparagraph, the school district's ADM adjusted
 6 for school size determined under (A) of this paragraph is calculated as
 7 the district's ADM adjusted for school size, plus 25 percent of the
 8 difference in the district's ADM adjusted for school size between the
 9 base fiscal year and the third fiscal year after the base fiscal year;

10 (F) the method established in (E) of this paragraph is available
 11 to a school district for the three fiscal years following the base fiscal year
 12 determined under (E) of this paragraph only if the district's ADM adjusted for
 13 school size determined under (A) of this paragraph for each fiscal year is less
 14 than the district's ADM adjusted for school size in the base fiscal year;

15 (G) the method established in (E) of this paragraph does not
 16 apply to a decrease in the district's ADM adjusted for school size resulting
 17 from a loss of enrollment that occurs as a result of a boundary change under
 18 AS 29;

19 (2) the required local contribution of a city or borough school district is
 20 the equivalent of a four mill tax levy on the full and true value of the taxable real and
 21 personal property in the district as of January 1 of the second preceding fiscal year, as
 22 determined by the Department of Commerce, Community, and Economic
 23 Development under AS 14.17.510 and AS 29.45.110, not to exceed 45 percent of a
 24 district's basic need for the preceding fiscal year as determined under (1) of this
 25 subsection.

26 * **Sec. 3.** AS 14.17.420(a) is amended to read:

27 (a) As a component of public school funding, a district is eligible for special
 28 needs **and high school vocational and technical instruction** funding and may be
 29 eligible for intensive services funding as follows:

30 (1) special needs funding is available to a district to assist the district
 31 in providing special education, gifted and talented education, vocational education,

1 and bilingual education services to its students; a special needs funding factor of 1.20
2 shall be applied as set out in AS 14.17.410(b)(1);

3 (2) in addition to the special needs funding for which a district is
4 eligible under (1) of this subsection, a district is eligible for intensive services funding
5 for each special education student who needs and receives intensive services and is
6 enrolled on the last day of the count period; for each such student, intensive services
7 funding is equal to the intensive student count multiplied by 13;

8 **(3) in addition to the special needs and intensive services funding**
9 **available under (1) and (2) of this subsection, high school vocational and**
10 **technical instruction funding is available to assist districts in providing vocational**
11 **and technical instruction to students who are enrolled in grades nine through 12;**
12 **a high school vocational and technical instruction funding factor of 1.01 shall be**
13 **applied as set out in AS 14.17.410(b)(1); in this paragraph, "vocational and**
14 **technical instruction" excludes costs associated with**

15 **(A) administrative expenses; and**

16 **(B) instruction in general literacy, mathematics, and job**
17 **readiness skills.**

18 * **Sec. 4.** AS 14.17.440(a) is amended to read:

19 (a) Except as provided in AS 14.17.400(b), funding for state boarding schools
20 established under AS 14.16.010 includes an allocation from the public education fund
21 in an amount calculated by

22 (1) determining the ADM of state boarding schools by applying the
23 school size factor to the student count as described in AS 14.17.450;

24 (2) multiplying the number obtained under (1) of this subsection by the
25 special needs factor in AS 14.17.420(a)(1) **and the high school vocational education**
26 **factor set out in AS 14.17.420(a)(3)** and multiplying that product by the base student
27 allocation; and

28 (3) multiplying the product determined under (2) of this subsection by
29 the district cost factor that is applicable to calculation of the state aid for the adjacent
30 school district under AS 14.17.460.

31 * **Sec. 5.** AS 21.96.070(a) is amended to read:

1 (a) A taxpayer is allowed a credit against the tax due under AS 21.09.210 or
2 AS 21.66.110 for cash contributions accepted

3 (1) for direct instruction, research, and educational support purposes,
4 including library and museum acquisitions, and contributions to endowment, by an
5 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or
6 four-year college accredited by a regional accreditation association;

7 (2) for secondary school level vocational education courses, programs,
8 and facilities by a school district in the state;

9 (3) for vocational education courses, programs, and facilities by a
10 state-operated vocational technical education and training school; [AND]

11 (4) for a facility **or an annual intercollegiate sports tournament** by a
12 nonprofit, public or private, Alaska two-year or four-year college accredited by a
13 regional accreditation association;

14 **(5) for Alaska Native cultural or heritage programs and**
15 **educational support, including mentoring and tutoring, provided by a nonprofit**
16 **agency for public school staff and for students who are in grades kindergarten**
17 **through 12 in the state; and**

18 **(6) for education, research, rehabilitation, and facilities by an**
19 **institution that is located in the state and that qualifies as a coastal ecosystem**
20 **learning center under the Coastal America Partnership established by the federal**
21 **government.**

22 * **Sec. 6.** AS 43.20.014(a) is amended to read:

23 (a) A taxpayer is allowed a credit against the tax due under this chapter for
24 cash contributions accepted

25 (1) for direct instruction, research, and educational support purposes,
26 including library and museum acquisitions, and contributions to endowment, by an
27 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or
28 four-year college accredited by a regional accreditation association;

