

LEG. FINANCE - BILLS 1981 - 1982 1695

CSSB 648 cont. - SB 653

1695

1 RESPECT TO IT.]

2 * Sec. 16. AS 23.30.120(3) is amended to read:

3 (3) the injury was not proximately caused by the intoxication
4 of the injured employee or occasioned solely by the [INTOXICATION OF THE
5 INJURED] employee being under the influence of drugs unless the drugs
6 were taken as prescribed by the employee's physician;

7 * Sec. 17. AS 23.30 is amended by adding a new section to read:

8 Sec. 23.30.122. CREDIBILITY OF WITNESSES. The board has the sole
9 power to determine the credibility of a witness. A finding by the board
10 concerning the weight to be accorded a witness's testimony, including
11 medical testimony and reports, is conclusive even if the evidence is
12 conflicting or susceptible to contrary conclusions. The findings of the
13 board are subject to the same standard of review as a jury's finding in
14 a civil action.

15 * Sec. 18. AS 23.30.155(j) is amended to read:

16 (j) If an employer has made advance payments or overpayments of
17 compensation, he is entitled to be reimbursed, after approval by the
18 board, out of any unpaid installment or installments of compensation
19 due.

20 * Sec. 19. AS 23.30.175(a) is amended to read:

21 (a) The weekly rate of compensation for disability or death for a
22 recipient residing in Alaska may not exceed the percentage of the Alaska
23 average weekly wage in effect on the date of injury as determined by the
24 table contained in this subsection and initially may not be less than
25 \$110 [\$65] a week. However, if the board determines that the employee's
26 spendable [AVERAGE] weekly wages are less than \$110 [\$65] a week as
27 computed under AS 23.30.220, it shall issue an order decreasing the
28 weekly rate of compensation to a rate equal to the employee's spendable
29 [AVERAGE] weekly wages, and payments made earlier in excess of the

1 decreased rate shall be deducted from the unpaid compensation in the
2 manner the board determines. In any case, the employer shall pay timely
3 compensation.

4 On	The Rate Shall Be
5 July 1, 1975	80 percent of the Alaska 6 average weekly wage
7 January 1, 1976	100 percent of the Alaska 8 average weekly wage
9 January 1, 1977	133.3 percent of the Alaska 10 average weekly wage
11 January 1, 1979	166.6 percent of the Alaska 12 average weekly wage
13 January 1, 1981	200 percent of the Alaska 14 average weekly wage

15 * Sec. 20. AS 23.30.175(b) is repealed and reenacted to read:

16 (b) After June 30 and before December 1 of each year, the commis-
17 sioner shall adopt and publish the average weekly wage for each juris-
18 diction for the preceding calendar year as published by the United
19 States Secretary of Labor for the purposes of unemployment insurance.
20 In determining the rate of compensation the commissioner shall use the
21 average weekly wage figure for each jurisdiction, including Alaska, for
22 which the Secretary of Labor computes an average weekly wage. These
23 figures are the applicable average weekly wages for those jurisdictions
24 for the following calendar year.

25 * Sec. 21. AS 23.30.175(c) is repealed and reenacted to read:

26 (c) The following rules apply to recipients who do not reside in
27 Alaska:

28 (1) The weekly rate of compensation shall be calculated by
29 multiplying the recipient's weekly compensation rate calculated in

1 accordance with AS 23.30.180, 23.30.187, 23.30.190, 23.30.200, or 23.30.-
2 215 times the ratio of the average weekly wage of the jurisdiction in
3 which the recipient resides to the average weekly wage of Alaska. The
4 ratio is based on the average weekly wages in effect when the recipient
5 leaves Alaska and shall be adjusted annually upon publication of the
6 average weekly wages for all jurisdictions.

7 (2) The calculation required by this subsection does not
8 apply if the recipient is absent from Alaska for medical or rehabilita-
9 tion services not reasonably available in Alaska.

10 (3) If the spendable weekly wage of the recipient and the
11 resulting compensation rate is determined under AS 23.30.220(2), the
12 calculation required by this subsection applies to only those gross
13 earnings earned in Alaska.

14 (4) Application of this subsection may not result in a reduc-
15 tion of the weekly compensation rate to less than \$110 a week except as
16 provided in (a) of this section.

17 * Sec. 22. AS 23.30.175(d) is repealed and reenacted to read:

18 (d) In a jurisdiction for which no average weekly wage is computed
19 by the United States Secretary of Labor for the purposes of unemployment
20 insurance, the average weekly wage shall be as determined by the commis-
21 sioner.

22 * Sec. 23. AS 23.30.180 is amended to read:

23 Sec. 23.30.180. PERMANENT TOTAL DISABILITY. In case of total
24 disability adjudged to be permanent 80 [66 2/3] percent of the injured
25 employee's spendable [AVERAGE] weekly wages shall be paid to the
26 employee during the continuance of the total disability. Loss of both
27 hands, or both arms, or both feet, or both legs, or both eyes, or of any
28 two of them, in the absence of conclusive proof to the contrary, consti-
29 tutes permanent total disability. In all other cases permanent total

1 disability is determined in accordance with the facts.

2 * Sec. 24. AS 23.30.185 is amended to read:

3 Sec. 23.30.185. COMPENSATION FOR TEMPORARY TOTAL DISABILITY. In
4 case of disability total in character but temporary in quality, 80 [66
5 2/3] percent of the injured employee's spendable [AVERAGE] weekly wages
6 shall be paid to the employee during the continuance of the disability.

7 * Sec. 25. AS 23.30.190 is amended to read:

8 Sec. 23.30.190. COMPENSATION FOR PERMANENT PARTIAL DISABILITY.

9 (a) In case of disability partial in character but permanent in quality
10 the compensation is 80 [66 2/3] percent of the injured employee's
11 spendable [AVERAGE] weekly wages in addition to compensation for tempor-
12 ary total disability or temporary partial disability paid in accordance
13 with AS 23.30.185 or 23.30.200, respectively, and shall be paid to the
14 employee as follows:

15 (1) arm lost, 280 weeks compensation, not to exceed \$59,000
16 [\$43,680];

17 (2) leg lost, 248 weeks compensation, not to exceed \$54,400
18 [\$40,320];

19 (3) hand lost, 212 weeks compensation, not to exceed \$45,400
20 [\$33,600];

21 (4) foot lost, 173 weeks compensation, not to exceed \$39,700
22 [\$28,700];

23 (5) eye lost, 140 weeks compensation, not to exceed \$30,200
24 [\$22,400];

25 (6) thumb lost, 51 weeks compensation, not to exceed \$14,000
26 [\$10,400];

27 (7) first finger lost, 28 weeks compensation, not to exceed
28 \$8,700 [\$6,440];

29 (8) great toe lost, 26 weeks compensation, not to exceed

1 \$7,200 [\$5,320];

2 (9) second finger lost, 18 weeks compensation, not to exceed
3 \$5,700 [\$4,200]; third finger lost, 18 weeks compensation, not to exceed
4 \$4,700 [\$3,500];

5 (10) toe other than great toe lost, eight weeks compensation,
6 not to exceed \$3,000 [\$2,240];

7 (11) fourth finger lost, seven weeks compensation, not to
8 exceed \$2,800 [\$2,100];

9 (12) loss of hearing of one ear, 52 weeks compensation, not
10 exceeding \$9,800 [\$7,280]; loss of hearing of both ears, 200 weeks
11 compensation, not to exceed \$37,800 [\$28,000];

12 (13) compensation for loss of more than one phalange of a
13 digit shall be the same as for loss of the entire digit; compensation
14 for loss of the first phalange is one-half of the compensation for loss
15 of the entire digit;

16 (14) amputation between the elbow and the wrist is considered
17 equivalent to the loss of an arm, and amputation between the knee and
18 ankle is considered equivalent to the loss of a leg;

19 (15) compensation for loss of binocular vision or for 80 per-
20 cent or more of the vision of an eye is the same as for loss of the eye;

21 (16) compensation for loss of two or more digits, or one or
22 more phalanges of two or more digits of a hand or foot may be propor-
23 tioned to the resulting loss of use of the injured hand or foot, but may
24 not exceed the compensation for loss of a hand or foot;

25 (17) compensation for permanent total loss of use of a member
26 is the same as for loss of the member;

27 (18) compensation for permanent partial loss or loss of use of
28 a member may be for proportionate loss or loss of use of the member;

29 (19) in addition to other allowable compensation, the board

1 shall award proper and equitable compensation up to \$10,000 for

2 (A) serious disfigurement of face, head and, when such
3 disfigurement is likely to handicap the employee in securing or
4 holding employment, for serious disfigurement of neck or limbs
5 normally exposed, or

6 (B) partial or total loss of or loss of use of a part or
7 function of the body not otherwise provided for under this section;

8 (20) in all other cases in this class of disability the compen-
9 sation is 80 [66 2/3] percent of the difference between his spendable
10 [AVERAGE] weekly wages and his wage-earning capacity after the injury in
11 the same employment or otherwise, payable during the continuance of the
12 partial disability, but subject to modification [RECONSIDERATION OF THE
13 DEGREE OF THE IMPAIRMENT] by the board on its own motion or upon appli-
14 cation of a party in interest; whenever the board determines that it is
15 in the interest of justice, the liability of the employer for compensa-
16 tion, or any part of it as determined by the board, may be discharged by
17 the payment of a lump sum;

18 (21) in a case in which there is a loss of, or loss of use of
19 more than one member or parts of more than one member set out in (1) -
20 (18) of this section, not amounting to permanent total disability, the
21 award of compensation is for the loss of, or loss of use of, each member
22 or part of the member, which awards shall run consecutively, except that
23 where the injury affects only two or more digits of the same hand or
24 foot, (16) of this section applies.

25 (b) Total compensation paid under (a)(20) of this section may not
26 exceed \$75,000 [\$60,000].

27 * Sec. 26. AS 23.30.200 is amended to read:

28 Sec. 23.30.200. TEMPORARY PARTIAL DISABILITY. In case of tempor-
29 ary partial disability resulting in decrease of earning capacity the

1 compensation shall be 80 [66 2/3] percent of the difference between the
2 injured employee's spendable [AVERAGE] weekly wages before the injury
3 and his wage earning capacity after the injury in the same or another
4 employment, to be paid during the continuance of the disability, but not
5 to be paid for more than five years.

6 * Sec. 27. AS 23.30.210 is amended to read:

7 Sec. 23.30.210. DETERMINATION OF WAGE-EARNING CAPACITY. In a
8 case of partial disability under AS 23.30.190(20) or 23.30.200 the
9 wage-earning capacity of an injured employee is determined by his actual
10 spendable weekly wage [EARNINGS] if the actual spendable weekly wage
11 [EARNINGS] fairly and reasonably represent his wage-earning capacity.
12 If the employee has no actual spendable weekly wage [EARNINGS] or his
13 actual spendable weekly wage does [EARNINGS DO] not fairly and reasonably
14 represent his wage-earning capacity, the board may, in the interest of
15 justice, fix the wage-earning capacity which is reasonable, having due
16 regard to the nature of his injury, the degree of physical impairment,
17 his usual employment, and any other factors or circumstances in the case
18 which may affect his capacity to earn wages in his disabled condition,
19 including the effect of disability as it may naturally extend into the
20 future.

21 * Sec. 28. AS 23.30.213(a) is amended to read:

22 (a) If the injury causes death, the compensation is known as a
23 death benefit and is payable in the following amounts to or for the
24 benefit of the following persons:

25 (1) reasonable and necessary funeral expenses not exceeding
26 \$2,500 [\$1,000];

27 (2) if there is a widow or widower or a child or children of
28 the deceased, the following percentages of the spendable [AVERAGE]
29 weekly wages of the deceased:

1 (A) 80 [66 2/3] percent for the widow or widower with no
2 children;

3 (B) 40 [33 1/3] percent for the widow or widower with
4 one child and 40 [33 1/3] percent for the child;

5 (C) 25 [20] percent for the widow or widower with two or
6 more children and 55 [46 2/3] percent divided equally among the
7 children;

8 (D) repealed;

9 (E) 80 [66 2/3] percent for an only child when there is
10 no widow or widower;

11 (F) repealed;

12 (G) 80 [66 2/3] percent, divided equally, if there are
13 two or more children and no widow or widower;

14 (3) if the widow or widower remarries, she or he is entitled
15 to be paid in one sum an amount equal to the compensation to which the
16 widow or widower would otherwise be entitled in the two years commencing
17 on the date of remarriage as full and final settlement of all sums due
18 the widow or widower;

19 (4) if there is no widow or widower or child or children,
20 then for the support of father, mother, grandchildren, brothers and
21 sisters, if dependent upon the deceased at the time of injury, 42 [35]
22 percent of the spendable [AVERAGE] weekly wage of the deceased to such
23 beneficiaries, share and share alike, not to exceed \$20,000 in the
24 aggregate.

25 * Sec. 29. A. 23.30.215(b) is amended to read:

26 (b) In computing death benefits, the spendable [AVERAGE] weekly
27 wage of the deceased shall be computed under AS 23.30.220 and shall be
28 paid in accordance with AS 23.30.155 and subject to the weekly maximum
29 limitation in the aggregate as provided in AS 23.30.175, but the total

1 weekly compensation may not be less than \$75 [\$45] for a widow or widower
2 nor less than \$25 [\$15] weekly to a child or \$50 [\$30] for children.

3 * Sec. 30. AS 23.30.220 is repealed and reenacted to read:

4 Sec. 23.30.220. DETERMINATION OF SPENDABLE WEEKLY WAGE. The
5 spendable weekly wage of the injured employee at the time of the injury
6 is the basis for computing compensation. It is the employee's gross
7 weekly earnings minus payroll tax deductions. The gross weekly earnings
8 shall be calculated as follows:

9 (1) If at the time of the injury the employee has been in the
10 gainful employ of the employer for the full reporting quarter immediately
11 before the time of injury, the gross weekly earnings are computed by
12 dividing by 13 the gross earnings the employee earned in the employ of
13 the employer in that reporting quarter.

14 (2) If at the time of the injury the employee has not been in
15 the employ of the employer for the full reporting quarter immediately
16 before the time of injury, the gross weekly earnings are computed by
17 dividing by 100 the gross earnings of the employee in the two calendar
18 years immediately preceding the injury.

