

**SCOMM**

**130:3**

# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: HB 72  
 () Publish Date: 3/24/2003

Revision Date/Time (Note if correction):  
 Title \_\_\_\_\_

Dept. Affected: University of Alaska  
 BRU Systemwide Additions & Subtractions  
 Component \_\_\_\_\_

Sponsor \_\_\_\_\_  
 Requester \_\_\_\_\_ Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

| OPERATING EXPENDITURES | FY 2004    | FY 2005    | FY 2006    | FY 2007    | FY 2008    | FY 2009    |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services      |            |            |            |            |            |            |
| Travel                 |            |            |            |            |            |            |
| Contractual            |            |            |            |            |            |            |
| Supplies               |            |            |            |            |            |            |
| Equipment              |            |            |            |            |            |            |
| Land & Structures      |            |            |            |            |            |            |
| Grants & Claims        |            |            |            |            |            |            |
| Miscellaneous          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|

|                               |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES ( )</b> |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|                                         |            |            |            |            |            |            |
|-----------------------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts                   |            |            |            |            |            |            |
| 1003 GF Match                           |            |            |            |            |            |            |
| 1004 GF                                 |            |            |            |            |            |            |
| 1005 GF/Program Receipts                |            |            |            |            |            |            |
| 1037 GF/Mental Health                   |            |            |            |            |            |            |
| Other (Specify Type--Do not abbreviate) |            |            |            |            |            |            |
| <b>TOTAL</b>                            | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY2003) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal: ☐

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |

**ANALYSIS:** (Attach a separate page if necessary)

Prepared by: Cody Rice, Education Committee Aide  
 Division: Alaska Legislature  
 Approved by: Representative Gatto  
 Agency: \_\_\_\_\_

Phone \_\_\_\_\_  
 Date/Time: 3/25/03 10:12 AM  
 Date: 3/25/2003

# Alaska State Legislature

Representative  
David Guttenberg  
House of Representatives  
District 8



Session  
Capitol Building, Room 13  
Juneau, Alaska 99801  
Phone: (907) 465-4457  
Fax: (907) 465-3519

Interim  
119 N. Cushman St. Suite 211  
Fairbanks, AK 99701  
Phone: (907) 456-8172  
Fax: (907) 451-9293

Representative\_David\_Guttenberg@legis.state.ak.us

## Sponsor Statement HB 72

### *"An Act establishing the position of Junior Student Regent"*

House Bill 72 amends current statute to improve student representation on the Board by giving Student Regents time to get acquainted with the process and issues in advance of taking on their full role as a voting member of the Board of Regents.

As the Law now stands, the job of Student Regent is not an easy one. The person holding the position is expected to maintain their full-time educational status – working and learning towards an undergraduate or graduate degree – while at the same time representing the interests of a far-flung and highly diverse student body. This job is made all the more difficult by a Student Regent's abrupt entry onto the Board. The learning curve in such a situation is steep.

House Bill 72 seeks to alleviate this problem by adding a second Student Regent, or Junior Regent, to the Board and establishing a new dynamic for both their service and succession. In practice, terms of individual Student Regents will still be two years but under this framework their terms will be overlapping and staggered. Newly appointed to the Board, the Junior Regent will spend his or her first year of service learning from the experience of the more Senior Regent and other members of the Board, attending meetings and participating in the subcommittee process as a voting member. The second year of the Student Regent's term will see him or her elevated to the position of Senior Regent, where they will be allowed to fully participate in and vote on Board decisions.

House Bill 72 adds a further stipulation that at least one member of Board of Regents must have received either an undergraduate or graduate degree from the University of Alaska.

Just as the private sector recognizes the value of internships and on the job training in preparing individuals for future employment, House Bill 72 will ensure that the person serving as Student Regent can be effective in their position from day one.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

March 3, 2003

**SUBJECT:** University of Alaska Board of Regents - HB 72

**TO:** Representative David Guttenberg  
Attn: Jomo

**FROM:** Michael F. Ford   
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

**Section 1.** Intent.

**Section 2.** Adds a non-voting student member to the University of Alaska Board of Regents.

**Section 3.** Requires at least one regent to have graduated from the University of Alaska.

**Section 4.** Technical amendment.

**Section 5.** Technical amendment.

**Section 6.** Requires that the Governor appoint two University of Alaska students to the Board of Regents. Specifies that the student with the longest service on the board is a voting member and the second student member is non-voting, except for board subcommittees. Provides that voting status is determined by relative periods of service, not by the status of the original appointee.

