

1 IN THE SENATE

BY COMMITTEE ON EDUCATION, MORALS AND
VETERANS AFFAIRS - BY REQUEST

2

SENATE BILL NO. 62

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to school maintenance, the
7 submission and approval of school budgets,
8 the manner of making payment to school dis-
9 tricts; amending Section 37-3-61 ACLA 1949;
10 amending Sections 37-3-62, 37-3-63, 37-3-65,
11 and 37-3-66 ACLA 1949, all as amended by
12 Chapter 77, Session Laws of Alaska 1951;
13 amending Section 5 of Chapter 77, Session
14 Laws of Alaska 1951; and establishing an
15 effective date."

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

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Section 1. Sec. 37-3-61 ACLA 1949 is hereby amended to read

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as follows:

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Sec. 37-3-61. SCHOOL MAINTENANCE (REFUND) PAYMENT. Such

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per centum of the total (AMOUNT EXPENDED) approved budget for
21 the maintenance of public elementary schools and high schools,
22 within the limits of any incorporated city or incorporated
23 school district or independent (S) school (D) district as the
24 Legislature may from time to time direct, shall be (REFUNDED)
25 paid to the school fund of said incorporated city or incorpo-
26 rated school district or (I) independent (S) school (D) dis-
27 trict from the moneys of the Territory as hereinafter set
28 forth; (P) provided, that no expense incurred for the purchase
29 of equipment, for the construction of buildings or for the re-

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1 pair, alteration, or improvement of buildings or for the pur-
2 chase of building sites or for interest on bonded or other in-
3 debtedness shall be considered expenses for maintenance within
4 the meaning of this article.

5 Section 2. Sec. 37-3-62 AOLA 1949, as amended by Ch. 77,
6 Session Laws of Alaska 1951, is hereby amended to read as follows:

7 Sec. 37-3-62. AMOUNT OF (REFUND) PAYMENT. Where the
8 average daily attendance for the last complete school year at
9 the time the budget is approved is less than 150 pupils, eighty-
10 five per centum and where it is 150 pupils or over and less
11 than 300, eighty per centum and where it is 300 pupils or over,
12 seventy-five per centum of the total amount (EXPENDED) approved
13 in the annual budget for maintenance of public elementary
14 schools and high schools within the limits of incorporated
15 cities or incorporated school districts or independent school
16 districts shall be (REFUNDED) paid to such city or school dis-
17 trict from the (MONIES) moneys of the Territory appropriated
18 for such purposes.

19 Section 3. Sec. 37-3-63 AOLA 1949, as amended by Ch. 77,
20 Session Laws of Alaska 1951, is hereby amended to read as follows:

21 Sec. 37-3-63. ANNUAL BUDGET OR STATEMENT OF PROPOSED
22 EXPENDITURES. The school board of each incorporated city, in-
23 corporated school district, or independent school district
24 shall annually before the first day of July submit to the
25 Commissioner of Education a budget or detailed statement of
26 proposed expenditures for the maintenance of the schools of
27 such incorporated city or incorporated school district or in-
28 dependent school district during the following school year.
29 Said detailed statement shall be submitted in (DUPLICATE) the

1 manner and form prescribed by the Commissioner of Education
2 and shall set forth the salaries of teachers in each grade
3 and of janitors or other employees of the school district,
4 and proposed expenditures for fuel, light, water, school books
5 ordered from the Territorial adopted textbook lists, and
6 school supplies, janitor's supplies, manual training, domestic
7 science, library, and for miscellaneous purposes. All budgets
8 will show the total enrollment by grades and the average daily
9 membership for the elementary and the high school levels sepa-
10 ately for the preceding year and the estimated total enroll-
11 ment by grades and the estimated average daily membership for
12 the elementary and high school levels separately for the year
13 that the budget covers. The Commissioner of Education may
14 disapprove or reduce any items in the budget and shall approve
15 for the Territorial (REFUND) payment only such parts of the
16 proposed expenditures as come within the purview of this article,
17 and are reasonable and necessary. No (REFUND) payment of
18 Territorial (MONIES) moneys shall be made to any school board
19 (FOR EXPENDITURES NOT PREVIOUSLY) in excess of the budget app-
20 roved by the Commissioner of Education; (P) provided, that
21 items (WHICH IT IS NOT POSSIBLE TO INCLUDE IN THE ANNUAL BUD-
22 GET OF EXPENDITURES MAY BE SUBMITTED AT A LATER DATE) may be
23 added, deleted, or changed and the total amount of the annual
24 budget may be revised upward or downward by the Commissioner
25 of Education at a later date, should change in enrollment or
26 other emergency factors make such a revision necessary.

