

SB

35

COMMITTEE REPORT
SENATE

FURTHER: None

1/16/79

Date: 1/31/79

Mr. President: Health, Education & Social Services
The Committee on Social Services has had SB 35

relating to adult education

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:

Mike Gallotta

Artis Stungulovich

Steve Academy

CHAIRMAN

SB*35 "An Act relating to ^{S. HESS 79-80!} adult ~~educ.~~

By: Rules Comm. by request of Gov.

Introduced 1-16-79

Logged 1-16-79

Referral - NONE

Comm. meeting 1-31-79

" action - Passed with amendments.

AMENDMENT

OFFERED IN THE SENATE:

BY: SENATE HESS

TO: _____ SENATE BILL No. 35

HOUSE BILL No. _____

PAGE: 1

LINE: 19

Page 1, line 19: after "education" delete ";" and add "or those activities governed by the Alaska Commission on Postsecondary Education."

*3.10.64
John R.
Page 171
Page 164*

AMENDMENT #1

OFFERED IN THE SENATE:

BY: SENATE HESS

TO: _____ SENATE BILL No. 35

HOUSE BILL No. _____

PAGE: 1

LINE: 19

Page 1, line 19: after "education" delete ";" and add "or those activities governed by the Alaska Commission on Postsecondary Education."

*adopted
voice
vote*

Meeting of 1/31/79 SB 35 - relating to adult education

Jim Beima - Alaska Commission on Postsecondary Education

My only concern is with the last line of the bill where it says . . . "but not including degree programs of post-secondary education." At the present time there are 27 schools other than community colleges that come under the regulation of the Postsecondary Commission who offer certificate programs and or other programs that have to be licensed and have their agents registered. This would definitely hit in there. I think it should actually read "but not including degree and certificate programs of post secondary under regulation by Chapter 25." Under Chapter 25 they must be licensed and have their agents registered. That would allow the adult education to operate at the secondary schools and other places that are public facilities but outside of licensed schools. What I think the department of education is after is to do adult training in public schools and things of this type to support community interest

SB 35 is in conflict with chapter 25, I would say which has already designated the responsibility of the Postsecondary Education Commission.

Asked to give an outline of Adult Basic Education . . .

The programs I administer come under the Veterans Administration and we have to approve all of the schools that offer programs which the veterans enroll. Fundamentally, they are school operations and not secondary schools or community schools. We do not go out and review adult programs in welding for the community, such as body fender welding.

Marylu Maddan - Department of Education

We asked that this bill be introduced essentially as a clean up piece of legislation which would give a statutory authority for our current activity in the adult education area. Right now we have that authority through the budget process which gives us the authority to receive and disburse grant funds in several basic areas adult basic education and the GED program, fire service training and adult vocational education, including CETA. The bulk of these funds come from the federal government with the Department of Education being the eligible recipient in the state. We then disburse them to public schools, community college systems, whatever institutions actually provide the education. We also operate the Alaska Skill Center which is essentially an adult facility.

The proposed legislation would simply amend Titles 14 and 44 which speak to the duties of the department by giving us authority to administer programs. We added the final sentence in an attempt to avoid confusion with community college and university structure in that we did not want to get into degree or credit programs. If that is confusing, we would certainly look to the type of amendment that Mr. Beima suggested.

Senator Hackney - what portion of your budget funds come from the feds as compared to general fund?

Marylu Maddan - I can't give exact figures. All of the CETA monies, about \$212,000 is all federal. Of our ABE budget of \$1,173,000, about 50% general fund and 50% federal; fire service training's \$91,000 is totally state and in the adult vocational education area half is federal.

It is not mandated by the federal government that we have statutory authority. The problem that we do have in receiving federal money is that our authority comes only through the budgetary process and we would prefer to have it stated as part of the duty of the department. I do not want to give the impression that unless this passes the department won't get federal funds, because that is not true.

I think Mr. Beima's point was the term "administer" could cause confusion with the postsecondary's mandate to administer the certification of nondegree programs.