**Section 7.** Transition section regarding application of the Act to existing board members.

**Section 8.** Effective date.

MFF:med  
03-231.med

## **TITLE 14: CHAPTER 40 - Article 2**

### **Board of Regent and President of the University of Alaska**

#### **Sec. 14.40.120. University governed by Board of Regents.**

The University of Alaska shall be governed by a Board of Regents consisting of 11 regents.

#### **Sec. 14.40.130. Qualifications of regents; special provisions relating to student regent.**

- (a) Each regent shall be a citizen of the United States and a resident of the state.
- (b) In addition to satisfying the requirements of (a) of this section, the regent appointed under AS 14.40.150 (b) must
  - (1) be enrolled as a full-time student at the University of Alaska at the time of appointment;
  - (2) remain a full-time student while serving.
- (c) Failure of the regent appointed under AS 14.40.150 (b) to remain enrolled as a full-time student at the University of Alaska during the term for which the regent was appointed results in forfeiture of that office.
- (d) The governor shall appoint a successor from those students appearing upon the list of nominees submitted under AS 14.40.150 (b) within 60 days of a forfeiture or vacancy in the office.
- (e) For purposes of this section, the term "full-time student" is defined as provided in the University of Alaska Academic Regulations.

#### **Sec. 14.40.140. Term of office.**

Except for a student regent as specified in AS 14.40.150 (b), the term of office of a regent is eight years. The term of office begins on the first Monday in February of the year in which the appointment is made. Each regent serves until a successor is appointed and qualifies.

#### **Sec. 14.40.150. Appointment of regents.**

- (a) The governor shall appoint the regents subject to confirmation by a majority of all the members of the legislature in joint session. The names of those appointed shall be sent to the legislature within five days after the opening of the session, for confirmation or rejection. If a person appointed is not confirmed by a majority vote of all the members of the legislature, the appointment ceases and the name of another person shall be submitted

within three days after the rejection. If the legislature adjourns without confirming the nominee, or if an interim vacancy occurs, the governor may appoint a qualified person to fill the vacancy. However, the person who has failed to be confirmed may not be appointed. The term of office of the appointee expires on the fifth day of the session of the legislature following the appointment.

- (b) At least one member of the Board of Regents must be a student. The student shall be appointed from a list of nominees submitted to the governor. The governor shall make the appointment from the list within 60 days after it is submitted. The list shall consist of the names of two students from each campus of the University of Alaska after an election is held at each campus. Elections shall be conducted under rules established by the Office of the Governor. The term of office of the regent appointed from the general student body, University of Alaska, is for two years. The term of office begins June 1 of the year in which the appointment is made. An appointment made under AS 14.40.130(d) shall be for the unexpired term of the original appointee. The term "campus" used in this subsection means a portion of the University of Alaska designated as a "campus" by the Board of Regents.

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**University of Alaska Board of Regents  
Alaska Commission on Postsecondary Education**

**Requirements for the Positions and Rules Governing the Election of  
Nominees for Student Regent & Student Commissioner**

Alaska law stipulates that each campus will select two nominees for student regent and student commissioner through an election held under rules established by the Governor. The following are the requirements for the positions and rules to carry out the election of nominees. The appointment term is June 1, 2003 through May 31, 2005.

**POSITION REQUIREMENTS**

A student must:

1. be enrolled and remain enrolled as a full-time student (12 credits undergraduate, 9 credits graduate) [Alaska Statutes 14.40.130 and 14.42.015.e].
2. carry a cumulative 2.5 G.P.A. (or if freshman status, must have proof on high school transcript of 2.5 cumulative G.P.A.) [Office of the Governor]
3. be a student at the particular campus [Alaska Statutes 14.40.150 and 14.42.015.e].
4. be a United States citizen [Alaska Statute 14.40.130].
5. be a resident of Alaska [Alaska Statute 14.40.130].
6. if 18 years of age or older prior to the last general election, must be a registered voter in the State of Alaska [Alaska Statute 39.05.100].

**REQUIRED APPLICATION MATERIALS**

***Failure to submit the below listed documentation will result in deletion from the list of nominees submitted to the Governor!***

1. election certification;
2. names of all candidates in the local election and the number of votes they each received;
3. letters of recommendation;
4. proof of cumulative 2.5 G.P.A.;
5. resume or brief personal biography.

