

SB

35

SFIN

FILE

SB 35

was referred to the
Senate Finance
Committee

Hearing(s) were held

The bill reported from Committee 3/4/04
and was returned to Committee 3/19/04

The bill did not move
from Committee

23-GS1002\B
Utermohle
3/29/04

2d CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 35(2d FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act making appropriations to the Department of Education and Early
2 Development for K-12 educational programs and grants for costs of school major
3 maintenance; making appropriations to the University of Alaska; amending
4 appropriations for facilities in the Bering Strait school district to provide for bank
5 stabilization at Shishmaref; making an appropriation to reverse the deposit of money
6 available for appropriation in the general fund at the end of fiscal year 2004 into the
7 constitutional budget reserve fund; making appropriations of the amount necessary to
8 balance revenue and general fund appropriations for fiscal years 2004 and 2005; making
9 an appropriation for investment management fees for the constitutional budget reserve
10 fund; making appropriations under art. IX, sec. 17(c), Constitution of the State of
11 Alaska, from the constitutional budget reserve fund; and providing for an effective
12 date."

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

2 * **Section 1.** DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT -- K-12
 3 SUPPORT FOR FY 2005. Subject to sec. 5 of this Act, the sum of \$754,613,200 is
 4 appropriated to the Department of Education and Early Development for the purposes
 5 described and allocated in the amounts listed from the general fund and from other sources in
 6 the amounts set out:

7	PURPOSE	ALLOCATION
8	Foundation Program	\$693,344,900
9	Boarding Home Grants	185,900
10	Youth in Detention	1,100,000
11	Special Schools	6,425,200
12	Pupil Transportation	53,557,200
13	FUND SOURCE	AMOUNT
14	General Fund Receipts	\$721,874,900
15	Federal Impact Aid for K-12 Schools	20,791,000
16	Public School Trust Fund	11,947,300

17 * **Sec. 2.** UNIVERSITY OF ALASKA -- FY 2005. Subject to sec. 5 of this Act, the sum of
 18 \$649,322,300 is appropriated to the University of Alaska for the purposes described and
 19 allocated in the amounts listed from the general fund and from other sources in the amounts
 20 set out:

21	PURPOSE	ALLOCATION
22	Budget Reductions/Additions	\$ 29,993,400
23	- Systemwide	
24	Statewide Services	37,403,900
25	Statewide Networks (ITS)	13,551,900
26	Anchorage Campus	169,926,000
27	Kenai Peninsula College	7,720,000
28	Kodiak College	3,351,800
29	Matanuska-Susitna College	7,481,900
30	Prince William Sound	5,312,900
31	Community College	

1	Cooperative Extension	6,661,200
2	Service	
3	Bristol Bay Campus	2,313,600
4	Chukchi Campus	1,562,600
5	Fairbanks Campus	177,707,500
6	Fairbanks Organized Research	121,775,600
7	Interior-Aleutians Campus	2,990,200
8	Kuskokwim Campus	4,442,700
9	Northwest Campus	2,493,100
10	Rural College	6,863,800
11	Tanana Valley Campus	7,266,600
12	Juneau Campus	29,428,900
13	Ketchikan Campus	4,466,400
14	Sitka Campus	6,608,300
15	FUND SOURCE	AMOUNT
16	Federal Receipts	\$124,362,000
17	General Fund Match	2,777,300
18	General Fund Receipts	209,737,900
19	Inter-Agency Receipts	18,800,000
20	University of Alaska Restricted Receipts	234,190,000
21	Capital Improvement Project Receipts	4,762,200
22	Technical Vocational Education Program Receipts	2,868,900
23	University of Alaska Intra-Agency Transfers	51,824,000

24 * **Sec. 3.** CONSTITUTIONAL BUDGET RESERVE FUND APPROPRIATIONS FOR FY
 25 2004 AND FY 2005. (a) Subject to sec. 5 of this Act, if the unrestricted state revenue
 26 available for appropriation in fiscal year 2004 is insufficient to cover the general fund
 27 appropriations that take effect in fiscal year 2004, the amount necessary to balance revenue
 28 and general fund appropriations is appropriated to the general fund from the budget reserve
 29 fund (art. IX, sec. 17, Constitution of the State of Alaska).

30 (b) Subject to sec. 5 of this Act, if the unrestricted state revenue available for
 31 appropriation in fiscal year 2005 is insufficient to cover the general fund appropriations that

1 take effect in fiscal year 2005, the amount necessary to balance revenue and general fund
2 appropriations is appropriated to the general fund from the budget reserve fund (art. IX, sec.
3 17, Constitution of the State of Alaska).

