

SB

62

<TARGET><BILL>SB 62</BILL><SUBJECT>SB
62</SUBJECT><COMM>SFIN28</COMM></TARGET>

SENATE FINANCE COMMITTEE REPORT First Committee of Referral

DATE: 2/22/13

FURTHER:

Date of 5-Day Notice: _____
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: _____

Finance Committee considered SENATE BILL NO. 62

SB 62-SCHOOL CONST. GRANTS/SMALL MUNICIPALITIES

"An Act relating to grants for school construction."

and recommends:

- be replaced with CS _____ (_____) Same Title New Title
- adopt previous CS _____ (_____) Same Title New Title
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
EED	X			

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	NO REC	AMEND
	Hoffman	✓			
	Dunleavy	✓			
Anna J. Fairclough	FAIRCLOUGH	✓			
	Bishop	✓			
	Olson	✓			
CO-CHAIR:	Meyer	✓			
CO-CHAIR:	Kelly	✓			

Fiscal Note

State of Alaska
2013 Legislative Session

Bill Version: SB 62
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB062-EED-FundTransfer-3-13-13
Title: SCHOOL CONST. GRANTS/SMALL
MUNICIPALITIES
Sponsor: OLSON
Requester: Senate Finance Committee

Department: Fund Transfers
Appropriation: Designated Savings (UGF)
Allocation: Regional Education Attendance Area School Fund
OMB Component Number: 3025

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2014 Appropriation Requested	Included in Governor's FY2014 Request	Out-Year Cost Estimates				
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 618.3

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

The initial version reflected operating costs in the upper section and this version reflects the data as informational only since the statutory formula will drive the capital appropriation in the out years under AS 14.11.025.

Prepared By:	Elizabeth Nudelman, Director	Phone:	(907)465-8679
Division	School Finance & Facilities	Date:	03/13/2013 03:37 PM
Approved By:	Mike Hanley	Date:	03/13/13
	Commissioner		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. SB062

Analysis

The legislation would amend AS 14.11.025 by allowing small municipal school districts to participate in the state aid for school construction in rural education attendance areas (REAA). A small municipal school district would be defined as a district with 300 or fewer ADM and not more than \$500,000 in full value per ADM.

The municipal K-12 school districts that would qualify under this criteria are Hydaburg, Kake, Klawock, Saint Mary's, and Tanana.

The statutory formula is as follows: (Annual Debt Service divided by the percentage of all schools located in a city or borough school district) multiplied by .244.

Recalculating the formula with these five schools moved from the city or borough school districts to the REAA and small municipal school districts is $\$100,907,833 / 68.74\% \times 24.4\% = \$35,818,300$, an increase of \$618,300. \$35,200,000 is already included in the FY14 Governor's capital budget.

This legislation amends AS 14.11.030(a) by changing the title of the fund to the REAA and small municipal school district school fund versus just the REAA school fund.

Also, this legislation adds a new subsection, AS 14.11.030(d), which gives "small municipal school districts" the same definition as set out in AS 14.11.025.

ALASKA STATE LEGISLATURE

SENATOR DONALD C. OLSON SENATE DISTRICT T

Session

Alaska State Capitol, Rm. 508
Juneau, AK 99801
(907) 465-3707
Fax (907) 465-4821
Sen.Donny.Olson@aklegis.gov



Interim

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Anchorage, AK 99501
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Fax (907)269-2031

Senate Bill 62 School Construction Grants/Small Municipalities

This legislation would make a limited number of small municipal school districts eligible for school construction funding through the account currently known as the Regional Educational Attendance Area School Construction Fund (REAA Fund).

The purpose of the bill is to further remedy a lack of equity in school construction funding identified by Alaska courts in a 2001 ruling in *Kasayulie vs. State of Alaska*. Adding these schools to REAA Fund eligibility also has the potential to speed the pace at which all school construction projects on the Department of Education and Early Development list are funded.

The Superior Court's decision in the *Kasayulie* case found that the process by which some rural schools are funded is significantly different than the process used for funding schools in most municipal districts. The ruling included that as a result of this difference funding for some rural schools has been arbitrary and inadequate.

While most municipal districts are able to bond for school construction and subsequently access the state's debt reimbursement program, REAA schools and schools in districts without realistic bonding capability lacked such a clear route for financing. Because their funding depends upon legislative appropriation, there is uncertainty from year to year as to how much money will be available. This uncertainty has made construction planning difficult for both the affected rural schools and the Department of Education.

