

ATLAS SKIA LEGIS LAJOUR CO M L THE S 981-982 886/2  
1241 HB 840 - SB 119  
1291

(25) Kiana -- Sewage Treatment Plant \$125,000

The Public Health Service constructed the Kiana water and sewer system, and the city of Kiana is presently operating and maintaining the facility. When the facility was constructed by PHS, the aeration unit and its component parts were not installed in a separate room. Apparently PHS did not have the additional funds to relocate the unit. This particular unit must be enclosed separately from the water treatment facilities (i.e. fluoridators and chlorinators) and water storage tanks. Presently the treatment process is by-passed and sewage/waste water is discharged, untreated, into the river. The aeration unit and sewage pumps are deteriorating and collecting rust due to non-use. Therefore, the city requests funds to totally renovate and repair the sewage treatment facility. DEC's project cost estimate is \$250,000 to restore the system. Matching funds for the grant will be provided by DEC.

(26) Shungnak -- Sewer Lines \$300,000

The Public Health Service constructed the Shungnak water and sewer facility. The waste water and sewage lines are placed underground. A lagoon is located approximately 1/2 mile from the community is used for disposal site. The sewage lines are experiencing breakages which is caused by freezing. Approximately 1/2 mile of pipe for the sewage system needs replacement, in addition, proper insulation with good exterior protection needs to be installed for the system to become operable.

(27) Noorvik -- Water and Sewer Repairs \$150,000

The Noorvik water and sewer system is very unique in design which operates by vacuum pressure. The water and sewer utilidors were placed above ground because permafrost conditions below the ground would not sustain utilidors permanently. This makes access for repairing clogged and frozen lines more convenient. Since initial installation, the utilidors have sagged due to settling. In order for the system to operate efficiently, service lines must be level, otherwise vacuum pumps would be overworked and decrease their longevity. Fire hydrants were installed in certain sections of the water lines but were not fully completed. Full completion of hydrants need to be done for better community fire protection. The sewage and waste water discharge line, which disposes sewage into a Facultative lagoon, needs leveling to prevent freeze up in the future. Appropriation of funds is needed to level utilidor lines, complete fire hydrants, and level and repair waste water and sewage discharge line.

(28) Buckland -- Water System Upgrade \$100,000

The City of Buckland operates a washeteria which has laundry, showering, and central watering point facilities. The PHS constructed the washeteria because it was the most economical alternative for them to construct and the community to operate. A 25,000 gallon storage tank is supplied with water from the Buckland River, however 50% of the residents use ice water because the water intake line for the facility froze-up. In the summer, residents receive water through a piped distribution system. In the fall of 1981 representatives of PHS made an on site visit to evaluate the existing system, and determined what improvements could be made to the existing system. PHS estimated for a new water and sewer facility, which would directly provide services through a pipe system, is approximately \$3,000,000. Instead the community opted to renovate and repair their existing system, which would require work such as replacement of worn out pipes and couplings, repair of broken boilers, and repair of the water intake line. Therefore appropriation of funds is needed to restore the present system to an operable level.

(29) Buckland -- Water and Sewage Trucks \$197,400

The City of Buckland's water delivery and sewage collection system needs improvements to improve health and sanitary conditions, this requires two (2) vehicles. The Department of Transportation estimate for each vehicle, including shipping and handling cost, is approximately \$93,700. One vehicle would provide water delivery, with the other collecting sewage and solid waste for disposal to a land fill site.

(30) Deering -- Road to Dump Site \$100,000

An uncontrolled land fill located near the vicinity of the airport is currently being used. Fencing for the land fill site is needed to contain debris. In addition, repair of the land fill access road, which is approximately 1.5 miles in length, needs improvements to make access less hazardous, and available year round. Presently the refuse is stored into 55 gallon barrels in winter and dumped on the sea ice. This appropriation would allow the residents to make necessary improvements to the road and landfill site. The city has the necessary local labor, equipment, and gravel resource to accomplish the project, however funds are needed to finance the proposed project.

(31) Diomede -- Water Tanks \$363,700

The community of Diomede's water source is a spring which supplies a 120,000 gallon storage tank. The water supply serves the residents, B.I.A. school, and must also contain a reserve supply for emergency fire fighting. During winter periods the present storage tank by itself cannot sustain Diomede's water needs, especially with population increases in the future. To insure an adequate water supply, a 150,000 gallon storage tank is needed for a long range supply. This appropriation would allow the community to purchase a 150,000 gallon water storage tank.

(32) Koyuk -- Washeteria Toilets \$3,100

The community of Koyuk operates a washeteria which provides laundry, showering and watering point facilities. When PHS constructed the washeteria, toilet facilities were not installed. The toilet facilities would help decrease usage of honey buckets and privies, which are susceptible to causing sanitary hazards. The DEC cost estimates for one (1) humis toilet is approximately \$1,500. This appropriation would enable the community to purchase two (2) humis toilets at a cost of \$3,100 which includes shipping and handling costs.

(33) Savoonga -- Water and Sewer System Upgrade \$431,400

Savoonga's population has increased to well over 500 residents and because of this increase the community has a desperate need for a sanitation facility that is adequate to fill the needs of the community. DEC has helped the community with locating a suitable land fill site and is also assisting with technical problems. However, the community is still in need of a safe sanitary facility. If funding is approved, the community could then purchase the necessary materials, such as fiberglass water tanks, fiberglass sewage tanks, complete installation materials, lumber and garbage truck, sewage truck and water haul truck, a 30 x 30 utility building and construction of a gravel pad for the building. The city has been working with a contractor and the total cost for these raw materials is \$431,400.

(34) Shaktookik -- Garbage Truck \$50,000

Winter refuse and trash are now dumped on the ice. In the summer, trash is either burned or villagers use a fenced land fill. Shaktookik does not have a garbage haul vehicle. If funding is approved, it would allow the community to purchase this vehicle. By having a garbage truck, it would allow the community to improve its present garbage disposal system.

(35) Shaktoolik -- Water Line to Clinic \$100,000

PHS built a centered washeteria/watering point for the City of Shaktoolik in 1977. Water is pumped three miles from the Tagoonmanik River to the pumphouse, where it is chlorinated and flouridated. Water is stored in a 794,000 gallon steel storage tank from which residents have their water during the winter. In summer, a distribution system operates, using 5,000 feet of two (2) inch pipe and 1,500 feet of one (1) inch pipe. The washeteria includes showers, washers and dryers. A wood frame single-story village health clinic was constructed in 1972 by PHS. The clinic is open five days a week and is staffed by one full-time health aide and one alternate health aide. The clinic presently hauls water from the central watering point. The washeteria/watering point and clinic facilities are across the street opposite each other. The requested appropriation funds would allow the city to hook-up a water line to connect the two (2) facilities.

(36) Shishmaref -- Water System Project \$750,000

A tundra pond serves as the water source and an 800 foot line transmits the water into a pumphouse where filtration occurs prior to storage in a 300,000 gallon tank. The quantity and quality of water is inadequate. Most residents use ice for drinking. The existing system does not meet the needs of the community and the high school. Residents object to the location of the pond source adjacent to the cemetery and, consequently, do not drink the water. This is reflected in the fact that the store sells approximately 1000 cases of soft drinks every two weeks. The community has already had a feasibility study and is in need of additional funds to start construction of a facility. DEC and Norton Sound Health Corporation have placed Shishmaref as the highest priority on their lists of needed projects.

(37) Shishmaref -- Water Truck \$93,700

The community is making a sincere effort to improve their water delivery system. If funding is approved, the community could then purchase the very necessary water truck.

(38) Teller -- Garbage Truck \$90,000

In winter, refuse and trash are now dumped on the ice, and during the summer it is burned near the beach. The community does not have a garbage haul vehicle. This funding will enable the community to purchase a garbage haul vehicle to assist them in cleaning up the community.

- (39) Wales -- Water and Sewage Trucks \$150,000

Presently, the City of Wales is without adequate water and sewage haul vehicles. The community is making an effort to improve their water delivery system/solid waste/honey bucket collection and disposal system. If funding is approved the community could then purchase the vehicles to assist them in this effort.

- (40) Kaktovik -- Water Storage Tank \$1,200,000

The City of Kaktovik has a 600,000 gallon water storage tank. In 1979, the tank settled which caused a rip, draining half the water. The rip was repaired by welding, but this weld will not last indefinitely. It could break at any time. Although the water drained slowly during the incident in 1979, the weakened tank could burst this time, and flood the immediate area. It is a potentially dangerous situation which the community would like to alleviate. Since the community also needs additional water storage capacity, funds are requested to build a new 1,000,000 gallon tank.

Section 5.

The sum of \$1,847,100 is appropriated from the general fund to the Department of Community and Regional Affairs for payment as grants to the following communities for the following water, sewer, and solid waste facility projects:

(1) Metlakatla - water lines, sewer lines, sewer treatment plant, chlorination plant, \$650,000

Metlakatla's number one priority is the improvement of the water and sewer system. Growth of the community, plus age of the existing water and sewer system are the primary reasons for upgrading and expanding the system. Growth and expansion of the community has outgrown the present storm drain system, which consists of wood stave pipe. Many areas within the community, including sections of the streets, will flood out during periods of heavy rains. Storm drains were not installed when new roads were being constructed (subtotal = \$350,000).

New housing and mobile homes have recently been constructed in Metlakatla, however water and sewer service lines were not installed to serve these homes because of lack of funds (subtotal = \$72,000).

The sewer treatment plant must be expanded to meet community demands adequately, extra motors for aerators, among other treatment equipment, needs to be purchased. Sewer treatment expansion plans would also include flushing and cleaning, (subtotal = \$63,000).

The following items need to be purchased and installed to meet the EPA pollution discharge permit standards to treat raw sewage before it is discharged; chlorine contact chamber with a sanuri chlorinator, treatment plant laboratory kit, whispair max blower, 1000' air aquatubing, lift pumps and clear all growth of alder from inside of fence at sewage plant (subtotal = \$25,000).

Purchase of a new gas chlorinator, with component parts and accessories including installment labor costs, is needed to upgrade water and sewer facility (subtotal = \$10,000).

The main water line and main water trestle needs general rehabilitation, and replacement of sections of pipe are required (subtotal = \$130,000).

In summary, Metlakatla needs improvement of the storm drainage system, expansion to trailer courts, repair and renovation of sewer treatment plant, installation of chlorinator, renovation and repair of trestle and main water system.

(2) Copper River for Silver Springs - community well - \$32,100

The Copper River Basin has approximately 3,500 residents, homes are scattered for miles along the highway which would make a conventional piped water and sewer system unfinancable and difficult to operate and maintain. Copper Center Volunteer Fire Department presently must travel seventeen (17) miles to Glennallen to obtain water. Twenty Seven (27) homes were provided with individual wells by PHS in 1969, however 20 of these wells are unused because of poor water quality. In 1981, DEC report that estimated 75% of residents were without adequate water supply. A well located in the Silver Springs area would best serve the needs of the residents of Copper Center and surrounding areas. Silver Springs is located at Mile 105 on the Richardson Highway, which is 3 1/2 miles from the community of Copper Center. The Copper Center Elementary School is located at Silver Springs, and is a primary concern of area residents that the well be located at Silver Springs, in case of fire within the vicinity. In addition to the well, a pump and well housing are necessary.

(3) Takotna - individual wells, \$100,000

The village of Takotna has long requested a water delivery system for the residents of its community. This is a high priority for the village of Takotna and required for safe water. \$100,000 will be appropriated to the DC&RA for the village of Takotna to install a safe, feasible water delivery system in the village.

(4) Takotna - sewer feasibility study, \$25,000

The residents of Takotna would like a sewer system. Currently, they are using pit privies as their method of sewage disposal. This feasibility study is needed to examine the other alternatives for sewage disposal that are economically feasible.

(5) Dot Lake - water system repair, \$150,000

The village of Dot Lake is served by a central water facility which heats the homes and supplies fresh water to the villagers. The system has been in use for eleven years and has proven to be effective and a definite benefit to the village. However, it is in need of extensive repairs. The funds are for insulating and reburying the pipe system, installation of fire hydrants and for making access to the system easier.

(6) Chalkyitsik - water and sewer system, \$250,000

Residents currently haul water from Black River in the winter, and Oxbow Slough in the summer. The river has an unsafe bacteria count. There is indiscriminate dumping of sewage, and solid waste is dumped into the river, and put on

the ice in the winter. These funds would allow construction of a badly needed water and sewer system.

