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Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY LINDAUER

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 260  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Alaska Community College  
7 System within the Department of Education; and pro-  
8 viding for an effective date."

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

10 \* Section 1. PURPOSE. (a) It is the purpose of this Act to establish  
11 community colleges, extension centers, and outreach programs within the  
12 Department of Education as parts of a comprehensive statewide system con-  
13 sisting of degree and nondegree programs of postsecondary and continuing  
14 education, established either independently or in cooperation with the  
15 governing bodies of school districts or municipalities in the state, with  
16 an agency of the federal government, or with a nonprofit corporation or  
17 association, to increase the opportunity for obtaining a postsecondary  
18 education in the state.

19 (b) The comprehensive community college statewide system shall in-  
20 clude flexible, versatile programs of postsecondary instruction, counseling  
21 and advising, job placement, and other activities designed to meet the  
22 needs of the area it serves, including but not limited to,

23 (1) courses and curricula that lead to an associate degree or  
24 that enable the student to transfer to an institution of higher education  
25 granting baccalaureate degrees;

26 (2) occupational education including vocational-technical pro-  
27 grams and cooperative education in conjunction with employment in business  
28 and industry that enable the student to develop technical skills in a  
29 chosen trade or occupation and lead either to a degree or a certificate of

1 completion;

2 (3) general education and public interest courses designed to  
3 meet the needs of a community, to enable a person to expand that person's  
4 knowledge, improve the quality of life, or acquire, change or update a  
5 skill that a person lacks or that has become obsolete; and

6 (4) an educational delivery system the principal objective of  
7 which is the outreach of the community colleges through programs of off-  
8 campus study and credit and noncredit courses that may or may not lead to  
9 associate, baccalaureate or advanced degrees.

10 \* Sec. 2. AS 14.07.020(1) is amended to read:

11 (1) exercise general supervision over the Alaska Community  
12 College System and the public schools of the state except the Univer-  
13 sity of Alaska;

14 \* Sec. 3. AS 14 is amended by adding a new chapter to read:

15 CHAPTER 41. ALASKA COMMUNITY COLLEGE SYSTEM.

16 ARTICLE 1. ADMINISTRATION.

17 Sec. 14.41.010. SYSTEM ESTABLISHED. There is established the  
18 Alaska Community College System within the Department of Education.

19 Sec. 14.41.020. CONTROL OF SYSTEM. The system shall be under  
20 the control of the Board of Education. The board shall appoint the  
21 chancellor of the system.

22 Sec. 14.41.030. CHANCELLOR. (a) The chief executive officer of  
23 the system is the chancellor. The chancellor's primary responsibility  
24 is the administration of the community colleges, extension centers,  
25 and outreach programs statewide, working with the principal adminis-  
26 trative officers for each community college, extension center, or  
27 outreach program.

28 (b) In addition to the chancellor's responsibility for the  
29 administration of on-campus programs for the community colleges and

1 extension centers, the chancellor shall develop and administer off-  
2 campus educational delivery systems and outreach programs for rural  
3 areas of the state.

4 Sec. 14.41.040. POWERS AND DUTIES OF THE CHANCELLOR. (a) The  
5 chancellor may

6 (1) appoint the faculty and other officers and employees of  
7 each community college, extension center, or outreach program, on  
8 recommendation of the principal administrative officer of each;

9 (2) with the approval of the board, delegate the authority  
10 to appoint faculty, officers, and employees to the principal adminis-  
11 trative officer of each community college, extension center, or out-  
12 reach program.

13 (b) The chancellor shall

14 (1) subject to the approval of the board, appoint the  
15 principal administrative officer for each community college and exten-  
16 sion center, on recommendation of the community college council;

17 (2) define the duties and supervise the performance of  
18 those duties by the persons the chancellor appoints to positions  
19 established by the board;

20 (3) give general direction to the work of the community  
21 colleges, extension centers, and outreach programs in accordance with  
22 the policies established by the board;

23 (4) with the principal administrative officers, coordinate  
24 the programs and other activities of the system.