4 (c) Subject to sec. 5 of this Act, deposits in the budget reserve fund (art. IX, sec. 17,
5 Constitution of the State of Alaska) for fiscal year 2004 that are made from subfunds and
6 accounts other than the operating general fund (state accounting system fund number 11100)
7 by operation of art. IX, sec. 17(d), Constitution of the State of Alaska, to repay appropriations
8 from the budget reserve fund are appropriated from the budget reserve fund to the subfunds
9 and accounts from which they were transferred.

10 (d) Subject to sec. 5 of this Act, the sum of \$125,000 is appropriated from the budget
11 reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) to the Department of
12 Revenue, treasury division, for the fiscal year ending June 30, 2005, for investment
13 management fees for the budget reserve fund (art. IX, sec. 17, Constitution of the State of
14 Alaska).

15 (e) The appropriation of funds from the budget reserve fund (art. IX, sec. 17,
16 Constitution of the State of Alaska) made in this section are made under art. IX, sec. 17(c),
17 Constitution of the State of Alaska.

18 * Sec. 4. DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT AND
19 UNIVERSITY OF ALASKA. (a) If, and only if, each of the appropriations made in sec.
20 3(a), (b), (c), and (d) of this Act pass upon an affirmative vote of at least three-fourths of the
21 members of each house of the legislature and subject to sec. 5 of this Act, the sum of
22 \$82,053,300 is appropriated from the general fund to the Department of Education and Early
23 Development for the foundation program for the fiscal year ending June 30, 2005.

24 (b) If, and only if, each of the appropriations made in sec. 3(a), (b), (c), and (d) of this
25 Act pass upon an affirmative vote of at least three-fourths of the members of each house of
26 the legislature and subject to sec. 5 of this Act, the sum of \$7,400,000 is appropriated from the
27 general fund to the major maintenance grant fund (AS 14.11.007) for payment as grants by
28 Department of Education and Early Development to the school districts listed for the projects
29 described in the amounts set out:

SCHOOL DISTRICT	PROJECT	ALLOCATION
(1) Iditarod Area	Blackwell School new well, Anvik	\$ 90,179

1	(2) Copper River	Glennallen Elementary School exterior	2,053,591
2		upgrade	
3	(3) Yukon-Koyukuk	Nulato structural roof repair	812,850
4	(4) Nenana City	Nenana boiler replacement/heating	373,737
5		system upgrade	
6	(5) Alaska Gateway	Tetlin School site civil improvements	217,794
7	(6) Yukon-Koyukuk	Allakaket renovate water/sewer facility	297,846
8	(7) Saint Mary's	Elicavicuar Elementary exterior upgrades	436,769
9	(8) Kake City	Kake Elementary ventilation system	354,626
10		upgrade	
11	(9) Alaska Gateway	Tetlin School building improvements	855,840
12	(10) Iditarod Area	David Louis Memorial School emergency	176,525
13		repairs and boiler relocation, Grayling	
14	(11) Iditarod Area	Top of the Kuskokwim School boiler	170,030
15		replacement, Nikolai	
16	(12) Iditarod Area	Innoko River School tank farm pipeline	242,091
17		and remediation, Shageluk	
18	(13) Iditarod Area	Holy Cross School vocational education	174,205
19		shop upgrade	
20	(14) Yukon-Koyukuk	Allakaket restroom renovation	305,625
21	(15) Saint Mary's	Andreafski High School code upgrades	170,911
22	(16) Annette Island	Annette Island schools security/safety	667,381
23		and major maintenance upgrades.	

24 (c) If, and only if, each of the appropriations made in sec. 3(a), (b), (c), and (d) of this
 25 Act pass upon an affirmative vote of at least three-fourths of the members of each house of
 26 the legislature and subject to sec 5 of this Act, sec. 3, ch. 61, SLA 2001, page 68, lines 19 -
 27 25, is amended to read:

	APPROPRIATION	OTHER
	ITEMS	FUNDS
30 Bering Strait - Golovin School	<u>9,438,192</u>	<u>9,438,192</u>
31 Phase III (ED 38)	[9,888,192]	[9,888,192]

1	Bering Strait - Koyuk School K-	11,660,343	11,660,343
2	12 Replacement (ED 38)		
3	Bering Strait - Shishmaref	<u>8,792,525</u>	<u>8,792,525</u>
4	<u>Bank Stabilization/</u>	[8,342,525]	[8,342,525]
5	School Roof Replacement/		
6	Renovate, Phase III (ED 37)		

7 (d) If, and only if, each of the appropriations made in sec. 3(a), (b), (c), and (d) of this
 8 Act pass upon an affirmative vote of at least three-fourths of the members of each house of
 9 the legislature and subject to sec. 5 of this Act, the sum of \$15,800,000 is appropriated from
 10 the general fund to the University of Alaska for university operations and for the additional
 11 costs of participation in employee retirement systems for the fiscal year ending June 30, 2005.

