

LEG. FINANCE - BILLS 1975 - 1976 579

SB 564 cont., thru CSSSB 572 577

1	(31) Egegik	200,000
2	(32) Ekwok	200,000
3	(33) Elim	630,000
4	(34) False Pass	25,000
5	(35) Fortuna Ledge	720,000
6	(36) Golovin	200,000
7	(37) Goodnews Bay	870,000
8	(38) Grayling	200,000
9	(39) Hughes	25,000
10	(40) Huslia	200,000
11	(41) Igiugig	25,000
12	(42) Ivanof Bay	25,000
13	(43) Kalskag	990,000
14	(44) Kasigluk	1,110,000
15	(45) Kipnuk	470,000
16	(46) Kobuk	25,000
17	(47) Kokhanok	200,000
18	(48) Koliganek	690,000
19	(49) Kongiganak	1,050,000
20	(50) Kotlik	1,230,000
21	(51) Koyuk	200,000
22	(52) Koyukuk	200,000
23	(53) Kwethluk	1,770,000
24	(54) Kwigillingok	810,000
25	(55) Levelock	200,000
26	(56) Lime Village	25,000
27	(57) Manley Hot Springs	25,000
28	(58) Manokotak	1,100,000
29	(59) Mekoryuk	690,000

1	(60) Minto	200,000
2	(61) Napakiak	960,000
3	(62) Napaskiak	1,020,000
4	(63) Nelson Lagoon	25,000
5	(64) Newhalen	200,000
6	(65) New Kasaan	25,000
7	(66) New Stuyahok	1,000,000
8	(67) Newtok	690,000
9	(68) Nightmute	200,000
10	(69) Nikolai	200,000
11	(70) Nikolski	25,000
12	(71) Noatak	770,000
13	(72) Nondalton	690,000
14	(73) Nunapitchuk	1,290,000
15	(74) Oghsenakale	25,000
16	(75) Oscarville	25,000
17	(76) Pedro Bay	25,000
18	(77) Perryville	200,000
19	(78) Pilot Point	25,000
20	(79) Pilot Station	1,050,000
21	(80) Pitka's Point	200,000
22	(81) Platinum	25,000
23	(82) Pt. Heiden	25,000
24	(83) Quinhagak	1,170,000
25	(84) Rampart	25,000
26	(85) Red Devil	25,000
27	(86) Ruby	200,000
28	(87) Russian Mission	200,000
29	(88) St. George Island	200,000

1	(89) St. Michael	200,000
2	(90) Scammon Bay	810,000
3	(91) Shageluk	200,000
4	(92) Shaktoolik	200,000
5	(93) Sheldon Point	200,000
6	(94) Sleetmute	200,000
7	(95) Stebbins	1,050,000
8	(96) Stevens Village	25,000
9	(97) Stoney River	25,000
10	(98) Takotna	25,000
11	(99) Tatitlek	25,000
12	(100) Teller	200,000
13	(101) Tetlin	200,000
14	(102) Tuluksak	780,000
15	(103) Tuntutuliak	840,000
16	(104) Tununak	1,080,000
17	(105) Twin Hills	200,000
18	(106) Venetie	25,000
19	(107) Wales	25,000
20	(108) White Mountain	25,000

21 * Sec. 3. If the issuance of these bonds is authorized by the qualified
22 voters of the state, the amount of \$141,995 or as much of that amount as is
23 found necessary is appropriated from the general fund of the state to the
24 state bond committee to carry out the provisions of this Act and to pay
25 expenses incident to the sale and issuance of the bonds authorized in this
26 Act. The amounts expended from the appropriation authorized by this section
27 shall be reimbursed to the general fund from the proceeds of the sale of the
28 bonds authorized by this Act.

29 * Sec. 4. The amount withdrawn from the Public Facility Planning Fund

1 for the purpose of advance planning for the improvements financed under this
2 Act shall be reimbursed to the fund from the proceeds of the sale of bonds
3 authorized by this Act.

4 * Sec. 5. The question whether the bonds authorized in this Act are to be
5 issued shall be submitted to the qualified voters of the state at the next
6 general election and shall read substantially as follows:

7 Proposition

8 State General Obligation Rural Secondary School

9 Construction Bonds \$40,570,000

10 Shall the State of Alaska issue its general obligation bonds
11 in the principal amount of not more than \$40,570,000 for the
12 purpose of paying the cost of constructing rural secondary
13 school facilities?

14 Bonds Yes []

15 Bonds No []

16 * Sec. 6. This Act takes effect immediately in accordance with AS 01.10--
17 070(c).

DEPARTMENT OF EDUCATION
Position Paper

Agency Comments for Senate Bill #564

Senate Bill #564, "an Act relating to the issuance of general obligation bonds for the purpose of paying the cost of constructing rural secondary school facilities."

Background

The question "What shall be the delivery system of equality educational programs for rural secondary aged students?" has been a concern of educators and the general public since statehood. First formal inquiry into this problem was a state commissioned study done in 1966 by Training Corporation of America. That study which was endorsed by state leadership within and without the educational community recommended, in terms of social, academic and economic benefits, the state embark on a system of regional schools varying from 500 to 2,000 student capacity to be built at different geographical hubs throughout the state. General acceptance of the study by the state was predicated upon the immediate problem of providing for the in-state education of some 3500 rural secondary native students being educated at the time by the Bureau of Indian Affairs at such places as Haskell, Kansas; Chilocco, Oklahoma; Chemewa, Oregon.

In 1966 the public approved a general obligation bond to assist in carrying out the concept as outlined in the state study which called for the provision of regional schools at Nome and Bethel. Furthermore, in 1968 the state of Alaska entered into an agreement with the United States Department of Interior called "An Overall Plan for Rural Education in Alaska" which provided that the Bureau of Indian Affairs would build the living facilities and the state would build the regional academic complexes, and the Bureau of Indian Affairs and the state cooperated in constructing regional complexes at Nome, Bethel and Kodiak.

Beginning approximately in 1970, the educators and general public throughout Alaska began to have increasing concerns about the academic and social benefits that rural children were experiencing in attending a large regional high school program after having attended a small village elementary school. Furthermore, the economic efficiencies that were anticipated to be derived by providing education in these regional complexes, were not occurring, (costs of providing living accommodations coupled with education was in 1972 what Training Corporation of America had forecasted as being per pupil cost in approximately 1980. In addition, as rural people became more familiar with educational processes and opportunities, parents of students were requesting that resident secondary educational programs be provided in the local communities. A suit demanding that residential secondary programs was filed on the behalf of secondary students in Kivalina in 1971 against the Alaska State Department of Education. The outcome was the state pleading no contest and establishing a secondary program for five secondary school aged students in that community.

This action precipitated a class action suit filed by Alaska Legal Services on the behalf of all secondary children in the Unorganized Borough who had to leave home to attend a resident secondary educational program. The first part of the so-called Hootch Case was settled when the Alaska Supreme Court ruled that the State, by definition of attendance area, was not required to establish a residence school program in the community

where the students reside. The second part of that case is the plaintiff's contention that failure of the State to provide residential secondary educational programs is a denial of the U.S. Constitution 14th Amendment, Equal Protection clause is in effect that the state has practiced discrimination in the establishment of resident secondary programs. This contention is still in litigation.

The passage of Chapter 124 SLA 1975, relating to education in the Unorganized Borough, provides a funding mechanism by which any community which has an elementary school program can be assured funding for a secondary school program. Thus, there is nothing to prevent any community from establishing a resident secondary program; however, the problem of adequate facilities for secondary programs continues to be a problem. Nevertheless, the Alaska State Legislature has provided approximately \$77,000,000 for secondary schools in the unorganized areas of the state or for those city and borough school districts that have no bonding capacity in the past ten years.

As can be seen by the attachment of the communities listed some 72 of those communities would have between 1 and 30 secondary school age children.

What the Proposed Legislation Would Do

The proposed legislation would provide secondary school facilities in all of the communities in the Unorganized Borough which have an elementary school but do not have a secondary school. These communities represent the total number of communities in the Unorganized Borough named in the class action suit, Hootch Case.

Special Problems

The Department would recommend on Page 1, Line 12, that the purpose "paying the cost of constructing" be expanded to "cost of acquiring, constructing and equipping." The rationale for this change is that many of the smaller locations, particularly those listed in the amount of \$25,000 each may not need a facility but will need funds for capital instructional equipment or minor remodeling. Also, this language has been in previous bond issues. The Department of Education has also estimated that the project costs for secondary schools in those locations having from 10 to 20 secondary students would be \$450,000 to construct a 2300 sq. ft. multi-purpose classroom with associate facilities. Such classroom would be used both to conduct the regular educational program and also the recreational program.

DOE Position

The State Board of Education and the Department are committed to the policy of providing a secondary educational opportunity to all students throughout the state and communities with sufficient population and economic and social stability.

At present, the state finds itself in a position of having provided elementary schools in every rural area in the state with a school age population large enough to justify such. However, this has not been the case with secondary schools, although a local secondary school program in every rural area with sufficient school age population is a goal that could be achieved by the opening of school in the fall of 1978.

Other Groups that Have an Interest in the Legislation

The Department of Law, Alaska Federation of Natives, Alaska Legal Services, Rural CAP, Alaska Unorganized Borough School District, and the Department of Public Works.

CAPITOL BUDGET REQUEST
MOLLY HOOTCH LITIGATION
ANALYSIS OF UNHOUSED SECONDARY STUDENTS

STUDENT POPULATION AND ESTIMATED CONSTRUCTION COSTS

REGION		<u>30+</u>	<u>21-29</u>	<u>11-20</u>	<u>0-10</u>	
<u>ristol Bay</u>	Manokotak (50)	\$1,300,000	Koliganek(23)	\$ 690,000	Chignik Lake(13)	Chignik (8)
	New Stuyahok(40)	900,000	Nondalton(23)	690,000	Clarks Point(11)	Chignik Lagoon(7)
					Egegik(15)	Iguigig(6)
					Ekwok(14)	Ivanoff Bay(6)
					Kokhanok(14)	Pedro Bay(5)
					Levelock(13)	Port Heiden(9)
					Newhalen(20)	Ohgsenakale(10)
					Perryville(15)	
					Twin Hills(13)	
	Sub-totals	(90) \$2,200,000	(46) \$1,380,000	(128) \$4,050,000	(51)	
	<u>Total by Region:</u>	<u>\$7,630,000 (264)</u>				
<u>ussian Chain</u>				St. George (20)	\$ 450,000	Akutan (6)
						Atka (7)
						Beikofski (5)
						Nelson Lagoon (6)
						Nikolski (5)
						False Pass (9)
	Sub-totals			(20) \$ 450,000	(38)	
	<u>Total by Region:</u>	<u>\$ 450,000 (20)</u>				

REGION

STUDENT POPULATION AND ESTIMATED CONSTRUCTION COSTS

		<u>30+</u>	<u>21-29</u>	<u>11-20</u>	<u>0-10</u>	
<u>Lower Kuskokwim</u>	Kongiganak (35)		Atmautluak (24)	Akiak (15)	Platinum (6)	
	Akiachak (42)		Chefornak (24)	Nightmute (17)	Oscarville (4)	
	Kasigluk (37)		Eek (21)			
	Kipnuk (49)		Goodnews Bay (29)			
	Kwethluk (59)		Kwigillingok (27)			
	Napakiak (32)		Mekoryuk (23)			
	Napaskiak (34)		Tuluksak (26)			
	Quinhagak (39)		Tuntutuliak (28)			
	Tununak (36)					
	Nunapitchuk (43)					
Sub-totals	(363)	\$10,220,000	(202) \$6,060,000	(32) \$ 900,000	(10)	
<u>Total by Region:</u>		<u>\$15,890,000 (597)</u>				
<u>Upper Kuskokwim</u>	Kalskag (33)		Chuathbaluk (21)			
	(combined)	\$ 990,000	Crooked Creek (21) \$1,260,000	Sleetmute (17) \$ 450,000	Lime Village (8)	
					Red Devil (6)	
					Stony River (9)	
	Sub-totals	(33)	\$ 990,000	(42) \$1,260,000	(17) \$ 450,000	(23)
<u>Total by Region:</u>		<u>\$2,700,000 (92)</u>				
<u>Northwest</u>	Ambler (31)	\$ 930,000	Buckland (21) \$ 630,000	Deering (12) \$ 450,000	Kobuk (8)	
	Noatak (39)	770,000				
	Sub-totals	(70)	\$1,700,000	(21) \$ 630,000	(12) \$ 450,000	(8)
	<u>Total by Region:</u>		<u>\$2,780,000 (103)</u>			