This situation was partly remedied in 2010 with the passage of SB 237, which created a stream of funding that can be used for REAA school construction. Deposits to the REAA Fund are in proportion to the funding for municipal schools through debt reimbursement. This methodology provided a reasonable, consistent level of funding to be used for REAA school construction and moved the state along the road to addressing concerns raised in the *Kasayulie* case.

HB 133 would make just five small municipal school districts eligible for the REAA Fund (which would in turn be known as the REAA and Small Municipal School District School Fund). Like REAAs, these districts lack bonding capability and therefore do not benefit from the construction funding stream created by the state's debt reimbursement program.

In giving these schools eligibility, the state would further answer the findings in the *Kasayulie* case and help to ensure that all Alaskan schoolchildren enjoy sound, enriching, and secure educational environments.

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SENATE DISTRICT T

Session

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Senate Bill 62

School Construction Grants/Small Municipalities

SB 62 makes a limited number of small municipal school districts eligible for school construction funding through the account currently known as the Regional Educational Attendance Area School Construction Fund (REAA Fund).

(Regional Educational Attendance Areas are areas within unorganized boroughs that have been formed to facilitate the administration of education between communities in the area. One might regard an REAA as a school district within an unorganized borough.)

Section 1 adds language to AS 14.11.025 that provides that the Department of Education and Early Development may provide grant funding for school construction from the REAA Fund to "small municipal school districts," which are defined in subsequent sections of the bill.

Also in this section, the formula used to calculate the amount of the annual deposit to the REAA Fund is amended. The change provides that the percentage of municipal school districts that are eligible for the REAA Fund will not be included in the percentage of municipal school districts by which the annual debt service is divided in the formula.

Section 2 adds a new subsection to AS 14.11.025. It defines "small municipal school districts" according to a two-part criterion.

Part One: The small municipal school district's Average Daily Membership (as defined in AS 14.17.990) cannot exceed 300.

Part Two: When the district's full and true value of taxable real and personal property is divided by its Average Daily Membership (ADM), the result must be \$500,000 or less.

This formula helps to identify districts that lack bonding capability. Its "full value per ADM" component has precedent elsewhere in statute (AS 14.11.008), where it is used to determine school districts' participating shares in the major maintenance grant program.

Section 3 amends AS 14.11.030(a) to rename the REAA Fund and note that it is to be used for school construction in Regional Educational Attendance Areas and qualifying "small municipal school districts."

Section 4 adds a new subsection to AS 14.11.030 to provide that "small municipal school district" is defined the same way it is in AS 14.11.025 (Section 2 of the bill).

