

HB

424

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907.465.3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Rules:

April 12, 1988

AMENDMENTS

By Gruentey

Offered in the HOUSE

TO: CSHB 424(HESS)

#2 Page 1, line 6, after "An Act":

Delete all material.

Insert "adding a public high school student member and a representative of military reservation schools to the Board of Education; relating to the political party of persons appointed to the Board of Education; and increasing the quorum of the Board of Education."

#1 Page 1, line 28, after "state.":

Insert "The representative of the military reservation schools shall be a resident of the state."

HOUSE COMMITTEE REPORT

15/13

(7)

①

Date referred: 4/7/88

FURTHER REFERRALS:

(Returned to Rules from Calendar w/amendments)

Rules

DATE: 4-12-88

The Rules Committee has considered HB 424

"An Act relating to the state Board of Education."

RECOMMENDS:

replace with CS HB 424 (Rules) the same title

attached amendment(s) a new title

do pass

do not pass

no recommendation

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

fiscal impact

same as previous fiscal note published _____

zero fiscal note

same as previous zero fiscal note published 2-19-88

zero with analysis

SIGNING DO PASS:

Mike Savane
Mathew...
Terry...
...
...
...

SIGNING OTHER RECOMMENDATIONS:

...

Mike Savane
Chairman's signature



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

P. O. Box V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

AGENDA - HOUSE RULES COMMITTEE MEETING

TUESDAY, APRIL 11, 1988

HB 424 - "An Act relating to the state Board of Education."
(Representative Ellis)

INDEX

- I. MEMO/HB 424 FOR RULES COMMITTEE MEETING
- II. CSHB 424 (HESS)
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- IV. FISCAL NOTE-HB 424
- V. MISCELLANEOUS INFORMATION PACKET
- VI. BILL HISTORY - HOUSE JOURNAL ACTION, COMMITTEE MINUTES AND LEGISLATIVE REPORTING SERVICE INFO.

3111 C STREET, SUITE 455
ANCHORAGE, ALASKA 99503
(907) 581-7628

ALASKA STATE HOUSE

OFFICE OF MAJORITY WHIP

CO-CHAIR
HEALTH, EDUCATION & SOCIAL SERVICES

LABOR & COMMERCE
SUBCOMMITTEE ON FOREIGN TRADE

WHILE IN SESSION
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3704



REPRESENTATIVE JOHNNY ELLIS

M E M O R A N D U M

TO: HOUSE RULES COMMITTEE MEMBERS

FROM: Representative Johnny Ellis *JE*

SUBJECT: CS HB 424 (HESS) "An Act relating to the state Board of Education."

DATE: April 11, 1988

HB 424 grants the student and military members of the state Board of Education voting privileges and makes their yearly appointments the responsibility of the Governor.

I request that HB 424 be amended to insure that the military representative is a resident of Alaska and the title reflects only the intent of this legislation.

If you have any questions, please contact me or Leola Weimer of my staff at x3705.

Thank you for your consideration.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: HB-424

Publish Date: _____

Revision Date: _____
Title: State Board of Education

Agency Affected: Education

BRU: Boards and Commissions

Sponsor: Ellie
Requestor: House HESS

Components: State Board of Education

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Steve Hole
 Division: Commissioner's Office

Approved by Commissioner: William G. Demmert
 Agency: Department of Education

Phone: 465-2300
 Date: 2/17/88

Date: 2/17/88

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
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 - Office of Management and Budget
 - Impacted Agencies
 - Senate Secretary

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WHILE IN SESSION
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ALASKA STATE HOUSE

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CO-CHAIR
HEALTH, EDUCATION & SOCIAL SERVICES

LABOR & COMMERCE
SUBCOMMITTEE ON FOREIGN TRADE

V.

REPRESENTATIVE JOHNNY ELLIS

SOME FREQUENTLY ASKED QUESTIONS

RE: CS HB 424

"AN ACT RELATING TO THE STATE BOARD OF EDUCATION."

1. What does HB 424 do?

HB 424 grants the student and military members voting privileges and makes their yearly appointments the responsibility of the Governor.

2. What is the current composition of the Board?

Currently, the state Board of Education consists of seven voting members appointed by the Governor for five-year terms. In addition, there are two advisory members appointed by the state Board of Education for one year terms; one representing the students and the other representing the military. The student and military members, however, are only advisors and have no voting privileges.

3. Why is this measure important?

This measure is important because it sends a clear message of respect and support for student and military input into the direction of Alaska's public education.

4. Who supports CS HB 424?

HB 424 has received unanimous support from the students, military, state Board of Education and NEA.

5. Is there any additional cost?

No. CS HB 424 incurs no additional cost and carries a zero fiscal note.