25 Sec. 14.41.050. SUSPENSION, EXPULSION OF STUDENTS. The author-  
26 ity to suspend and expel a student for misconduct or other cause or to  
27 reinstate the student is vested solely in the chancellor. The chan-  
28 cellor may delegate this authority to the principal campus administra-  
29 tive officer of each community college.

1           Sec. 14.41.060. CAMPUS ADMINISTRATION. (a) The principal  
2 administrative officer for each community college is a president. The  
3 president is responsible directly to the chancellor and to the commu-  
4 nity college council for the administration of the community college.  
5 Subject to the approval of the board, the president shall be appointed  
6 by the chancellor, on recommendation of the council for the community  
7 college which the president will administer.

8           (b) Each extension center or outreach program, whether estab-  
9 lished, operated or maintained by the board, or in cooperation with  
10 the Board of Regents of the University of Alaska, another university,  
11 a school district, municipality, an agency of the federal government  
12 or a nonprofit corporation or association, is under the direction of  
13 an administrator appointed by the chancellor in the manner prescribed  
14 by the board by regulation, or as prescribed in the cooperative agree-  
15 ment.

16           Sec. 14.41.070. SERVICE ORGANIZATIONS. The board may establish  
17 statewide or central service organizations for the community colleges,  
18 extension centers, and outreach programs. Regional service centers  
19 also may be established to administer the outreach programs and to  
20 provide postsecondary educational services to the residents of the  
21 rural areas of the state in each area for which a regional center is  
22 established. In an area where a community college or an extension  
23 center is located, the regional service center shall be integrated  
24 with the operation of the community college or extension center.

25           Sec. 14.41.080. FACULTY; COURSE OF INSTRUCTION. (a) Full-time  
26 members of the faculty and administrative staff of each community col-  
27 lege, extension center, and outreach program are members of the fac-  
28 ulty and administrative staff, respectively, of the Alaska Community  
29 College System for all purposes.

1           (b) The chancellor is responsible for prescribing the qualifi-  
2 cations, and for establishing the procedure for appointment, of all  
3 community college and extension center faculty and administrative  
4 staff.

5           Sec. 14.41.090. COMMUNITY COLLEGE COUNCIL. (a) A community  
6 college council shall be established for each community college. The  
7 majority of the members of a community college council shall be per-  
8 sons served by the programs developed and administered under this  
9 chapter. The council shall consist of not less than seven or more  
10 than 15 members who shall be broadly representative of the area  
11 served, including faculty and student representation and a representa-  
12 tive of the city or borough school district or regional educational  
13 attendance area. The board may appoint a council for an extension  
14 center and for each regional service center, when the center is not  
15 integrated with a community college or extension center.

16           (b) The board shall prescribe by regulation the method of selec-  
17 tion of members of community college councils, the term of office, and  
18 the procedure for removal and for the filling of vacancies on the  
19 councils. Each community college council shall adopt bylaws providing  
20 for the election of officers, establishment of meeting schedules and  
21 notices, rules of procedure, and quorums.

22           (c) Members of a council receive no compensation for their ser-  
23 vices, but they may be reimbursed for the expenses incurred in the  
24 performance of their duties in the manner prescribed by the board by  
25 regulation.

26           (d) The provisions of AS 44.62.310 apply to meetings of commu-  
27 nity college councils in the same manner and to the same extent appli-  
28 cable to meetings of the board, its committees and subcommittees.

29           (e) A community college council acts

1           (1) in a policy-making capacity with respect to the presi-  
2 dent of each community college, coordinator of an extension center, or  
3 administrator of an outreach program;

4           (2) in an advisory capacity to the chancellor and to the  
5 board.

6           (f) A community college council shall review and make recommen-  
7 dations

8           (1) concerning the selection of the principal administra-  
9 tive officer of the community college, extension center, or outreach  
10 program;

11           (2) concerning the proposed program budget for the commu-  
12 nity college, extension center, or outreach program for each fiscal  
13 year before it is submitted to the statewide administration and to the  
14 board; and

15           (3) relating to the general operation and management of the  
16 community college, extension center, or outreach program, including  
17 but not limited to,

18           (A) planning for and review of the types and uses of  
19 instructional programs and activities and types and uses of  
20 facilities that the community college, extension center, or  
21 outreach program should provide to meet area needs;

22           (B) the level of staffing and funding for these pro-  
23 grams, activities or facilities; and

24           (C) the means of gaining support for the program of  
25 the community college, extension center, or outreach program in  
26 that area.