REGION STUDENT POPULATION AND ESTIMATED CONSTRUCTION COSTS

REGION		30+	21-29	11-20	0-10
<u>Bering Straits</u>	Stebbins (35)	\$1,050,000	Elim (21) \$ 630,000	Koyuk (15) Teller (13) Brevig Mission (17) Diomeda (15) Golovin (12) St. Michael (18) Shaktoolik (13) \$3,150,000	Council (4) Wales (9) White Mountain (10)
	Sub-totals (35)	\$1,050,000	(21) \$ 630,000	(108) \$3,150,000	(23)
	<u>Total by Region:</u>	<u>\$4,830,000 (164)</u>			
<u>Lower Yukon</u>	Pilot Station (35) Kotlik (41)	\$1,050,000 1,270,000	Fortuna Ledge (24) \$ 720,000 Scammon Bay (27) \$ 810,000	Russian Mission (15) Sheldon's Point (15) Pitka's Point (15)	
	Sub-totals (76)	\$2,280,000	(51) \$1,530,000	(45) \$1,350,000	
	<u>Total by Region:</u>	<u>\$5,160,000 (172)</u>			
<u>Yukon-Kuskokwim</u>				Anvik (12) Nikolai (11) Grayling (17) Shageluk (16)	Takotna (12) Telida (0)
	Sub-totals			(56) \$1,800,000	(12)
	<u>Total by Region:</u>	<u>\$1,800,000 (56)</u>			

REGION

STUDENT POPULATION AND ESTIMATED CONSTRUCTION COSTS

	<u>30+</u>	<u>21-29</u>	<u>11-20</u>	<u>0-10</u>
<u>Middle Yukon</u>		Allakaket (23)	Huslia (20) Koyukuk (16) Minto (17) Ruby (16)	Bettles (5) Hughes (9) Manley (5)
Sub-totals		(23) \$ 690,000	(69) \$ 1,800,000	(19)
<u>Total by Region: \$2,490,000 (92)</u>				
<u>Upper Yukon</u>			Arctic Village (17) Eagle (16)	Birch Creek (4) Chalkyitsik (10) Circle (6) Rampart (6) Stevens Village (7) Beaver (8) Venetie (10)
Sub-totals			(33) \$ 900,000	(51)
<u>Total by Region: \$ 900,000 (33)</u>				
<u>Upper Tanana</u>			Dot Lake (11) Tetlin (13)	
Sub-totals			(24) \$ 900,000	
<u>Total by Region: \$ 900,000 (24)</u>				

REGION

STUDENT POPULATION AND ESTIMATED CONSTRUCTION COSTS

	<u>30+</u>	<u>21-29</u>	<u>11-20</u>	<u>0-10</u>
<u>Copper River</u>			Mentasta (12) Whittier (12)	Tatitlek (8) Paxson (0)
Sub-totals			(24)	(8)
Total by Region:	\$ 900,000		\$ 900,000	
<u>Southeastern</u>	Angoon (40) (to complete)	\$ 500,000	Cape Pole (15) Coffman (18) Whale Pass (13)	El Capitan (5) Elfin Cove (4) Gildersleeve (7) Gustavus (7) Kasaan (4) Naukati (6) Port Alice (8) Roosevelt Harbor (7) Rowan Bay (7) St. Johns (5) Shakan Bay (1) Thorne Bay (0) Tuxecan (6) Klukwan (7) Metlakatla (0) Annette (0)
Sub-totals	(40)	\$ 500,000	(46)	(74)
Total by Region:	\$1,850,000	(86)	\$1,350,000	
GRAND TOTAL BY REGION:	\$ 18,940,000	\$12,180,000	\$18,450,000	
GRAND TOTAL:	\$49,570,000			

Column 1 + 2 = \$29,830,000

Reduce 16 students as minimum number for which facilities will be constructed; grand total reduced by 24 sites @ \$450,000/site = \$11,250,000

Original sponsors: Sackett, Croft
and Ferguson

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2

CS FOR SENATE BILL NO. 564 (Finance)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act providing for the issuance of general obligation bonds in the amount of \$58,935,000 for the purpose of paying the cost of constructing, repairing, equipping and upgrading school facilities and water reservoirs; and providing for an effective date."

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

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* Section 1. For the purpose of paying the cost of constructing, repairing, equipping and upgrading school facilities and water reservoirs, general obligation bonds of the state in the principal amount of not more than \$58,935,000 shall be issued and sold. The full faith, credit and resources of the state are pledged to the payment of the principal of and interest and redemption premium, if any, on these bonds. These bonds shall be issued under the provisions of AS 37.15 as those provisions read at the time of issuance.

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* Sec. 2. If the issuance of these bonds is authorized by the qualified voters of the state, a special fund of the state to be known as the "1976 School Construction Fund" shall be established, to which shall be credited the proceeds of the sale of the bonds described in sec. 1 of this Act except for the accrued interest and premiums.

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* Sec. 3. There is appropriated from the "1976 School and Water Reservoir Construction Fund" to the Department of Public Works the amount of \$58,335,000, and to the Department of Education the amount of \$600,000. The proceeds of these bonds shall be further appropriated as follows:

(1) to the Department of Public Works for disbursement to the

1 regional educational attendance areas for elementary and secondary school
 2 construction and repair in those areas as follows:

Regional Educational Attendance Area (REAA)	Appropriation
1 - Northwest REAA	\$ 5,335,000
2 - Bering Straits REAA	2,965,000
3 - Lower Yukon REAA	3,600,000
4 - Lower Kuskokwim REAA	7,073,700
5 - Upper Kuskokwim REAA	1,050,000
6 - Nushagak-Bristol Bay REAA	2,100,000
7 - Lake/Peninsula-Bristol Bay REAA	2,300,000
11 - McGrath REAA	500,000
12 - Middle Yukon	400,000
13 - Upper Yukon REAA	700,000
15 - Upper Tanana REAA - West	380,000
16 - Upper Tanana REAA - East	625,000
17 - Copper River REAA	600,000
19 - Southeast Alaska (Southern Panhandle) REAA	165,000
21 - Chugach REAA	200,000

19 (2) to the Department of Education for disburse-
 20 ment to the Bristol Bay Borough School District to forgive
 21 indebtedness for past school construction \$ 600,000

23 (3) to the Department of Public Works for elemen-
 24 tary and secondary school construction and repair of the
 25 on-base schools on the several military reservations, state-
 26 wide, whether or not operated by contract by a city or
 27 borough school district under AS 14.14.110, notwithstanding
 28 AS 24.30.037: \$ 1,320,000

29 (4) to the Department of Public Works for the up-
 grading, statewide, of water and sewer facilities at regional

1 educational attendance area schools, at locations state-
2 wide, notwithstanding AS 24.30.037: \$ 2,000,000

3 (5) to the Department of Public Works to be
4 allocated for the acquisition, construction, and equipping
5 of elementary and secondary schools and water reservoirs
6 in the following school districts, communities, or other
7 locations:

	Allocation
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9 (A) Angoon	\$ 1,200,000
10 (B) Brown's Trailer Court	400,000
11 (C) Chena (Pt. Wainwright)	575,000
12 (D) Cordova	1,500,000
13 (E) Craig-Klawock	500,000
14 (F) Dillingham	2,400,000
15 (G) Fortuna Ledge	400,000
16 (H) Kaktovik	2,800,000
17 (I) King Cove	3,000,000
18 (J) Minto	1,000,000
19 (K) Mountain Village	400,000
20 (L) Northway	440,000
21 (M) Nulato	1,000,000
22 (N) Old Harbor	1,300,000
23 (O) Pelican	100,000
24 (P) Ruby	1,500,000
25 (Q) Yakutat	2,000,000
26 (R) Skagway Water Reservoir	750,000
27 (S) Nome Water Reservoir	750,000
28 (T) Eagle	300,000
29 (U) Barrow Vocational Center Equipment	400,000

1	(V) Haines Vocational Center Building	500,000
2	(W) Holy Cross	1,000,000
3	(X) Kotzebue Water Reservoir	1,250,000
4	(Y) Chooluvowik	400,000
5	(Z) Pilot Station	400,000
6	(AA) Tri Valley	500,000
7	(BB) Wasilla Water Study	50,000

8 * Sec. 4. If the issuance of these bonds is authorized by the qualified
9 voters of the state, the amount of \$206,300 or as much of that amount as is
10 found necessary is appropriated from the general fund of the state to the
11 state bond committee to carry out the provisions of this Act and to pay
12 expenses incident to the sale and issuance of the bonds authorized in this
13 Act. The amounts expended from the appropriation authorized by this section
14 shall be reimbursed to the general fund from the proceeds of the sale of the
15 bonds authorized by this Act.

16 * Sec. 5. The amount withdrawn from the Public Facility Planning Fund for
17 the purpose of advance planning for the improvements financed under this Act
18 shall be reimbursed to the fund from the proceeds of the sale of bonds autho-
19 rized by this Act.

20 * Sec. 6. The question whether the bonds authorized in this Act are to be
21 issued shall be submitted to the qualified voters of the state at the next
22 general election and shall read substantially as follows:

Proposition

State General Obligation School and Water Reser-
voir Construction Bonds \$58,935,000

Shall the State of Alaska issue its general obligation bonds
in the principal amount of not more than \$58,935,000 for the
purpose of paying the cost of constructing, repairing, equip-
ping and upgrading school facilities and water reservoirs?

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Bonds Yes []

Bonds No []

* Sec. 7. This Act takes effect immediately in accordance with AS 01.10-070(c).

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Original sponsors: Sackett, Croft
and Ferguson

Offered: 2/25/76
Referred: Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 564

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-
7 tion bonds in the amount of \$58,935,000 for the purpose
8 of paying the cost of constructing, repairing, equip-
9 ping and upgrading school facilities; and providing
10 for an effective date."

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

12 * Section 1. For the purpose of paying the cost of constructing, re-
13 pairing, equipping and upgrading school facilities, general obligation bonds
14 of the state in the principal amount of not more than \$58,935,000 shall be
15 issued and sold. The full faith, credit and resources of the state are
16 pledged to the payment of the principal of and interest and redemption
17 premium, if any, on these bonds. These bonds shall be issued under the
18 provisions of AS 37.15 as those provisions read at the time of issuance.

19 * Sec. 2. If the issuance of these bonds is authorized by the qualified
20 voters of the state, a special fund of the state to be known as the "1976
21 School Construction Fund" shall be established, to which shall be credited
22 the proceeds of the sale of the bonds described in sec. 1 of this Act except
23 for the accrued interest and premiums.

24 * Sec. 3. There is appropriated from the "1976 School Construction Fund"
25 to the Department of Public Works the amount of \$58,335,000, and to the
26 Department of Education the amount of \$600,000. The proceeds of these bonds
27 shall be further appropriated as follows:

28 (1) to the Department of Public Works for disbursement to the
29 regional educational attendance areas for elementary and secondary school

1 construction and repair in those areas as follows:

2	Regional Educational Attendance Area (REAA)	Appropriation
3	1 - Northwest REAA	\$ 5,335,000
4	2 - Bering Straits REAA	2,965,000
5	3 - Lower Yukon REAA	2,280,000
6	4 - Lower Kuskokwim REAA	15,185,000
7	5 - Upper Kuskokwim REAA	1,050,000
8	6 - Nushagak-Bristol Bay REAA	2,100,000
9	7 - Lake/Peninsula-Bristol Bay REAA	2,300,000
10	11 - McGrath REAA	1,000,000
11	13 - Upper Yukon REAA	315,000
12	15 - Upper Tanana REAA - West	380,000
13	16 - Upper Tanana REAA - East	625,000
14	17 - Copper River REAA	600,000
15	19 - Southeast Alaska (Southern Panhandle) REAA	165,000
16	21 - Chugach REAA	200,000

17 (2) to the Department of Education for disbursement to the Bristol
18 Bay Borough School District to forgive indebtedness for past school con-
19 struction: \$ 600,000

20 (3) to the Department of Public Works for elementary and secondary
21 school construction and repair of the on-base schools or the several military
22 reservations, statewide, whether or not operated by contract by a city or
23 borough school district under AS 14.14.110, notwithstanding AS 24.30.037:
24 \$1,320,000

25 (4) to the Department of Public Works for the upgrading, statewide,
26 of water and sewer facilities at regional educational attendance area schools,
27 at locations statewide, notwithstanding AS 24.30.037: \$2,000,000

28 (5) to the Department of Public Works to be allocated for the
29 acquisition, construction, and equipping of elementary and secondary schools

1 in the following school districts, communities, or other locations:

2		Allocation
3	(A) Angoon	\$1,200,000
4	(B) Brown's Trailer Court	400,000
5	(C) Chena (Ft. Wainwright)	575,000
6	(D) Cordova	1,500,000
7	(E) Craig-Klawock	500,000
8	(F) Dillingham	2,400,000
9	(G) Fortuna Ledge	200,000
10	(H) Kaktovik	2,800,000
11	(I) King Cove	3,000,000
12	(J) Marshal	200,000
13	(K) Minto	1,200,000
14	(L) Mountain Village	400,000
15	(M) Nulato	1,000,000
16	(N) Old Harbor	1,300,000
17	(O) Pelican	100,000
18	(P) Ruby	1,740,000
19	(Q) Yakutat	2,000,000

20 * Sec. 4. If the issuance of these bonds is authorized by the qualified
21 voters of the state, the amount of \$206,300 or as much of that amount as
22 is found necessary is appropriated from the general fund of the state to the
23 state bond committee to carry out the provisions of this Act and to pay
24 expenses incident to the sale and issuance of the bonds authorized in this
25 Act. The amounts expended from the appropriation authorized by this section
26 shall be reimbursed to the general fund from the proceeds of the sale of the
27 bonds authorized by this Act.