Public School Funding Program

FY13 Preliminary Foundation

Prepared 11/14/2012

School District	FY13 Prelim Total ADM	School District	2011 Full Values
Alaska Gateway	366.05	Alaska Gateway	-
Aleutian Region	25.30	Aleutian Region	-
Aleutians East	234.50	Aleutians East	234,065,800
Anchorage	48581.91	Anchorage	35,633,951,010
Annette Island	290.85	Annette Island	-
Bering Strait	1669.10	Bering Strait	-
Bristol Bay	139.65	Bristol Bay	266,715,600
Chatham	144.95	Chatham	-
Chugach	281.40	Chugach	-
Copper River	487.30	Copper River	-
Cordova	315.78	Cordova	279,391,860
Craig	619.23	Craig	126,852,300
Delta/Greely	840.45	Delta/Greely	-
Denali	896.21	Denali	245,278,600
Dillingham	490.10	Dillingham	168,354,000
Fairbanks	14278.62	Fairbanks	9,654,743,990
Galena	3760.26	Galena	29,974,200
Haines	285.10	Haines	319,608,900
Hoonah	113.75	Hoonah	72,551,200
Hydaburg	53.45	Hydaburg	15,010,600
Iditarod Area	222.31	Iditarod Area	-
Juneau	4950.00	Juneau	4,494,218,300
Kake	105.32	Kake	28,097,800
Kashunamiut	303.27	Kashunamiut	-
Kenai Peninsula	8894.75	Kenai Peninsula	8,338,641,710
Ketchikan Gateway	2176.15	Ketchikan Gatew	1,592,716,600
Klawock	130.50	Klawock	51,898,400
Kodiak Island	2521.40	Kodiak Island	1,378,257,100
Kuspuk	336.40	Kuspuk	-
Lake & Peninsula	330.25	Lake & Peninsula	145,181,300
Lower Kuskokwim	4013.67	Lower Kuskokwi	-
Lower Yukon	1969.54	Lower Yukon	-
Mat-Su	17254.48	Mat-Su	9,063,680,270
Nenana	959.95	Nenana	28,047,700
Nome	692.70	Nome	326,939,700
North Slope	1647.40	North Slope	17,039,853,140
Northwest Arctic	1842.65	Northwest Arctic	686,050,200
Pelican	14.75	Pelican	14,288,700
Petersburg	451.22	Petersburg	349,849,700
Pribilof	89.00	Pribilof	-
Saint Mary's	182.50	Saint Mary's	12,827,200
Sitka	1312.99	Sitka	1,152,462,400
Skagway	64.05	Skagway	345,981,800
Southeast Island	189.98	Southeast Island	-
Southwest Region	586.70	Southwest Region	-
Tanana	48.50	Tanana	9,279,000
Unalaska	414.55	Unalaska	555,997,100
Valdez	636.65	Valdez	2,301,299,020
Wrangell	388.05	Wrangell	192,649,100
Yakutat	94.50	Yakutat	69,506,300
Yukon Flats	261.35	Yukon Flats	-
Yukon/Koyukuk	1448.71	Yukon/Koyukuk	-
Yupitit	435.10	Yupitit	-
Mt. Edgecumbe	397.30	Mt. Edgecumbe	-
TOTALS:	129,240.60	TOTALS:	95,224,220,600

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

WILLIE AND SOPHIE KASAYULIE,)
et al.,)
)
Plaintiffs,)
)
v.)
)
STATE OF ALASKA,)
)
Defendant.)
_____) 3AN-97-3782 CI

CONSENT DECREE AND SETTLEMENT AGREEMENT

WHEREAS, a civil action has been brought alleging that the State of Alaska's method of funding capital projects for education is void under the Alaska Constitution and violates Title VI of the Civil Rights Act of 1964, and that the State breached trust obligations arising from the public school land trust; and

WHEREAS, the parties, in order to put an end to lengthy litigation, wish to resolve this matter by means of settlement;

NOW THEREFORE, the parties, through their attorneys, subject to the approval and order of this Court, hereby agree as follows:

1. Jurisdiction is vested in this Court by AS 22.10.020.
2. The plaintiffs in this matter are individual parents of students in rural Alaskan schools, six rural Alaskan Regional Educational Attendance Areas, and an educational advocacy organization, Citizens for the Educational Advancement of Alaska's Children.

3. The defendant is the State of Alaska.

4. The original complaint in this action was filed on May 20, 1997.

It alleged that, at the time this lawsuit was filed, many of the physical facilities within plaintiff school districts were in dire need of replacement and/or major maintenance, exhibiting widespread deterioration, physical dangers, structural deficiencies, inability to satisfy relevant code requirements, and a lack of sufficient instructional space.

5. The complaint further alleged that plaintiff school districts had neither taxable real property nor legal authority to raise capital funds through a local capital tax levy or bond issue. Plaintiffs asserted that most municipal school districts, which had bonding capacity sufficient to raise capital funds, had access to state funding for capital projects through the state's debt reimbursement program under AS 14.11.100. Plaintiffs further asserted that, by the time this lawsuit was filed, there existed widespread disparities between facilities in plaintiff school districts and those in districts with the ability to pass local bond issues to raise the necessary capital for facilities funding, major maintenance and renovation.

6. In a second amended complaint filed on May 20, 1998, the Plaintiffs added allegations regarding the public school land trust, including allegations that the inadequate funding of school district plaintiffs was a breach of the State's trust obligations.

7. In 1999, both parties filed Motions for Summary Judgment on both issues.

8. On September 1, 1999, Superior Court Judge John Reese held that the State's history and practice in funding construction of rural school facilities violated its obligations under the Education and Equal Protection Clauses of the Alaska Constitution, and Title VI of the Civil Rights Act.

9. On the same day, September 1, 1999, the Court also held that the State had breached its trust obligations under the state public schools land trust when it converted the trust from a land trust to a monetary trust without valuing the land. The Court held that an appraisal of the lands in question must be conducted before further proceedings on the State's breach. By the time of the Court's decision, the State and Plaintiffs had already begun a cooperative process for valuing public school trust lands.