(7) Evansville - well repair, \$100,000

Water is hauled from the Koyukuk River. The water is untreated and the hauling distance is a problem for the villagers. Five (5) FAA wells are also used as water sources. The funds requested here would provide for a central watering point and community wells.

(8) Rampart - safe water development, \$230,000

The community presently utilizes the following water sources: Yukon River, creeks approximately 2.5 miles from town, rainwater and ice. None of these sources are treated. One of the communities highest priorities is having a safe source of drinking water. These funds will provide for the development of a safe water source.

(9) Stevens Village - safe water development, \$250,000

Currently the residents of Stevens Village haul water from 5 miles away in the summer and in the winter they haul ice. There is no treatment of this water. The community would like a source of water nearer to the community.

(10) Beaver - solid waste facility, \$40,000

Currently, garbage is dumped indiscriminately. The funds would provide for the development of a landfill site, with fencing enclosure.

(11) Alatna - solid waste facility, \$10,000

Garbage is currently dumped indiscriminately along the Koyukuk River. These funds would provide for the development of a solid waste facility.

(12) Northway - solid waste facility, \$100,000

There is currently an uncontrolled dumpsite on the upper Tanana River, near the village. There is some scattered dumping. A partially controlled dumpsite is located one (1) mile from the community. These funds are needed to develop a solid waste facility to control indiscriminate dumping. The community received \$32,000 in HB 334 last year, for a solid waste disposal. Funds are needed to complete the project.

(6) The sum of \$534,000 is appropriated from the general fund for payments as grants to the following municipalities for solid waste facilities:

(a) Akutan 60,000.

Trash and refuse dumped in a gravel spit, with trash burned and ashes dumped into the bay. A floating crab processor dumps all waste off the edge of the dock into Akutan Bay or on the beach. An area for dumping refuse or a system for collection has never been developed. Until the processors came into the Bay, the problem was relatively minor, but with the tremendous influx of people and the increase in waste material, it has become an urgent problem that needs to be addressed. Possible solutions to the problem include compaction and incineration and then barging the reduced garbage to a site out of town. Part of this appropriation will be for design and engineering.

(b) Platinum 40,000

Uncontrolled dump near mine site. Needs dumpsite badly.

(c) Koyukuk 22,000

Indiscriminate dumping in village, dump site also used.

(d) Huslia 22,000

Fenced land fill outside village, with access by road. Appropriation as a municipal grant to the City of Huslia to construct a solid waste disposal site.

(e) Kiana-dump fencing  
30,000

Fenced dump one (1) mile out near runway, currently next to gravel pit. Location is inconvenient because roads contain hazardous material injurious to residents and possible damage to equipment. New dump site needed.

(f) Shungnak-dump fencing  
30,000

Fenced dump site one (1) mile from town near runway. Summer access to uncontrolled site is difficult. Disposal area not fenced.

(g) Kotlik 50,000

Indiscriminate dumping along river bank, trash noted as burned in 55 gallon drums. Kotlik has a severe health problem due in part to the landfill. The present landfill site is inadequate, trash is floating in the river and creating a health hazard to the residents. If funding is approved, the community could begin construction of a new landfill site.

(h) Teller-landfill relocation  
100,000

Teller does not have a centralized dumpsite. The refuse is indiscriminately dumped around the village. It appears that some of the potable water sources have been polluted with sewage wastes. Some animal carcasses are also occasionally present along the beach and near water sources. A new site has been located and if funding is approved the community would be able to construct a landfill site and to clean-up the old sites.

(i) Kodiak Island Borough-Karluk facility  
120,000

The existing sanitary landfill is too small and needs to be relocated. The Kodiak Area Native Association estimates a facility 3 times as large is needed, and Public Health Service representatives also say the Karluk dump is a priority project which needs immediate attention. Kodiak Island Borough is willing to administer the project and apply for additional funding from DEC. The project includes engineering and design and access road construction.

(j) Kodiak Island Borough-Old Harbor facility  
60,000

The dump for Old Harbor is located near the old village right next to the road. Bears are attracted to the dump and create a dangerous situation for people walking or bicycling on the road. The dump needs to be relocated further from town. It's not anticipated that an access road will need to be built, but basic design and engineering is necessary.

THE PRECEDING PAGES WERE TREATED AS  
A UNIT IN THE ORIGINAL FILE.

for Linda Okey  
in Rep O'Connell's  
office  
from: Maria in Rep  
Adam's Office

HB 840

deletions

- ✓ p. 1 Sec. 1 (a) (2) (g) delete Noatak project
- ✓ p. 3 Sec. 4 (2c) delete Shungnak project

changes

- p. 3 ✓ Sec. 4 (25) Kiana 750. (125)
- p. 5 ✓ Sec. 6 (6) Ambler (Shungnak) dump fencing 30.

additions

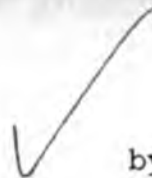
- Sec. 4 (41) North Slope Borough - for Wainwright  
emergency repairs for water treatment  
facility 75,000

Section 1(a)(1)

Hoonah water and sewer feasibility study.

The City of Hoonah has a serious water problem, having outgrown the existing water system. A feasibility study needs to be done to determine present and projected demand as well as the projected service area. Sources under consideration are Garteeni Creek and Sawmill Creek. The projected water quantities, water quality, freezing/hazard problems and treatment points need to be determined. Concept design of a treatment plant and sludge disposal site are needed. Transmission, distribution network, and storage sites need to be considered.

Amendment to HB 840



by Grussendorf

Section 1(a)(1) is amended by adding:

(D) Hoonah

80,000

HB 840

AMENDMENT #1 - O'Connell

Line 3, Page 3: Add new subsection (9) and renumber accordingly:

"(9) Seldovia - Sanitary Sewer and Waterline  
Extensions \$557,000."

## AMENDMENTS

### AMENDMENT NUMBER 1:

Page 2, Sec. 2. Delete. Add new Sec. 2. The sum of 100,000 is appropriated from the general fund to the Department of Environmental Conservation for a regional water and sewer maintenance center for the Bristol Bay region. ✓

### AMENDMENT NUMBER 2:

PAGE 2, Sec. 4 (a): Saxman--water and sewer upgrade for Revilla Road and Evergreen Avenue. ( water line drainage, sewer lines, sewage treatment plant, and chlorination plant) ✓

Chuckman's  
office

Clark Point ✓

decrease by \$ 30,000  
new figure \$ 10,000

PHS was ordered fencing and a  
Crabber trailer for the village of  
Clark Point for the construction  
of a landfill, but no funds  
for the ~~purpose~~ construction of the landfill,  
those funds through the Dept  
of D&C. would pay for the construction  
of this landfill.

District  
15



# Alaska State Legislature

REPRESENTATIVE  
ERIC SUTCLIFFE



REPRESENTING  
THE SOUTHERN ALASKA PENINSULA  
THE ALEUTIAN CHAIN  
KODIAK ISLAND  
AND THE Pribilof Islands

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WHILE IN JUNEAU  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-4940

## MEMORANDUM

TO: Community and Regional Affairs Committee Members  
FROM: Eric Sutcliffe<sup>EGS</sup>  
SUBJECT: HB 840  
DATE: March 3, 1982

The question was raised during the March 3 testimony on HB840 whether or not the Port Lions water and sewer extensions (pg. 3, item 12) were already funded by the Public Health Service. At the time, the PHS representative did not have the back-up material describing the projects proposed in HB 840 and could not say for sure whether or not there was a duplication of effort. Conversations with him and the city have clarified beyond a doubt that the project outlined in HB 840 and the work planned by PHS are different projects. PHS plans to construct water and sewer extensions into the new HUD subdivisions. The city is seeking funding for service into already developed areas of town. In fact, the city applied for PHS funds for the project listed in HB 840 but was told PHS could only construct lines into the new housing projects.

Please see the attached descriptions if you have any further questions.

CITY OF PORT LIONS  
CAPITAL PROJECTS NARRATIVE

1. PORT LIONS WATER & SEWER EXTENSIONS

A. Water Main - Kizhuyak Drive

2,700 feet of 6" water main to the City Dock and through the City's only industrial area. Repair or replace septic tank at City Dock. The City of Port Lions had an application into EDA to fund this project when Federal monies were cut. The U.S. Public Health Service has already done the industrial sizing of key water mains within the village. Also, three (3) industrial water filters were installed in our new water treatment building in the summer of 1981. Therefore, the 2,700 foot water extension and workable septic tank is all that is needed to put our industrial area and City Dock back in working order.

City Project #11 (FY '82) on the Municipal Aid financial report shows the City's intention to prepare Kizhuyak Drive water for the industrial extension.

B. Water Main & Sewer Main - Bayview Drive

1,200 feet of four (4) inch water main and 1,200 feet of four (4) inch sewer main along Bayview Drive where existing homes are located. Although all residential units in Port Lions are connected to the City's water and sewer systems, Bayview Drive extensions have never been funded. This represents a health hazard for our community.

City Project #10 on the Municipal Aid Financial Report represents \$6,000.00 for the engineering and design of a comprehensive water, sewer and road study for Bayview Drive. This study is expected to be completed the winter of 1982. The City is requesting construction funds only.

It should be noted that the City of Port Lions charges all users a service fee each month for water and for sewer. The existing system operates all year around and has a full time operator. The City of Port Lions is wholly responsible for operation and maintenance.



# Alaska State Legislature

POUCH Y, STATE CAPITOL  
JUNEAU, ALASKA 99811  
907 465-3800

from Hurlbert's  
office

March 3, 1982  
To: Marla  
From Penelope

Additions to HB 840- Water and Sewer - back-up info.

## SEC. 1

Hooper Bay - Feasibility Study - \$ 200,000.

Hooper Bay is located at sea level and there is a very high risk of contamination to the water wells (ADD) Because of the high contamination risk, substantial testing must occur to establish an appropriate safe water system for Hooper Bay. Hooper Bay has a population of 600 and is in desperate need of an adequate supply of safe water. These funds are to go to DEC to assess and design a feasible water system for this community.

## SEC. 3

Shageluk - Feasibility Study \$ 25,000.

These funds are to go to the City of Shageluk for a sewer feasibility study. PHS put in a watering point and well in 1975, and the community has had problems ever since. A feasibility study is needed to determine the best alternative for this community.

Chuathbaluk- Feasibility Study \$ 25,000.  
(ADD)

PHS constructed a well and watering point for Chuathbaluk in the mid 1970's. Since 1977, the community has had problems with the pipes freezing and breaking for both their water and sewer lines.

Water is now available only at the school and the clinic, which considering the residential distribution of Chuathbaluk over a large hilly area, often creates a problem, particularly in the cold winter months.

The sewage system consists of a few outdoor toilets; and indoor honey buckets. The honey buckets are usually dumped not far from the homes, some holes have been dug, but not for every home. This is a serious health hazard with children playing outside and coming across raw sewage.

A feasibility study needs to be completed to come up with specifications for a workable system.

Nulato - Feasibility Study - \$ 25,000.

...central watering point there. (ADD) In 1979 an analysis was completed on a water and sewer system for Nulato, and the results were presented to the City. The conclusion was made by the local residents that the City would not be able to maintain and/or operate the proposed system. These funds are for a new feasibility study to come up with the most economical way to provide these services, at a costs the City of Nulato can afford to maintain and operate.

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SEC. 4

(19) Shageluk - community wells \$ 100,000.

The amount of \$ 100,000. will be awarded as a municipal grant to the city of Shageulk for the upgrading of the water delivery system in Shageluk. The current water system is inadequate in meeting the needs of the residents.

SEC. 5

(3) Takotna- Community wells - \$ 100,000.

The village of Takotna has long requested a water delivery system for the residents of its community. This is a high priority for the village of Takotna, and required for safe water. \$ 100,000. will be appropriated to the DCRA for the village of Takotna to install a safe, feasible water delivery system in the village.

sect(2) (H) Hooper Bay -  
feasibility and design  
200,000  
Section (2) - Adams Rec.  
amendment

Sec. 4 (1) - Adams  
Rec. amendment

Sec. 6 (10) - should  
go to the City of  
Old Harbor

Sec. 6 (6) reduce to 10000  
~~proposed~~ since  
PKS is bringing in fencing  
they have the funds for  
their construction



# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

Pat -

March 2, 1981

Notes: HB 840

In talking with Gregg Capito of the Dept. of Env. Conserv. the following questions were asked:

Any conflicts of double funding between Public Health Service and the State?