27           ARTICLE 2. ESTABLISHMENT OF COMMUNITY COLLEGES.

28           Sec. 14.41.100. ESTABLISHMENT. (a) A community college or an  
29 extension center may be established by the board only in accordance

1 with the minimum criteria established by AS 14.41.110 - 14.41.120, as  
2 supplemented by the board by regulation.

3 (b) The establishment or expansion of a community college or an  
4 extension center may be proposed by

5 (1) the governing body of a municipality, or a school dis-  
6 trict;

7 (2) petition of interested citizens in the community or  
8 area to be served;

9 (3) a nonprofit corporation or association;

10 (4) the Alaska Commission on Postsecondary Education or the  
11 state advisory council on community colleges created by AS 14.42.010 -  
12 14.42.055;

13 (5) the legislature by concurrent resolution; or

14 (6) the board.

15 Sec. 14.41.110. FEASIBILITY STUDY. (a) A new community college  
16 or a new extension center may not be established until a feasibility  
17 study as to the need for its establishment in the community or area to  
18 be served has been completed either as directed by the board, or by a  
19 proponent under AS 14.41.100(b), and approved by the board. The feasi-  
20 bility study shall be submitted to the legislature and to the Alaska  
21 Commission on Postsecondary Education.

22 (b) The feasibility study required in (a) of this section shall  
23 include but is not limited to

24 (1) an analysis of the population and educational needs of  
25 the municipality, school district or area in which the proposed com-  
26 munity college is to be located;

27 (2) a description of the area to be served by the proposed  
28 community college;

29 (3) estimated and projected enrollment;

1 (4) proposed core faculty and administrative staffing;

2 (5) a proposed budget for the initial fiscal year of opera-  
3 tion together with a statement of sources of financial support re-  
4 quired for core faculty and administrative staff, curriculum and other  
5 programs and activities, and physical facilities;

6 (6) a plan for citizen involvement through a community col-  
7 lege council established under AS 14.41.090; and

8 (7) a proposed agreement with the school district, munic-  
9 ipality or federal agency or a nonprofit corporation or association  
10 under AS 14.41.130.

11 Sec. 14.41.120. EXTENSION CENTERS, OUTREACH PROGRAMS. If in any  
12 community where a community college has been proposed the level of  
13 demand for postsecondary and continuing education as determined by the  
14 feasibility study required under AS 14.41.110(a) is more limited than  
15 that required for the establishment of a comprehensive community  
16 college program, the board may establish an extension center or an  
17 outreach program either independently or in cooperation with the  
18 University of Alaska, another university, a school district, a munic-  
19 ipality, a nonprofit corporation or association, or an agency of the  
20 federal government.

21 Sec. 14.41.130. RELATIONSHIP WITH SCHOOL DISTRICT, MUNICIPALITY,  
22 FEDERAL AGENCY. (a) A community college may establish, operate and  
23 maintain, or enter into a cooperative agreement with an agency of the  
24 federal government, a school district, a municipality, or a nonprofit  
25 corporation or association for the establishment, operation and main-  
26 tenance of, appropriate public postsecondary and continuing educa-  
27 tional programs and activities in community colleges, extension cen-  
28 ters, outreach programs, or by other means. An agreement entered into  
29 under this section shall include, but is not limited to,

1 (1) recognition that complete operational authority resides  
2 with the community college, extension center or outreach program, sub-  
3 ject to periodic reviews by the cooperating school district, munic-  
4 ipality, federal agency, nonprofit corporation or association, or the  
5 participating university, and appropriate reports to ensure program  
6 description and effective mutual use of facilities;

7 (2) provision for cooperative planning of program and  
8 facilities needs and for mutual use of facilities;

9 (3) provision that local funding of 10 percent or more of  
10 each community college's total spending, in addition to student fees  
11 or in-kind contributions, shall be provided for support of general  
12 education courses or secondary school-related courses as the school  
13 district, municipality, federal agency, nonprofit corporation or  
14 association, or the participating university considers appropriate;  
15 and

16 (4) provision for periodic review of the agreement.

