

HB

97

HOUSE BILL NO. 97

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/22/07

Referred: Health, Education and Social Services, Finance

Funding Information:	General Fund	\$638,133,983
	Other Funds	<u>32,886,100</u>
	Total	\$671,020,083

A BILL**FOR AN ACT ENTITLED**

1 "An Act making appropriations for state aid to public schools, centralized
 2 correspondence study, and transportation of pupils; and providing for an effective
 3 date."

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

5 * Section 1. (a) The sum of \$395,701,500 is appropriated from the general fund to the
 6 public education fund (AS 14.17.300) for the following purposes in the amounts stated:

7	PURPOSE	AMOUNT
8	Distribution to school districts, to the state boarding school,	
9	and for centralized correspondence study under AS 14.17	\$342,133,000
10	Transportation of pupils under AS 14.09.010	53,568,500

11 (b) The sum of \$32,886,100 is appropriated to the Department of Education and Early
 12 Development for distribution to school districts, to the state boarding school, and for
 13 centralized correspondence study under AS 14.17 for the fiscal year ending June 30, 2008,
 14 from the following sources:

1	FUND SOURCE	AMOUNT
2	Federal impact aid for K-12 schools	\$20,791,000
3	Public school trust fund (AS 37.14.110)	12,095,100
4	(c) The remaining balance of the public education fund (AS 14.17.300) on June 30,	
5	2007, estimated to be \$509,130,000 is for distribution to school districts, to the state boarding	
6	school, and for centralized correspondence study under AS 14.17.	
7	* Sec. 2. The sum of \$24,000,000 is appropriated from the general fund to the Department	
8	of Education for distribution to each school district in the same amount as was received by	
9	that school district during fiscal year 2007 for implementation of a cost factor adjustment.	
10	* Sec. 3. The sum of \$11,000,000 is appropriated from the general fund to the Department	
11	of Education for distribution to each school district in the same amount as was received by	
12	that school district during fiscal year 2007 for a school improvement grant.	
13	* Sec. 4. RETIREMENT SYSTEM FUNDING FOR SCHOOL DISTRICTS. (a) It is the	
14	intent of the legislature that a portion of the increase in state revenue due to high oil prices be	
15	used to assist school districts by paying the fiscal year 2008 estimated increase in school	
16	district employer costs resulting from increased employer contribution rates, to reduce the	
17	liability to the defined benefit plan of the public employees' retirement system and the defined	
18	benefit plan of the teachers' retirement system of school districts that are members of those	
19	systems. The appropriations made by (b) and (c) of this section reflect estimates by the	
20	Department of Administration, as of September 11, 2006, of the increased employer cost for	
21	the school districts resulting from employer contribution rate increases for fiscal year 2008.	
22	The appropriations made by (b) and (c) of this section are intended to reduce those increased	
23	employer costs, based on current estimates, but might not fully eliminate the increased	
24	employer costs because of changes in school district payroll amounts and other factors. The	
25	appropriations made by (b) and (c) of this section are one-time appropriations and are not	
26	intended to recur for fiscal year 2009.	
27	(b) The following amounts, totaling \$36,981,562, are appropriated from the general	
28	fund to the Department of Administration for deposit in the defined benefit plan account in	
29	the public employees' retirement system for each of the following school districts:	
30	DISTRICT	APPROPRIATION
31	Alaska Gateway	\$ 62,997

1	FUND SOURCE	AMOUNT
2	Federal impact aid for K-12 schools	\$20,791,000
3	Public school trust fund (AS 37.14.110)	12,095,100

4 (c) The remaining balance of the public education fund (AS 14.17.300) on June 30,
5 2007, estimated to be \$509,130,000 is for distribution to school districts, to the state boarding
6 school, and for centralized correspondence study under AS 14.17.

7 * **Sec. 2.** The sum of \$24,000,000 is appropriated from the general fund to the Department
8 of Education for distribution to each school district in the same amount as was received by
9 that school district during fiscal year 2007 for implementation of a cost factor adjustment.

