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ALASKA STATE LEGISLATURE · SENATE

SENATOR RICHARD I. ELIASON

LABOR & COMMERCE COMMITTEE, CHAIRMAN
RESOURCES COMMITTEE
RULES COMMITTEE
LEGISLATIVE BUDGET & AUDIT COMMITTEE
SELECT COMMITTEE ON
LEGISLATIVE ETHICS



P.O. BOX 143
SITKA, ALASKA 99835

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JUNEAU, ALASKA 99811
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Senate Bill 1 - Early Funding for Education

Sectional Analysis

Section 1 - Adds language which sets a deadline of April 7 by which the Legislature shall appropriate funds for the school construction account. *Deleted*

Section 2 - Changes the date from April 1 to April 30 for the borough school boards to submit the school budget for the following school year to the borough assembly.

✓ Section 3 - Adds language which sets a deadline of April 7 by which the Legislature shall appropriate funds for the public school foundation account.

✓ Section 4 - Includes as a responsibility of the Legislature, the appropriation of money for public school construction debt retirement, public school foundation program, pupil transportation, student lunch program, cigarette tax distribution, tuition students, boarding home grants, youth in detention, and schools for the handicapped no later than April 7 of each year for the succeeding fiscal year.

Section 5 - July 1, 1991, effective date

FISCAL NOTE

No. 1

Bill Version: SB1

(S) Publish Date: 2/1/91

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Education
 Title: Deadlines for action on funding BRU: K-12 Support
of public education Component: Foundation
 Sponsor: Eliason
 Requestor: Eliason COMPONENT SERIAL NO.

0	1	4	1
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-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-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: -0-

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Mary Hakala Phone: 465-2800
 Division: Commissioner's Office Date: 1/25/91
 Approved by Commissioner: Steve Adle Acting Commissioner
 Agency: Education Date: 1/28/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date: _____ Department Affected: Education
 Title: Deadlines for action on funding BRU: K-12 Support
of public education Component: Foundation
 Sponsor: Eliason
 Requestor: Eliason COMPONENT SERIAL NO.

0	1	4	1
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: -0-

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Mary Hakala Phone: 465-2800
 Division: Commissioner's Office Date: 1/25/91
 Approved by Commissioner: Steve Hole Acting Commissioner
 Agency: Education Date: 1/28/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. SCR 4

Revision Date: _____ Department Affected: Health & Social Services
 Title: a Resolution relating to the BRU: Assistance Payments
payment of finder's and realtor's fees Component: General Relief Assistance
 Sponsor: Fahrenkamp
 Requestor: _____ COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year impact: No fiscal impact.

ANALYSIS: (Attach a separate page if necessary.)

 No fiscal impact.

Prepared By: Jay L. Hansen, Director Phone: 465-3347
 Division: Division of Public Assistance Date: _____
 Approved by Commissioner: [Signature]
 Agency: HSS Date: 1/29/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

SB10

Reason for early funding

Also:

how count days?
ie. adjournment
lawsuit

Tax Bills - ~~July 1~~ ^{July 1 (initial)} July 15

~~Auto Rate~~ -

Assembly Budget - ^{appropriate description of state} May 31

School Budget - ^{14,14,000 current level} 5 35 April (Title I) proposed change

Early funding - of which (17) 14.

Convening of Legislature	2405080	2nd Monday or 3rd Monday	*
MAE Revenue Projections	1.45	Jan (2nd Monday)	10 th (1st 3 yrs)
	2.60	Jan (2nd Monday)	
	3.45	Jan (3rd Monday)	7 th
	3.60	Jan (3rd Monday)	7 th

45 days	} 31 days Jan	14	14	21	
60 days		} 28 days Feb	25	25	28
			18	18	49
		31		21	25 Feb
		17		28	
		17		11	(11 March)
		28		60	+1
		48	03 March	19 MAR	12 MAR
		18	March		
		60			

Fixe Ford - can we include language

"Shall" appropriate and bind succeeding legislature

At Adams:

Add in school construction \$ to early

funding (Priority I + II) so as to benefit

REAA's, planning

4/3/81 understanding



Official Business

Alaska State Legislature

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

Senate Health, Education, & Social Services Committee

31 January 1991

MEMORANDUM

TO: Senator Arliss Sturgulewski

FROM: Staff

July 1 - Tax Bills to be Mailed (AS 29.45.240)

June 15 - Rate of Levy determined by municipality - (AS 29.45.240)

May 31 - Assembly to appropriate school budget from local sources
(AS 14.14.060)

***April 1** - School board to submit school budget for following school
year to assembly (AS 14.14.060)

*SB 1 proposes to change to ***April 30**

April 7 - Proposed early funding deadline

March 1 - Revenue projections to the Legislature

2nd or 3rd Monday in January - Convening of the Legislature

There was discussion about requiring that an appropriation be made 45 or 60 days after convening of the Legislature. This presents one immediate question - when does the count start? The suit over adjournment requires us to disregard the first day of

session as a counted day.

