

Leg Finance-House & Senate Fin Comte Files (1985-1986) 2453.10

ished populations. It is recommended that trapping be allowed to continue, with the understanding that the Department of Fish and Game has authority for managing the area's wildlife resources.

Transportation, Utility Corridors

In anticipation of continued growth in the railbelt region, reconnaissance transportation and utility studies are identifying various corridors for roads, electricity transmission lines, etc. For example, the Alaska Power Authority is studying route alignments for transmission lines which will be necessary if the proposed Susitna hydroelectric project is constructed. One possible alignment bisects the park, traveling over the proposed location of a vehicle campground.

In order to preserve park values and protect recreational resources from intrusion, it is recommended by the Division of Parks that new transportation and utility corridors avoid the boundaries proposed for Willow Creek State Recreation Area.

Operations and Maintenance Staffing

To provide quality public recreation, it is not enough for the state to simply establish new parks and construct new facilities. Equally important is funding for staff personnel, maintenance, repairs, and equipment needs. These are the operational items which are so often neglected as budgets are formulated, yet they provide benefits which accrue directly to recreationists in the form of well-managed facilities and ranger assistance.

As the Division of Parks makes capital funding requests to implement the facilities recommendations of this plan, companion fiscal notes will also be prepared. The notes will detail the support functions, additional staff, special equipment, and other ongoing operational needs which the construction of new facilities will bring. Figure 21, page 50, compiles the phased operational requirements at Willow Creek, designed to coincide with the phases of facility construction.

Hunting

The Alaska Board of Game is responsible for developing hunting regulations addressing such factors as opened/closed areas, seasons, species, and bag limits.

The boat launch area will be heavily used during the autumn big game hunting season by hunters destined for outlying areas. Because of this concentrated use, a real danger would be created by other hunters stalking the surrounding area inadvertently shooting in the direction of the launch. For public safety purposes, it is recommended that the Board of Game close the state recreation area to all hunting during the fall big game season. Afterwards, when boat launching activity has declined, the area would be opened for small game hunting, with small caliber rifles and shotguns.

Failing action by the Board of Game, it is recommended that the Division of Parks exercise its authority to protect public safety by closing the area to the discharge of firearms.

- Facilities thought to be inappropriate include overnight cabins, lodges/hotels/motels, convenience stores, and playfields.
- Sport fishing is the primary attraction at Willow Creek. Other attractions include its accessibility, pleasant atmosphere, and riverboat access to downstream areas such as the Deshka River.
- Overcrowding was most often mentioned as a negative feature of the area. Anchorage residents next indicated poor maintenance, while local residents complained of boat traffic on Willow Creek. Another problem cited is a lack of developed camping areas.
- When asked what type of overnight accommodations they used, 58% of Anchorage respondents listed some type of vehicle and 56% used tents. (Note that because some people use both types of accommodations, the percentages total more than 100.) Seventy-one percent of Matanuska-Susitna respondents used a vehicle, while 50% used a tent.
- Most people favored locating camping areas within reasonable walking distance, as opposed to streambank development or areas located several miles away.
- Anglers were satisfied with their fishing success rates for most fish species. King salmon fishing brought a mixed response, with 50% of the fishermen being dissatisfied.

Regional Preferences

The Alaska Outdoor Recreation Plan, published by the Division of Parks in 1981, contains detailed information about the preferences of Southcentral Alaska residents. Figures 12, 13, 14, 15, and 16 are excerpted from the plan and lead to the following conclusions relating to the management and development of a Willow Creek State Recreation Area.

- Fishing and tent camping are the two activities which respondents desired to do more often (Figure 12). The Willow Creek area can provide opportunities for both these activities, consistent with the land and water's ability to absorb adverse impacts.

Figure 12. ACTIVITIES THAT SOUTHCENTRAL PARTICIPANTS WOULD LIKE TO DO MORE OFTEN

	Percent of Respondents
Fishing	26%
Tent camping	12%
Hunting	7%
Motorboating	8%
Hiking/walking*	4%
Alpine skiing	4%
Swimming	3%
Flying	3%
Horseback riding*	3%
Balling	2%
Canoeing/kayaking	2%
Bicycling*	2%
Beach combing	2%
Travelling/sightseeing	1%
Cross-country skiing*	1%
Other	21%
None	0%
<hr/>	
◦ Trail related activities subtotal	10%

Source: Alaska Division of Parks

- The four most popular outdoor recreational activities in the region are fishing, tent camping, hiking/walking/running, and hunting (Figure 13). The Willow Creek corridor is capable of supporting all of these activities, with care taken that increased usage does not spoil the area's natural character.
- Acquisition and development of more backpacking campsites are favored by a majority of southcentral residents (Figure 14). In its extensive lowlands with complex drainage patterns, the Willow Creek corridor is especially suited to these low-impact facilities.
- More and better developed roadside campgrounds and picnic areas are favored (Figure 14). The well drained uplands overlooking Willow Creek are capable of meeting some of this demand, due to their suitability for a range of intensive activities and facilities.
- Southcentral residents want more hiking trails (Figure 14). The Willow Creek corridor is suited for a network of streamside and back-country trails. Such a trail network would serve several user groups, including anglers, hikers, skiers, snowmachiners, and dog mushers.
- More and better developed canoeing, kayaking, and rafting trails are favored in the southcentral region (Figure 14). Comments received during public meetings indicate that the curving and

Figure 13. FAVORITE SOUTHCENTRAL OUTDOOR RECREATION ACTIVITIES††

1. Fishing	24%
2. Tent camping	9%
3. Hiking/walking/running*	5%
4. Hunting	8%
5. Motorboating	5%
6. Beachcombing	5%
7. Baseball/softball	4%
8. Bicycling*	3%
9. Cross-country skiing*	4%
10. Alpine skiing	4%
11. Winter off-road vehicle*	3%
12. Swimming	2%
13. Flying for pleasure	2%
14. Summer off-road vehicle*	2%
15. Travelling/sightseeing	2%
16. Horseback riding*	2%
17. Other**	

* Trail related activities
 ** Twenty-five other activities were listed and represent one percent or less each
 †† Represents first preference given

Source: Alaska Division of Parks

Figure 14. PREFERENCES FOR SOUTHCENTRAL STATE PARK ACQUISITION, DEVELOPMENT AND MAINTENANCE

	More Areas	Develop Areas	Just Maintain	Less Areas
Hiking trails	63%	31%	15%	1%
Roadside campgrounds/picnic areas	61%	17%	20%	2%
Backpacking campsites	48%	29%	21%	2%
Canoeing, kayaking, and rafting trails	41%	33%	22%	4%
Developed recreation areas	61%	23%	24%	2%
Well-accessed natural areas	38%	33%	25%	4%
Historic sites	37%	32%	25%	6%
Wilderness areas	23%	25%	35%	17%

Source: Alaska Division of Parks

debris-strewn waters of Willow Creek are dangerous for canoe operation. Rafting and kayaking, however, are judged to be suitable activities in these waters.

- ° Desired features in out-of-town recreational areas include fishing areas, access to water, facilities such as campsites and picnic tables, and undisturbed natural areas (Figure 15). Willow Creek is capable of meeting some of this demand, in an area within two hours driving time of Anchorage.
- ° For many Susitna valley residents, a park at Willow Creek will serve as a community recreational area. Desired features in community recreational areas - which are also consistent with the mission of the State Park System - include trails, paved roads, water access, and picnic tables, campsites, drinking water, and restrooms (Figure 16).

Recreational Demand

In keeping with Alaska's explosive population growth, demand for outdoor recreation rose dramatically during the decade of the seventies. The number of sport fishing licenses issued increased from 113,394 in 1970 to 206,804 in 1980, according to the Department of Fish and Game. Division of Parks figures indicate that visitation at the Matanuska-Susitna district parks rose from 92,078 in FY73 to 391,923 in FY81, representing a 426% increase in 8 years.

Figure 15. DESIRED FEATURES IN SOUTHCENTRAL OUT-OF-TOWN RECREATION AREAS

Features	Percentage of Southcentral Population in Favor of Features
1. Fishing areas	95%
2. Access to water for swimming or boating	91%
3. Areas for hunting	87%
4. Picnic tables, campsites, drinking water, restrooms	91%
6. Undisturbed natural areas	88%
6. Bicycle, walking, skiing or horseback riding trails	84%
7. Motorcycle, snowmachine and other ORV Trails	76%
8. Paved roads	69%
9. Unpaved roads	66%
10. Overnight lodging	66%
11. Electrical hook-ups, showers, general store	66%
12. Playfields	60%
13. Lawns & benches	49%

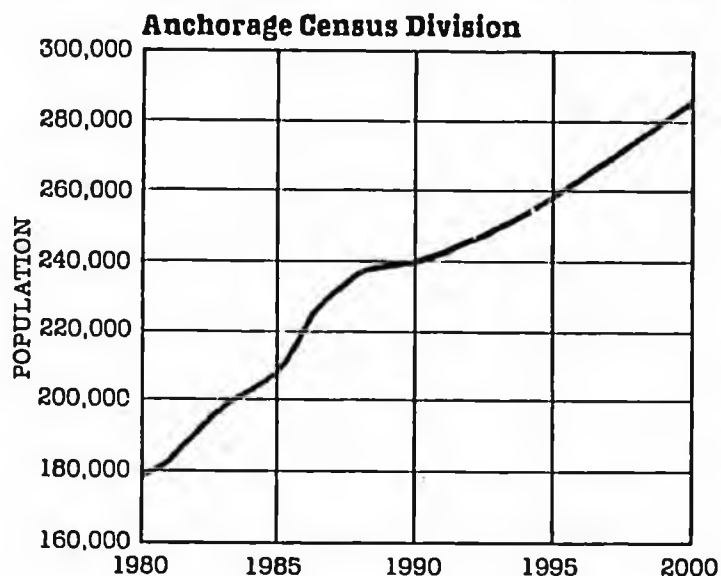
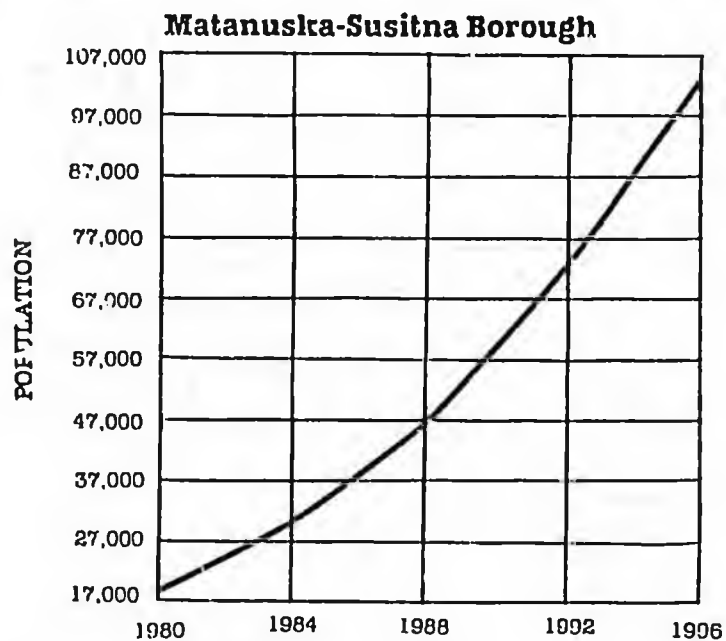
Source: Alaska Division of Parks

Figure 16. DESIRED FEATURES IN SOUTHCENTRAL COMMUNITY RECREATION AREAS

Features	Percentage of Southcentral Population in Favor of Features
1. Playfields	95%
2. Lawns & benches	92%
3. Bicycle, walking, skiing or horseback riding trails	85%
4. Paved roads	85%
5. Access to water for swimming and boating	77%
6. Picnic tables, campsites, drinking water, restrooms	75%
7. Undisturbed natural area	64%
8. Overnight lodging	61%
9. Electrical hookups, showers, general store	61%
10. Fishing areas	66%
11. Motorcycle, snowmachine and other ORV trails	44%
12. Unpaved roads	21%
13. Areas of hunting	9%

Source: Alaska Division of Parks

Figure 17. POPULATION FORECASTS



Source: Institute of Social and Economic Research

Population growth is forecasted to continue into the next century (see Figure 17, page 33), although at slower rates than in the past 10 years. Likewise, demand for recreational opportunities will continue to grow (particularly for such favorite activities as fishing, camping, hiking), but at reduced rates. Consistent with a national trend toward closer-to-home recreational outings, this moderation in demand will be offset somewhat by the Matanuska-Susitna district's proximity to population centers.

