

SR

330 - H

**HOUSE COMMITTEE REPORT**

(11)

Date referred: 2/10/88

FURTHER REFERRALS:

DATE: 2/16/88

The Finance Committee has considered CS 330 (Fln)

"An Act making appropriations to the Department of Education for K - 12 support; and providing for an effective date."

**RECOMMENDS:**

- replace with HCS SB 330 (HESS) [ ] the same title
- attached amendment(s) [ ] a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  HFin. letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact [ ] same as previous fiscal note published \_\_\_\_\_
- zero fiscal note [ ] same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

ADAMS Al Adams

POURCHOT Pat Pourchot

LARSON Ronald Larson

GOLL John Goll

RIEGER Steve Rieger

FRANK Frank

BROWN Ray Brown

DAVIS Mike Davis

SWACK Ed Swack

BOYER Monk Boyer

**SIGNING OTHER RECOMMENDATIONS:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Al Adams  
Chairman's signature



Official Business

# Alaska State Legislature

## HOUSE OF REPRESENTATIVES

### Committee on Finance

P.O. Box V  
State Capitol  
Juneau, Alaska 99811

LETTER OF INTENT  
TO  
HCS SB 330 (HESS)  
BY THE  
HOUSE FINANCE COMMITTEE

It is the intent of the House Finance Committee that this bill be enacted by March 1, 1988 to give the Department of Education, local school districts and Regional Education Attendance Areas, and municipalities adequate notice of FY 89 state funding for education and local school debt retirement prior to their April 1 budget deadline.

It is also the intent of the House Finance Committee that should additional information affecting funding of these programs become available prior to close-out of the FY 89 operating budget, the House Finance Committee will consider appropriate adjustments in the FY 89 budget bill.

It is further the intent of the House Finance Committee that the \$3,500,000 in general funds included in the foundation program appropriation in HCS SB 330 (HESS), which is above the general fund amount necessary to full-fund the foundation entitlement, be used to mitigate any adverse consequences of the new school foundation formula on school districts and Regional Education Attendance Areas. Proposed expenditures from these funds shall be brought to the Legislative Budget & Audit Committee for approval before disbursement no later than December 31, 1988. The department shall consider the following factors when preparing its recommendations.

1. Problems unique to small single site school districts;
2. Inequities in the existing area cost differentials as identified in the review of the differentials currently being conducted by the Legislative Budget & Audit Committee; and
3. Other unique and extraordinary problems brought to the attention of the department.

A handwritten signature in cursive script, appearing to read "Al Adams".

---

Rep. Al Adams, Chairman  
House Finance Committee

Offered: 2/10/88  
Referred: Finance

5-1562N

Original sponsors: Halford, Faiks,  
Coghill, et al.

Funding Information  
General Fund \$579,394,876  
Other Funds 47,177,500  
\$626,572,376

1 IN THE SENATE BY THE HEALTH, EDUCATION AND  
2 HOUSE CS FOR CS FOR SENATE BILL NO. 330 (HESS) SOCIAL SERVICES COMMITTEE  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL  
6 For an Act entitled: "An Act making appropriations to the Department of  
7 Education for K - 12 support; and providing for an  
8 effective date."

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

10 \* Section 1. The sum of \$508,862,400 is appropriated from the general  
11 fund and from other funds in the amount listed to the Department of Educa-  
12 tion for the purposes expressed and allocated in the amounts listed for  
13 operating expenditures for the fiscal year ending June 30, 1989:

14	FUND SOURCE	AMOUNT
15	General fund	\$461,684,900
16	Public school fund (AS 37.14.110)	8,830,900
17	School fund (AS 43.50.140)	3,500,000
18	Federal receipts	34,846,600
19	PURPOSE	ALLOCATION AMOUNT
20	Foundation program	\$447,500,900
21	Student lunch program	13,500,500
22	Cigarette tax distribution	3,500,000
23	Tuition students	14,609,000
24	Boarding home grants	450,000
25	Youth in detention	1,307,700
26	Schools for the handicapped	2,872,600
27	Pupil transportation	25,121,700

28 \* Sec. 2. The sum of \$117,709,976 is appropriated from the general fund  
29 to the Department of Education for the school construction account

1 (AS 14.11.100(c)) for the fiscal year ending June 30, 1989.

2 \* Sec. 3. This Act takes effect July 1, 1988.



# Alaska State Legislature

## HOUSE OF REPRESENTATIVES

### Committee on Finance

Official Business

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State Capitol  
Juneau, Alaska 99811

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It is further the intent of the House Finance Committee that the \$3,500,000 in general funds included in the foundation program appropriation in HCS SB 330 (HESS), which is above the general fund amount necessary to full-fund the foundation entitlement, be used to mitigate any adverse consequences of the new school foundation formula on school districts and Regional Education Attendance Areas. Proposed expenditures from these funds shall be brought to the Legislative Budget & Audit Committee for approval before disbursement no later than December 31, 1988. The department shall consider the following factors when preparing its recommendations.