12 * **Sec. 5. CONTINGENCY.** The appropriations made in secs. 1 - 4 of this Act are
 13 contingent upon the passage by the Twenty-Third Alaska State Legislature during the Second
 14 Regular Session of a bill that increases the base student allocation under AS 14.17.470 to at
 15 least \$4,576. If this contingency is not satisfied, the appropriations made in this Act are void
 16 and of no effect.

17 * **Sec. 6. RETROACTIVITY.** Section 3(a) of this Act is retroactive to July 1, 2003.

18 * **Sec. 7. LAPSE.** The appropriation made by sec. 4(b) of this Act is for capital projects
 19 and lapses under AS 37.25.020.

20 * **Sec. 8.** Sections 3(a) and 6 of this Act take effect immediately under AS 01.10.070(c).

21 * **Sec. 9.** Except as provided in sec. 8 of this Act, this Act takes effect July 1, 2004.

SENATE FINANCE

COMMITTEE

#1 AS AMENDED

Amendment Number:

Bill Number: SB 35

23-GS1002\X.1

Sponsor: Wilken

Date: 3/25/04

Utermohle

Logged In By: Mindy

3/25/04

adopted 3/25/04

AMENDMENT
AMENDED

OFFERED IN THE SENATE

BY SENATOR WILKEN

TO: 2d CSSSSB 35(2d FIN), Draft Version "X"

1 Page 4, lines 28 - 30:

2 Delete "described and in the amounts and order of priority set out in the department's
3 capital improvement projects (FY 2005) major maintenance grant fund final agency decision,
4 dated March 16, 2004."

5 Insert "listed for the projects described in the amounts set out:

6	SCHOOL DISTRICT	PROJECT	ALLOCATION
7	(1) Iditarod Area	Blackwell School new well, Anvik	\$ 90,179
8	(2) Copper River	Glennallen Elementary School exterior	2,053,591
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7		and major maintenance upgrades"	



Alaska State Senate

Senate Finance Committee

Official Business

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

FAX COVER SHEET

DATE: 29 March 2004 TIME: 3:02 pm

TO: Legal Services

NUMBER OF PAGES, INCLUDING COVER SHEET: 1

FROM: MINDY ROWLAND
SENATE FINANCE COMMITTEE SECRETARY
PHONE: 465-4935
FAX: 465-2187

NOTES: new Sen. Finance Workdoff Please
2d CS SS SB 35 (2d FIN)
23-GS1002\X plus amendment X.1
Utermohle as amended:
2/23/04
pgl line 19 delete "Lewis"
insert "Louis"
(correct name misspelling)

This
Mindy

ordered per Sheila's request

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10 fund; making appropriations under art. IX, sec. 17(c), Constitution of the State of
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Amend #1

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5	School Roof Replacement/		
6	Renovate, Phase III (ED 37)		

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Adopted 3/25/04

WORK DRAFT

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23-GS1002X
Utermohle
3/23/04

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7	Interior-Aleutians Campus	2,990,200
8	Kuskokwim Campus	4,442,700
9	Northwest Campus	2,493,100
10	Rural College	6,863,800
11	Tanana Valley Campus	7,266,600
12	Juneau Campus	29,428,900
13	Ketchikan Campus	4,466,400
14	Sitka Campus	6,608,300
15	FUND SOURCE	AMOUNT
16	Federal Receipts	\$124,362,000
17	General Fund Match	2,777,300
18	General Fund Receipts	209,737,900
19	Inter-Agency Receipts	18,800,000
20	University of Alaska Restricted Receipts	234,190,000
21	Capital Improvement Project Receipts	4,762,200
22	Technical Vocational Education Program Receipts	2,868,900
23	University of Alaska Intra-Agency Transfers	51,824,000

24 * Sec. 3. CONSTITUTIONAL BUDGET RESERVE FUND APPROPRIATIONS FOR FY
 25 2004 AND FY 2005. (a) Subject to sec. 5 of this Act, if the unrestricted state revenue
 26 available for appropriation in fiscal year 2004 is insufficient to cover the general fund
 27 appropriations that take effect in fiscal year 2004, the amount necessary to balance revenue
 28 and general fund appropriations is appropriated to the general fund from the budget reserve
 29 fund (art. IX, sec. 17, Constitution of the State of Alaska).

30 (b) Subject to sec. 5 of this Act, if the unrestricted state revenue available for
 31 appropriation in fiscal year 2005 is insufficient to cover the general fund appropriations that

1 take effect in fiscal year 2005, the amount necessary to balance revenue and general fund
2 appropriations is appropriated to the general fund from the budget reserve fund (art. IX, sec.
3 17, Constitution of the State of Alaska).

4 (c) Subject to sec. 5 of this Act, deposits in the budget reserve fund (art. IX, sec. 17,
5 Constitution of the State of Alaska) for fiscal year 2004 that are made from subfunds and
6 accounts other than the operating general fund (state accounting system fund number 11100)
7 by operation of art. IX, sec. 17(d), Constitution of the State of Alaska, to repay appropriations
8 from the budget reserve fund are appropriated from the budget reserve fund to the subfunds
9 and accounts from which they were transferred.