Had we been required to appropriate school funds 45 or 60 days from the convening of the this legislative session, the appropriation would have been made on March 7 or March 22.

Under the same circumstances next year (1992, a Leap Year) the appropriation would be made on February 27 or March 13.

CS FOR SENATE BILL NO. 1 (FINANCE)
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 3/7/91
 Referred: Rules

Sponsor(s): SENATORS ELIASON, Shultz, Fischer, Rodey, Frank, Menard, Jones, Collins, Uehling, Sturgulewski

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to deadlines for action on funding of public education; and providing
 2 for an effective date."

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

4 * Section 1. AS 14.14.060(c) is amended to read:

5 (c) The borough school board shall submit the school budget for the following school
 6 year to the borough assembly by April 30 [APRIL 1] for approval of the total amount. Within
 7 30 days after receipt of the budget the assembly shall determine the total amount of money to
 8 be made available from local sources for school purposes and shall furnish the school board with
 9 a statement of the sum to be made available. If the assembly does not, within 30 days, furnish
 10 the school board with a statement of the sum to be made available, the amount requested in the
 11 budget is automatically approved. By May 31, the assembly shall appropriate the amount to be
 12 made available from local sources from money available for the purpose.

13 * Sec. 2. AS 14.17.225(b) is amended to read:

14 (b) Money to carry out the provisions of AS 14.17.010 - 14.17.190 may be appropriated

1 annually by the legislature into the public school foundation account. Before April 7 the
2 legislature shall appropriate funds for direct and indirect services and other funding under
3 this chapter for the next fiscal year. If amounts in the account are insufficient to meet the
4 allocations authorized under AS 14.17.010 - 14.17.190 for a fiscal year, each district's basic need
5 shall be reduced pro rata as necessary to make the funds available sufficient to meet the
6 allocations for that fiscal year.

7 * Sec. 3. AS 37.07.030 is amended to read:

8 Sec. 37.07.030. RESPONSIBILITIES OF THE LEGISLATURE. The legislature shall

9 (1) provide for a budget review function;

10 (2) analyze the comprehensive operating and capital improvements programs and
11 financial plans recommended by the governor;

12 (3) adopt legislation to authorize implementation of the governor's comprehensive
13 operating and capital improvements programs and financial plans or appropriate alternatives to
14 those plans;

15 (4) provide for a post-audit function to cover financial transactions, program
16 accomplishment, and compliance with legislative intent;

17 (5) adopt or revise the estimate of receipts required to balance the succeeding
18 fiscal year's budget in order that proposed expenditures do not exceed estimated receipts for that
19 fiscal year;

20 (6) adopt, revise, or initiate revenue measures in order to balance the succeeding
21 fiscal year's budget and the capital improvements section of the budget for the succeeding six
22 years;

23 (7) appropriate money for the public school foundation program under
24 AS 14.17, pupil transportation, student lunch program, cigarette tax distribution, tuition
25 students, boarding home grants, youth in detention, and schools for the handicapped no
26 later than April 7 of each year for the succeeding fiscal year.

27 * Sec. 4. This Act takes effect July 1, 1991.

SENATE BILL NO. 1

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATORS ELIASON, Shultz, Fischer, Rodey, Frank, Menard, Jones, Collins

Introduced: 1/21/91

Referred: HESS and Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to deadlines for action on funding of public education; and providing
2 for an effective date."

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

4 * Section 1. AS 14.11.100(c) is amended to read:

5 (c) The school construction account is established. Funds to carry out the provisions of
6 this section shall be included within the general appropriation bill submitted to the legislature
7 under AS 37.07.020 and may be appropriated annually by the legislature to the account. Before
8 April 7 the legislature shall appropriate funds to school districts under this section for the
9 next fiscal year. If amounts in the account are insufficient for the purpose of providing the share
10 to which a borough or city is entitled under this section, those funds that are available shall be
11 distributed pro rata among the eligible local governments except that the legislature may direct
12 that additional debt service on refunding bonds that exceeds the total debt service on the refunded
13 bonds be disregarded in whole or in part.

