

Original sponsor: Moss

Offered: 6/3/81
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 76 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to education in the unorganized
7 borough: establishing community school committees in
8 regional educational attendance areas, establishing
9 the Legislative Regional Educational Attendance Area
10 Budget Oversight Committee as a permanent interim
11 committee of the legislature; and providing for an
12 effective date."

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

14 * Section 1. AS 14.08 is amended by adding new sections to read:

15 Sec. 14.08.173. COMMUNITY SCHOOL COMMITTEES. (a) There is
16 established a community school committee in each community and military
17 reservation served by a school operated by a regional educational
18 attendance area. If the regional educational attendance area school in
19 a community or military reservation has an average daily membership of
20 less than 251 pupils, the community school committee consists of three
21 members. If the average daily membership is more than 250 pupils, the
22 community school committee consists of five members. This section does
23 not apply in a regional educational attendance area which serves only
24 one community or military reservation.

25 (b) If a community or military reservation qualifies for a three-
26 member community school committee under (a) of this section, the quali-
27 fied voters of that community or military reservation may increase the
28 committee to five members by referendum conducted at an election coin-
29 ciding with an election for community school committee members. If a

1 community or military reservation qualifies for a five-member community
2 school committee under (a) of this section, the qualified voters of
3 that community or military reservation may increase the committee to
4 seven members by referendum conducted at an election coinciding with an
5 election for community school committee members.

6 (c) The election of community school committee members shall be
7 held at the same time as regular municipal elections in the second
8 class city having the largest population in the regional educational
9 attendance area. If there is no second class city within the regional
10 educational attendance area, the election shall be held on an annual
11 election date fixed by regulation adopted by the department.

12 (d) An election under (b) or (c) of this section shall be con-
13 ducted substantially in the same manner as a regular municipal election
14 which is held within the largest second class city in the area served
15 by the regional educational attendance area. If there is no second
16 class city within the regional educational attendance area, an election
17 shall be conducted under general rules established by regulation of the
18 department. An election under this section shall be administered
19 within a second class city as part of the regular municipal election,
20 and shall be administered by the regional school board in the area
21 outside second class cities.

22 (e) A member of a community school committee is subject to recall
23 in accordance with the provisions of AS 29.28.130 - 29.28.250. When
24 recall of a member of a community school committee is proposed, the
25 chief school administrator of a regional educational attendance area
26 performs the functions of the municipal clerk, and the regional school
27 board performs the functions of the assembly or council under AS 29.28.-
28 130 - 29.28.250.

29 Sec. 14.08.178. QUALIFICATIONS OF COMMUNITY SCHOOL COMMITTEE

1 VOTERS AND MEMBERS. (a) To qualify to vote at an election for com-
2 munity school committee members a person must be

3 (1) a citizen of the United States;

4 (2) 18 years of age or older;

5 (3) a registered voter who resides in the area served by the
6 school.

7 (b) To qualify to serve on a community school committee, a person
8 must qualify to vote under (a) of this section.

9 (c) Election to a community school committee is not an election
10 to a civil office of the state.

11 Sec. 14.08.183. TERMS OF OFFICE AND VACANCY. (a) The terms of
12 the initial members of a three-member community school committee are
13 one, two, and three years, respectively. Each initial member serves
14 until a successor takes office. Thereafter, a member is elected for a
15 term of three years and until a successor takes office.

16 (b) Of the initial members of a community school committee which
17 consists of five members, one member is elected for a one-year term,
18 two members for a two-year term, and two members for a three-year term.
19 Each initial member serves until a successor takes office. Thereafter,
20 a member is elected for a term of three years and until a successor
21 takes office.

22 (c) If a three-member community school committee is increased to
23 a five-member committee, the two additional members are elected for
24 terms of two years and three years respectively. Thereafter, a member
25 is elected for a three-year term. If a five-member committee is in-
26 creased to a seven-member committee, the two additional members are
27 elected for terms of two years and three years respectively. There-
28 after, a member is elected for a three-year term.

29 (d) When required under (a) - (c) of this section, members of a

1 community school committee shall choose lots to determine the length of
2 the term which each initial member shall serve.

3 (e) A vacancy on a community school committee is filled by ap-
4 pointment by the remaining members of the committee. A person appointed
5 to fill a vacancy serves until the next regular election. At that time
6 an election of a member will be held with the person elected to serve
7 for the remaining portion of the term.

8 Sec. 14.08.188. POWERS. A community school committee may

9 (1) review all information available to the regional school
10 board pertaining to curriculum, program, employment of staff, budget,
11 and general operation of the school or schools in the community or
12 military reservation for which the community school committee is estab-
13 lished;

14 (2) make recommendations to the regional school board con-
15 cerning curriculum, program, employment or retention of staff, budget,
16 and general operation of the school or schools in the community or
17 military reservation for which the community school committee is estab-
18 lished;

19 (3) review pertinent information and make recommendations
20 to the regional school board concerning the employment or retention of
21 the chief school administrator of the regional educational attendance
22 area;

23 (4) delegate one of its members to attend any meeting of the
24 regional school board; and

25 (5) exercise additional powers as may be delegated by the
26 regional school board.

27 * Sec. 2. AS 14.08.111 is amended by adding a new paragraph to read:

28 (9) reimburse each member of a community school committee
29 for costs incurred in attending a meeting of a regional school board.

