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Senate Health, Education and Social Services Committee

Legislation Checklist

Bill number: SB242
Sponsor: Eliasen
Date referred to committee:
Synopsis completed:
Fiscal note:
Further referrals:

HB 304 Sund & Taylor

CONTACTS:

- ✓ Eliasen (^{Rocky}~~Steve~~) 4916
- ✓ DOE (Steve Hole) 2800
- ✓ Don Mackinnon 6-9702
- ✓ Gayle Pearce, NEA 6-3090
- ✓ Bob Meen, Sch Bas 6-1083

Steve Hole - zero fiscal
17-18 REATA have sections
SB242 aimed at migratory pop's (i.e.
logging camps - SS only -
probably won't affect
other REATA)

ALASKA STATE LEGISLATURE - SENATE

SENATOR RICHARD I. ELIASOF



LABOR & COMMERCE COMMITTEE, VICE-CHAIRMAN
LEGISLATIVE COUNCIL, VICE-CHAIRMAN
FINANCE COMMITTEE
RESOURCES COMMITTEE

PO BOX 143
SITKA, ALASKA 99835

POUCH V
JUNEAU, ALASKA 99811
(907) 465-4916

MEMORANDUM

TO: Sandra Schubert-Pence
FROM: Rocky Plotnick-Weller *Rocky*
DATE: April 10, 1985
RE: Title change for SB 242

I talked with Keith Levy about a title change for SB 242 and he came up with the following:

"An Act relating to the number of members of REAA school boards from sections and communities within the REAA"

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 242
Title: regional educational atten-
dance area school boards
Sponsor: Eliason
Requestor: Senate HESS
Date of Request: 4-8-85

FISCAL DETAIL

Agency Affected: Education
Program Category Affected: _____
BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The bill has no fiscal impact on this Department.

Prepared By: Steve Hole *Steve Hole* Phone: 2800
Division: Commissioner's Office Date: 4-8-85

Approved by Commissioner: Harold Reynolds, Jr. Date: 4-8-85
Agency: Education

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

SB 242

SB 219, Establishing a special unit for the investigation of criminally exploited and missing children.

SB 219 would establish within the Department of Public Safety a special unit for investigating incidents of missing children and the criminal exploitation of children. A letter of intent adopted by the Senate State Affairs Committee envisions a core unit based in Anchorage that will provide assistance to other law enforcement agencies, with funding provided through the Department of Public Safety.

In FY 85 the Municipality of Anchorage received \$150,000 as a line item grant for the creation of a child exploitation investigative unit. The unit consists of six Anchorage Police Department investigators; one state trooper investigator works with the Anchorage unit. The Department of Public Safety is charged with the enforcement of all criminal laws of the state, which includes the abuse and exploitation of children, but a specialized unit for investigation of these crimes has not been established.

SB 242, Relating to educational attendance area school boards.

Current statute provides for dividing a regional educational attendance area into sections for the purpose of electing school board members. Such division is proposed by a regional school board or by petition, and established by the Departments of Education and Community and Regional Affairs based on population. The proportion of members which may represent each section is specified by law.

SB 242 would allow for variance in the number of members per section upon a determination by the Department of Education that there have been substantial population fluctuations within the REAA which could result in under or overrepresentation of sections.

The bill is aimed at a situation in Southeast Alaska, where migratory populations associated with logging camps have resulted in significant population shifts within REAA's.

ALASKA STATE LEGISLATURE - SENATE

SENATOR RICHARD I. ELIASON

APR 1 1985

LABOR & COMMERCE COMMITTEE, VICE-CHAIRMAN
LEGISLATIVE COUNCIL, VICE-CHAIRMAN
FINANCE COMMITTEE
RESOURCES COMMITTEE

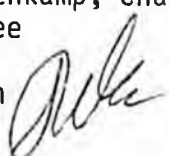


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MEMORANDUM

TO: Senator Bettye Fahrenkamp, Chair
Senate HESS Committee

FROM: Senator Dick Eliason 

DATE: March 29, 1985

RE: Scheduling SB 242

I would like to see SB 242, an act relating to REAA School Boards, scheduled in the near future.