10 * **Sec. 3.** The sum of \$11,000,000 is appropriated from the general fund to the Department
11 of Education for distribution to each school district in the same amount as was received by
12 that school district during fiscal year 2007 for a school improvement grant.

13 * **Sec. 4. RETIREMENT SYSTEM FUNDING FOR SCHOOL DISTRICTS.** (a) It is the
14 intent of the legislature that a portion of the increase in state revenue due to high oil prices be
15 used to assist school districts by paying the fiscal year 2008 estimated increase in school
16 district employer costs resulting from increased employer contribution rates, to reduce the
17 liability to the defined benefit plan of the public employees' retirement system and the defined
18 benefit plan of the teachers' retirement system of school districts that are members of those
19 systems. The appropriations made by (b) and (c) of this section reflect estimates by the
20 Department of Administration, as of September 11, 2006, of the increased employer cost for
21 the school districts resulting from employer contribution rate increases for fiscal year 2008.
22 The appropriations made by (b) and (c) of this section are intended to reduce those increased
23 employer costs, based on current estimates, but might not fully eliminate the increased
24 employer costs because of changes in school district payroll amounts and other factors. The
25 appropriations made by (b) and (c) of this section are one-time appropriations and are not
26 intended to recur for fiscal year 2009.

27 (b) The following amounts, totaling \$36,981,562, are appropriated from the general
28 fund to the Department of Administration for deposit in the defined benefit plan account in
29 the public employees' retirement system for each of the following school districts:

30	DISTRICT	APPROPRIATION
31	Alaska Gateway	\$ 62,997

1	Aleutian Region	2,220
2	Aleutians East Borough	45,357
3	Anchorage	14,029,111
4	Annette Island	8,833
5	Bering Strait	460,844
6	Bristol Bay Borough	102,327
7	Chatham	181,375
8	Chugach	66,159
9	Copper River	201,638
10	Cordova	242,057
11	Craig	104,477
12	Delta/Greely	194,817
13	Denali Borough	213,564
14	Dillingham	129,701
15	Fairbanks North Star Borough	4,554,638
16	Galena	188,555
17	Haines Borough	80,177
18	Hoonah	41,447
19	Hydaburg	14,675
20	Iditarod Area	126,318
21	Juneau Borough	1,621,027
22	Kake	36,500
23	Kashunamiut	97,342
24	Kenai Peninsula Borough	3,176,094
25	Ketchikan Gateway Borough	497,958
26	Klawock	47,419
27	Kodiak Island Borough	1,064,528
28	Kuspuk	216,705
29	Lake and Peninsula Borough	278,601
30	Lower Kuskokwim	1,057,862
31	Lower Yukon	891,330

1	Matanuska-Susitna Borough	3,069,148
2	Nenana	60,379
3	Nome	169,705
4	North Slope Borough	807,489
5	Northwest Arctic Borough	483,823
6	Pelican	1,865
7	Petersburg	146,276
8	Pribilof	28,423
9	Saint Mary's	16,071
10	Sitka Borough	565,734
11	Southeast Island	298,122
12	Southwest Region	227,913
13	Tanana	4,406
14	Unalaska	51,268
15	Valdez	618,069
16	Wrangell	171,781
17	Yakutat	11,358
18	Yukon Flats	40,139
19	Yukon/Koyukuk	100,376
20	Yupit	72,564

247,987,600⁵⁸¹ up by 77,536,700

21 (c) The sum of \$170,450,921 is appropriated from the general fund to the Department
 22 of Administration for deposit in the defined benefit plan in the teachers' retirement system for
 23 increased costs for school districts.

24 * Sec. 5. The appropriation made by sec. 1(a) of this Act is to capitalize a fund and does not
 25 lapse.

26 * Sec. 6. This Act takes effect July 1, 2007.

Buy down the rate
 to 12.56%
 Frees up \$\$ for the
 classroom

SARAH PALIN
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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 17, 2007

The Honorable John Harris
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Harris:

The K-12 education budget bill that I am transmitting to you today fully funds K-12 education for Fiscal Year 2008. In addition, I have included \$35 million in general funds to maintain the same level of funding to school districts as was received in Fiscal Year 2007 for a \$24 million cost factor adjustment and \$11 million for school improvement grants. I have also added \$207.4 million in general funds for the Fiscal Year 2008 estimated retirement systems' cost increases to school districts.