17 (b) If separate facilities are financed, constructed or main-  
18 tained from federal, state or private funds for programs and activ-  
19 ities of the community college, extension center, or outreach program,  
20 the board has title to and control of the separate facilities used for  
21 these purposes. If separate facilities are financed, constructed or  
22 maintained from school district, municipality, or nonprofit corpo-  
23 ration or association funds for community college or extension center  
24 or outreach programs and activities, the school district, municipality  
25 or nonprofit corporation or association has title to and control of  
26 the separate facilities used for these purposes.

27 Sec. 14.41.140. EXPANSION OF COURSES. The board shall

28 (1) make a continuing study of the feasibility of expanding  
29 the system of community colleges, extension centers, and outreach

1 programs in accordance with the criteria set out in AS 14.41.110(b);

2 (2) establish additional extension courses, outreach pro-  
3 grams, and other accredited courses for students as it considers ad-  
4 visable in accordance with the procedures set out in AS 14.41.100 -  
5 14.41.120.

6 ARTICLE 3. FINANCE; FISCAL AND PROPERTY MANAGEMENT.

7 Sec. 14.41.150. FINANCE. (a) The board shall prepare a com-  
8 plete program budget for each community college, extension center, and  
9 outreach program including all courses, programs and activities re-  
10 gardless of the source of funding, including but not limited to funds  
11 from fees, grants, contracts, agreements, bequests, gifts, trusts, or  
12 endowments.

13 (b) All funds received for community college, extension center,  
14 or outreach program operations shall be administered in the manner  
15 prescribed by the board by regulation.

16 Sec. 14.41.160. PROPERTY AND FUNDS GENERALLY. (a) Except as  
17 otherwise provided in this chapter, the system shall hold and manage  
18 all property acquired by it. The Department of Administration, at the  
19 request of the board, shall pay to the board all federal land grant  
20 college funds received by the department and subject to requisition by  
21 the board.

22 (b) All funds appropriated by the legislature for the establish-  
23 ment, and support of the system, including the construction, opera-  
24 tion, and maintenance of its facilities, shall, at the request of the  
25 board, be paid by the Department of Administration to the board. The  
26 board shall disburse these funds on properly drawn vouchers signed by  
27 the administrative officer of the system to whom the board delegates  
28 the performances of this function.

29 Sec. 14.41.170. TRUST POSITION OF BOARD. The board may receive,

1 manage, and invest in any manner money or other property received from  
2 sources other than the state legislature or federal appropriation for  
3 the purpose of the system, its improvement or adornment, or the aid or  
4 advantage of students or faculty, and, in general, may act as trustee  
5 on behalf of the system for any of these purposes.

6 Sec. 14.41.180. ENDOWMENTS AND DONATIONS. Monetary gifts, be-  
7 quests or endowments which are made to the system for the purpose of  
8 the separate trust fund created under AS 14.40.400 shall be trans-  
9 ferred from the fund to the Department of Revenue. The Department of  
10 Revenue shall manage that money in accordance with AS 14.40.400.  
11 Title to and control or possession of land, personal property, and all  
12 money other than that transferred to the Department of Revenue, which  
13 is devised, bequeathed or given to the system, shall be taken by the  
14 system in its corporate capacity acting by and through the board, or  
15 its authorized agent, and shall be entered in the perpetual inventory  
16 of the system.

17 Sec. 14.41.190. INVENTORY OF PROPERTY. The board shall maintain  
18 a perpetual inventory of all permanent property of the system.

19 Sec. 14.41.200. APPLICABILITY OF FISCAL PROCEDURES ACT. The  
20 competitive bid practices set out in AS 37.05.230 apply to the system,  
21 except that the provisions of AS 37.05 do not apply in those cases  
22 where the work is to be performed substantially by students enrolled  
23 in the system.