DEPARTMENT OF EDUCATION

STATE BOARD OF EDUCATION

March 29, 1988


The Honorable Johnny Ellis
House of Representatives
Box V
Juneau, Alaska 99811

Dear Representative Ellis:

The State Board of Education voted at its January meeting to endorse House Bill 424 which would increase the membership of the State Board from seven voting members to nine voting members. The student and military members who have served on the Board since the mid-seventies have done so in an advisory capacity. The Board supports the notion that the segments of the education population that these two positions represent would be better served if the participants were given full voting status.

Thank you for your continuing interest in the education of Alaska's young people.

Sincerely,



Barney Gottstein, President
State Board of Education

REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 2nd BRIGADE
8th INFANTRY DIVISION (LIGHT)
FORT WAINWRIGHT, ALASKA 99703-6100
March 29, 1988

Representative Johnny Ellis
1024 West Sixth Avenue
Anchorage, Alaska 99501

Dear Representative Ellis:

Please accept my sincere appreciation for sponsoring HB 424. I feel that the granting of voting privileges to the military member of the State Board of Education is an important milestone in deciding State education policies.

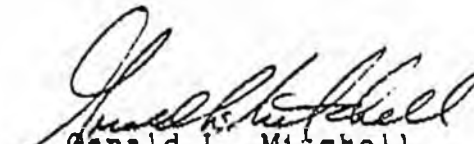
Military families comprise approximately 20% of the States's population. The military member of the State Board of Education should have an influence--a vote--on matters pertaining to the education of military school-age dependents.

Although my primary purpose as the military member of the SBE is to advise the Board on issues or matters pertaining to military students, I am also an educator. I share the same interests and concerns about educational matters as all other SBE members. Having an equal vote allows me to be fully involved in all facets of the educational process in the State.

With regard to the concern that it may not be legal for a regular officer to be appointed or elected to a position in government, I believe that, in this case, there is no conflict of interests. I will not be paid for my services; and will not be reimbursed by the State for travel. The position of Military Advisor to the State Board of Education is a duty assigned to me by the Joint Task Force, Alaska.

Thank you for your support in this matter.

Sincerely,


Gerald L. Mitchell
Major, U.S. Army
Adjutant

Student Vote Resolution

Whereas, current Alaska Statute stipulates that a student member of the Alaska Association of School Governments serve on the Alaska State Board of Education in an advisory capacity, and

Whereas, past experience has shown that the student advisory members possess sufficient levels of maturity and competence to handle the responsibility of voting; and

Whereas, policies effected by the Alaska State Board of Education have a large and direct impact on the student population, and

Whereas, students are aware of problems and situations on the education system that adults may not be immediately cognizant of, and

Whereas, other states, including California and Rhode Island, have had favorable results with having a voting student member on their State Boards of Education, and

Whereas, Alaska Girl's State 1987 and Alaska Boy's State 1987 have passed legislation supporting this concept.

Therefore, be it resolved, that the Alaska Association of School Governments supports and encourages legislative measures to increase the size of the Alaska State Board of Education by one member, establishing the student advisory member as a full voting member.



NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

ANCHORAGE REGIONAL OFFICE

1411 W 33RD AVENUE
ANCHORAGE, ALASKA 99503
(907) 274-0536

JUNEAU OFFICE

105 MUNICIPAL WAY, SUITE 302
JUNEAU, ALASKA 99801
(907) 586-3090

FAIRBANKS REGIONAL OFFICE

2118 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
(907) 456-4435

FEV 23 1988

February 19, 1988

To: Rep. Al Adams, Chair
Members, House Finance Committee

Re: HB 424; "An Act relating to the State Board of
Education."

NEA-Alaska supports and encourages passage of HB 424.

We feel that all members of the State Board of Education
should be vested with full voting rights.

To be asked to serve on such a body but to be told that you
are not permitted to vote on matters subsequent to their
discussion and deliberation is to imply that the very
quality of your participation is of a lesser degree than
that of the other members having full voting rights.

Both the military and the student representatives, in
addition to their necessary statewide perspectives, have
responsibility to large and significant constituencies
within our structure of public education in Alaska.

We encourage that they be afforded the same rights and
privileges as the other members of the State Board of
Education.

Respectfully submitted,

Bob Manners
Executive Secretary

cc: Rep. Johnny Ellis

z19feb3

1 IN THE SENATE

BY EDUCATION

2 SENATE BILL NO. 4

3
4 IN THE LEGISLATURE OF ALASKA GIRLS STATE

5 A Bill for an Act entitled: "An Act relating to the change in membership status
6 and voting rights of the student member on the
7 State Board of Education; and providing for an
8 BE IT ENACTED BY THE LEGISLATURE OF BOYS' STATE.
ive date."