19 (3) If the board determines that the gross weekly earnings at
20 the time of the injury cannot be fairly calculated under (1) or (2) of
21 this section, or cannot otherwise be ascertained without undue hardship
22 to the employee, the gross weekly earnings for calculating compensation
23 are the usual gross earnings for similar service rendered by paid
24 employees under similar circumstances as determined by the board.

25 (4) If an employee when injured is a minor or an apprentice,
26 or a trainee, as determined by the board, whose wages under normal
27 conditions would increase during the period of disability, the projected
28 increase may be considered by the board in computing his gross weekly
29 earnings.

1 (5) If the employee is injured while performing his duties as
2 a volunteer ambulance attendant, policeman, or fireman, the gross weekly
3 earnings for calculating compensation shall be the minimum gross weekly
4 earnings paid a full-time ambulance attendant, policeman, or fireman
5 employed in the political subdivision where the injury occurred, or, if
6 the political subdivision has no full-time ambulance attendants, police-
7 men, or firemen, at a reasonable figure previously set by the political
8 subdivision to make this determination but in no case may the gross
9 weekly earnings for calculating compensation be less than the minimum
10 wage computed on the basis of 40 hours work per week.

11 * Sec. 31. AS 23.30 is amended by adding a new section to read:

12 Sec. 23.30.227. EFFECT OF UNEMPLOYMENT BENEFITS. Compensation is
13 not payable to an employee under AS 23.30.180 or 23.30.185 for a week in
14 which the employee receives unemployment benefits.

15 * Sec. 32. AS 23.30.235 is repealed and reenacted to read:

16 Sec. 23.30.235. CASES IN WHICH NO COMPENSATION IS PAYABLE. Compen-
17 sation under this chapter may not be allowed for an injury

18 (1) proximately caused by the employee's wilful intent to
19 injure or kill himself or another;

20 (2) proximately caused by intoxication of the injured employee
21 or occasioned solely by the employee being under the influence of drugs
22 unless the drugs were taken as prescribed by the employee's physician.

23 * Sec. 33. AS 23.30 is amended by adding a new section to read:

24 Sec. 23.30.238. INDIVIDUALS IN COMMUNITY WORK SERVICE PROGRAMS AS
25 EMPLOYEES OF THE STATE. An individual who is performing community work
26 service as defined in AS 12.55.055(b) at the direction of the state for
27 the state, for a private, nonprofit corporation, or for a political
28 subdivision of the state is an employee of the state for the purpose of
29 eligibility for medical and related benefits under this chapter while

1 performing the assigned community work service.

2 * Sec. 34. AS 23.30.250 is amended to read:

3 Sec. 23.30.250. PENALTY FOR MISREPRESENTATION. A person who wil-
4 fully makes a false or misleading statement or representation for the
5 purpose of obtaining or denying a benefit or payment under this chapter
6 is guilty of theft by deception as defined in AS 11.46.180 and is pun-
7 ishable as provided in AS 11.46.120 - 11.46.150 [A MISDEMEANOR, AND UPON
8 CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000, OR BY IMPRI-
9 SONMENT FOR NOT MORE THAN ONE YEAR, OR BY BOTH].

10 * Sec. 35. AS 23.30.255(a) is amended to read:

11 (a) An employer required to secure the payment of compensation
12 under this chapter who fails to do so is guilty of a class B felony if
13 the amount involved exceeds \$25,000 or a class C felony if the amount
14 involved is \$25,000 or less [MISDEMEANOR AND UPON CONVICTION IS PUNISH-
15 ABLE BY A FINE OF NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE
16 THAN ONE YEAR, OR BY BOTH]. If the employer is a corporation, its
17 president, secretary, and treasurer are also severally liable to the
18 fine or imprisonment imposed [PROVIDED IN THIS SECTION] for the failure
19 of the corporation to secure the payment of compensation. The presi-
20 dent, secretary, and treasurer are severally personally liable, jointly
21 with the corporation, for the compensation or other benefit which
22 accrues under this chapter in respect to an injury which happens to an
23 employee of the corporation while it has failed to secure the payment of
24 compensation as required by AS 23.30.075.

25 * Sec. 36. AS 23.30.255(b) is amended to read:

26 (b) An employer who knowingly transfers, sells, encumbers, assigns,
27 or in any manner disposes of, conceals, secretes, or destroys any of his
28 property after one of his employees has been injured within the scope of
29 this chapter, with intent to avoid the payment of compensation under

1 this chapter to the employee or his dependents, is guilty of a class B
2 felony if the amount involved exceeds \$25,000 or a class C felony if
3 the amount involved is \$25,000 or less [MISDEMEANOR, AND UPON CONVICTION
4 IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR
5 NOT MORE THAN ONE YEAR, OR BY BOTH]. If the employer is a corporation,
6 its president, secretary, and treasurer are also severally liable to the
7 penalty of imprisonment as well as jointly liable with the corporation
8 for the fine.

9 * Sec. 37. AS 23.30.265 is amended by adding new paragraphs to read:

10 (29) "arising out of and in the course of employment" includes
11 employer-required or supplied travel to and from a remote job site;
12 activities performed at the direction or under the control of the em-
13 ployer; and employer-sanctioned activities at employer-provided facili-
14 ties; but excludes activities of a personal nature away from employer-
15 provided facilities;

16 (30) "drugs" means a controlled substance as defined by law;

17 (31) "gross earnings" means recurring payments, by an employer
18 to an employee for employment before any authorized or lawfully required
19 deduction or withholding of money by the employer, including compensa-
20 tion that is deferred at the option of the employee, and excluding
21 irregular bonuses, reimbursement of expenses, expense allowances, and
22 any benefit or payment to the employee that is not taxable to the
23 employee during the pay period; the value of room and board to the
24 employee may be considered in determining gross earnings for those
25 employees with gross weekly earnings that are less than the Alaska
26 average weekly wage at the time of injury;

27 (32) "gross weekly earnings" means gross weekly earnings as
28 calculated under AS 23.30.220;

29 (33) "payroll taxes" means (A) the amount that would be with-

1 held under withholding tables in effect on the January 1 preceding the
2 injury under the Internal Revenue Code of 1954 (as amended) and regula-
3 tions issued under the code, as though the employee had claimed the
4 maximum number of dependents for actual dependency, blindness, and old
5 age to which the employee is entitled on the date on which he is injured;
6 and (b) if the employer is subject to the Social Security Act of 1935 as
7 amended, the amount that would be deducted or withheld as of the
8 January 1 preceding the injury under that act from the amount of earnings
9 of the employee at the time of the injury as if the earnings were earned
10 at the beginning of the calendar year in which he was injured and regard-
11 less of whether the amount was actually withheld or the earnings were
12 subject to withholding; the commissioner shall annually prepare formulas
13 that shall be used to calculate an employee's spendable weekly wage on
14 the basis of his gross weekly earnings, number of dependents, marital
15 status, and payroll tax deductions;

16 (34) "reporting quarter" means one of the three-month periods
17 (January through March, April through June, July through September,
18 October through December) used to report employee wages to the Internal
19 Revenue Service;

20 (35) "suitable gainful employment" means employment that is
21 reasonably attainable in light of an individual's age, education, pre-
22 vious occupation, and injury, and that offers an opportunity to restore
23 the individual as soon as practical to a remunerative occupation and as
24 nearly as possible to his gross weekly earnings as determined at the
25 time of injury.

26 * Sec. 38. AS 39.25.120 is amended by adding a new paragraph to read:

27 (20) the rehabilitation administrator of the Workers' Compensa-
28 tion Board.

29 * Sec. 39. AS 23.30.095(g), 23.30.125(b), 23.30.175(e) and (f), 23.30.-

1 191, and 23.30.65(20) are repealed.

2 * Sec. 40. The board shall publish AS 23.30.235 and AS 23.30.250 as
3 enacted in secs. 32 and 34 of this Act as part of a document describing the
4 employee's rights and obligations under the Alaska Workers' Compensation Act.
5 The publication shall be mailed or otherwise made available to an injured
6 worker upon notice of an injury.

7 * Sec. 41. Sections 6, 19 - 30, 32, and 37 of this Act apply only to
8 injuries sustained after the effective date of this Act.

9 * Sec. 42. This Act takes effect July 1, 1982.

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Offered: 3/18/82
Referred: Rules

Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR SENATE BILL NO. 648 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to workers' compensation coverage of
7 certain persons providing community work service."

7

8

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

9

* Section 1. AS 23.30 is amended by adding a new section to read:

10

Sec. 23.30.238. INDIVIDUALS IN COMMUNITY WORK SERVICE PROGRAMS AS
11 EMPLOYEES OF THE STATE. An individual who is performing community work
12 service as defined in AS 12.55.055(b) at the direction of the state for
13 the state, for a private, nonprofit corporation, or for a political
14 subdivision of the state is an employee of the state for the purpose of
15 this chapter while performing the assigned community work service.

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* Sec. 2. AS 23.30.265(11) is amended to read:

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(11) "employee" means an employee employed by an employer as
18 defined in [PARAGRAPH] (12) of this section, or an individual performing
19 community work service as defined in AS 12.55.055(b) at the direction of
20 the state for an employer as defined in (12) of this section;

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Introduced: 1/12/82
Referred: Health, Education
& Social Services and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 649

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to education; and providing for an
7 effective date."

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

9 * Section 1. AS 14.17.023(c) is amended to read:

10 (c) The amount per ADM of supplemental equalization aid is calcula-
11 ted as the amount equal to the average local tax contributions per pupil
12 in average daily membership for school operating costs in the city and
13 borough school districts in the fiscal year immediately preceding the
14 prior fiscal year.

15 * Sec. 2. AS 14.17.041(f)(2) is amended to read:

16 (2) in districts with ADM of 3,000 or more, one instructional
17 unit for each 11 special education pupils or fraction of 11 [14] pupils
18 in ADM.

19 * Sec. 3. AS 14.17.051(5) is amended to read:

20 (5) for [COPPER RIVER SCHOOL DISTRICT,] Cordova City School
21 District, Valdez City School District, and Haines Borough School Dis-
22 trict, the district or area is entitled to receive 115 percent of the
23 base instructional unit allotment;

24 * Sec. 4 AS 14.056 is amended to read:

25 Sec. 14.17.056. BASE INSTRUCTIONAL UNIT VALUE. The base instruc-
26 tional unit value for fiscal years beginning on or after July 1, 1982,
27 is \$42,450. The base instructional unit value for the fiscal year
28 beginning July 1, 1981, is \$38,590.

29 * Sec. 5. Sections 2, 3, and 4 of this Act take effect immediately in

1 accordance with AS 01.10.070(c) and are retroactive to July 1, 1981.

2 * Sec. 6. Section 1 of this Act takes effect July 1, 1982.
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LAWS OF ALASKA

1981

Source

FCCSSB 23

Chapter No.

119

AN ACT

Relating to education; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Permitted to Become Law Without Signature
Actual Effective Date: August 8, 1981

AN ACT

Relating to education; and providing for an effective date.

* Section 1. AS 14.17.041(f) is repealed and reenacted to read:

(f) Special education schedule:

(1) in districts with ADM of less than 3,000, one instructional unit for each 15 special education pupils or fraction of 15 pupils in ADM;

(2) in districts with ADM of 3,000 or more, one instructional unit for each 11 special education pupils or fraction of 14 pupils in ADM.

* Sec. 2. AS 14.30.350(2) is amended to read:

(2) "special services" includes but is not limited to transportation, summer school, special teaching, corrective teaching, corrective health habits, and the provision of special seats, books, teaching supplies, facilities, in-service teacher training, and equipment required for the instruction of exceptional children, and includes education and training for children who cannot utilize regular classroom instruction.

* Sec. 3. The amendment to AS 14.17.041(f) made by this Act may not be applied to reduce the number of allowable instructional units for special education below the number of units allowed during the school term ending in the calendar year in which this Act takes effect.

* Sec. 4. Notwithstanding sec. 1 of this Act, in computing the state aid

Chapter 119

1 for special education under AS 14.17 for the fiscal year beginning July 1,
2 1981, a school district or a rural educational attendance area has the
3 same number of allowable instructional units for special education that it
4 had during the fiscal year beginning July 1, 1980.

5 * Sec. 5. AS 14.17.056 is amended to read:

6 Sec. 14.17.056. BASE INSTRUCTIONAL UNIT VALUE. The base instruc-
7 tional unit value for fiscal years beginning on or after July 1, 1982
8 [1981], is \$42,450 [\$38,590].

9 * Sec. 6. AS 14.17.051(6) is amended to read:

10 (6) for Nenana City School District, Delta School District,
11 Alaska Gateway School District, Upper Railbelt Regional School District,
12 Yakutat City School District, [AND] Chugach School District, and Copper
13 River School District, the district or area is entitled to receive 120
14 percent of the base instructional unit allotment;

15 * Sec. 7. This Act takes effect July 1, 1981.

COMMITTEE REPORT
SENATE

1/19/82

FURTHER: None

Date: 1/19/82

Mr. President:

The Committee on FINANCE has had SB 649
education

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SB 649 (over) same title new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 649 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state support for education; and
7 providing for an effective date."

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

9 * Section 1. FINDINGS. The legislature finds that the present system of
10 providing basic state and supplemental financial support to school districts
11 is no longer equitable and directs the Department of Education to conduct a
12 comprehensive study of the funding provisions of AS 14.17. The legislature
13 further finds that during the period of study an alternative mechanism to the
14 existing foundation support program is desirable.

15 * Sec. 2. The operation of AS 14.17.021(a), 14.17.023, 14.17.031,
16 14.17.041, 14.17.051, 14.17.056, 14.17.081, and 14.17.082 is suspended from
17 July 1, 1982, through June 30, 1984. During the period of suspension funding
18 for the basic state aid and supplemental equalization aid that otherwise
19 would have been provided under the provisions of AS 14.17.021(a) and 14.17.-
20 023 shall be provided to school districts in accordance with the provisions
21 of secs. 3 and 4 of this Act.