For the purposes of this plan, it is assumed by the Division of Parks that recreational demand exceeds the capability of the Willow Creek corridor to provide quality experiences. Therefore, this plan will recommend only those facilities and activities which can be accommodated while maintaining the area's high natural and aesthetic qualities.

Offered: 3/5/86
Referred: Finance

Original sponsor: Larson

1 IN THE HOUSE BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 635 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Willow Creek State Recre-
7 ation Area; and providing for an effective date."

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

9 * Section 1. PURPOSE. The purpose of this Act is to:

10 (1) designate as a state recreation area the land and water
11 described in AS 41.21.491(a);

12 (2) emphasize and manage recreational uses and associated devel-
13 opment activities in the unit; and

14 (3) maintain and enhance the fishery and wildlife habitat in the
15 unit.

16 * Sec. 2. AS 41.21 is amended by adding new sections to read:

17 Sec. 41.21.491. WILLOW CREEK STATE RECREATION AREA. (a) The
18 surface estate in the land and water owned by the state as of the
19 effective date of this Act and all land and water acquired by the
20 state in the future, including shore and submerged land, lying within
21 the parcels described in this subsection is designated as the Willow
22 Creek State Recreation Area:

23 Township 19 North, Range 4 West, Seward Meridian

24 Section 5: Lot 3, Lot 4, S1/2NE1/4NE1/4, SE1/4NW1/4NE1/4,
25 SW1/4NE1/4, N1/2NW1/4SE1/4, S1/2NW1/4

26 Section 6: Lot 3, Lot 4, Lot 5, SE1/4NW1/4

27 Township 19 North, Range 5 West, Seward Meridian

28 Section 1: SE1/4, W1/2, Tract A, Tract B, Tract C

29 Section 2

1 Section 3: N1/2

2 Township 20 North, Range 5 West, Seward Meridian

3 Section 34

4 Section 35

5 Section 36: S1/2

6 (b) The Department of Natural Resources may agree to manage land
7 owned by the Matanuska-Susitna Borough that is within the parcels
8 described in (a) of this section and that is designated by ordinance
9 or resolution of the borough as a part of the Willow Creek State
10 Recreation Area.

11 (c) Subject to valid existing rights, the land and water de-
12 scribed in (a) of this section are designated as a special purpose
13 area under art. VIII, sec. 7, Constitution of the State of Alaska.

14 (d) Except for oil and gas leasing under AS 38.05.180, the
15 mineral estate in the state-owned land and water described in (a) of
16 this section is closed to mineral entry under AS 38.05.181 - 38.05.-
17 280.

18 Sec. 41.21.492. DESIGNATION OF MANAGEMENT RESPONSIBILITIES. (a)
19 The land and water described in AS 41.21.491(a) and the land and water
20 owned by the Matanuska-Susitna Borough and designated by the borough
21 under AS 41.21.491(b) are assigned to the Department of Natural Re-
22 sources for control, maintenance, and development, consistent with the
23 purposes of AS 41.21.491 - 41.21.497.

24 (b) Nothing in AS 41.21.491 - 41.21.497 affects the responsibil-
25 ities of

26 (1) the Department of Fish and Game, the Board of Fisher-
27 ies, or the Board of Game under AS 41.99.010 and AS 16;

28 (2) the Department of Environmental Conservation under
29 AS 46.03; or

1 (3) state agencies and municipalities under AS 44.19.-
2 145(a)(11) and AS 46.40.100.

3 Sec. 41.21.493. COMPREHENSIVE MANAGEMENT PLAN. The commissioner
4 shall develop and adopt a comprehensive management plan for the Willow
5 Creek State Recreation Area with the concurrence of the Matanuska-
6 Susitna Borough.

7 Sec. 41.21.494. REGULATIONS. The commissioner shall adopt
8 regulations under the Administrative Procedure Act (AS 44.62) that are
9 necessary to achieve the purposes of AS 41.21.491 - 41.21.497 and to
10 implement the plan adopted under AS 41.21.493. The regulations shall

11 (1) designate incompatible uses and prohibit or restrict
12 them;

13 (2) allow road, railroad, and utility crossing of Willow
14 Creek so as to minimize disturbance to the river's habitat and scenic
15 and recreation values;

16 (3) allow fishery rehabilitation or enhancement practices
17 under terms that are compatible with AS 41.21.491 - 41.21.497;

18 (4) allow the legal taking of fur-bearing animals; and

19 (5) allow for hunting, except where it must be prohibited
20 for reasons of public safety.

21 Sec. 41.21.495. ADDITIONAL LAND. (a) The commissioner may
22 acquire, in the name of the state, title to or an interest in land or
23 improvements on land that is adjacent to or within the boundaries of
24 the Willow Creek State Recreation Area in order to achieve the pur-
25 poses of AS 41.21.491 - 41.21.497. This acquisition may be by lease,
26 purchase, exchange under AS 38.50, bequest, gift, or other lawful
27 means, but not by eminent domain.

28 (b) The commissioner may adjust the boundaries of the Willow
29 Creek State Recreation Area under AS 38.05.295 - 38.05.300 by adding

1 state-owned land and water to achieve the purposes of AS 41.21.491 -
2 41.21.497.

3 Sec. 41.21.496. COOPERATIVE MANAGEMENT AGREEMENTS. The commis-
4 sioner may enter into cooperative management agreements with a federal
5 agency, a municipality, another state agency, or a private landowner
6 to achieve the purposes of AS 41.21.491 - 41.21.497.

7 Sec. 41.21.497. CIVIL ENFORCEMENT. In addition to any other
8 remedy provided by law, the attorney general may seek an injunction
9 and damages, at the request of the commissioner, for a violation of a
10 regulation adopted under AS 41.21.494 or a regulation that is applica-
11 ble to the Willow Creek State Recreation Area established under
12 AS 41.21.491.

13 * Sec. 3. The commissioner of natural resources shall adopt the compre-
14 hensive management plan under AS 41.21.493, enacted by sec. 2 of this Act,
15 within two years after the effective date of this Act.

16 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
17 10.070(c).

18

Introduced: 2/17/86
Referred: Resources and
Finance

1 IN THE HOUSE

BY LARSON

2

HOUSE BILL NO. 635

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act establishing the Willow Creek State Recreation Area; and providing for an effective date."

7

8

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

9

* Section 1. PURPOSE. The purpose of this Act is to:

10

(1) designate as a state recreation area the land and water

11

described in AS 41.21.491(a);

12

(2) emphasize and manage recreational uses and associated devel-

13

opment activities in the unit; and

14

(3) maintain and enhance the fishery and wildlife habitat in the

15

unit.

16

* Sec. 2. AS 41.21 is amended by adding new sections to read:

17

Sec. 41.21.491. WILLOW CREEK STATE RECREATION AREA. (a) The

18

surface estate in the land and water owned by the state as of the

19

effective date of this Act and all land and water acquired by the

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state in the future, including shore and submerged land, lying within

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the parcels described in this subsection is designated as the Willow

22

Creek State Recreation Area:

23

Township 19 North, Range 4 West, Seward Meridian

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Section 5: Lot 3, Lot 4, S1/2NE1/4NE1/4, SE1/4NW1/4NE1/4,

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SW1/4NE1/4, N1/2NW1/4SE1/4, S1/2NW1/4

26

Section 6: Lot 3, Lot 4, Lot 5, SE1/4NW1/4

27

Township 19 North, Range 5 West, Seward Meridian

28

Section 1: SE1/4, W1/2, Tract A, Tract B, Tract C

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Section 2

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Section 3: N1/2
Township 20 North, Range 4 West, Seward Meridian
Section 31: Lot 4 and that portion of the S1/2S1/2 lying
West of the George Parks Highway
Township 20 North, Range 5 West, Seward Meridian
Section 34
Section 35
Section 36: S1/2

(b) The Department of Natural Resources may agree to manage land owned by the Matanuska-Susitna Borough that is within the parcels described in (a) of this section and that is designated by ordinance or resolution of the borough as a part of the Willow Creek State Recreation Area.

(c) Subject to valid existing rights, the land and water described in (a) of this section are designated as a special purpose area under art. VIII, sec. 7, Constitution of the State of Alaska.

(d) Except for oil and gas leasing under AS 38.05.180, the mineral estate in the state-owned land and water described in (a) of this section is closed to mineral entry under AS 38.05.181 - 38.05.280.

Sec. 41.21.492. DESIGNATION OF MANAGEMENT RESPONSIBILITIES. (a) The land and water described in AS 41.21.491(a) and the land and water owned by the Matanuska-Susitna Borough and designated by the borough under AS 41.21.491(b) are assigned to the Department of Natural Resources for control, maintenance, and development, consistent with the purposes of AS 41.21.491 - 41.21.497.

(b) Nothing in AS 41.21.491 - 41.21.497 affects the responsibilities of

(1) the Department of Fish and Game, the Board of

1 Fisheries, or the Board of Game under AS 41.99.010 and AS 16;

2 (2) the Department of Environmental Conservation under
3 AS 46.03; or

4 (3) state agencies and municipalities under AS 44.19.-
5 145(a)(11) and AS 46.40.100.

6 Sec. 41.21.493. COMPREHENSIVE MANAGEMENT PLAN. The commissioner
7 shall develop and adopt a comprehensive management plan for the Willow
8 Creek State Recreation Area with the concurrence of the Matanuska-
9 Susitna Borough.

10 Sec. 41.21.494. REGULATIONS. The commissioner shall adopt
11 regulations under the Administrative Procedure Act (AS 44.62) that are
12 necessary to achieve the purposes of AS 41.21.491 - 41.21.497 and to
13 implement the plan adopted under AS 41.21.493. The regulations shall

14 (1) designate incompatible uses and prohibit or restrict
15 them;

16 (2) allow road, railroad, and utility crossing of Willow
17 Creek so as to minimize disturbance to the river's habitat and scenic
18 and recreation values;

19 (3) allow fishery rehabilitation or enhancement practices
20 under terms that are compatible with AS 41.21.491 - 41.21.497;

21 (4) allow the legal taking of fur-bearing animals; and

22 (5) allow for hunting, except where it must be prohibited
23 for reasons of public safety.

24 Sec. 41.21.495. ADDITIONAL LAND. (a) The commissioner may
25 acquire, in the name of the state, title to or an interest in land or
26 improvements on land that is adjacent to or within the boundaries of
27 the Willow Creek State Recreation Area in order to achieve the pur-
28 poses of AS 41.21.491 - 41.21.497. This acquisition may be by lease,
29 purchase, exchange under AS 38.50, bequest, gift, or other lawful

1 means, but not by eminent domain.

2 (b) The commissioner may adjust the boundaries of the Willow
3 Creek State Recreation Area under AS 38.05.295 - 38.05.300 by adding
4 state-owned land and water to achieve the purposes of AS 41.21.491 -
5 41.21.497.

6 Sec. 41.21.496. COOPERATIVE MANAGEMENT AGREEMENTS. The commis-
7 sioner may enter into cooperative management agreements with a federal
8 agency, a municipality, another state agency, or a private landowner
9 to achieve the purposes of AS 41.21.491 - 41.21.497.