29 (2) for secondary school level vocational education courses, programs,
30 and facilities by a school district in the state;

31 (3) for vocational education courses, programs, and facilities by a

1 state-operated vocational technical education and training school; [AND]

2 (4) for a facility or an annual intercollegiate sports tournament by a
3 nonprofit, public or private, Alaska two-year or four-year college accredited by a
4 regional accreditation association;

5 (5) for Alaska Native cultural or heritage programs and
6 educational support, including mentoring and tutoring, provided by a nonprofit
7 agency for public school staff and for students who are in grades kindergarten
8 through 12 in the state; and

9 (6) for education, research, rehabilitation, and facilities by an
10 institution that is located in the state and that qualifies as a coastal ecosystem
11 learning center under the Coastal America Partnership established by the federal
12 government.

13 * **Sec. 7.** AS 43.55.019(a) is amended to read:

14 (a) A producer of oil or gas is allowed a credit against the tax due under this
15 chapter for cash contributions accepted

16 (1) for direct instruction, research, and educational support purposes,
17 including library and museum acquisitions, and contributions to endowment, by an
18 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or
19 four-year college accredited by a regional accreditation association;

20 (2) for secondary school level vocational education courses, programs,
21 and facilities by a school district in the state;

22 (3) for vocational education courses, programs, and facilities by a
23 state-operated vocational technical education and training school; [AND]

24 (4) for a facility or an annual intercollegiate sports tournament by a
25 nonprofit, public or private, Alaska two-year or four-year college accredited by a
26 regional accreditation association;

27 (5) for Alaska Native cultural or heritage programs and
28 educational support, including mentoring and tutoring, provided by a nonprofit
29 agency for public school staff and for students who are in grades kindergarten
30 through 12 in the state; and

31 (6) for education, research, rehabilitation, and facilities by an

1 **institution that is located in the state and that qualifies as a coastal ecosystem**
 2 **learning center under the Coastal America Partnership established by the federal**
 3 **government.**

4 * **Sec. 8.** AS 43.56.018(a) is amended to read:

5 (a) The owner of property taxable under this chapter is allowed a credit
 6 against the tax due under this chapter for cash contributions accepted

7 (1) for direct instruction, research, and educational support purposes,
 8 including library and museum acquisitions, and contributions to endowment, by an
 9 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or
 10 four-year college accredited by a regional accreditation association;

11 (2) for secondary school level vocational education courses, programs,
 12 and facilities by a school district in the state;

13 (3) for vocational education courses, programs, and facilities by a
 14 state-operated vocational technical education and training school; [AND]

15 (4) for a facility **or an annual intercollegiate sports tournament** by a
 16 nonprofit, public or private, Alaska two-year or four-year college accredited by a
 17 regional accreditation association;

18 **(5) for Alaska Native cultural or heritage programs and**
 19 **educational support, including mentoring and tutoring, provided by a nonprofit**
 20 **agency for public school staff and for students who are in grades kindergarten**
 21 **through 12 in the state; and**

22 **(6) for education, research, rehabilitation, and facilities by an**
 23 **institution that is located in the state and that qualifies as a coastal ecosystem**
 24 **learning center under the Coastal America Partnership established by the federal**
 25 **government.**

26 * **Sec. 9.** AS 43.65.018(a) is amended to read:

27 (a) A person engaged in the business of mining in the state is allowed a credit
 28 against the tax due under this chapter for cash contributions accepted

29 (1) for direct instruction, research, and educational support purposes,
 30 including library and museum acquisitions, and contributions to endowment, by an
 31 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or

1 four-year college accredited by a regional accreditation association;

2 (2) for secondary school level vocational education courses, programs,
3 and facilities by a school district in the state;

4 (3) for vocational education courses, programs, and facilities by a
5 state-operated vocational technical education and training school; [AND]

6 (4) for a facility **or an annual intercollegiate sports tournament** by a
7 nonprofit, public or private, Alaska two-year or four-year college accredited by a
8 regional accreditation association;

9 **(5) for Alaska Native cultural or heritage programs and**
10 **educational support, including mentoring and tutoring, provided by a nonprofit**
11 **agency for public school staff and for students who are in grades kindergarten**
12 **through 12 in the state; and**

13 **(6) for education, research, rehabilitation, and facilities by an**
14 **institution that is located in the state and that qualifies as a coastal ecosystem**
15 **learning center under the Coastal America Partnership established by the federal**
16 **government.**

17 * **Sec. 10.** AS 43.75.018(a) is amended to read:

18 (a) A person engaged in a fisheries business is allowed a credit against the tax
19 due under this chapter for cash contributions accepted

20 (1) for direct instruction, research, and educational support purposes,
21 including library and museum acquisitions, and contributions to endowment, by an
22 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or
23 four-year college accredited by a regional accreditation association;

24 (2) for secondary school level vocational education courses, programs,
25 and facilities by a school district in the state;

