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Referred: Health, Education &
Social Services and Finance

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1 IN THE HOUSE

2 HOUSE BILL NO. 222

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act increasing state aid to school districts to 100
7 per cent of basic need under the public school founda-
8 tion program; and providing for an effective date."

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

10 * Section 1. AS 14.17.021(a) is amended to read:

11 (a) The amount of state aid for which each school district may
12 qualify is [CALCULATED BY MULTIPLYING] the basic need as defined in (b)
13 of this section [BY THE EQUALIZED PERCENTAGE AS DEFINED IN (c) OF THIS
14 SECTION]. To the maximum extent permitted under sec. 5(d)(2) of P.L.
15 81-874, as amended, (20 U.S.C. 240(d)) and the regulations adopted under
16 it (45 C.F.R. 115.60 - 115.66), the amount of state aid shall be reduced
17 by the amount of the school district's entitlement to federal financial
18 assistance under P.L. 81-874, as amended, (20 U.S.C. 236 - 244), for the
19 prior fiscal year.

20 * Sec. 2. AS 14.17.080 is amended to read:

21 Sec. 14.17.080. COMPUTATION BY DISTRICT. By October 30 of the
22 prefiscal year each district shall submit to the commissioner a pre-
23 liminary report of computations for the following fiscal year of the
24 district's basic need as defined in AS 14.17.021, [; THE AMOUNT WHICH IT
25 EXPECTS TO MATCH UNDER THE PROVISIONS OF AS 14.17.071;] and the amount
26 for supplemental programs which has been approved for funding considera-
27 tion by the commissioner. Each district shall make the computations in
28 the manner prescribed by AS 14.17.080 - 14.17.150. The computations are
29 the basis for requesting legislative appropriations and for making

1 preliminary payments under the public school foundation program.

2 * Sec. 3. AS 14.17.140(a) is amended to read:

3 (a) The [TO DETERMINE THE EQUALIZED PERCENTAGE TO BE APPLIED TO
4 BASIC NEED UNDER AS 14.17.021, AND THE MATCHING RATIO FOR REQUIRED LOCAL
5 EFFORT UNDER AS 14.17.071, THE] Department of Community and Regional
6 Affairs, in consultation with the assessor for each district, shall
7 determine the full value of the taxable real and personal property in
8 each district. Exemptions granted under ch. 129, SLA 1957, known as the
9 Alaska Industrial Incentive Act (AS 43.25), shall be honored. If there
10 is no local assessor or current local assessment for a district, then
11 the Department of Community and Regional Affairs shall make the deter-
12 mination of full value from information available. In making the deter-
13 mination, the Department of Community and Regional Affairs shall be
14 guided by AS 29.53.060. The determination of full value shall be made
15 before October 2 and sent by certified mail, return receipt requested,
16 before that date to the president of the school board in each district.
17 Duplicate copies shall be sent to the commissioner. The governing body
18 of the borough or city which is the district may obtain judicial review
19 of the determination by filing a motion in the superior court of the
20 judicial district in which the district is located within 30 days after
21 receipt of the determination. The superior court may modify the deter-
22 mination of the Department of Community and Regional Affairs only upon a
23 finding of abuse of discretion or upon a finding that there is no sub-
24 stantial evidence to support the determination.

25 * Sec. 4. AS 14.17.021(c) and 14.17.071 are repealed.

26 * Sec. 5. This Act takes effect July 1, 1979.