10 (u) Subject to sec. 5 of this Act, the sum of \$125,000 is appropriated from the budget
11 reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) to the Department of
12 Revenue, treasury division, for the fiscal year ending June 30, 2005, for investment
13 management fees for the budget reserve fund (art. IX, sec. 17, Constitution of the State of
14 Alaska).

15 (e) The appropriation of funds from the budget reserve fund (art. IX, sec. 17,
16 Constitution of the State of Alaska) made in this section are made under art. IX, sec. 17(c),
17 Constitution of the State of Alaska.

18 * Sec. 4. DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT AND
19 UNIVERSITY OF ALASKA. (a) If, and only if, each of the appropriations made in sec.
20 3(a), (b), (c), and (d) of this Act pass upon an affirmative vote of at least three-fourths of the
21 members of each house of the legislature and subject to sec. 5 of this Act, the sum of
22 \$82,053,300 is appropriated from the general fund to the Department of Education and Early
23 Development for the foundation program for the fiscal year ending June 30, 2005.

24 (b) If, and only if, each of the appropriations made in sec. 3(a), (b), (c), and (d) of this
25 Act pass upon an affirmative vote of at least three-fourths of the members of each house of
26 the legislature and subject to sec. 5 of this Act, the sum of \$7,400,000 is appropriated from the
27 general fund to the major maintenance grant fund (AS 14.11.007) for payment as grants by
28 Department of Education and Early Development to the school districts described and in the
29 amounts and order of priority set out in the department's capital improvement projects (FY
30 2005) major maintenance grant fund final agency decision, dated March 16, 2004.

31 (c) If, and only if, each of the appropriations made in sec. 3(a), (b), (c), and (d) of this

1 Act pass upon an affirmative vote of at least three-fourths of the members of each house of
 2 the legislature and subject to sec 5 of this Act, sec. 3, ch. 61, SLA 2001, page 68, lines 19 -
 3 25, is amended to read:

	APPROPRIATION	OTHER	
	ITEMS	FUNDS	
4			
5			
6	Bering Strait - Golovin School	<u>9,438,192</u>	<u>9,438,192</u>
7	Phase III (ED 38)	[9,888,192]	[9,888,192]
8	Bering Strait - Koyuk School K-	11,660,343	11,660,343
9	12 Replacement (ED 38)		
10	Bering Strait - Shishmaref	<u>8,792,525</u>	<u>8,792,525</u>
11	<u>Bank Stabilization/</u>	[8,342,525]	[8,342,525]
12	School Roof Replacement/		
13	Renovate, Phase III (ED 37)		

14 (d) If, and only if, each of the appropriations made in sec. 3(a), (b), (c), and (d) of this
 15 Act pass upon an affirmative vote of at least three-fourths of the members of each house of
 16 the legislature and subject to sec. 5 of this Act, the sum of \$15,800,000 is appropriated from
 17 the general fund to the University of Alaska for university operations and for the additional
 18 costs of participation in employee retirement systems for the fiscal year ending June 30, 2005.

19 * **Sec. 5. CONTINGENCY.** The appropriations made in secs. 1 - 4 of this Act are
 20 contingent upon the passage by the Twenty-Third Alaska State Legislature during the Second
 21 Regular Session of a bill that increases the base student allocation under AS 14.17.470 to at
 22 least \$4,576. If this contingency is not satisfied, the appropriations made in this Act are void
 23 and of no effect.

24 * **Sec. 6. RETROACTIVITY.** Section 3(a) of this Act is retroactive to July 1, 2003.

25 * **Sec. 7. LAPSE.** The appropriation made by sec. 4(b) of this Act is for capital projects
 26 and lapses under AS 37.25.020.

27 * **Sec. 8.** Sections 3(a) and 6 of this Act take effect immediately under AS 01.10.070(c).

28 * **Sec. 9.** Except as provided in sec. 8 of this Act, this Act takes effect July 1, 2004.

State of Alaska
 Department of Education and Early Development
 Capital Improvement Projects (FY2005)
 Major Maintenance Grant Fund