10. On March 27, 2001, following a motion for reconsideration, the Court reaffirmed its rulings on the facilities issue, and, in the same order, rejected plaintiffs' 54(b) motion for partial final judgment on the facilities issues.

11. Because valuation of trust land had to be completed before the remedy phase of the case could proceed, the Court held the case in abeyance pending the completion of the valuation, and to date has not ordered any remedy on either the facilities issue or the trust issue. The Court did not issue a final judgment, so the State could not appeal the rulings to the Alaska Supreme Court.

12. The parties worked together in good-faith to cooperatively accomplish the valuation. Experts were hired, who analyzed land title issues and conducted initial studies on the valuation. It became clear, however, that the cost of the

proposed valuation process would be high, and the Court had ruled that under trust law, this cost would be paid out of trust money. Moreover, as the parties studied the preliminary data, it became clear that little or no benefits would be achieved from having a full appraisal. At the same time, the State had approved general obligation bonds for construction of multiple rural school facilities in plaintiff school districts.

13. In 2010, the Legislature, in response in part to the Court's order regarding perceived constitutional violations relating to the funding of rural school construction, passed SB 237, which established a formula under statute (AS 14.11.025 and AS 14.11.030) for money to be available each year for funding of school construction in Regional Educational Attendance Areas. The formula was based on a percentage of the debt funding to urban schools under AS 14.11.100(a). The legislation provided that the statutes would become effective in 2012. The adoption of these statutes paved the way for settlement of this case by establishing a systematic mechanism for identifying funding amounts for rural school construction.

14. The parties have reached agreement to settle and dismiss this case by providing for the funding, over a four-year period, of the five rural school construction projects that are ranked as the highest priority school construction projects on the Department of Education and Early Development's construction list. The parties recognize, however, that they cannot bind future legislatures, and that the Governor must retain discretion for the introduction and vetoing of legislation in future years. Accordingly, this settlement first provides that legislation will be introduced in the *current* session for two school projects, and, second, provides for an expectation that

legislation will be introduced in *future* legislative sessions for the funding of the three additional rural school projects described in this settlement. If the funding for the five schools does not occur as described in this agreement, the plaintiffs reserve the right to reopen this litigation.

15. The parties agree that the remedies provided in this Consent Decree are in the best interests of the affected students and districts, provided that the school construction projects identified in this settlement are funded.

16. The parties agree that no benefit will be obtained by further litigation of the trust issue. It is in the public interest, however, to share and build on the valuation work already completed by experts on behalf of the parties.

17. In entering into this consent decree, neither party admits any wrongdoing or liability.

CONSENT DECREE

1. The State will include in the Governor's proposed capital appropriations budget bill for FY2013 the following two school construction projects:

(a) Emmonak K-12 school renovation/addition; appropriation to be effective July 1, 2012. (Amount of appropriation to be determined by DEED's November 2011 Capital Improvement Project process; for reference, the cost of this project from DEED's November 2010 list was \$39,251,867).

(b) Koliganek K-12 school replacement; appropriation to be effective July 1, 2012. (Amount of appropriation to be determined by DEED's November 2011 CIP process; cost of this project from DEED's November 2010 list was \$23,067,360).

2. Subject to the Governor's discretion, the State will include in the Governor's proposed capital appropriations budget bill for FY2014 the following school construction project:

(a) Nightmute K-12 school renovation/addition; appropriation to be effective July 1, 2013. (Amount of appropriation to be determined by DEED's November 2012 CIP process; cost of this project from DEED's November 2010 list was \$23,653,411).

3. Subject to the Governor's discretion, the State will include in the Governor's proposed capital appropriations budget bill for FY2015 the following two school construction projects:

(a) Kwethluk K-12 school replacement; appropriation to be effective July 1, 2014. (Amount of appropriation to be determined by DEED's November 2013 CIP process; cost of this project from DEED's November 2010 list was \$45,222,119).

(b) Kivalina K-12 school renovation/addition; appropriation to be effective July 1, 2015. (Amount of appropriation to be determined by the Department of Education and Early Development's November 2013 Capital Improvement Project process; for reference, the cost of this project from DEED's November 2010 list was \$14,724,714). However, if the Legislature declines to fund, or places contingencies on the Kivalina school project because of concerns about erosion or viability of the school site, the lack of funding or contingencies will have no effect on the settlement, and cannot be used by plaintiffs to reopen this litigation.

