

HB

1009

February 10, 1977

Mr. Frank Benson
Mayor
City of Galena
Box 149
Galena, Alaska 99741

Dear Mr. Benson:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mrs. Jeri Nelson, Pres.
School Board
P.O. Box 199
Dillingham, Alaska 99576

Dear Mrs. Nelson:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Ms. Betty Wallin
Presiding Officer
Kodiak Island Borough
P.O. Box 1246
Kodiak, Alaska 99615

Dear Ms. Wallin:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mrs. Alaire Stanton, Pres.
Ketchikan Gateway Borough
School Board
3818 Fairview
Ketchikan Alaska 99901

Dear Mrs. Stanton:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mr. Carroll G. Fader
Ketchikan Gateway Borough
344 Front Street
Ketchikan, Alaska 99901

Dear Mr. Fader:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mr. Jerry Hobart, President
Kenai Peninsula Borough School Board
P.O. Box 850
Soldotna, Alaska 99669

Dear Mr. Hobart:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mrs. Norma Peterson
President
School Board
City and Borough of Juneau
155 So. Seward Street
Juneau, Alaska 99801

Dear Mrs. Peterson:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mr. W. D. Overstreet
City and Borough of Juneau Assembly
155 So. Seward Street
Juneau, Alaska 99801

Dear Mr. Overstreet:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. David Black, Pres.
Haines Borough School Board
P.O. Box 24
Haines, Alaska 99827

Dear Mr. Black:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mr. David A. Black
Haines Borough Assembly
Box H
Haines, Alaska 99827

Dear Mr. Black:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mr. Phil A. Younker
Presiding Officer
Fairbanks North Star Borough Assembly
P.O. Box 1267
Fairbanks, Alaska 99707

Dear Mr. Younker:

Do The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mr. Wilber K. Hall, Clerk
Bristol Bay Borough School Board
P.O. Box 189
Naknek, Alaska 99633

Dear Mr. Hall:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Vince Casey, President
Anchorage Borough School Board
1024 LaTouche
Anchorage, Alaska 99501

Dear Mr. Casey:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. John R. Edwards
Mayor
City of Skagway
P.O. Box 415
Skagway, Alaska 99840

Dear Mr. Edwards:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Elmer Ballot
Mayor
P.O. Box 49
Selawik, Alaska 99770

Dear Mr. Ballot:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mr. David A. Rose, Chairman
Borough Assembly
Municipality of Anchorage
Pouch 6-650
Anchorage, Alaska 99502

Dear Mr. Rose:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mrs. Victoria Demmert
President, School Board
Yakutat, Alaska 99689

Dear Mrs. Demmert:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Larry Powell
Mayor
City of Yakutat
P.O. Box 6
Yakutat, Alaska 99689

Dear Mr. Powell:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. R. Charles Vowell
Mayor
Unalaska
P.O. Box 89
Unalaska, Alaska 99685

Dear Mr. Vowell:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Ron Hunz
President, School Board
Skagway, Alaska 99840

Dear Mr. Hunz:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Jonas Ramoth
President, School Board
Selawik, Alaska 99770

Dear Mr. Ramoth:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mr. C. E. Johnson
Kenai Peninsula Borough Assembly
P.O. Box 850
Soldotna, Alaska 99669

Dear Mr. Johnson:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mr. Dan O'Hara, President
Bristol Bay Borough Assembly
P.O. Box 189
Naknek, Alaska 99633

Dear Mr. O'Hara:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Freeman A. Roberts
Mayor
P.O. Box 191
Dillingham, Alaska 99576

Dear Mr. Roberts:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Ron Hatch, President
School Board
Craig, Alaska 99921

Dear Mr. Hatch:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Marvin L. Yoder
Mayor
City of Craig
P.O. Box 23
Craig, Alaska 99921

Dear Mr. Yoder:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Jacob Adams
Mayor
City of Barrow
Box 507
Barrow, Alaska 99723

Dear Mr. Adams:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Kenneth E. Stedman, Pres.
School Board
City and Borough of Sitka
P.O. Box 1510
Sitka, Alaska 99835

Dear Mr. Stedman:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Ben F. Grussendorf
City and Borough of Sitka Assembly
Box 79
Sitka, Alaska 99835

Dear Mr. Grussendorf:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Jeslie Kaleak, Pres.
North Slope Borough School Board
P.O. Box 548
Barrow, Alaska 99732

Dear Mr. Kaleak:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Oliver Leavitt
North Slope Borough Assembly
Box 69
Barrow, Alaska 99723

Dear Mr. Leavitt:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mr. Fremont Hotchkiss, Pres.
School Board
Matanuska-Susitna Borough
Box B
Palmer, Alaska 99645

Dear Mr. Hotchkiss:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Mr. John D. Nash
Deputy Mayor
Matanuska-Susitna Borough
Box B
Palmer, Alaska 99645

Dear Mr Nash:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 9, 1977

Ms. Louise Collins, Pres.
School Board
Kodiak Island Borough
P.O. Box 1246
Kodiak, Alaska 99615

Dear Ms. Collins:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mrs. Flora Paukan
President, School Board
St. Mary's, Alaska 99658