Education funding is a priority of my administration. I look forward to working with you to secure quick passage of this budget bill.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Palin".

Sarah Palin
Governor

Sectional Analysis of HB 97

"An Act making appropriations for state aid to public schools, centralized correspondence study, and transportation of pupils; and providing for an effective date."

Section 1 appropriates \$395,701,500 of general funds to the public education fund to support the public school foundation formula and the pupil transportation program and \$32,886,100 of other funds to the Department of Education to support the public school foundation formula as authorized under Alaska Statute 14.17. It also allows distributing the remaining balance of the public education fund to school districts, the state boarding school, and centralized correspondence study.

Section 2 appropriates \$24,000,000 of general funds to the Department of Education to distribute grants to school districts that equal those they received in fiscal year 2007 for the district cost factor adjustment.

Section 3 appropriates \$11,000,000 of general funds to the Department of Education to distribute grants to school districts that equal those they received in fiscal year 2007 for school improvement grants.

Section 4 appropriates \$36,981,562 of general funds to the Department of Administration to help school districts with the increased employers' cost of the defined benefit plan for the public employees' retirement system. It also appropriates \$170,450,921 of general funds to the Department of Administration to assist school districts with the increased employers' cost of the defined benefit plan for the teachers' retirement system.

Section 5 makes clear that the \$395,701,500 appropriated in Section 1 to the public education fund is a capital expenditure that does not lapse.

Section 6 allows the act to take effect July 1, 2007.

Amendment 1

HB 97- APPROP: K-12 EDU; PERS/TRS LIABILITY

Page 4

Line 21

Delete \$170,450,921 after the words "sum of"

Insert \$247,987,581 after the words "sum of"

LEGAL SERVICES

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LEGISLATIVE AFFAIRS AGENCY
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MEMORANDUM

February 21, 2007

SUBJECT: Public school appropriation bill - CSHB 97(HES)
(Work Order No. 25-GH1061\A)

TO: Representative Peggy Wilson
Attn: Becky Rooney

FROM: Brian J. Kane *BJK*
Legislative Counsel

I have made the change in the funding amount as you requested for House Bill 97. However, there are problems in other sections of the bill that I need to point out to you.

While we made no changes to Section 1(c), it appears to me that this section is not necessary for the bill. Essentially, section 1(c) restates exactly what is already in statute at AS 14.17.300. Specifically, AS 14.17.300(a)(1) states the following:

- (a) The public education fund is established. The fund consists of appropriations for
 - (1) distribution to school districts, to the state boarding school, and for centralized correspondence study under this chapter;"

Hence, the funds that are found in the public education fund, under the statutory authority, can be already distributed to the recipients listed in this bill's section 1(c) without further appropriation. This section of the bill basically duplicates what is already in statute. There is no need for an appropriation to move funds from the public education fund to any of the referenced recipients. Is 1(c) intended to be an appropriation?

Also, sections 2 and 3 of the bill need to specify the purpose for which the funds are being appropriated (the existing language only describes the amounts to be distributed) and the fiscal year for which the funds are to be used.

If I may be of further assistance, please advise.

BJK:med
07-116.med

Enclosure



Health, Education, and Social Services Committee
Alaska State Legislature
Representative Peggy Wilson - Chair

Date: February 16, 2007

Subject: Letter of Intent – Amendment to HB 97, Line 21 Page 4

The House Health Education and Social Services Committee recommends a policy shift to help ensure more of the funding for schools reaches the classroom. The increase in appropriations is intended to reduce the burden each district pays into the Teaching Retirement System (TRS) in the hopes that dollars sent to the classroom will not diminish because of the unfunded liabilities of TRS. The funding for the employer contributions to TRS, for the past two years contained in the current Base Student Allocation of \$5,380 should be funded outside the foundation formula. Any additional increases to the employer contributions should continue to be funded outside the formula.