Ms Maddan and Mr. Beima discussed the amendment and came back to the meeting with a mutually agreeable amendment which the committee adopted. Amendment is attached.

Introduced: 1/16/79
Referred: Health, Education &
Social Services

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 35

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to adult education."

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

8 * Section 1. AS 14.07.020 is amended by adding a new paragraph to read:

9 (12) provide educational opportunities in the areas of
10 vocational education and training, basic education, and fire service
11 training to individuals over 16 years of age who are no longer attend-
12 ing school.

13 * Sec. 2. AS 44.27.020(1) is amended to read:

14 (1) administer the state's program of education at the ele-
15 mentary, [AND] secondary, and adult levels, including, but not limited
16 to, programs of vocational education and training, vocational rehabi-
17 litation, library services, [AND] correspondence courses, adult basic
18 education, and fire-service training, but not including degree pro-

19 grams of post-secondary education or those activities
20 governed by the Alaska Commission
21 on Postsecondary Education.
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AMENDMENT

2

OFFERED IN THE SENATE:

SB

By: RAY

To: ~~SB~~

SENATE BILL No. ~~3~~ 35

HOUSE BILL No. _____

PAGE: 1

LINE: 15

after first comma add "and"
after second "and" add "certain"

LINE 17 & 18

Delete "adult basic education"

adopted

MEMORANDUM

TO: [The Honorable Glenn Hackney
Alaska State Senate
Pouch V
Juneau, Alaska 99811

DATE: February 6, 1979

FILE NO:

TELEPHONE NO:

FROM: Marshall L. Lind, *Marshall*
Commissioner
Department of Education

SUBJECT: Senate Bill 35

Senate Bill 35 was introduced by the Governor in order to formalize the responsibility of the Department in administering a number of programs for the adult population of the state. These programs are authorized by an appropriation by the legislature each year. It is not the intent of the Department to enter into the direct operation of programs, except for continuation of the Alaska Skill Center.

We anticipate administering the programs as we have in the past, using various educational institutions as direct delivery agencies. We realize there is some concern that the Department might become an operational agent for adult programs across the state. Such direct operations authority is not spoken to in the bill, nor is it considered with overall Department responsibility.

By establishing the responsibility on an ongoing basis, we could develop better long range plans and be able to articulate programs with other Departmental programs. Also, this legislation will provide the legal entity for the receipt of Federal funds.

If additional information is needed, please contact us.

cc: Marilou Madden
Gerald Hiley
Senator Ray
Senator Kerttula
Senator Rodey
Senator Stimson

*Kurtula
Prody
Pryor
Johnson*

Recon

Introduced: 1/16/79
Referred: Health, Education &
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17 litation, library services, [AND] correspondence courses, adult basic
18 education, and fire-service training, but not including degree pro-
19 grams of post-secondary education;

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21 *DOE now contracting with Comm. Coll.*
22 *to provide services*
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Official copy
Ma 2830

Introduced: 1/16/79
Referred: Health, Education &
Social Services

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chap. 14
outline
dates 7/28/79
Ed.

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January 15, 1979

President of the Senate
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. President:

Under the authority of art. III, sec. 18 of the Alaska Constitution, I am transmitting a bill relating to adult education. The bill amends portions of AS 14.07.020 and AS 44.27.020, which set out the authority of the Department of Education, to provide clearly that one of the functions of that department is the operation and administration of various adult education programs in the state. Although the department has provided these kinds of programs, and funds have been provided for them by the legislature for years, nothing in the statutes relating to education clearly encompasses these kinds of programs at the present time.

The Department of Education's authority to undertake activities in the adult education area has not yet been challenged; however, the department is concerned about the vagueness of the law in this area and wants it clarified before such a challenge is raised. The bill would make clear that the authority of the department would not extend to degree programs of post-secondary education such as those offered by the University of Alaska.

Sincerely,



Jay S. Hammond
Governor