28 * Sec. 5. The amount withdrawn from the Public Facility Planning Fund for
29 the purpose of advance planning for the improvements financed under this Act

1 shall be reimbursed to the fund from the proceeds of the sale of bonds autho-
2 rized by this Act.

3 * Sec. 6. The question whether the bonds authorized in this Act are to be
4 issued shall be submitted to the qualified voters of the state at the next
5 general election and shall read substantially as follows:

6 Proposition

7 State General Obligation School Construction

8 Bonds \$58,935,000

9 Shall the State of Alaska issue its general obligation bonds
10 in the principal amount of not more than \$58,935,000 for the
11 purpose of paying the cost of constructing, repairing, equip-
12 ping and upgrading school facilities?

13 Bonds Yes []

14 Bonds No []

15 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10-
16 070(c).

Introduced: 1/22/76
Referred: Health, Education
and Social Services and
Finance

1 IN THE SENATE

BY SACKETT, CROFT AND FERGUSON

2 SENATE BILL NO. 564

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-
7 tion bonds in the amount of \$40,570,000 for the purpose
8 of paying the cost of constructing rural secondary
9 school facilities; and providing for an effective
10 date."

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

12 * Section 1. For the purpose of paying the cost of constructing rural
13 secondary school facilities, general obligation bonds of the state in the
14 principal amount of not more than \$40,570,000 shall be issued and sold. The
15 full faith, credit and resources of the state are pledged to the payment of
16 the principal of and interest and redemption premium, if any, on these bonds.
17 These bonds shall be issued under the provisions of AS 37.15 as those provi-
18 sions read at the time of issuance.

19 * Sec. 2. If the issuance of these bonds is authorized by the qualified
20 voters of the state, a special fund of the state to be known as the "1976
21 Rural Secondary School Construction Fund" shall be established, to which
22 shall be credited the proceeds of the sale of the bonds described in sec. 1
23 of this Act except for the accrued interest and premiums. There is appropri-
24 ated from the "1976 Rural Secondary School Construction Fund" to the Depart-
25 ment of Education the amount of \$40,570,000. Unless reallocation among the
26 projects is determined to be necessary by the governor, the proceeds of these
27 bonds shall be allocated in accordance with the following projects and esti-
28 mates:

29 (1) Akiachak \$1,260,000

1	(2) Akiak	200,000
2	(3) Akutan	25,000
3	(4) Allakaket	690,000
4	(5) Ambler	930,000
5	(6) Angoon	500,000
6	(7) Anvik	200,000
7	(8) Arctic Village	200,000
8	(9) Atka	25,000
9	(10) Atmautluak	720,000
10	(11) Beaver	25,000
11	(12) Belkofski	25,000
12	(13) Bettles	25,000
13	(14) Birch Creek	25,000
14	(15) Brevig Mission	200,000
15	(16) Buckland	630,000
16	(17) Chalkyitsik	25,000
17	(18) Chefornak	720,000
18	(19) Chignik	25,000
19	(20) Chignik Lagoon	25,000
20	(21) Chignik Lake	200,000
21	(22) Chuathbaluk	630,000
22	(23) Circle	25,000
23	(24) Clark's Point	200,000
24	(25) Council	25,000
25	(26) Crooked Creek	630,000
26	(27) Deering	200,000
27	(28) Diomede	200,000
28	(29) Dot Lake	200,000
29	(30) Eek	630,000

1	(31) Egegik	200,000
2	(32) Ekwok	200,000
3	(33) Elim	630,000
4	(34) False Pass	25,000
5	(35) Fortuna Ledge	720,000
6	(36) Golovin	200,000
7	(37) Goodnews Bay	870,000
8	(38) Grayling	200,000
9	(39) Hughes	25,000
10	(40) Huslia	200,000
11	(41) Igiugig	25,000
12	(42) Ivanof Bay	25,000
13	(43) Kalskag	990,000
14	(44) Kasigluk	1,110,000
15	(45) Kipnuk	470,000
16	(46) Kobuk	25,000
17	(47) Kokhanok	200,000
18	(48) Koliganek	690,000
19	(49) Kongiganak	1,050,000
20	(50) Kotlik	1,230,000
21	(51) Koyuk	200,000
22	(52) Koyukuk	200,000
23	(53) Kwethluk	1,770,000
24	(54) Kwigillingok	810,000
25	(55) Levelock	200,000
26	(56) Lime Village	25,000
27	(57) Manley Hot Springs	25,000
28	(58) Manokotak	1,100,000
29	(59) Mekoryuk	690,000

1	(60) Minto	200,000
2	(61) Napakiak	960,000
3	(62) Napaskiak	1,020,000
4	(63) Nelson Lagoon	25,000
5	(64) Newhalen	200,000
6	(65) New Kasaan	25,000
7	(66) New Stuyahok	1,000,000
8	(67) Newtok	690,000
9	(68) Nightmute	200,000
10	(69) Nikolai	200,000
11	(70) Nikolski	25,000
12	(71) Noatak	770,000
13	(72) Nondalton	690,000
14	(73) Nunapitchuk	1,290,000
15	(74) Oghsenakale	25,000
16	(75) Oscarville	25,000
17	(76) Pedro Bay	25,000
18	(77) Perryville	200,000
19	(78) Pilot Point	25,000
20	(79) Pilot Station	1,050,000
21	(80) Pitka's Point	200,000
22	(81) Platinum	25,000
23	(82) Pt. Heiden	25,000
24	(83) Quinhagak	1,170,000
25	(84) Rampart	25,000
26	(85) Red Devil	25,000
27	(86) Ruby	200,000
28	(87) Russian Mission	200,000
29	(88) St. George Island	200,000

1	(89) St. Michael	200,000
2	(90) Scammon Bay	810,000
3	(91) Shageluk	200,000
4	(92) Shaktoolik	200,000
5	(93) Sheldon Point	200,000
6	(94) Sleetmute	200,000
7	(95) Stebbins	1,050,000
8	(96) Stevens Village	25,000
9	(97) Stoney River	25,000
10	(98) Takotna	25,000
11	(99) Tatitlek	25,000
12	(100) Teller	200,000
13	(101) Tetlin	200,000
14	(102) Tuluksak	780,000
15	(103) Tuntutuliak	840,000
16	(104) Tununak	1,080,000
17	(105) Twin Hills	200,000
18	(106) Venetie	25,000
19	(107) Wales	25,000
20	(108) White Mountain	25,000

21 * Sec. 3. If the issuance of these bonds is authorized by the qualified
22 voters of the state, the amount of \$141,995 or as much of that amount as is
23 found necessary is appropriated from the general fund of the state to the
24 state bond committee to carry out the provisions of this Act and to pay
25 expenses incident to the sale and issuance of the bonds authorized in this
26 Act. The amounts expended from the appropriation authorized by this section
27 shall be reimbursed to the general fund from the proceeds of the sale of the
28 bonds authorized by this Act.

29 * Sec. 4. The amount withdrawn from the Public Facility Planning and

1 for the purpose of advance planning for the improvements financed under this
2 Act shall be reimbursed to the fund from the proceeds of the sale of bonds
3 authorized by this Act.

4 * Sec. 5. The question whether the bonds authorized in this Act are to be
5 issued shall be submitted to the qualified voters of the state at the next
6 general election and shall read substantially as follows:

7 Proposition

8 State General Obligation Rural Secondary School
9 Construction Bonds \$40,570,000

10 Shall the State of Alaska issue its general obligation bonds
11 in the principal amount of not more than \$40,570,000 for the
12 purpose of paying the cost of constructing rural secondary
13 school facilities?

14 Bonds Yes []
15 Bonds No []

16 * Sec. 6. This Act takes effect immediately in accordance with AS 01.10-
17 070(c).



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

2/8/90
Date

Act providing for the issuance of general obligation bonds in the amount \$59,270,000 for the purpose of paying the cost of constructing, repairing, equipping and upgrading school facilities and water reservoirs; and providing for an effective date."

COMMITTEE REPORT

HOUSE

Mr. Speaker:

Date 5-1-74

The Committee on Finance has had SB 304

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR SB 304 AND THAT

HCS FOR SB 304 DO PASS

"and" recommends it BE REFERRED TO THE _____

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____

Members NOT concurring in the Majority report:

_____	recommends: <u>[Signature]</u>
_____	recommends: _____
_____	recommends: _____
_____	recommends: _____
_____	recommends: _____

[Signature] Chairman

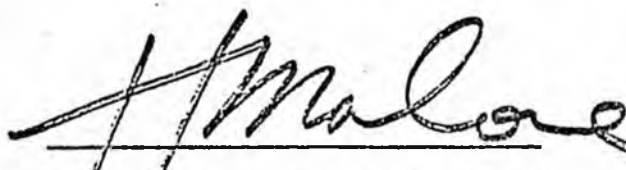
HOUSE JOURNAL

Chairman's Report

CSSB 564 (Finance)

The House Finance Committee has had under consideration COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 564 (Finance) relating to the issuance of general obligation bonds for constructing and upgrading school facilities. A committee substitute is being offered which represents a significant reworking of the bill. Consequently, this report has been prepared to describe the changes made by this committee.

- (1) This committee substitute would appropriate to the Department of Education rather than to the Department of Public Works.
- (2) Projects within REAA boundaries were included within a single dollar allocation to the appropriate REAA rather than being listed as separately funded projects. (A schedule showing REAA projects and amounts is included as an attachment to this report; this schedule furnishes back-up information relative to the derivation of dollar amounts for each REAA.)
- (3) An amount of \$575,000 for Chena (Ft. Wainwright) has been included in the allocation for on-base schools [Section 3(3)], rather than as a separate item under Section 3(5).
- (4) Amounts scheduled for Water Reservoirs and a Water Study were deleted, and a like amount added to REAA #4, (Lower Kuskokwim).
- (5) An amount of \$208,000 was set aside to be appropriated from the general fund to pay expenses incident to the sale and issuance of the bonds. This amount is not to be reimbursed from the proceeds of the bonds sale.



Rep. Hugh Malone, Chairman
House Finance Committee

Original sponsors: Sackett, Croft
and Ferguson

Offered: 4/9/76
Referred: Rules

1 IN THE SENATE BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 564 (2d Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-
7 tion bonds in the amount of \$59,289,600 for the purpose
8 of paying the cost of constructing, repairing, equip-
9 ping and upgrading school facilities and making related
10 appropriations; and providing for an effective date."

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

12 * Section 1. For the purpose of paying the cost of constructing, repair-
13 ing, equipping and upgrading school facilities, general obligation bonds of
14 the state in the principal amount of not more than \$59,289,600 shall be
15 issued and sold. The full faith, credit and resources of the state are
16 pledged to the payment of the principal of and interest and redemption pre-
17 mium, if any, on these bonds. These bonds shall be issued under the provi-
18 sions of AS 37.15 as those provisions read at the time of issuance.

19 * Sec. 2. If the issuance of these bonds is authorized by the qualified
20 voters of the state, a special fund of the state to be known as the "1976
21 School Construction Fund" shall be established, to which shall be credited
22 the proceeds of the sale of the bonds described in sec. 1 of this Act except
23 for the accrued interest and premiums.

24 * Sec. 3. There is appropriated from the "1976 School Construction Fund"
25 to the Department of Education the amount of \$59,289,600. The proceeds of
26 these bonds shall be further appropriated as follows:

27 (1) to the Department of Education for allocation to the regional
28 educational attendance areas for elementary and secondary school construction
29 and repair in those areas as follows:

1	Regional Educational Attendance Area (REAA)	Appropriation
2	1 - Northwest REAA	\$ 5,121,600
3	2 - Bering Straits REAA	2,846,400
4	3 - Lower Yukon REAA	4,992,000
5	4 - Lower Kuskokwim REAA	11,253,120
6	5 - Upper Kuskokwim REAA	1,008,000
7	6 - Nushagak-Bristol Bay REAA	2,112,000
8	7 - Lake/Peninsula-Bristol Bay REAA	2,208,000
9	9 - Pribilof Islands REAA -	
10	St. Paul-St. George	1,152,000
11	11 - McGrath REAA	1,440,000
12	12 - Middle Yukon REAA	3,744,000
13	13 - Upper Yukon REAA	734,400
14	14 - Upper Rail Belt REAA	864,000
15	15 - Upper Tanana REAA - West	364,800
16	16 - Upper Tanana REAA - East	1,838,400
17	17 - Copper River REAA	638,400
18	18 - Northern Panhandle REAA	1,152,000
19	19 - Southeast Alaska (Southern Panhandle) REAA	158,400
20	21 - Chugach REAA	192,000

21 (2) to the Department of Education for elementary
22 and secondary school construction and repair of the on-base
23 schools on the several military reservations, statewide,
24 whether or not operated by contract by a city or borough school
25 district under AS 14.14.110, notwithstanding AS 24.30.037: \$ 1,822,080

26 (3) to the Department of Education for the up-
27 grading, statewide, of water and sewer facilities at regional
28 educational attendance area schools, at locations state-
29 wide, notwithstanding AS 24.30.037: \$ 1,920,000

1 (4) to the Department of Education to be
2 allocated for the acquisition, construction, and equipping
3 of elementary and secondary schools and vocational centers
4 in the following school districts, communities, or other
5 locations:

	Allocation
6	
7 (A) Cordova	1,440,000
8 (B) Hoonah	1,440,000
9 (C) Dillingham	2,304,000
10 (D) Kaktovik	2,688,000
11 (E) King Cove	576,000
12 (F) Old Harbor	1,200,000
13 (G) Pelican	96,000
14 (H) Yakutat	1,920,000
15 (I) Barrow Vocational Center Equipment	384,000
16 (J) Haines Vocational Center Building	480,000
17 (K) Port Lions	1,200,000

18 * Sec. 4. If the issuance of these bonds is authorized by the qualified
19 voters of the state, the amount of \$208,000 or as much of that amount as is
20 found necessary is appropriated from the general fund of the state to the
21 state bond committee to carry out the provisions of this Act and to pay
22 expenses incident to the sale and issuance of the bonds authorized in this
23 Act.