22 * Sec. 3. For fiscal year 1983 the amount of state aid for each school
23 district for each fiscal year is the following amount for each pupil in
24 average daily membership:

25 Anchorage School District	\$ 3,420
26 Bristol Bay Borough School District	9,978
27 Cordova City School District	5,340
28 Craig City School District	6,742
29 Dillingham City School District	8,899

1	Fairbanks North State Borough School District	3,882
2	Galena City School District	10,584
3	Haines Borough School District	5,926
4	Hoonah City School District	6,231
5	Hydaburg City School District	9,041
6	City and Borough of Juneau School District	3,659
7	Kake City School District	6,727
8	Kenai Peninsula Borough School District	4,280
9	Ketchikan Gateway Borough School District	3,562
10	King Cove City School District	8,091
11	Klawock City School District	8,847
12	Kodiak Island School District	5,334
13	Matanuska-Susitna Borough School District	3,301
14	Nenana City School District	7,986
15	Nome City School District	7,169
16	North Slope Borough School District	8,898
17	Pelican City School District	9,897
18	Petersburg City School District	4,305
19	Sand Point City School District	9,934
20	Sitka Borough School District	3,769
21	Skagway City School District	5,708
22	St. Mary's City School District	16,361
23	Unalaska City School District	8,447
24	Valdez City School District	4,560
25	Wrangell City School District	4,490
26	Yakutat City School District	8,067
27	Adak Regional School District	5,434
28	Alaska Gateway School District	8,502
29	Aleutian Chain School District	16,839

1	Annette Island School District	4,388
2	Bering Straits School District	13,765
3	Chatham School District	8,343
4	Chugach School District	10,003
5	Copper River School District	6,673
6	Delta School District	4,966
7	Iditarod Area School District	13,224
8	Kuspuk School District	14,183
9	Lake and Peninsula School District	16,273
10	Lower Kuskokwim School District	11,091
11	Lower Yukon School District	8,559
12	Northwest Arctic School District	8,874
13	Pribilof Islands School District	10,071
14	Upper Railbelt Regional School District	8,532
15	Southeast Island School District	8,882
16	Southwest Regional School District	13,256
17	Yukon Flats School District	13,965
18	Yukon-Koyukuk School District	11,640

19 * Sec. 4. The amount of state aid for each school district for fiscal
20 year 1984 is the amount listed for that district in sec. 3 of this Act for
21 each pupil in average daily membership plus five percent.

22 * Sec. 5. This Act takes effect July 1, 1982.

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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS SB 649 (Finance)
Title An Act relating to education; effective date.
Requested by _____ Date 4/7/82

II. FISCAL DETAIL

Agency Affected Education
Program Category Affected Elementary and Secondary
BRU, Program, Or Subprogram(s) Affected Office of Commissioner
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		-0-				
200 TRAVEL		-0-				
300 CONTRACTUAL		-0-				
400 COMMODITIES		-0-				
500 EQUIPMENT		-0-				
600 LAND & STRUCTURES		-0-				
700 GRANTS, CLAIMS, ETC.		-0-				
TOTAL		-0-				

FUNDING (Thousands of Dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS		-0-				
OTHER (Specify Source)		-0-				
		-0-				

POSITIONS

-0-

FULL TIME						
PART TIME						
TEMPORARY						

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



IV. DATE 4/7/82 PREPARED BY Senator Don Bennett, Chairman
AGENCY Senate Finance Committee
Original: Legislative Finance PHONE 465-3714
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

*Rec'd 5/14/82
Alter bill
passed from
Committee*

FISCAL NOTE

I. REQUEST

Bill/Resolution Number: HCS CS SB-649 (Rules) am
Title: Interim Education Funding
Requested by: House HESS

Date: May 13, 1982

II. FISCAL DETAIL

Agency Affected: Education
Program Category Affected: Elementary and Secondary
BRU, Program, or Subprogram(s) Affected: Office of the Commissioner
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	560.0	-	-	-	-
400 COMMODITIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LAND & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS, ETC	-	-	-	-	-	-
800 MISCELLANEOUS	-	-	-	-	-	-
TOTAL	-	560.0	-	-	-	-

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	-	560.0	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER (Specify Source)	-	-	-	-	-	-

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	-	-	-	-	-	-
PART TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

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

Section 1 requires the department to conduct a study of the Foundation Program. Our estimate of the cost of such a study is \$560.0

* The 560.0 for the foundation study is presently in the Senate version of the FY-83 operating budget. 280.0 for the same purpose is in the House 2 version. The component affected is Planning, Research and Information in the Executive Administration BRU within the Department of Education.

IV. DATE: May 13, 1982

PREPARED BY: Steve Hote
AGENCY: Education
PHONE: 465-2890

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

33-001 (Rev. 12/81)



INTERIM EDUCATION FUNDING ACT OF 1982

Sec. 1. FINDINGS. The legislature finds that the present system of providing basic state and supplemental financial support to school districts is no longer equitable and directs the Department of Education to conduct a comprehensive study of the funding provisions of AS 14.17. The legislature further finds that during the period of study an alternative mechanism to the existing foundation support program is desirable.

Sec. 2. The operation of AS 14.17.021(a), 14.17.023(a)-(d), 14.17.031(a)-(e), 14.17.041(a)-(g), 14.17.051(1)-(10), 14.17.056, 14.17.081 and 14.17.082, is suspended from July 1, 1982, through June 30, 1984. During the period of suspension funding for the basic state aid and supplemental equalization aid which otherwise would have been provided under the provisions of AS 14.17.021(a) and 14.17.023(a)-(d) shall be provided to school districts in accordance with the provisions of section 3 of this Act.

Sec. 3. For the duration of the study required by section 1 of this Act, and for the fiscal years beginning on or after July 1, 1982, the amount of state aid for each school district shall be the following amounts for each pupil in average daily membership:

Anchorage	3,420	Mat-Su	3,801
Bristol Bay	9,978	Nenana	7,986
Cordova	5,340	Nome	7,169
Craig	6,742	North Slope	8,898
Dillingham	8,899	Pelican	9,897
Fairbanks	3,882	Petersburg	4,305
Galena	10,584	Sand Point	9,934
Haines	5,926	Sitka	3,769
Hoonah	6,231	Skagway	5,708
Hydaburg	9,041	St. Marys	16,361
Juneau	3,659	Unalaska	8,447
Kake	6,727	Valdez	4,560
Kenai	4,280	Wrangell	4,490
Ketchikan	3,562	Yakutat	8,067
King Cove	8,091		
Klawock	8,847		
Kodiak	5,334		

Adak	5,434	Lake & Peninsula	16,273
Alaska Gateway	8,502	Lower Kuskokwim	11,091
Aleutian Region	16,839	Lower Yukon	8,559
Annette Island	4,388	Northwest Arctic	8,874
Bering Strait	13,765	Pribilof	10,071
Chatham	8,343	Railbelt	8,532
Chugach	10,003	Southeast Island	8,882
Copper River	6,673	Southwest Region	13,256
Delta Greely	4,966	Yukon Flats	13,965
Iditarod	13,224	Yukon Koyukuk	11,640
Kuspuk	14,183		

Sec. 4. The amount of state aid for each school district for fiscal year 1984, shall be the amount listed in sec. 3 of this act for each pupil in average daily membership plus 5%.

Sec. 5. Sec. 1 - 4 of this act take effect July 1, 1982.

Chapter 17. Public School Foundation Program.

Article

1. State Aid to Local School Districts (Sec. 14.17.010—14.17.075)
2. Preparation of Public School Foundation Budget (Sec. 14.17.080—14.17.150)
3. Procedure for Payment of Public School Foundation Funds to Districts (Sec. 14.17.160—14.17.190)
4. General Provisions (Sec. 14.17.200—14.17.250)

Article 1. State Aid to Local School Districts.

Section

10. Public school foundation account
20. Repealed
21. Basic state aid
22. Funds for centralized correspondence study
23. Supplemental equalization aid
30. Repealed
31. Instructional units
40. Repealed
41. Table of allowable instructional units

Section

50. Repealed
51. Instructional unit allotment
56. Base instructional unit
60. Repealed
61. Supplemental programs
70. Repealed
71. Repealed
75. Repealed

Sec. 14.17.010. Public school foundation account. (a) The public school foundation account is established. The account consists of appropriations for distribution to districts or for centralized correspondence study programs under this chapter.

(b) The money of the account may be used only in aid of public schools or for centralized correspondence study programs as provided by this chapter. (Sec. 1.08 ch 164 SLA 1962; Sec. (c) repealed Sec. 11 ch 95 SLA 1969; am Sec. 2 ch 190 SLA 1975)

Sec. 14.17.020. Repealed. (Sec. 1 ch 238 SLA 1970)

Sec. 14.17.021. Basic state aid. (a) The amount of basic state aid for which each district is eligible is calculated by multiplying the instructional unit allotment of the district as established under AS 14.17.051 by the number of allowable instructional units in the district as established under AS 14.17.041.

(b) If permitted under section 5(d)(2) of PL 81-874, as amended, (20 USC 240(d) and the regulations adopted under it (45 CFR 115.60—115.66), the amount of basic state aid to a district may be reduced by up to 80 percent of the entitlement of the district to federal financial assistance under PL 81-874, as amended, (20 USC 236-244), for the prior fiscal year. (Repealed and re-enacted by Sec. 4 ch 26 SLA 1980)

Sec. 14.17.022. Funds for centralized correspondence study. Funds for providing centralized correspondence study programs for students not enrolled in an approved school district correspondence study program shall include an appropriation from the public school foundation account in an amount calculated by multiplying the base instructional unit by the total number of instructional units as determined by applying the number of correspondence students to section 41(a) of this chapter. (Sec. 3 ch 190 SLA 1975)

Sec. 14.17.023. Supplemental equalization aid. (a) In addition to basic state aid under AS 14.17.021, each district is entitled to supplemental equalization aid, as determined in (b), (c) and (d) of this section.

(b) The amount of supplemental equalization aid for a district is calculated by multiplying the ADM of the district as reported for the prior fiscal year under AS 14.17.180 by the amount per ADM calculated in (c) of this section. This amount shall be reduced by the amount of the average local tax contributions per pupil in average daily membership for school operating costs in that district in the prior fiscal year or in the fiscal year ending June 30, 1979, whichever is higher.

(c) The amount per ADM of supplemental equalization aid is calculated as the amount equal to the average local tax contributions per pupil in average daily membership for school operating costs in the city and borough school districts in the prior fiscal year.

(d) The amount of supplemental equalization aid for each district determined in (b) of this section shall be adjusted by the district's instructional unit allotment established in AS 14.17.051. (Added by Sec. 5 ch 26 SLA 1980)

Sec. 14.17.030. Repealed. (Sec. 11 ch 95 SLA 1969)

Sec. 14.17.031. Instructional units. (a) The total number of instructional units within each school district is the sum of

(1) the number of units for elementary schools and the number of units for secondary schools as determined from sec. 41(a), (b), (c), or (d) of this chapter;

(2) the number of units for vocational education determined from section 41(e) of this chapter as approved by the department;

(3) the number of units from special education determined from section 41(f) of this chapter as approved by the department; and

(4) if the district has five or more correspondence pupils enrolled in an approved district correspondence study program, the number of units for correspondence pupils determined by applying the number of correspondence pupils to section 41(a) of this chapter.

(5) the number of units for bilingual education determined from sec. 41(g) of this chapter as approved by the department. (am Sec. 1 ch 115 SLA 1978)

(b) A school district shall compute separately the number of allowable instructional units for each of its elementary and secondary schools except as provided in (c) of this section. (Sec. 6 FCCS SB 199 4/18/80)

(c) The commissioner shall authorize any school in a remote location to establish an associated secondary school when the sum of the average daily membership in grades five through eight is greater than 20. Notwithstanding section 41 of this chapter, any school or school district operating a remote elementary school with 20 or fewer total average daily membership in grades five through eight may conduct a secondary program subject to approval of the commissioner and use the following table to calculate the number of allowable instructional units for the combined elementary and secondary program of the remote school:

ADM	No. Instructional Units
under 12	3
12-20	4
21-32	5

(Sec. 4 ch 238 SLA 1970; am Sec. 3 ch 81 SLA 1975; am Sec. 4 ch 190 SLA 1975; repealed and re-enacted Sec. 5 ch 90 SLA 1977)

(d) If the instructional units which a school district is entitled to under (a) of this section decrease by 10 percent or more from one year to the next, the school district may use the last year before the reduction as a base year and offset its reduction according to the following schedule: (1) for the first year after the base year, the school district is entitled to the instructional units determined under (a)(1) of this section plus 75 percent of the difference in instructional units between the base year and the first year; (2) for the second year after the base year, the school district is entitled to the instructional units determined under (a)(1) of this section plus 50 percent of the difference in instructional units between the base year and the second year; (3) for the third year after the base year, the school district is entitled to the instructional units determined under (a)(1) of this section plus 25 percent of the difference in instructional units between the base year and the third year. The schedule established in this subsection is available to a school district for the three years following the base year only so long as the entitlement to instructional units under (a)(1) of this section for each year is less than the entitlement in the base year. This subsection does not apply to a decrease in instructional units resulting from a loss of enrollment which occurs as a result of a boundary change under AS 29. (Sec. 7 FCCS SB 199 4/18/80)

(e) The commissioner may authorize a school district operating a school in a remote area to calculate the number of instructional units to which the remote school would be entitled if that school were a separate school district and to include that number of instructional units in the total number of instructional units for the district. (Sec. 8 FCCS SB 199 4/18/80)

Sec. 14.17.040. Repealed. (Sec. 1 ch 238 SLA 1970)

Sec. 14.17.041. Table of allowable instructional units. (a) Elementary Schools:

ADM	No. Instructional Units
under 32	3
32-46	4
47-62	5
63-80	6
81 & over	6 plus 1 for each 18 pupils in ADM or fraction of 18

(Sec. 9 FCCS SB 199 4/18/80)

(b) Repealed. (Sec. 20 FCCS SB 199 4/18/80)

(c) Secondary schools:

ADM	No. Instructional Units
under 30	4
30-59	6
60-89	8
90 & over	10 plus 1 for each 18 pupils or fraction of 18

(Sec. 10 FCCS SB 199 4/18/80; am Sec. 11 ch 26 SLA 1980)

(d) Repealed. (Sec. 20 FCCS SB 199 4/18/80)

(e) Vocational education schedule:

ADM Full-Time Equivalent	No. Instructional Units
5-10	1
11-25	2
26-40	3
41 & over	3 plus 1 for each 20 pupils or fraction of 20 pupils in Full-Time Equivalent ADM

(f) Special education schedule:

(1) in districts with ADM of less than 3,000, one instructional unit for each 15 special education pupils or fraction of 15 pupils in ADM;

(2) in districts with ADM of 3,000 or more, one instructional unit for each 11 special education pupils or fraction of 14 pupils in ADM. (repealed and reenacted Sec. 1 ch 119 SLA 1981)