Dear Mrs. Paukan:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Larry Beans
Mayor
P.O. Box 163
St. Mary's, Alaska 99658

Dear Mr. Beans:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr^s Vivian Max
President, School Board
P.O. Box 774
Pelican, Alaska 99832

Dear Mrs. Max:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Bruce Anderson
Mayor
City of Pelican
Box 757
Pelican, Alaska

Dear Mr. Anderson:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Paul Sterling, President
Nome School Board
P.O. Box 86
Nome, Alaska 99762

Dear Mr. Sterling:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Robert H. Renshaw
Mayor
City of Nome
P.O. Box 281
Nome, Alaska 99762

Dear Mr. Renshaw:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Gordon Sale
President, School Board
P.O. Box 144
Nenana, Alaska 99760

Dear Mr. Sale:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. J. B. Coghill
Mayor
City of Nenana
P.O. Box 177
Nenana, Alaska 99760

Dear Mr. Coghill:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Elwood Thomas
President, School Board
P.O. Box 47
Klawock, Alaska 99925

Dear Mr. Thomas:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Albert Macasaet, Sr.
Mayor
City of Klawock
P.O. Box 113
Klawock, Alaska 99925

Dear Mr. Macasaet:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mrs. Mattie Samuelson
President, School Board
P.O. Box 11
King Cove, Alaska 99612

Dear Mrs. Samuelson:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Don McCallum
Mayor
King Cove
P.O. Box 37
King Cove, Alaska 99612

Dear Mr. McCallum:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Raymond A. Bell
President, School Board
Kake, Alaska 99830

Dear Mr. Bell:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Matthew A. Brown
Mayor
City of Kake
P.O. Box 500
Kake, Alaska 99830

Dear Mr. Brown:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mrs. Frieda Peele
President, School Board
Hydaburg, Alaska 99922

Dear Mrs. Peele:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Robert Sanderson
Mayor
City of Hydaburg
Box 57
Hydaburg, Alaska 99922

Dear Mr. Sanderson:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mrs. Marlene Johnson
President, School Board
P.O. Box 218
Hoonah, Alaska 99829

Dear Mrs. Johnson:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Miles N. Murphy, Jr.
Mayor
City of Hoonah
P.O. Box 360
Hoonah, Alaska 99829

Dear Mr. Murphy:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mrs. Dorothy Rhea
President, School Board
Galena, Alaska 99741

Dear Mrs. Rhea:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

February 10, 1977

Mr. Jim Movius, President
Fairbanks, North Star Borough School Board
P.O. Box 372
Fairbanks, Alaska 99701

Dear Mr. Movius:

The enclosed bill, HB 109, has been referred to this committee for action. As you will notice, it would make a rather substantial change in the existing relationships between school boards and municipal governing bodies.

The committee would appreciate any comments you may have on the bill.

Sincerely,

Charles H. Parr, Chairman

CHP:ab

Encl.

FAIRBANKS NORTH STAR BOROUGH

Box 1267, Fairbanks, Alaska 99707

February 16, 1977

The Honorable Charles Parr
State Representative
State of Alaska
Pouch V
Juneau, Alaska 99811

Dear Charlie:

I appreciate your asking my opinion on HB 109. As you know, I've spent considerable time in the past three years looking at this very subject. I have enclosed a copy of a report I presented to the assembly which will give you some insight to the committee's feeling at that time.

I would also note that I currently chair the state-wide committee that was appointed by the Alaska School Board Association and the Alaska Municipal League to examine the relationships between school boards and borough assemblies. This committee met once last year but because of various problems has not been able to meet this year although we intend to meet again. It would be my feeling that if the legislature were to step in and pass HB 109 it would probably be more detrimental to the relationship between school boards and assemblies than beneficial. As you know, many school boards and borough assemblies in the state currently enjoy close working relationships. This proposed law might harm those relationships by the fact that one dissident member could totally destroy the relationship which took years to develop. While I agree there needs to be changes, I can not believe one sweeping change like this is the answer.

The current local situation has improved 100 percent in the last 90 days and in fact the borough and school board are looking at combining many of their programs in order to provide more efficient service at a lower tax dollar cost. Again, this sweeping change would only take one dissident member to change what it has taken years to build.

If I might make a suggestion as to something the legislature could do that would be beneficial, I would suggest the state legislature pass a bill requiring school boards and borough assemblies to have a minimum of four work sessions per year. The key in our local situation seems to

Representative Parr
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February 16, 1977

be that when the borough assembly and school board finally sat down as two elected bodies without being inhibited by administrators, they discovered they could work together and had many common goals. Our first two meetings were without any administrators or press and everything came out on the table. Many areas of common interest were discovered and a positive approach was taken towards those interests. Therefore, I believe that maybe we need to nudge those areas that are not meeting together. It would be a positive step if the legislature would pass such a bill.

Again I thank you for soliciting my comments and I hope it has been of some help to you. If I can be of further assistance please don't hesitate to call.