Final Agency Decision

Mar 16	Dec 15	Nov 5	School District	Project Name	Amount Requested	Eligible Amount	EED Recommended Amount	Participating Share	State Share	Aggregate Amount
1	1	1	Iditarod Area	Blackwell School New Well, Anvik	\$92,019	\$92,019	\$92,019	\$1,840	\$90,179	\$90,179
2	2	2	Copper River	Glennallen Elementary School Exterior Upgrade	\$3,067,627	\$2,214,501	\$2,095,501	\$41,910	\$2,053,591	\$2,143,770
3	3	3	Yukon-Koyukuk	Nulato Structural Roof Repair	\$829,439	\$829,439	\$829,439	\$16,589	\$812,850	\$2,956,620
4	4	4	Nenana City	Nenana Boiler Replacement/Heating System Upgrade	\$393,407	\$393,407	\$393,407	\$19,670	\$373,737	\$3,330,357
5	5	5	Alaska Gateway	Tellin School Site Civil Improvements	\$254,465	\$222,239	\$222,239	\$4,445	\$217,794	\$3,548,151
6	6	6	Yukon-Koyukuk	Allakaket Renovate Water/Sewer Facility	\$322,252	\$303,924	\$303,924	\$6,078	\$297,846	\$3,845,997
7	7	7	Saint Marys	Elicavicuar Elementary Exterior Upgrades	\$459,757	\$459,757	\$459,757	\$22,988	\$436,769	\$4,282,765
8	8	8	Kake City	Kake Elementary Ventilation System Upgrade	\$394,029	\$394,029	\$394,029	\$39,403	\$354,626	\$4,637,392
9	9	9	Alaska Gateway	Tellin School Building Improvements	\$903,137	\$873,306	\$873,306	\$17,466	\$855,840	\$5,493,232
10	10	10	Iditarod Area	David Louis Memorial School Emergency Repairs & Boiler Relocation, Grayling	\$180,128	\$180,128	\$180,128	\$3,603	\$176,525	\$5,669,757
11	11	11	Iditarod Area	Top Of The Kuskokwim School Boiler Replacement, Nikolai	\$173,500	\$173,500	\$173,500	\$3,470	\$170,030	\$5,839,787
12	12	12	Iditarod Area	Innoko River School Tank Farm Pipeline & Remediation, Shageluk	\$247,032	\$247,032	\$247,032	\$4,941	\$242,091	\$6,081,878
13	13	13	Iditarod Area	Holy Cross School Vocational Education Shop Upgrade	\$177,760	\$177,760	\$177,760	\$3,555	\$174,205	\$6,256,083
14	14	14	Yukon-Koyukuk	Allakaket Restroom Renovation	\$352,932	\$311,862	\$311,862	\$6,237	\$305,625	\$6,561,708
15	15	15	Saint Marys	Andreafski High School Code Upgrades	\$179,906	\$179,906	\$179,906	\$8,995	\$170,911	\$6,732,619
16	16	16	Annette Island	Annette Island Schools Security/Safety and Major Maintenance Upgrades	\$1,667,840	\$1,090,863	\$1,090,863	\$21,817	\$1,069,046	\$7,801,665
17	17	17	Alaska Gateway	Dot Lake School Mechanical Upgrade	\$782,034	\$782,034	\$782,034	\$15,641	\$766,393	\$8,568,058
18	18	18	Yukon-Koyukuk	Minto Restroom Renovation	\$179,150	\$179,150	\$179,150	\$3,583	\$175,567	\$8,743,625
19	19	19	Southeast Island	Thorne Bay House Access Ramp	\$139,045	\$139,045	\$139,045	\$2,781	\$136,264	\$8,879,889
20	20	20	Yukon-Koyukuk	Kallag Exterior Siding Replacement	\$625,381	\$351,245	\$351,245	\$7,025	\$344,220	\$9,224,109
21	21	21	Iditarod Area	Iditarod Fire Alarm Upgrades	\$192,994	\$192,994	\$192,994	\$3,860	\$189,134	\$9,413,243
22	22	22	Lower Kuskokwim	Kilbuck Elementary Deferred Maintenance, Bethel	\$6,331,162	\$5,401,968	\$5,401,968	\$108,039	\$5,293,929	\$14,707,172
23	23	23	Lower Kuskokwim	Mikelnguul Elnaurvat Elementary Deferred Maintenance, Bethel	\$4,232,798	\$2,331,937	\$2,331,937	\$46,639	\$2,285,298	\$16,992,470

State of Alaska
 Department of Education and Early Development
 Capital Improvement Projects (FY2005)
 Major Maintenance Grant Fund
 Final Agency Decision