Conflicts: Noatak - Public Health Ser. would not duplicate services that the State may provide through grants. PHS has extended water and sewer lines to the new subdivision. If this money is for providing the extensions of lines to individual new houses, there would not necessarily be a problem. However HB 840 is not detailed and it is not known what the scope of work accomplished by the legislation is.

*CPA - Sewer mill direct grants \$-80 per sq ft  
?  
Kovach  
AK*

Port Lions - Unspecific direction of funds; PHS will supply extensions of water and sewer lines to new homes in subdivision, what are the funding intentions of the State?

*no problem  
Chadwick*

Aleknegik - PHS extending water/sewer to new homes.

*North Shore - new homes  
So. Shore ind. w/s*

Chalkyitsik - no system presently, PHS will build one

Shugnak - extension of water/sewer to new homes/ by PHS

Needs to be clarified as to the State's intentions in these areas specifically, perhaps more.

PHS supports projects:

St. George

Kiana

Norvak

Dot Lake

Koliganek - Extension systems available/ first priority would be some type of operating and maintenance grants.

(not circulated to the rest of the committee members)

Linda



Official Business

# Alaska State Legislature

## House of Representatives

### Committee on Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

#### M E M O R A N D U M

DATE: 03 MARCH 1982  
TO: ALL COMMITTEE MEMBERS  
FROM: LINDA OTEY, COMMITTEE AIDE  
RE: COMPARISON - CHAPTER 88/SLA 81 AND HB 840

The following information was compiled as requested at the last committee meeting regarding HB 840. There appears to be no instances of double funding in comparing appropriations of last year's village sewer and water development legislation with the projects of this year listed in HB 840. The communities listed are only those that appear in both pieces of legislation.

<u>CHAPTER 88/SLA 81(HB334)</u>	<u>NAME</u>	<u>HB 840 APPROPRIATIONS</u>
1. Safe Water & Solid Waste Feas. Study \$ 50,000	CHALKYITSIK*	1. Project Grant \$250,000
2. Safe Water & Solid Waste Feas. Study \$ 50,000	NORTHWAY**	2. Solid Waste Project \$ 10,000
Solid Waste Disposal Site Const. \$ 32,000	"	
3. Hot Water Tank \$ 1,500	SHAGELUK	3. Water/Sewer Feas. Study \$ 25,000
Solid Waste Disposal Site Const. \$ 22,000	"	
4. Upgrade Sewer Line and Beach Lift \$700,000	CRAIG	4. Ext. & Upgrade/Water Sewer Lines \$300,000
5. Solid Waste Disposal Site Const. \$ 25,000	TAKOTNA	5. Grant/Indiv. Wells \$100,000
		Sewer Feas. \$ 25,000

\* Department of Environmental Conservation project

\*\* The Department of Environmental Conservation has accepted the policy of not participating with any community that has not formed a non-profit corporation.

AN ACT

Making special appropriations for village safe water facilities, solid waste facilities, and water and sewer systems; and providing for an effective date.

\* Section 1. (a) The sum of \$383,500 is appropriated from the general fund to the Department of Environmental Conservation as follows:

- (1) \$83,500 for a village safe water project under the Village Safe Water Act (AS 46.07) and for a solid waste facility project in Tanacross.
- (2) \$300,000 for village safe water studies under the Village Safe Water Act (AS 46.07) and for solid waste feasibility studies in the following communities:

- (A) Iakyltsik
- (B) Fort Yukon
- (C) Hughes
- (D) Northway
- (E) Saint Mary's
- (F) Minto

\* Sec. 2. The sum of \$7,694,000 is appropriated from the general fund in payment as grants to the following municipalities for water and sewer and solid waste facility construction as the local match to be used by the Department of Environmental Conservation as follows:

- |                                       |            |
|---------------------------------------|------------|
| (1) Bethel sewer system               | \$ 330,000 |
| (2) Dillingham water and sewer system | 265,000    |
| (3) Kotzebue water and sewer system   | 1,637,000  |

Chapter 88

- (4) Nome water and sewer utilidor 4,600,000
- (5) Unalaska water supply and distribution system repair 862,000

\* Sec. 3. The sum of \$1,451,500 is appropriated from the general fund for payment as grants to the following municipalities for the following purposes:

- (1) City of Shageluk for purchase of a hot water tank \$ 1,500
- (2) City of Craig for upgrade of sewer line and beach lift station 700,000
- (3) City of Fairbanks for sewer main insulation and rehabilitation - phase II 50,000

\* Sec. 4. The sum of \$234,000 is appropriated from the general fund for payment as grants for solid waste disposal site construction in the following communities:

- (1) Saint Mary's \$ 100,000
- (2) Eagle 22,000
- (3) Holy Cross 50,000
- (4) Kaltag 22,000
- (5) Nikolai 20,000
- (6) Shageluk 22,000

\* Sec. 5. The sum of \$63,000 is appropriated from the general fund to the Department of Environmental Conservation for sanitation system repairs in Arctic Village.

\* Sec. 6. The sum of \$79,000 is appropriated from the general fund to the Department of Community and Regional Affairs for payment as grants for solid waste disposal site construction in the following communities:

- (1) Northway \$ 32,000
- (2) Yakotna 25,000

Chapter 88  
22,000

(3) Telida

\* Sec. 7. The appropriations made by secs. 1, 2, and 3 of this Act are capital projects and are subject to AS 37.25.020.

\* Sec. 8. The appropriations made by secs. 3, 4, and 6 of this Act shall be disbursed in accordance with AS 37.05.315.

\* Sec. 9. This Act takes effect immediately in accordance with AS 01.10.01(c).

S

B

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# COMMITTEE REPORT

## HOUSE

FURTHER: FINANCE

2/11/81

(5)

Date: 2/12/81

Mr. Speaker:

The Committee on COMMUNITY & REGIONAL AFFAIRS has had CSSB 42 (C&RA) am

"An Act relating to the village safe water program; and providing for an effective date."

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

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

**MEMBERS SIGNING  
DO PASS**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**MEMBERS HAVING  
OTHER RECOMMENDATIONS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 CHAIRMAN

4/13/81 call Dept. Env. Conserv. - position: fiscal  
4/13/81 call Bob Keene Assoc. School Boards

Bergin from Dpt. Env. Conserv. will be at mtg. 2600  
Bob Keene - Assoc. School Boards - will be at mtg.

Attached:

# Alaska MUNICIPAL League

TELEPHONES  
907 586 1325  
586 6526

204 N FRANKLIN ST  
JUNEAU ALASKA 99801

February 13, 1981

Lee C. Nerney, Commissioner  
Community & Regional Affairs  
Pouch 1  
Juneau, Alaska 99811

Dear Lee:


As you know, the members of the Alaska Municipal League Board of Directors have expressed serious misgivings about the accuracy of the 1980 federal census. Because they believe that an enumeration with state direction would be much more likely to be correct than the recent federal one, they enthusiastically support the concept of a joint federal/state census, with the state conducting the count after complying with minimum federal guidelines.

At the January 27, 1981 meeting of the Board, the following statement was adopted unanimously as one of the top ten AML priorities for 1981:

"The League believes an accurate census is a basic tool of government. It supports the development of an accurate census mechanism by the state. It also encourages the state to consider entering suits by municipalities challenging the current census."

The League is ready to do whatever it can to work with you to ensure the accuracy of future enumerations.

Sincerely,

  
Ginny Chitwood,  
Executive Director

JOINT MOTION PASSED BY THE ALASKA CONFERENCE OF MAYORS  
AND THE ALASKA MUNICIPAL LEAGUE REGARDING CENSUS

It was moved that the Alaska Conference of Mayors and the Alaska Municipal League Board of Directors:

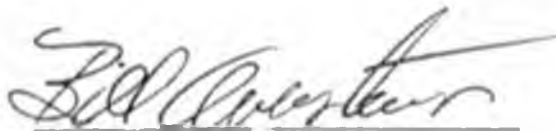
File an official protest with the federal authorities, with notification to our Congressional Delegation as well as to the State Administration and Legislature, of the manner in which the 1980 decennial census was taken and its results; and

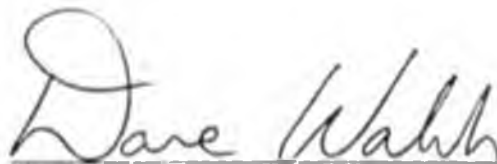
Request the State to assist local governments in obtaining from the Bureau of the Census timely and accurate census counts; and

Request the State use municipal estimates of population in determining revenue sharing allocations until it is determined that the Bureau of the Census has provided accurate census counts; and

Further request through our Congressional Delegation that Congress take direct action to ensure that the 1990 decennial census be only an enumeration of population and if additional information is desired that it be obtained during an interim census on a sample basis.

The motion was seconded and passed unanimously in a joint meeting of the Alaska Municipal League and the Alaska Conference of Mayors on September 22, 1980 in Juneau, Alaska.

  
Bill Overstreet, President  
Alaska Conference of Mayors

  
Dave Walsh, President  
AML Board of Directors



# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Rep. Ben Grussendorf  
Chairman  
465-3870

Pouch V  
State Capitol  
Juneau, Alaska 99811

### House Community and Regional Affairs Committee Meeting

February 18, 1981

8:30 a.m.

Rm. 102, Capitol Bldg.

Members Present: Grussendorf  
Vaska  
Bylsma  
O'Connell  
Randolph

Chairman Grussendorf called the meeting to order at 8:30a.m. The first bill for testimony was CSSB 42. Commissioner Mueller from the Dept. of Environmental Conservation was introduced and spoke on behalf of the bill.

Commissioner Mueller gave a brief summary of the legislation and explained what the Senate C&RA Committee did in offering the Committee Substitute out of their committee. The Committee chose not to mandate solid waste facilities to the Village Safe Water Act at this time. Consequently, the CS for SB 42 made only the change of removing the mandatory requirement for installing bath and laundry facilities in all the villages where the Village Safe Water Program is in effect. It was determined that some of the villages already have these facilities and some do not need the facilities, therefore, removal of the requirements under the Act is a positive need for the Dept. and the communities.

Rep. Vaska asked if the facilities could be built regardless of this change.

Commissioner Mueller explained that last year there were bonds passed by the Legislature to enact the Village Safe Water Program and that the facilities would be built for safe water and hygienic waste disposal regardless of this bill.

Tim Bergin from the Dept. of Environmental Conservation stated that 25 to 600 people within a 2 mile radius or a 2nd class city qualifies them for the Village Safe Water Program.

Rep. Randolph moved and asked for a vote on the bill. The vote for passage of CSSB 42 was unanimous.



# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Rep. Ben Grussendorf  
Chairman  
465-3870

Pouch V  
State Capitol  
Juneau, Alaska 99811

Page 2

HB 73 was then taken up by the Committee.

Rep. Rogers, sponsor of the bill, gave a brief summary of the bill. He stated that approximately 2.5 billion dollars in revenue sharing would be spent in the next 10 years in Alaska. A change in the count of 100 people makes a drastic difference in many communities, especially in the area for eligibility for municipal assistance programs.

He suggested possible amendments:

- 1) Line 12, sect (b) delete "sex"
- 2) (c) - would rather see a cooperative effort between C&RA and municipalities
- 3) Add a section to allow this census count as proof of residence for eligibility for Permanent Fund Dividends.

Problems with the legislation, for example, is to decide what time of year is best to take the count?

The bill leaves a lot of the details up to the Dept. of C&RA and Rep. Rogers was pleased with the work they have done on the legislation to date.

Rep. Vaska asked if there were any other states that are doing their own counts.

The answer was not known to anyone in attendance. He then asked if Rep. Rogers envisioned the same problems of individual participation which took place during the 1981 Census.

Rep. Rogers felt that the Permanent Fund amendment would possibly help the hesitant individuals to participate. He also suggested that perhaps municipalities could have an opt-out clause for a re-count if they were satisfied with their figures. Permanent Fund amendments could be added to other legislation (P.F. legislation) to comply with the census undertaking.



# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Rep. Ben Grussendorf  
Chairman  
465-3870

Page 3

Pouch V  
State Capitol  
Juneau, Alaska 99811

Rep. Bylsma suggested that perhaps a test be taken of one municipality, shooting for the April 1 deadline and see if another count is accurate or not.

Rep. Rogers agreed that he would be more than willing to have Fairbanks be the tested area.

Marie Matzuno, Deputy Commissioner of C&RA then gave an overview of the census 1981 project. Major problems were created by the Federal Bureau of Census who ignored the State's participation and suggestions in taking the Census. The Dept. of C&RA would like to see a State Census Board created to override the census and gear up for accuracy in the 1990 census. Commissioner McAnerney chairs the Commission dealing with the census and is presently in Washington, D.C. with Governor Hammond who is offering the idea of greater state participation in the next census, having the actual work being done by the States and hopefully having the Federal Government's close cooperation and guidelines.

Doug Griggin, Division of Local Government Assistance, testified in favor of the bill. He mentioned areas that need to be worked out. He compiled the fiscal note and operational procedures which were handed out to the Committee. He continued to mention a few problems:

- 1) would not have impact on 1980 census
- 2) would probably not affect the reapportionment time frame It would take a look at taking a bit longer in instituting this census to insure a more accurate taking.

Chuck Caldwell and John Post with the Division of Admin. Services and Research Analysis sections of the Dept. of Labor testified more or less against the bill. It was felt that another census at this time would be taken so close that it would not be worthwhile. In September of 1980, communities had one month for advanced field counts



# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Rep. Ben Grussendorf  
Chairman  
465-3870

Pouch V  
State Capitol  
Juneau, Alaska 99811

Page 4

to evaluate the census accuracy. There have been adjustments to certain areas where major discrepancies were noted because of those field re-counts. Fairbanks was one of those. This was strictly on the State level and did not affect the federal figures. It was also stated that almost no community will ever say that their population is declining. Suggested problems in counting of oil workers and multiple resident housing are always there. They suggested that it would be more advantageous to increase the Revenue Sharing by the funds needed rather than to institute this census.

Rep. Grussendorf stated that the bill would be held over for further testimony on Thursday, February 19, to hear other witnesses.

Meeting adjourned at 9:50 a.m.



Official Business

# Alaska State Legislature

## Senate Committee on Community & Regional Affairs

465-4934  
465-4935

Donald Gilman, Chairman  
Robert H. Ziegler, Sr., Vice-Chairman  
Mike Colletta  
Arliss Sturgulewski  
Frank Ferguson

Pouch V  
State Capitol  
Juneau, Alaska 99811

### MINUTES

January 22, 1981

Meeting called to order by Senator Don Gilman, Chairman, in the First Floor Conference Room of the Behrends Building at 3:00 p.m.

#### Members present:

Senator Gilman  
Senator Ziegler  
Senator Colletta  
Senator Sturgulewski  
Senator Ferguson

Under consideration: Senate Bill 42 - Village Safe Water Act.

#### Testimony:

Ernst W. Mueller, Commissioner of the Department of Environmental Conservation, testified in favor of the bill, which adds solid waste disposal to the present Act. He also gave some background information.

Greg Capito, Village Safe Water, DEC, testified in favor of the bill.

Bob Green, Association of Alaska School Boards, testified opposing the bill, saying it puts an added burden on school districts because in most villages the responsibility of operating and maintaining all utilities generally falls on the school. Wanted to make the committee aware that this particular project would have the potential for an impact on the school systems.

Keith Kelton, Facilities Construction and Operations Section, DEC, responded to Mr. Green's concerns by stating that the schools receive water from the villages in exchange for providing power. Testified in favor of the bill.

Senator Gilman stated that more research was necessary, and continued consideration of SB 42 until next Thursday, January 29.

The Chairman adjourned the meeting at 3:35 p.m.

Elizabeth Kiefer  
Senate Committee on  
Community and Regional Affairs



# Alaska State Legislature

## House

JUNEAU ALASKA

### HOUSE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

#### Summary - CSSB 42

"An Act relating to the Village Safe Water Program; and providing for an effective date."

The CS for SB 42 removes the mandatory requirement that the safe water and hygienic sewage disposal facilities must also provide for laundry and bath facilities. The language of [shall include] is changed to may include.

The original bill (copy attached) included the addition of solid waste disposal facilities to the Village Safe Water Act. Sections 1, 2, 4 & 5 of the original bill were deleted by the Senate C&RA Committee and the remaining section 3 became the Committee Substitute. It was felt by the Senate C&RA Committee that further study of need and desire by participating villages be completed before changing the language and mandating such facilities to the Village Safe Water Act.

l. or  
ct."  
For

report on ch. 120, SLA '971 (SB 78 am R.  
see 1971 House Journals, p. 1016.

Department of Health and Social Services

1971.

ed Acts and Penalties.

71.

SLA 1968, ch. 244, SLA 1970, ch. 62, SLA  
1971.

ral Provisions.

§ 46.07.010

## Chapter 07. Village Safe Water Act.

### Section

- Statement of purpose
- Construction of facilities
- Nature and location of facilities
- Provision of facilities
- Operation of facilities

- 60. Educational and informational program
- 70. Economy of administration
- 80. Definitions

**Sec. 46.07.010. Statement of purpose.** It is the purpose of this chapter to establish a program designed to provide safe water and hygienic sewage disposal facilities in villages in the state. (§ 1 ch 186 SLA 1970)

**Sec. 46.07.020. Provision of facilities.** The commissioner shall institute and carry out a program to provide for the installation of such safe water and hygienic sewage disposal facilities in villages in the state as may be necessary to assure that there will be at least one facility for safe water and hygienic sewage disposal in each village. (§ 1 ch 186 SLA 1970)

**Sec. 46.07.030. Nature and location of facilities.** (a) A facility constructed under authority of this chapter shall be available for use by the public and shall be designed to assure year-round use. The facility shall include, at a minimum, a source of clean water, such as a well with pumping facilities or utilization of surface water treated so it is safe and suitable for use, shower bath facilities, an adequate means of hygienic sewage disposal, and facilities for the washing of clothes. The building housing the facility shall also contain, if the commissioner determines it to be feasible and appropriate, suitable quarters to be used as a community health service office.

(b) The location of a facility constructed under this chapter shall be determined by the commissioner after consultation with the governing body of the village in which the facility is located, as well as with appropriate public agencies, including but not limited to the Alaska State Housing Authority. The aim of the consultation is to achieve maximum coordination in public development plans and activities affecting the community in which the facility is to serve. (§ 1 ch 186 SLA 1970; am 1971 ch 71 SLA 1972)

Legislative committee report. — For  
report on ch. 71, SLA 1972 (HCSSB 383 am  
see 1972 House Journal, p. 898.

**Sec. 46.07.040. Construction of facilities.** (a) The commissioner shall provide for the construction of facilities under this chapter, and is authorized to provide for the construction by contract or through grants

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS to SB 42  
 Title Amendments to Village Safe Water AS 46:07  
 Requested by Office of the Governor Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Environmental Conservation  
 Program Category Affected NRMBC  
 BRU, Program, or Subprogram(s) Affected Environmental Conservation  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	/	/	-0-	-0-	-0-	-0-
200 TRAVEL	/	/	-0-	-0-	-0-	-0-
300 CONTRACTUAL	/	/	-0-	-0-	-0-	-0-
400 COMMODITIES	/	/	-0-	-0-	-0-	-0-
500 EQUIPMENT	/	/	-0-	-0-	-0-	0
600 LAND & STRUCTURES	/	/	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	/	/	-0-	-0-	-0-	-0-

TOTAL

FUNDING (Thousands of Dollars)

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

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

This amendment will not increase staffing or travel, but simply increase the options available for planning and design purposes.

IV. DATE February 13, 1981 PREPARED BY Timothy J. Bergin  
 AGENCY Environmental Conservation  
 Original: Legislative Finance PHONE 465-2620  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

Original Sponsor: Rules/Governor

Offered: 2/2/81  
Referred: Finance

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL  
AFFAIRS COMMITTEE

2

CS FOR SENATE BILL NO. 42 (C&RA) am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the village safe water program;

7

and providing for an effective date."

8

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

9

• Section 1. AS 46.07.030(a) is amended to read:

10

(a) A facility constructed under authority of this chapter shall

11

be available for use by the public and shall be designed to assure

12

year-round use. A safe water and hygienic sewage disposal [THE] fa-

13

cility shall include [,AT A MINIMUM,] a source of clean water, such as a

14

well with pumping facilities or utilization of surface water treated so

15

it is safe and healthful for use, and [SHOWER BATH FACILITIES,] an

16

adequate means of hygienic sewage disposal, and may include facilities

17

for the washing of clothes and shower bath facilities. The building

18

housing the facility shall also contain, if the commissioner determines

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it to be feasible and appropriate, suitable quarters to be used as a

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community health service office.

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• Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-

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070(c).

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# Alaska State Legislature

## House

JUNEAU ALASKA

### HOUSE COMMUNITY & REGIONAL AFFAIRS COMMITTEE

#### Summary - CSSB 42

"An Act relating to the Village Safe Water Program; and providing for an effective date."

The CS for SB 42 removes the mandatory requirement that the safe water and hygienic sewage disposal facilities must also provide for laundry and bath facilities. The language of [shall include] is changed to may include.

The original bill (copy attached) included the addition of solid waste disposal facilities to the Village Safe Water Act. Sections 1,2,4&5 of the original bill were deleted by the Senate C&RA Committee and the remaining section 3 became the Committee Substitute. It was felt by the Senate C&RA Committee that further study of need and desire by participating villages be completed before changing the language and mandating such facilities to the Village Safe Water Act.

report on ch. 120, SLA 1971 (SB 76 am 1)  
see 1971 House Journal, p. 1016.

§ 46.010

## Chapter 07. Village Safe Water Act.

Department of Health and Social Services

- 1. Statement of purpose
- 2. Provision of facilities
- 3. Nature and location of facilities
- 4. Construction of facilities
- 5. Operation of facilities

- Section
- 60. Educational and informational program
  - 70. Economy of administration
  - 80. Definitions

71.

Acts and Penalties.

**Sec. 46.07.010. Statement of purpose.** It is the purpose of this chapter to establish a program designed to provide safe water and hygienic sewage disposal facilities in villages in the state. (§ 1 ch 186 SLA 1970)

**Sec. 46.07.020. Provision of facilities.** The commissioner shall institute and carry out a program to provide for the installation of such safe water and hygienic sewage disposal facilities in villages in the state as may be necessary to assure that there will be at least one facility for safe water and hygienic sewage disposal in each village. (§ 1 ch 186 SLA 1970)

**Sec. 46.07.030. Nature and location of facilities.** (a) A facility constructed under authority of this chapter shall be available for use by the public and shall be designed to assure year-round use. The facility shall include, at a minimum, a source of clean water, such as a well with pumping facilities or utilization of surface water treated so it is safe and suitable for use, shower bath facilities, an adequate means of hygienic sewage disposal, and facilities for the washing of clothes. The building housing the facility shall also contain, if the commissioner determines it to be feasible and appropriate, suitable quarters to be used as a community health service office.

(b) The location of a facility constructed under this chapter shall be determined by the commissioner after consultation with the governing body of the village in which the facility is located, as well as with appropriate public agencies, including but not limited to the Alaska State Housing Authority. The aim of the consultation is to achieve maximum coordination in public development plans and activities affecting the community in which the facility is to serve. (§ 1 ch 186 SLA 1970; am 1 ch 71 SLA 1972)

SLA 1968; ch. 244. SLA 1970; ch. 62 SLA 1971.

al Provisions.

Legislative committee report. — For report on ch. 71, SLA 1972 (HCSSB 383 am 1) see 1972 House Journal, p. 898.

**Sec. 46.07.040. Construction of facilities.** (a) The commissioner shall provide for the construction of facilities under this chapter, and is authorized to provide for the construction by contract or through grants

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS to SB 42  
 Title Amendments to Village Safe Water AS 46:07  
 Requested by Office of the Governor Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Environmental Conservation  
 Program Category Affected NRMBC  
 BRU, Program, or Subprogram(s) Affected Environmental Conservation  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	/	/	-0-	-0-	-0-	-0-
200 TRAVEL			-0-	-0-	-0-	-0-
300 CONTRACTUAL			-0-	-0-	-0-	-0-
400 COMMODITIES			-0-	-0-	-0-	-0-
500 EQUIPMENT			-0-	-0-	-0-	0
600 LAND & STRUCTURES			-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.			-0-	-0-	-0-	-0-
<b>TOTAL</b>						

FUNDING (Thousands of Dollars)

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

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

This amendment will not increase staffing or travel, but simply increase the options available for planning and design purposes.