Student Regent/Student Commissioner  
Election Rules

## ELECTION RULES/PROCEDURES

- The Board of Regents' Office will disseminate instructions regarding the nomination, election and reporting of the student regent and student commissioner elections. The campus director or chancellor will appoint an ad-hoc student appeal board in cases of alleged voting irregularities.
- Only students may appear on the ballot and be nominated for the position of student regent.
- An election will be held on each campus. A campus is defined by the Board of Regents as a university institution in any of the following locations: Anchorage, Bethel, Dillingham, Fairbanks, Homer, Juneau, Ketchikan, Kodiak, Kotzebue, Nome, Palmer, Sitka, Soldotna, and Valdez. For the student representative position on the Alaska Commission on Postsecondary Education, Alaska Pacific University and Sheldon Jackson College are included as campuses.
- Elections will be conducted by local student associations on each campus. In the case where no established student association exists, an ad-hoc student group will be appointed by the local administration (campus director or chancellor).
- Each local student association or group will provide nominating petitions, advertising, and adequate polling time(s) and place(s) for the election.
- The nominating petitions will contain the requirements for the position, a minimum of three signatures of students who endorse the nomination of the candidate, the deadline for submitting the petition, and the date of the election.
- The local student association or group will establish an election committee to oversee the election, polls, and counting of ballots if such is not provided for in the organization of the group. Voting discrepancies will be resolved by the election committee or appealed to the ad-hoc student appeal board for final settlement within 24 hours after the election. If not appealed, the election results will be attested to by the election committee and become final 24 hours after the election.
- The local student group is responsible for meeting the following timetable in relation to the election:
  - > Nominating Petition Deadline - minimum of one week prior to election.
  - > Elections should be advertised at least one week prior to election. Nomination petition availability should be advertised at least one week prior to petition deadline.
  - > Elections must be conducted by February 21, 2003.
  - > Results must be received by the Board of Regents' Office at the close of business on March 5, 2003.

Student Regent/Student Commissioner  
Election Rules

- Each student may vote as determined by the requirements of local student associations or groups. No student may vote more than once. Each student will cast a vote for only one candidate for each position. Students may vote only for candidates from their respective campus.
- All elections will be by secret ballot.
- Each voter must satisfy election or polling officials of their status as qualified students to vote in the election.
- A campus will be allowed to submit, through the Board of Regents' Office to the Office of the Governor, the names of two nominees for each position who receive the greatest number of student votes in a campus election.
- In a situation where there is a tie vote between a second and third place candidate, the local student association will elect, or if there is no organized group, the ad-hoc student group will elect, by secret ballot, the second candidate for its campus from among the tied candidates.
- Local student associations are responsible for forwarding results to the Board of Regents' Office. The requested information should be forwarded to the Board of Regents' Office, University of Alaska, Suite 202A Butrovich Building, Fairbanks, AK 99775-5300 or faxed to (907) 474-6342. The office telephone number is (907) 474-7908.
- The Board of Regents' Office will be responsible for delivering the names of the candidates to the Office of the Governor by March 12, 2003.

Excerpts of pertinent Alaska State Statutes are attached.

Questions regarding the process should be directed to Ms. Jeannie D. Phillips, Board of Regents' Office, University of Alaska Statewide System, (907) 474-7908, or by electronic mail to SYBOR@ALASKA.EDU.