The purpose of this bill is to allow for a more equitable distribution of school board members for the Southeast Island School District. Alaska Statute 14.08.051 specifies the maximum number of school board members for each section within a regional educational attendance area. The geographic area served by the Southeast Island School District has been experiencing significant population changes. SB 242 would allow for one school board seat within a Thorne Bay Section and 4 seats at-large.

The Southeast Island School District has passed a resolution requesting this change and a copy is attached, along with a letter from Bob Weinstein, Superintendent of the District.

I certainly appreciate your attention to this bill.

Southeast Island School District

640 Park Ave. - P.O. Box 8340 - Ketchikan, Alaska 99901 - (907) 225-9658 or 225-9659



March 6, 1985

Senator Dick Eliason
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Dear Senator Eliason:

This is to follow up on earlier information sent to you expressing concern regarding AS 14.08.051, and its limitation on the number of board members which can be elected from a section in a regional educational attendance area which has been divided into sections (section (d) (2)).

My understanding of this limitation is that it is designed to prevent a large community in a given section from having the power, by virtue of number of votes, to elect more than a simple majority of members of the school board, effectively denying representation to smaller communities.

The problem that we have is that it is not practical for the Southeast Island School District to adhere to the statutory standards. Prior to mid-1983, this District was divided into two sections, one with two members from Thorne Bay and one at-large area with three members from the remaining communities. In mid-1983, the State reapportioned regional educational attendance area board sections in light of census. This created several problems for this District. First, the census was grossly inaccurate for rural communities in southern Southeast Alaska. One of our communities with 200 people was listed on the census as having 0 residents. Areas that are federal bird sanctuaries were listed as having human residents, and so on. Second, to compound the census errors, this District experiences significant population changes in many, although not all, communities due to the nature of the economy in this part of the state. We have approximately a 50% student turnover annually, and frequently open up schools in new communities and close schools in areas which have suffered a population decline. In addition, we also have cases where entire communities, sometimes built on floats, move around the district.

Third, the population of the District had changed significantly since the 1970 census so that Thorne Bay had only about 20% of the population. Consequently, the recommended reapportionment reduced the Thorne Bay section from two seats to one, and created two additional sections along an arbitrary east-west line. The Southeast Island School District Board

Senator Dick Eliason
March 6, 1985
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requested that the State establish a Thorne Bay section with one seat, and an at-large area with four seats. We were told that existing statutory limitations would not allow this, so we looked for some type of reasonable alternative. As a result of information supplied by this District, the State agreed to modify the line to reflect actual population at that time. Since the reapportionment, the usual changes have occurred. In 1982, the schools in the north and south sections had 39% and 45% of our student population (which can be used as a fairly reasonable measure of the general population). In 1983, just after the reapportionment along the new lines, each section had 41% of the student population; i.e. the sections did provide fair representation for that one moment. In 1984, the north and south sections had 31% and 43% of our student population respectively. Put in terms of variance combining the overpopulation and underpopulation of existing sections (which is the statistic normally used at times of reapportionment), the current total combined variance is about 55%, far exceeding the level normally acceptable during reapportionments. This variance increased from 15% to 55% in one year, again reflecting the massive population changes which occur across arbitrary section lines in this District. (Note: Again this data is based upon student population, which can be used as a guide as to general population variations and changes.) The point I am trying to make is that there are substantial annual population changes, by section, although the total population remains about the same.

Now, we have an additional problem which magnifies the issue for us. As a result of the population changes we normally have, we have had a fairly high turnover in Board members. We historically have had an average of one Board member resignation per year due to the member moving from the District. However, prior to the reapportionment, if a Board member (or the community in which the Board member resided) moved elsewhere in the at-large section, the Board member could remain on the Board. Now, if this occurs, the Board member would have to resign from the Board. Thus, an already difficult management situation is being compounded. This year, we have lost one Board member due to a move from the District (Thorne Bay section). At a Board meeting last week, I was informed that an additional Board member (south section) would be resigning for the same reason, while still a further board member (south section) would be resigning because, for the first time, a move of a community was being made across the new arbitrary Board section lines. In less than one year, 60% of the Board will have resigned. While two resignations were unavoidable, I believe the third could be avoided by the application of a reasonable standard to this District.