9 *Section 1. AS 14.07.075 is amended to read:

10 Creation. There is created at the head of the Department of Education
11 a Board of Education consisting of nine [seven] members. (1 ch 06 SRS 1967)

12 *Section 2. AS 14.07.085 is amended to read:

13 Appointment of members. (a) The nine [seven] members of the board, no
14 more than five [four] of whom shall be members of the same political party
15 as the governor, shall be appointed by the legislature in joint session
16 In appointing board members, the governor shall consider recommendations
17 made by recognized educational associations in the state.

18 (b) One member shall be appointed from each of the four judicial districts
19 and three from the state at large with at least one member representing
20 regional educational attendance areas. One student member shall be
21 appointed from the state at large who, during his/her term of office
22 is currently enrolled in any Alaska high school. The governor shall
23 appoint the student member only upon the endorsement of the student
24 by the Alaska Association of School Governments (A.A.S.G.) and the
25 State Board of Education currently instated. One military member

*Section 2. This Act takes effect on _____

Signed by: HOUSE SPEAKER Greg Catevich CHIEF CLERK Linda Rinkel
SENATE PRESIDENT Jennifer Brumm SENATE SECRETARY Jack Cooper
GOVERNOR Holly Carlisle Date: 11 JUNE 87

1 shall be appointed from the state at large who, during his term of office,
2 is currently stationed at any military base within the state of Alaska.
3 The governor shall appoint the military member only upon the endorsement
4 of the military joint command and the State Board of Education.

5 (c) The members are entitled to the expenses, travel, and per diem
6 allowances provided by law.

7 (d) A member may act and receive compensation from the date of ap-
8 pointment until confirmation or rejection by the legislature. (1 ch 96
9 SLA 1967)

10 *Section 3. AS 14.07.095. is amended to read:

11 Term of office. The members of the board, with the exception of the
12 student member, shall be appointed for overlapping five-year terms com-
13 mencing February 1 of the year of appointment. A member appointed to
14 fill a vacancy serves for the unexpired term of the member whose vacancy
15 is filled. A vacancy occurring during a term of office is filled in the
16 same manner as the original appointment. The student member shall be
17 appointed for one, one year term commencing on the first August meeting
18 of the board and terminating at the end of the first June meeting of the
19 board. (1 ch 96 SLA 1967)

20 *Section 4. AS 14.07.105. is amended to read:

21 Quorum and chairman. (a) Five [Four] members constitute a quorum.

22 (b) The board shall designate one member of the board as the chair-
23 man who serves as chairman of the board at the pleasure of the board.
24 (1 ch 96 SLA 1967)

25 *Section 5. AS 14.07.110. is amended to read:

26 Removal. Members of the board serve at the pleasure of the governor
27 with exception of the military and student member. The military and/or
28 student members may be removed upon request of the governor and ma-
29 ority vote of the board. (1 ch 96 SLA 1967)

30 *Section 6. AS 39.05.100. is amended to read:

31 Qualifications for appointment. (a) A person appointed to a board or
32 commission of the state government, with the exception of a student ap-
33 pointee, shall be and have been before the last general election, (1) a

1 registered voter in the state, if the appointment is made at large or (2)
2 a registered voter from the judicial district, if the appointment is made
3 from a specific judicial district.

4 (b) A member of a board or commission of the state government who ceases
5 to reside in the state during the member's term terminates membership on the
6 board or commission. For the purposes of this section, the acceptance of
7 employment outside the state for a six-month period or longer, or physical
8 absence from the state for one year or longer, or registration as a voter in
9 a voting precinct outside the state is considered as discontinuing residence
10 in the state. (ch 64 SLA 1955; am ch 167 SLA 1957)

11 *Section 7. AS 44.19.130. is amended to read:

12 Appointment to boards and commissions. (a) Notwithstanding AS 39.03.100
13 or a provision of law relating to age, the governor may appoint any resident
14 of Alaska to a board or commission if recommended by the commission.

15 (b) A young person recommended by the commission may be appointed to
16 boards or commissions with or without special qualifications for membership
17 if the proposed nominee, except for age, meets the required qualifications
18 as set by law.

19 (c) An individual appointed to a board or commission under this section
20 is entitled to the rights, privileges, and responsibilities of other mem-
21 bers, and the appointment is subject to confirmation by the legislature
22 when required by law. No additional seat on a board or commission is cre-
23 ated by virtue of AS 44.19.123--44.19.130. (ch 121 SLA 1971)

Media
Refer to [unclear]
Tell the [unclear] N [unclear]
FEB 5 1988

MEMORANDUM

February 5, 1988

SUBJECT: House Bill 424, relating to the composition
of the State Board of Education

TO: Representative Johnny Ellis

FROM: Jack Chenoweth *JC*

May I submit the enclosed for addition to the record as the House considers the above-captioned bill.