The amendment to AS 14.17.041(f) made by this Act may not be applied to reduce the number of allowable instructional units for special education below the number of units allowed during the school term ending in the calendar year in which this Act takes effect. (Sec. 3 ch 119 SLA 1981)

Notwithstanding section 1 of this Act, in computing the state aid for special education under AS 14.17 for the fiscal year beginning July 1, 1981, a school district or a regional educational attendance area has the same number of allowable instructional units for special education that it had during the fiscal year beginning July 1, 1980. (Sec. 4 ch 119 SLA 1981)

(g) Bilingual education schedule:

Weighted ADM	No. Instructional Units
1-12	1
13-18	2
19-42	3
43 and over	3 plus 1 for each 24 weighted ADM or fraction fo 24 weighted ADM

(am Sec. 2 ch 115 SLA 1978)

(Sec. 4 ch 238 SLA 1970; am Sec. 1 ch 137 SLA 1972; am Sec. 4 ch 81 SLA 1975; am Sec. 7 ch 90 SLA 1977)

Sec. 14.17.050. Repealed. (Sec. 1 ch 238 SLA 1970)

Sec. 14.17.051. Instructional unit allotment. The instructional unit allotment for each school district or regional educational attendance area is as follows:

(1) for Gateway Borough School District, City and Borough of Juneau School District, and Anchorage School District, the district is entitled to receive the base instructional unit allotment;

(2) for Annette Island School District, Petersburg City School District, Wrangell City School District, Sitka Borough School District, and Matanuska-Susitna Borough School District, the district or area is entitled to receive 104 percent of the base instructional unit allotment; (am Sec 3 ch 115 SLA 1978)

(3) for Craig City School District, Hydaburg City School District, Klawock City School District, Kake City School District, Chatham School District, Skagway City School District, Southeast Island School District, and Kenai Peninsula Borough School District, the district or area is entitled to receive 108 percent of the base instructional unit allotment; (am Sec. 4 ch 115 SLA 1978)

(4) for Pelican City School District, Heonah City School District, and North Star Borough School District, the district or area is entitled to receive 112 percent of the base instructional unit allotment; (am Sec. 5 ch 115 SLA 1978)

(5) for Copper River School District Cordova City School District, Valdez City School district, and Haines Borough School District, the district or area is entitled to receive 115 percent of the base instructional unit allotment;

(6) for Nenana City School District, Delta School District, Alaska Gateway School District, Upper Railbelt Regional School District, Yakutat City School District, Chugach School District, and Copper River School District, the district or area is entitled to receive 120 percent of the base instructional unit allotment; (am Sec. 6 ch 119 SLA 1981)

(7) for Adak Regional School District the area is entitled to receive 140 percent of the base instructional unit allotment;

(8) for Pribilof Islands School District, Aleutian Chain School District, King Cove City School District, Sand Point City School District, and Unalaska City School District, the district or area is entitled to receive 150 percent of the base instructional unit allotment; (am Sec. 12 ch 26 SLA 1980)

(9) for Yukon Flats School District, Dillingham City School District, Bristol Bay Borough School District, Southwest Regional School District, Lake Peninsula School District, Lower Kuskokwim School District, Galena City School District, Kuspuk School District, Yukon-Koyuk School District, Northwest Arctic School District, Selawik City School District, Nome City School District, Bering Straits School District, Iditarod Area School District, North Slope Borough School District, Lower Yukon School District, and St. Marys City School District, the district or area is entitled to receive 155 percent of the base instructional unit allotment.

(10) for Kodiak Island School District, the district is entitled to receive 116 percent of the base instructional unit allotment. (am Sec. 6 ch 115 SLA 1978)

(am Sec. 8 ch 90 SLA 1977)

Notwithstanding the provisions of AS 14.17.051, as re-enacted by section 8 of this Act, the value of the instructional unit allotment for any school district or regional educational attendance area is not less than it would have been for the fiscal year beginning July 1, 1977 if section 8 of this Act had not been enacted. (Sec. 9 ch 90 SLA 1977)

✓
Sec. 14.17.056. Base instructional unit value. The base instructional unit value for fiscal years beginning on or after July 1, 1981 is \$38,590. The base instructional unit value for fiscal years beginning on or after July 1, 1982 is \$42,450. (Repealed and reenacted Sec. 7 ch 115 SLA 1978; am Sec. 13, 14 ch 26 SLA 1980; am Sec. 6 ch 119 SLA 1981)

Sec. 14.17.060. Repealed. (Sec. 1 ch 238 SLA 1970)

Sec. 14.17.061. Supplemental programs. (a) In addition to the amounts authorized to be paid to school districts under this chapter, funding of supplemental programs on the same basis as determined in the computation of state aid for the applicable districts, may be recommended by the commissioner.

(b) Applications for supplemental program funds shall be submitted by each school district to the commissioner by September 30 of the pre-fiscal year in the form prescribed by the commissioner.

(c) Federal funds available for aid to local school districts will be included with the state's share in applying the matching ratio. (Sec. 4 ch 238 SLA 1970)

Sec. 14.17.071. Repealed. (Sec. 21 ch 26 SLA 1980)

Sec. 14.17.075. Repealed. (Sec. 1 ch 238 SLA 1970)

Article 2. Preparation of Public School Foundation Budget

Section	Section
80. Computation by district	140. Determination of full and true value by Department of Community and Regional Affairs
81. Minimum expenditure for instruction	150. Duty of commissioner to examine and tabulate computations
82. Fund Balance changes in school operating fund	
90. Estimated average daily membership	

Sec. 14.17.080. Computation by district. By October 30 of the prefiscal year each district shall submit to the commissioner a preliminary report of computations for the following fiscal year of the district's basic need as defined in sec. 21 of this chapter; the amount which it expects to match under the provision of sec. 71 of this chapter; and the amount for supplemental programs which has been approved for funding consideration by the commissioner. Each district shall make the computations in the manner prescribed by secs. 80—150 of this chapter. The computations are the basis for requesting legislative appropriations and for making preliminary payments under the public school foundation program. (Sec. 2.01 ch 164 SLA 1962; am Sec. 5 ch 238 SLA 1970)

✓ **Sec. 14.17.081. Minimum expenditure for instruction.** (a) Each district shall budget for and spend a minimum of 55 percent of its school operating expenditures in each fiscal year on the instructional component of the district budget.

(b) The commissioner shall reject a district budget which does not comply with (a) of this section and, unless a waiver has been granted by the state Board of Education under (d) of this section, shall withhold payments of state aid from that district, beginning with the payment for the second full month after rejection and continuing until the school board of the district revises the district budget to comply with (a) of this section.

(c) The commissioner shall review the annual audit of each district for compliance with the expenditure requirements of (a) of this section. If he determines that a district does not meet those requirements, the commissioner shall advise the district of this determination and calculate the percentage of deficiency in required expenditure and deduct that percentage from state aid paid to the district for the current fiscal year, beginning with the payment for the second full month after his determination, unless a waiver has been granted by the state Board of Education under (d) of this section.

(d) A district which has been determined by the commissioner to be out of compliance with the requirements of this section may, within 20 days of the commissioner's determination, request a waiver by the state Board of Education of the imposition by the commissioner of any reduction in state aid payments under (b) or (c) of this section. The request must be submitted to the Legislative Budget and Audit Committee and must be in writing and include an analysis of the reasons and causes for the district's inability to comply with the requirements of this section. The Legislative Budget and Audit Committee shall review the district's request and forward it, along with the committee's recommendations on it, to the state Board of Education which shall either grant or deny the waiver.

(e) The commissioner shall submit an annual report on actions taken by him or the state Board of Education under this section to the Legislative Budget and Audit Committee by April 15 of each year.
(am Sec. 15 ch 26 SLA 1980)

✓ **Sec. 14.17.082. Fund Balance changes in school operating fund.** (a) Each district having at least 400 instructional units under AS 14.17.031(a) may accumulate a fund balance in the school operating fund of seven percent of its expenditures. Each district having less than 400 instructional units may accumulate a fund balance of 10 percent of its expenditures.

(b) The commissioner shall review the annual audit of each district to ascertain changes in the year-end operating fund balance of the districts, and notify districts and the state Board of Education, through a written report, of any fund balance accumulation greater than that permitted under (a) of this section.

(c) The state Board of Education shall review the reports submitted to it under (b) of this section and submit a report making recommendations with respect to the legislative treatment of the fund balances of those districts to the Legislative Budget and Audit Committee by April 15 of each year.
(am Sec. 15 ch 26 SLA 1980)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution Number: SCS SB 649 (Finance)

Title: Interim Education Funding

Requested by: Senate Finance

Date: April 7, 1982

II. FISCAL DETAIL

Agency Affected: Education

Program Category Affected: Elementary and Secondary

BRU, Program, or Subprogram(s) Affected: Office of the Commissioner

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	560.0	-	-	-	-
400 COMMODITIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LAND & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS, ETC	-	-	-	-	-	-
800 MISCELLANEOUS	-	-	-	-	-	-
TOTAL	-	560.0	-	-	-	-

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	-	560.0	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER (Specify Source)	-	-	-	-	-	-

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	-	-	-	-	-	-
PART TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

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

Section 1 requires the department to conduct a study of the Foundation Program. Our estimate of the cost of such a study is \$560.0

IV. DATE: April 7, 1982

PREPARED BY: Steve Hole
AGENCY: Education
PHONE: 465-2890

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

STATE OF ALASKA
DEPARTMENT OF EDUCATION

ESTIMATED ADM 1982-83

INSTRUCTIONAL UNITS

School District	Elem.	Second.	Comb. Dist.	Voc. Ed. Non-Add.	Spec. Ed. Non-Add.	Bil/Bic. Non-Add.	Corres.	TOTAL ADM	Elem.	Second	Comb. Dist.	Voc. Ed.	Spec. Ed.	Bil Ed.	Corres.	Total Instr Units
Anchorage	17,119	17,228	25	1,654	4,376	528	-0-	34,372	1,044	1,040	5	94	398	24	-0-	2,605
Bristol Bay	106	106	-0-	18	19	-0-	-0-	212	10	14	-0-	2	2	-0-	-0-	28
Cordova	221	194	-0-	69	66	-0-	-0-	415	14	21	-0-	5	5	-0-	-0-	45
Craig	80	70	-0-	23	18	-0-	20	170	6	8	-0-	2	2	-0-	3	21
Dillingham	193	160	-0-	30	60	18	-0-	353	13	18	-0-	3	4	2	-0-	40
Fairbanks	4,746	4,461	-0-	488	1,578	80	125	9,332	292	281	-0-	31	144	5	9	762
Galena	68	63	-0-	10	9	-0-	-0-	131	6	10	-0-	1	1	-0-	-0-	18
Haines	164	185	-0-	38	39	-0-	-0-	349	16	20	-0-	3	3	-0-	-0-	42
Hoonah	115	114	-0-	20	40	-0-	-0-	229	8	12	-0-	2	3	-0-	-0-	25
Ilydaburg	47	45	-0-	14	16	9	-0-	92	5	6	-0-	2	2	1	-0-	16
Juneau	2,147	1,842	-0-	290	635	32	40	4,029	132	130	-0-	18	58	3	4	345
Kake	108	109	-0-	28	56	-0-	-0-	217	8	12	-0-	3	4	-0-	-0-	27
Kenai	3,619	2,817	31	332	982	170	120	6,587	236	207	5	29	90	9	9	585
Ketchikan	1,106	1,075	15	188	395	5	80	2,276	67	74	4	12	27	1	6	191
King Cove	91	55	-0-	12	7	-0-	-0-	146	7	6	-0-	2	1	-0-	-0-	16
Klawock	67	51	-0-	6	31	-0-	-0-	118	6	10	-0-	1	3	-0-	-0-	20
Kodiak	1,166	900	18	149	420	40	34	2,118	82	78	4	11	28	3	4	210
Mat-Su	2,467	2,352	14	366	736	8	126	4,959	162	162	4	22	67	1	9	427
Nenana	120	93	-0-	15	40	31	-0-	213	9	12	-0-	2	3	3	-0-	29
Nome	407	319	-0-	45	106	53	10	736	25	28	-0-	4	8	4	3	72
North Slope	590	524	-0-	342	168	259	10	1,124	48	58	-0-	18	12	13	3	152
Pelican	34	19	-0-	5	5	-0-	-0-	53	4	4	-0-	1	1	-0-	-0-	10
Petersburg	386	168	-0-	34	123	-0-	-0-	554	23	15	-0-	3	9	-0-	-0-	50
Sand Point	66	62	-0-	13	7	-0-	-0-	128	6	8	-0-	2	1	-0-	-0-	17
Sitka	1,179	531	-0-	135	325	26	-0-	1,710	78	35	-0-	8	22	3	-0-	146
Skagway	102	85	-0-	14	30	-0-	-0-	187	8	8	-0-	2	2	-0-	-0-	20
St. Marys	76	35	-0-	30	21	49	6	117	6	8	-0-	4	2	4	3	27
Unalaska	109	87	-0-	13	35	3	-0-	196	8	12	-0-	2	3	1	-0-	26
Valdez	511	474	-0-	90	132	-0-	-0-	985	35	41	-0-	7	9	-0-	-0-	92
Wrangell	267	207	-0-	30	36	-0-	-0-	474	17	21	-0-	3	2	-0-	-0-	43
Yakutat	92	67	-0-	12	34	-0-	-0-	159	7	10	-0-	2	3	-0-	-0-	22
TOTALS	37,569	34,498	103	4,513	10,539	1,311	571	72,741	2,388	2,369	22	301	919	77	53	6,129
Centralized Corr	600	200	-0-	25	-0-	-0-	-0-	800	46	-0-	-0-	2	-0-	-0-	-0-	48