IV. DATE February 13, 1981 PREPARED BY Timothy J. Bergin  
 AGENCY Environmental Conservation  
 Original: Legislative Finance PHONE 465-2620  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

S

B

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COMMITTEE REPORT

HOUSE

FURTHER:

SSS  
PAGE

Date: \_\_\_\_\_

Mr. Speaker:

CRIMINAL JUSTICE  
AFFAIRS COMMITTEE

The Committee on \_\_\_\_\_ has had \_\_\_\_\_

"Bill relating to election of school board members."

under consideration and reports it back as follows:

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

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:


*deleted Sect 6 (Clarkin)*

\_\_\_\_\_  
CHAIRMAN

(b) An educational service area established in the borough under (a) of this section constitutes a regional attendance area. As far as practicable, each regional attendance area shall contain an integrated socio-economically, linguistically and culturally homogeneous area. In the formation of regional educational attendance areas, consideration shall be given to the transportation and communication network and the administration of education and communication between communities that comprise the area. Whenever possible, municipalities, governmental or regional corporate entities, drainage basins and other identifiable geographic features shall be used in describing the boundaries of the regional school attendance areas.

(c) Military reservation schools shall be included in a regional educational attendance area. However, operation of military reservation schools by a city or borough school district may be required by the department under AS 14.12.020(a) and AS 14.14.110. When the operation of the military reservation schools in a regional educational attendance area by a city or borough school district is required by the department, the military reservation shall not be considered part of a regional educational attendance area for the purposes of regional school board membership or elections.

(d) U. S. Bureau of Indian Affairs schools shall be included in a regional educational attendance area boundary. (§ 2 ch 124 SLA 1977)

Alaska Const. art. VII, § 1, does not establish right to secondary schools for students in their communities of residence. — See *Hootch v. Alaska State*

Operated School Sys., Sup Ct. (1977) (File No. 2157), 536 P.2d 793 (1975) — under former Chapter 08.

Sec. 14.08.041. Regional school boards. (a) A regional educational attendance area shall be operated on an areawide basis under the management and control of a regional school board.

(b) The qualified voters of the communities receiving educational services in each regional educational attendance area shall elect a regional school board of not less than five nor more than ten members to be elected for the same term, in the same manner and on the same qualifications as a city or borough school district board under ch. 12 of this title. The initial number of regional school board members shall be determined by the department in consultation with the communities in the regional educational attendance areas. However, the number of qualified voters in a regional educational attendance area may increase or decrease the number of regional school board members established under this section by placing the question on the ballot at a regular school board election in the manner prescribed by law. A change in the number of school board members shall not be effective until the next regular school board election.

Title 14  
Education

Regional school board shall consist of not less than five nor more than ten members. Regional school board members shall be qualified voters of the communities receiving educational services in the regional educational attendance area. The regional school board must indicate on his declaration of candidacy the communities he represents for office.

§ 14.12.070. (§ 2 ch 124 SLA 1977)

§ 14.08.051. School board sectioning. School board sectioning with the Department of Community and Technical Services may divide a regional educational attendance area into sections only for the purpose of electing regional school board members. If a regional educational attendance area is divided into sections each school board member shall represent as practicable, an equal number of qualified voters of a regional educational attendance area as reported in the most recent population census. If the census is five years old, the population data, including but not limited to public school enrollments, public employment payrolls and other data, shall be used in the division of the regional school board area into sections.

The regional school board shall, and, as far as practicable, shall give consideration to the socio-economic, linguistic, and cultural characteristics of the communities that comprise the regional educational attendance area in the division of the regional school board area into sections. The regional school board shall be given to the transportation and communication network to facilitate the administration of education in the communities that comprise the regional educational attendance area.

The division of a regional educational attendance area into sections, or subsequent recasting of the regional school board area by the regional school board, shall be subject to the approval of qualified voters in the area. The regional school board shall be subject to the approval of qualified voters in the most recent regional school board election or a special election. The regional school board shall be subject to approval by a majority of the qualified voters in the regional educational attendance area at the next regular school board election or a special election.

A regional school board shall consist of five, seven, nine or 11

Regional school board members shall be elected at large by the voters of the communities receiving educational services in the regional educational attendance area. However, each seat on the board shall be designated by letter or number, and a candidate for regional school board must indicate the seat for which he is a candidate on his declaration of candidacy or other nomination papers filed for office.

A vacancy on a regional school board shall be filled in accordance with § 14.12.070. (§ 2 ch 124 SLA 1975)

14.08.051. School board sections. (a) The commissioner in consultation with the Department of Community and Regional Affairs may divide a regional educational attendance area into sections only for the purpose of nominating and electing regional school board members. If a regional educational attendance area is divided into sections each school board member shall represent, as nearly as practicable, an equal number of persons. The basis for the division of a regional educational attendance area into sections shall be the total population of the area as reported in the most recent decennial census. If the census is five years old or older, then other reliable population data, including but not limited to population estimates based on public school enrollments, public utility connections, registered voters or certified employment payrolls, shall be used as the basis for the division of the area into sections. Each section within a regional educational attendance area shall consist of compact, contiguous territory and, as far as practicable, each section shall contain an equalized socio-economic, linguistically and culturally homogeneous population. In the division of the regional school attendance area into sections, consideration shall be given to the transportation and communication needs to facilitate the administration of education and communication among communities that comprise the area. Whenever possible, municipalities, other governmental or regional corporate entities, drainage basins and other identifiable geographic features shall be used in describing the boundaries of the sections.

The division of a regional educational attendance area into sections or subsequent recasting of the section boundaries, may be initiated by the regional school board or by a petition containing signatures of qualified voters in the area equal to 15 per cent of the total vote cast in the most recent regional school board election. The division of the area into sections, or subsequent recasting of section boundaries, shall be subject to approval by a majority of the qualified voters voting on the question in the regional educational attendance area at the next regular regional school board election or a special election called for that purpose, and shall take effect at the next regular school board election.

Title 15  
Elections

Law 18  
1975

(c) If a regional educational attendance area has been divided into sections, the commissioner shall recast the boundaries of the sections within 90 days following the official reporting of the decennial census in accordance with (a) of this section.

(d) Multi-member sections may be created. However,

(1) the commissioner shall designate each seat within a multi-member section by letter or number, and a candidate for regional school board within that section must indicate the seat for which he is a candidate on his declaration of candidacy or other nomination papers when he runs for office; and

(2) no section may be represented by more than

- (A) three members, if a board consists of five members;
- (B) four members, if a board consists of seven members;
- (C) five members, if a board consists of nine members; or
- (D) six members, if a board consists of 11 members.

(e) If a regional educational attendance area has been divided into sections, board members shall be residents of the section from which they are elected, but they shall be elected by the qualified voters of the entire regional educational attendance area. (§ 2 ch 124 SLA 1975)

Sec. 14.08.061. Term of office. (a) Members elected to a regional school board shall serve staggered three-year terms. However,

(1) the term of office of all of the members of a regional school board elected from the same multi-member section may not expire at the same time; and

(2) for the first board elected, the term of office of each member shall be determined by lot, according to the following schedule:

(A) the members of the first five-member school board shall hold office for terms as follows: one member for a one-year term; one for a two-year term and two for a three-year term;

(B) the members of the first seven-member school board shall hold office for terms as follows: two members for a one-year term; two for a two-year term and three for a three-year term;

(C) the members of the first nine-member school board shall hold office for terms as follows: three for a one-year term; three for a two-year term and three for a three-year term;

(D) the members of the first 11-member school board shall hold office for terms as follows: three for a one-year term, four for a two-year term and four for a three-year term.

(b) If a regional educational attendance area is divided into sections under § 51 of this chapter where the school board formerly was elected at large, or if the number of regional school board members is increased or decreased by the qualified voters in the regional educational attendance area under § 41(b) of this chapter, the term of office of the members of the existing board shall terminate on the date on which the new board members take office, and the provisions of (a) of this section

Title 14  
Education

...entitled to the determination of the regional school board. Acting in this section pursuant to § 2 ch 124 SLA 1975)

§ 14.08.071. Elections. (a) A regional school board member shall be at least 60, nor more than 70 years of age at the time of regional educational attendance area school board.

(b) Except for the first election of this section, election shall be held in October. Elections shall be held in the office of the lieutenant governor within second class. The lieutenant governor shall certify the election of regional school board members. As far as practicable, to those provisions under ch. 12 of this title. The cost of each regional school board election shall be as provided in § 51 of this chapter, shall be

§ 14.08.081. Recall. The method of recall in accordance with this section shall be determined by the commissioner of education, the state clerk, and the state auditor. The recall shall be initiated by the assembly or court.

§ 14.08.091. Administration. A regional school board member shall be appointed by AS 14.12.090.

(b) The officer of the board representing the regional educational attendance area shall be appointed by the commissioner. (§ 2 ch 124 SLA 1975)

§ 14.08.101. Powers. A regional school board shall have the power and be sued; to contract with the department of education, school district, agency, or other entity for facilities, supplies or other services; to determine its own fiscal policies and procedures for the purchase of goods and services; and to determine the powers and procedures for the regional school boards are examined.

"management and control" authority pursuant to this section, subject to statutory and constitutional restrictions, this assignment power extended to its logical conclusion — the closing of a school by not assigning any students to the particular school — provides a basis for the school board's authority to close schools. *Tunley v. Municipality of Anchorage School Dist.*, Sup. Ct. Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Given the broad managerial mandate of the school board, and the limited authority of the municipal assembly in educational policy matters, it is the school board which has the authority to decide whether schools should be closed. *Tunley v. Municipality of Anchorage School Dist.*, Sup. Ct. Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Section 4 AAC 05.090, which requires state approval prior to discontinuation of local, predominantly local schools established pursuant to the regulatory chapter of which this regulation is a part, does not require state department of education approval of that closure action by the Anchorage school board. *Tunley v. Municipality of Anchorage School Dist.*, Sup. Ct. Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Notice of school closure. — The importance of the educational and property interests involved in the closure of neighborhood schools in a school district requires adequate notice of the school board meeting at which the decision was made to close a specific school and five-day notice of the meeting is insufficient. *Tunley v. Municipality of Anchorage School Dist.*, Sup. Ct. Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

A five-day notice of which schools in a school district are subject to closure militates against appropriate preparation and poses serious obstacles to the presentation of persuasive, properly researched, and supported opposition to any closure plan. It also lessens the likelihood of a fair hearing before the school board and of the school board reaching a reasoned administrative decision. *Tunley v. Municipality of Anchorage School Dist.*, Sup. Ct. Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Given the critical importance of education to democratic society, the significant interests of the plaintiff as a taxpayer-owner of real property affected by the closure of the school nearest the plaintiff, and the important interests of both plaintiff's child, and the plaintiff as a parent, in the educational considerations involved, the plaintiff has rights subject to procedural due process protection, which due process rights to notice and an opportunity to be heard are independent of the requirement under the city's charter for an ordinance setting forth notice provisions for school board meetings. *Tunley v. Municipality of Anchorage School Dist.*, Sup. Ct. Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Burden of loss from fire destruction of military reservation school. — The state must bear the loss resulting from the fire destruction of a military reservation school operated by a local school district in the absence of provisions to the contrary. *State v. Fairbanks N Star Borough School Dist.*, Sup. Ct. Op. No. 2257 (File No. 4477), 621 P.2d 1329 (1981).

Article 2. School Boards.

Section

- 30 School boards
- 115 Indemnification
- 120 (Repealed)

Sec. 14.12.030. School boards.

(d) Each city or borough school district that is operating schools on a military reservation under AS 14.12.020(a) has one nonvoting delegate from the military reservation or reservations to the school district

board to advise and assist the board in matters relating to the military reservation schools operated by the school district and to act as liaison between the board and the military community. The nonvoting delegate shall be appointed by the school district board, shall serve at the pleasure of the school district board, and must be an inhabitant of the area served by the military reservation schools operated by the school district by contract. If an elected community school committee is established on a military reservation, the only inhabitants of that military reservation who are eligible for appointment as the nonvoting delegate are those inhabitants who are members of the elected school committee.