The committee also urges more funding for school transportation, area cost differential, vocational education and the "Intense Needs" areas. We also recommend further work for the forward funding of education.

Handwritten signature of Peggy Wilson in cursive.

Representative Peggy Wilson, Chair,
House HESS Committee

Handwritten signature of Bob Roses in cursive.

Representative Bob Roses, Vice Chair,
House HESS Committee

Handwritten signature of Paul Seaton in cursive.

Representative Paul Seaton
House HESS Committee

Representative Mark Neuman
House HESS Committee

Handwritten signature of Anna Fairclough in cursive.

Representative Anna Fairclough
House HESS Committee

Handwritten signature of Berta Gardner in cursive.

Representative Berta Gardner
House HESS Committee

Handwritten signature of Sharon Cissna in cursive.

Representative Sharon Cissna
House HESS Committee

ACTUAL Funding of SIG & 1/4 ISER for FY2007

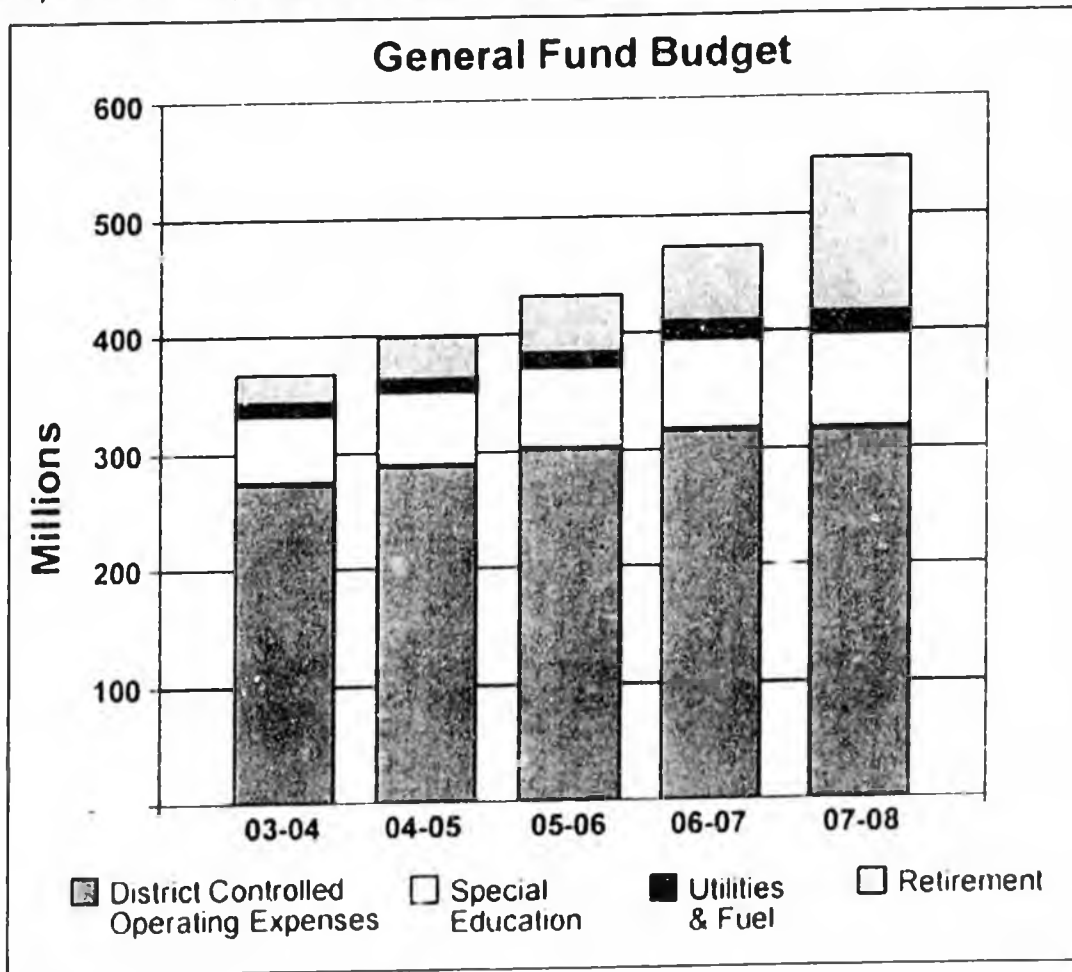
School District	School Improvement Grant	1/4 ISER Funded to Districts	TOTAL
Alaska Gateway	33,400	310,324	343,724
Aleutian Region	3,402	23,584	26,986
Aleutians East	18,873	397,846	416,719
Anchorage	3,945,302	-	3,945,302
Annette Island	22,870	219,671	242,541
Bering Strait	135,468	2,065,156	2,200,624
Bristol Bay	15,236	102,794	118,030
Chatham	15,780	258,739	274,519
Chugach	16,170	46,027	62,197
Copper River	45,324	188,536	233,860
Cordova	34,061	128,370	162,431
Craig	61,089	154,649	215,738
Delta/Greely	106,901	247,622	354,523
Denali	44,416	13,004	57,420
Dillingham	43,046	101,607	144,653
Fairbanks	1,169,801	824,887	1,994,688
Galena	301,902	24,120	326,022
Haines	24,118	135,763	159,881
Hoonah	12,389	136,572	148,961
Hydaburg	6,448	52,585	59,033
Iditarod Area	27,378	174,462	201,840
Juneau	417,579	1,253,167	1,670,746
Kake	8,388	124,595	132,983
Kashunamiut	27,475	179,741	207,216
Kenai Peninsula	758,819	2,977,944	3,736,763
Ketchikan Gateway	184,105	760,081	944,186
Klawock	11,376	106,463	117,839
Kodiak Island	213,501	1,003,602	1,217,103