24 * Sec. 5. The amount withdrawn from the Public Facility Planning Fund for
25 the purpose of advance planning for the improvements financed under this Act
26 shall be reimbursed to the fund from the proceeds of the sale of bonds autho-
27 rized by this Act.

28 * Sec. 6. The question whether the bonds authorized in this Act are to be
29 issued shall be submitted to the qualified voters of the state at the next

1 general election and shall read substantially as follows:

2 Proposition

3 State General Obligation School Construction

4 Bonds \$59,289,600

5 Shall the State of Alaska issue its general obligation bonds
6 in the principal amount of not more than \$59,289,600 for the
7 purpose of paying the cost of constructing, repairing, equip-
8 ping and upgrading school facilities?

9 Bonds Yes []

10 Bonds No []

11 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10-
12 070(c).

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Original sponsors: Sackett, Croft
and Ferguson

Offered: 3/31/76
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 564 (FINANCE)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-
7 tion bonds in the amount of \$59,310,000 for the purpose
8 of paying the cost of constructing, repairing, equip-
9 ping and upgrading school facilities and making related
10 appropriations; and providing for an effective date."

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

12 * Section 1. For the purpose of paying the cost of constructing, repair-
13 ing, equipping and upgrading school facilities, general obligation bonds of
14 the state in the principal amount of not more than \$59,310,000 shall be
15 issued and sold. The full faith, credit and resources of the state are
16 pledged to the payment of the principal of and interest and redemption pre-
17 mium, if any, on these bonds. These bonds shall be issued under the provi-
18 sions of AS 37.15 as those provisions read at the time of issuance.

19 * Sec. 2. If the issuance of these bonds is authorized by the qualified
20 voters of the state, a special fund of the state to be known as the "1976
21 School Construction Fund" shall be established, to which shall be credited
22 the proceeds of the sale of the bonds described in sec. 1 of this Act except
23 for the accrued interest and premiums.

24 * Sec. 3. There is appropriated from the "1976 School Construction Fund"
25 to the Department of Education the amount of \$59,310,000. The proceeds of
26 these bonds shall be further appropriated as follows:

27 (1) to the Department of Education for allocation to the regional
28 educational attendance areas for elementary and secondary school construction
29 and repair in those areas as follows:

	Regional Educational Attendance Area (REAA)	Appropriation
1		
2	1 - Northwest REAA	\$ 5,335,000
3	2 - Bering Straits REAA	2,965,000
4	3 - Lower Yukon REAA	5,200,000
5	4 - Lower Kuskokwim REAA	11,722,000
6	5 - Upper Kuskokwim REAA	1,050,000
7	6 - Nushagak-Bristol Bay REAA	2,200,000
8	7 - Lake/Peninsula-Bristol Bay REAA	2,300,000
9	11 - McGrath REAA	1,500,000
10	12 - Middle Yukon	3,900,000
11	13 - Upper Yukon REAA	765,000
12	14 - Upper Rail Belt REAA	900,000
13	15 - Upper Tanana REAA - West	380,000
14	16 - Upper Tanana REAA - East	1,915,000
15	17 - Copper River REAA	665,000
16	18 - Northern Panhandle REAA	1,200,000
17	19 - Southeast Alaska (Southern Panhandle) REAA	165,000
18	21 - Chugach REAA	200,000

(2) to the Department of Education for elementary and secondary school construction and repair of the on-base schools on the several military reservations, statewide, whether or not operated by contract by a city or borough school district under AS 14.14.110, notwithstanding

AS 24.30.037: \$ 1,898,000

(3) to the Department of Education for the upgrading, statewide, of water and sewer facilities at regional educational attendance area schools, at locations statewide, notwithstanding AS 24.30.037: \$ 2,000,000

(4) to the Department of Education to be HCSCSSB 564 (Finance)

1 allocated for the acquisition, construction, and equipping
2 of elementary and secondary schools and vocational centers
3 in the following school districts, communities, or other
4 locations:

	Allocation
6 (A) Cordova	1,500,000
7 (B) Hoonah	1,500,000
8 (C) Dillingham	2,400,000
9 (D) Kaktovik	2,800,000
10 (E) King Cove	600,000
11 (F) Old Harbor	1,250,000
12 (G) Pelican	100,000
13 (H) Yakutat	2,000,000
14 (I) Barrow Vocational Center Equipment	400,000
15 (J) Haines Vocational Center Building	500,000

16 * Sec. 4. If the issuance of these bonds is authorized by the qualified
17 voters of the state, the amount of \$208,000 or as much of that amount as is
18 found necessary is appropriated from the general fund of the state to the
19 state bond committee to carry out the provisions of this Act and to pay
20 expenses incident to the sale and issuance of the bonds authorized in this
21 Act.

22 * Sec. 5. The amount withdrawn from the Public Facility Planning Fund for
23 the purpose of advance planning for the improvements financed under this Act
24 shall be reimbursed to the fund from the proceeds of the sale of bonds autho-
25 rized by this Act.

26 * Sec. 6. The question whether the bonds authorized in this Act are to be
27 issued shall be submitted to the qualified voters of the state at the next
28 general election and shall read substantially as follows:

29 Proposition

1 State General Obligation School Construction

2 Bonds \$59,310,000

3 Shall the State of Alaska issue its general obligation bonds
4 in the principal amount of not more than \$59,310,000 for the
5 purpose of paying the cost of constructing, repairing, equip-
6 ping and upgrading school facilities?

7 Bonds Yes []

8 Bonds No []

9 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10-
10 070(c).

Offered: 3/23/76
Referred: Finance

Original sponsors: Sackett, Croft
and Ferguson

1 IN THE SENATE

BY THE SELECT COMMITTEE
ON EDUCATION

2

HOUSE CS FOR CS FOR SENATE BILL NO. 564

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act providing for the issuance of general obligation bonds in the amount of \$60,695,000 for the purpose of paying the cost of constructing, repairing, equipping and upgrading school facilities and water reservoirs; and providing for an effective date."

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

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* Section 1. For the purpose of paying the cost of constructing, repairing, equipping and upgrading school facilities and water reservoirs, general obligation bonds of the state in the principal amount of not more than \$60,695,000 shall be issued and sold. The full faith, credit and resources of the state are pledged to the payment of the principal of and interest and redemption premium, if any, on these bonds. These bonds shall be issued under the provisions of AS 37.15 as those provisions read at the time of issuance.

* Sec. 2. If the issuance of these bonds is authorized by the qualified voters of the state, a special fund of the state to be known as the "1976 School and Water Reservoir Construction Fund" shall be established, to which shall be credited the proceeds of the sale of the bonds described in sec. 1 of this Act except for the accrued interest and premiums.

* Sec. 3. There is appropriated from the "1976 School and Water Reservoir Construction Fund" to the Department of Public Works the amount of \$59,835,000 and to the Department of Education the amount of \$860,000. The proceeds of these bonds shall be further appropriated as follows:

(1) to the Department of Public Works for allocation to the

1 regional educational attendance areas for elementary and secondary school
2 construction and repair in those areas as follows:

3	Regional Educational Attendance Area (REAA)	Appropriation
4	1 - Northwest REAA	\$ 5,335,000
5	2 - Bering Straits REAA	2,965,000
6	3 - Lower Yukon REAA	3,600,000
7	4 - Lower Kuskokwim REAA	7,073,700
8	5 - Upper Kuskokwim REAA	1,050,000
9	6 - Nushagak-Bristol Bay REAA	2,100,000
10	7 - Lake/Peninsula-Bristol Bay REAA	2,300,000
11	11 - McGrath REAA	500,000
12	12 - Middle Yukon	400,000
13	13 - Upper Yukon REAA	700,000
14	15 - Upper Tanana REAA - West	380,000
15	16 - Upper Tanana REAA - East	625,000
16	17 - Copper River REAA	600,000
17	19 - Southeast Alaska (Southern Panhandle) REAA	165,000
18	21 - Chugach REAA	200,000

19 (2) to the Department of Education for disburse-
20 ment to the Bristol Bay Borough School District to forgive
21 indebtedness for past school construction: \$ 600,000

22 (3) to the Department of Education for disburse-
23 ment to the Nenana Independent School District to forgive
24 indebtedness for past school construction: \$ 260,000

25 (4) to the Department of Public Works for elemen-
26 tary and secondary school construction and repair of the
27 on-base schools on the several military reservations, state-
28 wide, whether or not operated by contract by a city or
29 borough school district under AS 14.14.110, notwithstanding

1 AS 24.30.037: \$ 1,320,000

2 (5) to the Department of Public Works for the up-
3 grading, statewide, of water and sewer facilities at regional
4 educational attendance area schools, at locations state-
5 wide, notwithstanding AS 24.30.037: \$ 2,000,000

6 (6) to the Department of Public Works to be
7 allocated for the acquisition, construction, and equipping
8 of elementary and secondary schools and water reservoirs
9 in the following school districts, communities, or other
10 locations:

	Allocation
11	
12 (A) Angoon	\$ 1,200,000
13 (B) Brown's Trailer Court	400,000
14 (C) Chena (Ft. Wainwright)	575,000
15 (D) Cordova	1,500,000
16 (E) Hoonah	1,500,000
17 (F) Dillingham	2,400,000
18 (G) Fortuna Ledge	400,000
19 (H) Kaktovik	2,800,000
20 (I) King Cove	3,000,000
21 (J) Minto	1,000,000
22 (K) Mountain Village	400,000
23 (L) Northway	440,000
24 (M) Nulato	1,000,000
25 (N) Old Harbor	1,300,000
26 (O) Pelican	100,000
27 (P) Ruby	1,500,000
28 (Q) Yakutat	2,000,000
29 (R) Skagway Water Reservoir	750,000

1	(S) Nome Water Reservoir	1,250,000
2	(T) Eagle	300,000
3	(U) Barrow Vocational Center Equipment	400,000
4	(V) Haines Vocational Center Building	500,000
5	(W) Holy Cross	1,000,000
6	(X) Kotzebue Water Reservoir	1,250,000
7	(Y) Chooluvowik	400,000
8	(Z) Pilot Station	400,000
9	(AA) Tri Valley	500,000
10	(BB) Wasilla Water Study	50,000

11 * Sec. 4. If the issuance of these bonds is authorized by the qualified
12 voters of the state, the amount of \$212,450 or as much of that amount as is
13 found necessary is appropriated from the general fund of the state to the
14 state bond committee to carry out the provisions of this Act and to pay
15 expenses incident to the sale and issuance of the bonds authorized in this
16 Act. The amounts expended from the appropriation authorized by this section
17 shall be reimbursed to the general fund from the proceeds of the sale of the
18 bonds authorized by this Act.

19 * Sec. 5. The amount withdrawn from the Public Facility Planning Fund for
20 the purpose of advance planning for the improvements financed under this Act
21 shall be reimbursed to the fund from the proceeds of the sale of bonds autho-
22 rized by this Act.

23 * Sec. 6. The question whether the bonds authorized in this Act are to be
24 issued shall be submitted to the qualified voters of the state at the next
25 general election and shall read substantially as follows:

26 Proposition

27 State General Obligation School and Water Reser-
28 voir Construction Bonds \$60,695,000

29 Shall the State of Alaska issue its general obligation bonds

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in the principal amount of not more than \$60,695,000 for the purpose of paying the cost of constructing, repairing, equipping and upgrading school facilities and water reservoirs?

Bonds Yes []

Bonds No []

* Sec. 7. This Act takes effect immediately in accordance with AS 01.10-070(c).

#

Original sponsors: Sackett, Croft
and Ferguson

Offered: 2/25/76
Referred: Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR SENATE BILL NO. 564

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-
7 tion bonds in the amount of \$58,935,000 for the purpose
8 of paying the cost of constructing, repairing, equip-
9 ping and upgrading school facilities; and providing
10 for an effective date."

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

12 * Section 1. For the purpose of paying the cost of constructing, re-
13 pairing, equipping and upgrading school facilities, general obligation bonds
14 of the state in the principal amount of not more than \$58,935,000 shall be
15 issued and sold. The full faith, credit and resources of the state are
16 pledged to the payment of the principal of and interest and redemption
17 premium, if any, on these bonds. These bonds shall be issued under the
18 provisions of AS 37.15 as those provisions read at the time of issuance.

19 * Sec. 2. If the issuance of these bonds is authorized by the qualified
20 voters of the state, a special fund of the state to be known as the "1976
21 School Construction Fund" shall be established, to which shall be credited
22 the proceeds of the sale of the bonds described in sec. 1 of this Act except
23 for the accrued interest and premiums.