Very truly yours,



Phil A. Younker
Presiding Officer
FNSB Assembly

PAY:lh

REPORT

Task Force to Study the Feasibility of Consolidation of Departmental Efforts Between the School District and the Borough General Government

BACKGROUND:

1. At the regular assembly meeting of May 22, 1975, Younker, seconded by Bettisworth, moved that a task force be formed to study the feasibility of consolidation of departmental efforts between the school district and the borough general government. The task force would be charged with reviewing the following areas and submitting recommendations and time schedules: (1) accounting; (2) custodial; (3) maintenance. The committee will be composed of two assembly persons, two school board members, school district business manager, borough comptroller and borough attorney.

The purpose of the study was to make a determination on the following items:

- A. The legality of this move
- B. The desirability of this move
- C. If the desired improvement to the buildings and the grounds could be achieved by this move
- D. If there would be savings to the taxpayers on either a long term or short term basis or both

Study Report does not properly address this issue!

2. On motion by Gustafson, seconded by Stringer, funds allocated for school buildings and grounds maintenance program were transferred from the school budget to borough general government budget at special assembly meeting of May 29, 1975.

Membership in this task force consisted of Assemblyman Phil Younker, Chairperson, and Assemblyman Harry Reimer. The school board was invited to send representatives (see attached letter) and the borough attorney, engineer and comptroller were invited to provide necessary data from their respective departments. The school board officially chose not to participate (see attached letter).

The borough staff members attended all the formal meetings but the school board elected not to participate when invited. However, Mr. Movius attended one meeting that never was called to order due to a mixup in the scheduling. Mrs. Mendenhall and Mr. Chuck Wallace attended the last meeting. Mrs. Mendenhall stated that the school board was not interested in such a move and that she felt the board was doing a good job and should be left alone to do it. She also stated that the school district was setting up a preventive maintenance program now and could do the job better than the general government. A letter requesting information on the school district's preventive maintenance program was sent to the school board (see attached letter) but, to date, no answer has been received.

RECOMMENDATIONS:

Accounting -

It was determined that the accounting function should not be moved.

A. There would not be any apparent savings nor would this move necessarily improve either the general government's or the school district's accounting progress.

B. The school district uses guidelines set up by the state department of education which are not compatible to the general government's accounting programs; therefore, it would still require two separate operations.

C. The combining of the accounting would require total agreement between the general government and the school board. At this time such agreement does not exist. *For reasons A & B above*

D. It would be our recommendation that if, in the future, the general borough government and the school district administration are housed in one borough office building it might be feasible to have one computer large enough to handle both operations rather than two separate computers.

Excellent Idea - Also Purchasing

Buildings and Grounds Maintenance -

It would be our recommendation that there could be a real improvement to the buildings and grounds by the general government taking over the maintenance of the buildings and grounds based on the following:

A. For the past ten years at least there has been no preventive maintenance program in effect in our school district.

B. Preventive maintenance will cause a saving to the taxpayer on a long term basis and will cause the buildings and ground conditions to improve by the very fact that maintenance is on a preventive basis rather than a fix-it-on-a-emergency basis. (This is a recognized fact in both the public and private sectors which are maintaining large physical facilities.) *I hope the assembly remembers this at budget time*

C. The legality of the borough general government performing the maintenance hinges on the determination of (major and minor maintenance). Such a determination can either be agreed on by the assembly and school board or at the extreme could be determined in the courts as it has been hinted that the school administration has set monies aside to fight such move if it happens. *It is no "hint" as far as I'm concerned. If the assembly moves unilaterally there will be a battle.*

The problem that the borough assembly recognized was that monies appropriated for maintenance are often used for other purposes by the school district. This is not to criticize the school district since their foremost obligation is the education of our children. The school district is currently charged with minor maintenance and the janitorial work of the buildings. The assembly is charged with the major maintenance of the buildings. The problem then is that when minor maintenance and/or specifically preventive maintenance is deleted by the school district due to a lack of funds most often these items become major maintenance items and the assembly then has to budget money again to do major repairs or maintenance that could have been prevented had the problem been taken care of originally. This also could result in monies being appropriated twice for the same item.

This paragraph says I will except for last sentence which is a speculative comment, and points out that when confronted with priorities the education related expenses will fare better than custodial expenses, as they should.

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- lab. com
- major
- repair*

This, then, presents the problem of what is maintenance and at what point does it become major maintenance rather than minor maintenance.

We feel the answer is Preventive Maintenance Agree 100%

A. Preventive maintenance will eliminate this problem since it is designed to maintain the buildings and grounds in a state of being unimpaired; unbroken condition; sound and as near perfect condition as possible.

B. Maintenance then should be determined as that that is necessary to:

1. Insure the safety of all people using the buildings and grounds;
2. Insure the integrity of the buildings and grounds;
3. To accept the liability of responsibility of 1 and 2 above.

To explore this in more depth:

Maintenance must be based on needs and not on a balance of what is spent on each facility. *Clarify*

Maintenance must be based on needs and not changes in design for convenience. (Changes in design for convenience should be a capital improvement.) *Specific Example?*

Maintenance needs cannot be traded off for wants. *Clarify*

RECOMMENDATIONS:

We would recommend that after reading this report each assemblyman and school board member give close consideration to the following changes: 1) the borough general government would operate the maintenance of the school buildings and grounds, and 2) the school district would maintain the janitorial staff. Most of all, a general philosophy of what maintenance is should be agreed on by both sides.