Kuspuk	32,125	354,356	386,481
Lake & Peninsula	30,654	548,449	579,103
Lower Kuskokwim	320,910	1,599,590	1,920,500
Lower Yukon	159,432	2,069,474	2,228,906
Mat-Su	1,283,619	1,604,340	2,887,959
Nenana	48,555	35,938	84,493
Nome	60,633	195,497	256,130
North Slope	131,463	1,062,364	1,193,827
Northwest Arctic	160,068	1,280,795	1,440,863
Pelican	1,211	7,267	8,478
Petersburg	47,673	316,475	364,148
Pribilof	9,963	87,631	97,594
Saint Mary's	15,013	127,939	142,952
Sitka	117,761	541,974	659,735
Skagway	8,060	7,933	15,993
Southeast Island	15,139	112,015	127,154
Southwest Region	54,566	480,784	535,350
Tanana	4,370	43,276	47,646
Unalaska	31,246	167,815	199,061
Valdez	60,616	117,417	178,033
Wrangell	28,734	128,318	157,052
Yakutat	9,538	89,750	99,288
Yukon Flats	21,536	215,110	236,646
Yukon/Koyukuk	115,559	344,481	460,040
Yupit	37,118	304,443	341,561
Mt. Edgecumbe	33,040	151,952	184,992
TOTAL	10,543,219	24,007,294	34,550,513



General Fund Budget and Comparison

[Return to budget home page](#)

February 2007 - Some cost increases are out of the district's control, such as mandated retirement fund costs, utilities and fuel, and required special education programs and services. If these costs are removed from the general fund, our general fund has risen by fewer than five percent in each of the last five years.



	FY 2003-04	FY 2004-05 ¹	% increase over previous year	FY 2005-06 ²	% increase over previous year	FY 2006-07	% increase over previous year	FY 2007-08 ³	% increase over previous year
	\$ amount in millions	\$ amount in millions		\$ amount in millions		\$ amount in millions		\$ amount in millions	
District Controlled Operating Expenses	\$276.9	\$287.3	4.9%	\$301.5	4.9%	\$314.9	4.4%	\$315.7	0.2%
Special Education	\$58.5	\$63.3	8.2%	\$69.1	9.1%	\$78.7	13.9%	\$81.8	4.0%
Utilities & Fuel	\$9.0	\$10.5	17.1%	\$12.0	13.8%	\$14.1	18.1%	\$17.6	24.8%
Retirement	\$26.1	\$37.4	43.2%	\$50.4	34.5%	\$65.6	30.3%	\$132.1	101.3%
Total General Fund Budget	\$367.6	\$398.7	8.47%	\$431.0	8.6%	\$473.4	9.4%	\$547.2	15.6%