Mar 16	Dec 15	Nov 5	School District	Project Name	Amount Requested	Eligible Amount	EED Recommended Amount	Participating Share	State Share	Aggregate Amount
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24	24	24	Lower Kuskokwim	W. Miller Memorial K-12 Deferred Maintenance, Napakiak	\$4,421,919	\$2,598,517	\$2,598,517	\$51,970	\$2,546,547	\$19,539,017
25	25	25	Lower Kuskokwim	Eek K-12 Deferred Maintenance	\$1,435,657	\$1,094,677	\$1,094,677	\$21,894	\$1,072,783	\$20,611,800
26	26	26	Lower Kuskokwim	Nuniwaarniut K-12 Deferred Maintenance, Mekoryuk	\$1,399,533	\$1,110,915	\$1,110,915	\$22,218	\$1,088,697	\$21,700,497
27	27	27	Lower Kuskokwim	Rocky Mountain K-12 Deferred Maintenance, Goodnews Bay	\$2,033,859	\$1,376,841	\$1,376,841	\$27,537	\$1,349,304	\$23,049,801
28	28	28	Lower Kuskokwim	Akua Ellinaurvil K-12 Deferred Maintenance, Kasigluk	\$1,816,408	\$1,353,216	\$1,353,216	\$27,064	\$1,326,152	\$24,375,953
29	29	29	Lower Kuskokwim	P. T. Albert Memorial K-12 Deferred Maintenance, Tununak	\$1,499,034	\$946,180	\$946,180	\$18,924	\$927,256	\$25,303,209
30	30	30	Lower Kuskokwim	L. Angapak Memorial K-12 Deferred Maintenance, Tunluliak	\$1,395,036	\$892,668	\$892,668	\$17,853	\$874,815	\$26,178,024
31	31	31	Lower Kuskokwim	Ougcuun Memorial K-12 Deferred Maintenance, Oscarville	\$122,009	\$88,157	\$88,157	\$1,763	\$86,394	\$26,264,418
TOTALS: \$36,301,249 \$26,983,216 \$26,864,216 \$599,798 \$26,264,418										

AMENDMENT # 2

BY SENATORS
B STEVENS, BUNDE,
COWDERY, DYSON,
GREEN, OGAN, SEEKH,
STEDMAN, G STEVEN,
WAGONER, WILKENS,
THERIAULT

OFFERED IN THE SENATE
TO: CSSSSB 35(FIN)

- 1 Page 2, line 1:
- 2 Delete "The"
- 3 Insert "Subject to sec. 5 of this Act, the"
- 4
- 5 Page 2, line 1:
- 6 Delete "The"
- 7 Insert "Subject to sec. 5 of this Act, the"
- 8
- 9 Page 3, line 21:
- 10 Delete "If"
- 11 Insert "Subject to sec. 5 of this Act, if"
- 12
- 13 Page 3, line 26:
- 14 Delete "If"
- 15 Insert "Subject to sec. 5 of this Act, if"
- 16
- 17 Page 3, line 31:
- 18 Delete "Deposits"
- 19 Insert "Subject to sec. 5 of this Act, deposits"
- 20
- 21 Page 4, line 6:
- 22 Delete "The"
- 23 Insert "Subject to sec. 5 of this Act, the"

Adopted on the
Senate floor before
bill was returned
to Senate Finance

Sen. Ben Stevens moved

(X) adopted	(X) unanimous consent	
	or Y ___ N ___	
() failed	Y ___ N ___	3/5/04

COMMITTEE COPY

1

2 Page 4, line 16, following "legislature,":

3 Insert "and subject to sec. 5 of this Act, "

4

5 Page 4, line 21, following "legislature,":

6 Insert "and subject to sec. 5 of this Act, "

7

8 Page 4, following line 23:

9 Insert a new bill section to read:

10 "* Sec. 5. CONTINGENCY. The appropriations made in secs. 1 - 4 of this Act are
11 contingent upon the passage by the Twenty-Third Alaska State Legislature during the
12 Second Regular Session of a bill that increases the base student allocation under
13 AS 14.17.470 to at least \$4,576. If this contingency is not satisfied, the appropriations
14 made in this Act are void and of no effect."

15

16 Renumber the following bill sections accordingly.

17

18 Page 4, line 25:

19 Delete "and 5"

20 Insert "and 6"

21

22 Page 4, line 26:

23 Delete "sec. 6"

24 Insert "sec. 7"

SENATE FINANCE COMMITTEE REPORT
First Committee of Referral

DATE: 3/6/03

FURTHER:

Date of 5-Day Notice: 4/15/03
 (in accordance with Uniform Rule 23)

MAR 11 2004

DATE TURNED
 IN TO OFFICE: 4 March 2004

Finance Committee considered SPONSOR SUBSTITUTE FOR SENATE BILL NO. 35

SB 35 APPROP: OPERATING BUDGET/LOANS/FUNDS

"An Act making appropriations for the operating and loan program expenses of state government, for certain programs, and to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

and recommends:

- be replaced with CS SB 35 (FIN)
- adopt previous CS FOR FORTH COMING
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Paul Papp</i>			<input checked="" type="checkbox"/>	
<i>Ed Belonger</i>	<input checked="" type="checkbox"/>			
<i>John H. ...</i>				<input checked="" type="checkbox"/>
<i>Michael ...</i>	<input checked="" type="checkbox"/>			
<i>Ben ...</i>	<input checked="" type="checkbox"/>			
COCHAIR: <i>Judy Green</i>	<input checked="" type="checkbox"/>			
COCHAIR: <i>Paul Miller</i>	<input checked="" type="checkbox"/>			