10 Sec. 41.21.497. CIVIL ENFORCEMENT. In addition to any other
11 remedy provided by law, the attorney general may seek an injunction
12 and damages, at the request of the commissioner, for a violation of a
13 regulation adopted under AS 41.21.494 or a regulation that is applica-
14 ble to the Willow Creek State Recreation Area established under
15 AS 41.21.491.

16 * Sec. 3. The commissioner of natural resources shall adopt the compre-
17 hensive management plan under AS 41.21.493, enacted by sec. 2 of this Act,
18 within two years after the effective date of this Act.

19 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
20 10.070(c).

21

HOUSE
COMMITTEE REPORT

4/17

(7)

Date referred: 3/7/86

FURTHER REFERRALS: FINANCE

HEALTH, EDUCATION AND
SOCIAL SERVICES

DATE: April 16, 1986

The _____ Committee has considered

SSHB 637

"An Act relating to state support for education; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS SSHB 637 (new) same title
- new title

and recommends No rec

further referral to the _____ Committee

and attaches:

- letter of intent (*forthcoming*)
- first fiscal note *prop 118*
- new fiscal note
- zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

~~David W. Henderson~~

Bill [unclear] no rec

Gene [unclear] No Rec

Katie [unclear] No Rec

Steve [unclear] no rec

Matt [unclear] no rec

Steve F. Kozman co-ch
 Chairman
Matt [unclear] co-ch

Offered: 4/17/86
Referred: Finance

*First Draft
Sep 118*

Ford

Original sponsor: Taylor

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 637 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH 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. AS 14.17.021 is repealed and reenacted to read:

10 Sec. 14.17.021. STATE AID. (a) The amount of state aid that
11 each city and borough school district may qualify for is calculated by
12 multiplying the basic need as defined in (b) of this section by the
13 equalized percentage as defined in (c) of this section. The amount of
14 state aid that each rural educational attendance area may qualify for
15 is calculated by multiplying the basic need as defined in (b) of this
16 section by the equalized percentage as defined in (c) of this section.

17 (b) The basic need of each school district is determined by
18 multiplying the instructional unit allotment of the district as de-
19 termined under AS 14.17.051 by the number of instructional units in
20 the district.

21 (c) The equalized percentage for each district is the greater of
22 80 percent or a percentage computed according to the formula $P_i = 1 -$
23 $(1-k) V_i/V_s$ in which

24 (1) P_i (equalized percentage) = percent of need to be
25 provided by the state;

26 (2) k (level of average state support of basic need) = 97
27 percent;

28 (3) V_i = full and true value of taxable real and personal
29 property within the district multiplied by two mills and divided by

1 the average daily membership of the district and, if a rural educa-
2 tional attendance area, plus the amount per pupil in average daily
3 membership in the rural educational attendance area of the payment
4 received under 20 U.S.C. 236-244, as amended, in the prior fiscal
5 year;

6 (4) $V_s = V_i$ for all districts multiplied by the average
7 daily membership for all districts divided by the total average daily
8 membership of all districts.

9 * Sec. 2. AS 14.17.031(a) is amended to read:

10 (a) The total number of instructional units within each school
11 district is the sum of

12 (1) the number of units for elementary [SCHOOLS] and [THE
13 NUMBER OF UNITS FOR] secondary schools as determined from AS 14.17.-
14 041(a) or [,] (b) [, (c), OR (d)];

15 (2) the number of units for vocational education determined
16 from AS 14.17.041(c) [AS 14.17.041(e)] as approved by the department;

17 (3) the number of units from special education determined
18 from AS 14.17.041(d) [AS 14.17.041(f)] as approved by the department;

19 and

20 (4) [IF THE DISTRICT HAS FIVE OR MORE CORRESPONDENCE PUPILS
21 ENROLLED IN AN APPROVED DISTRICT CORRESPONDENCE STUDY PROGRAM, THE
22 NUMBER OF UNITS FOR CORRESPONDENCE PUPILS DETERMINED BY APPLYING THE
23 NUMBER OF CORRESPONDENCE PUPILS TO AS 14.17.041(a); AND

24 (5)] the number of units for bilingual education determined
25 from AS 14.17.041(e) [AS 14.17.041(g)] as approved by the department.

26 * Sec. 3. AS 14.17 is amended by adding a new section to read:

27 Sec. 14.17.036. SPECIAL EDUCATION INTENSIVE PROGRAMS. The
28 department shall reimburse 100 percent of the costs of special educa-
29 tion intensive programs to each district. The department shall review

1 the costs incurred by each district and may deny reimbursement if the
2 cost incurred was not as a result of a special education intensive
3 program.

4 * Sec. 4. AS 14.17 is amended by adding a new section to read:

5 Sec. 14.17.038. FUNDS FOR CENTRALIZED CORRESPONDENCE STUDY.
6 Funds for centralized correspondence study shall be provided by appro-
7 priation from the public school foundation account in an amount equal
8 to the number of instructional units for correspondence pupils de-
9 termined under AS 14.17.041(a), multiplied by the base instructional
10 unit value specified in AS 14.17.056.

11 * Sec. 5. AS 14.17.041 is repealed and reenacted to read:

12 Sec. 14.17.041. TABLE OF ALLOWABLE INSTRUCTIONAL UNITS. (a)
13 Elementary and secondary schools:

ADM	No. Instructional Units
under 12	2
12 - 18	3
19 - 26	4
27 - 35	6
36 - 45	7
46 - 56	8
57 - 68	9
69 - 81	10
82 - 95	11
96 - 110	12
111 - 126	13
127 - 143	14
144 - 161	15
162 - 178	16
179 - 200	17

1 (b) A district with average daily membership equal to or greater
 2 than 81 pupils in elementary school and 81 pupils in secondary school
 3 shall receive an additional eight units plus one unit for each
 4 additional 16 pupils or fraction of 16.

5 (c) Vocational education schedule:

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

14 (d) Special education schedule:

ADM	No. Instructional Units
Full-Time Equivalent	
1 - 15	1
16 - 30	2
31 - 45	3
46 and over	4 plus 1 for each 11 pupils or fraction of 11 pupils in Full-Time Equivalent ADM

23 (e) 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 of

* Sec. 6. AS 14.17.051 is amended to read:

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, Borough of Juneau School District, Gateway Borough 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 105 [104] percent of the base instructional unit allotment;

(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;

(4) FOR] Pelican City School District, Hoonah City School District, Southeast Island School District, Haines Borough School District and North Star Borough School District, the district or area is entitled to receive 110 [112] percent of the base instructional unit allotment;

(4) [(5)] for Cordova City School District, Valdez City School District, Kodiak Island School District, Wrangell City School District, and Petersburg City School District [HAINES BOROUGH SCHOOL DISTRICT,] the district or area is entitled to receive 115 percent of

1 the base instructional unit allotment;

2 (5) [(6)] for Nenana City School District, Delta School
3 District, Alaska Gateway School District, Upper Railbelt Regional
4 School District, Yakutat City School District, Chugach School Dis-
5 trict, and Copper River School District, the district or area is
6 entitled to receive 120 percent of the base instructional unit allot-
7 ment;

8 (6) [(7)] for Adak Regional School District the area is
9 entitled to receive 140 percent of the base instructional unit allot-
10 ment;

11 (7) [(8)] for Pribilof Islands School District, Aleutian
12 Chain School District, King Cove City School District, Sand Point City
13 School District, and Unalaska City School District, the district or
14 area is entitled to receive 150 percent of the base instructional unit
15 allotment;

16 (8) [(9)] for Yukon Flats School District, Dillingham City
17 School District, Bristol Bay Borough School District, Regional
18 School District, Lake Peninsula School District, Koyukuk
19 kwim School District, Galena City School District, Kuspuk School
20 District, Yukon-Koyukuk School District, Northwest Arctic School
21 District, Tanana [SELAWIK] City School District, Nome City School
22 District, Bering Straits School District, Iditarod Area School Dis-
23 trict, North Slope Borough School District, Lower Yukon School Dis-
24 trict, Yupit School District, Kashunamiut School District, and St.
25 Mary's City School District, the district or area is entitled to
26 receive 155 percent of the base instructional unit allotment [;

27 (10) FOR KODIAK ISLAND SCHOOL DISTRICT, THE DISTRICT IS
28 ENTITLED TO RECEIVE 116 PERCENT OF THE BASE INSTRUCTIONAL UNIT
29 ALLOTMENT].

1 * Sec. 7. AS 14.17.056 is amended to read:

2 Sec. 14.17.056. BASE INSTRUCTIONAL UNIT VALUE. The base in-
3 structional unit value for fiscal years beginning on or after July 1,
4 1986 [1982], is \$49,000 [\$42,450]. [THE BASE INSTRUCTION UNIT VALUE
5 FOR THE FISCAL YEAR BEGINNING JULY 1, 1981, IS \$38,590.]

6 * Sec. 8. AS 14.17 is amended by adding a new section to read:

7 Sec. 14.17.072. REQUIRED LOCAL EFFORT. (a) Payment of state
8 aid to a local school district under this chapter is contingent upon
9 matching by the district in the amount of the required local effort
10 for that district in the ratio of:

11 required local effort to state contribution = $1:Pi/(1-Pi)$.

12 (b) For purposes of this section, Pi = equalized percentage as
13 defined in AS 14.17.021(c).

14 * Sec. 9. AS 14.17.250(4) is repealed and reenacted to read:

15 (4) "elementary school" means a school consisting of grades
16 K - 7;

17 * Sec. 10. AS 14.17.250(9) is repealed and reenacted to read:

18 (9) "secondary school" means a school consisting of grades
19 7 - 12;

20 * Sec. 11. AS 14.17.022, 14.17.023, 14.17.031(b) and (c) are repealed.

21 * Sec. 12. This Act takes effect July 1, 1986.
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28
29

Introduced: 3/7/86
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY TAYLOR

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 637

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH 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. AS 14.17.021 is repealed and reenacted to read:

10 Sec. 14.17.021. STATE AID. (a) The amount of state aid that
11 each school district with an assessed valuation under AS 14.17.140 may
12 qualify for is calculated by multiplying the basic need as defined in
13 (b) of this section by the equalized percentage as defined in (c) of
14 this section. A school district that does not have an assessed val-
15 uation under AS 14.17.140, may qualify for an amount of state aid
16 calculated by multiplying the basic need as defined in (b) of this
17 section by the equalized percentage as defined in (d) of this section.

18 (b) The basic need of each school district is determined by
19 multiplying the instructional unit allotment of the district as de-
20 termined under AS 14.17.051 by the number of instructional units in
21 the district.

22 (c) The equalized percentage for each school district with an
23 assessed valuation is the greater of 85 percent or a percentage com-
24 puted according to the formula $P_i = 1 - (1-k) V_i/V_a$ in which

25 (1) P_i (equalized percentage) = percent of need to be
26 provided by the state;

27 (2) k (level of average state support of basic need) = 85
28 percent;

29 (3) V_i (valuation per pupil in average daily membership in

1 the district) = full and true value of taxable real and personal
2 property within the district divided by the average daily membership
3 of the district;

4 (4) V_s = average of the valuation per pupil in average
5 daily membership for all the districts of the state.

6 (d) The equalized percentage for each school district without an
7 assessed valuation is computed according to the formula $P_i = 1 - (1-k)$
8 B_1/B_2 in which

9 (1) P_i (equalized percentage) = percent or need to be
10 provided by the state;

11 (2) k (level of average state support of basic need) = 85
12 percent;

13 (3) B_1 = amount per pupil in average daily membership in
14 the district of the payment received under 20 U.S.C. 236-244, as
15 amended, in the prior fiscal year;

16 (4) B_2 = amount per pupil in average daily membership for
17 all of the districts in the state or the payment received under 20
18 U.S.C. 236-244, as amended, in the prior fiscal year.