24 * Sec. 3. There is appropriated from the "1976 School Construction Fund"
25 to the Department of Public Works the amount of \$58,335,000, and to the
26 Department of Education the amount of \$600,000. The proceeds of these bonds
27 shall be further appropriated as follows:

28 (1) to the Department of Public Works for disbursement to the
29 regional educational attendance areas for elementary and secondary school

1 construction and repair in those areas as follows:

2	Regional Educational Attendance Area (REAA)	Appropriation
3	1 - Northwest REAA	\$ 5,335,000
4	2 - Bering Straits REAA	2,965,000
5	3 - Lower Yukon REAA	2,280,000
6	4 - Lower Kuskokwim REAA	15,185,000
7	5 - Upper Kuskokwim REAA	1,050,000
8	6 - Nushagak-Bristol Bay REAA	2,100,000
9	7 - Lake/Peninsula-Bristol Bay REAA	2,300,000
10	11 - McGrath REAA	1,000,000
11	13 - Upper Yukon REAA	315,000
12	15 - Upper Tanana REAA - West	380,000
13	16 - Upper Tanana REAA - East	625,000
14	17 - Copper River REAA	600,000
15	19 - Southeast Alaska (Southern Panhandle) REAA	165,000
16	21 - Chugach REAA	200,000

17 (2) to the Department of Education for disbursement to the Bristol
18 Bay Borough School District to forgive indebtedness for past school con-
19 struction: \$ 600,000

20 (3) to the Department of Public Works for elementary and secondary
21 school construction and repair of the on-base schools on the several military
22 reservations, statewide, whether or not operated by contract by a city or
23 borough school district under AS 14.14.110, notwithstanding AS 24.30.037:
24 \$1,320,000

25 (4) to the Department of Public Works for the upgrading, statewide,
26 of water and sewer facilities at regional educational attendance area schools,
27 at locations statewide, notwithstanding AS 24.30.037: \$2,000,000

28 (5) to the Department of Public Works to be allocated for the
29 acquisition, construction, and equipping of elementary and secondary schools

1 in the following school districts, communities, or other locations:

2		Allocation
3	(A) Angoon	\$1,200,000
4	(B) Brown's Trailer Court	400,000
5	(C) Chena (Ft. Wainwright)	575,000
6	(D) Cordova	1,500,000
7	(E) Craig-Klawock	500,000
8	(F) Dillingham	2,400,000
9	(G) Fortuna Ledge	200,000
10	(H) Kaktovik	2,800,000
11	(I) King Cove	3,000,000
12	(J) Marshal	200,000
13	(K) Minto	1,200,000
14	(L) Mountain Village	400,000
15	(M) Nulato	1,000,000
16	(N) Old Harbor	1,300,000
17	(O) Pelican	100,000
18	(P) Ruby	1,740,000
19	(Q) Yakutat	2,000,000

20 * Sec. 4. If the issuance of these bonds is authorized by the qualified
21 voters of the state, the amount of \$206,300 or as much of that amount as
22 is found necessary is appropriated from the general fund of the state to the
23 state bond committee to carry out the provisions of this Act and to pay
24 expenses incident to the sale and issuance of the bonds authorized in this
25 Act. The amounts expended from the appropriation authorized by this section
26 shall be reimbursed to the general fund from the proceeds of the sale of the
27 bonds authorized by this Act.

28 * Sec. 5. The amount withdrawn from the Public Facility Planning Fund for
29 the purpose of advance planning for the improvements financed under this Act

1 shall be reimbursed to the fund from the proceeds of the sale of bonds autho-
2 rized by this Act.

3 * Sec. 6. The question whether the bonds authorized in this Act are to be
4 issued shall be submitted to the qualified voters of the state at the next
5 general election and shall read substantially as follows:

6 Proposition

7 State General Obligation School Construction
8 Bonds \$58,935,000

9 Shall the State of Alaska issue its general obligation bonds
10 in the principal amount of not more than \$58,935,000 for the
11 purpose of paying the cost of constructing, repairing, equip-
12 ping and upgrading school facilities?

13 Bonds Yes []

14 Bonds No []

15 * Sec. 7. This Act takes effect immediately in accordance with AS 01.10-
16 070(c).

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Introduced: 1/22/76
Referred: Health, Education
and Social Services and
Finance

1 IN THE SENATE

BY SACKETT, CROFT AND FERGUSON

2 SENATE BILL NO. 564

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-
7 tion bonds in the amount of \$40,570,000 for the purpose
8 of paying the cost of constructing rural secondary
9 school facilities; and providing for an effective
10 date."

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

12 * Section 1. For the purpose of paying the cost of constructing rural
13 secondary school facilities, general obligation bonds of the state in the
14 principal amount of not more than \$40,570,000 shall be issued and sold. The
15 full faith, credit and resources of the state are pledged to the payment of
16 the principal of and interest and redemption premium, if any, on these bonds.
17 These bonds shall be issued under the provisions of AS 37.15 as those provi-
18 sions read at the time of issuance.

19 * Sec. 2. If the issuance of these bonds is authorized by the qualified
20 voters of the state, a special fund of the state to be known as the "1976
21 Rural Secondary School Construction Fund" shall be established, to which
22 shall be credited the proceeds of the sale of the bonds described in sec. 1
23 of this Act except for the accrued interest and premiums. There is appropri-
24 ated from the "1976 Rural Secondary School Construction Fund" to the Depart-
25 ment of Education the amount of \$40,570,000. Unless reallocation among the
26 projects is determined to be necessary by the governor, the proceeds of these
27 bonds shall be allocated in accordance with the following projects and esti-
28 mates:

29 (1) Akiachak \$1,260,000

1	(2) Akiak	200,000
2	(3) Akutan	25,000
3	(4) Allakaket	690,000
4	(5) Ambler	930,000
5	(6) Angoon	500,000
6	(7) Anvik	200,000
7	(8) Arctic Village	200,000
8	(9) Atka	25,000
9	(10) Atmautluak	720,000
10	(11) Beaver	25,000
11	(12) Belkofski	25,000
12	(13) Bettles	25,000
13	(14) Birch Creek	25,000
14	(15) Brevig Mission	200,000
15	(16) Buckland	630,000
16	(17) Chalkyitsik	25,000
17	(18) Chefornak	720,000
18	(19) Chignik	25,000
19	(20) Chignik Lagoon	25,000
20	(21) Chignik Lake	200,000
21	(22) Chuathbaluk	630,000
22	(23) Circle	25,000
23	(24) Clark's Point	200,000
24	(25) Council	25,000
25	(26) Crooked Creek	630,000
26	(27) Deering	200,000
27	(28) Diomede	200,000
28	(29) Dot Lake	200,000
29	(30) Eek	630,000

1	(31) Egegik	200,000
2	(32) Ekwok	200,000
3	(33) Elim	630,000
4	(34) False Pass	25,000
5	(35) Fortuna Ledge	720,000
6	(36) Golovin	200,000
7	(37) Goodnews Bay	870,000
8	(38) Grayling	200,000
9	(39) Hughes	25,000
10	(40) Huslia	200,000
11	(41) Igiugig	25,000
12	(42) Ivanof Bay	25,000
13	(43) Kalskag	990,000
14	(44) Kasigluk	1,110,000
15	(45) Kipnuk	470,000
16	(46) Kobuk	25,000
17	(47) Kokhanok	200,000
18	(48) Koliganek	690,000
19	(49) Kongiganak	1,050,000
20	(50) Kotlik	1,230,000
21	(51) Koyuk	200,000
22	(52) Koyukuk	200,000
23	(53) Kwethluk	1,770,000
24	(54) Kwigillingok	810,000
25	(55) Levelock	200,000
26	(56) Lime Village	25,000
27	(57) Manley Hot Spring	25,000
28	(58) Manokotak	1,100,000
29	(59) Mekoryuk	690,000

1	(60) Minto	200,000
2	(61) Napakiak	960,000
3	(62) Napaskiak	1,020,700
4	(63) Nelson Lagoon	25,000
5	(64) Newhalen	200,000
6	(65) New Kasaan	25,000
7	(66) New Stuyahok	1,000,000
8	(67) Newtok	690,000
9	(68) Nightmute	200,000
10	(69) Nikolai	200,000
11	(70) Nikolski	25,000
12	(71) Noatak	770,000
13	(72) Nondalton	690,000
14	(73) Nunapitchuk	1,290,000
15	(74) Oghsenakale	25,000
16	(75) Oscarville	25,000
17	(76) Pedro Bay	25,000
18	(77) Perryville	200,000
19	(78) Pilot Point	25,000
20	(79) Pilot Station	1,050,000
21	(80) Pitka's Point	200,000
22	(81) Platinum	25,000
23	(82) Pt. Heiden	25,000
24	(83) Quinhagak	1,170,000
25	(84) Rampart	25,000
26	(85) Red Devil	25,000
27	(86) Ruby	200,000
28	(87) Russian Mission	200,000
29	(88) St. George Island	200,000

1	(89) St. Michael	200,000
2	(90) Scammon Bay	810,000
3	(91) Shageluk	200,000
4	(92) Shaktoolik	200,000
5	(93) Sheldon Point	200,000
6	(94) Sleetmute	200,000
7	(95) Stebbins	1,050,000
8	(96) Stevens Village	25,000
9	(97) Stoney River	25,000
10	(98) Takotna	25,000
11	(99) Tatitlek	25,000
12	(100) Teller	200,000
13	(101) Tetlin	200,000
14	(102) Tuluksak	780,000
15	(103) Tuntutuliak	840,000
16	(104) Tununak	1,080,000
17	(105) Twin Hills	200,000
18	(106) Venetie	25,000
19	(107) Wales	25,000
20	(108) White Mountain	25,000

21 * Sec. 3. If the issuance of these bonds is authorized by the qualified
22 voters of the state, the amount of \$141,995 or as much of that amount as is
23 found necessary is appropriated from the general fund of the state to the
24 state bond committee to carry out the provisions of this Act and to pay
25 expenses incident to the sale and issuance of the bonds authorized in this
26 Act. The amounts expended from the appropriation authorized by this section
27 shall be reimbursed to the general fund from the proceeds of the sale of the
28 bonds authorized by this Act.

29 * Sec. 4. The amount withdrawn from the Public Facility Planning Fund

1 for the purpose of advance planning for the improvements financed under this
2 Act shall be reimbursed to the fund from the proceeds of the sale of bonds
3 authorized by this Act.

4 * Sec. 5. The question whether the bonds authorized in this Act are to be
5 issued shall be submitted to the qualified voters of the state at the next
6 general election and shall read substantially as follows:

7 Proposition

8 State General Obligation Rural Secondary School
9 Construction Bonds \$40,570,000

10 Shall the State of Alaska issue its general obligation bonds
11 in the principal amount of not more than \$40,570,000 for the
12 purpose of paying the cost of constructing rural secondary
13 school facilities?

14 Bonds Yes []

15 Bonds No []

16 * Sec. 6. This Act takes effect immediately in accordance with AS 01.10-
17 070(c).

SECTION NO. 3(1): REAA BACK-UP MATERIAL
 REGIONAL EDUCATIONAL ATTENDANCE AREA (REAA)

	<u>Allocation</u>	<u>Appropriation</u>
1. Northwest REAA		\$ 5,335,000
<u>Secondary</u>		
Ambler (31)	\$ 930,000	
Noatak (39)	770,000	
Buckland (21)	630,000	
Deering (12)	450,000	
<u>Elementary</u>		
Ambler (37) - M	90,000	
Buckland (41) - M	80,000	
Deering (20) - M	27,000	
Kiana (78) - M	30,000	
Kivalina (55) - M	34,000	
Kobuk (13) - M	28,000	
Noatak (91) - M	60,000	
Noorvik (132) - M	95,000	
Shungnak (33)	30,000	
Deering - elem. replace	575,000	
Unspecified	1,506,000	
2. Bering Straits REAA		\$ 2,965,000
<u>Secondary</u>		
Stebbins (35)	1,050,000	
Elim (21)	630,000	
Teller (18)	450,000	
*St. Michael (18)	450,000	
<u>Elementary</u>		
Shismaref (70) - M	50,000	
Teller (35) - M	30,000	
Unspecified	305,000	
*(Several sites are same amount; cut off based on population)		
3. Lower Yukon REAA		\$ 5,200,000
<u>Secondary</u>		
Kotlik (41)	1,230,000	
Pilot Station (35)	1,050,000	
Scammon Bay (27)	810,000	
<u>Elementary</u>		
Pitkas Point (28)- Replace	100,000	
Fortuna Ledge (45)- Replace	400,000	
Mountain Village (169) - Replace	400,000	
Pilot Station (90) - Replace	400,000	
Chooluvowik - new	400,000	
Unspecified	410,000	
4. Lower Kuskokwim REAA		\$11,722,000
<u>Secondary</u>		
Kwethluk (59)	1,770,000	
Kipnuk (49)	470,000	
Nunapitchuk	1,290,000	
Akiachak (42)	1,260,000	
Quinhagak (39)	1,170,000	
Kasigluk (37)	1,110,000	
Tununak (36)	1,080,000	
Kongiganak (35)	1,050,000	
Napaskiak (34)	1,020,000	
Napakiak (32)	960,000	
<u>Elementary</u>		
Atmoutluak (46)- M	20,000	
Bethel (535) - M	522,000	