STATE OF ALASKA
DEPARTMENT OF EDUCATION

ESTIMATED ADM 1982-83

INSTRUCTIONAL UNITS

AREA			Comb. Dist.	Voc. Ed. Non-Add.	Spec. Ed. Non-Add.	Bil/Bic. Non-Add.	Corres.	TOTAL			Comb. Dist.	Voc. Ed.	Spec. Ed.	Bil Bic. Ed.	Corres.	Total Instr Units
	Elem.	Second.						ADM	Elem.	Second						
Adak	425	200	-0-	33	105	-0-	-0-	625	26	20	-0-	3	7	-0-	-0-	56
Alaska Gateway	239	186	23	40	93	23	32	480	23	28	5	5	7	3	4	75
Aleutian Region	31	12	71	5	15	3	-0-	114	3	4	20	1	1	1	-0-	30
Annette Island	176	155	-0-	27	63	-0-	-0-	331	14	18	-0-	3	5	-0-	-0-	40
Bering Strait	243	407	26	90	167	166	12	688	25	72	5	14	12	9	3	140
Chatham	87	68	39	14	58	-0-	-0-	194	9	10	11	2	4	-0-	-0-	36
Chugach	50	6	21	-0-	-0-	-0-	-0-	77	5	4	5	-0-	-0-	-0-	-0-	14
Copper River	262	244	8	20	45	2	55	569	24	27	3	3	3	1	5	66
Delta Greely	561	330	-0-	42	110	-0-	79	970	35	30	-0-	4	8	-0-	6	83
Iditarod	109	123	84	41	40	16	15	331	12	22	19	4	3	2	3	65
Kuspuk	141	100	74	26	26	23	10	325	17	28	14	3	2	3	3	70
Lake & Peninsula	152	93	65	25	19	23	7	317	30	22	16	4	2	3	3	80
Lower Kuskokwim	710	1,200	15	231	398	1,121	-0-	1,925	53	155	4	30	27	40	-0-	317
Lower Yukon	651	597	-0-	265	109	271	-0-	1,248	55	74	-0-	14	8	13	-0-	164
Northwest Arctic	715	702	-0-	175	150	98	35	1,452	62	90	-0-	18	10	6	4	190
Pribilof	85	54	28	13	38	17	6	173	7	6	5	2	3	2	3	28
Railbelt	175	168	-0-	26	18	-0-	8	351	18	26	-0-	4	2	-0-	3	53
Southeast Island	177	58	97	12	24	-0-	88	420	26	18	27	2	2	-0-	7	82
Southwest Region	216	182	88	42	36	260	-0-	486	27	32	18	7	3	13	-0-	100
Yukon Flats	98	67	128	32	12	40	18	311	9	14	32	3	1	3	3	65
Yukon Koyukuk	227	162	102	55	124	35	69	560	27	26	19	9	9	3	6	99
TOTALS	5,530	5,114	869	1,214	1,650	2,098	434	11,947	507	726	203	135	119	110	53	1,853

STATE OF ALASKA
DEPARTMENT OF EDUCATION
PUBLIC SCHOOL FOUNDATION PROGRAM COMPUTATIONS
INITIAL REPORT RECAPITULATIONS
1982-83 FISCAL YEAR

School District	Revised 1st Qtr. ADM 1981-82	Projected 1982-83 ADM	Instr. Units	Instr. Unit Allotment	Basic Need	Supp. Eq. Aid 1016.13	Preliminary Computation of Entitlement	Per ADM
Anchorage	33,279	34,372	2,605	42,450	110,582,250	6,977,172	117,559,422	3,420
Bristol Bay	203	212	28	65,797	1,842,316	273,027	2,115,343	9,978
Cordova	415	415	45	48,817	2,196,765	19,462	2,216,227	5,340
Craig	188	170	21	45,846	962,766	183,321	1,146,087	6,742
Dillingham	364	353	40	65,797	2,631,880	509,473	3,141,353	8,899
Fairbanks	8,824	9,332	762	47,544	36,228,528	-0-	36,228,528	3,882
Galena	132	131	18	65,797	1,184,346	202,140	1,386,486	10,584
Haines	375	349	42	48,817	2,050,314	17,800	2,068,114	5,926
Hoonah	228	229	25	47,544	1,188,600	238,216	1,426,816	6,231
Hydaburg	89	92	16	45,846	733,536	98,263	831,799	9,041
Juneau	4,080	4,029	345	42,450	14,645,250	98,791	14,744,041	3,659
Kake	194	217	27	45,846	1,237,842	221,941	1,459,783	6,727
Kenai	6,262	6,587	585	45,846	26,819,910	1,375,128	28,195,038	4,280
Ketchikan	2,354	2,276	191	42,450	8,107,950	-0-	8,107,950	3,562
King Cove	136	146	16	63,675	1,018,800	162,544	1,181,344	8,091
Klawock	95	118	20	45,846	916,920	127,075	1,043,995	8,847
Kodiak	2,057	2,118	210	49,242	10,340,820	957,692	11,298,512	5,334
Mat-Su	4,808	4,959	427	44,148	18,851,196	-0-	18,851,196	3,801
Nenana	214	213	29	50,940	1,477,260	223,724	1,700,984	7,986
Nome	729	736	72	65,797	4,737,384	539,199	5,276,583	7,169
North Slope	1,061	1,124	152	65,797	10,001,144	-0-	10,001,144	8,898
Pelican	47	53	10	47,544	475,440	49,088	524,528	9,897
Petersburg	561	554	50	44,148	2,207,400	177,774	2,385,174	4,305
Sand Point	141	128	17	63,675	1,082,475	189,097	1,271,572	9,934
Sitka	1,683	1,710	146	44,148	6,445,608	-0-	6,445,608	3,769
Skagway	189	187	20	45,846	916,920	150,414	1,067,334	5,708
St. Marys	96	117	27	65,797	1,776,519	137,775	1,914,294	16,361
Unalaska	191	196	26	63,675	1,655,550	-0-	1,655,550	8,447
Valdez	848	985	92	48,817	4,491,164	-0-	4,491,164	4,560
Wrangell	490	474	43	44,148	1,898,364	230,055	2,128,419	4,490
Yakutat	154	159	22	50,940	1,120,680	161,957	1,282,637	8,067
TOTALS	70,487	72,741	6,129		279,825,897	13,321,128	293,147,025	4,030
Centralized Corres	721	800	48	42,450	2,037,600	-0-	2,037,600	2,547

STATE OF ALASKA
DEPARTMENT OF EDUCATION

ESTIMATED ADM 1982-83

INSTRUCTIONAL UNITS

School District	Elem.	Second.	Comb. Dist.	Voc. Ed. Non-Add.	Spec. Ed. Non-Add.	Bil/Bic. Non-Add.	Corres.	TOTAL ADM	Elem.	Second	Comb. Dist.	Voc. Ed.	Spec. Ed.	Bil Bic. Ed.	Corres.	Total Instr. Units
Chorage	17,119	17,228	25	1,654	4,376	528	-0-	34,372	1,044	1,040	5	94	398	24	-0-	2,605
Costol Bay	106	106	-0-	18	19	-0-	-0-	212	10	14	-0-	2	2	-0-	-0-	28
Dordova	221	194	-0-	69	66	-0-	-0-	415	14	21	-0-	5	5	-0-	-0-	45
Fig	80	70	-0-	23	18	-0-	20	170	6	8	-0-	2	2	-0-	3	21
Gillingham	193	160	-0-	30	60	18	-0-	353	13	18	-0-	3	4	2	-0-	40
Grubbs	4,746	4,461	-0-	488	1,578	80	125	9,332	292	281	-0-	31	144	5	9	762
Kenai	68	63	-0-	10	9	-0-	-0-	131	6	10	-0-	1	1	-0-	-0-	18
Knik	164	185	-0-	38	39	-0-	-0-	349	16	20	-0-	3	3	-0-	-0-	42
Kodiak	115	114	-0-	20	40	-0-	-0-	229	8	12	-0-	2	3	-0-	-0-	25
Kotzebue	47	45	-0-	14	16	9	-0-	92	5	6	-0-	2	2	1	-0-	16
Kenai Peninsula	2,147	1,842	-0-	290	635	32	40	4,029	132	130	-0-	18	58	3	4	345
Kenai Peninsula	108	109	-0-	28	56	-0-	-0-	217	8	12	-0-	3	4	-0-	-0-	27
Ketchikan	3,619	2,817	31	332	982	170	120	6,587	236	207	5	29	90	9	9	585
Ketchikan	1,106	1,075	15	188	395	5	80	2,276	67	74	4	12	27	1	6	191
Ketchikan	91	55	-0-	12	7	-0-	-0-	146	7	6	-0-	2	1	-0-	-0-	16
Ketchikan	67	51	-0-	6	31	-0-	-0-	118	6	10	-0-	1	3	-0-	-0-	20
Ketchikan	1,166	900	18	149	420	40	34	2,118	82	78	4	11	28	3	4	210
Ketchikan	2,467	2,352	14	366	736	8	126	4,959	162	162	4	22	67	1	9	427
Ketchikan	120	93	-0-	15	40	31	-0-	213	9	12	-0-	2	3	3	-0-	29
Ketchikan	407	319	-0-	45	106	53	10	736	25	28	-0-	4	8	4	3	72
Ketchikan	590	524	-0-	342	168	259	10	1,124	48	58	-0-	18	12	13	3	152
Ketchikan	34	19	-0-	5	5	-0-	-0-	53	4	4	-0-	1	1	-0-	-0-	10
Ketchikan	386	168	-0-	34	123	-0-	-0-	554	23	15	-0-	3	9	-0-	-0-	50
Ketchikan	66	62	-0-	13	7	-0-	-0-	128	6	8	-0-	2	1	-0-	-0-	17
Ketchikan	1,179	531	-0-	135	325	26	-0-	1,710	78	35	-0-	8	22	3	-0-	146
Ketchikan	102	85	-0-	14	30	-0-	-0-	187	8	8	-0-	2	2	-0-	-0-	20
Ketchikan	76	35	-0-	30	21	49	6	117	6	8	-0-	4	2	4	3	27
Ketchikan	109	87	-0-	13	35	3	-0-	196	8	12	-0-	2	3	1	-0-	26
Ketchikan	511	474	-0-	96	132	-0-	-0-	985	35	41	-0-	7	9	-0-	-0-	92
Ketchikan	267	207	-0-	30	30	-0-	-0-	474	17	21	-0-	3	2	-0-	-0-	41
Ketchikan	92	67	-0-	12	34	-0-	-0-	159	7	10	-0-	2	3	-0-	-0-	21
ALS	37,569	34,498	103	4,513	10,539	1,311	571	72,741	2,388	2,369	22	301	919	77	53	6,129
Centralized Corr	600	200	-0-	25	-0-	-0-	-0-	800	46	-0-	-0-	2	-0-	-0-	-0-	48

STATE OF ALASKA
DEPARTMENT OF EDUCATION
PUBLIC SCHOOL FOUNDATION PROGRAM COMPUTATIONS
INITIAL REPORT RECAPITULATIONS
1982-83 FISCAL YEAR

AREA	Revised 1st Qtr. ADM 1981-82	Projected 1982-83 ADM	Instr. Units	Instr. Unit Allotment	Basic Need	Supp. Eq. Aid 1016.13	Less PL 874	Preliminary Computation of Entitlement	Per ADM
Alaska	611	625	56	59,430	3,328,080	889,114	820,995	3,396,199	5,434
Alaska Gateway	476	480	75	50,940	3,820,500	585,291	325,006	4,080,785	8,502
Arctic Region	111	114	30	63,675	1,910,250	173,758	164,380	1,919,628	16,839
Barrow	348	331	40	44,148	1,765,920	349,793	663,271	1,452,442	4,388
Chukchi Strait	582	688	140	65,797	9,211,580	1,083,601	824,496	9,470,685	13,765
Chukchi	196	194	36	45,846	1,650,456	212,900	244,841	1,618,515	8,343
Chukchi	68	77	14	50,940	713,160	93,890	36,848	770,202	10,003
Copper River	568	569	66	50,940	3,362,040	693,814	258,659	3,797,195	6,673
Delta Greely	895	970	83	50,940	4,228,020	1,182,775	594,044	4,816,751	4,966
Delta Starod	311	331	65	65,797	4,276,805	521,325	420,917	4,377,213	13,224
Delta Spuk	324	325	70	65,797	4,605,790	511,875	508,052	4,609,613	14,183
Delta & Peninsula	321	317	80	65,797	5,263,760	499,275	604,610	5,158,425	16,273
Delta Kuskokwim	1,865	1,925	317	65,797	20,857,649	3,031,878	2,540,035	21,349,492	11,091
Delta Yukon	1,183	1,248	164	65,797	10,790,708	1,965,602	2,074,092	10,682,218	8,559
Delta Northwest Arctic	1,495	1,452	190	65,797	12,501,430	2,286,902	1,903,212	12,885,120	8,874
Delta Bilof	174	173	28	63,675	1,782,900	263,686	304,279	1,742,307	10,071
Delta Albelt	353	351	53	50,940	2,699,820	427,994	133,144	2,994,670	8,532
Delta Southeast Island	432	420	82	45,846	3,759,372	460,917	489,958	3,730,331	8,882
Delta Northwest Region	476	486	100	65,797	6,579,700	765,451	902,564	6,442,587	13,256
Delta Koyuk Flats	299	311	65	65,797	4,276,805	489,825	423,446	4,343,184	13,965
Delta Koyukuk	569	560	99	65,797	6,513,903	882,001	877,627	6,518,277	11,640
TOTALS	11,657	11,947	1,853		113,898,648	17,371,667	15,114,476	116,155,839	9,723

STATE OF ALASKA
DEPARTMENT OF EDUCATION

ESTIMATED ADM 1982-83

INSTRUCTIONAL UNITS

	Elem.	Second.	Comb. Dist.	Voc. Ed. Non-Add.	Spec. Ed. Non-Add.	Bil/Bic. Non-Add.	Corres.	TOTAL ADM	Elem.	Second	Comb. Dist.	Voc. Ed.	Spec. Ed.	Bil Bic. Ed.	Corres.	Total Instr Units
	425	200	-0-	33	105	-0-	-0-	625	26	20	-0-	3	7	-0-	-0-	56
Gateway	239	186	23	40	93	23	32	480	23	28	5	5	7	3	4	75
Alaskan Region	31	12	71	5	15	3	-0-	114	3	4	20	1	1	1	-0-	30
Admiralty Island	176	155	-0-	27	63	-0-	-0-	331	14	18	-0-	3	5	-0-	-0-	40
Barrow Strait	243	407	26	90	167	166	12	688	25	72	5	14	12	9	3	140
Barrow	87	68	39	14	58	-0-	-0-	194	9	10	11	2	4	-0-	-0-	36
Chukchi	50	6	21	-0-	-0-	-0-	-0-	77	5	4	5	-0-	-0-	-0-	-0-	14
Chukchi River	262	244	8	20	45	2	55	569	24	27	3	3	3	1	5	66
Greely	561	330	-0-	42	110	-0-	79	970	35	30	-0-	4	8	-0-	6	83
Podskopny	109	123	84	41	40	16	15	331	12	22	19	4	3	2	3	65
Kodiak	141	100	74	26	26	23	10	325	17	28	14	3	2	3	3	70
Seward Peninsula	152	93	65	25	19	23	7	317	30	22	16	4	2	3	3	80
Kuskokwim	710	1,200	15	231	398	1,121	-0-	1,925	53	155	4	30	27	48	-0-	317
Yukon	651	597	-0-	265	109	271	-0-	1,248	55	74	-0-	14	8	13	-0-	164
West Arctic	715	702	-0-	175	150	98	35	1,452	62	90	-0-	18	10	6	4	190
Bellevue	85	54	28	13	38	17	6	173	7	6	5	2	3	2	3	28
Delta	175	168	-0-	26	18	-0-	8	351	18	26	-0-	4	2	-0-	3	53
East Island	177	58	97	12	24	-0-	88	420	26	18	27	2	2	-0-	7	82
West Region	216	182	88	42	36	260	-0-	486	27	32	18	7	3	13	-0-	100
Flats	98	67	128	32	12	40	18	311	9	14	32	3	1	3	3	65
Koyukuk	227	162	102	55	124	35	69	560	27	26	19	9	9	3	6	99
Total	5,530	5,114	869	1,214	1,650	2,098	434	11,947	507	726	203	135	119	110	53	1,853

MEMORANDUM (Brief Communications)

State of Alaska

TO:	Name	Dept./Div./Sect.	Mail Stop
	Senator Stimson		
FROM:	Name	Dept./Div./Sect.	Telephone
	Pat Williams <i>Pat</i>	Legislative Finance, Pouch WF, Juneau 99811 (907)	465-3795
SUBJ.:	Backup for SB 649		Date
			10/19/82

Enclosed is all the backup I could find on SB 649. If you want us to research the files of other legislative committees the bill may have been referred to, please let us know. As you are no doubt aware, the bill died in House Rules.