19 * Sec. 2. AS 14.17.031(a) is amended to read:

20 (a) The total number of instructional units within each school
21 district is the sum of

22 (1) the number of units for elementary schools and the
23 number of units for secondary schools as determined from AS 14.17.-
24 041(a) or [.] (b) [.] (c), OR (d);

25 (2) the number of units for vocational education determined
26 from AS 14.17.041(c) [AS 14.17.041(e)] as approved by the department;

27 (3) the number of units from special education determined
28 from AS 14.17.041(d) [AS 14.17.041(f)] as approved by the department;

29 and

1 (4) IF THE DISTRICT HAS FIVE OR MORE CORRESPONDENCE PUPILS
2 ENROLLED IN AN APPROVED DISTRICT CORRESPONDENCE STUDY PROGRAM, THE
3 NUMBER OF UNITS FOR CORRESPONDENCE PUPILS DETERMINED BY APPLYING THE
4 NUMBER OF CORRESPONDENCE PUPILS TO AS 14.17.041(a); AND

5 (5) the number of units for bilingual education determined
6 from AS 14.17.041(e) [AS 14.17.041(g)] as approved by the department.

7 * Sec. 3. AS 14.17 is amended by adding a new section to read:

8 Sec. 14.17.036. SPECIAL EDUCATION INTENSIVE AND ASSESSMENT
9 PROGRAMS. The department shall reimburse 100 percent of the costs of
10 special education intensive programs and programs for assessing poten-
11 tially handicapping conditions of pupils, to each district. The
12 department shall review the costs incurred by each district and may
13 deny reimbursement if the cost incurred was not as a result of a
14 special education intensive program or a program for assessing poten-
15 tial handicapping conditions of pupils.

16 * Sec. 4. AS 14.17 is amended by adding a new section to read:

17 Sec. 14.17.038. FUNDS FOR CENTRALIZED CORRESPONDENCE STUDY.
18 Funds for centralized correspondence study shall be provided by appro-
19 priation from the public school foundation account in an amount equal
20 to the number of instructional units for correspondence pupils de-
21 termined under AS 14.17.041(a), multiplied by the base instructional
22 unit value specified in AS 14.17.056.

23 * Sec. 5. AS 14.17.041 is repealed and reenacted to read:

24 Sec. 14.17.041. TABLE OF ALLOWABLE INSTRUCTIONAL UNITS. (a)

25 Elementary schools:

ADM	No. Instructional Units
under 20	2
20 - 32	3
33 - 46	4

1	47 - 62	5
2	63 - 80	6
3	81 - 999	6 plus 1 for each 18 pupils or fraction of 18
4		
5	(b) Secondary schools:	
6	ADM	No. Instructional Units
7	under 33	3
8	33 - 46	4
9	47 - 62	5
10	63 - 80	6
11	81 - 999	6 plus 1 for each 18 pupils or fraction of 18
12		
13	(c) Vocational education schedule:	
14	ADM	No. Instructional Units
15	Full-Time Equivalent	
16	5 - 10	1
17	11 - 25	2
18	26 - 40	3
19	41 and over	3 plus 1 for each 20 pupils or fraction of 20 pupils in Full-Time Equivalent ADM
20		
21		
22	(d) Special education schedule:	
23	ADM	No. Instructional Units
24	Full-Time Equivalent	
25	1 - 15	1
26	16 - 30	2
27	31 - 45	3
28	46 and over	4 plus 1 for each 11 pupils or fraction of 11 pupils in
29		

Full-Time Equivalent ADM

(a) 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 of 24 weighted ADM

* Sec. 6. AS 14.17.051 is amended to read:

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, Borough of Juneau 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 105 [104] percent of the base instructional unit allotment;

(3) for Craig City School District, Gateway Borough 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;

(4) FOR] Pelican City School District, Heonah City School District, Haines Borough School District and North Star Borough School

1 District, the district or area is entitled to receive 110 [(112)] per-
2 cent of the base instructional unit allotment;

3 (4) [(5)] for Cordova City School District, Valdez City
4 School District, Southeast Island School District, Kodiak Island
5 School District, Wrangell City School District, and Petersburg City
6 School District [HAINES BOROUGH SCHOOL DISTRICT,] the district or area
7 is entitled to receive 115 percent of the base instructional unit
8 allotment;

9 (5) [(6)] for Nenana City School District, Delta School
10 District, Alaska Gateway School District, Upper Railbelt Regional
11 School District, Yukutat City School District, Chugach School Dis-
12 trict, and Copper River School District, the district or area is
13 entitled to receive 120 percent of the base instructional unit allot-
14 ment;

15 (6) [(7)] for Adak Regional School District the area is
16 entitled to receive 140 percent of the base instructional unit allot-
17 ment;

18 (7) [(8)] for Pribilof Islands School District, Aleutian
19 Chain School District, King Cove City School District, Sand Point City
20 School District, and Unalaska City School District, the district or
21 area is entitled to receive 150 percent of the base instructional unit
22 allotment;

23 (8) [(9)] for Yukon Flats School District, Dillingham City
24 School District, Bristol Bay Borough School District, Southwest Re-
25 gional School District, Lake Peninsula School District, Lower Kusko-
26 kwim School District, Galena City School District, Kuspuk School
27 District, Yukon-Koyukuk School District, Northwest Arctic School
28 District, Selawik City School District, Nome City School District,
29 Bering Straits School District, Iditarod Area School District, North

1 Slope Borough School District, Lower Yukon School District, Yupit
2 School District, Kashunamiut School District, and St. Mary's City
3 School District, the district or area is entitled to receive 155
4 percent of the base instructional unit allotment [;

5 (10) FOR KODIAK ISLAND SCHOOL DISTRICT, THE DISTRICT IS
6 ENTITLED TO RECEIVE 116 PERCENT OF THE BASE INSTRUCTIONAL UNIT ALLOT-
7 MENT].

8 * Sec. 7. AS 14.17.056 is amended to read:

9 Sec. 14.17.056. BASE INSTRUCTIONAL UNIT VALUE. The base in-
10 structional unit value for fiscal years beginning on or after July 1,
11 1986 [1982], is \$48,495 [\$42,450]. [THE BASE INSTRUCTION UNIT VALUE
12 FOR THE FISCAL YEAR BEGINNING JULY 1, 1981, IS \$38,590.]

13 * Sec. 8. AS 14.17 is amended by adding a new section to read:

14 Sec. 14.17.072. REQUIRED LOCAL EFFORT. (a) Payment of state
15 aid to a local school district under this chapter is contingent upon
16 matching by the district in the amount of the required local effort
17 for that district in the ratio of required local effort:

18 state contribution = $1:P_i/(1-P_i)$.

19 (b) For purposes of this section, P_i = equalized percentage as
20 defined in AS 14.17.021(c) or (d).

21 * Sec. 9. AS 14.17.250(9) is amended to read:

22 (9) "secondary school" means a school of grades 7 - 12
23 [SEVEN THROUGH TWELVE], or an appropriate combination of grades within
24 that range; when grades 7, 8, 9, or 10 [SEVEN, EIGHT, NINE, OR TEN]
25 are organized separately as a middle or junior high school, or grades
26 10 - 12 [TEN THROUGH TWELVE] are organized separately as a senior high
27 school, each school is considered a separate secondary school for the
28 purposes of AS 14.17.010 - 14.17.250 if

29 (A) the school is conducted in a separate school plant

1 facility;

2 (B) the school is accredited by the Northwest Accred-
3 iting Association;

4 (C) the school, if a middle or junior high school,
5 includes a minimum ADM of 200 [10] students in any combination of
6 grades seven, eight or nine [, IF THE SCHOOL WAS IN OPERATION
7 BEFORE JULY 1, 1980; OR

8 (D) THE SCHOOL, IF A MIDD^Y OR JUNIOR HIGH SCHOOL,
9 INCLUDES A MINIMUM ADM OF 20 STUDENTS IN ANY COMBINATION OF
10 GRADES SEVEN, EIGHT OR NINE, IF THE SCHOOL FIRST BEGAN OPERATION
11 ON OR AFTER JULY 1, 1989];

12 * Sec. 10. This Act takes effect July 1, 1986.
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CC
LETTER OF INTENT FOR FOUNDATION FUNDING BILLS
CS HB 604 (HESS) AND CS SS HB 637 (HESS)
HOUSE HESS COMMITTEE

It is the intent of the HESS Committee that reductions in public school funding be met by local school districts in a manner that has the least possible impact on programs that directly affect the education of the children for whom they are responsible. To that end, we urge that experienced teachers be retained and that class size and the pupil/teacher ratio be as low as finances allow. Cutting central office personnel should be considered before class size is increased or classroom teachers dismissed. It is important that basic education programs and the personnel needed to fully implement those programs not be lost. By basic educational programs we mean a full complement of programs including: basic academics (including languages); physical education; vocational education; special education; music; art; bi-lingual and bi-cultural education; and counseling, library and health care programs.

We realize that situations differ from community to community and that the opportunity for local control brings with it the responsibilities for local decision making and for local support. Communities should consider the extent to which the schools can be assisted by use of state-provided municipal assistance or other funds by other local income sources. Smaller districts should explore consolidating service functions sharing purchasing, maintenance, curriculum and other special services, including joint superintendencies as is done by many school districts in other states.

State funds should not be used for consultant/lobbying contracts, the payment of professional membership dues, fees and assessments, or for out of-state-travel.

Where further economies must be achieved, the committee urges districts to meet lowered funding levels through:

- (1) full utilization of all operating and capital budget carry-over funds;
- (2) delaying capital improvements;
- (3) changing existing programmatic priorities within the budget;
- (4) limiting out-of-district travel and extracurricular activities;
- (5) prohibiting new programs;
- (6) selling assets of the district;

LETTER OF INTENT FOR FOUNDATION FUNDING BILLS
CS HB 604 (HESS) AND CS SS HB 637 (HESS)
HOUSE HESS COMMITTEE
PAGE TWO

- (7) maximizing the district's revenue raising capacity
- (8) lower administrative, upper-level and management salaries; and
- (9) voluntary demotion in lieu of layoff, and attrition from offering early retirement incentives, job-sharing, shorter work week, sabbatical leaves at half-pay, and various forms of leave without pay including long-term leaves without pay but with full return and seniority rights.

If these measures are not sufficient, cuts may have to be made in administrative and non-institutional personnel and non-educational services.



REPRESENTATIVE NIILLO KOPONEN, CO-CHAIR



REPRESENTATIVE MAX F. GRUENBERG, JR., CO-CHAIR

FINDINGS REGARDING FOUNDATION FUNDING PROPOSALS
HOUSE HESS COMMITTEE

CSHB 604(HESS) and CSSSHB 637(HESS)

Five issues require special attention:

- 1). Vocational Education - It is the opinion of the HESS Committee that a foundation funding formula should include specific set-asides for vocational education. When set-asides for vocational education were eliminated years ago and funds were lumped, it was not with any logical reasoning or specific intent.
- 2). Fund Balances - Fund balances must be examined. We recognize the potential usefulness of maintaining the current statutory limits for a fund balance of 7% or 10%. However, fund balances in excess of these limits should be subtracted from the district's state aid entitlement. The Department of Education must watchdog fund balances and protect them from current or potential abuses.
- 3). Special Education/ARMSI - The method for funding special education differs in the various foundation formula bills. In determining the most appropriate method and the level of such funding, the Finance Committee should consider HB 543 and SB 319 in conjunction with foundation funding proposals to ensure that special education intensive services are funded in a comprehensive, service effective, cost-effective, and non-duplicative manner.
- 4). Local Contribution - The issue of local contribution is a confusing one because of the differences in local taxation powers, tax bases, property values, and PL 81-874. We wish to encourage local contribution. Whether it is most beneficial to require it at a given level, what that level is to be, and whether a higher local contribution should be reimbursed are other concerns which must be addressed. Certain districts in the state have been supplemented with a much higher than average local contribution. We wish to assure that this extraordinary local contribution level is not required as a result of funding inequities between districts in Alaska and, on the other hand, we wish to encourage the participation of localities providing for educational needs. The Alaska Constitution clearly mandates funding for basic education as a responsibility of the State and that responsibility must not be abrogated.
- 5). PL 81-874 - Regardless of the formula to be utilized for FY87 foundation funding, how P.L. 81-874 funds are utilized is a critical issue for school districts and the state.