	<u>Allocation</u>	<u>Appropriation</u>
5. <u>Upper Kuskokwim REAA</u>		\$ 1,050,000
Secondary		
Kalskag (33)	\$ 990,000	
Elementary		
Stony River (18) - M	60,000	
6. <u>Nushagak - Bristol Bay REAA</u>		\$ 2,200,000
Secondary		
Manokotak (50)	1,300,000	
New Stuyahok (40)	900,000	
7. <u>Lake/Peninsula - Bristol Bay REAA</u>		\$ 2,300,000
Secondary & Elementary		
Nondalton	2,300,000	
8. <u>Aleutian Chain REAA</u>		-0-
NONE		
9. <u>Pribilof REAA</u>		-0-
10. <u>Adak REAA</u>		-0-
NONE		
11. <u>McGrath REAA</u>		\$ 1,500,000
Secondary		
Greyling	450,000	
Unspecified		
Holy Cross	1,000,000	
Other	50,000	
12. <u>Middle Yukon REAA</u>		\$ 3,900,000
Secondary		
Ruby (16)	1,500,000	
Minto (17)	1,000,000	
Elementary		
Bettles (13) - Replace	400,000	
Nulato (55) - Replace	1,000,000	
13. <u>Upper Yukon REAA</u>		\$ 765,000
Secondary		
Arctic Village	450,000	
Elementary		
Ft. Yukon (99) - new	40,000	
Rampart (11) - M	100,000	
Chalkyitsik (22) - M	20,000	
Birch Creek (8) - M	95,000	
Stevens Village (12) - M	60,000	
14. <u>Upper Rail Belt REAA</u>		\$ 900,000
Secondary		
NONE	-0-	
Elementary		
Tri Valley (103) - new	500,000	
Brown's Court (11) - new	400,000	

	<u>Allocation</u>	<u>Appropriation</u>
15. <u>Upper Tanana West REAA</u>		\$ 380,000
Secondary		
NONE	-0-	
Elementary		
Trim's Camp (11) - new	\$ 300,000	
Unspecified	80,000	
16. <u>Upper Tanana East REAA</u>		\$ 1,915,000
Secondary		
Eagle	450,000	
Elementary		
Eagle (40) - new & replace	300,000	
Northway (71) - new	500,000	
Tok (148) - M	100,000	
Unspecified		
Northway	440,000	
Other	125,000	
17. <u>Copper River REAA</u>		\$ 600,000
Secondary		
NONE	-0-	
Elementary		
Glennallen (191) - M	75,000	
Kenny Lake (125) - M	75,000	
Paxson (11)	25,000 ± 65,000 = 90,000	
Chistochina (30) - replace	400,000	
Gakona (36) - M	25,000	
18. <u>Northern Panhandle REAA</u>		\$ 1,200,000 ^{665,000}
Unspecified		
Angoon	\$ 1,200,000	
19. <u>Southern Panhandle REAA</u>		\$ 165,000
Elementary		
Coffman (38) - replace	55,000	
New Kasaan (15) - new	55,000	
Flat Creek (15) - new	55,000	
20. <u>Metlakatla - Annette</u>		\$ -0-
21. <u>Chugach REAA</u>		\$ 200,000
Elementary		
Chenega - new	200,000	
		<u>\$42,297,000</u>

Bond Issue Hll

59,307 m m



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

2/8/90
Date

Juvenile Needs

STATEMENT OF POSITION: The League of Women Voters of Alaska supports policies and services for youth which will develop a coordinated community program for the best treatment of youth, with emphasis on keeping the child in his home community without institutionalization.

The goals are:

- Coordination of services and cooperation between the multiple agencies serving children
- Recognized emphasis on keeping the child in his home community
- Better and continued training for people working with youth
- Support of group homes; encouragement of foster parent homes
- Emphasis on prevention rather than only crisis treatment, and a family approach to problems

AMPLIFICATION: In 1971 the League of Women Voters of Alaska adopted a study of juvenile needs in Alaska. Assignments were made to each local League to study the treatment facilities and agency services in their areas, as well as the surrounding "bush". The lack of coordination between the agencies became evident almost immediately, and was mentioned in report after report from the Leagues. Although some attempts have been made to encourage better interagency communication, this still looms as the number one priority. It is believed that better use could be made of existing monies through coordination, and that the child would benefit from improved services.

Because removing the child from the community does not prepare him to return to his home, League believes that the juvenile should be kept in his home area, in his own home if possible, and only "sent out" in extreme cases. Local facilities and services must be provided to enable this goal. Larger communities should have group homes to meet the needs of youth who cannot live at home. Foster parent programs, especially in the smaller communities, should be instigated that will train, encourage and provide support to the foster parents.

We recognize that to receive certain specialized care some young people must be sent to centralized treatment centers, but any unnecessary deportations should be avoided.

League believes that all people working with youth should receive continued training, and we encourage in-service training programs, especially in counseling, for teachers, social workers, foster parents, police, counselors, etc. The use of para-professionals is encouraged as a means of stretching professional services to youth. Outside funding and training programs should be made available in the "bush".

Counseling is seen as one means of prevention of juvenile problems. The League encourages counseling at all school levels, and feels that it is especially important to bring help to the family situation, rather than put a band-aid on one child at a time. Expanded youth activities also are seen as prevention measures, and full utilization of school facilities and expanded community activity and recreation programs are supported. Young people should be included in the planning and implementation of youth programs and facilities.

Established 1972
League of Women Voters of Alaska

COMMITTEE REPORT

4/22/76

SENATE

Mr. President:

Date _____

The Committee on Finance has had CSSSSB 572 relating to children's court proceeding under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

COMMITTEE REPORT

R

2-12-76
~~11-23-76~~

SENATE

Mr. President:

Date 4/13/76

The Committee on Judiciary has had SSB 572 relating to children's court proceeding under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () *and* recommends it BE REPLACED WITH CS FOR SS B 572 AND THAT

new title
Att. 4
P. 822

CS FOR _____ DO PASS

- () "and" recommends it BE REFERRED TO THE _____ COMMITTEE

reports it back *individual* WITH ~~OUT~~ RECOMMENDATION **S**

() "other"

Members signing the Majority report:

<u><i>Zigler</i></u>	<u><i>Do Pass</i></u>	_____
<u><i>Tillion</i></u>	<u><i>No Rec.</i></u>	_____
<u><i>Melander</i></u>	<u><i>No Rec.</i></u>	_____
<u><i>Phillips</i></u>	<u><i>No Recommendation</i></u>	_____

Members NOT concurring in the Majority report:

- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:

Zigler Chairman

LETTER OF LEGISLATIVE INTENT

The Senate Judiciary committee substitute for SSSB 572 (children's court proceedings) is an attempt to incorporate all the suggested additions and deletions presented to the committee during hearings held on the bill. Hopefully this is the best bill possible--it is not the best possible bill.

During the interim between the First and Second Sessions of the Ninth Legislature, a special task force on revision of the children's code was established under the auspices of the Legislative Council. Although this task force was composed of representatives of every conceivable field dealing with juveniles, the group was apparently never able to meet together all at one time; this is evidenced by the fact that some of the strongest objections to the original bill were voiced by people and agencies represented on the task force. Specific reference is made to members of the judiciary who feel that the bill should deal with the children's code by making substantive, not just procedural, changes.

It is clear to the committee that what is needed is another task force or interim study group of some kind charged with the responsibility of dealing with the substantive aspects of the children's code and making their recommendations known to the First Session of the Tenth Legislature. The present bill is really only a "patch on a patch."

RL + 113 with S.
Senator Robert H. Ziegler, Sr.
Chairman
Senate Judiciary Committee

COMMITTEE REPORT

4/15/76

SENATE

Mr. President:

Date April 21, 1976

The Committee on Rules has had SSSB 572 relating to children's court proceeding under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____ COMMITTEE

() reports it back WITHOUT RECOMMENDATION

~~() "other"~~ *Calendar April 22*

Members signing the Majority report:

[Handwritten signatures: J. K. ...]

[Handwritten signature: Bill Ray]

Members NOT concurring in the Majority report:

- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:
- _____ recommends:

[Handwritten signature]

[Handwritten signature]

 Chairman

Original sponsor: Rules Committee by request
of the Legislative Council
Children's Code Revision
Task Force

Offered: 4/15/76
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 572

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to children's court proceeding;
7 changing the court's responsibilities and authority
8 under Children's Rules 11(a), 12(a) and (b), 15, 21
9 and 28, and Rule of Civil Procedure 17(b)."

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

11 * Section 1. AS 09. 65.130(a) is amended to read:

12 (a) The court may, upon the motion of either party or upon its own
13 motion, appoint an attorney [OR GUARDIAN AD LITEM] to represent the
14 [INTERESTS OF A] minor [OR DEPENDENT CHILD] with respect to his custody,
15 support, and visitation or in any other legal proceeding involving his
16 welfare. When custody, support, or visitation are at issue in a di-
17 vorce, it is the responsibility of the parties or their counsel to
18 notify the court that those matters are at issue. Upon notification,
19 the court shall determine whether the child should have legal repre-
20 sentation [ASSISTANCE] or other services and shall make a finding on the
21 record before trial. The court shall enter an order for costs, fees,
22 and disbursements in favor of the child's attorney [OR GUARDIAN AD
23 LITEM] and may further order that other services be provided for the
24 protection of the child.

25 * Sec. 2. AS 09.65.130 is amended by adding a new subsection to read:

26 (c) Instead of, or in addition to, appointment of an attorney
27 under (a) of this section, the court may, upon the motion of either
28 party or upon its own motion, appoint an attorney or other person to
29 serve as guardian ad litem to represent the best interests of a minor in

1 any legal proceeding involving his welfare. The court shall appoint a
2 guardian ad litem where, in the opinion of the court, representation of
3 the child's best interests, to be distinguished from his preferences,
4 would serve the welfare of the child. The person appointed under (a) of
5 this section may also be appointed as guardian ad litem under this
6 subsection. The court in its order appointing a guardian ad litem shall
7 limit the duration of the appointment of the guardian ad litem to the
8 pendency of the legal proceeding affecting his interests, and shall
9 outline the guardian ad litem's responsibilities and limit his authority
10 to those matters related to his effective representation of the child's
11 best interests in the pending legal proceeding. The court shall appoint
12 a guardian ad litem from among persons in the community where the child's
13 parents or the person having legal custody or guardianship of the child's
14 person resides. When custody, support, or visitation are at issue in a
15 divorce, it is the responsibility of the parties or their counsel to
16 notify the court that these matters are at issue. Upon notification,
17 the court shall determine if the child's best interests need representa-
18 tion or if the child needs other services and shall make a finding on
19 the record before trial. The court shall enter an order for costs,
20 fees, and disbursements in favor of the child's guardian ad litem and
21 may further order that other services be provided for the protection of
22 the child.

23 * Sec. 3. AS 20.15.100(j) is amended to read:

24 (j) Appointment of an attorney to represent the minor or an
25 attorney or other person to serve as guardian ad litem [A GUARDIAN AD
26 LITEM OR ATTORNEY] for a person to be adopted who is a minor shall be
27 made under the terms of AS 09.65.130.

28 * Sec. 4. AS 47.10.010(a) is repealed and re-enacted to read:

29 (a) Proceedings relating to a minor under 18 years of age residing

1 or found in the state are governed by this chapter, except as otherwise
2 provided in this chapter, when the court finds the minor

3 (1) to be a delinquent minor as a result of violating a law
4 of the state, or an ordinance or regulation of a political subdivision
5 of the state; or

6 (2) to be a child in need of aid as a result of the child

7 (A) having no caring parent, guardian, custodian or
8 relative available and willing to care for him;

9 (B) having suffered or being likely to suffer imminent
10 physical injury, inflicted upon him by other than accidental
11 means;

12 (C) being in need of medical treatment to cure, allevi-
13 ate, or prevent his suffering a serious physical injury and his
14 parents are unwilling to provide the medical treatment;

15 (D) having suffered physical injury or if there is a
16 substantial risk that the child will suffer imminent physical
17 injury as a result of conditions created by his parent, guardian or
18 custodian or the failure of his parent, guardian or custodian
19 adequately to supervise him;

20 (E) suffering serious emotional damage, evidenced by
21 failure to thrive, severe anxiety, depression, or withdrawal or
22 untoward aggressive behavior or hostility toward others, or is in
23 need of medical treatment to cure, alleviate, or prevent his
24 suffering that serious emotional damage;

25 (F) having been sexually abused by his parent, guardian,
26 or custodian or having been sexually abused as a result of failure
27 on the part of his parent, guardian, or custodian to adequately and
28 reasonably supervise him;

29 (G) committing delinquent acts as a result of pressure,

1 guidance, or approval from parents, guardian or custodian;

2 (H) being habitually absent from home; or

3 (I) having been released by his parent or parents, or
4 guardian, to the department for adoptive purposes.