(am § 4 ch 24 SLA 1979)

Effect of amendments. — The 1979 amendment substituted "school district board" for "state Board of Education" and "school district board, and must be an inhabitant" for "state Board of Education,

and shall be an inhabitant" in the second sentence of subsection (d).

As the rest of the section was not affected by the amendment, it is not set out.

NOTES TO DECISIONS

Quoted in *Tunley v. Municipality of Anchorage School Dist., Sup. Ct. Op. No. 2160* (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Sec. 14.12.050. School board terms.

NOTES TO DECISIONS

Stated in *Tunley v. Municipality of Anchorage School Dist., Sup. Ct. Op. No. 2160* (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Sec. 14.12.070. Vacancies.

NOTES TO DECISIONS

Stated in *Tunley v. Municipality of Anchorage School Dist., Sup. Ct. Op. No. 2160* (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Sec. 14.12.080. Qualification of members.

NOTES TO DECISIONS

Applied in *Natanuoka-Susitna Borough v. Lum, Sup. Ct. Op. No. 1179* (File Nos. 2241, 2250), 538 P.2d 994 (1975).

Sec. 14.12.090. Oath.

Stated in *Tunley v. Municipality of Anchorage School Dist., Sup. Ct. Op. No. 2160* (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Sec. 14.12.115. Indemnify and protect the agent, employee, teacher, supervisory or administrative official, or other person, from any claim, demand, damage, alleged violation of law, or injury in death or bodily injury, destruction of property, or other loss, if the person, while acting in the course or scope of his or her duties, was acting in the course or scope of his or her duties.

Sec. 14.12.120. Limited liability.

Repealed by § 4 ch 148 SLA 1979.

Editor's notes. — The repeal derived from § 1, ch. 53, SLA 1979.

Article 3. R

Section

150. Establishment and purpose  
160. Regional resource center program; eligibility

Sec. 14.12.150. Establish the state public school system resource centers to provide limited to, accounting, pay support, bilingual-bicultural development, student, district board member training.

(b) A regional resource center shall be governed by a board participating district. The governing board of that district center board members shall be appointed for a calendar year. Vacancies shall be filled by appointment.

CS SB 95 (CRA)

Sections 1 - 5 of this bill deals with REAA's  
(AS 14.08.041 ->)

It allows for election by section of the REAA school board members. If the voters petition for the election by sections:

Sec 4 - The petition is filed with the director of elections -

Sec 3 - The Commissioner of Education, consulting the Dept. of Cand RA. and the local community, divide the REAA's into sections.

Sections 6 and 7 of this bill deal with School Boards  
(AS 14.12.030 ->)

Section 6 - 1) makes it mandatory for all school board members in a municipal school district to be elected at large.  
\* 2) mandates each seat be designated (by letter or number) and when filing, the candidate must file for a particular seat.

Sec 7 - just makes Sec 6 effective in 6 months and states seat designated by drawing lots.

\* note on Section 6 - the new title 29 (SB 180 or HB 170) permits election other than at large if so approved by the voters.

At present, municipal school board members are elected at large. (S 29.23 ...)

29.20.30  
per at large  
in 180

Offered: 3/3/82  
Referred: Health, Education  
& Social Services

Original sponsor: Ferguson by request

BY THE COMMUNITY AND REGIONAL  
AFFAIRS COMMITTEE

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 95 (C&RA)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to election of school board members."

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

8 • Section 1. AS 14.08.041(d) is amended to read:

9 (d) Subject to (f) of this section, a regional (REGIONAL) school  
10 board member (MEMBERS) shall be elected at large by the qualified voters  
11 of the communities receiving educational services in the entire regional  
12 educational attendance area. However, each seat on the school board  
13 shall be designated by letter or number, and a candidate for regional  
14 school board must indicate the seat for which he is a candidate on his  
15 declaration of candidacy or other nomination papers when he files for  
16 office.

17 • Sec. 2. AS 14.08.041 is amended by adding a new subsection to read:

18 (f) The voters residing within a regional educational attendance  
19 area may petition in accordance with AS 14.08.051(b) to have each  
20 regional school board member elected from a section of the area by the  
21 voters of that section.

22 • Sec. 3. AS 14.08.051(a) is amended to read:

23 (a) The commissioner in consultation with the Department of Com-  
24 munity and Regional Affairs and the local communities may divide a  
25 regional educational attendance area into sections only for the purpose  
26 of nominating and electing regional school board members. If the voters  
27 in a regional educational attendance area favor election of regional  
28 school board members by sections under (b) of this section, the commi-  
29 sioner in consultation with the Department of Community and Regional  
30 affairs shall elect regional school board members by sections.

1 Affairs and the local communities shall divide the regional educational  
2 attendance area into sections for the purpose of nominating and electing  
3 regional school board members. If a regional attendance area is divided  
4 into sections each school board member shall represent, as nearly as  
5 practicable, an equal number of persons. The basis for the division of  
6 a regional educational attendance area into sections shall be the total  
7 population of the area as reported in the most recent decennial federal  
8 census. If the census is five years old or older, then other reliable  
9 population data, including but not limited to population estimates based  
10 on public school enrollments, public utility connections, registered  
11 voters or certified employment payrolls, shall be used as the basis for  
12 the division of the area into sections. Each section within a regional  
13 educational attendance area shall consist of compact, contiguous terri-  
14 tory and, as far as practicable, each section shall contain an integrated  
15 socio-economic, linguistically and culturally homogeneous area. In the  
16 division of the regional school attendance area into sections, consider-  
17 ation shall be given to the transportation and communication network to  
18 facilitate the administration of education and communication between  
19 committees that comprise the area. Whenever possible, municipalities,  
20 other governmental or regional corporate entities, drainage basins and  
21 other identifiable geographic features shall be used in describing the  
22 boundaries of the sections.

23 • Sec. 4. AS 14.08.051(b) is amended to read:

24 (b) The division of a regional educational attendance area into  
25 sections [,] or subsequent recasting of the section boundaries [,] may  
26 be proposed by the regional school board or by a petition. The election  
27 of each regional school board member from a section by the voters of  
28 that section of a regional educational attendance area may be proposed  
29 by petition. A petition under this section shall be filed with the  
30

1 director of elections and shall contain [CONTAINING] signatures of  
2 qualified voters in the area equal to 15 percent of the total vote cast  
3 in the most recent regional school board election. The division of the  
4 area into sections, election of each regional school board member from  
5 a section by the voters of that section, or subsequent recasting of  
6 section boundaries [,] is subject to approval by a majority of the  
7 qualified voters voting on the question in the regional educational  
8 attendance area at the next regular school board election or a special  
9 election called for that purpose, and takes effect at the next regular  
10 school board election.

11 \* Sec. 5. AS 14.08.051(e) is amended to read:

12 (e) If a regional educational attendance area has been divided  
13 into sections, board members shall be residents of the section from  
14 which they are elected. Board members [, BUT THEY] shall be elected by  
15 the qualified voters of the entire regional educational attendance  
16 area, unless the voters have approved election of members by the voters  
17 of the section under (b) of this section.

18 \* Sec. 6. AS 14.12.030 is amended by adding a new subsection to read:

19 (e) A school board member shall be elected at large by the voters  
20 of the municipal school district. However, each seat on the school  
21 board shall be designated by letter or number, and a candidate for  
22 school board must indicate the seat for which he is a candidate on his  
23 declaration of candidacy or other nomination papers when he files for  
24 office.

25 \* Sec. 7. Within six months after the effective date of this Act, in each  
26 municipality that is a school district the school board members shall draw  
27 lots to determine the number or letter that each seat on the school board  
28 shall be designated. The drawing shall take place during a regular meeting  
29 of the school board.



Official Business

# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

WEDNESDAY, APRIL 14, 1982

SUMMARY CSSB 95 "An Act relating to the election of school board members."

The original SB 95 would have required that regional school board members in the unorganized borough be elected from sections rather than at large.

The Senate C&RA Substitute would not make it mandatory for regional school board members to be elected from sections, but would allow the practice if the voters within an REAA petition to do so. Current law allows residents in an REAA to petition for election by sections, but the bill adds language offering more explicit guidelines for the procedure.

The Committee Substitute also adds a new section amending AS 14.12.030 relating to the election of district school board members. It would require board members to be elected at large by the voters of the municipal school district; however, each seat on the school board would have to be designated by letter or number, and a candidate would have to indicate the seat for which he is running.

Within six months after the effective date of the bill, in each municipality that is a school district, the school board members must draw lots to determine the number or letter that each seat on the school board will be designated.



Official Business

# Alaska State Legislature

## Senate

Pouch V  
State Capitol  
Juneau, Alaska 99811

### MEMORANDUM

TO: Rep. O'Connell, Chairman  
House Community and Regional  
Affairs Committee

FROM: Senator Frank Ferguson *TF*

SUBJ: Senate Bill 95

DATE: April 13, 1982

The Legislation creating the Regional Education Attendance Area (REAA) School Districts was originally passed by the Legislature in 1975 to provide local control of education in the rural areas. The original legislation provided for the REAA school board members to be elected "at large" in the district. It was felt that "at large" elections would encourage the promotion of regional interests over the interests of certain communities which might have larger populations than other communities.

Most REAAs provide education in many communities, and they have been faced with a monumental task in satisfying all the residents of all their villages. As in any case with limited resources and unlimited needs there have been complaints from residents in every one of the REAAs.

However, I have had extensive constituent correspondence and phone calls from one of my REAAs complaining of insensitive board members and inequitable delivery of education to communities. From this REAA, I have had numerous requests in favor of changing the REAA School Board elections to sectional elections.

Senate Bill 95 would allow 15% of an REAA school district's voters to petition the Division of Elections to put the question of sectional elections on the ballot for all district voters.

Changing the REAA School Board elections to sectional elections may mean that certain communities would be able to dominate the school board. However, the concept of local control would seem to demand that the residents of each REAA School District be

Rep. O'Connell  
page 2  
April 13, 1982

given the opportunity of choosing how they wish to be represented on their school board.

SENATE  
JOURNAL SUPPLEMENT

4/1/82

No. 23

FISCAL NOTE

SB  
95

I. REQUEST  
Bill/Resolution No. CSB 95 (CSBA)  
Title An Act relating to election of school board members  
Requested by Senator Forsgren Date 3/20/82

II. FISCAL DETAIL Office of the Governor  
Agency Affected Division of Elections  
Program Category Affected Division of Elections  
BRU, Program, Or Subprogram(s) Affected Division of Elections  
(Note: If more than one budget component is affected, separate line-items  
amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		25.0			15.5	27.4
400 COMMODITIES						
500 EQUIPMENT		12.3		13.8		
600 LAND & STRUCTURES						
700 GRANTS, GIFTS, ETC.						
TOTAL	-0-	25.0	12.3	13.8	15.5	27.4

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS		25.0	12.3	13.8	15.5	27.4
OTHER (Specify Source)						

POSITIONS No additional positions required.

ANSWER:

- No additional cost for the question concerning sectional division to be placed on the October 1982 BSA ballots.
- One-time supply cost of 25.0 for sectional maps to be prepared during FY 83.
- Additional printing costs for separate sectional ballots beginning in FY 84 for the October 1983 BSA elections. (Currently 21 ballots; legislation would allow 62 separate ballots.) Formula for printing costs: 41 additional ballots x \$300/ballot = \$12,300.
- 12% inflation for printing of additional ballots each year.
- The absorption of other costs (advertising, staff time for ballot preparation, travel, etc.) within our detail budget requests.