4. If the projects described in this settlement are not funded by the Alaska Legislature within the time periods described, then plaintiffs retain the right to reopen this action and litigate whether the State has met the requirements of the law for funding school construction projects, with all parties preserving their rights and claims to the same extent as they exist at the time of this agreement. Notwithstanding the foregoing, the parties agree that this reopening provision shall not be triggered in the event that the Legislature does not fund, or otherwise places contingencies upon the funding of, the construction of the Kivalina school because of concerns about erosion or the viability of the Kivalina school site.

5. The parties acknowledge that the Court identified a need to remedy perceived constitutional violations through a funding mechanism to address the school construction requirements of those rural school districts that lack bonding or taxing capabilities. The parties agree that the funding mechanism currently set forth in AS 14.11.025 and AS 14.11.030 provides that remedy.

6. In addition to dismissal with prejudice of all claims related to public school land trust issues as set forth in paragraph 7, below, plaintiffs:

(a) Will provide the State with a copy of all valuation work done by their experts, and will cooperate with the State to present land valuation information to the Court; however, plaintiffs will not be obligated to actively participate in any further or future land valuation efforts undertaken by the State; and

(b) Will not oppose efforts by the State to complete the valuation of the public school trust lands; and

(c) Will not oppose the formal removal from public school trust status of any land received by the State after July 1, 1978, including 906(b) ANILCA lands and approximately 2,800 acres otherwise conveyed by the federal government.

7. The Kasayulie plaintiffs prevailed in superior court on a constitutional claim which became a catalyst for this settlement. *See DeSalvo v. Bryant*, 42 P.3d 525, 530 (Alaska 2002). They are therefore entitled to full reasonable attorney's fees under the law. *Dansereau v. Ulmer*, 955 P.2d 916, 920 (Alaska 1998). The Department of Law will include in the judgment bill introduced in the FY2013 session an appropriation for payment of plaintiffs' full reasonable attorney's fees, not to exceed \$500,000. Plaintiffs will provide an accounting of fees no later than September 15, 2011, and will cooperate to ensure that the fees are compensable and were not previously paid under an earlier award by the Court.

8. The parties shall stipulate to dismissal with prejudice of all of the claims raised by plaintiffs in this matter, to be effective on the effective date of the legislation providing for appropriations for the school construction projects described in paragraph (1) of this Consent Decree. As described in paragraph (1)(b), however, the dismissal will become effective even in the event the legislature decides to not fund, or to place contingencies on, the Kivalina school project because of concerns about erosion or viability of the Kivalina school site. Notwithstanding this dismissal, the parties agree that the Court shall retain jurisdiction of this action until July 1, 2015, or until the appropriations provided for in this Consent Decree have been substantially adopted, but that no further action before the Court shall occur except pursuant to

(a) a motion to reopen under paragraph (4) of this Consent Decree; or
(b) a joint motion requesting permission of the Court for further proceedings.

9. The parties agree to work together in good faith to fully implement this Consent Decree and Settlement Agreement.

Accepted for Plaintiffs:

<u>August 10, 2011</u> Date	<u>Willie Kasayulie</u> Willie Kasayulie Plaintiff
<u>Aug. 10, 2011</u> Date	<u>Sophie N. Kasayulie</u> Sophie Kasayulie Plaintiff
_____ Date	_____ Paul Mike Plaintiff
_____ Date	_____ Maryann Mike Plaintiff
_____ Date	_____ Arthur Heckman Plaintiff
_____ Date	_____ Ruth Heckman Plaintiff

(a) a motion to reopen under paragraph (4) of this Consent Decree; or
(b) a joint motion requesting permission of the Court for further proceedings.

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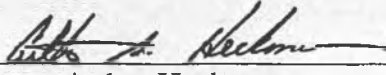
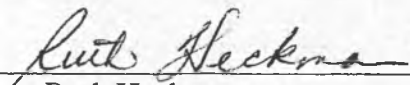
Accepted for Plaintiffs:

_____	_____
Date	Willie Kasayulie Plaintiff
_____	_____
Date	Sophie Kasayulie Plaintiff
<u>09/20/11</u>	<u>Paul Mike</u>
Date	Paul Mike Plaintiff
<u>Sept. 20, 2011</u>	<u>Maryann Mike</u>
Date	Maryann Mike Plaintiff
_____	_____
Date	Arthur Heckman Plaintiff
_____	_____
Date	Ruth Heckman Plaintiff

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(b) a joint motion requesting permission of the Court for further proceedings.