5 * Sec. 5. AS 47.10.050 is amended to read:

6 Sec. 47.10.050. APPOINTMENT OF GUARDIAN AD LITEM OR ATTORNEY.

7 Whenever in the course of proceedings instituted under this chapter it
8 appears to the court that the welfare of a minor will be promoted by the
9 appointment of an attorney to represent the minor or an attorney or
10 other person to serve as guardian ad litem [A GUARDIAN AD LITEM OR
11 ATTORNEY], the court may make the appointment. Appointment of a guard-
12 ian ad litem or attorney shall be made under the terms of AS 09.65.130.

13 * Sec. 6. AS 47.10.080(a) is amended to read:

14 (a) The court, at the conclusion of the hearing, or thereafter as
15 the circumstances of the case may require, shall find and enter a judg-
16 ment that the minor is or is not a delinquent [,] or a child in need of
17 aid [SUPERVISION, OR DEPENDENT MINOR]. The department shall send a
18 written treatment plan and statement of goals to the court, the child,
19 and his parents within 30 days of the adjournment of the minor's dis-
20 position hearing; if the department fails to send this plan and state-
21 ment, the court shall hold a hearing under sec. 80(f) of this chapter to
22 determine if continued supervision or commitment is in the best in-
23 terests of the minor and may take action it considers appropriate under
24 sec. 100(a) and (b) of this chapter.

25 * Sec. 7. AS 47.10.080(b)(1) is amended to read:

26 (1) order the minor committed to the Department of Health and
27 Social Services for a [AN INDETERMINATE] period of time not to exceed
28 two years [EXTEND PAST A SPECIFIED DATE] or in any event extend past the
29 day the minor becomes 19, except that

1 (A) the department may apply for and the court may grant
2 two-year extensions of supervision which do not extend beyond the
3 child's 19th birthday, if the extension is in the best interests of
4 the minor and the public; or

5 (B) the department may apply for and the court may grant
6 an additional one-year period of supervision past age 19, if con-
7 tinued supervision is in the best interests of the person and the
8 person consents to it [PETITION THE COURT FOR CONTINUED SUPERVISION
9 FOR AN ADDITIONAL ONE-YEAR PERIOD FOR MINORS WHO HAVE NOT RESPONDED
10 TO TREATMENT]; the department shall place the minor in the juvenile
11 facility which the department considers appropriate and which may
12 include a juvenile correctional school, detention home, or deten-
13 tion facility; the minor may be released from placement or deten-
14 tion and placed on probation on order of the court and may also be
15 released by the department, in its discretion, under sec. 200 of
16 this chapter; or

17 * Sec. 3. AS 47.10.080(b)(2) is amended to read:

18 (2) order the minor placed on probation, to be supervised by
19 the department, and release him to his parents, guardian, or a suitable
20 person; if the court orders the minor placed on probation, it may
21 specify the terms and conditions of probation; the probation may be for
22 a [AN INDETERMINATE] period of time, not to exceed two years [EXTEND
23 PAST A SPECIFIED DATE] and in no event extend past the day the minor
24 becomes 19, except that

25 (A) the department may apply for and the court may grant
26 two-year extensions of supervision which do not extend beyond the
27 child's 19th birthday if the extension is in the best interests of
28 the minor and the public; or

29 (B) the department may apply for and the court may grant

1 an additional one-year period of supervision past age 19, if con-
2 tinued supervision is in the best interests of the person and the
3 person consents to it [PETITION THE COURT FOR CONTINUED SUPERVISION
4 FOR AN ADDITIONAL ONE-YEAR PERIOD FOR MINORS WHO HAVE NOT RESPONDED
5 TO TREATMENT].

6 * Sec. 9. AS 47.10.080(c) is amended to read:

7 (c) If the court finds that the minor is a child in need of aid
8 [DEPENDENT], it shall

9 (1) order the minor committed to the department for a [AN
10 INDETERMINATE] period of time not to exceed two years or in any event
11 past the date the minor becomes 19 years of age, except that

12 (A) the department may apply for and the court may grant
13 two-year extensions of supervision which do not extend beyond the
14 child's 19th birthday if the extension is in the best interests of
15 the minor and the public; or

16 (B) the department may apply for and the court may grant
17 an additional one-year period of supervision past age 19, if the
18 continued supervision is in the best interests of the person and
19 the person consents to it [PETITION THE COURT FOR CONTINUED SUPER-
20 VISION FOR AN ADDITIONAL ONE-YEAR PERIOD FOR MINORS WHO HAVE NOT
21 RESPONDED TO TREATMENT];

22 (2) order the minor released to his parents, guardian, or
23 some other suitable person, and, in appropriate cases, order the parents,
24 guardian, or other person to provide medical or other care and treat-
25 ment; if the court releases the minor, it shall direct the department to
26 supervise the care and treatment given to the minor; the department's
27 supervision may not exceed two years or in any event extend past the
28 date the minor reaches age 19 [MAJORITY], except that

29 (A) the department may apply for and the court may grant

1 two-year extensions of supervision which do not extend beyond the
2 child's 19th birthday if the extension is in the best interests of
3 the minor and the public; or

4 (B) the department may apply for and the court may grant
5 an additional one-year period of supervision past age 19, if the
6 continued supervision is in the best interests of the person and
7 the person consents to it [PETITION THE COURT FOR CONTINUED SUPER-
8 VISION FOR AN ADDITIONAL ONE-YEAR PERIOD FOR MINORS WHO HAVE NOT
9 RESPONDED TO TREATMENT]; or

10 * Sec. 10. AS 47.10.080(f) is amended to read:

11 (f) A minor found to be delinquent or a child in need of aid
12 [, A CHILD IN NEED OF SUPERVISION, OR DEPENDENT] is a ward of the state
13 as long as he is committed to the department or the department has the
14 power to supervise his actions. The court shall review an order made
15 under (b) or (c)(1) or (2) [OR (j)] of this section annually, and may
16 review the order more frequently to determine if continued placement,
17 probation, or supervision, as it is being provided, is in the best
18 interest of the minor and the public [, AND TO DETERMINE IF THE MINOR IS
19 BEING TREATED FAIRLY]. The department, the minor, [OR] the minor's
20 parents, [OR] guardian, or custodian are [IS] entitled, ~~when good cause~~
21 is shown, to a review on application. If the application is granted,
22 the court shall afford these parties and their counsel reasonable notice
23 in advance of the review and hold a hearing where these parties and
24 their counsel shall be afforded an opportunity to be heard. The minor
25 shall be afforded the opportunity to be present at the review.

26 * Sec. 11. AS 47.10.290(2) is repealed and re-enacted to read:

27 (2) "delinquent minor" means a minor found to be within the
28 jurisdiction of the court under sec. 10(a)(1) of this chapter.

29 * Sec. 12. AS 47.10.080(j) and 47.10.290(3) and (7) are repealed.

1 * Sec. 13. AS 47.10.290 is amended by adding a new paragraph to read:

2 (8) "child in need of aid" means a minor found to be within
3 the jurisdiction of the court under sec. 10(a)(2) of this chapter.

4 * Sec. 14. AS 47.10.080(e) is amended to read:

5 (e) If the court finds that the minor is not delinquent or [,] a
6 child in need of aid [SUPERVISION, OR DEPENDENT], it shall immediately
7 order his release from its custody and his return to his parents,
8 guardian, or custodian, and close the case.

9 * Sec. 15. AS 47.10.085 is amended to read:

10 Sec. 47.10.085. CHILD IN NEED OF AID [DEPENDENT MINOR]; RELIGIOUS
11 TREATMENT. In a case in which the minor's status as a child in need of
12 aid [DEPENDENT MINOR] is sought to be based on his need for medical
13 care, the court may, upon consideration of the health of the minor and
14 the fact, if it is a fact, that the minor is being provided treatment by
15 spiritual means through prayer in accordance with the tenets and prac-
16 tices of a recognized church or religious denomination by an accredited
17 practitioner of the church or denomination, dismiss the proceedings and
18 thereby close the matter. This may be done, in the interests of justice
19 and religious freedom, on the court's own motion or upon the application
20 of a party to the proceedings, at any stage of the proceedings after
21 information is given to the court under sec. 20(a) of this chapter.

22 * Sec. 16. AS 47.10.090(b) is amended to read:

23 (b) The name or picture of a minor under the jurisdiction of the
24 court may not be made public in connection with the minor's status as a
25 delinquent [OR DEPENDENT] child or a child in need of aid unless autho-
26 rized by order of the court, except that the name of a minor who is
27 found for the second time to have violated a law, which if committed by
28 an adult would be a felony, shall be made public unless the court, for
29 good cause, in certain individual cases, enters an order prohibiting the

1 disclosure.

2 * Sec. 17. AS 47.10.100(a) and (c) are amended to read:

3 (a) The court retains jurisdiction over the case and may at any
4 time stay execution, modify, set aside, revoke, or enlarge a judgment or
5 order, or grant a new hearing, in the exercise of its power of pro-
6 tection over the minor and for his best interest, for a period of time
7 not to exceed two years or in any event extend past the day the minor
8 becomes 19 [UNTIL HE BECOMES 19 YEARS OF AGE], unless sooner discharged
9 by the court, except that the department may apply for and the court may
10 grant an additional one-year period of supervision past age 19 if con-
11 tinued supervision is in the best interests of the person and the
12 person consents to it [PETITION THE COURT FOR CONTINUED SUPERVISION FOR
13 AN ADDITIONAL ONE-YEAR PERIOD FOR MINORS WHO HAVE NOT RESPONDED TO
14 TREATMENT]. An application for any of these purposes may be made by the
15 parent, guardian, or custodian acting in behalf of the minor, or the
16 court may, on its own motion, and after reasonable notice to interested
17 parties and the appropriate department, take action which it considers
18 appropriate.

19 (c) If a minor is adjudicated a delinquent or [,] a child in need
20 of aid [SUPERVISION, OR A DEPENDENT] before his 18th birthday, the court
21 may retain jurisdiction over him after his 18th birthday for the purpose
22 of supervising his rehabilitation, but the court's jurisdiction over him
23 under this chapter never extends beyond his 19th birthday, except that
24 the department may apply for and the court may grant an additional one-
25 year period of supervision past age 19, if continued supervision is in
26 the best interests of the person and the person consents to it [PETI-
27 TION THE COURT FOR CONTINUED SUPERVISION FOR AN ADDITIONAL ONE-YEAR
28 PERIOD FOR MINORS WHO HAVE NOT RESPONDED TO TREATMENT]. The department
29 may retain jurisdiction over a child between his 18th and 19th birthdays

COMMITTEE COPY

1 for the purpose of supervising his rehabilitation, if he is committed to
2 the custody of the department before his 18th birthday, except that the
3 department may apply for and the court may grant an additional one-year
4 period of supervision past age 19, if continued supervision is in the
5 best interests of the person and the person consents to it [PETITION THE
6 COURT FOR CONTINUED SUPERVISION FOR AN ADDITIONAL ONE-YEAR PERIOD FOR
7 MINORS WHO HAVE NOT RESPONDED TO TREATMENT].

8 * Sec. 18. AS 47.10.120(a) is amended to read:

9 (a) When a child in need of aid [DEPENDENT MINOR] is committed
10 under this chapter the court may, after giving the parent a reasonable
11 opportunity to be heard, adjudge that the parent shall pay in a manner
12 which the court directs a sum which will cover in full or in part the
13 support of the child in need of aid [DEPENDENT MINOR]. When a delin-
14 quent minor is committed under this chapter the court shall order that
15 the parent of the minor pay in a manner which the court directs a sum
16 which will cover in full or in part the support of the delinquent minor.

17 * Sec. 19. AS 47.10.142(c) and (d) are amended to read:

18 (c) When a child is taken into custody under (a) or (b) of this
19 section, the department shall immediately, and in no event more than 12
20 hours later unless prevented by lack of communication facilities,
21 notify the parents or the person or persons having custody of the child
22 and the court of the action and file with the court a petition alleging
23 that there is a child in need of aid [DEPENDENCY].

24 (d) The court shall immediately, and in no event more than 48
25 hours after being notified unless prevented by lack of transportation,
26 hold a hearing at which the minor, if his health permits, and his
27 parents or guardian, if they can be found, shall be permitted to be
28 present. The court shall determine whether probable cause exists for
29 believing the minor to be a child in need of aid [DEPENDENT MINOR], as

1 defined in sec. 290(8) [290(3)] of this chapter. The court shall inform
2 the minor, and his parents or guardian if they can be found, of the
3 reasons given as constituting probable cause and the reasons given as
4 authorizing his temporary placement.

5 * Sec. 20. AS 47.10.150(1) is amended to read:

6 (1) purchase, lease or construct buildings or other facili-
7 ties for the care, detention, rehabilitation and education of children
8 in need of aid [DEPENDENT] or delinquent minors;

9 * Sec. 21. Section 2 of this Act has the effect of limiting the discre-
10 tionary authority of the court to appoint a guardian ad litem under Rule
11 17(5), Alaska Rules of Civil Procedure, and Rules 11(a) and 15, Alaska Rules
12 of Children's Procedure, by requiring as a condition of appointment that the
13 court find that the best interests of the child need articulation. Further,
14 this Act requires limitation of the duration of the appointment, limits the
15 scope of the guardian ad litem's authority, and establishes the geographical
16 area from which the guardian ad litem may be selected.