¹South High School opened



SCHOOL BOARDS UNITED

AASB POSITION STATEMENT ON KEY EDUCATION ISSUES

During our Legislative Fly-in on Feb. 11-13, the member school districts of our statewide association agreed on the following issues before the 25th Alaska Legislature:

1. Base Student Allocation – Increasing the BSA from the current \$5,380 to \$5,810, effective July 1, 2007 (SB 1)
2. District Cost Factor – Increasing the DCF to the levels recommended by the 2005 ISER Report (HB 72)
3. Retirement costs – Funding the \$207 million in FY 08 PERS-TRS cost increases for districts outside the foundation formula
4. Vocational Education – Recognizing the importance of a dependable funding stream for voc-ed outside the 20 percent block grant for special education, bilingual education and voc-ed
5. Intensive Needs Students – Addressing the problems caused by inadequate formula funding, post-enrollment transfers and conflicting state regulations defining intensive needs
6. Early or Forward Funding – Appropriating foundation funds & PERS-TRS costs by March 16 (the 60th day) or setting aside sufficient funds in FY 08 to forward fund FY 09 education budget

For additional information, contact:

Carl Rose, Executive Director
586-1083 or crose@asab.org



BOARD OF EDUCATION *Legislative Priorities for 2007 Session*

1. Fully Fund Area Cost Differential
2. Legislative Financial Relief For Ongoing TRS And PERS Employer Rate Increases
3. Increased Foundation Formula Funding
4. Fund Intensive Need Students Enrolling Post-Count Date
5. Fund Vocational Education Separately
6. Forward Funding
7. Increase Pupil Transportation Funding
8. Revenue Sharing And The Community Dividend
9. Revision Of Senate Bill 48
10. Instructional Technology

1. Fully Fund Area Cost Differential

Quality education can be assured only through equitable funding. Since 1999, Juneau's cost of living factor has been inaccurately calculated, despite two studies recommending changes. A revised District Cost Factor must be adopted. Juneau School District will lose \$1,538,545 if the one-time 1.04 factor used for 2006 reverts back to 1.005 for FY 08. If the ISER study of equitable differentials is fully implemented, the JSD cost factor would be 1.145.

2. Legislative Financial Relief For Ongoing TRS And PERS Employer Rate Increases

The state should pay for 100 percent of the increased mandated employer PERS/TRS liability. Without supplemental funding to cover the unprecedented increases in retirement costs, these increases will directly reduce districts' instructional effort and harm Alaska's children. Between FY 07 and FY 08, the employer contribution for the Juneau School District is proposed to increase from 26% to 54.03% for TRS and from 22.93% to 39.28% for PERS. The increased TRS/PERS obligation for the Juneau School District' operating fund would be \$7,956,787 or 15% of the District's budget. *inflation*





BOARD OF EDUCATION *Legislative Priorities for 2007 Session*

3. Increased Foundation Formula Funding

Increased funding for education is necessary to prevent decline in educational services due to inflation and provide the necessary funding to strengthen the system into the future. With the Governor's proposed budget, the Juneau School District will be short nearly \$3 million in FY 08. If we wish to respond to our parents' and community's call for decreased class size, additional support for special education and other at-risk students, adequate textbooks and teaching materials, and updated technology, even more funds will be necessary.

4. Fund Intensive Need Students Enrolling Post-Count Date

The foundation formula needs to be amended to prorate funding for intensive needs students enrolling after the count date. When students enroll past the count date, school districts are required by federal law to provide the services from their operating budgets. Typically, the number of students with disabilities increases during the school year, in part, because IDEA requires public schools to enroll students with disabilities when they become three years old. JSD enrolled seventeen additional intensive need students between the October count date and the end of the FY06 school year. This amounts to about \$457,300 in revenues the Juneau School District did not receive because these students were not present on count date, revenues which were redirected from other classroom uses.