27 Section 4. Sec. 37-3-65 ACLA 1949, as amended by Ch. 77,
28 Session Laws of Alaska 1951, is hereby amended to read as follows:

29 Sec. 37-3-65. (ACCOUNTS OF MAINTENANCE EXPENSES: PREPA-

1 RATION AND SUBMISSION) BUDGET COMMITTEE: APPOINTMENT, MEETINGS,
2 DUTIES, EXPENSES. (THE SCHOOL BOARD OF EACH INCORPORATED CITY,
3 INCORPORATED SCHOOL DISTRICT, OR INDEPENDENT SCHOOL DISTRICT
4 SHALL, AT THE EXPIRATION OF EACH SCHOOL YEAR BUT NOT LATER
5 THAN JULY 1, PREPARE IN TRIPLICATE AN ACCURATE DETAILED AC-
6 COUNT OF THE EXPENSES OF MAINTENANCE OF THE PUBLIC SCHOOL FOR
7 SUCH SCHOOL YEAR. SAID ACCOUNT SHALL BE ACCOMPANIED BY YOU-
8 CHERS RECEIPTED BY THE PAYEE AND SHOWING FOR WHAT PURPOSE EACH
9 EXPENDITURE HAS BEEN MADE, AND SAID ACCOUNT SHALL BE VERIFIED
10 BY THE TREASURER OF SAID BOARD, AND CERTIFIED AS TO CORRECT-
11 NESS BY A MAJORITY OF THE SCHOOL BOARD. THE ORIGINAL AND DUP-
12 LICATE OF SUCH ACCOUNT, WITH ACCOMPANYING VOUCHERS, SHALL BE
13 FORWARDED TO THE COMMISSIONER OF EDUCATION, AND THE TRIPLICATE
14 COPY RETAINED BY THE TREASURER OF THE SCHOOL BOARD.) A five-
15 member committee composed of the Commissioner of Education as
16 chairman and four superintendents from incorporated city and
17 incorporated and independent school districts shall be appoint-
18 ed on or before the first day of July each year by the Commis-
19 sioner of Education with the advice and consent of a majority
20 of the members of the Territorial Board of Education. Each
21 member of this Budget Committee shall be entitled to one vote.
22 No more than two members of said Budget Committee shall be
23 from the same Judicial Division and not more than two shall be
24 from the same class of school as determined by the per centum
25 of expenditures paid by the Territory. The said Committee
26 shall meet once each year at a time and place designated by
27 the Commissioner of Education and in no case shall the meet-
28 ings exceed seven days. Special meetings of the Budget Com-
29 mittee may be called by the President of the Territorial Board

1 of Education for the specific purpose of hearing appeals, but
2 such meetings shall not exceed two days. The Budget Committee
3 shall analyze the budgets submitted by the school boards, study
4 school maintenance costs in school districts, study school pro-
5 grams and other matters affecting school costs, and shall re-
6 commend to the Commissioner of Education the approval, disap-
7 proval, increase, or decrease of items in the school budgets.
8 The decision of the Commissioner of Education with respect to
9 the budget shall be considered final; however, a school board
10 may request the Commissioner to restore items reduced or eli-
11 minated from the budget. Should the Commissioner reject the
12 request, a school board may appeal from that decision of the
13 Commissioner of Education to the Budget Committee. Said appeal
14 shall be in writing and shall be signed by a majority of the
15 members of the school board. It shall be sent to the Commie-
16 sioner of Education for forwarding to the President of the
17 Territorial Board of Education who shall call a special meeting
18 of the Budget Committee. The Budget Committee shall have po-
19 wer to hear such appeals and its decision shall be final.

20 Each member of the Budget Committee shall receive his actual
21 travel, hotel, subsistence, and taxi expenses while attending
22 a meeting of the Committee. Such expenses shall be paid from
23 funds appropriated for the support of schools within incorpo-
24 rated towns and incorporated and independent school districts.

25 Section 5. Sec. 37-3-66 ACLA 1949, as amended by Ch.77,
26 Session Laws of Alaska 1951, is hereby amended to read as follows:

27 Sec. 37-3-66. APPROVAL (BY COMMISSIONER: WARRANTS: AD-
28 VANCEMENTS AND REFUNDS) OF BUDGET: TRANSMITTAL OF FUNDS TO THE
29 DISTRICTS. Upon (RECEIPT) approval of the school budget or

1 detailed (EXPENSE ACCOUNTS WITH ACCOMPANYING VOUCHERS) state-
2 ment of proposed expenditures, the Commissioner of Education
3 shall (APPROVE) transmit an official copy of the same (OR SO
4 MUCH THEREOF AS APPEARS TO BE FOR EXPENDITURES WITHIN THE PUR-
5 POSE AND SCOPE OF THIS ARTICLE AND IN ACCORD WITH THE RULES
6 AND REGULATIONS OF THE TERRITORIAL BOARD OF EDUCATION AND
7 THEREUPON TRANSMIT THE SAME) to the proper officer who shall
8 issue a warrant on the Territorial Treasurer (FOR SUCH PER
9 CENTUM OF THE AMOUNT SET FORTH IN THE ACCOUNT AS HAS BEEN ESTA-
10 BISHED BY LAW AND APPROVED AS AFORESAID) upon the presentation
11 of vouchers executed and signed by the Commissioner of Educa-
12 tion in such amounts and at such times as is hereinafter pro-
13 vided. Such warrant shall be payable to the treasurer of the
14 school board (SUBMITTING THE SAID EXPENSE ACCOUNT) and shall
15 be deposited to the school fund of the ^{said} (INCORPORATED CITY
16 (SCHOOL) OR INCORPORATED SCHOOL) district (IN WHICH SUCH EXPENSE
17 WAS INCURRED), and the amount so received shall be transferred
18 to no other fund of the (SAID INCORPORATED CITY OR INCORPORATED)
19 school district or an incorporated city; (P) provided, that the
20 Territorial Treasurer may transfer by telegraph amounts of
21 said warrants in settlement thereof under such regulations as
22 the Territorial Treasurer may prescribe.