17 * Sec. 22. Section 10 of this Act has the effect of adding to the court's
18 responsibilities when holding a review under Rule 28, Alaska Rules of Chil-
19 dren's Procedure, by requiring the court to hold a hearing upon a showing of
20 good cause, give notice, and afford an opportunity to be heard.

21 * Sec. 23. Section 4 of the Act has the effect of changing Children's
22 Rule 12 by deleting any references to "truant from school," "endanger(ing)
23 the morals or health," "being wayward or habitually disobedient," or "un-
24 controlled," and has the effect of substituting the words "child in need of
25 aid" for the terms "child in need of supervision" and "dependent" where those
26 two terms appear in the Rules of Children's Procedure.

27 * Sec. 24. The portions of AS 47.10.080(b) and (c) in secs. 7 - 9 of this
28 Act which specify the length of commitment to the department are applicable
29 to those minors committed to the department under former AS 47.10.080(b), (c)

1 and (j) before the effective date of this Act so that the commitment of
2 minors to the department before the effective date of this Act shall continue,
3 but may not exceed two years from the effective date of this Act unless two-
4 year extensions have been granted by the court under this Act. The commit-
5 ment of minors with pending judicial actions under AS 47.10.010(a) on the
6 effective date of this Act may not exceed two years unless two-year extensions
7 have been granted by the court under this Act.
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ALASKA STATE LEGISLATURE

NINTH... Legislature SECOND. Session

SENATE BILL NO. 572

By THE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE COUNCIL'S CHILDREN'S CODE REVISION TASK FORCE

"An Act relating to children's court proceeding; adding to the court's responsibilities and delineating its authority under Rule 12(a), Rules of Children's Procedure and Rule 17(b) Rules of Civil Procedure; restricting the court's authority to hold hearings under Rule 21, Alaska Children's Rules; and requiring the court to review judgment at the application of an interested party and to afford notice and an opportunity to be heard at a review held under Rule 23, Alaska Children's Rules."

children's court proceeding

Introduced in the Senate 1/23/76

HISTORY IN THE SENATE

19 76

1 23

Read first time and referred to Committee on Judiciary

415 Reported back with recommendation that replace w/CS 1-de part 3. no rec. To Rules

422 Read second time and CS adapted, advanced

422 Read third time and Referred to Finance

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by President
Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by Speaker
Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Received from House

Reported correctly enrolled

Sent to Governor

..... By Governor

Filed with Lt. Governor

Chapter No.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. CS for SS for SB 572

Title: An Act relating to Children's Court Proceedings

Requested by: Senate Finance Date: 4/23/76

Return Date Requested: _____

Agency: Alaska Court System Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Alaska Court System

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The Committee Substitute for Sponsor Substitute for Senate Bill No. 572 revises certain procedures relating to representation of minors by guardians ad litem and the supervision of minors by the Department of Health and Social Services. It appears at this time that this bill will have no fiscal impact on the Alaska Court System. If an unforeseen fiscal impact occurs after the implementation of this bill, the Court System will so advise the Legislature through a request for supplemental appropriations.

IV. ATTACHMENTS

V. DATE: 4/23/76

PREPARED BY: _____

Rick Barrier
RICK BARRIER

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. Committee Substitute for SSSB 572
 Title: An Act relating to Children's Court Proceedings
 Requested by: Finance Committee Date: April 23, 1976
 Return Date Requested: April 26, 1976
 Agency: Health & Social Services Program: Social Services

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Program Services

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		?				
200 TRAVEL		?				
300 CONTRACTUAL		?				
400 COMMODITIES		?				
500 EQUIPMENT		?				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		?				

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	? /	/	/	/	/
MAN MONTHS (P./T.)	/	? /	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

It is not possible to determine with any accuracy the costs that would result from enactment of this bill. The awarding of costs, fees and disbursements, and the court ordering other services be provided a child will undoubtedly require additional funds. The number of children, number and length of legal proceedings and attorneys fees would have to be identified before a realistic determination of fiscal impact could be made.

IV. ATTACHMENTS

V. DATE: April 26, 1976 PREPARED BY: Sam J. Granato, Director, Social Services

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Reviewed by Financial Management: Eugene K. Smith
 EUGENE K. SMITH, Deputy Director

POSITION PAPER
ON
Senate Bill 572

"An Act relating to children's court proceedings;"

While the Children's Code Revision Task Force has done a commendable job relating to the revision of children's court proceedings, the Department feels clarification, as well as amendments are required in order to insure legislative intent.

For the purpose of clarity, our comments and suggested amendments follow the sections as presented in the bill:

Section 2. AS 09.65.130 (c), Page 2, line 24. Payment for the "costs, fees, and disbursements" is not specified. We suggest the insertion of the words "and pay for" between "order" and "for costs". The sentence would then read as follows: "The court shall enter an order and pay for costs, fees, and disbursements in favor of the child's guardian ad litem"

Section 4. AS 47.10.010 (a) (2) (H), Page 4, line 4. "Being habitually truant from school" is the responsibility of the schools and "being habitually truant from home" is covered by other sections under (a) (2). Suggest striking (a) (2) (H) in its entirety, and changing (I) to (H).

Section 5. AS 47.10.010 (d), Page 4, lines 7-24. This calls for transfer of the jurisdiction to AS 47.30.026, 47.30.030, and 47.30.070 under the circumstances that the child "is mentally ill, or has symptoms of mental illness, and because of his illness is (1) likely to injure himself or others if allowed to remain at liberty, or (2) is in need of care or treatment in a hospital". It should be noted that the entire mental health code is being revised with specific emphasis on the commitment procedure and will probably be introduced by Representative Gruening this year. Although this language is consistent with the present law, it does not guarantee the procedural safeguards required in the Bartley, et al. v. Kremens, et al. case which established in the U.S. District Court minimal due process safeguards (see attached Bulletin). Since the present mental health law is probably unconstitutional, it seems to be unwise to modify this law without modifying the referenced statutes.

Another concern is the question of responsibility for payment of preliminary examinations, hospital examination and observation, etc., since this section does not specify the responsible agency. The probable effect of this legislation would be to greatly increase the demand on already overburdened mental health services without additional resources being provided. The 48 hour requirement for preliminary examination is an impossible time frame since mental health services simply do not exist in many parts of the state. This proposed legislation could not be complied with without greatly expanded specialized mental health resources for children.

Section 8. AS 47.10.080 (a), Page 5, lines 23-28. We recommend that the following language be inserted in place of that proposed: "After that judgment is entered, the Department shall present its recommendations concerning dispositions available to the court. The court shall order the child committed to the custody of the Department of Health and Social Services and either committed to a juvenile correctional institution, a juvenile detention facility, or place the child on probation." The Department of Health and Social Services shall specify the institution or detention facility where the child shall reside.

Page 6, line 1. We do not support the concept that the child and his parents be furnished with a statement of the goals of the treatment plan, since these may have to be modified depending upon the institution or the program selected by the Department. It would also mean that the Department would have to submit numerous reports, since the treatment plan may change quite rapidly. Suggest striking the words: "the child and his parents." The court may, at its discretion, provide the child and his parents with a copy of that portion of the court report which deals with the placement and treatment plan as recommended to the court. To do another report subsequent to the disposition hearing would duplicate what has already been filed with the court and cause needless report preparation and necessitate additional staff.

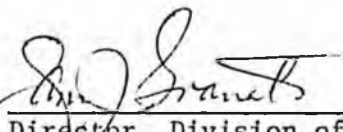
Section 9. AS 47.10.080 (b) (1) (A), Page 6, line 13. Strike "one" and insert "two." A petition for a two-year extension is more realistic in terms of the Department petitioning the court. Annual reports are required.

Section 11. AS 47.10.080 (c) (1) (A), Page 7, line 24. Recommend striking "one" and insert "two." A petition for a two-year extension is more realistic in terms of a very young child in need of aid, who is not adoptable. With a one-year requirement, the Department would be petitioning the courts each year.

While not in the present bill, we would strongly recommend that Section 11 (j) (2) of the existing statutes be eliminated. Deletion of this would have the effect of prohibiting the court from placing a child in need of aid under probation supervision. We feel very strongly that probation should be reserved for delinquent children, and the child found in need of aid can be supervised by the Division of Social Services.

Section 12. AS 47.10.080 (f), Page 9, line 2. We recommend that the phrase "should cause be shown" be inserted after the word "review." If not, a child could constantly be requesting a hearing and hearings should only be for cause.

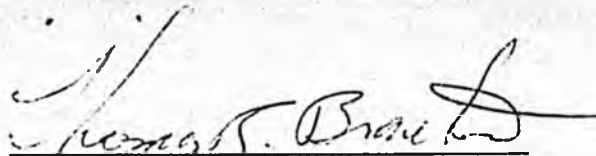
Recommended By:


Director, Division of Social
Services

Date

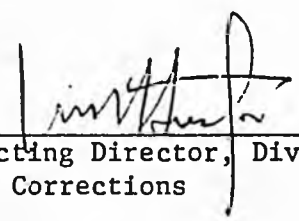
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Concurrence:

for 
Director, Division of Mental Health

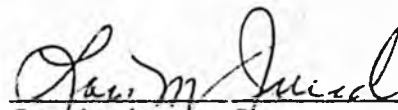
3/15/76
Date

Concurrence:


Acting Director, Division of
Corrections

3-18-76
Date

Approved By:


Commissioner, Department of
Health & Social Services

3-18-76
Date

R E G U L A R

JAN 20 1976

Developmental

National Association of Coordinators
of State Programs for the Mentally Retarded, Inc.

2001 Jefferson Davis Highway - Arlington, Virginia 22202 703/910-0700



BULLETIN (76-7)

January 19, 1976

PENNSYLVANIA'S COMMITMENT LAWS DECLARED UNCONSTITUTIONAL

A federal district court has declared unconstitutional a Pennsylvania statute providing for the commitment of children to mental health and mental retardation facilities and ordered the state to discharge or readmit, under new procedures mandated by the court, over 5,000 juveniles in state operated facilities, within 120 days.

The decision in the case of Bartley, et al. v. Kremens, et al. was originally rendered by the U.S. District Court for Eastern Pennsylvania on July 24, 1975. On November 17 the court filed an order specifying the steps which the state must take to comply with its decision.

Attorneys for the Commonwealth pointed out that the purpose of commitment procedures under the state's Mental Health and Mental Retardation Act were to protect and provide the child with treatment and rehabilitation services, to preserve the family unit, maintain the rights of parents to the custody, care and upbringing of their children, and to protect society. They argued that, since the Act required parents, guardians or persons standing in loco parentis to set the commitment machinery in motion, these persons, in effect, were waiving any due process rights of children being considered for commitment.

After rejecting the Commonwealth's arguments, District Judge Daniel H. Huyett, III laid down the following minimal due process safeguards which must be observed before any person, eighteen years of age or younger, can be admitted to a Pennsylvania mental health or mental retardation facility.

- (a) a probable cause hearing must be held within 72 hours of the date of initial detention;
- (b) a post-commitment hearing must be held within two weeks of the date of initial detention;
- (c) the client must be furnished written notice, including the date, time and place of the post-commitment hearing, and a statement of the grounds for the proposed commitment;

- (d) the client must be afforded the right to legal counsel at all significant stages of the commitment process and, if indigent, the right to the appointment of free counsel;
- (e) the client must have the right to be present at all hearings concerning his or her proposed commitment;
- (f) a decision to commit must be based on "clear and convincing proof" that the individual is in need of institutionalization; and;
- (g) the client must be given the right to confront and cross-examine witnesses against him, to present evidence in his own behalf and to offer testimony of witnesses.

In responding to the state's contention that less rigorous due process safeguards should apply in cases involving civil (or voluntary) commitment, Judge Huyett said:

"It matters not whether the proceedings will be labelled 'civil' or 'criminal' or whether the subject matter be mental instability or juvenile delinquency. It is the likelihood of involuntary incarceration - whether for punishment as an adult for a crime, rehabilitation as a juvenile for delinquency, or treatment and training as a feeble-minded or mental incompetent - which commands observance of the constitutional safeguards of due process."

He concluded by declaring unconstitutional those portions of the state's Mental Health and Mental Retardation Act which fail to adhere to the due process safeguards listed above.

The court's November 17 order directed the Commonwealth to either discharge or recommit all children who were previously admitted to public facilities under the unconstitutional sections of the Act, within 120 days. In addition, within 120 days the state must arrange to have all individuals over eighteen years of age, who were admitted as children, brought before a Commonwealth court, or a similar neutral tribunal, and informed of their right to voluntarily withdraw from the institution. An adult who elects to withdraw must be released immediately unless proper procedures are initiated to have him or her involuntarily committed.

The state also is obligated under the November 17 order to issue, within 30 days, regulations requiring all mental health and mental retardation facilities in the Commonwealth to comply with the court's order and to report to the court within 60 days and again in 150 days on progress made in the implementation of the court's order.

Since the November 17 order was handed down, the U.S. Supreme Court has issued a December 15 stay order upon the petition of attorneys for the Commonwealth. The state argued that it would be impossible to arrange due process hearings within 120 days for the over 5,000 juveniles in Pennsylvania facilities who are affected by the Bartley decision.