

HB

431

Diane brought this -
Said Milnes is who we
should contact to testify
on these 3 bills //
Said Osterback introduced
these on his request -

Ann

Alaska State Legislature

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA
99811



House of Representatives

465-3715
465-3781

REPRESENTATIVE
ALVIN OSTERBACK
BOX 71
SAND POINT, ALASKA 99861
(907) 383-2383

CHAIRMAN
HOUSE
RESOURCES COMMITTEE

29 March 1977

DISTRICT 15

- ADAK
- AKHIOK
- AKUTAN
- ALITAK
- ATKA
- BELKOPSKI
- CHIGNIK
- CHIGNIK LAGOON
- CHIGNIK LAKE
- COLD BAY
- FALSE PASS
- IVANOF BAY
- KARLUK
- KING COVE
- LARSEN BAY
- NELSON LAGOON
- NIKOLSKI
- OLD HARBOR
- PERRYVILLE
- PORT LIONS
- SAND POINT
- SQUAW HARBOR
- ST. GEORGE
- ST. PAUL
- UGANIK BAY
- UNALASKA

Jim Milnes
811 West 25th Street
Anchorage, AK 99503

Dear Jim,

I had the attached bill drawn up. Please note the memorandum that the drafter of the bill sent me with it.

As I understand it, the language had to be changed to make the bill constitutional and consistent with the intent of the law.

Before I drop the bill into the House, please let me know if this is acceptable to you.

Sincerely,

Rep. Al Osterback, Chairman
House Resources Committee

AO:jn

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 22, 1977

SUBJECT: W. O. #3804
TO: Representative Alvin Osterback or
Diann Nelson
FROM: Ken Vassar, Staff Attorney *KV*

*Jack
Melness, E.
Southern
Regional Assoc
Assoc.
Suits
Murray
K. C. C.
G. C. C.*

This is just a note to explain a couple of changes I have made in the language you submitted with your bill request. First, as to AS 14.20.020(b), rather than repealing and re-enacting, I have used the method of amending the statute. The reason for this is that the repealed and re-enacted version you gave me would have eliminated two exceptions to the teacher certification requirements which you indicated over the phone that you did not really want to eliminate. Those two exceptions are for teachers who were employed by the public school system in 1962 and who are still teaching and for emergency certifications when there is a teacher shortage. As you can see, the amended version of the statute accomplishes the changes you seek while at the same time saving the two exceptions.

The second change I have made is the elimination, pursuant to Diann's agreement over the phone, of the amendment to AS 14.-20.020(c). This amendment would have required that regulations made by the board be in clear language and applied "even-handedly for all". As I explained over the phone, these are implied requirements for any regulation issued by a department of the state, and it is not necessary to explicitly state it in a bill. If your constituents feel that a regulation is vague or inequitably applied, they should seek to have it struck down in court. That would seem to be the more directly satisfactory means of solving their problem.

KV:lmk
Attachment

*Diann
Cueck
277-6239
277-02161*

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
9C7-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 1, 1977

SUBJECT: Work Orders #3802, 3803 and 3804
TO: Representative Alvin Osterback or
Diann Nelson
FROM: Ken Vassar, Staff Attorney *KV*

You have requested a memo analyzing the effect of three bills I drafted for you relating to education.

Work Order #3802, a bill for an act relating to the use of the terms "university" and "college" amends AS 14.48.-020(5). That section prohibits any person from using the term "university" or "college" without authorization from the Alaska Commission on Postsecondary Education. The bill proposed would provide an exception to that rule for schools accredited or granted pre-accreditation status by an officially recognized accreditation organization. An accrediting organization is officially recognized by the United States Commissioner of Education. The bill would also create an exception for schools listed in the most recent edition of the Education Directory: Colleges and Universities of the National Center for Educational Statistics. The National Center is a part of the Office of Education within the Division of Education within the United States Department of Health, Education and Welfare. Its directory lists accredited schools and schools operated by the states or approved by state departments of education.

Work Order #3803, a bill for an act relating to the Alaska Commission on Postsecondary Education (ACPE), has three effects. First, it amends AS 14.40.903(a)(2). That section provides for representation of private education by allowing one member of the ACPE to be chosen by the Boards of Trustees of AMU and Sheldon Jackson College. The amended version would increase the representation to four members chosen one each by the Boards of Trustees of AMU, Unapiat University of the Arctic, Tanana Chiefs Land Claims College, and Sheldon Jackson.

Second, it would add a new section (909) to AS 14.40 which

would prohibit APCE members from postsecondary teaching or lecturing except by contract with existing postsecondary institutions.

Third, it would add a final sentence to AS 14.40.913(b) which would prohibit the Department of Education from infringing upon the functions of the ACPE.

Finally, Work Order #3804, a bill for an act relating to teacher certification, would amend AS 14.20.020(b). The only effect is to require, with two exceptions listed in the section, that teachers by graduated from an institution meeting the same requirements enumerated in Work Order #3802 before being eligible for certification. The new standards replace a requirement that the institution be accredited by "a recognized regional accrediting association or approved by the commissioner".

If you have any further questions about these bills, please do not hesitate to let me know.

KV:lmk