PL 81-874 issues include:

1. If the state continues to deduct P.L. 81-874 revenues from state foundation entitlements, the state must pass the federal disparity test. Non-equalized local revenues provide the major source of disparities.
2. If the state passes the federal disparity test, the amount of P.L. 81-874 deduction in a district is limited by federal regulation to the percentage that the "Local Revenues included in the State Equalization Plan" is of "Total Local Revenues" in the district. Presently, with no local revenues from city/boroughs included in the State foundation plan, no P.L. 81-874 revenues can be deducted in city/boroughs. With no local revenues in REAAs, the formula does not apply, and theoretically all P.L. 81-874 revenues can be deducted.
3. If the state reduces or eliminates the deduction for P.L. 81-874 revenues from REAAs, the result will be significant revenue shifts among districts with high P.L. 81-874 districts benefiting the most.
4. The state is a direct applicant for P.L. 81-874 funds which results in a direct revenue to the state of approximately 20.0 million dollars from P.L. 81-874, primarily based upon students attending on-base schools. The federal government is questioning this practice which, if disallowed, would require state statutory changes and would result in loss of state revenue and extreme revenue shifts among districts.

Presently, the state deducts 80% of the prior year's P.L. 81-874 revenues received by a REAA from the district's foundation entitlement. This deduction statewide (approximately \$30.0 million in FY86) is in effect "state" revenue for the purpose of foundation funding. There is no deduction of local taxes or P.L. 81-874 revenues from city/borough school districts. The 80% deduction from REAAs (approximately \$30.0 million) is in effect redistributed throughout the entire state. The city/boroughs, who contribute nothing, receive a share of the REAAs' P.L. 81-874 funds.

By federal statute and regulation the amount of P.L. 81-874 funds which can be deducted in each district is restricted to the percentage calculated as follows:

$$\text{Percentage} = \frac{\text{Local revenues included in State equalization plan}}{\text{Total Local Revenues}} \times 100$$

The formula is applicable to city/borough school districts but not to REAAs.


In city/borough districts, which have local revenues, but none of which are included in the State's equalization plan, the formula percentage is zero -- no P.L. 81-874 revenue can be deducted. In REAAs, which have no local revenues, the formula does not apply. However, before any P.L. 81-874 revenues can be utilized in the State equalization plan, the federal disparity test must be passed by the state. Non-equalized local revenue is the primary determinant of disparities among districts.

If there is a change in the present 80% deduction of P.L. 81-874 revenues from REAAs, there will be revenue shifts among districts.

With a lower percentage deduction, high P.L. 81-874 districts will show increasing revenues and low P.L. 81-874 districts will receive less. City/borough districts, with no deduction for P.L. 81-874 revenues, will have less revenue.

Approximately another 20.0 million dollars of P.L. 81-874 revenue is received directly by the state for those students for whom the state is the applicant agency. The vast majority of the students being counted in this category is students from military bases being served in "on-base" schools in Anchorage and Fairbanks. At this writing, the state's practice of being a direct applicant for P.L. 81-874 revenues is being questioned formally by the federal government. If it was ruled by the federal government that the state could not be an applicant, statutory changes would be required to permit the local districts serving these students to claim them for P.L. 81-874 funding. The fiscal impact would fall on districts and the state. There would be a net loss of revenue to the state which would impact all school districts. Local school districts claiming the students would have increased revenues from P.L. 81-874. Tuition payments could be terminated to city/borough districts for the students who would be claimed for P.L. 81-874.

In the future, instead of the current, arbitrary 80%/20% split, the State should take credit for 100% of PL 81-874 monies less the actual percentage due for the inclusion of special education students.


REPRESENTATIVE MILLI KOPONEN, CO-CHAIR

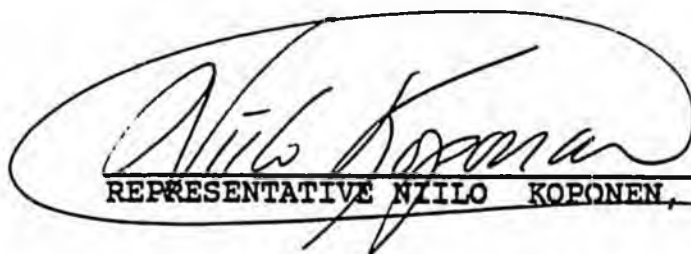

REPRESENTATIVE MAX F. GRUENBERG, JR., CO-CHAIR

LETTER OF INTENT REGARDING DEPARTMENT OF EDUCATION BUDGET
HOUSE HESS COMMITTEE

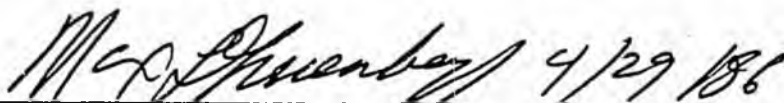
CSHB 604(HESS) and CSSSHB 637(HESS)

In consideration of the Department of Education budget, we urge that the Department maintain both direct pupil services and the planning and statistical analysis functions upon which the Legislature depends for reasonable public policy development.

We are pleased to note the progress the Department has made in requiring school districts to report fiscal and statistical data in a uniform and comprehensive manner. The Legislature desires that this process continue and be perfected, in order that the costs of educational services can be analyzed adequately. Only in this manner can finances be directed to yield the best educational result for each child; and costs due to isolation, distance and problems of scale (thus beyond the control of school management) be equalized. Past failure to provide data that the public and the Legislature could have confidence in, combined with political pressure, has created a flagrant inequity in the distribution of state funds among districts and exacerbated the difficulties in arriving at a workable, equitable formula and in dealing with the decline in state revenues as it effects public education.



REPRESENTATIVE NIILLO KOPONEN, CO-CHAIR



REPRESENTATIVE MAX F. GRØENBERG, JR., CO-CHAIR

02
4/17/86

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : CSSSHB 637(HESS)
 Title : "An Act relating to state support for education; and providing for an effective date."
 Sponsor : House HESS
 Requestor : House HESS
 Date of Request : 4/17/86

FISCAL DETAIL

Agency Affected : Dept. of Education
 BRU : _____

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND		[1479.614]				
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary This fiscal note for FY87 is an estimate and the fiscal impact in other years is dependent upon enrollment and appropriations.

Prepared by : House HESS Phone : 465-3759
 Division : _____ Date : 4/17/86

Approved by Commissioner : _____ Date : _____
 Agency : _____

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

ALASKA STATE LEGISLATURE

14th... Legislature **SECOND** Session

SPONSOR SUBSTITUTE

HOUSE ... **BILL** NO. ... **637** ..

By **TAYLOR**

"An Act relating to state support for education; and providing for an effective date."

education

Introduced in the House ... **3/7**, 19**86** ..

HISTORY IN THE HOUSE

1986

Mar 7

Read first time and referred to Committee on

HESS AND FINANCE

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
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

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 President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Offered: 4/17/86
Referred: Finance

Original sponsor: Taylor

1 IN THE HOUSE
2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 637 (HESS)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH 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. AS 14.17.021 is repealed and reenacted to read:
10 Sec. 14.17.021. STATE AID. (a) The amount of state aid that
11 each city and borough school district may qualify for is calculated by
12 multiplying the basic need as defined in (b) of this section by the
13 equalized percentage as defined in (c) of this section. The amount of
14 state aid that each rural educational attendance area may qualify for
15 is calculated by multiplying the basic need as defined in (b) of this
16 section by the equalized percentage as defined in (c) of this section.
17 (b) The basic need of each school district is determined by
18 multiplying the instructional unit allotment of the district as de-
19 termined under AS 14.17.051 by the number of instructional units in
20 the district.
21 (c) The equalized percentage for each district is the greater of
22 80 percent or a percentage computed according to the formula $P_i = 1 -$
23 $(1-k) V_i/V_s$ in which
24 (1) P_i (equalized percentage) = percent of need to be
25 provided by the state;
26 (2) k (level of average state support of basic need) = 97
27 percent;
28 (3) V_i = full and true value of taxable real and personal
29 property within the district multiplied by two mills and divided by

1 the average daily membership of the district and, if a rural educa-
2 tional attendance area, plus the amount per pupil in average daily
3 membership in the rural educational attendance area of the payment
4 received under 20 U.S.C. 236-244, as amended, in the prior fiscal
5 year;

6 (4) $V_s = V_i$ for all districts multiplied by the average
7 daily membership for all districts divided by the total average daily
8 membership of all districts.

9 * Sec. 2. AS 14.17.031(a) is amended to read:

10 (a) The total number of instructional units within each school
11 district is the sum of

12 (1) the number of units for elementary [SCHOOLS] and [THE
13 NUMBER OF UNITS FOR] secondary schools as determined from AS 14.17.-
14 041(a) or [,] (b) [, (c), OR (d)];

15 (2) the number of units for vocational education determined
16 from AS 14.17.041(c) [AS 14.17.041(e)] as approved by the department;

17 (3) the number of units from special education determined
18 from AS 14.17.041(d) [AS 14.17.041(f)] as approved by the department;
19 and

20 (4) [IF THE DISTRICT HAS FIVE OR MORE CORRESPONDENCE PUPILS
21 ENROLLED IN AN APPROVED DISTRICT CORRESPONDENCE STUDY PROGRAM, THE
22 NUMBER OF UNITS FOR CORRESPONDENCE PUPILS DETERMINED BY APPLYING THE
23 NUMBER OF CORRESPONDENCE PUPILS TO AS 14.17.041(a); AND

24 (5)] the number of units for bilingual education determined
25 from AS 14.17.041(e) [AS 14.17.041(g)] as approved by the department.

26 * Sec. 3. AS 14.17 is amended by adding a new section to read:

27 Sec. 14.17.036. SPECIAL EDUCATION INTENSIVE PROGRAMS. The
28 department shall reimburse 100 percent of the costs of special educa-
29 tion intensive programs to each district. The department shall review

1 the costs incurred by each district and may deny reimbursement if the
2 cost incurred was not as a result of a special education intensive
3 program.

4 * Sec. 4. AS 14.17 is amended by adding a new section to read:

5 Sec. 14.17.038. FUNDS FOR CENTRALIZED CORRESPONDENCE STUDY.
6 Funds for centralized correspondence study shall be provided by appro-
7 priation from the public school foundation account in an amount equal
8 to the number of instructional units for correspondence pupils de-
9 termined under AS 14.17.041(a), multiplied by the base instructional
10 unit value specified in AS 14.17.056.

11 * Sec. 5. AS 14.17.041 is repealed and reenacted to read:

12 Sec. 14.17.041. TABLE OF ALLOWABLE INSTRUCTIONAL UNITS. (a)

13 Elementary and secondary schools:

14	ADM	No. Instructional Units
15	under 12	2
16	12 - 18	3
17	19 - 26	4
18	27 - 35	6
19	36 - 45	7
20	46 - 56	8
21	57 - 68	9
22	69 - 81	10
23	82 - 95	11
24	96 - 110	12
25	111 - 126	13
26	127 - 143	14
27	144 - 161	15
28	162 - 178	16
29	179 - 200	17

1 (b) A district with average daily membership equal to or greater
 2 than 81 pupils in elementary school and 81 pupils in secondary school
 3 shall receive an additional eight units plus one unit for each
 4 additional 16 pupils or fraction of 16.