- As defined by whom*
- A. Maintenance is based on needs, not wants and desires;
 - B. Maintenance is that work necessary to insure the safety of those people using the facilities;
 - C. Maintenance is that work necessary to insure the integrity of the buildings and grounds;
 - D. That the maintenance department be ready to accept the liability of responsibility of A, B and C above.

Some advantages and disadvantages we see in such a move are as follows:

ADVANTAGES:

A. The general government can set up a preventive maintenance program and will most likely more readily fund the program since they can be assured that the monies will not have to be used for other programs.

Speculative

B. The assembly often sees items in the board's budget for maintenance and then, a year or so later, sees the same items in the borough general government budget as major maintenance projects. By transferring the maintenance function to the borough administration, the assembly will recognize that the board no longer has this area in their budget to cut. It also means the school board can delete a large section of their budget which would make it easier to get their budget passed. *Speculative*

- Specifics please?
C. From experience, a school district that is currently operating under such a program as we are suggesting has found that vandalism is down in the schools because when an outside department is handling the maintenance they can be more hard-nosed about vandalism than is often possible for school personnel to be.

2 hard nosed with whom?
D. By setting up a preventive maintenance program there will be a saving to the taxpayer in the long run. It would be our opinion that the condition of the buildings today will require an all-out effort the first two or three years in getting the maintenance program to a point where a preventive maintenance program could function efficiently. *Agree*

E. The general government can set priorities based on needs - not desires - and maintain these priorities easier than the school district because they are not involved in the educational function. *Bull shit - see no reason why one government body can do something easier than another for the reason given*

F. The head of the maintenance program should play a very active role in the design and construction of all new facilities to insure as much standardization as possible in all mechanical and physical features. This will reduce the cost of maintenance. *Could not agree more*

DISADVANTAGES OR PROBLEMS IN OPERATION:

A. The school board and school administration will have to give up a portion of their responsibility. Most public bodies are reluctant to give up this responsibility factor even when it is best for all involved. *True - likewise it appears that the assembly has a similar problem.*

B. The custodial people will need to have their responsibilities outlined and they must be made to adhere to this job distribution. *Touched on the problem. How does this distribution become satisfactorily accomplished? By whom?*

C. The school district and the general government must set up a system to insure that work orders are processed and get to the correct people as smoothly and quickly as possible. (The school district might want to have the head custodian be the key information center for all maintenance requests.) *Possible Duplication and another layer of administration - The point here is that someone in the district*

D. Custodians will not do maintenance work. There may be a period of adjustment for this. However, the school district can begin to hire more women as custodians and the pay rate for custodians will not reflect any requirements that they have any mechanical ability. *would be telling someone in the borough what is needed.*

COMMENTS:

Assemblymen Younker and Reimer visited the Kenai Peninsula Borough where such a program now exists. *Any conclusions? My understanding is there is a difference of opinions as to the success of their program.*

The school board members we talked with stated that they would not take the maintenance program back again.

The school administration stated that they were satisfied with the operation now and would not want to take over maintenance again.

A building principal said he liked the program as it is now.

The custodians and maintenance personnel that we talked with like the system now.

It was generally agreed that the buildings are in better condition than they were before.

Vandalism decreased in schools during the school year.

The program now operates on a preventive maintenance program where each building is on a scheduled maintenance program with a check off list.

In the maintenance department they have such items as a portable boiler that can be moved to any school building and hooked up in a matter of hours preventing serious freeze-up problems. They have portable power plants for the same purpose.

2 Excellent ideas

Once again it would be our recommendation that the school board and assembly give close consideration to such a change and that a joint work session be set up to discuss this matter in full before action is taken.

Agree

Ideas for discussion

1. a P.M. program is desirable
2. Assuming the Boro Gen Govt takes over maintenance
a) who is going to arbitrate all the Q's as to what's custodial and what's maintenance?
b) who does the school bitch to when for any reason a maintenance item is not done in a timely or satisfactory manner
3. The proposal adds another administrative function^(maintenance) to the Boro general govt without eliminating one (custodial) from the School District. If we are going to do something like what is proposed lets do it with the idea of eliminating, not adding to, administrative cost
4. Review of State law on the matter

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 12, 1977

SUBJECT: Bills relating to borough assembly and school board

TO: Representative Charlie Parr

FROM: Billy G. Berrier, Director of Legal Services 

You have asked for a list of statutes relating to powers the borough assembly has with respect to education or to school boards and the citation to each.

There are several specific statutes that deal with the relationship, but it is possible in the context of the amendment made in HB 109 that virtually any power of a municipality could be affected to a certain extent.