COMMITTEE REPORT

SENATE

1/12/82

FURTHER: Finance

Date: _____

Mr. President:

HEALTH, EDUCATION AND

The Committee on SOCIAL SERVICES

has had SB 651

state payment for child care costs for foster homes

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

do pass [] do not pass

[] do pass with attached amendments(s)

replace with CS for SB 651 (HESS) same title new title

and recommends _____

[] AND attaches a "Letter of Intent" [] New Fiscal Note

[] reports it back without recommendation

[] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Tom Kelly
James D. Thompson
Richard H. Pann

Richard H. Pann
CHAIRMAN

Original sponsor: Rules/Governor

Offered: 2/25/82
Referred: Finance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 651 (HESS)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state payment for child care costs
7 for foster homes."

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

9 * Section 1. AS 47.40.040(a) is amended to read:

10 (a) In this chapter, "full cost" of services shall be determined
11 by the per person, per day cost in the preceding fiscal year plus a
12 proportionate share of anticipated cost of living and staff salary
13 increment increases for the fiscal year for which the full cost of
14 services, determined to be necessary by the department, is being deter-
15 mined. Child care costs for specialized foster homes shall be computed
16 in the same manner as for child care and nursing home institutions
17 [EXCEPT THAT NO SALARY COSTS MAY BE CONSIDERED]. The department shall
18 adopt criteria identifying specialized foster homes for the purposes of
19 this section.

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COMMITTEE COPY

Introduced: 1/12/82
Referred: Health, Education &
Social Services and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 651

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state payment for child care costs
7 for foster homes."

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

9 * Section 1. AS 47.40.040(a) is amended to read:

10 (a) In this chapter, "full cost" of services shall be determined
11 by the per person, per day cost in the preceding fiscal year plus a
12 proportionate share of anticipated cost of living and staff salary
13 increment increases for the fiscal year for which the full cost of
14 services, determined to be necessary by the department, is being deter-
15 mined. [CHILD CARE COSTS FOR FOSTER HOMES SHALL BE COMPUTED IN THE
16 SAME MANNER AS FOR CHILD CARE AND NURSING HOME INSTITUTIONS EXCEPT THAT
17 NO SALARY COSTS MAY BE CONSIDERED.]
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JAY S. HAMMOND
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 11, 1982

The Honorable Jalmar Kerttula
President of the Senate
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill regarding state payment for child care costs for foster homes. The bill amends AS 47.40.040 by deleting the provision in the "full cost of care" chapter that requires foster home care costs to be calculated in the same manner as institutional care costs, and that prohibits consideration of salary costs as a component of child care costs paid by the state for foster home care.

One purpose of this amendment is to allow the Department of Health and Social Services to develop a specialized foster care program to serve children for whom institutional placement is not appropriate, but who cannot be effectively dealt with in regular foster homes due to their acute behavioral or emotional problems, and who therefore require care from foster parents who have been specially trained to work with such children and who are paid for their services. Another purpose is to recognize the infeasibility of treating foster homes the same as institutions in this regard.

The department expects that this bill will have no fiscal impact because, by broadening placement alternatives, specialized foster care would divert some children from out-of-state placements and institutional placements, and its costs would be absorbed by the savings in those two areas.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Jay S. Hammond".

Jay S. Hammond
Governor

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____
 Title "An Act relating to state payment for child care costs for foster homes."
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
 Program Category Affected _____
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
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-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

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

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

The Bill entitled: "An Act relating to state payment for child care costs for foster homes" has no fiscal impact on the Department of Health and Social Services.

IV. DATE 11/23/81

PREPARED BY John R. Pugh John R. Pugh, Director
 AGENCY Division of Family and Youth Services
 PHONE 465-3170

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) U. Hubbard 11/25/81

ALASKA STATE LEGISLATURE

TWELFTH Legislature SECOND Session

SENATE BILL NO. 651

By THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

"An Act relating to state payment for child care costs for foster homes."

Introduced in the Senate 1/12/, 19. 82

HISTORY IN THE SENATE

19 82 Read first time and referred to Committee on

1 12 HESS and Finance

225 Reported back with HESS recommendation that replace WES - 3 do pass to Finance

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 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

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

POSITION PAPER

CS FOR SENATE BILL NO. 651 (HESS)
PAGE 1

"An Act relating to state payment for child care costs for foster homes."

Committee Substitute for Senate Bill 651 (HESS) amends AS 47.40.040 by stating that costs for specialized foster homes shall be computed in the same manner as for child care and nursing home institutions, and requires the Department to adopt criteria identifying specialized foster homes.

BACKGROUND

The original Senate Bill No. 651 was introduced at the request of the Governor for the purpose of allowing the Department to develop a specialized foster home program. Senate Bill No. 651 removes the clause in AS 47.40.040 that prohibits payment of salaries to foster parents. Specialized foster care is a concept that has developed over the past 20 years as an alternative to institutional placement. In a specialized foster home program, the Department would be able to recruit persons with specialized skills and training to deal with children and youth who have severe emotional or behavioral problems, and would be able to pay them a salary for their work.

Currently the Department has essentially two placement options when a child cannot remain in his own home:

1. placement in a highly structured and expensive institutional program (at an average daily cost of \$110 per day); or
2. placement in a foster home (at an average daily cost of \$15.29).

There are a number of youth for whom a specialized foster home program would be more effective from a treatment standpoint, and for whom the costs in specialized foster care would be much less than the current costs in institutional care.

ANALYSIS

CS for Senate Bill No. 651 was introduced because there was concern that foster care costs could escalate if the clause prohibiting the payment of salaries to foster parents were excluded. It was felt that the doors would be open to salary all foster parents. However, the Department has no intention of paying salaries for regular foster care. The Department currently has regulations (7 AAC 50.710 - 7 AAC 50.850) for foster care payment by which rates are set on a yearly basis, taking into account the consumer price index. The regulations also delineate clearly the costs which are reimbursed to foster parents. These regulations for payment to regular foster parents would remain in effect. The Department's intent under Senate Bill No. 651 was to operate a specialized foster home program under strict guidelines specifying the type of children who could benefit from specialized foster care, as well as the requirements a person would have to meet to be approved as a

POSITION PAPER

CS FOR SENATE BILL NO. 651 (HESS)

PAGE 2

specialized foster parent. The Department would then develop individual contracts with approved specialized foster parents for each child needing such care. Each contract would specify the type of treatment the child needed. It is anticipated that the number of youth needing specialized care would be under 30 per year. However, the cost savings by not having to place those youths in residential care could be substantial.

POSITION

The Department prefers Senate Bill No. 651 as recommended by the Governor to the Committee Substitute, because it would give the Department more flexibility in developing a specialized foster care program. However, if the Legislature prefers to authorize the Department to operate a specialized foster care program as proposed in CS for Senate Bill No. 651, the Department recommends that the program not come under the full cost of care provision of the statute. Rather, the Department would prefer that specialized foster care be determined through a contractual process. Therefore, the Department would propose alternative wording for the second sentence of CS for Senate Bill No. 651 on Line 15 to read as follows:

"Except that child care costs for specialized foster care shall be determined through individual contracts in accordance with procedures established by the Department of Administration under the authority of AS 37.05.220 - AS 37.05.230."

RECOMMENDED BY: John R. Pugh
John R. Pugh, Director
Division of Family and
Youth Services

DATE: 3/7/82

APPROVED BY: Helen D. Beirne
Helen D. Beirne
Commissioner

DATE: 3-8-82

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Senate Bill No. 651 (HESS)
Title "relating to state payment for child care costs for foster homes."
Requested by HESS Committee Date _____

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
Program Category Affected _____
BRU, Program, Or Subprogram(s) Affected _____
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS		-0-	-0-	-0-	-0-	-0-
OTHER (Specify Source)		-0-	-0-	-0-	-0-	-0-
		-0-	-0-	-0-	-0-	-0-
		-0-	-0-	-0-	-0-	-0-

POSITIONS

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

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

CS for Senate Bill No. 651 (HESS) has no fiscal impact on the Department of Health and Social Services.

Any increase in costs for specialized foster care will be offset by decreases in residential care.

IV. DATE 3/4/82 PREPARED BY John R. Pugh, Director
AGENCY Division of Family and Youth Services *JCC*
PHONE 465-3170
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

POSITION PAPER
SENATE BILL NO. 651

"An Act relating to state payment for child care costs for foster homes."

A specially prepared professional foster home environment is necessary to provide a service for children and adolescents manifesting emotional or behavioral disturbances who cannot remain in their own homes for a variety of reasons. Specialized foster care is a growing treatment resource for emotionally disturbed children, as well as delinquent and handicapped children. It has developed most fully with the de-institutionalization movement of the past two decades in response to more family oriented and community-based programs for children who would otherwise have no alternative to institutional placement.

Specialized foster care is not for every child, but for children who require more structure than a normal foster home but less than an institutional placement. In addition, specialized foster care offers a viable alternative for some children who are re-entering the community from institutional placements. Because of the training and the time commitment that is required of "specialized" foster parents, programs which have used this concept, have seen the foster parent as an adjunct to the staff of the agency, and, therefore, have salaried them for the "job" they perform. Alaska Statutes presently prohibit the payment of salaries to foster parents.

The Department of Health and Social Services supports the Governor's recommendation to remove the language in Section 1, AS 47.40.040, which currently prohibits the salarizing of foster parents.

RECOMMENDED BY: John R. Pugh
John R. Pugh, Director
Division of Family and
Youth Services

DATE: 1/25/82

APPROVED BY: Helen D. Beirne
Helen D. Beirne
Commissioner

DATE: 1-25-82

Introduced: 1/12/82
Referred: Health, Education &
Social Services and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 651

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state payment for child care costs
7 for foster homes."

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

9 * Section 1. AS 47.40.040(a) is amended to read:

10 (a) In this chapter, "full cost" of services shall be determined
11 by the per person, per day cost in the preceding fiscal year plus a
12 proportionate share of anticipated cost of living and staff salary
13 increment increases for the fiscal year for which the full cost of
14 services, determined to be necessary by the department, is being deter-
15 mined. [CHILD CARE COSTS FOR FOSTER HOMES SHALL BE COMPUTED IN THE
16 SAME MANNER AS FOR CHILD CARE AND NURSING HOME INSTITUTIONS EXCEPT THAT
17 NO SALARY COSTS MAY BE CONSIDERED.]
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THE CONTENTS OF CS FOR SB 653 (FINANCE) WERE PASSED BY
COMMITTEE AS SCS FOR HB 174 (FINANCE) ON 4/22/82.

Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 *House Bill No 174*
SCS FOR ~~SENATE BILL NO. 653~~ (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public employees subject to collec-
7 tive bargaining."

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

9 * Section 1. AS 14.20.550 is amended to read:

0 Sec. 14.20.550. NEGOTIATION WITH CERTIFICATED ADMINISTRATIVE EM-
1 PLOYEES. Each city, borough and regional school board, shall negotiate
2 with its certificated administrative employees in good faith on matters
3 pertaining to their employment and the fulfillment of their professional
4 duties.

5 * Sec. 2. AS 14.20.555(a) is amended to read:

6 (a) Negotiations between the certificated administrative employees
7 of the regional educational attendance areas and the respective regional
8 school boards shall be conducted by one team representing all the cer-
9 tificated administrative employees [, ONE TEAM REPRESENTING ALL THE CER-
10 TIFICATED ADMINISTRATIVE PERSONNEL IF THEY HAVE JOINED TOGETHER TO
11 NEGOTIATE INDEPENDENTLY AS PROVIDED IN SEC. 560(f) OF THIS CHAPTER,] and
12 one team representing all the participating regional school boards.

13 * Sec. 3. AS 14.20.560 is amended to read:

14 Sec. 14.20.560. ADMINISTRATIVE EMPLOYEE [TEACHERS'] BARGAINING
15 GROUPS. (a) When a majority of the certificated administrative em-
16 ployees in a school district have designated an educational organization
17 of their own choosing to bargain for them, the organization shall be
18 recognized by the school board as the bargaining agent for all the cer-
19 tificated administrative staff, except superintendents of schools. [THE

MEMBERSHIP OF ANY SUCH RECOGNIZED EDUCATIONAL ORGANIZATION SHALL BE COMPOSED PRINCIPALLY OF THOSE EMPLOYED IN THE TEACHING PROFESSION IN ALASKA.]