IV. DATE 3/20/82 PREPARED BY Debbie H. Jensen, Deputy Director  
Agency/Office of the Gov. Division of Elections  
 FROM SB-415

# Alaska State Legislature

SENATOR  
ROBERT H. ZIEGLER, SR.  
307 BAWDEN STREET  
KETCHIKAN, ALASKA 99901

POUCH V  
JUNEAU, ALASKA 99811



Senate

VICE CHAIRMAN  
ADMINISTRATIVE REGULATION REVIEW  
SENATE COMMUNITY AND  
REGIONAL AFFAIRS COMMITTEE

MEMBER  
SENATE RULES COMMITTEE  
SENATE COMMERCE AND LABOR COMMITTEE  
STEERING COUNCIL FOR ALASKA LANDS  
U.S. BORAX TASK FORCE

WESTERN STATES LEGISLATIVE  
FORESTRY TASK FORCE  
EXECUTIVE COMMITTEE  
WESTERN CONFERENCE COUNCIL  
OF STATE GOVERNMENTS  
COUNCIL OF STATE GOVERNMENTS  
COMMITTEE ON SUGGESTED STATE LEGISLATION

February 25, 1982

Mrs. Alaire Stanton  
3817 Fairview  
Ketchikan, Alaska 99901

Mrs. Kaye King  
Box 7435  
Ketchikan, Alaska 99901

Dear Alaire and Kaye:

I have enclosed a copy of proposed committee substitute for SB 95, the original of which was found by Alaire, a year or so ago, to be objectionable.

The enclosure is designed to accommodate Senator Ferguson and his REPA but to enable other REAA's to survive, maintaining their current life styles.

Please review the bill and make your thoughts known to Senator Don Gilman who is the Chairman of the Community and Regional Affairs Committee and who is extremely knowledgeable on the subject.

Time is of the essence and I suggest you send a POM to our good chairman no later than Tuesday, March 2nd.

Regards,

3 -

Robert H. Ziegler, Sr.

RHZ:ik

Enclosure

cc: Senator Don Gilman  
Senator Frank R. Ferguson

*option*

TELEGRAM

02 FEB 5 PM 3 50

02104 TDA UNALAKLEET ALASKA 52 02-05 120P AST

PMS SENATOR FRANK FERGUSON

JUNEAU 0638

I URGE YOU TO INTRODUCE A BILL TO THE SENATE TO CHANGE THE DISTRICT WIDE VOTING OF A BERING STRAITS SCHOOL DISTRICT BOARD MEMBER TO A VILLAGE TYPE OF AN ELECTION, SO THAT EACH VILLAGE COULD ELECT THEIR OWN BOARD MEMBER AND NOT THE DISTRICT.

HENRIETTA (TIA) WILSON 624-3355

BOX 146 UNALAKLEET ALASKA 99684

TELEGRAM

ALASCOM INC.

PHONE 555-1402

ALASKA, AK 99502

02053 TDA UNALAKLEET AK 28 02-05 0945A AST

PMS SEN FRANK FERGUSON

0534

JUNEAU

CONSIDER LEGISLATIVE CHANGE INCURRED ELECTION PROCEDURE OF BSSD BOARD MEMBERS QUOTE AT LARGE UNQUOTE TO LIMITING VOTING ONLY FOR YOUR CHOICE IN YOUR VILLAGE

SHE ECKELS

BOX 121 UNALAKLEET 99684

TELEGRAM  
JUN 15 1955  
JUN 15 1955  
JUN 15 1955

02183 POM TDA UNALAKLEET AK 15 02-10 1555 AST  
PMS SEN FRANK FERGUSON  
JUNEAU

WANT TO ENCOURAGE YOUR SUPPORT OF SB95  
JAMES HJELM  
BOX 184  
UNALAKLEET AK 99684

THE FOLLOWING DOCUMENT(S) MAY NOT FILM  
LEGIBLY BECAUSE OF POOR QUALITY OF THE  
ORIGINAL.

TO: Representative Jack Fuller  
Senator Frank Ferguson  
Juneau, Alaska

FROM: Jenny Alowa  
Nome, Alaska

SUBJECT: Election Reform Law  
Return

We need to reform the election law by electing the candidate by the village instead of at large election. I am specifically speaking on the RAA school board election. Our people wants adequate representation elected by the people in the community.

Thank-you.

THE PRECEDING DOCUMENT(S) MAY NOT FILM  
LEGIBLY BECAUSE OF POOR QUALITY OF THE  
ORIGINAL.

CSSB 95 (C&RA) Original sponsor: Ferguson, by request.  
Election of REAA School Board Members.

Under the present REAA election system, voters area-wide select candidates running from sections. It is felt by the Lower Kuskokwim School Board that with the considerable population of the LKSD REAA, as well as the geographic spread of the 23 villages, it is difficult for voters from one section to know persons seeking election to the school board from other sections. The district believes that voting on a candidate from solely within the section he would represent would provide for a better informed vote.

CSSB 95 allows the voters to determine the method they prefer for election of the school board. Lower Kuskokwim School Board supports this legislation.

*Pam Neal*

Pam Neal  
Lobbyist

Jundra Dumas

4/8/82

Bethel

# REAA school board elections may have 'more' local voting

**JUNEAU (AP)**—The State Senate approved April 5 a bill which would require candidates for municipal school boards to file for designated seats, and give regional educational attendance areas the option of electing candidates from designated sections.

Senator Don Gilman of Kenai said the bill brings municipal school districts into line with the state's reapportionment policy which has candidates running for individual seats.

Some communities, for example, now elect the top vote getters on a long list of school board candidates running area-wide.

The bill calls for voting for one candidate in each of several districts.

Senator Frank Ferguson of Kotzebue said rural areas wanted the REAA change to make school boards more representative.

He said small areas within an REAA would be able to elect representatives from their section. Board members are now elected at large.

Ferguson said rural voters want to elect candidates from closer to home, "where the people are better known."

The bill (CS2896 C&RA) passed unanimously. It goes to the house.



Official Business

# Alaska State Legislature

## Senate

Pouch V  
State Capitol  
Juneau, Alaska 99811

April 13, 1982

### MEMORANDUM

TO : Representative Pat O'Connell, Chairman  
House Community & Regional Affairs

FROM : Senator Neys *NA Anderson*, Jr.

SUBJECT : SENATE BILL 95

I want to express my complete support for the passage of Senate Bill 95. The bill as introduced by Senator Frank Ferguson mandates that Regional Education Attendance area board members be elected (voted on) in the area or section which they represent. The bill makes good sense! In many areas the larger communities have enough votes to control the nominations and election of board members. This bill would insure this does not happen and communities in sections or area will have a board member to represent their views on the board. I strongly urge the passage as soon as possible so the bill can be implemented prior to the beginning of this next school year.

Thank you.

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# COMMITTEE REPORT

## HOUSE

FURTHER: \_\_\_\_\_

(5)

1/21/81

Date: 1/21/81

Mr. Speaker:

The Committee on UNEMPLOYMENT, REGIONAL AFFAIRS has had CSA 4 (H) (1)

re: Act relating to housing for teachers in public schools

under consideration and reports it back as follows:

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

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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CHAIRMAN



Official Business

# Alaska State Legislature

## House of Representatives

Committee on

Community & Regional Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

1/ 9/82

### Summary:

CSSB 119 (Fin) am: "An Act relating to housing for teachers in the public schools."

#### Section 1. AS 14.08.101 Powers of a Regional School Board

A regional school board may assist employees in getting as conforming to community norms in distance and quality.

#### Section 2. AS 14.08.111 Duties of a School Board.

A regional school board shall:

inform all new or transferred employees of housing circumstances.

#### Section 3. AS 14.14.090 Additional Duties of a School Board.

A school board shall:

inform new or transferred employees of specific and general housing circumstances in the specific assignment locations of the district, including energy and maintenance costs.

#### Section 4. AS 14.14.095 Powers.

Under the powers of a school board is a provision that they may assist employees in securing housing.

#### Section 5. Causes for Revocation and Suspension.

A certificate may not be revoked under (3) or (4) of this section for breach of contract if the breach was:

- 1) within 30 days of the date of commencement of employment, and
- 2) based on the failure of the employing board to comply with AS 14.08.111(10) or AS 14.14.090(8).

Effect of amendments. — The 1976 amendment added the fourth sentence of subsection (b), which was combined with the third sentence by the 1978 amendment.

The 1978 amendment, in subsection (b), inserted "board" preceding "members" in the first sentence, combined the former third and fourth sentences into the present

third sentence by substituting "except that the" for "The" at the beginning of the former fourth sentence, and added the language beginning "or, if a school board by resolution so requests" at the end of the present third sentence.

As the rest of the section was not affected by the amendments, it is not set out.

**Sec. 14.08.081. Recall.** The members of a regional school board are subject to recall in accordance with AS 29.28.130 — 29.28.250, except that the director of the division of elections shall perform the functions of a municipal clerk, and the lieutenant governor shall perform the functions of the assembly or council under those sections. (§ 2 ch 124 SLA 1976; am § 3 ch 24 SLA 1979)

Effect of amendments. — The 1979 amendment substituted "director of the division of elections" for "commissioner of

education" and "lieutenant governor" for "state Board of Education."

**Sec. 14.08.101. Powers.** A regional school board may

(7) recommend to the commissioner a school construction and rehabilitation program based on an evaluation of the condition of existing school facilities and a determination of the requirements for new school construction, rehabilitation or other upgrading of school facilities, and provide for the construction and rehabilitation or other upgrading of school facilities when grants are made to it by the Department of Public Works under AS 14.08.161; and

(9) by resolution adopted by a majority of all the members of the board and provided to the commissioner of the department, assume ownership of all land and buildings used in relation to the schools in the regional educational attendance area.

(am § 2 ch 57 SLA 1976; am § 1 ch 147 SLA 1978)

Effect of amendments. — The 1976 amendment inserted the language beginning "and provide for the construction and rehabilitation" and ending "AS 14.08.161" in paragraph (7).

The 1978 amendment added paragraph (9).

As the rest of the section was not affected by the amendments, it is not set out.

NOTES TO DECISIONS

As to absence of duty on regional educational attendance areas to bargain collectively with noncertificated employees, see note following chapter analysis, Northwest Arctic Regional Educ. Attendance Area v. Alaska Pub. Serv. Employees, Local 71, Sup. Ct. Op. No. 1811 (File Nos. 3360, 3361, 331 P.2d LSR (1979)).

Applied in Northwest Arctic Regional Educ. Attendance Area v. Alaska Pub. Serv. Employees, Local 71, Sup. Ct. Op.

**Sec. 14.08.111. Du**

(1) provide, during program for each sch

(2) develop a philo schools;

(3) employ a chief of the professional personnel necessary

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curriculum; the revi § 2 ch 124 SLA 19

Effect of amendmen amendment added para

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**Sec. 14.08.111. &**

ional attendance advisory school bo

of selection and of SLA 1979)

**Sec. 14.08.121**

Repealed by §

Editor's notes. — derived from § 2, ch.

Title 19 Highways and Ferries

Supplement

Title 18 Health and Safety

§ 1811 (File Nos. 3360, 3362), 691 P.2d 1292 (1979).

**Sec. 14.08.111. Duties.** A regional school board shall:

- (1) provide, during the school term of each year, an educational program for each school age child who is a resident of the district;
- (2) develop a philosophy of education, principles and goals for its schools;
- (3) employ a chief school administrator and approve the employment of the professional administrators, teachers and noncertificated personnel necessary to operate its schools;
- (4) establish the salaries to be paid its employees;
- (5) designate the employees authorized to direct disbursements from the school funds of the board;
- (6) submit the reports prescribed for all school districts;
- (7) provide for an annual audit in accordance with AS 14.14.050; and
- (8) provide custodial services and routine maintenance of school buildings and facilities;
- (9) establish procedures for the review and selection of all textbooks and instructional materials before they are introduced into the school curriculum; the review includes a review for violations of AS 14.18.060. (2 ch 124 SLA 1975; am § 2 ch 17 SLA 1981)

**Effect of amendments.** — The 1981 amendments added paragraph (9).

**NOTES TO DECISIONS**

As to absence of duty on regional educational attendance areas to bargain collectively with noncertificated employees, see note following chapter on *Northwest Arctic Regional Educ. Attendance Area v. Alaska Pub. Serv. Employees, Local 71, Sup. Ct. Op. No. 1811* (File Nos. 3360, 3362), 691 P.2d 1292 (1979).

(File Nos. 3360, 3362), 691 P.2d 1292 (1979).

Applied in *Northwest Arctic Regional Educ. Attendance Area v. Alaska Pub. Serv. Employees, Local 71, Sup. Ct. Op. No. 1811* (File Nos. 3360, 3362), 691 P.2d 1292 (1979).

**Sec. 14.08.115. Advisory school boards in regional educational attendance areas.** A regional school board may establish advisory school boards, and by regulation shall prescribe their manner of selection and organization, and their powers and duties. (§ 2 ch 24 SLA 1979)

**Sec. 14.08.121. Funding.**

Repealed by § 21 ch 26 SLA 1980, effective July 1, 1981.