The author of the letter served five years as the advisory military representative on the State Board of Education, concluding his service this past summer due to his reassignment to a Florida Air Force Base.

Enclosure



DEPARTMENT OF THE AIR FORCE
AIR FORCE SYSTEMS COMMAND REGIONAL HOSPITAL EGLIN (AFSC)
EGLIN AIR FORCE BASE, FLORIDA 32542-6300

22 Jan 88

Dear State Board Members.

Recently, I was asked to proffer an opinion regarding the military advisor position on the State Board of Education. Specifically, the question was raised whether the military advisor should be a voting member or remain in an advisory capacity. As in most things, I do have an opinion!

Evaluating my own role and overall effectiveness for the last five years as a non-voting advisory member is better left to your judgement. However, I certainly came to one conclusion, and that was in regard to the student member. I watched four young adults spend their time and energy, often to the detriment of their grades, and certainly for the most part not a lot of fun, dedicate themselves to the issues as tenaciously as any of the more senior members. The question is then, why shouldn't they vote, assuming the political climate is right for such a change? I respected their opinions but sometimes wondered if those opinions were brushed aside because they did not have the weight of a valid vote. I suspect that I am correct. Not when the issues were relatively innocuous but when they became more emotional and heated. And as they did, shorter attention was paid to either advisory members comments. This is certainly not to be condemnatory, but merely a philosophical observation. I believe, of human nature.

Should the military member vote? As with all the board members, the time I spent on Board duties impacted on my private and professional life. Should my time spent be any less 'important' than theirs? The implication being that if the advisory member was not present, it certainly did not affect the legal status of the board. The question was raised by legal counsel in 1983, although ignored, whether advisory members could even sit in executive session. Somewhat demeaning wouldn't you think? The military in the State of Alaska I suspect, approaches fifteen percent of the total population or even better. Although I never really thought of myself as 'representing' only the military of Alaska, it is certainly viewed that way by many others and presumed that we could act on matters that impacted the military member or their families. I believe that is a sizeable responsibility and should be honored with a valid vote.

The real danger is for the advisory member to lose interest and is probably more critical for the military member than the student, due to the normal tenure of one year for the student. If your comments are not taken seriously, if it does not really matter if you are present or not, and if you come and go rather more frequently than the regular member it is easy to not take any issue too seriously. Whether this happens to others I cannot say, but it did on occasion happen to me. I would not have lasted with the first board because of the closed attitude they appeared to have toward the advisory members. The second board was about one-half of the present members. The second board more open and easier to work with. The present board? Only the current advisory members can say. I say they should vote, why not ask them?



ROGER K. STROSNIDER, Colonel, USAF, DC
Base Dental Surgeon

STATE OF ALASKA THE LEGISLATURE

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

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Mary Van Nimwegen

H. HESS February 18, 1988
H. FIN. MARCH 16, 1988

AMENDMENTS

By Gruentey

Offered in the HOUSE

TO: CSHB 424 (HESS)

#2 Page 1, line 6, after "An Act":

Delete all material.

Insert "adding a public high school student member and a representative of military reservation schools to the Board of Education; relating to the political party of persons appointed to the Board of Education; and increasing the quorum of the Board of Education."

relating to residency requirements for the members of the Bd. of Education

#1 Page 1, line 28, after "state.":

Each Member

Insert "The representative of the military reservation schools shall be a resident of the state."

House Rules Committee

4-12-88

8:00 AM

Present: Navane, Grussendorf, Hoffman,
Martin, Pettyjohn, Boucher, Gruenberg

Navane: Distribute NCSL report,
briefing tomorrow morning

HCR 41

Ellis: on HCR 41 - known as the logjam
bill - goes through the changes by
the Judic. Comm. (page I of file)

Martin: on line 21 and 22 add

Max: say Conference Comm. and strike
"line 21 would read - no conference
committee may be submitted after ...

Pettyjohn: 120 day session but first day
doesn't count and refers to the numbered
days in the bill, 114th day, 95th day,
etc. ...

Gruenberg: ^{need a} formal definition of a Legislative day.

Gruenberg: first session different from second session

on line 15 -16 add "of the second session"
same on line 17 -18 and would have to
add it on line 14 also

Ellis: There would be no deadlines in the
first session, public is just as concerned

Pettyjohn: reserve these guidelines for appropriations
bills

Gruenberg - moved bill w/ ind.v. recommendations
- no objections -

Navane - next bill HB424

Gruenberg: #1 gets around the constitutional
problem - (7th day adventists)

Navane: Members of the Bd. of Ed. shall
be residents of the state

Gruenberg: Amend amendment #1 - no objections
Amend #2 - moved - no objections
moved bill - no objections

Navane - Rich Jones, Brian Weaver -