24 Sec. 14.41.210. WORKING CAPITAL RESERVE FUND. (a) There is  
25 established in the treasury of the system a working capital reserve  
26 fund. The fund consists of money appropriated by the legislature for  
27 the purpose of completion of capital projects for the system and is  
28 not available for other use by the board.

29 (b) A quarterly report of all activity of the working capital

1 reserve fund shall be submitted to the Legislative Budget and Audit  
2 Committee.

3 Sec. 14.41.220. APPLICABILITY OF CERTAIN FEDERAL LAWS. The pro-  
4 visions of AS 14.40.350 - 14.40.450 apply to the system in the same  
5 manner they apply to the University of Alaska, to the extent the  
6 system is considered the successor to the University of Alaska as a  
7 land grant college, or for any other purpose, as a beneficiary of  
8 federal grants of land or money under AS 14.40.350 - 14.40.450.

9 ARTICLE 4. GENERAL PROVISIONS.

10 Sec. 14.41.230. PROHIBITIONS. (a) A person may not be deprived  
11 of the privileges or services of the system because of age, sex, color  
12 or nationality.

13 (b) Sectarian or partisan tests may not be employed or applied  
14 in the appointment of board or council members, faculty, or other  
15 officers or employees of the system, or in the admission of students  
16 or for any purposes.

17 Sec. 14.41.240. JOINT USE OF FACILITIES REQUIRED. (a) When a  
18 community college, extension center, or outreach program and the  
19 University of Alaska are contiguous, adjacent or reasonably close to  
20 one another, or if, on the effective date of this Act, a community  
21 college constituting a part of the University of Alaska shared or  
22 jointly used the same buildings and other facilities as other col-  
23 leges, departments, divisions, institutes, or other units of the  
24 University of Alaska, the shared or joint use of these facilities  
25 shall be continued under the control of the University of Alaska and  
26 the costs shall be shared until separate facilities are available to  
27 the community college, extension center, or outreach program.

28 (b) For purposes of this section, "buildings or facilities" in-  
29 cludes, but is not limited to, libraries, gymnasiums or other athletic

1 facilities, auditoriums, cafeterias, residence halls, dormitories or  
2 other student living accommodations, laboratories, classrooms, of-  
3 fices, parking structures, landscaping, roads, utilities, and other  
4 buildings or structures used for the operation and maintenance of an  
5 institution of higher education.

6 Sec. 14.41.250. LIBRARY SERVICES. Libraries shall be estab-  
7 lished on each community college campus and, when feasible, for an  
8 extension center or outreach program. Library services shall be made  
9 available, and the library facility shall be open, to the community or  
10 area served by the community college.

11 Sec. 14.41.260. REPORT TO THE GOVERNOR, LEGISLATURE. The board  
12 shall make a written report to the governor and to the legislature at  
13 the beginning of each regular session of the condition of the system's  
14 property, of all receipts and expenditures, including but not limited  
15 to the management of trust funds, administration and disposition of  
16 appropriated and restricted funds, and of the educational and other  
17 work performed.

18 Sec. 14.41.270. REGULATIONS. A community college, extension  
19 center, an outreach program, or service center established under this  
20 chapter independently or in cooperation with a school district, muni-  
21 cipality, an agency of the federal government, or a nonprofit corpo-  
22 ration or association shall be operated and maintained under regula-  
23 tions adopted by the board.

24 Sec. 14.41.280. DEFINITIONS. In this chapter

25 (1) "chancellor" means the chancellor of the Alaska Commu-  
26 nity College System;

27 (2) "council" means a community college council appointed  
28 for an individual community college or extension center;

29 (3) "municipality" means a political subdivision

1 incorporated under the laws of the state this is a home rule or gen-  
2 eral law borough or city, or a unified municipality;

3 (4) "outreach program" means either an off-campus educa-  
4 tional delivery system or program, whether or not conducted in a  
5 physical facility, designed for the conduct of instruction in local-  
6 ities in the rural areas of the state where there is no community  
7 college or extension center;

8 (5) "services" means programs or facilities that are an  
9 adjunct to academic or vocational programs or courses, or that provide  
10 aid to faculty, students or community, including but not limited to  
11 libraries, counseling and testing, health, media and community ser-  
12 vices;

13 (6) "system" means the Alaska Community College System.