5 (c) Vocational education schedule:

6	ADM	No. Instructional Units
7	Full-Time Equivalent	
8	5 - 10	1
9	11 - 25	2
10	26 - 40	3
11	41 and over	3 plus 1 for each 20 pupils
12		or fraction of 20 pupils in
13		Full-Time Equivalent ADM

14 (d) Special education schedule:

15	ADM	No. Instructional Units
16	Full-Time Equivalent	
17	1 - 15	1
18	16 - 30	2
19	31 - 45	3
20	46 and over	4 plus 1 for each 11 pupils
21		or fraction of 11 pupils in
22		Full-Time Equivalent ADM

23 (e) Bilingual education schedule:

24	Weighted ADM	No. Instructional Units
25	1 - 12	1
26	13 - 18	2
27	19 - 42	3
28	43 and over	3 plus 1 for each 24
29		weighted ADM or fraction of

* Sec. 6. AS 14.17.051 is amended to read:

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, Borough of Juneau School District, Gateway Borough 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 105 [104] percent of the base instructional unit allotment;

(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;

(4) FOR] Pelican City School District, Hoonah City School District, Southeast Island School District, Haines Borough School District and North Star Borough School District, the district or area is entitled to receive 110 [112] percent of the base instructional unit allotment;

(4) [(5)] for Cordova City School District, Valdez City School District, Kodiak Island School District, Wrangell City School District, and Petersburg City School District [HAINES BOROUGH SCHOOL DISTRICT,] the district or area is entitled to receive 115 percent of

1 the base instructional unit allotment;

2 (5) [(6)] for Nenana City School District, Delta School
3 District, Alaska Gateway School District, Upper Railbelt Regional
4 School District, Yakutat City School District, Chugach School Dis-
5 trict, and Copper River School District, the district or area is
6 entitled to receive 120 percent of the base instructional unit allot-
7 ment;

8 (6) [(7)] for Adak Regional School District the area is
9 entitled to receive 140 percent of the base instructional unit allot-
10 ment;

11 (7) [(8)] for Pribilof Islands School District, Aleutian
12 Chain School District, King Cove City School District, Sand Point City
13 School District, and Unalaska City School District, the district or
14 area is entitled to receive 150 percent of the base instructional unit
15 allotment;

16 (8) [(9)] for Yukon Flats School District, Dillingham City
17 School District, Bristol Bay Borough School District, Southwest Re-
18 gional School District, Lake Peninsula School District, Lower Kusko-
19 kwim School District, Galena City School District, Kuspuk School
20 District, Yukon-Koyukuk School District, Northwest Arctic School
21 District, Tanana [SELAWIK] City School District, Nome City School
22 District, Bering Straits School District, Iditarod Area School Dis-
23 trict, North Slope Borough School District, Lower Yukon School Dis-
24 trict, Yup'it School District, Kashunamiut School District, and St.
25 Mary's City School District, the district or area is entitled to
26 receive 155 percent of the base instructional unit allotment [;

27 (10) FOR KODIAK ISLAND SCHOOL DISTRICT, THE DISTRICT IS
28 ENTITLED TO RECEIVE 116 PERCENT OF THE BASE INSTRUCTIONAL UNIT
29 ALLOTMENT].

1 * Sec. 7. AS 14.17.056 is amended to read:

2 Sec. 14.17.056. BASE INSTRUCTIONAL UNIT VALUE. The base in-
3 structional unit value for fiscal years beginning on or after July 1,
4 1986 [1982], is \$49,000 [\$42,450]. [THE BASE INSTRUCTION UNIT VALUE
5 FOR THE FISCAL YEAR BEGINNING JULY 1, 1981, IS \$38,590.]

6 * Sec. 8. AS 14.17 is amended by adding a new section to read:

7 Sec. 14.17.072. REQUIRED LOCAL EFFORT. (a) Payment of state
8 aid to a local school district under this chapter is contingent upon
9 matching by the district in the amount of the required local effort
10 for that district in the ratio of:

11 required local effort to state contribution = $1:Pi/(1-Pi)$.

12 (b) For purposes of this section, Pi = equalized percentage as
13 defined in AS 14.17.021(c).

14 * Sec. 9. AS 14.17.250(4) is repealed and reenacted to read:

15 (4) "elementary school" means a school consisting of grades
16 K - 7;

17 * Sec. 10. AS 14.17.250(9) is repealed and reenacted to read:

18 (9) "secondary school" means a school consisting of grades
19 7 - 12;

20 * Sec. 11. AS 14.17.022, 14.17.023, 14.17.031(b) and (c) are repealed.

21 * Sec. 12. This Act takes effect July 1, 1986.

Introduced: 3/7/86
Referred: Health, Education &
Social Services and Finance -

1 IN THE HOUSE

BY TAYLOR

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 637

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH 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. AS 14.17.021 is repealed and reenacted to read:

10 Sec. 14.17.021. STATE AID. (a) The amount of state aid that
11 each school district with an assessed valuation under AS 14.17.140 may
12 qualify for is calculated by multiplying the basic need as defined in
13 (b) of this section by the equalized percentage as defined in (c) of
14 this section. A school district that does not have an assessed val-
15 uation under AS 14.17.140, may qualify for an amount of state aid
16 calculated by multiplying the basic need as defined in (b) of this
17 section by the equalized percentage as defined in (d) of this section.

18 (b) The basic need of each school district is determined by
19 multiplying the instructional unit allotment of the district as de-
20 termined under AS 14.17.051 by the number of instructional units in
21 the district.

22 (c) The equalized percentage for each school district with an
23 assessed valuation is the greater of 85 percent or a percentage com-
24 puted according to the formula $P_i = 1 - (1-k) V_i/V_s$ in which

25 (1) P_i (equalized percentage) = percent of need to be
26 provided by the state;

27 (2) k (level of average state support of basic need) = 85
28 percent;

29 (3) V_i (valuation per pupil in average daily membership in

1 the district) = full and true value of taxable real and personal
2 property within the district divided by the average daily membership
3 of the district;

4 (4) Vs = average of the valuation per pupil in average
5 daily membership for all the districts of the state.

6 (d) The equalized percentage for each school district without an
7 assessed valuation is computed according to the formula $P_i = 1 - (1-k)$
8 B_1/B_2 in which

9 (1) P_i (equalized percentage) = percent or need to be
10 provided by the state;

11 (2) k (level of average state support of basic need) = 85
12 percent;

13 (3) B_1 = amount per pupil in average daily membership in
14 the district of the payment received under 20 U.S.C. 236-244, as
15 amended, in the prior fiscal year;

16 (4) B_2 = amount per pupil in average daily membership for
17 all of the districts in the state or the payment received under 20
18 U.S.C. 236-244, as amended, in the prior fiscal year.

19 * Sec. 2. AS 14.17.031(a) is amended to read:

20 (a) The total number of instructional units within each school
21 district is the sum of

22 (1) the number of units for elementary schools and the
23 number of units for secondary schools as determined from AS 14.17.-
24 041(a) or [,] (b) [, (c), OR (d)];

25 (2) the number of units for vocational education determined
26 from AS 14.17.041(c) [AS 14.17.041(e)] as approved by the department;

27 (3) the number of units from special education determined
28 from AS 14.17.041(d) [AS 14.17.041(f)] as approved by the department;

29 and

1 (4) [IF THE DISTRICT HAS FIVE OR MORE CORRESPONDENCE PUPILS
2 ENROLLED IN AN APPROVED DISTRICT CORRESPONDENCE STUDY PROGRAM, THE
3 NUMBER OF UNITS FOR CORRESPONDENCE PUPILS DETERMINED BY APPLYING THE
4 NUMBER OF CORRESPONDENCE PUPILS TO AS 14.17.041(a); AND

5 (5)] the number of units for bilingual education determined
6 from AS 14.17.041(e) [AS 14.17.041(g)] as approved by the department.

7 * Sec. 3. AS 14.17 is amended by adding a new section to read:

8 Sec. 14.17.036. SPECIAL EDUCATION INTENSIVE AND ASSESSMENT
9 PROGRAMS. The department shall reimburse 100 percent of the costs of
10 special education intensive programs and programs for assessing poten-
11 tially handicapping conditions of pupils, to each district. The
12 department shall review the costs incurred by each district and may
13 deny reimbursement if the cost incurred was not as a result of a
14 special education intensive program or a program for assessing poten-
15 tial handicapping conditions of pupils.

16 * Sec. 4. AS 14.17 is amended by adding a new section to read:

17 Sec. 14.17.038. FUNDS FOR CENTRALIZED CORRESPONDENCE STUDY.
18 Funds for centralized correspondence study shall be provided by appro-
19 priation from the public school foundation account in an amount equal
20 to the number of instructional units for correspondence pupils de-
21 termined under AS 14.17.041(a), multiplied by the base instructional
22 unit value specified in AS 14.17.056.

23 * Sec. 5. AS 14.17.041 is repealed and reenacted to read:

24 Sec. 14.17.041. TABLE OF ALLOWABLE INSTRUCTIONAL UNITS. (a)

25 Elementary schools:

26	ADM	No. Instructional Units
27	under 20	2
28	20 - 32	3
29	33 - 46	4

1	47 - 62	5
2	63 - 80	6
3	81 - 999	6 plus 1 for each 18 pupils
4		or fraction of 18
5	(b) Secondary schools:	
6	ADM	No. Instructional Units
7	under 33	3
8	33 - 46	4
9	47 - 62	5
10	63 - 80	6
11	81 - 999	6 plus 1 for each 18 pupils ¹
12		or fraction of 18
13	(c) Vocational education schedule:	
14	ADM	No. Instructional Units
15	Full-Time Equivalent	
16	5 - 10	1
17	11 - 25	2
18	26 - 40	3
19	41 and over	3 plus 1 for each 20 pupils
20		or fraction of 20 pupils in
21		Full-Time Equivalent ADM ¹
22	(d) Special education schedule:	
23	ADM	No. Instructional Units
24	Full-Time Equivalent	
25	1 - 15	1
26	16 - 30	2
27	31 - 45	3
28	46 and over	4 plus 1 for each 11 pupils
29		or fraction of 11 pupils in

1		Full-Time Equivalent ADM
2	(e) Bilingual education schedule:	
3	Weighted ADM	No. Instructional Units
4	1 - 12	1
5	13 - 18	2
6	19 - 42	3
7	43 and over	3 plus 1 for each 24
8		weighted ADM or fraction of
9		24 weighted ADM

10 * Sec. 6. AS 14.17.051 is amended to read:

11 Sec. 14.17.051. INSTRUCTIONAL UNIT ALLOTMENT. The instructional
 12 unit allotment for each school district or regional educational atten-
 13 dance area is as follows:

14 (1) for [GATEWAY BOROUGH SCHOOL DISTRICT, CITY AND BOROUGH
 15 OF JUNEAU SCHOOL DISTRICT, AND] Anchorage School District, the dis-
 16 trict is entitled to receive the base instructional unit allotment;

17 (2) for Annette Island School District, Borough of Juneau
 18 School District, [PETERSBURG CITY SCHOOL DISTRICT, WRANGELL CITY
 19 SCHOOL DISTRICT,] Sitka Borough School District, and Matanuska-Susitna
 20 Borough School District, the district or area is entitled to receive
 21 105 [104] percent of the base instructional unit allotment;

22 (3) for Craig City School District, Gateway Borough School
 23 District, Hydaburg City School District, Klawock City School District,
 24 Kake City School District, Chatham School District, Skagway City
 25 School District, [SOUTHEAST ISLAND SCHOOL DISTRICT, AND] Kenai Penin-
 26 sula Borough School District, [THE DISTRICT OR AREA IS ENTITLED TO
 27 RECEIVE 108 PERCENT OF THE BASE INSTRUCTIONAL UNIT ALLOTMENT;