5. Fund Vocational Education Separately

The Legislature should fund vocational education, bilingual, special education, and gifted and talented programs at levels adequate for quality programming. Vocational education funding needs to be provided outside of the block grant to allow for full career technology education programs that are responsive to the Alaskan job market. In FY 06, in these four program areas JSD spent over \$1.5 million more than it received from the 1.2 factor in the foundation formula.

6. Forward Funding

The Legislature could increase stability and efficiency in school district budgeting and program stability, by passing an updated base student allocation appropriation out of current year funds for the second following fiscal year. The City and Borough of Juneau's Charter requires that the district submit a budget to the Borough Assembly by March 30 of each year. Because so little is known about revenues so early in the legislative process, this budget projects staff lay offs and program eliminations that do not always occur when the final state budget is set. Funding certainty one year ahead will reduce administrative cost, contribute to public confidence in government and the education system, and enable school districts to focus on student instruction for greater achievement.

* 20% into transportation funding





BOARD OF EDUCATION *Legislative Priorities for 2007 Session*

7. Increase Pupil Transportation Funding

The current transportation funding formula needs to be increased annually at a rate tied to the Anchorage Consumer Price Index. Further, required Special Education buses and homeless transportation should be provided for outside of the formula on a needs basis. Current state transportation funding to school districts does not consider the escalating cost of doing business including fuel, minimum wage level increases, and additional mandated demands from special education and homeless populations.

8. Revenue Sharing And The Community Dividend

Permanently restoring funding for municipal revenue sharing and assistance programs will strengthen communities. The City and Borough of Juneau traditionally funds education to the CAP and always plays a large role in financing education and providing community services for youth and a strong community. State funding to municipalities has decreased while Juneau property values increased and the portion of the school budget paid for the by city and borough has increased.

9. Revision Of Senate Bill 48

State Statute, AS14.30.171-176 needs to be changed to allow school personnel to respond to parent inquiries as they investigate resources to assist their children and to allow the district to require a psychological evaluation when a student threatens harm to self or others.

10. Instructional Technology

Juneau School District students are benefiting from the legislative funding for the AASB Consortium for Digital Learning this year. Future investments in the Consortium by the Legislature are essential to allow more students to access the expanded learning opportunities provided by digital learning inside and outside the school environment. Because of the global economy that our youth experience, JSD joins AASB in urging the state and federal governments to ensure that all classrooms are provided affordable and equitable broadband access to the national information infrastructure. AASB urges the Legislature to implement appropriations or matching grants for instructional technology that would address hardware and software purchases, communication, infrastructure and training needs of students and staff.





Health, Education, and Social Services Committee
Alaska State Legislature
Representative Peggy Wilson - Chair

Date: February 16, 2007

Subject: Letter of Intent – Amendment to HB 97, Line 21 Page 4

The House Health Education and Social Services Committee recommends a policy shift to help ensure more of the funding for schools reaches the classroom. The increase in appropriations is intended to reduce the burden each district pays into the Teaching Retirement System (TRS) in the hopes that dollars sent to the classroom will not diminish because of the unfunded liabilities of TRS. The funding for the employer contributions to TRS, for the past two years contained in the current Base Student Allocation of \$5,380 should be funded outside the foundation formula. Any additional increases to the employer contributions should continue to be funded outside the formula.

Having the TRS Liability outside the BSA provides a variety of funding sources in adding to the general fund. Since many grants restrict the percentage of salary and benefits to a fixed percentage of the overall budget, funding the TRS obligation outside the BSA maintains a percentage allowable by most grants.

The committee also urges more funding for school transportation, area cost differential, vocational education and the "Intense Needs" areas. We also recommend further work for the forward funding of education.

A handwritten signature in cursive script that reads "Peggy Wilson".

Representative Peggy Wilson, Chair,
House HESS Committee