26 (3) for vocational education courses, programs, and facilities by a
27 state-operated vocational technical education and training school; [AND]

28 (4) for a facility **or an annual intercollegiate sports tournament** by a
29 nonprofit, public or private, Alaska two-year or four-year college accredited by a
30 regional accreditation association;

31 **(5) for Alaska Native cultural or heritage programs and**

1 **educational support, including mentoring and tutoring, provided by a nonprofit**
 2 **agency for public school staff and for students who are in grades kindergarten**
 3 **through 12 in the state; and**

4 **(6) for education, research, rehabilitation, and facilities by an**
 5 **institution that is located in the state and that qualifies as a coastal ecosystem**
 6 **learning center under the Coastal America Partnership established by the federal**
 7 **government.**

8 * **Sec. 11.** AS 43.77.045(a) is amended to read:

9 (a) In addition to the credit allowed under AS 43.77.040, a person engaged in
 10 a floating fisheries business is allowed a credit against the tax due under this chapter
 11 for cash contributions accepted

12 (1) for direct instruction, research, and educational support purposes,
 13 including library and museum acquisitions, and contributions to endowment, by an
 14 Alaska university foundation or by a nonprofit, public or private, Alaska two-year or
 15 four-year college accredited by a regional accreditation association;

16 (2) for secondary school level vocational education courses, programs,
 17 and facilities by a school district in the state;

18 (3) for vocational education courses, programs, and facilities by a
 19 state-operated vocational technical education and training school; [AND]

20 (4) for a facility **or an annual intercollegiate sports tournament** by a
 21 nonprofit, public or private, Alaska two-year or four-year college accredited by a
 22 regional accreditation association;

23 **(5) for Alaska Native cultural or heritage programs and**
 24 **educational support, including mentoring and tutoring, provided by a nonprofit**
 25 **agency for public school staff and for students who are in grades kindergarten**
 26 **through 12 in the state; and**

27 **(6) for education, research, rehabilitation, and facilities by an**
 28 **institution that is located in the state and that qualifies as a coastal ecosystem**
 29 **learning center under the Coastal America Partnership established by the federal**
 30 **government.**

31 * **Sec. 12.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 IDITAROD AREA SCHOOL DISTRICT; PILOT PROJECT. (a) The regional school
3 board for the Iditarod Area School District shall establish a pilot project for the purpose of
4 developing and implementing culturally relevant and theme-based curriculum materials and
5 strategies for students who are enrolled in the district in grades kindergarten through 12. The
6 materials and strategies developed under this section shall be made available to other school
7 districts in the state on request.

8 (b) The legislature may appropriate not more than \$1,500,000 to the Iditarod Area
9 School District to carry out the pilot project established in (a) of this section.

10 (c) The Iditarod Area School District regional school board shall provide data and
11 information developed under this section in an annual report to the legislature and shall
12 cooperate with and provide information requested by a joint legislative task force established
13 for the purpose of evaluating and implementing theme-based curriculum in the state.

14 (d) The pilot project established under this section shall terminate on June 30, 2014.

15 * **Sec. 13.** The uncodified law of the State of Alaska is amended by adding a new section to
16 read:

17 STATEWIDE RESIDENTIAL EDUCATIONAL PROGRAMS; ROOM AND
18 BOARD STIPEND. (a) Notwithstanding the amounts established in AS 14.16.200(b)(2), for
19 the fiscal years ending June 30, 2012, and June 30, 2013, a district may claim room and board
20 expenses for reimbursement under AS 14.16.200(a) as a per-pupil monthly stipend for a
21 period of not more than 10 months in the following maximum amounts:

- 22 (1) for the Southeast Region (Region I), \$820;
- 23 (2) for the Southcentral Region (Region II), \$800;
- 24 (3) for the Interior Region (Region III), \$968;
- 25 (4) for the Southwest Region (Region IV), \$1,006;
- 26 (5) for the Northern Remote Region (Region V), \$1,184.

27 (b) In this section, "district" has the meaning given in AS 14.17.990.

28 * **Sec. 14.** AS 21.96.070(a)(4), 21.96.070(a)(5), 21.96.070(a)(6); AS 43.20.014(a)(4),
29 43.20.014(a)(5), 43.20.014(a)(6); AS 43.55.019(a)(4), 43.55.019(a)(5), 43.55.019(a)(6);
30 AS 43.56.018(a)(4), 43.56.018(a)(5), 43.56.018(a)(6); AS 43.65.018(a)(4), 43.65.018(a)(5),
31 43.65.018(a)(6); AS 43.75.018(a)(4), 43.75.018(a)(5), 43.75.018(a)(6); AS 43.77.045(a)(4),

1 43.77.045(a)(5), and 43.77.045(a)(6) are repealed January 1, 2021.

2 * **Sec. 15.** Section 57, ch. 92, SLA 2010, is amended to read:

3 Sec. 57. Except as provided in sec. 56 of this Act, this Act takes effect

4 January 1, 2021 [2014].

5 * **Sec. 16.** This Act takes effect July 1, 2011.