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---

Rep. Al Adams, Chairman  
House Finance Committee

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y STATE CAPITOL  
JUNEAU ALASKA 99811  
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 13, 1988

SUBJECT: Title of House CS for CSSB 330(HESS)  
TO: Representative Al Adams  
FROM: George Utermohle *GU*  
Legislative Counsel

You have asked for an opinion as to whether the title of HCS CSSB 330(HESS) adequately expresses the subject of the bill.

Article II, sec. 13 of the Constitution of the State of Alaska requires that "[t]he subject of each bill shall be expressed in the title." The purpose of this requirement is to ensure that members of the legislature and the public are given reasonable notice of the bill's content or scope so that provisions not consistent with the subject proclaimed in the title are not enacted surreptitiously. Sutherland, Statutory Construction, sec. 18.02. The underlying purpose is to guard against inadvertance, stealth, and fraud in legislation. Suber v. Alaska State Bond Commission, 414 P.2d 546, 557 (Alaska 1966).

In determining whether a bill title adequately expresses the subject of the bill, "the court will disregard mere verbal inaccuracies, resolve doubts in favor of validity, and hold that in order to warrant the setting aside of enactments for failure to comply, the violation must be substantial and plain." Id. Matters fairly incidental to the general subject expressed in the title may properly be included in a bill without requiring special mention in the title. Id.

Considering the latitude allowed to the legislature under the courts application of the expression requirement, it is fair to say that the expression requirement is satisfied if the subject of the bill is stated in the title or if the title gives notice of the subject of the bill.

SB 330 is entitled "An Act making appropriations to the Department of Education for K - 12 support; and providing

for an effective date." The term "K - 12 support" means state support for education programs at the kindergarten through 12th grade levels (elementary and secondary schools). Prior to the amendment of SB 330 by the House Health, Education and Social Services Committee, the bill appropriated a sum of the money to the Department of Education for operation of a number of programs related to elementary and secondary education programs. In the House HESS Committee the bill was amended by addition of an appropriation to the Department of Education for the school construction account. The school construction account is the account from which the Department of Education reimburses school districts for the costs of constructing elementary and secondary school buildings.

An appropriation to assist local school districts to build elementary and secondary school buildings supports the school districts' programs for providing elementary and secondary education. The fact that some small portion of the appropriations for the public school foundation program and to the school construction account may benefit certain non-elementary and non-secondary education programs such as community schools programs are not consequential. Such impacts are "fairly incidental" to the subject expressed in the title of the bill and do not require mention in the title. Thus given that the title of the bill "K - 12 support" is broad enough to encompass the subject of the bill as amended by the House HESS Committee and is adequate to give notice to legislators and the public of the kinds of things that are included in the bill, the title of HCS CSSB 330 (HESS) does not violate the "expression requirement" of the Alaska Constitution.

GU:mkr  
b2/086

FISCAL ANALYSIS FOR HCS CS SB 330 (HESS)

COMPONENT	FY 87 ACT	FY 88 AUTH	FY 89 GOV	FY 89 SEN	FY 89 HOUSE	H VS SEN	H VS GOV %	H VS 88 %
<b>GENERAL FUNDS:</b>								
FOUNDATION PROGRAM	380,590.1	407,742.4	411,913.0	417,423.9	417,423.9	0.0%	1.3%	2.4%
TUITION STUDENTS	12,445.8	13,889.0	14,609.0	14,609.0	14,609.0	0.0%	0.0%	5.2%
BOARDING HOME GRANTS	308.1	427.5	450.0	450.0	450.0	0.0%	0.0%	5.3%
YOUTH IN DETENTION	1,192.7	1,192.7	1,307.7	1,307.7	1,307.7	0.0%	0.0%	9.6%
SCHOOLS FOR THE HANDICAPPED	4,045.9	2,582.6	2,772.6	2,772.6	2,772.6	0.0%	0.0%	7.4%
PUPIL TRANSPORTATION	21,441.4	21,268.6	22,697.4	25,121.7	25,121.7	0.0%	10.7%	18.1%
SCHOOL DEBT REIMBURSEMENT	115,845.0	109,472.7	102,368.1	0.0	117,710.0	100.0%	15.0%	7.5%
<b>TOTAL GENERAL FUNDS</b>	<b>535,869.0</b>	<b>556,575.5</b>	<b>556,117.8</b>	<b>461,684.9</b>	<b>579,394.9</b>	<b>25.5%</b>	<b>4.2%</b>	<b>4.1%</b>
<b>TOTAL FUNDS:</b>								
FOUNDATION FUNDING	409,227.2	436,386.5	441,900.0	447,500.9	447,500.9	0.0%	1.3%	2.5%
STUDENT LUNCH PROGRAM	10,897.4	10,877.5	13,500.5	13,500.5	13,500.5	0.0%	0.0%	24.1%
CIGARETTE TAX DISTRIBUTION	3,500.0	3,500.0	3,500.0	3,500.0	3,500.0	0.0%	0.0%	0.0%
TUITION STUDENTS	12,445.8	13,889.0	14,609.0	14,609.0	14,609.0	0.0%	0.0%	5.2%
BOARDING HOME GRANTS	308.1	427.5	450.0	450.0	450.0	0.0%	0.0%	5.3%
YOUTH IN DETENTION	1,192.7	1,192.7	1,307.7	1,307.7	1,307.7	0.0%	0.0%	9.6%
SCHOOLS FOR THE HANDICAPPED	4,045.9	2,682.6	2,872.6	2,872.6	2,872.6	0.0%	0.0%	7.1%
PUPIL TRANSPORTATION	21,441.4	21,268.6	22,697.4	25,121.7	25,121.7	0.0%	10.7%	18.1%
SCHOOL DEBT REIMBURSEMENT	115,845.0	109,472.7	102,368.1	0.0	117,710.0	100.0%	15.0%	7.5%
<b>TOTAL ALL FUNDS</b>	<b>578,903.5</b>	<b>599,697.1</b>	<b>603,205.3</b>	<b>508,862.4</b>	<b>626,572.4</b>	<b>23.1%</b>	<b>3.9%</b>	<b>4.5%</b>
<b>FUNDING SOURCE TOTALS:</b>								
GENERAL FUNDS	535,869.0	556,575.5	556,117.8	461,684.9	579,394.9	25.5%	4.2%	4.1%
P L/81-874	20,637.1	21,246.1	21,246.1	21,246.1	21,246.1	0.0%	0.0%	0.0%
PUBLIC SCHOOL FUND	8,000.0	7,398.0	8,830.9	8,830.9	8,830.9	0.0%	0.0%	19.4%
SCHOOL FUND	3,500.0	3,500.0	3,500.0	3,500.0	3,500.0	0.0%	0.0%	0.0%
FEDERAL RECEIPTS	10,897.4	10,977.5	13,510.5	13,600.5	13,600.5	0.0%	0.7%	23.9%
<b>TOTAL ALL FUNDS</b>	<b>578,903.5</b>	<b>599,697.1</b>	<b>603,205.3</b>	<b>508,862.4</b>	<b>626,572.4</b>	<b>23.1%</b>	<b>3.9%</b>	<b>4.5%</b>