23 Provided, further, that the Commissioner of Education
24 shall (HAVE AUTHORITY IN HIS DISCRETION TO) transmit or cause
25 to be transmitted in the manner above provided, at any time
26 after the receipt and approval of the school budget, (AND BE-
27 FORE THE EXPENSE ACCOUNTS ARE RECEIVED OR CHECKED BY HIM,)
28 such sum as he shall have reason to believe will not be in ex-
29 cess of ninety-five percent (95%) of the (SUM WHICH IN HIS

1 JUDGMENT IS LIKELY TO BECOME DUE SUCH INCORPORATED CITY, IN-
2 CORPORATED SCHOOL DISTRICT, OR INDEPENDENT SCHOOL DISTRICT FOR
3 THE ENTIRE REFUND FOR SUCH SCHOOL YEAR) Territorial portion of
4 the approved budget. Warrants for the (ADVANCES) payments here-
5 in authorized shall be issued by the Auditor upon requisition
6 of the Commissioner of Education, who shall submit with each
7 requisition a statement showing the gross amount of the budget
8 of the school for the current year, and the amount or amounts
9 which have previously been (ADVANCED) paid.

10 Section 5. Section 5 of Chapter 77, Session Laws of Alaska
11 1951, is amended to read as follows:

12 Section 5. REPORT OF PAYMENT TO TEACHERS; FINAL REPORT;
13 REPAYMENT OF EXCESS. On or before the first day of July of
14 each year the school board in each incorporated city, incorpor-
15 ated school district and independent school district shall
16 file with the Commissioner of Education on forms prescribed
17 by him, a report of salaries paid to teachers, superintendents,
18 principals, and other professional staff members. If the
19 school district in complying with Territorial law has paid to
20 teachers, superintendents, principals, and other professional
21 staff members a total amount less than that approved in the
22 budget, ^{for such salaries the Commissioner shall adjust the budget} downward by the amount of the difference and shall make
23 final payment to the school district accordingly. If, in
24 complying with Territorial law, the school board has paid to
25 teachers, superintendents, principals, and other professional
26 staff members a total amount greater than that approved in the
27 budget for such salaries, the Commissioner of Education shall
28 adjust the budget upward in the amount of the excess and shall
29 make final payment to the district accordingly. The intent

1 of this article is that school boards shall be refunded for
2 the salaries of teachers, principals, superintendents, and
3 other approved professional workers an amount exactly equal to
4 the Territory's share of the legal refundable salary as deter-
5 mined by Territorial law.

6 On or before the first day of September of each year the
7 school board in each incorporated city, incorporated school
8 district and independent school district shall file with the
9 Commissioner of Education on forms prescribed by him, a final
10 report of expenditures for the previous fiscal year ending
11 June 30. Such report shall show the total expenditure in each
12 item of the budget including salaries of teachers, superinten-
13 dents, principals, and other professional staff members. In
14 the event that the (ADVANCEMENTS) payments made as hereinbefore
15 provided for exceed the amount of refund which such school dis-
16 trict is entitled to receive, as indicated by the final report
17 of expenditures, at the election of the Commissioner of Educa-
18 tion, such excess shall be repaid to the Territory or in the
19 alternative (TO) be charged against the (REFUND) payments for
20 the next ensuing school year, and provided that the act of any
21 school board in accepting (ADVANCEMENTS) payment of (REFUNDS)
22 Territorial funds shall constitute a binding contract between
23 the Territory and the school board and city council in incor-
24 porated city school districts, the school board and city coun-
25 cil of independent school districts, and the school board of
26 incorporated school districts and on their behalf to either,
27 upon demand of the Commissioner of Education, return and repay
28 such excess or to consent to having such excess amount charged
29 to the school account for the next ensuing school year.

Show by law details

1 Section 7. ANNUAL AUDIT REQUIRED. The school board in each
2 incorporated city, incorporated school district, and independent
3 school district shall each year on or before the first day of Jan-
4 uary have an audit made by a competent accountant of the school
5 accounts for the school year ending the preceding June 30 and a
6 certified copy of the same shall be filed with the Commissioner of
7 Education. The Commissioner of Education shall withhold all pay-
8 ment of Territorial funds after the first day of February to any
9 school district failing to file with his office a certified copy of
10 such audit and no Territorial funds shall be paid to any school
11 district for any purpose until such audit is filed with the Com-
12 missioner of Education.

13 Section 8. This Act shall become effective July 1, 1953.
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