At a meeting of February 5, the Southeast Island School District Board approved a resolution requesting that the State review this situation and change the sections, administratively if possible, to one section with one seat (Thorne Bay) and an at-large area, with four seats, consisting of the remainder of the District. After a considerable amount of discussion

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Page Three

with the Department of Education and Division of Elections, it has become apparent that the Division of Elections feels that existing statutes prevents us from arriving at a practical administrative solution to our problem.

Therefore, the Southeast Island School District Board is requesting your assistance in this matter. Enclosed you will find some possible language for a statute change. The intent of the proposal is:

1. To allow the Commissioner of Education to exempt a regional educational attendance area, upon the request of its Board, from the limitations of AS 14.08.051 (d) (2) upon a determination that population fluctuations make it impractical for the existing statutory standards to be applied. This would eliminate the need for continual revisions due to frequent population changes across section boundaries, and significantly reduce existing variance between sections;

2. To prevent, by a limitation on the number of Board members who can be elected from a given community in an exempted board section, one community from excessively dominating the Board [as does subsection (d) (2)].

This proposal should have little, if any, effect upon other REAA's, due to the stringent limitation suggested for the number of board members from a single community. Please advise me if you have any questions about the enclosed information, or if I may answer additional questions.

Thank you for your assistance.

Sincerely,



Robert Weinstein
Superintendent

RW:cm

cc: Senator Robert Ziegler, Sr.
Senator Frank Ferguson
Representative Mike Miller
Representative Peter Goll
Representative Robin Taylor
Representative Niilo Koponen
Representative John Sund

SOUTHEAST ISLAND SCHOOL DISTRICT
BOARD OF EDUCATION
RESOLUTION NO. 25-1

BOUNDARIES OF SCHOOL BOARD SECTIONS

WHEREAS, in 1983 the Department of Education and Division of
Education and Administration of the State of Alaska reappointed school board
sections in REAA #19 - Southeast Island School District, and

WHEREAS, the reapportionment was based upon inaccurate data
for southern Southeast Alaska in the 1980 census and therefore
resulted in unequal representation in the "northern" and
"southern" sections, and

WHEREAS, population changes since the 1983 reapportionment in
the northern and southern areas have increased the
over-representation and under-representation in those areas,
and

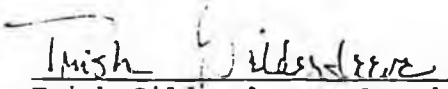
WHEREAS, such population changes have historically occurred
within the boundaries of REAA # 19 - Southeast Island School
District and are projected to occur for the foreseeable
future, and

WHEREAS, the original reapportionment plan proposed by the
Southeast Island School District Board was for one Thorne Bay
seat and 4 at-large seats,

THEREFORE, BE IT RESOLVED, that, pursuant to Alaska Statute
14.08.051, the Southeast Island School District Board proposes
a recasting of section boundaries so that the Board consists
of one section with one member from Thorne Bay, and 4 members
elected at-large from the remaining area; and