(b) The organization representing a majority of the certificated administrative employees of a school district shall, upon the request of the school board, submit an affidavit verifying that it does represent a majority of the certificated administrative employees. Recognition of the employee bargaining agency by a school board is valid for one year or a term agreed upon by the two parties to an agreement, unless a majority of the certificated administrative employees [CERTIFIED STAFF] votes to request the termination of recognition of the employee bargaining agency. The school board is entitled to an affidavit of membership from the employee bargaining agency once each year.

(c) Upon the request of 25 percent of the certificated administrative employees in a district, the school board shall hold, within 20 days, an election by secret ballot of all the certificated administrative employees in order to determine their choice of a bargaining agency. The results of this election are binding for one year.

(d) A school board shall, upon the written request of the employee bargaining organization, meet with the representative of the organization within 20 days of the request at a time and place to be mutually agreed upon. In the same manner, representatives of an employee bargaining organization are required to meet with a school board or its representatives within 20 days after receiving a written request. The school board and the employee organization may not select more than five representatives each to negotiate for them.

(e) The negotiating meeting may be held in executive session upon ~~mutual agreement of both parties~~, but all final agreements shall be made at a public meeting of the school board.

[(f) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PREVENT CERTIFICATED ADMINISTRATIVE PERSONNEL GROUPS, INCLUDING PRINCIPALS AND ASSISTANT PRINCIPALS, FROM HAVING THE RIGHT TO NEGOTIATE INDEPENDENTLY OF THE OTHER CERTIFICATED PERSONNEL IF THEY CHOOSE TO DO SO AS THE RESULT OF A SECRET BALLOT.]

* Sec. 4. AS 14.20.570(b) is amended to read:

(b) If the mediation meetings are held during the school day, certificated administrative employees [TEACHERS] representing an employee bargaining agency shall be released from their [CLASSROOM OR OTHER] assigned duties without penalty or loss of pay.

* Sec. 5. AS 14.20.590 is amended to read:

Sec. 14.20.590. GRIEVANCE PROCEDURES. Negotiations agreements executed under AS 14.20.550 - 14.20.590 [AFTER THE EFFECTIVE DATE OF THIS ACT] shall define "grievances" and provide for grievance procedures for the certificated staff subject to AS 14.20.550 - 14.20.590. The grievance procedures shall provide that the final step in the procedure shall be binding arbitration. The negotiations agreement shall provide a method for the selection of an arbitrator.

* Sec. 6. AS 14.20.600 is amended to read:

Sec. 14.20.600. INDIVIDUAL CASES. Nothing in AS 14.20.550 - 14.20.590 prohibits a certificated administrative [AN] employee from addressing a school board, as an individual, through the regular procedures of the school board for hearing individual cases.

* Sec. 7. AS 14.20.610 is amended to read:

Sec. 14.20.610. LEGAL RESPONSIBILITIES OF BOARDS. Nothing in AS 14.20.550 - 14.20.600 or in AS 23.40.070 - 23.40.260 may be construed as an abrogation or delegation of the legal responsibilities, powers, and duties of the school board including its right to make final decisions on policies.

1 * Sec 8. AS 23.40.200(b) is amended to read:

2 (b) The class in (a)(1) of this section is composed of police and
3 fire protection employees, jail, prison and other correctional institu-
4 tion employees, [AND] hospital employees, and emergency services em-
5 ployees of the Department of Military Affairs. Employees in this class
6 may not engage in strikes. Upon a showing by a public employer, [OR]
7 the labor relations agency, or a school board for teachers included in
8 the class under this subsection, that employees in this class are
9 engaging or about to engage in a strike, an injunction, restraining
10 order, or other order which may be appropriate shall be granted by the
11 superior court in the judicial district in which the strike is occurring
12 or is about to occur. If an impasse or deadlock is reached in collective
13 bargaining between the public employer and employees in this class, and
14 mediation has been utilized without resolving the deadlock, the parties
15 shall submit to arbitration to be carried out under AS 23.40.205 [AS 09.
16 43.030].

17 * Sec. 9. AS 23.40.200(c) is amended to read:

18 (c) The class in (a)(2) of this section is composed of public
19 utility, snow removal, and sanitation employees and public school and
20 other educational institution employees, including teachers except
21 teachers included in the class in (b) of this section by a majority of
22 voters under AS 23.40.202. Employees in this class may engage in a
23 strike after mediation, subject to the voting requirement of (d) of this
24 section, for a limited time. The limit is determined by the interests
25 of the health, safety or welfare of the public. The public employer,
26 [OR] the labor relations agency, or, if teachers are engaging in a
27 strike, the school board may apply to the superior court in the judicial
28 district in which the strike is occurring for an order enjoining the
29 strike. A strike may not be enjoined unless it can be shown that it has

1 begun to threaten the health, safety or welfare of the public. A court,
2 in deciding whether or not to enjoin the strike, shall consider the
3 total equities in the particular class. "Total equities" includes not
4 only the impact of a strike on the public but also the extent to which
5 employee organizations and public employers have met their statutory
6 obligations. If an impasse or deadlock still exists after the issuance
7 of an injunction, the parties shall submit to arbitration to be carried
8 out under AS 23.40.205 [AS 09.43.030].

9 * Sec. 10. AS 23.40.200(e) is amended to read:

10 (e) Notwithstanding the provisions of (b), (c) and (d) of this
11 section, the employees with the concurrence of the employer may agree in
12 writing to submit a dispute arising from interpretation or application
13 of a collective bargaining agreement to arbitration under AS 23.40.205.

14 * Sec. 11. AS 23.40 is amended by adding new sections to read:

15 Sec. 23.40.202. LOCAL OPTION FOR DETERMINING THE CLASSIFICATION OF
16 TEACHERS. (a) The following question, if approved by a majority of the
17 members of a school board, shall be placed before the voters of the
18 school district in accordance with (b) of this section: "Shall teachers
19 employed by the (name of school district) be subject to
20 AS 23.40.200(b), prohibiting certain public employees from engaging in a
21 strike? Yes [] No []"

22 (b) If a school board approves the question under (a) of this
23 section, the local governing body of the municipality, or the director
24 of elections if the board is a regional school board, shall place the
25 question set out in (a) of this section on a separate ballot at the next
26 regular election held in the municipality or regional educational atten-
27 dance area. The local governing body shall conduct the election in
28 accordance with the election ordinance of the municipality. The director
29 of elections shall conduct the election in the general manner prescribed

1 by AS 14.08.071 and the Alaska Election Code (AS 15).

2 (c) If a majority of voters voting on the question vote "yes" on
3 the question set out in (a) of this section, teachers in that school
4 district shall be included in the class under AS 23.40.200(b) and
5 removed from the class under AS 23.40.200(c).

6 Sec. 23.40.205. ARBITRATION. (a) When an organization and a
7 public employer are unable to reach an agreement through negotiations
8 and an impasse exists, arbitration shall be conducted before an arbitra-
9 tion board of five persons consisting of one professional arbitrator
10 with substantial experience in the field of labor relations, selected by
11 the labor relations agency, who shall serve as chairperson, and four
12 public members selected from the panel described in (c) of this section,
13 or, if the impasse involves teachers, selected in accordance with (d) of
14 this section. If a controversy involves state employees, the arbitra-
15 tion board shall include residents of at least three of the four state
16 judicial districts. If a controversy involves teachers, the four public
17 members shall be residents of the ^{affected} school district.

18 (b) Each party shall submit to the arbitration board its final
19 offer on the impasse. The board shall select either the final offer of
20 the organization or the final offer of the public employer. The selec-
21 tion of the board shall be considered to be the collective bargaining
22 agreement between the parties. The determination of the board on the
23 final offer shall be final and binding on the parties as if the arbitra-
24 tion had been conducted under the Uniform Arbitration Act (AS 09.43).

25 (c) ^{For} ~~if~~ an impasse ^{involves} ~~involves~~ ^{ing} public employees other than teachers,
26 the labor relations agency shall select a standing panel to provide
27 public members for an arbitration board from among persons who (1) have
28 broad and varied experience in the conduct of human affairs, (2) have
29 resided in the state for a substantial period of time, and (3) are not

1 at the time of selection employed in a position that requires direct
2 participation in labor-management relations. The number of members of
3 the standing panel shall be a number that the labor relations agency
4 determines to be adequate to ensure the availability of four persons
5 when needed. The standing panel shall include at least one resident of
6 each state judicial district. A person who resides for a period of more
7 than three months at a place outside the state, or who becomes employed
8 in a position that requires direct participation in labor-management
9 relations shall be removed from the panel.

0 (d) If an impasse involves teachers, the arbitrator selected by
1 the labor relations agency shall request the organization and the school
2 board to submit to the other party by a date certain the names of public
3 members to serve on the board described in (a) of this section. The
4 organization and the school board shall each select for this purpose two
5 persons who (1) have broad and varied experience in the conduct of human
6 affairs, (2) reside in the ^{affected} school district, and (3) are not at the time
7 of selection employed in a position that requires direct participation
8 in labor-management relations. Within one week of the date designated
9 for submission of names under this subsection the organization and the
0 board shall each notify the arbitrator if it accepts the persons
1 selected by the other party. If the parties agree, the persons selected
2 shall serve on the board described in (a) of this section. If the
3 organization and the board do not agree on the members selected, the
4 arbitrator shall request each party to submit to the labor relations
5 agency a list consisting of not less than five nor more than seven
6 persons who meet the criteria set out in (1), (2), and (3) of this
7 subsection. From each list submitted to the labor relations agency, the
8 agency shall choose two persons who shall serve on the board described
9 in (a) of this section.

1 (e) An arbitration board is entitled to compensation by the par-
2 ties for its services as follows:

3 (1) public members shall receive per diem and travel allow-
4 ances as provided by law for members of state boards and commissions;

5 (2) the professional arbitrator serving as chairperson shall
6 be compensated on terms that the parties determine to represent fair
7 value for such professional services.

8 * Sec. 12. AS 23.40.250(1) is amended to read:

9 (1) "collective bargaining" means the performance of the
10 mutual obligation of the public employer or his designated representa-
11 tives and the representative of the employees to meet at reasonable
12 times, including meetings in advance of the budget making process and
13 negotiate in good faith with respect to wages, hours and other terms and
14 conditions of employment, or, for employees who are teachers, to negoti-
15 ate in good faith with respect to matters pertaining to the employment
16 and the fulfillment of the professional duties of teachers, or the
17 negotiation of an agreement, or negotiation of a question arising under
18 an agreement and the execution of a written contract incorporating an
19 agreement reached if requested by either party, but these obligations do
20 not compel either party to agree to a proposal or require the making of
21 a concession;

22 * Sec. 13. AS 23.40.250(5) is amended to read:

23 (5) "public employee" means any employee of a public employer,
24 whether or not in the classified service of the public employer, except
25 elected or appointed officials or administrative employees of school
26 boards [TEACHERS] or noncertificated employees of school districts;

27 * Sec. 14. AS 23.40.250(6) is amended to read:

28 (6) "public employer" means the state or a political sub-
29 division of the state, including without limitation, a [TOWN,] city,

borough, district, board of regents, city, borough, or regional school board, public and quasi-public corporation, housing authority or other authority established by law, and a person designated by the public employer to act in its interest in dealing with public employees;

* Sec. 15. AS 23.40.250 is amended by adding new paragraphs to read:

(8) "district" means a district as defined by AS 14.12.010;

(9) "teacher" means a person employed by a school board who serves in a teaching or counseling capacity and is required to be certificated in order to hold the position.

* Sec. 16. AS 23.40.040 is repealed.

* Sec. 17. (a) A school board, including a regional educational attendance area school board, may not reject having the provisions of the Public Employment Relations Act apply to its relations with its teachers.

(b) The provisions of sec. 4, ch. 113, SLA 1972 do not apply to allow organized boroughs and other political subdivisions of the state, home rule or otherwise, to reject having the provisions of the Public Employment Relations Act apply to its relation with those school employees of the municipality included under the provisions of that Act.

* Sec. 18. Nothing in this Act terminates or modifies a collective bargaining unit, recognition of exclusive bargaining representative, or collective bargaining agreement if the unit, recognition, or agreement is in effect on the effective date of this Act.

Sen Sackett is holding
the copies for
the members

SUGGESTED CHANGES IN CSSB 653 (Fin)

Page 3, line 6. Delete lines 6 through 11 and substitute amendment # 1

Page 3, line 29. Add amendment # 2

Page 4, line 18,19 and 20 and all of se. 11 on page 5 reference to teachers.

substitute in their place a provision that places teachers in (a) (3) of A.S. 23.200 giving teachers unlimited right to strike but prohibiting binding arbitration.

Page 6, line 5 add amendment # 3

Page 7, line 8, add amendment # 4

Add a provision for EMPLOYEE RIGHTS

Add a provision for FACT FINDING in A.S. 23 in the same manner as proposed for administrators in A.S. 14.20.750 and A.S. 14.20.580

Add repealers for AS 14.20.095 through AS 14.20.210, AS 14.20.220 , AS 14.20.230, AS 14.20.280 through AS 14.20.350

AMENDMENT # 1

SEC. 14.20.570 MEDIATION is repealed and reenacted to read:

- (a) Upon the written request or mediation by an administrative employee bargaining agency or a school board, and upon certification by the parties that good faith negotiations have terminated in an impasse, the following occurs:
- (1.) Within seven days of the certification the parties at interest shall jointly request the United States Federal Mediation and Conciliation Service to serve as the agency to resolve the dispute.
 - (2) The mediator shall chair all mediation meetings between the disputing parties and attempt to resolve the differences between the disputing parties and reach common acceptance of terms and conditions or other terms in dispute wherever possible.
 - (3) Each party to the dispute may select a team of not more than five members to present the evidence, thinking and position of the group they represent, to the mediator.
- (b) If the mediation meetings are held during the school day, administrative employees representing an administrative employee bargaining agency shall be released from assigned duties without penalty or loss of pay.

SEC. 14.20.580 THE MEDIATION REPORT is repealed and a new section is enacted to read:

SEC. 14.20.580 FACT FINDING.