SENATE FINANCE COMMITTEE
3/4 / 2003 COMMITTEE ACTION

Bill Number	SB 35		
Amendment	move from		
Motion	center		
<u>Motion by</u>	Green		
<u>Objection by</u>	Wilken		
<u>Removed</u>			
<u>Second Objection by</u>	Hoffman ✓		
<u>Committee Member</u>	Y	Vote	N
Senator Stevens			
Senator Bunde			
Senator Dyson			
Senator Hoffman			
Senator Olson			
Co-Chair Green			
Co-Chair Wilken			
<u>Tally</u>			
Yea			
Nay			
Absent			
<u>MOTION</u>	PASS		

Olson

SENATE FINANCE COMMITTEE
3/4 / 2003 COMMITTEE ACTION

Bill Number	SB 35		
Amendment	CS "U"		
Motion	adopt		
<u>Motion by</u>	Green		
<u>Objection by</u>	Wilken		
<u>Removed</u>	✓		
<u>Second Objection by</u>			
<u>Committee Member</u>	<u>Y</u>	<u>Vote</u>	<u>N</u>
Senator Dyson			
Senator Hoffman			
Senator Olson			
Senator Stevens			
Senator Bunde			
Co-Chair Green			
Co-Chair Wilken			
<u>Tally</u>			
Yea			
Nay			
Absent			
<u>MOTION</u>	PASS		

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3887 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 3, 2004

SUBJECT: Notice of committee meetings and open meetings principles

TO: Senator Kim Elton
Attn: Jesse Kiehl

FROM: Tamara Brandt Cook
Director *TBC*

You inform me that a committee has provided notice of a meeting that includes in the statement of subjects to be considered "bills previously heard." The committee will consider a bill it last heard during the First Regular Session over ten months ago, although this is the only notice it has provided as to hearing that bill. Taking up bills in possession of a committee that have been heard by that committee and held over under a general subject matter notice of "bills previously heard" has become a common practice of committees in both the House and Senate. Notice that "bills previously heard" will be taken up has long been taken to satisfy the subject matter notice requirement of Uniform Rule 23.

You ask, however, whether the facts that you describe comply with AS 24.60.037: "Legislators shall abide by open meetings principles." The phrase "open meetings principles" is not defined in statute nor have open meetings guidelines referred to in that statute been adopted. Open meetings requirements, like the Uniform Rules, often do include some degree of subject matter notice provision to appraise the public before a meeting is held of the topics that will be taken up so that individuals may judge whether to attend the meeting. Nonetheless, the open meetings statute in this state that is applicable to the executive branch and to municipalities does not specifically address subject matter notice. It requires that notice of a meeting include "the date, time, and place of the meeting and if, the meeting is by teleconference, the location of any teleconferencing facilities that will be used." Subject matter notice is not specifically required, although the notice must be "reasonable." (AS 44.62.310(e)) It is possible in certain situations that subject matter notice would be found necessary to fulfill that reasonable notice requirement under the open meetings statute. It is also possible that the degree of subject matter notice of the hearing on the bill you describe could be found not to satisfy a reasonable notice requirement, but such a finding is by no means certain.

The Select Committee on Legislative Ethics is charged with determining how the legislative ethics statutes, including AS 24.60.037, apply to certain fact situations. (AS 24.60.160) I, frankly, have no idea whether any subject matter notice of a meeting is

Senator Kim Elton
March 3, 2004
Page 2

required under AS 24.60.037 or, if it is, whether the notice provided in the situation you describe is inadequate for purposes of adhering to open meetings principles. In any case, advice I might give is not binding on the Select Committee. (AS 24.60.158)

TBC:med
04-261.med



Alaska State Legislature

Official Business

State Capitol
Juneau, AK 99801-1182

March 4, 2004

Mr. H. Conner Thomas, Chair
Select Committee on Legislative Ethics
P.O. Box 101468
Anchorage AK 99510-1468

Dear Mr. Thomas:

We request an advisory opinion from the Select Committee on Legislative Ethics at your earliest opportunity.

We seek guidance for legislative committees in the application of open meetings principles to a practice that has become disturbingly common in recent years. Legislative committees often give notice that they may address bills previously heard or scheduled by the committee, without particular mention of what bills the committee plans to address, if any. We are concerned that in its most extreme uses this practice denies members of the public reasonable notice of when the committee may address a bill or issue, and violates open meetings principles by allowing sudden movement of a bill without public involvement or awareness.

We seek specific guidance as to whether a committee violates open meetings principles by taking up a measure it has not heard in roughly 10 and ½ months, and moving it from committee in a single day, giving notice only that it may or may not consider "Bills Previously Heard/Scheduled." We ask the committee to provide further insight into whether open meetings principles are abridged in the same situation where the legislature dealt with a companion measure to the bill in question during a previous session.

We appreciate your addressing this issue as soon as possible. Please feel free to contact our offices if the committee has questions about this request.

