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1 IN THE HOUSE

BY SUTCLIFFE, HAYES AND  
PHILLIPS

2

HOUSE BILL NO. 695

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 employment training and vocational  
7 education and establishing the Board of Employment  
8 Training and Vocational Education; and providing for an  
9 effective date."

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

11 \* Section 1. LEGISLATIVE INTENT. It is the intent of the legislature  
12 that

13

(1) Alaskans be trained for Alaskan jobs;

14

(2) employment training and vocational education programs in the  
15 state be unified and responsibility for those programs be placed in a single  
16 independent board;

17

(3) members of the state's private sector most familiar with the  
18 needs of business, industry, and labor and the changing opportunities in the  
19 Alaska job market take the lead in planning, establishing policy, and develop-  
20 ing programs in employment training and vocational education that will assist  
21 in meeting the needs of employers for skilled workers and in fostering eco-  
22 nomic development in the state;

23

(4) persons, without regard to age, sex, race, religious or polit-  
24 ical persuasion, or ethnic background, in all communities of the state,  
25 including those in high school, those in postsecondary schools, those who  
26 have completed or discontinued formal education and are preparing to enter  
27 the labor market, those who have already entered the labor market but need to  
28 upgrade or learn new skills, those unemployed, those disadvantaged, and those  
29 with special educational disabilities, will have ready access to employment

1 training or retraining and vocational education that is of high quality, that  
2 is realistic in the light of actual or anticipated opportunities for gainful  
3 employment, and that is suited to needs, interests, and ability to benefit  
4 from the training; and

5 (5) quality employment training and vocational education programs  
6 be established throughout the state through the development of comprehensive  
7 statewide planning, improved data collection and uniform training standards  
8 and the cooperation of business, industry, education, and labor in order to  
9 foster continued economic development in the state.

10 \* Sec. 2. AS 14.35 is amended by adding new sections to read:

11 Sec. 14.35.011. BOARD OF EMPLOYMENT TRAINING AND VOCATIONAL EDUCA-  
12 TION. (a) The Board of Employment Training and Vocational Education is  
13 established in the Department of Education. The board is not a division  
14 in the department. The board, its members, executive director and staff  
15 are in the department for administrative support services only and are  
16 not subject to the direction of the commissioner of education or the  
17 state Board of Education.

18 (b) The board consists of seven members appointed by the governor  
19 for staggered three-year terms. Members may be reappointed. Members  
20 shall be selected as follows:

21 (1) four persons representing businesses or industries in the  
22 state that are employing persons trained in employment training or  
23 vocational education programs;

24 (2) two persons from labor unions or labor organizations in  
25 the state whose members work in occupations for which training may be  
26 received in employment training or vocational education programs; and

27 (3) one person representing institutions or organizations  
28 that conduct employment training or vocational education programs in the  
29 state.

1 (c) The board shall elect a chairman from among its members.

2 Sec. 14.35.012. DUTIES AND POWERS OF THE BOARD. (a) The board  
3 serves as the state board for the purposes of the federal Acts described  
4 in AS 14.35.010, as the state agency required under sec. 105 of Title I  
5 (Community Service and Continuing Education) of the Higher Education Act  
6 of 1965 (P.L. 89-329; 79 Stat. 1220; 20 U.S.C. 1005), as amended by the  
7 Education Amendments of 1972 (P.L. 92-318, sec. 196; 88 Stat. 324), and  
8 as the Board of Vocational Rehabilitation for the purposes of AS 23.15.-  
9 010 - 23.15.200.

10 (b) The board shall

11 (1) establish statewide priorities for the use of resources  
12 available for employment training and vocational education;

13 (2) develop annual and multiple-year statewide plans for  
14 employment training and vocational education programs, containing objec-  
15 tives to accomplish the statewide priorities established under (1) of  
16 this subsection;

17 (3) report annually to the legislature on the achievement of  
18 objectives in the statewide plans;

19 (4) provide for transferability between employment training  
20 and vocational education programs throughout the state;

21 (5) provide for coordination of secondary and postsecondary  
22 employment training and vocational education programs throughout the  
23 state;

24 (6) establish local advisory councils to advise potential  
25 recipients of opportunities for employment training and vocational  
26 education;

27 (7) develop a statewide system for the collection and distri-  
28 bution of data on employment training and vocational education;

29 (8) consult with the Department of Labor to coordinate employ-

1 ment training and vocational education programs with job market needs;

2 (9) prescribe by regulation uniform statewide standards for  
3 state-financed and federally financed employment training and vocational  
4 education programs;

5 (10) represent the state in all matters related to the admin-  
6 istration of the federal Acts described in AS 14.35.010;