It would appear that such a reading was not intended, but in light of Macauley v Hildebrand 491 Pac.2nd 120 (Alaska 1971) which held that education is a state power delegated to a municipalities saying:

"This constitutional mandate for pervasive state authority in the field of education could not be more clear. First, the language is mandatory, not permissive. Second, the section not only requires that the legislature 'established' a school system but also gives to that body the continued obligation to 'maintain' the system. Finally, the provision is unqualified; no other unit of government shares the responsibility or authority. That the Legislature seen fit to delegate certain educational functions to local school boards in order the Alaska schools might be adapted to meet the varied conditions of different localities does not diminish this constitutional mandate of state control over education."

the literal reading may not be the proper reading of the statute.

The specific statutes I have found are:

- (1) AS 14.12.030 governing body of city or borough

may increase school boards from five to seven members.

(2) AS 14.12.110 single body as assembly and school board if school population is 500 pupils or less and if approved by the voters.

(3) AS 14.12.020 if treasury is centralized municipality obtains surety bond for treasurer.

(4) AS 14.14.050 municipal audit includes schools.

(5) AS 14.14.060 relationship between board and assembly. Primary statute on division of responsibilities.

(a) Assembly may require central treasury.

(b) Assembly may require central accounting, but only if school board consents.

(c) Budget submission and appropriation.

(d) Assembly determines location of school buildings after considering board recommendations.

(e) Sets out functions of board and assembly in school design.

(f) School board provides routine maintenance for school buildings, assembly provides rehabilitation major repair and construction.

(6) AS 14.14.065 relationship between city council and school board in city district is same as between borough assembly and school board.

(7) AS 29.23.070 the municipal attorney is the legal advisor of the school board, but the board may hire independent counsel.

(8) AS 29.53.580 meetings of "all municipal bodies" shall be public.

(9) AS 29.28. Elections

(10) AS 29.41.010 third class borough assembly and school board as same body.

(11) AS 29.58. Municipal debts (bonds) Relates since this is how schools are financed.

(12) AS 29.63 special assessments, public property, including state-owned may be assessed.

Municipality of Anchorage



POUCH 6-650
ANCHORAGE, ALASKA 99502
(907) 274-2525

ANCHORAGE ASSEMBLY

February 17, 1977

Honorable Charles Parr
Chairman
Health, Education & Social Services Committee
Pouch V - State Capitol
Juneau, Alaska 99811

Dear Charlie:

You have requested comments relative to House Bill 109 introduced by Representative Duncan.

This is the same bill that was brought forth and killed during the last session. In my opinion it deserves a similar fate this year. I could be facetious and say that Mr. Duncan has a typographical error in his bill and that it should have read "The School Board has only those powers with respect to education or to Borough School Boards that are granted by statute." Obviously, there is no typographical error, but you could expect that Borough Assemblies would ask for the substitute wording presented above.

I feel that Mr. Duncan's bill will tend to create disharmony between school boards and Assemblies and that an attempt is being made to have the State act as policeman and arbitrator in issues and conflicts which should be solved at the local level.

I would urge that your committee not take further favorable action on this bill.

Sincerely,

A handwritten signature in cursive script, which reads "David A. Rose". The signature is written in dark ink and is positioned above the printed name.

David A. Rose
Chairman - Anchorage Assembly

DAR:peb



KODIAK ISLAND BOROUGH

Telephones 486-5736 - 486-5737 — Box 1246

KODIAK, ALASKA 99615

March 1, 1977

Alaska State Legislature - House
Health, Education and Social Services Committee
Charles H. Parr, Chairman
Pouch V, State Capitol
Juneau, Alaska 99811

RE: House Bill 109 - An Act Relating to the Relationship Between
the Borough School District and the Borough

Dear Chairman Parr,

We, the undersigned members of the Kodiak Island Borough Assembly,
wish to join the other members of the Alaska Municipal League in
vigorous opposition to House Bill 109 respecting relationships
between borough school districts and general borough government.
We find the terms of the proposed legislation offensive and in-
jurious to the working relationship of local municipalities.

Sincerely,

James E. Foster Assemblyman

Michael D. Jensen MD Assemblyman

Butch J. Wallin Mayor Pro Tem & Presiding Officer, KIB

Steve M. Anderson Assemblyman

W. L. Estes Assemblyman

Andrew J. K. K. K. Assemblyman



THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

DATE: March 17, 1977

FILE NO.

SUBJECT: House Bill 109

Representative Charles H. Parr
State House of Representatives
State Capitol - Pouch V
Juneau, Alaska 99811

Dear Representative Parr:

The Assembly of the Juneau City-Borough has considered House Bill 109 at some length. We support the intent to delineate the representative responsibilities of elected local officials. Some concern was expressed that the City-Borough might be precluded from operating educational and recreational programs for adults and children after school without the concurrence of the Board under a strict interpretation of the law. If you perceive this to be a problem, we would be amenable to an amendment that would reserve the right of the municipality to conduct such programs.

Sincerely,

W. D. Overstreet
Mayor

WDO/kh

CITY AND BOROUGH OF JUNEAU SCHOOL DISTRICT
P.O. BOX 808 • DOUGLAS, ALASKA 99824

March 11, 1977

The Honorable Charles Parr
House of Representatives
Capitol Building, Room 110
Juneau, Alaska 99811

Dear Representative Parr:

I am writing to support House Bill 109 which would more clearly delineate the relationship between a borough school district and a borough. In my opinion, the bill, if enacted into law, would very clearly limit the powers of borough assemblies to those functions which are granted only by State statute. This legislation would provide Borough School Boards with a clearly stated law to back them up when borough assemblies attempt to interfere with internal matters of the board or school district operations.