9. The parties agree to work together in good faith to fully implement this Consent Decree and Settlement Agreement.

Accepted for Plaintiffs:

_____ Date	_____ Willie Kasayulie Plaintiff
_____ Date	_____ Sophie Kasayulie Plaintiff
_____ Date	_____ Paul Mike Plaintiff
_____ Date	_____ Maryann Mike Plaintiff
<u>9/26/2011</u> Date	 _____ Arthur Heckman Plaintiff
<u>9/26/11</u> Date	 _____ Ruth Heckman Plaintiff

Sept 13, 2011

Date

Robert Picou

Robert Picou, Superintendent
Bering Strait School District
Plaintiff

Date

Karen Ladegard, Superintendent
Iditarod Area School District
Plaintiff

Date

Steven Pine, Superintendent
Kashunamiut School District
Plaintiff

Date

Gary Baldwin, Superintendent
Lower Kuskokwim School District
Plaintiff

Date

John Lamont, Superintendent
Lower Yukon School District
Plaintiff

Date

Howard Diamond, Superintendent
Yupit Schools
Plaintiff

Date

Charles Wohlforth
CEAAC Executive Director
Plaintiff

Date

Robert Picou, Superintendent
Bering Strait School District
Plaintiff

September 21, 2011
Date

Karen F. Ladegard

Karen Ladegard, Superintendent
Iditarod Area School District
Plaintiff

Date

Steven Pine, Superintendent
Kashunamiut School District
Plaintiff

Date

Gary Baldwin, Superintendent
Lower Kuskokwim School District
Plaintiff

Date

John Lamont, Superintendent
Lower Yukon School District
Plaintiff

Date

Howard Diamond, Superintendent
Yupiit Schools
Plaintiff

Date

Charles Wohlforth
CEAAC Executive Director
Plaintiff

Date

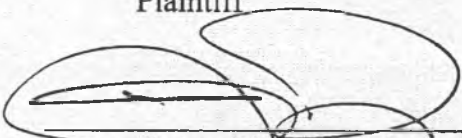
Robert Picou, Superintendent
Bering Strait School District
Plaintiff

Date

Karen Ladegard, Superintendent
Iditarod Area School District
Plaintiff

9.14.11

Date



Steven Pine, Superintendent
Kashunamiut School District
Plaintiff

Date

Gary Baldwin, Superintendent
Lower Kuskokwim School District
Plaintiff

Date

John Lamont, Superintendent
Lower Yukon School District
Plaintiff

Date

Howard Diamond, Superintendent
Yupiiit Schools
Plaintiff

Date

Charles Wohlforth
CEAAC Executive Director
Plaintiff

Date

Robert Picou, Superintendent
Bering Strait School District
Plaintiff

Date

Karen Ladegard, Superintendent
Iditarod Area School District
Plaintiff

Date

Steven Pine, Superintendent
Kashunamiut School District
Plaintiff

9/16/11

Date

Gary Baldwin
Gary Baldwin, Superintendent
Lower Kuskokwim School District
Plaintiff