7 (11) perform all acts necessary to entitle the state to re-  
8 ceive money available under the federal Acts described in AS 14.35.010  
9 and expend and disburse the money according to those Acts;

10 (12) designate the districts, schools, departments, or classes  
11 to participate in the benefits of money received under the federal Acts  
12 described in AS 14.35.010;

13 (13) approve or disapprove, after reviewing for compliance  
14 with statewide standards prescribed under (9) of this subsection,

15 (A) all employment training and vocational education  
16 programs administered by the University of Alaska at the post-  
17 secondary and adult levels that do not lead to a baccalaureate or  
18 graduate degree;

19 (B) all supplemental programs for employment training  
20 and vocational education established and financed in accordance  
21 with AS 14.17.061;

22 (C) all adult and continuing education programs related  
23 to employment training and vocational education conducted by a  
24 state government department or agency, including, but not limited  
25 to, fire service training, village public safety officer training,  
26 and fisheries education programs; and

27 (D) state grant money designated for employment training  
28 and vocational education programs;

29 (14) administer

1 (A) state adult vocational and technical training  
2 centers;

3 (B) programs established under the Comprehensive Employ-  
4 ment and Training Act of 1973 (P.L. 93-203; 29 U.S.C. secs. 801 -  
5 999), except as provided otherwise by federal law;

6 (C) on-the-job and classroom training programs estab-  
7 lished under state law to replace or supplement Comprehensive  
8 Employment and Training Act programs;

9 (D) continuing education programs established under  
10 sec. 105 of Title I (Community Service and Continuing Education) of  
11 the Higher Education Act of 1965 (P.L. 89-329; 79 Stat. 1220; 20  
12 U.S.C. 1005), as amended by the Education Amendments of 1972 (P.L.  
13 92-318, sec. 196; 88 Stat. 324); and

14 (E) vocational rehabilitation programs established under  
15 AS 23.15.

16 (c) The board shall establish and maintain a list of persons  
17 approved by the board who possess vocational and technical skills to  
18 give part-time or periodic employment training and vocational education  
19 instruction. A school district, regional educational attendance area,  
20 or postsecondary institution may contract with persons on the list to  
21 provide periodic or part-time instruction in employment training and  
22 vocational education.

23 (d) The board may

24 (1) adopt regulations necessary to carry out its functions  
25 under AS 14.35.011 - 14.35.017;

26 (2) establish task forces, committees or subcommittees, not  
27 necessarily consisting of board members, to advise and assist the board  
28 in carrying out functions assigned by state or federal statute; and

29 (3) contract with, or use, local educational institutions or

1 other organizations or individuals to provide specific employment train-  
2 ing and vocational education programs, prepare studies, conduct surveys,  
3 submit recommendations, or otherwise contribute to the work of the board.

4 Sec. 14.35.013. EXECUTIVE DIRECTOR. (a) The board shall select  
5 and employ an executive director, and may authorize the executive  
6 director to select and employ staff. The executive director serves as  
7 the state director of employment training and vocational education.

8 (b) The executive director is in the partially exempt service  
9 under AS 39.25.120. The monthly salary of the executive director is  
10 equal to Step A, Range 26 of the salary schedule in AS 39.27.011(a) for  
11 Juneau.

12 (c) The board shall determine the prorated basis on which money  
13 available under the federal Acts described in AS 14.35.010 shall be  
14 available for the salary and necessary travel expenses of the state  
15 director of employment training and vocational education.

16 Sec. 14.35.014. EMPLOYMENT TRAINING AND VOCATIONAL EDUCATION  
17 PLANS. The University of Alaska, community colleges, school districts,  
18 and regional educational attendance areas shall assist the board in the  
19 preparation of annual and multiple-year statewide plans for employment  
20 training and vocational education by annually soliciting and submitting  
21 to the board public testimony and comment on needs and desires for  
22 employment training and vocational education throughout the state. The  
23 board shall base its statewide plans, in part, on public testimony and  
24 comment submitted.

25 Sec. 14.35.015. EMPLOYMENT TRAINING FOR ECONOMIC DEVELOPMENT FUND.  
26 The employment training for economic development fund, consisting of  
27 money appropriated to it by the legislature, is created for the purpose  
28 of developing a technically skilled Alaska work force for economic  
29 development projects. The board shall administer the employment training

1 for economic development fund and may contract with local and state  
2 education agencies, nonprofit corporations, and private corporations and  
3 organizations to establish short-term technical training programs. The  
4 board shall report annually to the legislature on receipts and expendi-  
5 tures and disbursements from the fund.