I urge your support of House Bill 109. Thank you for your consideration of my views on this matter.

Sincerely yours,

Mrs. Norma J. Peterson
(Mrs.) Norma J. Peterson
President
Juneau Board of Education

NJP:c

cc: Mr. William Overstreet, Executive Secretary
Alaska Association of School Boards

FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT

P.O. Box 1250, Fairbanks, Alaska 99707

(907)456-7934



CHUCK SMITH

Superintendent of Schools

February 18, 1977

The Honorable Charles Parr
Chairman of the Health, Education
& Welfare Committee
Pouch V
State Office Building
Juneau, Alaska 99811

Dear Charlie:

I am in full support of House Bill 109 as it attempts to clearly delineate the responsibilities of the Borough Assembly and leaves little for guess-work. This present guess-work fringe area has been the subject of confrontations between School Boards and Borough Assemblies over the past few years.

Hopefully this Bill will become law.

Sincerely,

A handwritten signature in cursive script that reads "A. J. Movius".

A. J. Movius
President
Board of Education

AJM/CS/plh

KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT

P. O. Box 2550
KETCHIKAN, ALASKA 99901
907-225-2118

February 24, 1977

Rep. Charles H. Parr, Chairman
Health, Education & Social
Services Committee
Alaska State Legislature

Dear Representative Parr:

The board of education of the Ketchikan Gateway Borough School District wishes to express its support of House Bill No. 109.

There is a very definite need for clarification of the borough assembly/school board relationship. It was the unanimous expression of the board that this bill would do much to provide that needed clarification.

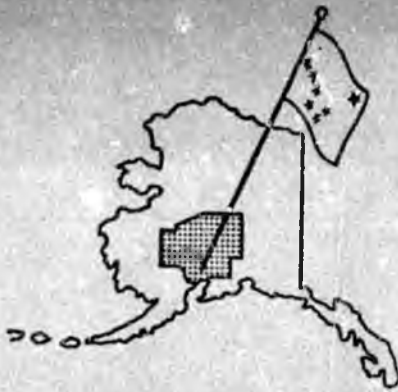
Yours truly,



R. W. Stekl
Supt. of Schools

AIRMAIL TO ALASKA

KENAI NORTH KENAI ENGLISH BAY HOMER HOPE PORT GRAHAM SELDOVIA SEWARD MOOSE PASS
COOPER LANDING NINILCHIK STERLING SOLDOTNA TUSUMENA TYONEK NIKOLAEVSK



MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT

BOX AB

PALMER, ALASKA 99645

PHONE 745-3190

February 16, 1977

NORMAN S. ROUSEY
SUPERINTENDENT OF SCHOOLS

Mr. Charles H. Parr
Chairman
Health, Education & Social Ser. Committee
Pouch V
Juneau, Alaska 99811

Dear Mr. Parr:

Thank you for your letter of February 9, 1977 concerning HB 109.

The Matanuska-Susitna Borough School Board strongly urge passage of this bill. We feel that the bill does not substantially change the existing relationship between school boards and municipal governing bodies. The bill simply clarifies the intent of the law and amplifies the division of responsibilities.

The School Board's position is that "good fences make good neighbors." The Matanuska-Susitna School District has experienced, on several occasions, an extension of municipal powers into the domain of the school board. This led to a court case on one occasion.

I am enclosing a opinion of the Attorney General on the issue of the propriety of "Borough providing for election of School Board Members by District." The opinion clearly points out the unlawfulness of the Borough Assembly attempting to create election districts for School Board members.

Please note in the legal opinion the wording in the next to last paragraph. This wording closely parallels the amendment you are discussing in HB 109.

Our District will be available for any additional testimony or information that you may need on this subject. Thank you for soliciting our comments.

Sincerely,

Fremont L. Hotchkiss
Fremont L. Hotchkiss
School Board President

FLH:vjs

Enclosure: 1

RECEIVED STATE OF ALASKA

NOV - 5 1974

MATANUSKA - SITKA
BOROUGH SCHOOLS

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

WILLIAM A. EGAN, GOVERNOR

POUCH K - STATE CAPITOL
JUNEAU 99801

October 31, 1974

Dr. Marshall L. Lind, Commissioner
Department of Education
Pouch F
Juneau, Alaska 99801

SUBJECT: Propriety of Borough Providing for Election of
School Board Members by District

Dear Dr. Lind:

You have asked whether, in light of AS 29.23.310, a second-class borough may properly enact an ordinance which provides for the election of borough school board members by districts rather than election of all members at large. We conclude that it may not.

AS 29.23.310 provides as follows:

Each borough and city school district has a school board. Members are elected at the regular election held annually on the first Tuesday of October, unless a different election date or interval of years is provided by ordinance, for three-year terms and until their successors take office. All board members are elected at large, but school zones for the election of borough school boards may be established, altered, or abolished as provided by §100 of this chapter (Emphasis added).