Offered: 2/10/88  
Referred: Finance

5-1562N

Original sponsors: Halford, Faiks,  
Coghill, et al.

Funding Information

General Fund \$579,394,876  
Other Funds 47,177,500  
\$626,572,376

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

1 IN THE SENATE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 330 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making appropriations to the Department of  
7 Education for K - 12 support; and providing for an  
8 effective date."

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

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11 fund and from other funds in the amount listed to the Department of Educa-  
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13 operating expenditures for the fiscal year ending June 30, 1989:

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28 \* Sec. 2. The sum of \$117,709,976 is appropriated from the general fund  
29 to the Department of Education for the school construction account

1 (AS 14.11.100(c)) for the fiscal year ending June 30, 1989.

2 \* Sec. 3. This Act takes effect July 1, 1988.

Original sponsors: Halford, Faiks,  
Coghill, et al.

Funding Information

General Fund	\$461,684,900
Other Funds	47,177,500
	<u>\$508,862,400</u>

1 IN THE SENATE BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 330 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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25	Youth in detention	1,307,700
26	Schools for the handicapped	2,872,600
27	Pupil transportation	25,121,700

28 \* Sec. 2. This Act takes effect July 1, 1988.

Introduced: 1/11/88  
Referred: Health, Education and Social Services and  
Finance

5-1562A

Funding Information  
General Fund \$556,117,800  
Other Funds 47,177,500  
\$603,295,300

BY HALFORD, FAIKS, COGHILL, KELLY,  
ELIASON, UEHLING, JONES, FANNING,  
DUNCAN, ZHAROFF, JOSEPHSON,  
STURGULEWSKI, KERTTULA, FISCHER

1 IN THE SENATE

2

SENATE BILL NO. 330

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act making appropriations to the Department of  
7 Education for K - 12 support and the school con-  
8 struction account; and providing for an effective  
9 date."

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

11 \* Section 1. The sum of \$500,927,200 is appropriated from the general  
12 fund and from other funds in the amount listed to the Department of Educa-  
13 tion for the purposes expressed and allocated in the amounts listed for  
14 operating expenditures for the fiscal year ending June 30, 1989:

15	FUND SOURCE	AMOUNT
16	General fund	\$453,749,700
17	Public school fund (AS 37.14.110)	8,830,900
18	School fund (AS 43.50.140)	3,500,000
19	Federal receipts	34,846,600
20	PURPOSE	ALLOCATION AMOUNT
21	Foundation program	\$441,990,000
22	Student lunch program	13,500,500
23	Cigarette tax distribution	3,500,000
24	Tuition students	14,609,000
25	Boarding home grants	450,000
26	Youth in detention	1,307,700
27	Schools for the handicapped	2,872,600
28	Pupil transportation	22,697,400

29 \* Sec. 2. The sum of \$102,368,100 is appropriated from the general fund

- 1 to the Department of Education for the school construction account (AS 14.-
- 2 11.100(c)) for the fiscal year ending June 30, 1989.
- 3 \* Sec. 3. This Act takes effect July 1, 1988.