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STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907.465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 27, 1981

SUBJECT: Government of Regional Education Attendance  
Areas -- SB 395 (Work Order No. 12-1633)

TO: Senator Charles H. Parr  
Chairman, Senate Health, Education  
and Social Services Committee

FROM: Billy G. Berrier *BGB*  
Director  
Division of Legal Services

You have asked what powers would remain in the state concerning the manner in which rural education areas perform educational planning and evaluation functions for schools or programs within their jurisdiction if SB 395 were enacted.

I should first point out that in my opinion sec. 14.08.045 is not effective to accomplish its apparent purpose. The power to annul which is relied on in (b) of that section simply is not broad enough in scope to include the matters contained in that section.

If essentially the same matters were established in positive law (see, for example, AS 37.05.315(g)), in my opinion the state would have no authority, other than enactment of legislation, over the specified subject matter.

BGB:ljb