14 Sec. 14.41.290. SHORT TITLE. This chapter may be cited as the  
15 Alaska Community College System Act.

16 \* Sec. 4. AS 14.40.400(a) is amended to read:

17 (a) The Department of Revenue shall establish a separate fund in  
18 which all money derived from the sale or lease of the lands granted  
19 under the Act of Congress approved January 21, 1929, and in which all  
20 monetary gifts, bequests or endowments made to the University of  
21 Alaska and to the Alaska Community College System for the purpose of  
22 the fund, shall be held in trust.

23 \* Sec. 5. AS 14.42.015(a)(6) is repealed and reenacted to read:

24 (6) two members of the Board of Education designated by the  
25 members of that body; and, if the state advisory council on community  
26 colleges is a separate and distinct entity from the Board of Educa-  
27 tion, one member of that council designated by its members;

28 \* Sec. 6. AS 14.42.030(b)(2) is amended to read:

29 (2) establish a state advisory council on community

1 colleges and develop a comprehensive statewide plan for the expansion  
2 and improvement of the community colleges under sec. 1001 of Title X  
3 of the Higher Education Act of 1965, as amended by the Education  
4 Amendments of 1972 (PL 92-318, sec. 186; 86 Stat. 312, 313); however,  
5 to avoid the establishment of duplicate agencies, the commission may  
6 designate the Board of Education as the state Advisory Council on  
7 Community Colleges if the composition of the board's membership meets  
8 the requirements of applicable federal law or regulation;

9 \* Sec. 7. AS 14.43.020 is amended to read:

10 Sec. 14.43.020. APPLICATIONS FOR AND ISSUANCE AND REPORT OF  
11 CERTIFICATES. A certificate shall be applied for and issued to a  
12 graduate before August 2 of each year and shall be reported immed-  
13 iately to the registrar of the University of Alaska or of the Alaska  
14 Community College System by the superintendent or principal issuing  
15 it.

16 \* Sec. 8. AS 14.43.025 is amended to read:

17 Sec. 14.43.025. FORFEITURE OF SCHOLARSHIP BENEFITS. Failure to  
18 do passing work in more than one subject during a semester, or with-  
19 drawal or expulsion from the University of Alaska, or a community  
20 college constitutes a forfeiture during the following semester or  
21 semesters of the benefits of AS 14.43.010 and 14.43.015.

22 \* Sec. 9. AS 14.43.030 is amended to read:

23 Sec. 14.43.030. PAYMENT OF SCHOLARSHIPS. Payment of the schol-  
24 arships shall be made monthly to the University of Alaska or the  
25 community colleges upon vouchers drawn upon the Department of Adminis-  
26 tration and duly certified by the treasurer and the president of the  
27 Board of Regents of the University of Alaska or the treasurer and  
28 commissioner of the Board of Education. Payments [NO PAYMENTS] may  
29 not be made in excess of amounts specifically appropriated for this

1       purpose.

2       \* Sec. 10. AS 14.43.055 is amended to read:

3               Sec. 14.43.055. SCHOLARSHIPS. The Board of Regents of the  
4       University of Alaska and the Board of Education shall offer not more  
5       than 15 new scholarships for each academic year to Alaska Natives  
6       desiring to attend the University of Alaska or the community colleges.  
7       The boards [BOARD] shall give preference to Natives residing in the  
8       rural areas of the state who desire to receive training in the field  
9       of education. If there are more than 15 applications the boards  
10       [BOARD] shall award 15 scholarships to those applicants who have the  
11       highest scholastic record or who the boards determine [BOARD DETER-  
12       MINES] are the most qualified among the applicants and who are finan-  
13       cially unable to obtain a higher education without assistance. The  
14       University of Alaska and the community college shall provide the  
15       [SUCH] minimum financial assistance to these students [AS IS] neces-  
16       sary in each individual case, but not exceeding fees, board and room.