28 (4) FOR] Pelican City School District, Hoonah City School
 29 District, Haines Borough School District and North Star Borough School

1 District, the district or area is entitled to receive 110 [112], per-
2 cent of the base instructional unit allotment;

3 (4) [(5)] for Cordova City School District, Valdez, City
4 School District, Southeast Island School District, Kodiak Island
5 School District, Wrangell City School District, and Petersburg City
6 School District [HAINES BOROUGH SCHOOL DISTRICT,] the district or area
7 is entitled to receive 115 percent of the base instructional unit
8 allotment;

9 (5) [(6)] for Nenana City School District, Delta School
10 District, Alaska Gateway School District, Upper Railbelt Regional
11 School District, Yakutat City School District, Chugach School Dis-
12 trict, and Copper River School District, the district or area is
13 entitled to receive 120 percent of the base instructional unit allot-
14 ment;

15 (6) [(7)] for Adak Regional School District the area is
16 entitled to receive 140 percent of the base instructional unit allot-
17 ment;

18 (7) [(8)] for Pribilof Islands School District, Aleutian
19 Chain School District, King Cove City School District, Sand Point City
20 School District, and Unalaska City School District, the district or
21 area is entitled to receive 150 percent of the base instructional unit
22 allotment;

23 (8) [(9)] for Yukon Flats School District, Dillingham City
24 School District, Bristol Bay Borough School District, Southwest Re-
25 gional School District, Lake Peninsula School District, Lower Kusko-
26 kwim School District, Galena City School District, Kuspuk School
27 District, Yukon-Koyukuk School District, Northwest Arctic School
28 District, Selawik City School District, Nome City School District,
29 Bering Straits School District, Iditarod Area School District, North

1 Slope Borough School District, Lower Yukon School District, Yupiit
2 School District, Kashunamiut School District, and St. Mary's City
3 School District, the district or area is entitled to receive 155
4 percent of the base instructional unit allotment [;

5 (10) FOR KODIAK ISLAND SCHOOL DISTRICT, THE DISTRICT IS
6 ENTITLED TO RECEIVE 116 PERCENT OF THE BASE INSTRUCTIONAL UNIT ALLOT-
7 MENT].

8 * Sec. 7. AS 14.17.056 is amended to read:

9 Sec. 14.17.056. BASE INSTRUCTIONAL UNIT VALUE. The base in-
10 structional unit value for fiscal years beginning on or after July 1,
11 1986 [1982], is \$48,495 [\$42,450]. [THE BASE INSTRUCTION UNIT VALUE
12 FOR THE FISCAL YEAR BEGINNING JULY 1, 1981, IS \$38,590.]

13 * Sec. 8. AS 14.17 is amended by adding a new section to read:

14 Sec. 14.17.072. REQUIRED LOCAL EFFORT. (a) Payment of state
15 aid to a local school district under this chapter is contingent upon
16 matching by the district in the amount of the required local effort
17 for that district in the ratio of required local effort:

18 state contribution = $1:Pi/(1-Pi)$.

19 (b) For purposes of this section, Pi = equalized percentage as
20 defined in AS 14.17.021(c) or (d).

21 * Sec. 9. AS 14.17.250(9) is amended to read:

22 (9) "secondary school" means a school of grades 7 - 12
23 [SEVEN THROUGH TWELVE], or an appropriate combination of grades within
24 that range; when grades 7, 8, 9, or 10 [SEVEN, EIGHT, NINE, OR TEN]
25 are organized separately as a middle or junior high school, or grades
26 10 - 12 [TEN THROUGH TWELVE] are organized separately as a senior high
27 school, each school is considered a separate secondary school for the
28 purposes of AS 14.17.010 - 14.17.250 if

29 (A) the school is conducted in a separate school plant

1 facility;

2 (B) the school is accredited by the Northwest Accred-
3 iting Association;

4 (C) the school, if a middle or junior high school,
5 includes a minimum ADM of 200 [10] students in any combination of
6 grades seven, eight or nine [, IF THE SCHOOL WAS IN OPERATION
7 BEFORE JULY 1, 1980; OR

8 (D) THE SCHOOL, IF A MIDDLE OR JUNIOR HIGH SCHOOL,
9 INCLUDES A MINIMUM ADM OF 20 STUDENTS IN ANY COMBINATION OF
10 GRADES SEVEN, EIGHT OR NINE, IF THE SCHOOL FIRST BEGAN OPERATION
11 ON OR AFTER JULY 1, 1980];

12 * Sec. 10. This Act takes effect July 1, 1986.

HOUSE
COMMITTEE REPORT

3/21

(7)

Date referred: 2/26/86

FURTHER REFERRALS: FINANCE

DATE: 3/18/86

The LABOR & COMMERCE Committee has considered HB 640

"An Act relating to the State Physical Therapy Board; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS 640 (L+C) same title
- new title

and recommends do pass

further referral to the _____ Committee

and attaches:

- letter of intent
- first fiscal note
- new fiscal note
- zero fiscal note w/analytic sup 100

SIGNING DO PASS: New

SIGNING OTHER RECOMMENDATIONS:

NAVARRÉ

Mike Favone

HANLEY

Grace Hanley

PEARCE

Grace Pearce

DAVIS

Mike Davis

Mike Favone
Chairman

HOUSE
COMMITTEE REPORT

2/26
LABOR & COMMERCE

(7)

Date referred: 2/17/86

FURTHER REFERRALS: FINANCE

DATE: Feb 24, 1986

HEALTH, EDUCATION AND
The SOCIAL SERVICES Committee has considered HB 640

"An Act relating to the State Physical Therapy Board; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CSHB 640 (HESS) same title
- new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Max Gumbert
Katie Hurley
 vice chair
Robin L. Taylor
David W. Thompson
Wito Kojan
Clare Stanley

Wito Kojan no vote

Max Gumbert
 Chairman
Wito Kojan co-chair

Offered: 3/21/86
Referred: Finance

*New Jersey analysis
Sept 100*

alterable

Original sponsor: Health, Education and
Social Services Committee

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 640 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the State Physical Therapy Board;
7 and providing for an effective date."

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

9 * Section 1. AS 08.03.010(c)(8) is amended to read:

10 (8) State Physical Therapy Board (AS 08.84.010) -- June 30,
11 1989 [1986].

12 * Sec. 2. AS 08.84.120 is repealed and reenacted to read:

13 Sec. 08.84.120. REFUSAL, REVOCATION, AND SUSPENSION OF LICENSE.

14 (a) The board may refuse to license an applicant, may refuse to renew
15 the license of a person, and may suspend or revoke the license of a
16 person who

17 (1) has obtained or attempted to obtain a license by fraud
18 or material misrepresentation;

19 (2) uses drugs or alcohol in a manner that affects the
20 person's ability to practice physical therapy competently and safely;

21 (3) has been convicted of a state or federal felony or
22 other crime that affects the person's ability to practice competently
23 and safely;

24 (4) is guilty, in the judgment of the board, of gross
25 negligence or malpractice or has engaged in conduct contrary to the
26 recognized standards of ethics of the physical therapy profession;

27 (5) has continued to practice physical therapy after becom-
28 ing unfit due to physical or mental disability;

29 (6) has failed to refer a patient to another qualified

1 professional when the patient's condition is beyond the training or
2 ability of the physical therapist; or

3 (7) as a physical therapy assistant, has attempted to
4 practice physical therapy that has not been initiated, supervised, and
5 terminated by a licensed physical therapist.

6 (b) The refusal or suspension of a license may be modified or
7 rescinded if the person has been rehabilitated to the satisfaction of
8 the board.

9 * Sec. 3. AS 08.84.130 is amended to read:

10 Sec. 08.84.130. FALSE CLAIM OF LICENSE FORBIDDEN. (a) A person
11 not licensed as a physical therapist, or whose license is suspended or
12 revoked, or whose license is lapsed, who uses in connection with the
13 person's name the words or letters "L.P.T.", "Licensed Physical Thera-
14 pist," or other letters, words, or insignia indicating or implying
15 that the person is a licensed physical therapist, or who in any way,
16 orally, or in writing, directly or by implication, holds out as a
17 licensed physical therapist is guilty of a class B misdemeanor.

18 (b) A person not licensed as a physical therapy assistant, or
19 whose license is suspended or revoked, or whose license is lapsed, who
20 in any way, orally, or in writing, directly or by implication, holds
21 out as a licensed physical therapy assistant is guilty of a class B
22 misdemeanor.

23 * Sec. 4. AS 08.84.140 is amended to read:

24 Sec. 08.84.140. PENALTY FOR FRAUD IN OBTAINING LICENSE. A
25 person who willfully makes a false oath or affirmation or who obtains
26 or attempts to obtain a license by a fraudulent representation is
27 guilty of a class B misdemeanor.

28 * Sec. 5. AS 08.84.160 is amended to read:

29 Sec. 08.84.160. PRACTICE OF LICENSED PHYSICAL THERAPIST. [A

1 PERSON LICENSED UNDER THIS CHAPTER MAY NOT TREAT HUMAN AILMENTS BY
2 PHYSICAL THERAPY OR OTHERWISE EXCEPT UNDER THE PRESCRIPTION AND DIREC-
3 TION OF A PERSON LICENSED TO PRACTICE MEDICINE, OSTEOPATHY, DENTISTRY
4 OR PODIATRY.] This chapter does not authorize any person to practice
5 medicine, osteopathy, chiropractic, or other method of healing.

6 * Sec. 6. AS 08.84.185(a) is amended to read:

7 (a) In addition to action under AS 08.84.180, upon a finding
8 that by reason of demonstrated problems of competence, experience,
9 education, or health the authority to practice physical therapy should
10 be limited or conditioned or the practitioner disciplined, the board
11 may reprimand, censure, place on probation, restrict practice by
12 specialty, procedure, or facility, require additional education or
13 training, or revoke or suspend a license [REGISTRATION].

14 * Sec. 7. AS 08.84.170 is repealed.

15 * Sec. 8. This Act takes effect immediately in accordance with AS 01.-
16 10.070(c).

Sunset Review 3000 Final
Revised Sup 91
Offered: 2/26/86
Referred: Labor & Commerce

Admirable

Original sponsor: Health, Education and
Social Services Committee

1 IN THE HOUSE BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 640 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the State Physical Therapy Board;
7 and providing for an effective date."

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

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16 10.070(c).

Ullrich

Introduced: 2/17/86
Referred: Health, Education
& Social Services, Labor
& Commerce and Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 HOUSE BILL NO. 640

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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7 and providing for an effective date."

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

9 * Section 1. AS 08.03.010(c)(8) is amended to read:

10 (8) State Physical Therapy Board (AS 08.34.010) -- June 30,
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14 The board may refuse to license an applicant, may refuse to renew the
15 license of a person, and may suspend or revoke the license of a person
16 who

17 (1) uses drugs or intoxicating liquors in any manner which
18 affects the person's practice of physical therapy;

19 (2) [Repealed

20 (3) has been convicted of violating a state or federal
21 narcotic law and has not been rehabilitated to the satisfaction of the
22 board;

23 (3) [(4)] has been convicted of a felony and has not been
24 rehabilitated to the satisfaction of the board;

25 (4) [(5)] is guilty, in the judgment of the board, of gross
26 negligence in the person's practice as a physical therapist;

27 (5) [(6)] has obtained or attempted to obtain a license by
28 fraud or material misrepresentation;

29 (6) [(7)] has been declared mentally ill by a court and has

1 not thereafter been lawfully declared sane;

2 (7) [(8)] has treated or attempted to treat ailments of
3 human beings otherwise than by physical therapy [, OR HAS ATTEMPTED TO
4 PRACTICE INDEPENDENT OF THE PRESCRIPTION AND DIRECTION OF A PERSON
5 LICENSED TO PRACTICE MEDICINE, OSTEOPATHY, DENTISTRY OR PODIATRY];

6 (8) [(9)] as a physical therapy assistant, has attempted to
7 practice physical therapy which has not been initiated, supervised,
8 and terminated by a licensed physical therapist;

9 (9) [(10)] has been held liable for malpractice in a civil
10 action.