As you have pointed out, the difficulty in interpreting AS 29.23.310 arises from the fact that AS 29.23.100¹, to which it makes reference, was repealed (§16 Ch. 118 SLA 1972)

1/AS 29.23.100 read as follows:

(a) The borough assembly may, by ordinance adopted without weighted voting, establish, alter, or abolish sections for the election of assemblymen in the area outside home rule and first class cities, except that sections may not be abolished unless a majority of the assemblymen outside home rule and first class cities approve. If it establishes sections, members representing the area outside home rule and first class cities represent the sections in which they reside. The ordinance must state whether assemblymen are elected by all voters outside home rule and first class cities or only by the voters of the section in which they reside. The number of sections equals the number of assemblymen representing the area outside home rule and first class cities. Section boundaries are established in such a way as to provide, insofar as possible, clarity of boundaries, compactness of an area, approximately equal population representation among sections, and homogeneity of interest.

(b) Borough sections shall be reapportioned in the manner prescribed in §90 of this chapter for reapportionment of the assembly.

shortly after it became effective in September of 1972 under the provisions of §17 CH.118 SLA 1972.² The effectiveness of the repealer had been conditioned by the Legislature on either a finding by the Alaska Supreme Court that the then Sec. 4 of Article X of the Alaska Constitution was in violation of the U. S. Constitution's "one man - one vote" requirement or on the adoption of an amendment to the state's constitution eliminating those parts of Sec. 4 of Article X which specified city and non-city representation on borough assemblies. Such an amendment to the Alaska Constitution was adopted and became effective on October 13, 1972.

The general rule of statutory construction with respect to interpretation of a statute which incorporates a repealed statute by reference is to treat the incorporating statute as including the provisions of the repealed law as they read when the incorporating statute was enacted. Sands, Sutherland Statutory Construction, §23.32, Vol. 1A, p. 278 (4th Ed., 1972). That rule cannot be applied in the present case, however, because AS 29.23.100, the repealed section which would normally still be read as a part of AS 29.23.310, provided for an unconstitutional method of establishing election districts in that it provided for representation of home rule and first class cities on the borough assembly (or school board) without regard to their population. This would have made it possible for an assemblyman representing a home rule or first class city to exert an amount of influence on the borough assembly disproportionate to the city's population when compared with the overall population of the borough as represented by the other members. Such disproportionate influence is constitutionally invalid under the "one man - one vote" rule first enunciated by the U. S. Supreme Court in Reynolds v. Sims, 377 US 53 (1964). The "one man - one vote" requirement applies to popularly elected school boards, as well as other legislative bodies. Hadley v. Junior College District, 397 US 50 (1970). As a result, AS 29.23.100 cannot be given any legal effect.

2/Sec. 17, Ch. 118 SLA 1972 (as amended by Sec. 9, CH. 147 SLA 1972) reads as follows:

Secs. 10 - 16 of this Act take effect upon the condition and at the time that the Supreme Court of the State of Alaska finds that sec. 4, art. X of the Constitution of the State of Alaska as it relates to representation of cities on borough assemblies is in violation of the Constitution of the United States or an amendment to the Constitution of the State of Alaska relating to assembly representation and consistent with the provisions of secs. 10 - 16 of this Act becomes effective, whichever occurs earlier.

Dr. Marshall L. Lind
Juneau, Alaska

October 31, 1974

-3-

Since AS 29.23.100 is unconstitutional and therefore cannot be incorporated into AS 29.23.310, a borough assembly cannot, on its own initiative, establish a method of dividing the borough into zones or districts for the election of school board members. The Alaska Supreme Court, in discussing its decision of Macaulley v. Hildebrand, 491 P. 2d 120 (Alaska 1971) in Jefferson v. State of Alaska, (Opinion No. 1084, September 27, 1974), pointed out that while generally the home rule powers of municipalities in Alaska are to be broadly applied, this is not the case in matters relating to public education:

// ...the language of the state constitution mandating maintenance of a school system by the state vested the legislature with pervasive control over public education. Thus, home rule municipalities (are) precluded from exercising power over education unless, and to the extent, delegated by the state legislature,.....Jefferson, supra, at 19. //

While a second-class borough is a general law municipality (AS 29.08.020) rather than a home rule municipality (AS 29.08.010), it is clear that a general law municipality does not have any greater powers than a home rule borough, and in general its powers are less. In the absence of a valid delegation of authority by the Legislature to general law municipalities to alter the mandatory effect of AS 29.23.310 that "all board members are elected at large", then, such a municipality may not, whether by assembly action or local referendum, enact an ordinance changing that requirement. Because the scheme of repealed AS 29.23.100 violates the federal constitution and, impliedly, the state's constitution, it is not a valid delegation of authority by the Legislature to general law municipalities to alter the mandatory effect of AS 29.23.310. Until the Legislature acts validly to delegate its authority over the composition of and the representation on borough school boards, election of school board members must be at large within the borough.