Date

John Lamont, Superintendent
Lower Yukon School District
Plaintiff

Date

Howard Diamond, Superintendent
Yupit Schools
Plaintiff

Date

Charles Wohlforth
CEAAC Executive Director
Plaintiff

Date

Robert Picou, Superintendent
Bering Strait School District
Plaintiff

Date

Karen Ladegard, Superintendent
Iditarod Area School District
Plaintiff

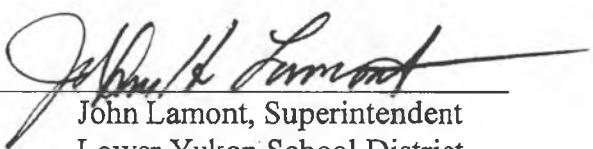
Date

Steven Pine, Superintendent
Kashunamiut School District
Plaintiff

Date

Gary Baldwin, Superintendent
Lower Kuskokwim School District
Plaintiff

09.23.2011
Date



John Lamont, Superintendent
Lower Yukon School District
Plaintiff

Date

Howard Diamond, Superintendent
Yupiiit Schools
Plaintiff

Date

Charles Wohlforth
CEAAC Executive Director
Plaintiff

Date

Robert Picou, Superintendent
Bering Strait School District
Plaintiff

Date

Karen Ladegard, Superintendent
Iditarod Area School District
Plaintiff

Date

Steven Pine, Superintendent
Kashunamiut School District
Plaintiff

Date

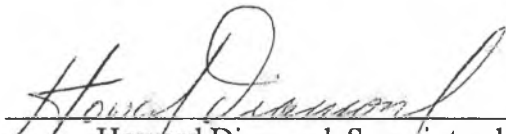
Gary Baldwin, Superintendent
Lower Kuskokwim School District
Plaintiff

Date

John Lamont, Superintendent
Lower Yukon School District
Plaintiff

09-16-2011

Date



Howard Diamond, Superintendent
Yupit Schools
Plaintiff

Date

Charles Wohlforth
CEAAC Executive Director
Plaintiff

Date

Robert Picou, Superintendent
Bering Strait School District
Plaintiff

Date

Karen Ladegard, Superintendent
Iditarod Area School District
Plaintiff

Date

Steven Pine, Superintendent
Kashunamiut School District
Plaintiff

Date

Gary Baldwin, Superintendent
Lower Kuskokwim School District
Plaintiff

Date

John Lamont, Superintendent
Lower Yukon School District
Plaintiff

Date

Howard Diamond, Superintendent
Yupiit Schools
Plaintiff

September 22, 2011

Date

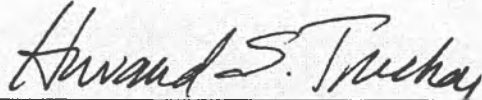
Charles Wohlforth

Charles Wohlforth
CEAAC Executive Director
Plaintiff

Accepted as to Form:

9/30/11

Date



Howard S. Trickey
Counsel for Plaintiffs

Accepted by Defendant State of Alaska:

Date

Mike Hanley, Commissioner
Alaska Department of Education and
Early Development
Defendant

Accepted as to Form:

Date

John J. Burns
Attorney General for the State of
Alaska

Accepted as to Form:

Date

Howard Trickey
Counsel for Plaintiffs

Accepted by Defendant State of Alaska:

10/3/2011

Date



Mike Hanley, Commissioner
Alaska Department of Education and
Early Development
Defendant

Accepted as to Form:

10-4-2011

Date



John V. Burns
Attorney General for the State of
Alaska

State of Alaska
 Department of Education and Early Development
 Capital Improvement Projects (FY2014)
 School Construction Grant Fund
 Final List