11 * Sec. 3. AS 08.84.160 is amended to read:

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16 OR PODIATRY.] This chapter does not authorize any person to practice
17 medicine, osteopathy, chiropractic, or other method of healing.

18 * Sec. 4. AS 08.84.065(d) is repealed.

19 * Sec. 5. This Act takes effective immediately in accordance with
20 AS 01.10.070(c).

91 sep 91



Alaska State Legislature
House of Representatives
COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCHV
JUNEAU, AK 99811
465-3759

SUNSET REVIEW REPORT - HOUSE BILL NO. 640

February 24, 1986

Representative Ben Grussendorf
Speaker of the House
P.O. Box V
Juneau, Alaska 99811

Dear Mr. Speaker:

The House Committee on Health, Education and Social Services has considered the Sunset Review of the State Physical Therapy Board, and recommends that the board be continued. The Committee has introduced HB 640 to fulfill the findings of the Division of Legislative Audit.

As required by AS 44.60.050 (c), the Committee submits the following findings:

- (1) the extent to which the board, commission or program has operated in the public interest.

The board has established regulations governing the duties and licensure requirements, has enforced their licensing statute in a uniform and consistent manner and has held meetings and administered examinations in accordance with the law.

- (2) the extent to which the operation of the board, commission or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.

Funding for the board was reduced from \$5,200 in FY 84 to \$1,700 in FY 85. As a result, the number of meetings dropped from three each in FY 83 and 84 to two in FY 85. The House HESS Committee is concerned because physical therapist's and physical therapy assistant's fees create annual revenues of \$8,129 while annual expenditures average only \$3,417 (see Appendix A to the 9/23/85 Legislative Audit of the State Physical Therapy Board). It therefore appears that income from licensing fees exceeded expenditures by 238%.

The Committee therefore requests that the Division of Occupational Licensing seriously consider restoring necessary board expenses, such as the number of meetings, if requested by the board.

The Committee further requests that the Division report in writing to

the Committee by May 1, 1986 the action it is taking in response to this request.

- (3) the extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.

The board supported a statutory change recommended by the Physical Therapy Association to allow physical therapists to practice autonomously. This recommendation was suggested by the Division of Legislative Audit and supported by the committee, and is included in HB 640.

Another statutory amendment recommended by the board was to allow foreign-trained physical therapists to practice in Alaska. The statute was amended accordingly in 1980.

- (4) the extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

Notification of meetings have been published in newspapers in Anchorage, Fairbanks and Juneau. Meetings have been held in each of these locations, and public notice posters announcing meetings have been distributed to physical therapy departments statewide.

- (5) the extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions.

Newspaper notice of proposed regulation changes are published statewide as required by the Administrative procedures Act.

- (6) the efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which the board or commission is administratively assigned, or with the office of the ombudsman have been processed or resolved.

The Office of the Ombudsman and the Attorney General's Office have no outstanding consumer complaints about the Physical Therapy Board.

- (7) the extent to which the board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.

169 physical therapists and 11 physical therapy assistants are licensed in the state, with no evidence that unqualified applicants have been licensed.

- (8) the extent to which state personnel practices, including affirmative action practices, have been complied with by the board, commission or agency to its own activities and the area of activity or interest.

No complaints have been filed with the office of Equal Employment Opportunity relating to the Physical Therapy Board.

(9) the extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

The Division of Legislative Audit recommended that the licensing statute be amended to allow independent practice of physical therapists in the state as a way of saving money for the consumer. This recommendation was included by the Committee in HB 640.

As required by AS 44.60.050 (d), the Committee submits the following findings:

(1) an identification of the problems or the needs that the programs and activities of the board, commission or agency are intended to address.

The purpose of the board is to protect the public against unqualified practitioners of physical therapy.

(2) a statement, to the extent practicable, of the objectives of the program of the board, commission, or agency program, and its anticipated accomplishments.

The board is to license qualified physical therapists and physical therapy assistants in the state to protect the public welfare.

(3) an identification of any other programs having similar, conflicting or duplicate objectives.

There are no duplicate programs.

(4) an assessment of alternative methods of achieving the purposes of the program.

The Committee did not discuss any alternative methods for licensure for this profession.

(5) an assessment of the consequences of eliminating the board, commission or program and consolidating its activities with another program, or of funding it at a lower level.

The Committee did not consider eliminating the board. The Division of Legislative Audit and the Division of Occupational Licensing recommended that the board be continued to serve the public welfare. There was no discussion of further budget reductions, in fact, as set forth above, the Committee questions the current level of fees and the need for restoring the board to its former level of operations.

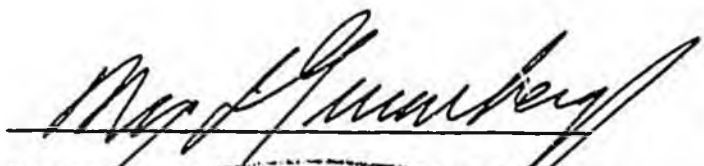
(6) a justification for the recommended continuation or extension of the board, commission or program, and an explanation of the manner in which it avoids duplication of or conflict with other efforts.

The board will be especially important in monitoring the profession with the addition of independent practice for the therapists to

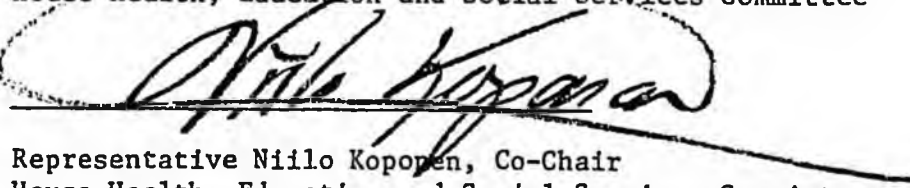
safeguard against any unanticipated results. Other states which have allowed independent practice have experienced no difficulties regarding practice or insurance.

(7) any other information which, in the opinion of the committee, would improve the performance of the board, commission or agency with respect to its representation of and responsiveness to the public interest.

There are no additional recommendations.



Representative Max F. Gruenberg, Jr., Co-Chair
House Health, Education and Social Services Committee



Representative Niilo Koponen, Co-Chair
House Health, Education and Social Services Committee

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB 640 (L&C)
 Title: An Act relating to the State
Physical Therapy Board:

Sponsor: House HESS
 Requester: House HESS
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
 BRU: Occupational Licensing

Components: _____

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		-0-	-0-	-0-	-0-	-0-
TRAVEL		-0-	-0-	-0-	-0-	-0-
CONTRACTUAL		-0-	-0-	-0-	-0-	-0-
SUPPLIES		-0-	-0-	-0-	-0-	-0-
EQUIPMENT		-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE		-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULLTIME		-0-	-0-	-0-	-0-	-0-
PARTTIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary.

The bill extends the State Physical Therapy Board for four years and effects a re-write of AS 08.84.120 relating to REFUSAL, REVOCATION, AND SUSPENSION OF LICENSE. The bill also classifies a violation as a Class B Misdemeanor. In addition, the bill repeals sections relating to practice by referral, therefore allowing physical therapists to practice independently. The bill is not expected to generate new costs or revenues.

Prepared by: Jennifer Strickler, Management Analyst
 Division: Occupational Licensing

Phone: 465-2144
 Date: 3-17-86

Approved by Commissioner: [Signature]
 Agency: Commerce & Economic Development

Date: 3/17/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

CE
2/26

Revision Date : _____

REQUEST
 Bill/Resolution No. : HB 640
 Title : Continuation of the
State Physical Therapy Board
 Sponsor : House HESS
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL
 Agency Affected : Commerce & Econ. Dev.
 BRU : Occupational Licensing
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE		-0-	-0-	-0-	-0-	-0-

FUNDING : (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

This bill provides for continuation of the State Physical Therapy Board and allows physical therapists to practice independently.

No new costs or revenues are expected to be generated by the bill.

Prepared by: Jennifer Strickler, Mgnt. Analyst
 Division: Occupational Licensing

Phone: 465-2144

Date: 2/20/86

Approved by Commissioner: _____
 Agency: Commerce & Economic Development

Date: 2/20/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
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- Impacted Agency(ies)

ALASKA STATE LEGISLATURE

... 14th Legislature SECOND. Session

HOUSE ... BILL NO. 640...

By ... HESS.....

"An Act relating to the State Physical Therapy Board; and providing for an effective date."

Physical Therapy Board

Introduced in the House .. 2/17... , 19... 86

HISTORY IN THE HOUSE

1986	Read first time and referred to Committee on												
Feb 17	HESS, ALSC AND FINANCE												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by Speaker												
	Sent to Senate												
	CHIEF CLERK OF THE HOUSE												

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
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Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed												
	Signed by President												
	Returned to House												
	SECRETARY OF THE SENATE												

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor by Governor
	Filed with Lt. Governor
	Chapter No.

Offered: 3/21/86
Referred: Finance

Original sponsor: Health, Education and
Social Services Committee

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE HOUSE

2

CS FOR HOUSE BILL NO. 640 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

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A BILL

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1989 [1986].

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and safely;

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(4) is guilty, in the judgment of the board, of gross

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(6) has failed to refer a patient to another qualified

1 PERSON LICENSED UNDER THIS CHAPTER MAY NOT TREAT HUMAN AILMENTS BY
2 PHYSICAL THERAPY OR OTHERWISE EXCEPT UNDER THE PRESCRIPTION AND DIREC-
3 TION OF A PERSON LICENSED TO PRACTICE MEDICINE, OSTEOPATHY, DENTISTRY
4 OR PODIATRY.] This chapter does not authorize any person to practice
5 medicine, osteopathy, chiropractic, or other method of healing.

6 * Sec. 6. AS 08.84.185(a) is amended to read:

7 (a) In addition to action under AS 08.84.180, upon a finding
8 that by reason of demonstrated problems of competence, experience,
9 education, or health the authority to practice physical therapy should
10 be limited or conditioned or the practitioner disciplined, the board
11 may reprimand, censure, place on probation, restrict practice by
12 specialty, procedure, or facility, require additional education or
13 training, or revoke or suspend a license [REGISTRATION].

14 * Sec. 7. AS 08.84.170 is repealed.

15 * Sec. 8. This Act takes effect immediately in accordance with AS 01.-
16 10.070(c).

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

Offered: 3/21/86
Referred: Finance

Original sponsor: Health, Education and
Social Services Committee

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 640 (L&C)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to the State Physical Therapy Board;
7 and providing for an effective date."

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

9 * Section 1. AS 08.03.010(c)(8) is amended to read:

10 (8) State Physical Therapy Board (AS 08.84.010) -- June 30,
11 1989 [1986].

12 * Sec. 2. AS 08.84.120 is repealed and reenacted to read:

13 Sec. 08.84.120. REFUSAL, REVOCATION, AND SUSPENSION OF LICENSE.

14 (a) The board may refuse to license an applicant, may refuse to renew
15 the license of a person, and may suspend or revoke the license of a
16 person who

17 (1) has obtained or attempted to obtain a license by fraud
18 or material misrepresentation;

19 (2) uses drugs or alcohol in a manner that affects the
20 person's ability to practice physical therapy competently and safely;

21 (3) has been convicted of a state or federal felony or
22 other crime that effects the person's ability to practice competently
23 and safely;

24 (4) is guilty, in the judgment of the board, of gross
25 negligence or malpractice or has engaged in conduct contrary to the
26 recognized standards of ethics of the physical therapy profession;

27 (5) has continued to practice physical therapy after becom-
28 ing unfit due to physical or mental disability;

29 (6) has failed to refer a patient to another qualified