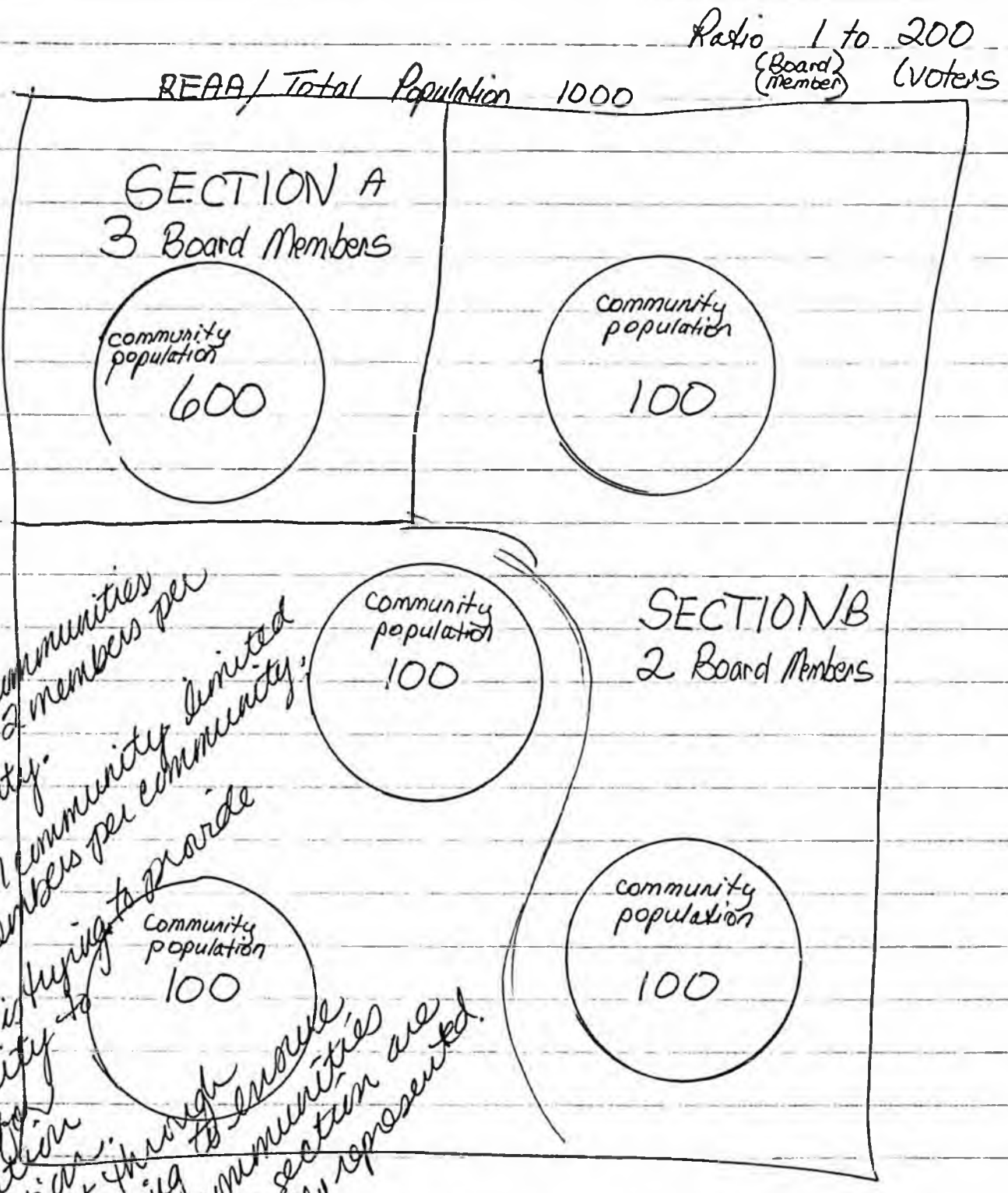
FURTHER BE IT RESOLVED, that the Southeast Island School
District Board requests that this recasting occur at the
earliest possible time by either a special election or by
administrative action, so that the recasting is effective with
the next regular school board election.

ADOPTED by the Board of Education of the Southeast Island School District,
Ketchikan, Alaska, at a regular meeting of the Board held this 5th day of
February, 1985.


Trish Gildersleeve, Board Clerk

By Rocky Plotnik - Weller

Hypothetical situation w/in a REAA authority AS 14.08.051 (d) & (2)



Section w/ 2 communities limited to 2 members per community.
 Section w/ 1 community limited to 3 members per community;
 SB 242 inflicting to provide flexibility to allow for population fluctuations;
 are limiting it through that communities are equally represented.

(g) ^{sub-section "(g) "} SB 242 would prohibit the communities in SECTION B from having more than 2 board members from the same community. If a community in SECTION B has a population explosion, the REAA can be reappportioned where that community will be put in a separate SECTION and not subject to sub section "(g)".

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HESS 4-11-85 1:36pm
4-9-85 1:36pm