17       \* Sec. 11. AS 14.43.060 is amended to read:

18               Sec. 14.43.060. CONTINUATION OF SCHOLARSHIPS. The award of free  
19       room and board shall be made from any funds available to the Univer-  
20       sity of Alaska or the community colleges. Each Native who receives a  
21       scholarship under AS 14.43.050 - 14.43.075 is entitled to retain the  
22       scholarship and to receive free room and board during attendance at  
23       the university or a community college as long as the student maintains  
24       a grade average equivalent to a "C" or better. However, no Native is  
25       entitled to the scholarship for more than four years, or for more than  
26       the number of years necessary to receive a bachelor's degree.

27       \* Sec. 12. AS 37.05 is amended by adding a new section to read:

28               Sec. 37.05.307. APPLICABILITY TO ALASKA COMMUNITY COLLEGE SYS-  
29       TEM. The commissioner of administration may delegate the performance

1 of the functions under this chapter as they relate to the Alaska  
2 Community College System to the Board of Education and set out the  
3 criteria and guidelines which shall be followed. The commissioner  
4 shall direct necessary stipulations and exercise monitoring respon-  
5 sibility for conformance through the Board of Education.

6 \* Sec. 13. AS 39.25.110(5) is amended to read:

7 (5) officers and employees of the University of Alaska and  
8 the Alaska Community College System;

9 \* Sec. 14. AS 14.40.560 - 14.40.640 are repealed.

10 \* Sec. 15. TRANSITION. (a) Under the direction of the Alaska Commis-  
11 sion on Postsecondary Education and in cooperation with the Department of  
12 Administration and the Department of Revenue, the Board of Regents of the  
13 University of Alaska shall redistribute or transfer the property, assets  
14 and state or federal funds of the University of Alaska relating to the  
15 operation, maintenance and support of the community colleges within the  
16 university to the Alaska Community College System except that shared or  
17 adjacent facilities remain under the control of the University of Alaska  
18 subject to the provisions of AS 14.41.240.

19 (b) Litigation, hearings, investigations and other proceedings pend-  
20 ing under a law amended for functions that may be transferred by this Act  
21 continue in effect and may be continued and completed notwithstanding a  
22 transfer or amendment provided for in this Act. Certificates, orders,  
23 rules or regulations issued or filed under authority of a law amended by  
24 this Act or functions that may be transferred by this Act, remain in effect  
25 for the term issued, unless revoked, vacated, or otherwise modified under  
26 the provisions of this Act. Contracts or other obligations created by a  
27 law amended by this Act or by virtue of functions that may be transferred  
28 by this Act, and in effect on the effective date of this Act, remain in  
29 effect unless revoked or modified under the provisions of this Act.

1           (c) Faculty, staff, officers or employees in the community colleges  
2 of the University of Alaska, or those statewide or regional faculty, staff,  
3 officers or employees of the university whose functions, powers, duties and  
4 responsibilities relate in whole or in the major part to community colleges  
5 and who were employed on the effective date of this bill shall be term-  
6 inated by the University of Alaska and shall be rehired by the Alaska  
7 Community College System. The Alaska Commission on Postsecondary Education  
8 shall assist those community college faculty, staff, officers or employees  
9 of the University of Alaska who are not transferred in finding positions  
10 for which they are qualified.

11           (d) The Board of Education succeeds the Board of Regents of the  
12 University of Alaska as a party to an existing cooperative agreement be-  
13 tween the Board of Regents of the University of Alaska and a school dis-  
14 trict, municipality, or an agency of the federal government, or a nonprofit  
15 corporation or association with respect to the establishment, operation and  
16 maintenance of a community college or an extension center. An agreement in  
17 effect on the effective date of this Act shall remain in effect until its  
18 agreed expiration and may be modified or extended by mutual agreement  
19 unless, before the agreed expiration, it is mutually cancelled by the  
20 contracting parties in accordance with law.

21           (e) Programs, courses and services offered by the community colleges  
22 of the University of Alaska as of July 1, 1983, shall be transferred to the  
23 Alaska Community College System.

24           \* Sec. 16. This Act takes effect July 1, 1983.