Jan. 22	Dec. 17	Nov. 5	School District	Project Name	Amount Requested	Eligible Amount	Prior Funding	EED Recommended Amount	Participating Share	State Share	Aggregate Amount
1	1	1	Lower Kuskokwim ✓	Nightmute School Renovation/Addition - Kasayulie #1 - 2014	\$33,638,062	\$33,638,062	\$0	\$33,638,062	\$672,761	\$32,965,301	\$32,965,301
2	2	2	Lower Kuskokwim ✓	Kwethluk K-12 Replacement School - Kasayulie #2 - 2015	\$57,678,571	\$57,678,571	\$0	\$57,678,571	\$1,153,571	\$56,525,000	\$89,490,301
3	3	3	Lower Kuskokwim ✓	Kuinerramiut Elitnaurviat K-12 Renovation/Addition, Quinhagak	\$18,152,741	\$42,547,340	\$29,070,727	\$13,476,613	\$269,532	\$13,207,081	\$102,697,382
4	4	4	Yukon-Koyukuk ✓	Jimmy Huntington K-12 Addition/Renovation, Huslia	\$18,591,472	\$18,591,472	\$0	\$18,591,472	\$371,829	\$18,219,643	\$120,917,025
5	5	5	Saint Marys	Andreafski High School Gym Construction	\$13,909,146	\$13,909,146	\$0	\$13,909,146	\$695,457	\$13,213,689	\$134,130,714
6	6	6	Lower Kuskokwim ✓	Lewis Angapak K-12 School Renovation/Addition, Tuntutuliak	\$54,268,419	\$54,268,419	\$0	\$54,268,419	\$1,085,368	\$53,183,051	\$187,313,765
7	7	7	Lake & Peninsula	Port Alsworth Classroom Expansion	\$14,443,079	\$14,443,079	\$0	\$14,443,079	\$2,888,616	\$11,554,463	\$198,868,228
8	8	8	Kuspuk	Auntie Mary Nicoli Elementary School Replacement, Aniak	\$13,502,127	\$13,502,127	\$0	\$13,502,127	\$270,043	\$13,232,084	\$212,100,312
9	9	9	Galena	Galena Interior Learning Academy Iditarod Classroom Conversion	\$13,852,307	\$13,852,307	\$0	\$13,852,307	\$692,615	\$13,159,692	\$225,260,004
10	10	10	Bering Strait	Shishmaref K-12 School Addition	\$18,594,511	\$18,594,511	\$0	\$18,594,511	\$371,890	\$18,222,621	\$243,482,625
11	11	11	Aleutians East	Sand Point K-12 School Paving	\$441,630	\$441,630	\$0	\$441,630	\$154,570	\$287,060	\$243,769,685
12	12	12	Kuspuk	Johnnie John Sr. K-12 Replacement School, Crooked Creek	\$9,818,709	\$9,818,709	\$0	\$9,818,709	\$196,374	\$9,622,335	\$253,392,020
13	13	13	Lower Kuskokwim	Bethel Regional High School Cafeteria Addition	\$3,754,948	\$5,037,601	\$1,282,653	\$3,754,948	\$75,099	\$3,679,849	\$257,071,869
14	14	14	Aleutians East	King Cove K-12 School Paving	\$107,020	\$107,020	\$0	\$107,020	\$37,457	\$69,563	\$257,141,432
15	15	15	Lower Kuskokwim	Water Storage & Treatment, Kongiganak	\$5,982,094	\$5,982,094	\$0	\$5,982,094	\$119,642	\$5,862,452	\$263,003,884
16	16	16	Southeast Island	Kasaan K-12 Covered Physical Education Area	\$528,013	\$528,013	\$0	\$528,013	\$10,560	\$517,453	\$263,521,337
17	17	17	Annette Island	Mellakalla Schools Track and Field Construction	\$4,991,792	\$4,991,792	\$0	\$4,991,792	\$99,836	\$4,891,956	\$268,413,293
18	18	18	Juneau City Borough	Marie Drake Building Renovation & Realignment	\$15,400,000	\$15,400,000	\$2,250,000	\$13,150,000	\$4,602,500	\$8,547,500	\$276,960,793
19	19	19	Kenai Peninsula	Districtwide Asphalt Repairs, 5 Schools	\$1,689,600	\$1,689,600	\$0	\$1,689,600	\$591,360	\$1,098,240	\$278,059,033
20	20	20	Petersburg City	Districtwide Covered Sidewalks And Entrances	\$1,236,773	\$1,236,773	\$0	\$1,236,773	\$371,032	\$865,741	\$278,924,774
21	21	21	Juneau City Borough	Juneau School District Site/Safety/Security Improvements	\$3,300,000	\$3,300,000	\$0	\$3,300,000	\$1,155,000	\$2,145,000	\$281,069,774
22	22	22	Yupit	Parking and Drive Resurfacing, 3 Schools	\$774,906	\$774,906	\$0	\$774,906	\$15,498	\$759,408	\$281,829,182

Issue Date: 1/22/2013
 Run Date: 1/17/2013

State of Alaska
Department of Education and Early Development
Capital Improvement Projects (FY2014)
School Construction Grant Fund
Final List

Jan. 22	Dec. 17	Nov. 5	School District	Project Name	Amount Requested	Eligible Amount	Prior Funding	EED Recommended Amount	Participating Share	State Share	Aggregate Amount
23	23	23	Juneau City Borough	Floyd Dryden Middle School Covered Play Area Construction & Dzantik'i Heeni Middle School Site Improvements	\$2,195,000	\$2,195,000	\$0	\$2,195,000	\$768,250	\$1,426,750	\$283,255,932
24	24	24	Juneau City Borough	Districtwide Food Service Upgrades	\$1,350,000	\$1,350,000	\$0	\$1,350,000	\$472,500	\$877,500	\$284,133,432
TOTALS:					\$308,200,920	\$333,878,172	\$32,603,380	\$301,274,792	\$17,141,360	\$284,133,432	

Issue Date: 1/22/2013
 Run Date: 1/17/2013