14 * Sec. 2. AS 14.14.060(c) is amended to read:

1 (c) The borough school board shall submit the school budget for the following school
2 year to the borough assembly by April 30 [APRIL 1] for approval of the total amount. Within
3 30 days after receipt of the budget the assembly shall determine the total amount of money to
4 be made available from local sources for school purposes and shall furnish the school board with
5 a statement of the sum to be made available. If the assembly does not, within 30 days, furnish
6 the school board with a statement of the sum to be made available, the amount requested in the
7 budget is automatically approved. By May 31, the assembly shall appropriate the amount to be
8 made available from local sources from money available for the purpose.

9 * Sec. 3. AS 14.17.225(b) is amended to read:

10 (b) Money to carry out the provisions of AS 14.17.010 - 14.17.190 may be appropriated
11 annually by the legislature into the public school foundation account. Before April 7 the
12 legislature shall appropriate funds for direct and indirect services and other funding under
13 this chapter for the next fiscal year. If amounts in the account are insufficient to meet the
14 allocations authorized under AS 14.17.010 - 14.17.190 for a fiscal year, each district's basic need
15 shall be reduced pro rata as necessary to make the funds available sufficient to meet the
16 allocations for that fiscal year.

17 * Sec. 4. AS 37.07.030 is amended to read:

18 Sec. 37.07.030. RESPONSIBILITIES OF THE LEGISLATURE. The legislature shall

- 19 (1) provide for a budget review function;
- 20 (2) analyze the comprehensive operating and capital improvements programs and
21 financial plans recommended by the governor;
- 22 (3) adopt legislation to authorize implementation of the governor's comprehensive
23 operating and capital improvements programs and financial plans or appropriate alternatives to
24 those plans;
- 25 (4) provide for a post-audit function to cover financial transactions, program
26 accomplishment, and compliance with legislative intent;
- 27 (5) adopt or revise the estimate of receipts required to balance the succeeding
28 fiscal year's budget in order that proposed expenditures do not exceed estimated receipts for that
29 fiscal year;
- 30 (6) adopt, revise, or initiate revenue measures in order to balance the succeeding
31 fiscal year's budget and the capital improvements section of the budget for the succeeding six

1 years;

2 (7) appropriate money for public school construction debt retirement under
3 AS 14.11.100, public school foundation program under AS 14.17, pupil transportation,
4 student lunch program, cigarette tax distribution, tuition students, boarding home grants,
5 youth in detention, and schools for the handicapped no later than April 7 of each year for
6 the succeeding fiscal year.

7 * Sec. 5. This Act takes effect July 1, 1991.

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

P.O. Box Y, Juneau, Alaska 99811
(907) 465-3867 or 465-2450
FAX (907) 465-2029

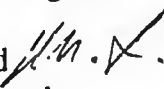
Deliveries to: 240 Main Street
Court Plaza, Room 500
Mail Stop 3101

MEMORANDUM

January 31, 1991

SUBJECT: Education budget deadline
(SB 1)

TO: Senator Arliss Sturgulewski

FROM: Michael F. Ford 
Legislative Counsel

You have asked what would be the legal effect of adding language to SB 1, providing that the prior year's appropriation for education would automatically be made if the legislature failed to appropriate money by the funding deadline. This type of automatic appropriation would not bind a future legislature. Under Article IX, section 13 of the Alaska Constitution each legislature has total and absolute power to fund or not fund as the legislature chooses, subject of course to the governor's veto power. This power cannot be changed by statute, but could be changed by constitutional amendment.

There are numerous examples of similar funding statutes, such as the requirement for funding bonded debt retirement contained in AS 14.11.100(a). However, none of these statutes bind the legislature to make an appropriation. The legislature may weigh competing public needs against available revenue and fund some items and not others, or fund at a lower level than established in statute. In short, the legislature cannot create by statute an enforceable right to appropriate funds.

Please contact me if you have further questions.

MFF:gc
91-049.glc

STATE OF ALASKA THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY LEGISLATIVE REFERENCE LIBRARY

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

2/1/89	Sen. Finance	9:10am
2/8/89	Sen Finance	9:15am
3/1/89	Senate Finance	9:10am
3/2/89	Senate Finance	9:40am
3/3/89	Senate Finance	9:25am



NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

ANCHORAGE REGIONAL OFFICE

1411 W. 33RD AVENUE
ANCHORAGE, ALASKA 99503
(907) 274-0536

JUNEAU OFFICE

105 MUNICIPAL WAY, SUITE 302
JUNEAU, ALASKA 99801
(907) 586-3090

FAIRBANKS REGIONAL OFFICE

2118 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
(907) 456-4435

January 28, 1991

To: Senator Sturgulewski, Chair
Members, Senate HESS Committee

Re: SB 1; "An Act relating to deadlines for action
on funding public education; and, providing for an
effective date."