6 Sec. 14.35.016. BUDGETS. The board is subject to the Executive  
7 Budget Act (AS 37.07).

8 Sec. 14.35.017. DEFINITIONS. In this chapter, unless the context  
9 indicates otherwise,

10 (1) "board" means the Board of Employment Training and Voca-  
11 tional Education;

12 (2) "employment training" means instruction, usually for a  
13 short-term period, in specific job skills;

14 (3) "vocational education" means organized educational pro-  
15 grams that prepare individuals for employment or volunteer work in a  
16 particular occupation or job not requiring a baccalaureate or advanced  
17 degree.

18 \* Sec. 3. AS 14.17.061(a) is amended to read:

19 (a) In addition to the amounts authorized to be paid to school  
20 districts under this chapter, funding of supplemental programs, on the  
21 same basis as determined in the computation of state aid for the appli-  
22 cable district, may be recommended by the commissioner with, in regard  
23 to employment training and vocational education supplemental programs,  
24 the approval of the Board of Employment Training and Vocational Educa-  
25 tion.

26 \* Sec. 4. AS 14.40.909(b)(3) is amended to read:

27 (3) serve as the state agency required under secs. [105 OF  
28 TITLE I (COMMUNITY SERVICE AND CONTINUING EDUCATION),] 603 of Title VI  
29 (Financial Assistance for Undergraduate Education) and 704 of Title VII

1 (Construction of Academic Facilities) of the Higher Education Act of  
2 1965 (P.L. 89-329; 79 Stat. [1220,] 1262; 20 U.S.C. [1005,] 1123) as  
3 authorized by sec. 1202(c) of Title XII of the Higher Education Act of  
4 1965, as amended by the Education Amendments of 1972 (P.L. 92-318,  
5 sec. 196; 86 Stat. 324);

6 \* Sec. 5. AS 23.15.010 is amended to read:

7       Sec. 23.15.010. BOARD OF VOCATION REHABILITATION. The Board of  
8 Employment Training and Vocational Education which administers the  
9 program of vocational education is designated as the Board of Vocational  
10 Rehabilitation to administer the vocational rehabilitation program.

11 \* Sec. 6. AS 23.15.210(2) is amended to read:

12       (2) "board" means the Board of Employment Training and Voca-  
13 tional Education acting as the Board of Vocational Rehabilitation;

14 \* Sec. 7. AS 23.15.611(a) is amended to read:

15       (a) The Department of Labor is authorized to participate in pro-  
16 grams of manpower training if it finds they are necessary to meet the  
17 occupational needs of the state. This authorization includes authority  
18 to execute on behalf of the state agreements or contracts which may be  
19 necessary or desirable to enable the state to participate in a program,  
20 to receive and expend all appropriate funds made available for programs  
21 by the state or from other sources, to supervise the expenditure of the  
22 funds and conduct of the programs by other public and private agencies  
23 of the state, and to make the reports and certificates which are called  
24 for, and in cooperative arrangements with the Department of Education  
25 and the Board of Employment Training and Vocational Education.

26 \* Sec. 8. AS 23.15.611(c) is amended to read:

27       (c) The Department of Education and the Board of Employment Train-  
28 ing and Vocational Education shall work in cooperation with the Depart-  
29 ment of Labor and shall provide training facilities and training in-

1 structors as needed for the programs with funds made available to the  
2 Department of Education and the Board of Employment Training and Voca-  
3 tional Education for those purposes.

4 \* Sec. 9. AS 44.27.020(1) is amended to read:

5 (1) administer the state's program of education at the ele-  
6 mentary, secondary, and adult levels, including, but not limited to,  
7 programs of vocational education and training, [VOCATIONAL REHABILITA-  
8 TION,] library services, correspondence courses, adult basic education,  
9 and fire-service training, but not including degree programs of post-  
10 secondary education and programs in vocational rehabilitation;

11 \* Sec. 10. AS 44.99.010(a) is amended to read:

12 (a) There is created the Alaska Manpower Services Council to  
13 review and monitor all manpower activities within the state and advise  
14 and make recommendations concerning manpower activities to the governor,  
15 the Board of Employment Training and Vocational Education, prime spon-  
16 sors under the Comprehensive Employment and Training Act of 1973, state  
17 manpower agencies, and the public.

18 \* Sec. 11. AS 14.35.020 - 14.35.025 are repealed.

19 \* Sec. 12. AS 39.25.120 is amended by adding a new paragraph to read:

20 (20) the executive director of the state Board of Employment  
21 Training and Vocational Education.

22 \* Sec. 13. This Act takes effect July 1, 1982.  
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