**Editor's notes.** — The repealed section was amended by ch 98, SLA 1977, § 1, ch 26, SLA 1980 and by § 2, ch 124, SLA 1975, § 1.

"management and control" authority pursuant to AS 14.12.020, subject to statutory and constitutional restrictions, this assignment power extended to its logical conclusion — the closing of a school by not assigning any students to the particular school — provides a basis for the school board's authority to close schools. *Tunley v. Municipality of Anchorage School Dist.*, Sup. Ct. Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Given the broad managerial mandate of the school board, and the limited authority of the municipal assembly in educational policy matters, it is the school board which has the authority to decide whether schools should be closed. *Tunley v. Municipality of Anchorage School Dist.*, Sup. Ct.

Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

The closure of a school does not involve the exercise of a municipality's essential domain powers, nor does it involve any additional appropriations of municipal funds. Furthermore, in contrast to the municipal government's diminished fiscal and political interests, a school board has strong educational policy interests in deciding which schools are to be closed, which decision effectively determines the size, the design, and therefore the nature of the educational programs of the schools which remain open. *Tunley v. Municipality of Anchorage School Dist.*, Sup. Ct. Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

**Sec. 14.14.090. Additional duties.** In addition to other duties, the school board shall

- (1) determine and disburse the total amount to be made available for compensation of all school employees and administrative officers;
- (2) provide for, during the school term of each year, an educational program for each school age child who is a resident of the district;
- (3) withhold the salary for the last month of service of a teacher or administrator until the teacher or administrator has submitted all summaries, statistics, and reports which the school board may require by bylaws;
- (4) transmit, when required by the assembly or council but not more often than once a month, a summary report and statement of money expended;
- (5) keep the minutes of meetings and a record of all proceedings of the school board in a pertinent form;
- (6) keep the records and files of the school board open to inspection by the public at the principal administrative office of the district during reasonable business hours;
- (7) establish procedures for the review and selection of all textbooks and instructional materials before they are introduced into the school curriculum; the review includes a review for violations of AS 14.16.062

Effect of amendments. — The 1981 amendment added paragraph (7).

NOTES TO DECISIONS

Stated in *Tunley v. Municipality of Anchorage School Dist.*, Sup. Ct. Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

**Sec. 14.14.100. Bylaws a**

NOTE

Applied in *Stagway City School District v. Dena*, Sup. Ct. Op. No. 1216 (File Nos. 543 P.2d 218 (1976)).

**Sec. 14.14.105. Sick leave** the board of a regional educational district shall allow a teacher to draw not more than twice the amount of sick leave bank which the teacher has accumulated before the end of the school year, or 24 days, whichever is less. *AS 14.14.105*, 1 ch 76 SLA 1971; am § 1 c

Effect of amendments. — The 1978 amendment substituted "a regional educational district" for "directors of the state-operated school system" near the

**Sec. 14.14.107. Sick leave** a school district shall allow its certified employees a month with pay of sick leave a month with pay.

(b) A certificated school employee from one school district to another school district, or to the Department of Education, or vice versa, may transfer all of the cumulative sick leave. It is the responsibility of the employee to file the transfer within 90 days of commencing work in the new district.

(c) The department may implement this section. *AS 14.14.107*, 1 ch 99 SLA 1974; am § 1 ch 118 S

Effect of amendments. — The 1978 amendment rewrote this section.

**Sec. 14.14.110. Cooperation w**

NOTES TO I

Risk of loss from damage to military reservation school. — Nothing in the

(d) The board may by regulation establish various classes of certificates. (§ 37-5-4 ACLA 1949; am § 1 ch 76 SLA 1962; am § 10 ch 98 SLA 1966; am §§ 13, 14 ch 32 SLA 1971)

**Effect of amendment.** — The 1971 amendment substituted "board" for "department" in subsections (c) and (d).

**Legislative committee report.** — For report on ch. 32, SLA 1971 (HB 111 am), see 1971 House Journal, p. 133.

**ALR references.** — Matters proper for

consideration in appointment of teachers, 94 ALR 1484.

Discretion of school authorities to deny to teachers certificate or license to which otherwise they would be entitled by law, 121 ALR 1472.

**Sec. 14.20.030. Causes for revocation and suspension.** The commissioner, or the Professional Teaching Practices Commission subject to the approval of the commissioner, may revoke or suspend a certificate only for the following reasons:

(1) incompetency, which is defined as the inability or the unintentional or intentional failure to perform the teacher's customary teaching duties in a satisfactory manner;

(2) immorality, which is defined as the commission of an act which, under the laws of the state, constitutes a crime involving moral turpitude;

(3) substantial noncompliance with the school laws of the state or the regulations of the department; or

(4) upon a determination by the Professional Teaching Practices Commission that there has been a violation of ethical or professional standards or contractual obligations. (§ 11 ch 98 SLA 1966; am § 1 ch 9 SLA 1975)

**Effect of amendment.** — The 1975 amendment substituted "commissioner, or the Professional Teaching Practices Commission subject to the approval of the commissioner" for "department" and "reasons" for "causes" in the introductory paragraph, inserted "or suspend" in that

paragraph, deleted "or" from the end of paragraph (2), added "or" to the end of paragraph (3), and added paragraph (4).

Quoted in *Walt v. Seward School Bd.*, Sup. Ct. Op. No. 267 (FDs No. 437), 421 P.2d 122 (1966).

**Sec. 14.20.040. Applicability of the Administrative Procedure Act.** The Administrative Procedure Act (AS 44.62) applies to all proceedings under § 30 of this chapter, and revocations and suspensions are final and reviewable in accordance with AS 44.62.560 — 44.62.570. (§ 12 ch 98 SLA 1966; am § 2 ch 9 SLA 1975)

**Effect of amendment.** — The 1975 amendment rewrote this section.

**Sec. 14.20.090. Revocation of certificates.**

Repealed by § 59 ch 28 SLA 1966, effective July 1, 1966.

**Editor's note.** — The repealed section derived from § 37-5-10 ACLA 1949, § 1, ch. 61, SLA 1965. See now AS 14.20.030.

TO Honorable Frank Ferguson  
Alaska State Senate

DATE: April 30, 1981

FILE NO:

TELEPHONE NO: 465-2800

FROM:  Steve Hole, Administrator  
Office of the Commissioner  
Department of Education

SUBJECT: CS SB-119 (HESS)

This memorandum is in response to your request for our analysis of the cost likely to be occasioned by enactment of CS SB-119 (HESS).

\* If we were requested to submit a formal fiscal note on the bill, that fiscal note would be zero with respect to the need for an increased appropriation required by the bill. That is, the bill only requires districts to inform and assist teachers with respect to housing. While I suppose it is possible that some districts may interpret that language as requiring them to subsidize teachers for the cost of housing, a literal reading of the bill does not lead us to that conclusion.

A recent survey of school districts resulted in the information which we conveyed to your office earlier: 18 districts are presently spending approximately 2.5 million dollars per year on teacher housing costs. I would hasten to point out, however, that those costs are likely the result of agreements negotiated pursuant to AS 14.20.550-610, and not from a state requirement that districts provide housing or subsidies therefor, to teachers.

For your additional information the State Board of Education during its April 1, 1981 meeting went on record as supporting the original SB-119 by a vote of 4-2.



# NEA - ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

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Executive Secretary  
Juneau Office

Robert C. Crooksey  
Deputy Executive Secretary  
Juneau Office

James D. Alter  
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Charles L. O'Connell  
Deputy Executive Secretary  
Anchorage Office

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FAIRBANKS, ALASKA 99701  
PHONE: (907) 456-4438

May 9, 1981

TO: Co-Chairs: Senator Don Bennett  
Senator Ed Dankworth  
Members of the Senate Finance Committee

RE: CS SB 119 (HESS)  
"An Act relating to provision for adequate  
housing for teachers in the public schools  
in rural areas."

## MEMORANDUM OF SUPPORT

NEA-Alaska respectfully urges and encourages a "Do Pass" recommendation on CS SB 119 (HESS). This bill does not have a real fiscal note per se. (See attachment, 30 April, Department of Education, Section 14.17.061 of current AS, pending legislation, HB 16 and HB 127, and SB 176). In addition there is also pending legislation attendant to all components of the housing circumstance; from mortgage money to non-conforming housing to the need to recognize the uniqueness of the different parts of our state.

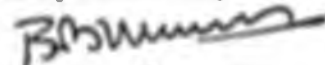
Simply stated, all parties of interest, regardless of the side of the issue agree that there exists a problem. They further agree on the absolute need for a solution.

We respectfully request that the Committee review the attachments relative to the various components of the housing issue. With a rural teacher turnover of nearly 40% we cannot afford to not deal with the problem of stability of employment and continuity of educational programs and the education of our youth; our most important natural resource.

We have to start somewhere. School boards are the only entity that touches every village and segment of a District as a decision making body on matters pertaining to education. While it is inappropriate to compel them to go into "the housing business" it is certainly appropriate to place on them, as employers, a level of responsibility which begins to seek effective resolution to a very complex problem.

Thanks for your consideration of this very serious issue. We are hopeful that you will give due consideration to the issue and the attachments and urge a "Do Pass" recommendation to this legislation.

Respectfully submitted:

  
Robert Manners  
Executive Secretary

RM:jw  
Attachments

Original sponsors: Stimson and Fischer

Offered: 1/22/82  
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 119 (Finance) am  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to housing for teachers in the public  
7 schools."

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

9 \* Section 1. AS 14.08.101 is amended by adding a new paragraph to read:

10 may (10) assist employees in securing reasonable housing that is  
11 consistent with community norms of substance and quality.

12 \* Sec. 2. AS 14.08.111 is amended by adding a new paragraph to read:

13 shall (10) inform all new or transferred employees of the housing  
14 circumstance generally and the specific problems, the specific  
15 assignment locations of the regional educational attendance area,  
16 including energy and maintenance costs.

17 \* Sec. 3. AS 14.14.090 is amended by adding a new paragraph to read:

18 shall (8) inform all new or transferred employees of the housing  
19 circumstance generally and the specific problems in the specific assign-  
20 ment locations of the district, including energy and maintenance costs.

21 \* Sec. 4. AS 14.14 is amended by adding a new section to read:

22 Sec. 14.14.095. POWERS. A school board operating schools in  
23 may remote sites may assist employees in securing reasonable housing in  
24 remote sites that is consistent with community norms of substance and  
25 quality.

26 \* Sec. 5. AS 14.20.030 is amended by adding a new subsection to read:

27 (b) certificate may not be revoked or suspended under (a)(3) or  
28 (4) of this section for breach of contract if that breach by the certi-  
29 ficate holder was within 30 days of the date of the commencement of

1 employment and was based on the failure of the employing board to comply  
2 with the provisions of AS 14.08.111(10) or AS 14.14.090(8).  
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TO Honorable Frank Ferguson  
Alaska State Senate

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# NEA - ALASKA

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May 9, 1981

TO: Co-Chairs: Senator Don Bennett  
Senator Ed Dankworth  
Members of the Senate Finance Committee

RE: CS SB 119 (HESS)  
"An Act relating to provision for adequate  
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in rural areas."

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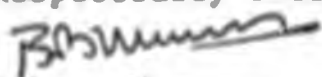
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Respectfully submitted:

  
Robert Manners  
Executive Secretary

RM:jv  
Attachments

INTERESTING RURAL ACCOMMODATIONS:

"Our most bizarre housing dilemma at present is the lady teaching in Akiak who is forced to live in the jail--but she smiles: "They did give me a lease!"

This noteworthy piece of information on rural housing comes from a personal communication to Senator Terry Stinson from Ms. Rose Charles, a teacher at Kilbuck School in Bethel, Alaska.

RURAL TEACHER TURNOVER

<u>School District</u>	<u>1977-1978</u>	<u>1978-1979</u>	<u>1979-1980</u>
A	22%	25%	21%
B	33%	37%	34%
C	30%	75%	53%
D	62%	50%	68%
E	0	40%	75%
F	63%	39%	50%
G	39%	28%	30%
H	32%	27%	9%
I		31%	49%
J	22%	16%	34%
K	25%	16%	28%
L	28%	19%	25%
M	23%	23%	15%
N	38%	46%	30%

The above percentages include transfers, terminations, resignations, etc.