# Board of Regents

## MASTER LIST OF STUDENT REGENTS

| STUDENT REGENT               | TERM    | CAMPUS    | COMMENTS                                                                                                                                                   |
|------------------------------|---------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Wendte, Ronald W.            | 1974-76 | Juneau    | First Student Regent                                                                                                                                       |
| Lemke, Bruce                 | 1976    | --        | Appointment not confirmed by legislature - resigned.                                                                                                       |
| LaParle, Gerard R.           | 1976-77 | Fairbanks | --                                                                                                                                                         |
| Davidge, Ric                 | 1977    | Juneau    | --                                                                                                                                                         |
| Sharilyn Mumaw               | 1977-80 | Anchorage | First female student regent; first student regent from UA Anchorage; completed an extended term due to resignation of Regent Davidge on December 31, 1977. |
| Burgess, Timothy             | 1980-82 | Fairbanks | --                                                                                                                                                         |
| Hannan, Sara T.              | 1982-84 | Fairbanks | --                                                                                                                                                         |
| Shaver, Lynn B.              | 1984-86 | Anchorage | --                                                                                                                                                         |
| Bousley, Lance P.            | 1986-87 | Juneau    | Resigned at Spring 1987 graduation.                                                                                                                        |
| Judith J. Graham             | 1987-89 | Anchorage | --                                                                                                                                                         |
| Van Hatten, Jack III (Buddy) | 1989-90 | Fairbanks | Resigned for personal reasons.                                                                                                                             |
| Reeve, Mary                  | 1990-91 | Anchorage | Served for remainder of Van Hatten's term.                                                                                                                 |
| Lamkin, Timothy S.           | 1991-93 | Fairbanks | First student regent to hold a board officer position (Vice President).                                                                                    |
| Otterbacher, Scott A.        | 1993-95 | Fairbanks | Also attended UA Anchorage and UA Southeast                                                                                                                |
| Hayes, Joe L., Jr.           | 1995-97 | Fairbanks | First African-American to serve on Board of Regents.                                                                                                       |
| Nelson-Wright, Annette M.    | 1997-99 | Juneau    | --                                                                                                                                                         |
| Horst, Joshua B.             | 1999-01 | Juneau    | --                                                                                                                                                         |
| Hardenbrook, Joe             | 2001-02 | Fairbanks | Legislature failed to vote on confirmation.                                                                                                                |
| Miller, Derek                | 2002-03 | Fairbanks | Appointed after special election authorized by Governor Knowles to serve remainder of J. Hardenbrook term.                                                 |

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February 13, 2003

Fairbanks, AK

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Article Last Updated: Thursday, February 13, 2003 - 5:12:47 PM MST

**Regent nominees clear hurdles**

By TOM MORAN

News-Miner Juneau Bureau

JUNEAU--The state House Committee of Health, Education and Social Services has recommended the confirmation of five nominees to the University of Alaska Board of Regents, including three from Fairbanks.

In a Tuesday afternoon hearing, the committee voted unanimously to support the confirmations of Jim Hayes, Cynthia Henry, and student regent Derek Miller of Fairbanks, as well as Mary Hughes of Anchorage and Mike Snowden of Sitka. Hayes, Henry and Snowden were all nominated by Gov. Frank Murkowski, while Miller and Hughes were nominated by ex-Gov. Tony Knowles and are being forwarded by Murkowski.

The nominees can now go before a joint session of the state Legislature for confirmation. Both Hayes' and Henry's terms would expire in 2011, while Miller would serve a total of a year as student regent.

Hayes, who was mayor of Fairbanks from 1992 to 2001, has a bachelor of arts from UAF. He has also worked as a school teacher and served on the Fairbanks North Star Borough school board. Hayes answered questions from the seven-person committee on several topics, including affirmative action, university health education programs and the university budget. On the latter, Rep. Kelly Wolf, R-Kenai, asked Hayes whether there is room for budget trimming at UA.

Hayes said he didn't have details of the budget but conjectured there would be room for cuts if necessary.

"There's always areas that you can trim or cut," he said. "I think people that know me know I'm fairly conservative, I cut the city budgets."

Cynthia Henry, who holds a master's in education from UAF, is a member of the Fairbanks North Star Borough assembly, a former member of the school board and a former teacher. When asked about health education, Henry said the university system has room for improvement and noted that UAF has no nursing program.

"I think the goal of the university, the responsibility of the university, is to fill those professional positions that are needed in this state, and I think we have been lacking in the health profession," she said.

The committee reserved the toughest questions for Miller, a UAF senior business major who has been student body president for two years. When asked to give the university a letter grade, Miller gave it a B-minus--"I definitely think we are an above-average university," he said--and said the system needs to do more to compete on a national level.

Miller said he supported a recent bill that would double the number of student regents. And asked what he would do to improve each major campus of the system, he said he would support UAS's accessibility, look into doctorate programs at UAA and create more of a focus on education rather than research at UAF.

"I would like to see a teaching emphasis, more so, at the Fairbanks campus," he said.

Reporter Tom Moran can be reached at [tmoran@newsminer.com](mailto:tmoran@newsminer.com) or (907)463-4893.

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