

Introduced: 1/23/76
Referred: Health, Education
and Social Services and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 568

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to school construction, repair,
7 and improvement; and providing for an effective
8 date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 14.08.101(7) is amended to read:

11 (7) recommend to the commissioner a school construction and
12 rehabilitation program based on an evaluation of the condition of
13 existing school facilities and a determination of the requirements for
14 new school construction, rehabilitation or other upgrading of school
15 facilities, and provide for the construction and rehabilitation or
16 other upgrading of school facilities when grants are made to it by the
17 department under sec. 161 of this chapter; and

18 * Sec. 2. AS 14.08 is amended by adding a new section to read:

19 Sec. 14.08.161. SCHOOL CONSTRUCTION, REPAIR, AND IMPROVEMENT.

20 (a) For purposes of this section, there is a committee composed of
21 the commissioners of education, public works, community and regional
22 affairs and administration, and the director of the division of policy
23 development and planning, or their respective designees.

24 (b) Where funds have been appropriated to the Department of
25 Education for the construction, repair, or improvement of schools with
26 a designation of specific projects, whether or not the designation
27 specifies an estimated amount of funds to be allocated to the project,
28 the committee shall:

29 (1) review and approve or modify the allocation of funds

1 recommended by the Department of Education as necessary to accomplish
2 each designated project;

3 (2) establish priorities among projects to be funded from
4 the same appropriation, if it appears that the amount necessary to
5 accomplish all of those projects exceeds the amount appropriated; and

6 (3) recommend to the governor allocations or reallocations,
7 as appropriate, of funds for the designated projects on the basis of
8 its determination of funds necessary for each project and the priori-
9 ties established by it among the projects.

10 (c) Where funds have been appropriated to the Department of
11 Education for the construction, repair, or improvement of schools
12 without designation of specific projects, the committee shall:

13 (1) based on requests for funding of projects made by the
14 regional educational attendance area school boards to the Department
15 of Education, identify necessary projects for the construction, repair,
16 or improvement of schools;

17 (2) review and approve or modify priorities recommended by
18 the Department of Education for necessary school construction, repair,
19 or improvement projects identified by the committee;

20 (3) review and approve or modify the allocation of funds
21 recommended by the Department of Education as necessary to accomplish
22 each identified project; and

23 (4) recommend to the governor, within the total amount of
24 funds appropriated, allocations or reallocations of funds for identi-
25 fied projects on the basis of its determination of funds necessary for
26 each project and the priorities established by it among the projects
27 requested by the regional school board.

28 (d) School construction, repair, and improvement projects shall
29 be carried out by the Department of Public Works unless funds for a

1 project are granted to a regional educational attendance area or a
2 borough or city school district under (e) of this section.

3 (e) Regional educational attendance areas and city and borough
4 school districts, through their respective school boards, may apply to
5 the Department of Education for a grant of all or part of the funds
6 allocated for their school construction, repair, and improvement pro-
7 jects. The application shall be submitted to the committee by the
8 department with the department's recommendation and the recommendation
9 of the Department of Public Works. The committee shall approve or
10 disapprove the grant. The Department of Education may grant funds to
11 a regional educational attendance area or a city or borough school
12 district for a school construction, repair, or improvement project
13 only if the committee approves the grant.

14 (f) The department, after consulting with the Department of
15 Public Works, may adopt regulations approved by the committee relating
16 to the application for and the making and the conditions of grants.
17 The department may require different terms in grant contracts for
18 different projects to meet local conditions and unique requirements
19 and to assure compliance with the public facilities procurement
20 policies developed by the Department of Public Works under AS 35.10-
21 .160--35.10.200.

22 (g) In establishing its recommended priorities among projects
23 requested by the regional school boards, for review by the committee
24 under (c)(2) of this section, the Department of Education shall
25 evaluate, among others, the following factors:

26 (1) priorities assigned by the regional school boards to
27 the projects requested by them;

28 (2) emergency requirements;

29 (3) number of unhoused students;

- 1 (4) new local elementary or secondary programs;
2 (5) existing community and school facilities and their
3 condition;
4 (6) economic and social stability of the community; and
5 (7) public facilities procurement policies developed by the
6 Department of Public Works under AS 35.10.160--35.10.200.

7 (h) Ownership of supplies and equipment purchased with funds
8 appropriated for school construction, repair, or improvement vests in
9 the regional educational attendance area receiving them.

10 * Sec. 3. OWNERSHIP OF LAND AND BUILDINGS. Nothing in this Act is
11 intended to change the effect of AS 14.08.151.

12 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
13 10.070(c).