Sincerely,

NORMAN C. GORSUCH
ATTORNEY GENERAL

By: 

Ronald W. Lorensen
Assistant Attorney General

RWL:bt



ANCHORAGE
SCHOOL DISTRICT

4600 DeBarr Road - Anchorage, Alaska

99504

AREA CODE 907-323-9561

March 23, 1977

The Honorable Charles Parr
House HESS Committee
Pouch V
Juneau, AK 99811

Re: HB 109

Dear Mr. Parr:

I am writing on behalf of the Anchorage School Board to express our support for HB 109.

It is our understanding that this bill is intended to clarify the relationship between school boards and municipal assemblies by establishing that all implied powers relating to public education are reserved for the school board rather than for the assembly. We believe that this concept is sound. We are aware that our Constitution has established education as a statewide function and responsibility (see Article VII, Section 1). We are also aware that the school boards act as the legislature's agent in carrying out these responsibilities. The proposed bill would avoid any confusion which may currently exist in establishing the line of authority and responsibility.

Our support of the concept of this bill must be tempered by two concerns. First, we fear that the bill as currently drafted may be viewed as limiting all implied governmental powers regarding education rather than as allocating those powers to the school boards. We would suggest that the bill be redrafted to more clearly indicate its actual intent since it would be impossible to carry out public educational programs in this state without all the power and authority which is reasonably implied from those powers specifically enumerated in Title 14 and Title 29. Should you desire, we would be willing to prepare for your consideration a proposed redraft which would more clearly indicate the true intent of this proposal.

March 23, 1977

Page Two

Our second concern is that our support of this bill not be viewed as a slap at the Municipality of Anchorage. We feel that the school district and the municipal government in Anchorage currently enjoy a very good working relationship. Unfortunately, however, this situation does not exist in a number of other jurisdictions in the state, nor has it always existed here. Thus, our support at this time arises from the soundness of the concept and our concern for other school boards in the state and not from any difficulty which this board is currently experiencing.

Sincerely,

Vincent H. Casey

Vincent H. Casey, President
Anchorage School Board

pa

Alaska State Legislature

KRIS W. LETHIN



House of Representatives

POUCH V. JUNEAU, 99801

March 29, 1977

Vincent H. Casey, President
Anchorage School Board
4600 LeBarr Road
Anchorage, Alaska 99504

Dear Mr. Casey:

Thank you for your letter expressing your desire to have HB 109, concerning the relationship between school boards and municipal assemblies, redrafted to clarify its meaning.

I have given a copy of your letter to Representative Charles Parr, who is chairman of the House Health, Education, and Social Services Committee, which presently has HB 109 for consideration.

The concern you express in your letter is valid, and I will do what I can to help clarify the matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kris W. Lethin".

Kris W. Lethin

cc: Rep. Charles Parr

es



ANCHORAGE
SCHOOL DISTRICT

4600 DeBarr Road - Anchorage, Alaska

99504

AREA CODE 907-333-9561

March 23, 1977

The Honorable Kris W. Lethin
Alaska State House of Representatives
Pouch V
Juneau, AK 99811

Re: HB 109

Dear Mr. Lethin:

I am writing on behalf of the Anchorage School Board to express our support for HB 109.

It is our understanding that this bill is intended to clarify the relationship between school boards and municipal assemblies by establishing that all implied powers relating to public education are reserved for the school board rather than for the assembly. We believe that this concept is sound. We are aware that our Constitution has established education as a statewide function and responsibility (see Article VII, Section 1). We are also aware that the school boards act as the legislature's agent in carrying out these responsibilities. The proposed bill would avoid any confusion which may currently exist in establishing the line of authority and responsibility.

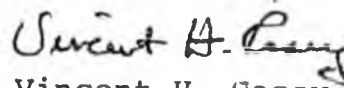
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March 23, 1977

Page Two

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Sincerely,



Vincent H. Casey, President
Anchorage School Board

pa



ANCHORAGE
SCHOOL DISTRICT

4600 DeBarr Road - Anchorage, Alaska

99504

AREA CODE 907-333-9561

April 4, 1977

The Honorable Charles H. Parr
House of Representatives
Pouch V
Juneau, AK 99811

Dear Mr. Parr:

At your request, we have had our attorney prepare the enclosed re-draft of HB 109. We believe that this draft is more closely in line with the actual intent of this bill.

Sincerely,

Vincent H. Casey, President
Anchorage School Board

pa

attachment

HOUSE BILL NO. 109

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE -- FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the relationship between the borough school district and the borough."

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

Section 1. A.S. 29.33.050 is amended to read:

Section 29.33.050. Education (a) Each borough constitutes a borough school district and establishes, maintains, and operates a system of public schools on an area-wide basis as provided in A.S. 14.14.060. The borough school board has all necessary and implied powers to establish, maintain and operate the system of public schools, except those powers which are specifically reserved by statutes to the borough assembly.

(b) A military reservation with an organized borough is not part of the borough school district until the military mission is terminated or until inclusion in the borough school district is approved by the Department of Education. However, operation of the military reservation schools by the borough school district may be required by the Department of Education under A.S. 14.14.110. If the military mission of a military reservation terminates or continued management and control by the state operated schools is disapproved by the Department of Education, operation, management and control of schools on military reservations transfers to the borough school district in which the military reservation is located.