1 * Sec. 3. AS 24.20 is amended by adding new sections to read:

2 ARTICLE 5. LEGISLATIVE REGIONAL EDUCATIONAL
3 ATTENDANCE AREA BUDGET OVERSIGHT COMMITTEE.

4 Sec. 24.20.600. LEGISLATIVE REGIONAL EDUCATIONAL ATTENDANCE AREA
5 BUDGET OVERSIGHT COMMITTEE ESTABLISHED. The Legislative Regional
6 Educational Attendance Area Budget Oversight Committee is established
7 as a permanent interim committee of the legislature.

8 Sec. 24.20.605. MEMBERSHIP AND ORGANIZATION. (a) The committee
9 is composed of six members. The chairman of the health, education and
10 social services committee of each house of the legislature shall be
11 members of the committee. Two members of the committee shall be
12 members of the house of representatives appointed by the speaker of the
13 house. Two members of the committee shall be members of the senate
14 appointed by the president of the senate. At least one member from the
15 house of representatives shall represent an election district in which
16 more than 10 percent of the registered voters are qualified to vote in
17 elections for regional school board members under AS 14.08.071. At
18 least one member from the senate shall represent a senate district in
19 which more than 10 percent of the registered voters are qualified to
20 vote in elections for regional school board members under AS 14.08.071.

21 (b) The chairman of the health, education and social services
22 committee of the house of representatives is the chairman of the com-
23 mittee.

24 (c) The membership of the committee from each house of the legis-
25 lature shall include at least one member from each of the two major
26 political parties.

27 (d) The committee shall organize within 15 days after the organi-
28 zation of each legislature. A member of the committee serves for the
29 duration of the legislature during which he is appointed. If a member

1 is reelected or his term of office extends into the next succeeding
2 legislature, the member continues to serve until reappointed or until
3 his successor is appointed.

4 (e) If a member of the committee files a declaration of candidacy
5 for an elective office other than that of a member of the legislature
6 and he has not resigned his membership on the committee, his committee
7 membership terminates on the date he files for the elective office.

8 (f) When a vacancy occurs in the membership of the committee, the
9 presiding officer of the house from which the vacancy is incurred shall
10 choose a successor to serve as a member of the committee for the unex-
11 pired portion of the term of the member first appointed.

12 Sec. 24.20.610. MEETINGS OF THE COMMITTEE. (a) The committee
13 may meet during sessions of the legislature and during the interim
14 between legislative sessions. The committee may meet at any time and
15 in any place in the state as the chairman of the committee determines.

16 (b) A member of the committee may receive, for the minimum time
17 required to travel to and return from meetings of the committee and for
18 the time while attending meetings, the same travel and per diem allow-
19 ances provided by law for members of the legislature while attending
20 sessions of the legislature. However, members of the committee may not
21 receive a per diem allowance for attending a meeting which is held at
22 the state capital while the legislature is in session other than the
23 per diem allowance paid to legislators under AS 24.15.010.

24 Sec. 24.20.615. DUTIES AND POWERS OF THE COMMITTEE. (a) The
25 committee shall

26 (1) organize and adopt rules for the conduct of its busi-
27 ness, and prescribe procedures for its work;

28 (2) review appropriations requested by the Department of
29 Education for the operating expenses of regional educational attendance

1 areas;

2 (3) review appropriations requested by the Department of
3 Education and the Department of Transportation and Public Facilities
4 for capital improvements for regional educational attendance areas;

5 (4) recommend to the legislature annual appropriations for
6 regional educational attendance areas so as to assure that the amounts
7 appropriated for regional educational attendance areas are equitable
8 and consistent with amounts appropriated for city and borough school
9 districts;

10 (5) coordinate its work with community school committees to
11 obtain information about the school and educational programs from
12 community school committees, parents, and residents of communities
13 having regional educational attendance area schools.

14 (b) The committee may

15 (1) hold public hearings, administer oaths, issue subpoenas,
16 compel the attendance of witnesses and production of papers, books,
17 accounts, documents, and testimony, and have the deposition of wit-
18 nesses taken in a manner prescribed by court rule or law for taking
19 depositions in civil actions;

20 (2) require state officials and agencies of state government
21 and officers and members of school boards of regional educational
22 attendance areas to give full cooperation to the committee in assemb-
23 ling and furnishing requested information;

24 (3) present information concerning appropriations for re-
25 gional educational attendance areas to community school committees and
26 to the finance committees of the house of representatives and senate;

27 (4) work with the Department of Education and community
28 school committees to review appropriation requests, the expenditure of
29 state money, and the relationship between program expenditures and

1 program accomplishments for regional educational attendance areas; and
2 (5) travel to regional educational attendance area schools
3 to inspect facilities and to consult with officers and employees of
4 regional educational attendance area school boards, community school
5 committees, parents, and residents interested in matters relating to
6 public education.

7 Sec. 24.20.620. DEFINITIONS. In AS 24.20.600 - 24.20.620,

8 (1) "committee" means the Legislative Regional Educational
9 Attendance Area Budget Oversight Committee established under AS 24.20.-
10 600;

11 (2) "community school committee" means a committee estab-
12 lished under AS 14.08.173 - 14.08.188;

13 (3) "regional educational attendance area" means the educa-
14 tional service areas established in the unorganized borough under
15 AS 14.08.031.

16 * Sec. 4. AS 14.08.115 is repealed.

17 * Sec. 5. CONVENING OF FIRST LEGISLATIVE REGIONAL EDUCATIONAL ATTENDANCE
18 AREA BUDGET OVERSIGHT COMMITTEE. The members of the Legislative Regional
19 Educational Attendance Area Budget Oversight Committee first appointed under
20 AS 24.20.605(a), added by sec. 3 of this Act, shall be appointed within 15
21 days after the effective date of this Act.

22 * Sec. 6. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).