

Introduced: 2/3/78  
Referred: Health, Education &  
Social Services and State Affairs

1 IN THE SENATE

BY FERGUSON BY REQUEST

2 SENATE BILL NO. 458

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to school construction."

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

8 \* Section 1. AS 14.08.161(d) is amended to read:

9 (d) Regional school boards may apply to the Department of Trans-  
10 portation and Public Facilities [PUBLIC WORKS] for a grant of all or  
11 part of the funds allocated for their school construction, repair, and  
12 improvement projects. The Department of Transportation and Public Faci-  
13 lities shall, upon application by a regional school board, [PUBLIC WORKS  
14 MAY] grant funds to that [A REGIONAL] school board for a school construc-  
15 tion, repair, or improvement project.

16 \* Sec. 2. AS 35.15.080(a) is amended to read:

17 (a) A municipality or, if the public work is an educational faci-  
18 lity, a regional educational attendance area established under AS 14.08  
19 may, by resolution of its governing body, request the assumption of the  
20 department's responsibilities relating to the planning and construction  
21 of a public works project of the state which is to be located within the  
22 boundaries or operating area of the municipality or regional educational  
23 attendance area and which would otherwise be constructed in the manner  
24 provided in sec. 10 of this chapter. After receipt of a a [THE] request  
25 from (1) a municipality, the department may provide by agreement for  
26 assumption by the municipality [OR REGIONAL EDUCATIONAL ATTENDANCE AREA]  
27 of the department's responsibilities relating to the planning, design,  
28 and construction of the public works project, unless the commissioner  
29 determines that assumption of responsibilities by the municipality [OR

1 AREA] is not practicable or not in the best interests of the state; (2)  
2 a regional educational attendance area, if the public work is an edu-  
3 cational facility, the department shall provide for assumption of the  
4 department's responsibilities relating to the planning, design, and con-  
5 struction of the educational facility. The parties may by mutual agree-  
6 ment provide for joint or cooperative assumption of responsibilities by  
7 the department and the municipality or regional educational attendance  
8 area.

9 \* Sec. 3. AS 35.15.080(b) is amended to read:

10 (b) If the commissioner of transportation and public facilities  
11 [PUBLIC WORKS] determines that assumption of responsibilities by a  
12 municipality [OR REGIONAL EDUCATIONAL ATTENDANCE AREA] under this sec-  
13 tion is not practicable or not in the best interests of the state, he  
14 shall notify the governing body of the municipality [OR AREA] of his  
15 finding and specify reasons for it. If the governing body requests  
16 reconsideration of the decision, he shall hold a hearing in the munici-  
17 pality within 30 days following mailing of the request. Following the  
18 hearing he may affirm, modify, or reverse his initial decision and shall  
19 specify in writing the reasons.

20 \* Sec. 4. AS 35.15.090 is amended to read:

21 Sec. 35.15.090. USE OF APPROPRIATED FUNDS. Upon execution of an  
22 agreement under sec. 80(a)(1) of this chapter, or upon assumption of the  
23 department's responsibilities under sec. 80(a)(2) of this chapter, state  
24 funds appropriated for a public works project which is the subject of  
25 the agreement or the assumption shall be transferred to a special ac-  
26 count in the state treasury. A municipality or regional educational  
27 attendance area administering the project under the agreement or assump-  
28 tion may draw on the account for costs of the project, under fiscal  
29 control of the department. If an agreement provides for joint or

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cooperative administration of the project, payment of costs shall be made to the party incurring the costs.

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