NEA-Alaska supports the basic concepts contained in SB 1. Funding decisions relative to public education in Alaska, at both the State and local level must be done much earlier in the process than has been so in recent years.

Program, basic services, and staffing decisions cannot be put off until the "11th" hour and still have the continuity and quality that we all expect from our public schools.

We do encourage that the Committee give serious consideration to two suggestions which we feel will enhance this legislation.

Because sometimes the precision of a specific date tends to generate arguments on issues not always germane to the primary intent of legislation, relative to Sec. 3, page 2, lines 9-16, AS 14.17.225(b), and possibly other sections of this bill which contain specific dates, we recommend that this appropriation be mandated within forty-five (45) days after the Legislature convenes.

In the event the Legislature failed to meet a funding appropriation deadline there is no provision in this legislation to provide for critical alternatives. We encourage that provision be made in this legislation that, minimally, in the event the Legislature fails to make an appropriation by the funding deadline, the level of state funding for the subsequent year will be no less than the previous year.

Thank you for your consideration of our position.

Respectfully submitted,

Bob Manners
Executive Director

Don Oberg
President

cc: Senator Eliason

ASSOCIATION OF ALASKA SCHOOL BOARDS

316 West 11th Street, Juneau, Alaska 99801-1510 • Tel. (907) 586-1083 • Fax (907) 586-2995

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EXECUTIVE
DIRECTOR
Carl F.N. Rose

January 22, 1991

The Honorable Sen. Arliss Sturgulewski
Chairperson
Senate HESS Committee
Alaska State Legislature
Juneau, Alaska

Re: IN SUPPORT OF SB 1-EARLY FUNDING FOR EDUCATION

Dear Sen. Sturgulewski:

The Association of Alaska School Boards enthusiastically supports SB 1-"An Act relating to deadlines for action on funding of public education; and providing for an effective date."

Without having advance knowledge of stable funding levels districts are forced to react to a budget crisis rather than prepare a budget that reflects the needs of Alaska's youth. Early planning of programs, staffing and procurement of supplies, equipment and maintenance are critical for providing students with quality education.

The ability to plan wisely is largely dependent on knowing what the available financial resources will be early in the planning process. Traditionally, school districts' revenues from the State foundation formula are not known until May-after the date budgets must be completed by school districts.

AASB requests that the Legislature determine the funding level for education for the following fiscal year early in the legislative session to allow school districts adequate time for planning and budget preparation before submitting budgets to the Department of Education. AASB also supports modification of the due date for submission of a municipal school district budget to the municipal government until after funding levels for the next fiscal year are known.

Respectfully submitted,

Carl F.N. Rose,
Executive Director



ALASKA ASSOCIATION OF ELEMENTARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SCHOOL ADMINISTRATORS

• ALASKA COUNCIL OF SCHOOL ADMINISTRATORS •
326 Fourth St., Suite 408 Juneau, Alaska 99801 586-9702

POSITION STATEMENT FOR

SB 1

"AN ACT RELATING TO DEADLINES FOR ACTION ON FUNDING OF PUBLIC
EDUCATION; AND PROVIDING FOR AN EFFECTIVE DATE."

The Alaska Council of School Administrators is in support of SB 1.

The orderly development of the school districts budget has always been of the highest priority for school administrators and particularly for superintendents who's responsibility it is to develop such a budget.

Districts have experiences the consequences of late notification of the state's level of funding to a district and have had to start the next year of school unprepared, under staffed and with supplies yet on order.

Early funding, provided it is full entitlement funding, allows for a smooth transition into the next school year and for continuity in programs and staffing.

Our only recommendation for consideration would be to consider the extension of the notification of certified employees for continued employment be extended to be compatible with the early funding time table.

We do believe that early, full funding of the foundation funding program would be an asset to the stabilization of the planning, development and implementation of future school budgets.

We look forward to working with the Senate on SB 1.

1991



January

M	T	W	T	F	S	S
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	7	8	9	10	11	12
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February

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				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

March

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31						

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29	30					

April

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31						

May

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23	24	25	26	27	28	29
30	31					

June