- (a) Within seven days after the Federal Mediation and Conciliation Service has determined that impasse still exists after the mediator has attempted to resolve the differences between the disputing parties, The parties of interest shall jointly request the American Arbitration Association or other agency of joint agreement between the disputing parties to appoint a fact finder. The fact finder shall utilize the following procedures in an attempt to resolve the differences between the disputing parties:
- (1) The fact finder shall establish the time and location for all meetings between the parties in dispute.
 - (2) The fact finder shall chair all meetings between the disputing parties and attempt to resolve the differences and reach common acceptance of terms and conditions in dispute wherever possible.
 - (3) Failing in a mediation attempt, the fact finder shall request that each party present the evidence, thinking and position of the group they represent, to the fact finder.
 - (4) Each party to the dispute may select a team of not more than five persons to participate in the fact finding process.
 - (5) Within 30 days of the initial meeting of the parties to the dispute and the fact finder, the fact finder shall have reduced to writing

his findings in fact and recommendations for resolution of the dispute.

- (6) Within 10 days each party to the dispute shall accept or reject in total the report of the fact finder.

PROPOSED AMENDMENT

#2

Page 1, line 22 Add Providing that both parties have agreed to optional coordinated bargaining.

Page 3, line 29 Add ...relating to:

1. Directing the work of its certificated and other employees.
2. hiring, promoting, demoting, transferring, assigning, and retaining employees within the district.
3. Suspending or discharging employees for proper cause.
4. Maintaining the efficiency of the operation of the school district.
5. Relieving employees from employment because of lack of enrollment, loss of revenue, discontinuance of a job function, or other legitimate reason.
6. determining and implementing methods, means, assignments and personnel by which the school board shall conduct the district operations.
7. Take such actions as may be necessary to carry out the mission of the school district.
8. Initiate, prepare, certify, and administer the school district budget.
9. Exercise all powers and duties granted to the school board by law.

AMENDMENT

3

PAGE 6 Line 5 Add For teachers, only items relating to wages and fringe benefits may be submitted to arbitration.

AMENDMENT # 4

Page 7, Line 8 (or, for employees who are teachers, to negotiate in good faith with respect to matters pertaining to the employment and fulfillment of the professional duties of teachers,) or, for employees who are teachers, to negotiate in good faith with respect to matters pertaining to wages, hours worked, time off and other fringe benefits of an economic nature,

AMENDMENT

TEACHER RIGHTS DURING COLLECTIVE BARGAINING

1. Teachers have the right to form, join or assist, or to refrain from joining, forming or assisting, employee organizations.
2. Certificated employee organizations have the right to participate in collective bargaining with school boards through representatives of their own choosing.
3. Certificated employees have the right to bargain for the purpose of negotiating for wages, hours worked, time off, and other terms affecting their economic benefit.



From The
**SENATE
FINANCE COMMITTEE**

FERGUSON AMENDMENT PROPOSED 4/19/82

ADD NEW SECTION 19

"Teachers shall be taken off the
tenure list for participating
in a strike."

Colvin
4/18/82

Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 653 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public employees subject to collec-
7 tive bargaining."

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

9 * Section 1. AS 14.20.550 is amended to read:

10 Sec. 14.20.550. NEGOTIATION WITH CERTIFICATED ADMINISTRATIVE EM-
11 PLOYEES. Each city, borough and regional school board, shall negotiate
12 with its certificated administrative employees in good faith on matters
13 pertaining to their employment and the fulfillment of their professional
14 duties.

15 * Sec. 2. AS 14.20.555(a) is amended to read:

16 (a) Negotiations between the certificated administrative employees
17 of the regional educational attendance areas and the respective regional
18 school boards shall be conducted by one team representing all the cer-
19 tificated administrative employees [, ONE TEAM REPRESENTING ALL THE CER-
20 TIFICATED ADMINISTRATIVE PERSONNEL IF THEY HAVE JOINED TOGETHER TO
21 NEGOTIATE INDEPENDENTLY AS PROVIDED IN SEC. 560(f) OF THIS CHAPTER,] and
22 one team representing all the participating regional school boards.

23 * Sec. 3. AS 14.20.560 is amended to read:

24 Sec. 14.20.560. ADMINISTRATIVE EMPLOYEE [TEACHERS'] BARGAINING
25 GROUPS. (a) When a majority of the certificated administrative em-
26 ployees in a school district have designated an educational organization
27 of their own choosing to bargain for them, the organization shall be
28 recognized by the school board as the bargaining agent for all the cer-
29 tificated administrative staff, except superintendents of schools. [THE

1 MEMBERSHIP OF ANY SUCH RECOGNIZED EDUCATIONAL ORGANIZATION SHALL BE
2 COMPOSED PRINCIPALLY OF THOSE EMPLOYED IN THE TEACHING PROFESSION IN
3 ALASKA.]

4 (b) The organization representing a majority of the certificated
5 administrative employees of a school district shall, upon the request of
6 the school board, submit an affidavit verifying that it does represent
7 a majority of the certificated administrative employees. Recognition of
8 the employee bargaining agency by a school board is valid for one year
9 or a term agreed upon by the two parties to an agreement, unless a major-
10 ity of the certificated administrative employees [CERTIFIED STAFF] votes
11 to request the termination of recognition of the employee bargaining
12 agency. The school board is entitled to an affidavit of membership from
13 the employee bargaining agency once each year.

14 (c) Upon the request of 25 percent of the certificated adminis-
15 trative employees in a district, the school board shall hold, within 20
16 days, an election by secret ballot of all the certificated administrative
17 employees in order to determine their choice of a bargaining agency. The
18 results of this election are binding for one year.

19 (d) A school board shall, upon the written request of the employee
20 bargaining organization, meet with the representative of the organiza-
21 tion within 20 days of the request at a time and place to be mutually
22 agreed upon. In the same manner, representatives of an employee bargain-
23 ing organization are required to meet with a school board or its repre-
24 sentatives within 20 days after receiving a written request. The school
25 board and the employee organization may not select more than five repre-
26 sentatives each to negotiate for them.

27 (e) The negotiating meeting may be held in executive session upon
28 mutual agreement of both parties, but all final agreements shall be made
29 at a public meeting of the school board.

1 [(f) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PREVENT CERTI-
2 FICATED ADMINISTRATIVE PERSONNEL GROUPS, INCLUDING PRINCIPALS AND
3 ASSISTANT PRINCIPALS, FROM HAVING THE RIGHT TO NEGOTIATE INDEPENDENTLY
4 OF THE OTHER CERTIFICATED PERSONNEL IF THEY CHOOSE TO DO SO AS THE
5 RESULT OF A SECRET BALLOT.]

6 * Sec. 4. AS 14.20.570(b) is amended to read:

7 (b) If the mediation meetings are held during the school day, cer-
8 tificated administrative employees [TEACHERS] representing an employee
9 bargaining agency shall be released from their [CLASSROOM OR OTHER]
10 assigned duties without penalty or loss of pay.

11 * Sec. 5. AS 14.20.590 is amended to read:

12 Sec. 14.20.590. GRIEVANCE PROCEDURES. Negotiations agreements
13 executed under AS 14.20.550 - 14.20.590 [AFTER THE EFFECTIVE DATE OF
14 THIS ACT] shall define "grievances" and provide for grievance procedures
15 for the certificated staff subject to AS 14.20.550 - 14.20.590. The
16 grievance procedures shall provide that the final step in the procedure
17 shall be binding arbitration. The negotiations agreement shall provide
18 a method for the selection of an arbitrator.

19 * Sec. 6. AS 14.20.600 is amended to read:

20 Sec. 14.20.600. INDIVIDUAL CASES. Nothing in AS 14.20.550 -
21 14.20.590 prohibits a certificated administrative [AN] employee from
22 addressing a school board, as an individual, through the regular proce-
23 dures of the school board for hearing individual cases.

24 * Sec. 7. AS 14.20.610 is amended to read:

25 Sec. 14.20.610. LEGAL RESPONSIBILITIES OF BOARDS. Nothing in
26 AS 14.20.550 - 14.20.600 or in AS 23.40.070 - 23.40.260 may be construed
27 as an abrogation or delegation of the legal responsibilities, powers,
28 and duties of the school board including its right to make final
29 decisions on policies.

1 * Sec 8. AS 23.40.200(b) is amended to read:

2 (b) The class in (a)(1) of this section is composed of police and
3 fire protection employees, jail, prison and other correctional institu-
4 tion employees, [AND] hospital employees, and emergency services em-
5 ployees of the Department of Military Affairs. Employees in this class
6 may not engage in strikes. Upon a showing by a public employer or the
7 labor relations agency that employees in this class are engaging or
8 about to engage in a strike, an injunction, restraining order, or other
9 order which may be appropriate shall be granted by the superior court in
10 the judicial district in which the strike is occurring or is about to
11 occur. If an impasse or deadlock is reached in collective bargaining
12 between the public employer and employees in this class, and mediation
13 has been utilized without resolving the deadlock, the parties shall sub-
14 mit to arbitration to be carried out under AS 23.40.205 [AS 09.43.030].

15 * Sec. 9. AS 23.40.200(c) is amended to read:

16 (c) The class in (a)(2) of this section is composed of public
17 utility, snow removal, and sanitation employees and public school and
18 other educational institution employees, including teachers except
19 teachers included in the class in (b) of this section by a majority of
20 voters under AS 23.40.202. Employees in this class may engage in a
21 strike after mediation, subject to the voting requirement of (d) of this
22 section, for a limited time. The limit is determined by the interests
23 of the health, safety or welfare of the public. The public employer or
24 the labor relations agency may apply to the superior court in the
25 judicial district in which the strike is occurring for an order enjoin-
26 ing the strike. A strike may not be enjoined unless it can be shown
27 that it has begun to threaten the health, safety or welfare of the
28 public. A court, in deciding whether or not to enjoin the strike, shall
29 consider the total equities in the particular class. "Total equities"

1 includes not only the impact of a strike on the public but also the
2 extent to which employee organizations and public employers have met
3 their statutory obligations. If an impasse or deadlock still exists
4 after the issuance of an injunction, the parties shall submit to arbi-
5 tration to be carried out under AS 23.40.205 [AS 09.43.030].

6 * Sec. 10. AS 23.40.200(e) is amended to read:

7 (e) Notwithstanding the provisions of (b), (c) and (d) of this
8 section, the employees with the concurrence of the employer may agree in
9 writing to submit a dispute arising from interpretation or application
10 of a collective bargaining agreement to arbitration under AS 23.40.205.

11 * Sec. 11. AS 23.40 is amended by adding new sections to read:

12 Sec. 23.40.202. LOCAL OPTION FOR DETERMINING THE CLASSIFICATION OF
13 TEACHERS. (a) The following question, if approved by a majority of the
14 members of a school board, may be placed by the board on a separate
15 ballot before the voters of a school district: "Shall teachers employed
16 by the (name of school district) be subject to AS 23.40.-
17 200(b), prohibiting certain public employees from engaging in a strike?
18 Yes [] No []"

19 (b) If a majority of voters voting on the question vote "yes" on
20 the question set out in (a) of this section, teachers in that school
21 district shall be included in the class under AS 23.40.200(b) and
22 removed from the class under AS 23.40.200(c).

23 Sec. 23.40.205. ARBITRATION. (a) When an organization and a
24 public employer are unable to reach an agreement through negotiations
25 and an impasse exists, arbitration shall be conducted before an arbitra-
26 tion board of five persons, appointed by the labor relations agency.
27 The arbitration board shall consist of one professional arbitrator with
28 substantial experience in the field of labor relations, who shall serve
29 as chairperson, and four public members from the panel described in (c)

1 of this section. For a controversy involving state employees, the
2 arbitration board shall include residents of at least three of the four
3 state judicial districts.

4 (b) Each party shall submit to the arbitration board its final
5 offer on the impasse. The board shall select either the final offer of
6 the organization or the final offer of the public employer. The selec-
7 tion of the board shall be considered to be the collective bargaining
8 agreement between the parties. The determination of the board on the
9 final offer shall be final and binding on the parties as if the arbitra-
10 tion had been conducted under the Uniform Arbitration Act (AS 09.43).

11 (c) The labor relations agency shall select a standing panel to
12 provide public members for an arbitration board from among persons who
13 (1) have broad and varied experience in the conduct of human affairs,
14 (2) have resided in the state for a substantial period of time, and (3)
15 are not at the time of selection employed in a position that requires
16 direct participation in labor-management relations. The number of
17 members of the standing panel shall be a number that the labor relations
18 agency determines to be adequate to ensure the availability of four
19 persons when needed. The standing panel shall include at least one
20 resident of each state judicial district. A person who resides for a
21 period of more than three months at a place outside the state, or who
22 becomes employed in a position that requires direct participation in
23 labor-management relations shall be removed from the panel.

24 (d) An arbitration board is entitled to compensation by the parties
25 for its services as follows:

26 (1) public members shall receive per diem and travel allow-
27 -ances as provided by law for members of state boards and commissions;

28 (2) the professional arbitrator serving as chairperson shall
29 be compensated on terms that the parties determine to represent fair

1 value for such professional services.

2 * Sec. 12. AS 23.40.250(1) is amended to read:

3 (1) "collective bargaining" means the performance of the
4 mutual obligation of the public employer or his designated representa-
5 tives and the representative of the employees to meet at reasonable
6 times, including meetings in advance of the budget making process and
7 negotiate in good faith with respect to wages, hours and other terms and
8 conditions of employment, or, for employees who are teachers, to negoti-
9 ate in good faith with respect to matters pertaining to the employment
10 and the fulfillment of the professional duties of teachers, or the
11 negotiation of an agreement, or negotiation of a question arising under
12 an agreement and the execution of a written contract incorporating an
13 agreement reached if requested by either party, but these obligations do
14 not compel either party to agree to a proposal or require the making of
15 a concession;

16 * Sec. 13. AS 23.40.250(5) is amended to read:

17 (5) "public employee" means any employee of a public employer,
18 whether or not in the classified service of the public employer, except
19 elected or appointed officials or administrative employees of school
20 boards [TEACHERS] or noncertificated employees of school districts;

21 * Sec. 14. AS 23.40.250(6) is amended to read:

22 (6) "public employer" means the state or a political sub-
23 division of the state, including without limitation, a [TOWN,] city,
24 borough, district, board of regents, city, borough, or regional school
25 board, public and quasi-public corporation, housing authority or other
26 authority established by law, and a person designated by the public
27 employer to act in its interest in dealing with public employees;

28 * Sec. 15. AS 23.40.250 is amended by adding new paragraphs to read:

29 (8) "district" means a city or borough school district or a