Sincerely,

Handwritten signature of Senator Lyman Hoffman in black ink.

Senator Lyman Hoffman

Handwritten signature of Senator Dorothy Olson in black ink.

Senator Dorothy Olson

FRANK H. MURKOWSKI
GOVERNOR
GOVERNOR@GOV.STATE.AK.US



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

121
P.O. Box 110001
JUNEAU, ALASKA 99811-0001
(907) 465-3500
FAX (907) 465-3532
WWW.GOV.STATE.AK.US

March 5, 2003

The Honorable Gene Therriault
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Therriault:

The operating budget bill delivered today contains my proposal for the 2004 fiscal year.

This Administration has gone through an extensive process to evaluate state programs in order to prepare the state budget. Given our current financial situation, many programs are eliminated or reduced, while some programs are increased. Several of my budget proposals require legislative change to be implemented. The necessary legislation accompanies the budget submission.

I look forward to working closely with this Legislature to jointly craft a responsive state budget that efficiently provides Alaska residents essential state services at a cost that the state can afford over the long-term.

Sincerely yours,

A handwritten signature in cursive script that reads "Frank H. Murkowski".

Frank H. Murkowski
Governor

FRANK H. MURKOWSKI
GOVERNOR
GOVERNOR@GOV.STATE.AK.US



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

5B 35
P.O. BOX 110001
JUNEAU, ALASKA 99811-0001
(907) 465-3500
FAX (907) 465-3532
WWW.GOV.STATE.AK.US

January 23, 2003

The Honorable Gene Therriault
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Therriault:

AS 37.07.020 required that I submit a budget for the 2004 fiscal year to the Legislature and the public on December 15th of last year. That law also requires that "bills identical in content" to those I released in December be delivered to the Legislature by the fourth legislative day. The bills delivered today contain the Fiscal Year 2003 operating budget as appropriated by the last Legislature and signed into law by the previous Governor. Again, they provide a useful point of reference for your budget discussions.

This Administration will use the next five weeks to prepare for delivery to you a responsive state budget for fiscal year 2004. Departments are evaluating all services they deliver, using the process set forth in Administrative Order 202. This process includes identification of the intended purpose of all programs, their effectiveness in delivering those results, and the efficiency in which they use public dollars. The goal is to provide a basis upon which reasoned budget decisions may be made that further the goals of my Administration.

I look forward to working closely with this Legislature to jointly craft a responsive state budget that efficiently provides Alaska residents essential state services at a cost that the state can afford over the long-term.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Frank H. Murkowski".

Frank H. Murkowski
Governor

Enclosure

COMMITTEE COPY

FRANK H. MURKOWSKI
GOVERNOR

GOVERNOR@GOV.STATE.AK.US



P.O. Box 110001
JUNEAU, ALASKA 99811-0001
(907) 465-3500
FAX (907) 465-3532
WWW.GOV.STATE.AK.US

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU
ADMINISTRATIVE ORDER NO. 202

Under the authority of art. III, secs. 1 and 24, of the Alaska Constitution and AS 44.17.060, 44.17.070, AS 44.19.010, and 44.19.144 and in the interests of efficient administration, I, Frank H. Murkowski, Governor of the State of Alaska, order all principal departments of the executive branch to perform internal performance audits.

The performance audits are to be coordinated by the Office of Management and Budget, Office of the Governor (OMB) and are to be conducted according to the schedule and format determined by the OMB. The scope of these audits shall include

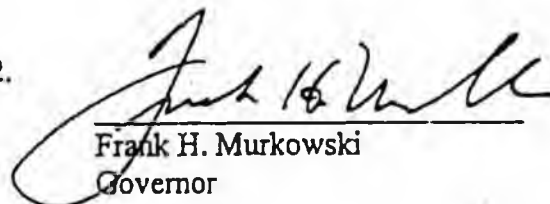
1. a review of department compliance with established objectives and goals and whether department operations and programs are being carried out as planned;
2. a review of the economy and efficiency with which a department's resources are employed;
3. an evaluation of the accuracy, timeliness, and effectiveness of department accounting systems, reporting systems, and procedures;
4. a review of the reliability and integrity of department financial and operating information;
5. a review of department compliance with existing statutes, regulations, policies, and procedures; and
6. recommendations for consolidation and reorganization of departments, divisions, and duties and any other recommendation to promote sound and efficient administration.

The OMB, together with principal departments of the executive branch, and in compliance with state personnel laws, may determine a program to reward executive branch employees for suggestions and recommendations that lead to significant improvements in the efficient administration of state government.

Working papers generated during the performance of these internal performance audits are confidential to the extent allowed by law until the related final report is released as provided under state law. Working papers containing material that is designated by law as confidential remain classified as confidential.

This Order takes effect immediately.

Dated this 2nd day of December, 2002.


Frank H. Murkowski
Governor

COMMITTEE OF